



# GIS Tracking Sheet

Case No.: DCI 2004-00034  
 Intake Date: 5-21-04  
 Project Name: 4812 Esplanade  
 STRAP Number(s): 32-47-25-B4-00208.0020  
 Planner Name: Ext.

Tony Palermo

8325

## LEGAL DESCRIPTION VERIFICATION and INITIAL GIS MAPPING

Date: 21 AUG 04

INTAKE: DCI 04034

LEGAL SUFFICIENT

☒ YES

☐ NO

Initials:

If not, give brief explanation:

## MAP UPDATE following FINAL ACTION

Date: 04 MAR 05

☒ CITY OF BONITA SPRINGS

☐ Hearing Examiner Decision

☐ Board of County Commissioner's Resolution

☐ Administrative Approval

☐ Blue Sheet

Zoning Notes: DCI 2004-00034, BS ZONING RESO #05-01, 10 JAN 05, DENIAL OF REQUEST TO REZONE FROM TFC-2 TO RPD @ 4812 ESPANADE STREET, .36 ACRES

MAP UPDATED

☒ YES

☐ NO

Initials: Tony

If not, give brief explanation:

CREATED TFC-2: 501051

501051

DCI2004-00034

**PROPERTY DESCRIPTION**  
4812 ESPLANADE

EXHIBIT "A"

LOT 2, BLOCK 8, IMPERIAL SHORES, AN UNRECORDED SUBDIVISION LYING IN SECTION 32, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 47 SOUTH, RANGE 25 EAST, RUN N.01°44'10"W. ALONG THE EAST LINE THEREOF FOR 1310.00 FEET; THENCE RUN S.89°46'10"W. PARALLEL WITH THE SOUTH LINE OF SAID SECTION FOR 100.00 FEET TO THE **POINT OF BEGINNING** OF THE LANDS HEREIN DESCRIBED. FROM SAID POINT OF BEGINNING CONTINUE ALONG THE SAME COURSE S.89°46'10"W. FOR 100.00 FEET; THENCE RUN N.00°13'50"W. FOR 153.93 FEET; THENCE RUN N.89°28'50"E. FOR 100.00 FEET; THENCE RUN S.00°13'50"E. FOR 154.43 FEET TO THE **POINT OF BEGINNING**.

Applicant's Legal Checked  
by *[Signature]* 21 AUG 04  
(RETYPE)

|                                                                                                                                                                                                                            |                          |                                 |                                                                                                                                                                                                                          |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|---------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| FIELDBOOK SEE PAGE FILE DATE 10-24-91                                                                                                                                                                                      |                          | SECTION 32 , TWP 47 S, RGE 25 E |                                                                                                                                                                                                                          |
| NORTH<br>ARROW<br><br>                                                                                                                                                                                                     | FOUNDATION LOCATION DATE | FIELDBOOK PAGE                  | <b>LEGEND</b><br>SET CONC MON W/ CAP I.D. # 3338<br>SET IRON PIN W/ CAP I.D. # 3338<br>FO CONC MON W/ CAP<br>FO IRON PIN W/ CAP<br>FO CONC MON<br>FO IRON PIN<br>ASSUMED ELEVATION<br>BENCH MARK<br>RECORDED<br>MEASURED |
| <b>LEGAL DESCRIPTION</b><br>(AS PROVIDED BY CLIENT)<br>This is a boundary survey, see reverse side for a legal description.<br><br>This property lies in Flood Zone A 15, EL 11 per FIRM Panel No. 125124 0505 C, 11/3/89. |                          |                                 |                                                                                                                                                                                                                          |
| <b>SCALE</b><br>1" = 30'                                                                                                                                                                                                   |                          | FINAL SURVEY DATE               |                                                                                                                                                                                                                          |

CANAL

BLOCK 8

DCI 2004-00034

**RECEIVED**  
MAY 21 2004

**PERMIT COUNTER**

**ESPLANADE**

This survey is certified to Ralph A. Richardson, Attorney's Title Insurance Fund, Inc., Mark D. McCleary, and to Sunbank/Southwest Florida.

Applicant's Survey Checked By ES Apr 2, 2004.

SE COR - SE 1/4 - SW 1/4 - SEC 32, T47S, R25E

**NOTES**

- REPRODUCTION OF THIS SKETCH IS NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.
- NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS-OF-WAY, AND/OR OWNERSHIP WERE FURNISHED THIS SURVEYOR EXCEPT AS SHOWN.
- NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS NOTED.
- BEARINGS SHOWN HEREON ARE BASED ON ESPLANADE BEING S89°46'10\"W

**CERTIFICATE**

I hereby certify that the above described property was surveyed under my direction and the sketch of survey is true and correct to the best of my knowledge. This survey meets or exceeds the minimum technical standards set forth by the Florida Board of Land Surveyors, pursuant to Rule 61G17 - 6 Florida Administrative Code, and pursuant to Section 472.027 Florida Statutes. There are no visible encroachments other than those shown hereon.

LAST DATE OF FIELDWORK 1-24-95

JAN. 26 1995

P.L.S.

|                                                    |          |                                                           |
|----------------------------------------------------|----------|-----------------------------------------------------------|
| <b>MARK O. ALLEN</b><br>PROFESSIONAL LAND SURVEYOR |          | 26751 OLD U.S. 41 RD., S.E.<br>BONITA SPRINGS<br>992-8900 |
| DWN. BY<br>MG                                      | CHA'D BY | ORDERED BY<br>MARK MCCLEARY                               |
|                                                    |          | SHEET 1 OF 1                                              |

Lot 2, Block 8, IMPERIAL SHORES, an unrecorded subdivision lying in Section 32, Township 47 South, Range 25 East, Lee County, Florida, more particularly described as follows:

From the Southeast corner of the Southeast quarter of the Southwest quarter of Section 32, Township 47 South, Range 25 East, run North 01° 44' 10" West along the East line thereof for 1310 feet; thence run South 89° 46' 10" West parallel with the South line of said Section for 100 feet to the Point of Beginning of the lands herein described. From said Point of Beginning continue along the same course South 89° 46' 10" West for 100 feet; thence run North 0° 13' 50" West for 153.93 feet, thence run North 89° 28' 50" East for 100 feet; thence run South 0° 13' 50" East for 154.43 feet to the Point of Beginning.

#### APPENDIX A

##### LEGEND OF ABBREVIATIONS

|             |                             |           |                                  |          |                          |
|-------------|-----------------------------|-----------|----------------------------------|----------|--------------------------|
| A           | ARC                         | E.O.P.    | EDGE OF PAVEMENT                 | P.O.B.   | POINT OF BEGINNING       |
| APPROX.     | APPROXIMATE                 | E.O.W.    | EDGE OF WATER                    | P.O.C.   | POINT OF COMMENCEMENT    |
| ASPH        | ASPHALT                     | F.B.      | FIELD BOOK                       | PROP     | PROPERTY                 |
| AVE         | AVENUE                      | FD        | FOUND                            | P.T.     | POINT OF TANGENCY        |
| BLVD.       | BOULEVARD                   | FLA.      | FLORIDA                          | PUE      | PUBLIC UTILITY EASEMENT  |
| B.M.        | BENCHMARK                   | I.P.      | IRON PIN                         | R        | RECORD                   |
| C           | CHORD                       | LN.       | LANE                             | RAD      | RADIUS                   |
| CALC.       | CALCULATED                  | M         | MEASURED                         | RCP      | REINFORCED CONCRETE PIPE |
| C.B.        | CHORD BEARING               | M.E.      | MAINTENANCE EASEMENT             | RD.      | ROAD                     |
| CBS         | CONCRETE BLOCK STRUCTURE    | M.H.      | MAN HOLE                         | RDL      | RADIAL                   |
| C&GS        | COASTAL AND GEODETIC SURVEY | MON       | MONUMENT                         | RES      | RESIDENCE                |
| CHK'D       | CHECKED                     | N/A       | NOT APPLICABLE                   | RLS      | REGISTERED LAND SURVEYOR |
| CMP         | CORRIGATED METAL PIPE       | NGVD      | NATIONAL GEODETIC VERTICAL DATUM | R.O.W.   | RIGHT OF WAY             |
| CO.         | COUNTY                      | NO.       | NUMBER                           | R OR RGE | RANGE                    |
| CONC        | CONCRETE                    | O.R. BOOK | OFFICIAL RECORD BOOK             | SEC      | SECTION                  |
| COR.        | CORNER                      | ORIG      | ORIGINAL                         | ST.      | STREET                   |
| CT.         | COURT                       | O/S       | OFFSET                           | STY      | STORY                    |
| D.E.        | DRAINAGE EASEMENT           | P.B.      | PLAT BOOK                        | TOB      | TOP OF BANK              |
| DESC        | DESCRIPTION                 | P.C.      | POINT OF CURVATURE               | T OR TWP | TOWNSHIP                 |
| D.H.        | DRILL HOLE                  | PG.       | PAGE                             | TYP      | TYPICAL                  |
| DWN.        | DRAWN                       | P.I.      | POINT OF INTERSECTION            | UE       | UTILITY EASEMENT         |
| EL OR ELEV. | ELEVATION                   | PLS       | PROFESSIONAL LAND SURVEYOR       | W/       | WITH                     |
|             |                             |           |                                  | C        | CENTER LINE              |
|             |                             |           |                                  | Δ        | DELTA                    |

CITY OF BONITA SPRINGS, FLORIDA  
ZONING RESOLUTION NO. 05-01

A RESOLUTION OF THE CITY OF BONITA SPRINGS, FLORIDA: DENYING A REQUEST BY MARK D. & JOCELYN F. MCCLEARY TO REZONE FROM TWO-FAMILY CONSERVATION (TFC-2) TO RESIDENTIAL PLANNED DEVELOPMENT (RPD); ON LAND LOCATED AT 4812 ESPLANADE STREET, BONITA SPRINGS, FLORIDA, (STRAP NO. 32-47-25-B4-00208.0020), ON 0.36 ± ACRES

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 without prejudice.

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

1. The applicant has not proven entitlement to the rezoning by demonstrating compliance with the Bonita Springs Comprehensive Plan, the Land Development Code, and other applicable codes and regulations.
2. The requested zoning, as conditioned:
  - a) Does not meet or exceed all performance and locational standards set forth for the potential uses allowed by the request;
  - b) Is not consistent with the densities, intensities and general uses set forth in the Bonita Springs Comprehensive Plan;
  - c) Is not compatible with existing or planned uses in the surrounding area; and
  - d) Will adversely affect environmentally critical areas or natural resources.

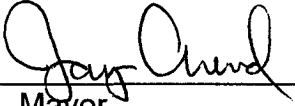
3. Approval of the request will not place an undue burden upon existing transportation or planned infrastructure facilities and the site will be served by streets with the capacity to carry traffic generated by the development.
4. Urban services, as defined in the Bonita Springs Comprehensive Plan, are, or will be, available and adequate to serve the proposed land use.
5. The proposed use or mix of uses is not appropriate at the subject location.
6. The recommended conditions to the concept plan and other applicable regulations do not provide sufficient safeguards to the public interest.
7. The recommended conditions are not reasonably related to the impacts on the public's interest created by or expected from the proposed development.

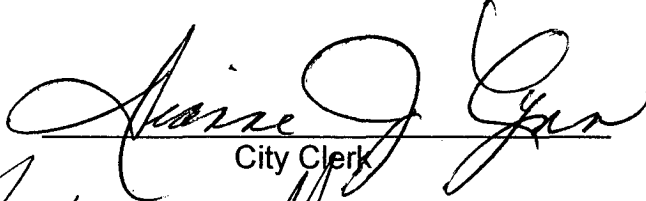
SECTION TWO: EFFECTIVE DATE

This resolution shall take effect immediately upon adoption.

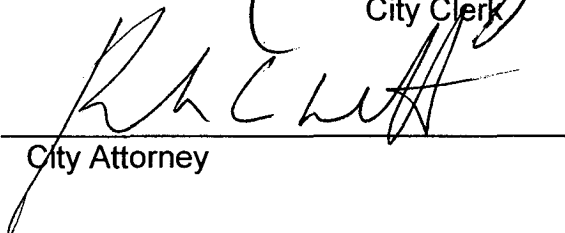
DULY PASSED AND ENACTED by the City Council of the City of Bonita Springs, Lee County, Florida, this 10<sup>th</sup> day of January, 2005.

AUTHENTICATION:

  
\_\_\_\_\_  
Mayor

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

APPROVED AS TO FORM:

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

Vote:

|        |     |        |     |
|--------|-----|--------|-----|
| Arend  | NAY | Nelson | NAY |
| Edsall | NAY | Piper  | AYE |
| Grantt | AYE | Wagner | AYE |
| Joyce  | AYE |        |     |

Date filed with City Clerk: 1-11-05



**City of Bonita Springs  
City Council Zoning Hearing  
Monday, January 10, 2005  
9:00 am  
Bonita Springs Utilities' Board Room  
11900 East Terry Street  
Bonita Springs, Florida 34135  
MINUTES**

**I. CALL TO ORDER:**

Mayor Jay Arend called the meeting to order at 9:00 A.M.

**II. PLEDGE OF ALLEGIANCE:**

Mayor Arend led in the pledge of allegiance.

**III. ROLL CALL.**

Mayor Arend and all Council Members were in attendance, with Council Member David Piper entering the meeting at 9:01 A.M.

**IV. SECOND READING:**

A. Esplanade RPD                      DCI2004-00034

**A ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; APPROVING A REQUEST BY MARK D. & JOCELYN F. MCCLEARY TO REZONE FROM TWO-FAMILY CONSERVATION (TFC-2) TO RESIDENTIAL PLANNED DEVELOPMENT (RPD); ON LAND LOCATED AT 4812 ESPLANADE STREET, BONITA SPRINGS, FLORIDA, (STRAP NO. 32-47-25-B4-00208.0020), ON 0.36 + ACRES; PROVIDING FOR AN EFFECTIVE DATE.**

8:59:56 AM      Assistant City Attorney Kami Corbett read the title blocks of both the Zoning Ordinance and the Zoning Resolution into the record.

Chip Block, Zoning Division, furnished a brief description of the request. He stated that Staff has recommended approval with conditions, and the Zoning Board has recommended denial.

Attorney Russell Schropp, representing the Applicant, furnished an overview of the request, which he stated involved property 100 feet wide by 157 feet deep, which is currently developed with two duplexes. The neighborhood consists of a mix of single family, duplex and triplex uses.

He explained that the Applicant would like to modify the request to state that if rezoned to Residential Planned Development, they would commit to two units rather than the requested

four, for the development of either two lots with one single family use on each, or one duplex. Staff does not object to this revision.

Referring to the Staff Report, he stated that Condition 2. b. needs to be revised to reflect two dwelling units rather than four, with the setback in Condition 8.

9:12:50 AM Mark McCleary, the Applicant, stated that similar cases have appeared before City Council – the River Reach Case, the Ambrozy rezoning, the Tarpon case, and this one. He further explained.

9:22:22 AM Council Member Wagner stated he was concerned with preserving the character of the neighborhood.

**PUBLIC COMMENTS:**

9:25:39 AM Ray Ambrozy, a resident in the area, addressed differences between his case and the Applicant's request. His rezoning involved two separate lots with existing duplexes on them. The Comprehensive Plan indicates that this area is to be preserved for single family. Also, the lot width of his property was greater than the Applicant's. He is against the lot being split into two 50-foot lots.

9:28:33 AM Lake Sims, a resident in the area, agreed with comments made by Mr. Ambrozy.

9:29:11 AM Connie Sims, a resident in the area, stated that she supports quality rather than density.

9:30:36 AM Frankie Everett, a resident in the area, spoke in support of single family uses.

9:34:43 AM Mr. Schropp stated that they are requesting two single family units or one duplex for the site. They agree with having a side setback of 7 ½ feet. A two family attached duplex would entail a common lot line.

9:36:03 AM Council Member Piper stated he was against the request even with the change today for reasons relating to compatibility.

9:38:14 AM Council Member Nelson stated that he would not object with the 7 ½ foot setback and 40 percent lot coverage.

Council Member Wagner motioned approval of the Resolution (denying the request) without prejudice; Council Member Piper seconded; and the motion carried 4-3 (Mayor Arend and Council Members Nelson and Edsall dissenting). Adopted Zoning Resolution No. 05-01.

B. 11101 New Moon Ct. DCI2004-00044

A ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; APPROVING A REQUEST BY BONITA SPRINGS AREA HOUSING DEVELOPMENT CORPORATION TO REZONE FROM MOBILE HOME (MH-1) DISTRICT TO RESIDENTIAL PLANNED DEVELOPMENT (RPD); LOCATED AT 11101 NEW MOON COURT, BONITA SPRINGS, FLORIDA, (STRAP NO. 25-47-25-B4-00107.0950), ON 1.80 +/- ACRES; PROVIDING FOR AN EFFECTIVE DATE.

Assistant City Attorney read the title block of the Zoning Ordinance into the record.

Chip Block, Zoning Division, addressed the request, which he stated involved a request to rezone property from Mobile Home (MH-1) to Residential Planned Development (RPD) for property located on New Moon Court. Both Staff and the Zoning Board have recommended approval with conditions.

9:46:41 AM Debbie Gress, representing the Applicant, addressed jurisdiction of the road, which she stated their hope was that the City would take over the road, which was currently a private road. A lengthy discussion followed on access and the easement.

9:59:36 AM John Mansfield, representing the Spanish Gardens Property Owner's Association, furnished the history of Lot 95, which was the former location of the Leitner Creek Sewage Treatment Plant, which this road was originally used to serve. He next addressed the issue of the easement and discussions held with Ms. Gress. The simplest solution would be to let them access off of the cul-de-sac. He was here to ask Council to deny the request, or to delay making a decision to allow them to find a way to access their property.

10:09:17 AM Council Member Piper addressed concerns he had regarding surface water management, stating that he was against any proposal that would result in a decrease. Discussion ensued.

10:15:46 AM Chip Block, Development Services Division, suggested the following condition:

9. An easement for road access may be permitted through the retention /drainage area shown on the Master Concept Plan to allow access to the Spanish Gardens recreation area. This may be achieved without an amendment to this approved planned development.

10:20:54 AM Council Member Piper motioned approval of the Zoning Ordinance, as revised to include the condition suggested by Staff; Council Member Grantt seconded; and the motion carried unanimously. **Adopted Zoning Ordinance No. 05-01.**

Council Member Grantt reported an ex parte communication he had regarding the case.

V. **ADJOURNMENT:**

There being no further cases to discuss, the meeting adjourned at 10:25 A.M.

Respectfully submitted,

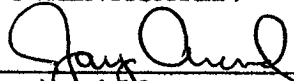
  
Debra Muchler, Recording Secretary

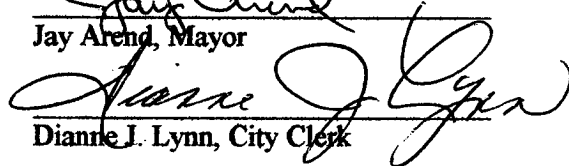
APPROVED:

BONITA SPRINGS CITY COUNCIL:

Date: 1-19-05

AUTHENTICATED:

  
Jay Arend, Mayor

  
Dianne J. Lynn, City Clerk

|                    |                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                          |
|--------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| <b>Description</b> | <p align="center"> <b>City of Bonita Springs</b><br/> <b>Board for Land Use Hearings &amp; Adjustments</b><br/> <b>And Zoning Board of Appeals</b><br/> <b>Friday, November 5, 2004</b><br/> <b>Bonita Springs Utilities' Board Room</b><br/> <b>11900 East Terry Street</b><br/> <b>Bonita Springs, FL 34135</b> </p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                          |
| <b>Date</b>        | 11/5/2004                                                                                                                                                                                                                                                                                                              | <b>Location</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Bonita Springs Utilities |
| <b>Time</b>        | <b>Agenda Item</b>                                                                                                                                                                                                                                                                                                     | <b>Speaker / Notes</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                          |
| <u>9:29:40 AM</u>  | I.                                                                                                                                                                                                                                                                                                                     | <b>CALL TO ORDER:</b><br><br>Chairman Pete Pastore called the meeting to order at 9:30 A.M.                                                                                                                                                                                                                                                                                                                                                                                                                                     |                          |
| <u>9:30:35 AM</u>  | II.                                                                                                                                                                                                                                                                                                                    | <b>INVOCATION:</b><br><br>Board Member Robert Incerpi furnished the invocation.                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                          |
| <u>9:30:54 AM</u>  | III.                                                                                                                                                                                                                                                                                                                   | <b>PLEDGE OF ALLEGIANCE:</b><br><br>Chairman Pastore led in the pledge of allegiance.                                                                                                                                                                                                                                                                                                                                                                                                                                           |                          |
|                    | IV.                                                                                                                                                                                                                                                                                                                    | <b>ROLL CALL:</b><br><br>Board Members Present: Board Members Absent:<br><br>Chairman Pete Pastore Wesley Norris<br>Chris Bielski Frank Howe<br>Bill Pescosolido<br>Robert Incerpi<br>James Brandreth                                                                                                                                                                                                                                                                                                                           |                          |
| <u>9:31:13 AM</u>  | V. PUBLIC HEARINGS:                                                                                                                                                                                                                                                                                                    | A. 9:30 a.m. CASE NO. DCI2004-00026<br><br>CASE NAME: Vanderbilt Drive Office Building<br><br>REQUEST: Minor Planned Development to permit 9,061 square feet of commercial floor area with 2,870 square feet for retail uses, 2,960 square feet for medical office uses, and 3,231 square feet for non-medical office uses. The proposed maximum building height is thirty-five feet comprised of two habitable floors. The applicant is also requesting deviations form the LDC for buffer requirement from residential areas. |                          |

|  |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|--|--|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  |  | <p>LOCATION: 28089, 28107, and 28125 Vanderbilt Drive, Bonita Springs, FL 34134 (Three blocks south of Bonita Beach Road on the east side of Vanderbilt Drive)</p> <p>STRAP NO. 04-48-25-B1-00100.0050, 04-48-25-BI-00100.0060, and 04-48-25-BI-00100.007</p> <p>SIZE OF PROPERTY: 0.74 +/- Acres</p> <p>STAFF REPORT: Direct inquiries to Mr. Tyler Frazier, Senior Planner, at 479-8322, at the Lee County Department of Community Development, 1500 Monroe Street, Ft. Myers, Florida.</p> <p>Assistant City Attorney Kami Corbett introduced the case, read the request into the record and placed all witnesses under oath. Sean Weeks, representative for the Applicant, furnished his experience and qualifications, and was accepted by the Zoning Board as an expert witness.</p> <p>Mr. Weeks stated that the subject property is currently zoned Commercial Planned Development (CPD). The original Master Concept Plan (MCP) was vacated and so they filed another MCP and rezoning application, which they are here with today. The site fronts Vanderbilt Drive and is located in the southern portion of the City, with 3 abutting parcels. The site consists of approximately 0.74 acres, equaling 32,000 square feet. He next addressed the surrounding properties (reflected on page 1 of 8 of the Staff Report). The site is vacant and cleared and located in the Central Urban land use category of the Comprehensive Plan. The City's Growth Management Plan/Future Land Use Map designates it as General Commercial.</p> <p>The proposal is for a 2 story building, 35 feet in height, with 9,061 square feet of commercial - 5,800 square feet on the first floor and 3,200 square feet on the second floor. A total of 2,800 is slated for retail, 2,900 for medical office, and 3,200 for non-medical on the second floor. The setbacks are consistent with the 1 zoning district - with a 25-foot front setback, a 25-foot rear setback, and a 20-foot side setback. They are also proposing a 12-foot-wide one way loop drive lane, with angled and parallel parking spaces. A single access is proposed, providing ingress/egress off of Vanderbilt Drive. There is also a multi-directional entry southbound and a right-in only entry northbound.</p> <p>They are proposing a Type "A" buffer on the north and south sides of the 5-foot wide buffer easement; a 15-foot Type "D" buffer on the west, which fronts Vanderbilt Drive; and a 15-foot Type "C" on the east side, where they abut the existing subdivision. They also plan to erect an 8-foot-high wall with a berm, which will be placed 11 feet off the east property line to keep it out of the 6-foot utility easement, providing a 5-foot clear area for plantings.</p> |
|--|--|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

The property will have on-site dry detention facilities. The property is located within the Imperial River Drainage basin, which will be mandated by the Lee County Surface Water Master Plan.

He stated that, in summary, they are proposing a low impact development that has a floor area ratio of 0.3, which is 1/4 the density they could have proposed. The site will entail low vehicular turnover based on the uses. The Traffic Impact Statement (TIS) depicts 36 peak hour trips, i.e., one vehicle leaving the property every three minutes. The development will also entail an aesthetically pleasing architectural plan that integrates well with the existing subdivision behind them. He next referred to an aerial photograph that shows the location of the site, Boni Beach Road, Vanderbilt Drive, etc. The site consists of lots 5, 6, and 7, all of which have a 135-foot depth and an 80-foot width. The entire property consists of 32,000 square feet, or 0.74 acres.

He next referred to an architectural rendering that shows the building facade, which depicts 5,800 feet for the lower floor and 3,200 feet on the top floor. The building will have a height of 35 feet. He next addressed Deviation 1, in which they are requesting to place the buffer wall 11 feet from the property line instead of the required 25 feet. Staff has recommended approval of Deviation 1.

Board Member Incerpi requested further clarification regarding parking at the north end of the building. Mr. Weeks responded. There will be a 12-foot drive lane with angled parking that abuts the building. Parallel parking is also shown at both the north and south ends. Parking is an issue that can be worked out at development order stage.

Tyler Frazier, Zoning Division, began by referring to page 2 of the Staff Report and a revision that needed to be made to Condition 3 to change "Lee County" to "Bonita Springs."

Staff reviewed the request, taking into consideration the residential uses to the east. Originally there was a proposal for a buffer. Staff felt the wall was necessary in terms of noise and parking layout, and came up with a compromise in terms of an adequate buffer that would mitigate all of the negative impacts, i.e., sound, lighting, etc. The buffer is a 15-foot-wide buffer versus a 25-foot-wide buffer, which will include a wall. The development, as stated by the Applicant, will entail low intensity commercial uses, which Staff feels will not adversely affect the neighboring properties.

Board Member Bill Pescosolido requested additional information regarding Sunset Acres, the residential area near the site. Mr. Frazier stated that directly to the east, off of Sunset, there are a number of single family homes, most of which are one story structures. To the north there is a commercial building and some residential uses. Further to the south is a similar situation.

Board Member Chris Bielski referred to the mixed uses proposed, i.e., retail, medical, non-medical uses, and asked if those were equally intense uses, or whether some were less intense in terms of trips per day. Mr. Frazier stated that the office uses would be more intense. The retail shops are more specialty shops i.e., a flower shop, a news stand, etc. Ms. Bielski questioned the existence of provisions for placement of the less intense uses on the side, adjacent to the residential uses. Mr. Frazier responded no. Ms. Bielski asked Mr. Frazier if he felt this would help in terms of compatibility. Mr. Frazier stated that he would have to determine the exact layout of the building to better assess that. Chip Block, Zoning Division, referred to the multiple tenant buildings proposed and stated that most of the time traffic is not evaluated on an individual use basis. Mr. Weeks stated that he did not see where the traffic proposed by this project would adversely affect the neighboring properties.

Board Member Incerpi referred to page 5 of the Staff Report that states, "The applicant does not include the requisite wall on the MCP because of the requested deviation." Mr. Weeks stated that this is language that was written prior to the completion of the Staff Report, before their compromise regarding placement of the wall.

Board Member Brandreth questioned who would be responsible for maintaining the buffer wall. Mr. Weeks stated that the Applicant would be responsible.

#### PUBLIC INPUT:

Ryan Willoughby, a resident on the east side of Sunset Drive, directly across from the proposed project, stated that he did not receive the letter the Applicant sent out regarding the architectural design of the site. Mr. Weeks stated that those letters were mailed only to residents adjacent to the site. Mr. Willoughby questioned where the wall would be placed without the deviation, to which Mr. Frazier responded there is a 25-foot buffer between the wall and the property line. He referred to a meeting with the Division of Environmental Sciences who reviewed the proposed planting widths and the wall, including the height and maturity of trees, as well as the hedge on the east side of the wall, and concluded that it would be compatible. Overall, there would be aesthetically pleasing vegetation on the east side of the wall that would be properly maintained. Staff specified in their conditioning that there be nine native canopy trees on the east side. Mr. Willoughby stated that he would prefer that the wall be set at 20 or 25 feet. An extensive discussion followed on buffering and the height of the wall. Mr. Weeks stated that the residents would be able to see the second story of the building, however, to go higher would be cost prohibitive and give their building a more institutional appearance.

Board Member Bielski questioned the reason for the reduced setback for the wall. Mr. Frazier stated that the reason for the setback was to accommodate

development on the property, i.e., parking lanes, etc.

Tom Obrien, stated that his property is located adjacent to the proposed building and he did not receive any notice. He questioned the reason for the deviation. He feels the setback should remain at 25 feet, as required. Secondly, the letter that he received regarding this case states that the building is three blocks south of Boni Beach Road, which is incorrect. It's three blocks south in Collier County. Also, most of the commercial buildings south of him are all one story and aesthetically pleasing. They are not two stories as proposed here. He feels the people in the second floor will be looking right into his yard and pool area.

Mr. Weeks next responded to comments made by residents, explaining that the current zoning of the site allows for buildings higher than what they are proposing. He feels that there is a benefit to the residents because of the much softer development they are proposing as opposed to what could be built on the site.

Discussion followed on concerns regarding the width and location of the buffer relation to the residents on the east side. Mr. Frazier stated that the total buffer width is proposed to be reduced from 25 feet to 15 feet, inclusive of a 6-foot utility easement. Board Member Bielski stated that that the two deviation issues regard the placement of the wall and width of the buffer. Mr. Frazier explained that the wall is currently depicted on the MCP as 11 feet from the property line, which is inclusive of the 6-foot utility easement and the 5-foot planting strip for the native trees. In his opinion, if the property was to comply with the 25 foot regulation, he felt it would not sufficiently buffer the residents on the east side from the view of the second floor of the building. The trees after three or four years would grow and break up the view of the second story. He does believe they will see some aspects of the second story. The further away one gets from the property it will be less of an issue. The wall is only proposed for the east side of the property so at some point there would be an angle where they would be able to see over the wall. Mr. Block further responded.

Steve Hunt, stated that he is one of the five property owners of the subject property. He stated that he was very much concerned about the adjoining property owners, and could have built higher. Nonetheless, they went the minimum they could to make their project feasible. He did know there would be impacts and that the 8-foot wall would be there. They did solicit feedback from the surrounding owners, but did not get any feedback, so they went forward with a plan they felt would be the least impacting to the neighbors. He reiterated that to make this project work they need the wall to be placed at the 11 feet from the property line. He stated that they do plan to do something with this property, and if he is denied this, then he will have to go in higher and place the parking underneath.

Board Members Incerpi, Bielski, Pescosolido against the deviation request.

|                    |                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|--------------------|------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                    |                  | <p>Board Member Brandreth stated he felt the applicant has gone half way in solving the problems and that the changes proposed are satisfactory. He noted that commercial development was occurring along Vanderbilt Road. He motioned approval of the request, including the deviation; Board Member Pescosolido seconded the motion for purposes of discussion.</p> <p>Mr. Block clarified that the maximum building height allowed is 45 feet, therefore, the applicant was below the maximum height allowed.</p> <p>The motion failed 4-1 (Board Members Bielski, Incerpi, Pastore and Pescosolido dissenting).</p> <p>Mr. Block addressed the Board's options, explaining that concerns raised today regard buffers, building height, transportation access through the rear of the site adjoining the residential area, and the deviation.</p> <p>Board Member Pescosolido suggested the Applicant meet with the abutting property owners to work things out, to reduce the deviation setback and to give further consideration to buffering, and to work on the rear elevation so the residents are informed what they would be looking at.</p> <p>Board Member Pescosolido withdrew his second to the motion. Assistant City Attorney Corbett reminded Board Member Pescosolido that the vote had already been taken.</p> <p>Mr. Weeks stated that he would like to continue to address buffering and coordinate with the neighbors.</p> <p>Board Member Incerpi motioned approval of granting an indefinite continuance Board Member Bielski seconded; and the motion carried unanimously.</p> <p><b>PARTICIPANTS LISTED ON ATTACHMENT "A"</b></p> |
| <u>10:58:57 AM</u> | B. Esplanade RPD | <p>10:30 a.m. CASE NO. DCI2004-00034</p> <p>CASE NAME: Esplanade RPD</p> <p>REQUEST: Rezone +/- 0.36 acres of land from Two-Family Conservation (TFC 2) to Residential Planned Development (RPD) to permit development of a pair of two-family attached dwelling units (4 total dwelling units). No development blasting is proposed.</p> <p>LOCATION: 4812 Esplanade Street, Bonita Springs, FL 34134 (US 41 to Bonit Beach Road, turn west to Imperial Shores Boulevard, turn north to Esplanade Street, second house</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

on  
right.)

STRAP NO.: 32-47-25-B4-00208.0020

SIZE OF PROPERTY: 0.36 +/- Acres

STAFF REPORT: Direct inquiries to Tony Palermo, Senior Planner, at 479-832  
at the Lee County

Department of Community Development, 1500 Monroe Street, Ft. Myers, Florid

Assistant City Attorney Kami Corbett introduced the case, read the request into  
the record, and placed all witnesses under oath. Board Member James Brandrett  
was not in attendance.

Attorney Russell Schropp, representing the Applicants, Mark and Jocelyn  
McCleary. He explained that the McClearys have owned the property since 199  
and has lived on the property one year previous to that. The intent is to redevelop  
the property via a rezoning from Two Family Conservation (TFC-2) to Resident  
Planned Development (RPD). The lot is 100 feet wide by 157 feet deep. The  
property is currently developed with two dwelling units, totaling seven bedroom  
and six bathrooms.

The surrounding area consists of a mixture of single-family, two-family and  
triplex type units. To the east and south are triplexes. Chairman Pastore noted th  
the property on the corner of Imperial and Mariner is developed with a duplex  
unit. Mr. Schropp continued that the request is to do two lots on which would be  
constructed either two single-family dwelling units or two duplexes with two  
family attached units. The site is located within the Medium Density Single-  
Family Duplex Residential land use category, which permits a density of 11.6  
dwelling units per acre and so a maximum of four units could be constructed.

Staff has recommended approval with conditions, which are acceptable to the  
applicants. No deviations have been requested. Condition 8 addresses concerns  
with adjacent properties and setback provisions. It basically provides for  
restrictions within the setback area.

Mark McCleary, also representing the applicants, further expanded on Condition  
8, which was approved in the River Reach project in the area. Issues the County  
has had regarded other structures in the side yards and crowding neighbors. The  
solution they came up with was that the roof runoff would go to a drain and  
directed to the front and back of the unit as well as the retention areas, and go  
down the existing swale located on the side lot line, on both sides and on the fro  
This would be maintained.

Mr. Schropp concluded by stating that there were approximately three rezonings

in the area that are consistent with this request.

Tony Palermo, Zoning Division, next addressed the Staff Report, stating that Staff has recommended approval with conditions. He next furnished the Zoning Board Members with photographs he took of the site (copy in Clerk's file). This case involves a request to rezone .36 acres of land from TFC-2 to RPD to permit the development of a pair of two family attached dwelling units, for a total of four dwelling units on the site. No blasting is being requested. The Future Land Use Medium Density Single-Family/Duplex, which allows 11.6 dwelling units per acre. The current land use single-family residence with a detached garage which currently being used as a dwelling unit.

He next expanded on the Conditions. The Schedule of Uses is essentially identical to TFC-2, except that it does allow for two family attached units and not just duplexes and single-family uses. The Applicants are proposed to be allowed a maximum of four dwelling units, however, in terms of single-family they can only build two. The Applicant concurs with this. This would provide them with the option to build either two single-family residences, however, their desire is to build the two 2 family attached residences.

Page 3 of the Staff Report depicts lot sizes, which Staff feels are compatible with the neighborhood. The minimum lot size would be 7,500 square feet with a 55-foot width for each of the two family attached dwelling units. Front and rear setbacks are 25 feet. The only difference between the TFC-2 and what the Applicants are proposing is the five foot setback, which Staff addressed in Condition 8. He next revised Condition 4 to reflect City of Bonita Springs instead of Lee County, addressing the remainder of the Conditions, referring to a correction that needed to be made to page 5 to change "5,000" to "7,500."

There are no environmental issues associated with the site and no deviations have been requested. Staff feels their recommended Conditions provide sufficient safeguards to address the long term public interest.

#### **PUBLIC COMMENTS:**

Bill Feeny, a resident of Naples, stated that he purchased a lot in Esplanade four years earlier located three doors down from the subject property. He stated that it didn't seem possible that the Applicants could construct four units on the property and still maintain the integrity of the community.

Rex Sims, the owner of property in the area of the subject property, spoke in opposition to the request. He stated that there are many TFC-2 lots in this area that allow two units that may not otherwise because of their size. He stated that the 15 feet of many of these lots are actually in the canal. His experience with duplex units is that each will entail 2 vehicles, for a minimum of 8 cars total that may park outside. As a member of the City's Local Planning Agency (LPA), he stated

that the LPA is addressing special requirements for 50 foot lots to prevent them from becoming parking lots. He feels the neighborhood will be greatly impacted approved.

Ray Ambrozy, a resident in the area, spoke in support of the request.

Lake Sims, also a resident in the area, spoke in opposition to the request and submitted into the record a petition signed by 44 residents who are also opposed the request. He also feels it will result in a parking lot situation.

Frankie Everett, owner of a parcel(s) on Esplanade that have 200 feet on the river. He also is against approval of the request. He feels waterfront duplexes are a thing of the past.

Connie Sims also spoke in opposition to the request. She feels if approved it will result in a traffic issue. She is also concerned about additional traffic on the river and dock issues. Doesn't feel it's compatible with the area.

Mr. Schropp referred to the Schedule of Uses, which he stated involved uses allowed in the TFC zoning district, some of which are not critical to the Applicants. He stated that the site is 155 feet deep; not 140 feet. Each lot would be 7,500 square feet and deeper in lot size. They are willing to delete administrative offices, commercial residential home, and home care facility from the Schedule of Uses.

Mr. Palermo stated that this case did not involve "spot zoning."

Board Member Pescosolido expressed concerns with service trucks not being able to back out because of the dead-end street, increased traffic on the river, density and numerous automobiles. Mr. Palermo stated that traffic would not be an issue as the area is zoned residentially. The City's plan does allow up to four units on the site.

Board Member Bielski addressed the issue of a precedent. She stated that if every case is reviewed on its own merit, why then were examples of other developments in the area being considered. Mr. Palermo agreed, explaining that it was, however, wise to look at surrounding properties and what's been approved in the past. Ms. Bielski asked if the 11.4 units per acre was an entitlement or a guideline. Mr. Palermo stated it was the maximum. The Board could approve less. Mr. Schropp explained that if the Applicant were to develop the property with four units that would still be less than that allowed in the Comprehensive Plan.

Board Member Pescosolido expressed concerns with compatibility and increasing density in areas that were already dense.

Board Member Bielski also expressed concerns with increasing density when

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|                    |                   | <p>there were no compelling reasons to do so. She stated that she could see creating 75 foot lots, but was concerned with creating two 50-foot lots.</p> <p>Board Member Incerpi spoke against the request.</p> <p>Chairman Pastore motioned denial of the request; Board Member Incerpi seconded, and the motion carried unanimously.</p> <p>Mr. Schropp stated that the Applicants could do two units in duplex format, as well as two single-family detached.</p> <p>The Board motioned to amend their motion to deny "without prejudice" motion, which carried unanimously.</p> <p>PARTICIPANTS LISTED ON ATTACHMENT "A"</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <u>10:58:57 AM</u> | De                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <u>12:17:59 PM</u> | C. New Moon Court | <p>11:00 A.M. CASE NO. DCI2004-00044</p> <p>CASE NAME: 11101 New Moon Court</p> <p>REQUEST: A rezone from Mobile Home (MH-1) district to Residential Planned Development (RPD) to allow the development of 6 single family homes on 1.8 acres. Maximum height of buildings is to be thirty five feet (35').</p> <p>LOCATION: 11101 New Moon Court, Bonita Springs, Florida 34135 (Old 41 to Rosemary Drive. East to Vagabond Way. Turn right to New Moon Court. Property on right).</p> <p>STRAP NO. 25-47-25-B4-00107.0950</p> <p>SIZE OF PROPERTY: 1.80+/- Acres</p> <p>STAFF REPORT: Direct inquiries to Mrs. Nettie Richardson, Principal Planner, at 479-8786, at the Lee County Department of Community Development, 1500 Monroe Street, Ft. Myers Florida.</p> <p>Assistant City Attorney Kami Corbett introduced the case, read the request into the record, and placed all witnesses under oath.</p> <p>Debbie Gress, representing the Bonita Springs Area Housing Corporation, in this request for a rezoning from Mobile Home (MH-1) to Residential Planned Development (RPD) to allow the development of six single-family low income</p> |

houses on the site. The maximum height of the buildings would be 35 feet. The property is located in Leitner Creek Manor, Lot 95, Block 7.

She next addressed the surrounding uses. Properties to the north, east and west are also zoned MH-1 with mobile homes. To the south is Spanish Gardens, of which the site is part of their recreation and storage area. There was previously a temporary easement that was terminated in writing by the Bonita Springs Area Housing Corporation that allowed them access through this property to the south to get to their storage and recreation area, where they stored motor homes, boats etc. It was more convenient for them to go through Leitner Creek, through this parcel, instead of through their own subdivision. The temporary easement did stipulate that it could be terminated at any time, as long as they were notified in writing, which the BSAHD did do.

The Schedule of Uses reflect uses in the MH-1 zoning district even though the property will be developed with six single family uses.

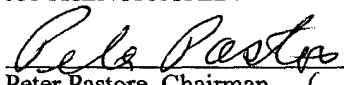
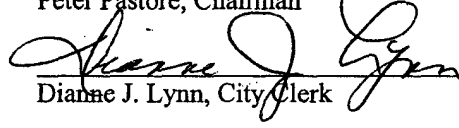
Staff has recommended approval with 8 conditions, of which they agree with. Condition 3. a.) however requires them to have 40% open space, which they do meet. However, page 8 states that they do not have to have the 40%. The statement on page 8 should be eliminated. Also, Condition 5. requires a guardrail/barrier be placed at the end of their cul-de-sac. Referring to the site plan she stated that they have one road that comes in with a cul-de-sac. Staff's concern was that because of its location against a creek, they would like a guardrail/barrier for safety. The Applicant concurs with this condition.

They are also requesting two deviations from the requirement that there be a wall no less than 25 feet from the property line when a roadway is proposed less than 125 feet from an existing residential subdivision. They have a road on the north and they felt that building an 8 foot high wall across the north line would separate them into an individual subdivision, which they do not want. They want to be part of the community. The second deviation is from the requirement that County maintained streets with open drainage to have a right of way width of 60 feet to allow a right of way width of 53.58 feet. Their intent is to build the road to County standards and then turn it over to the County so that the BSAHDC doesn't have to take care of the maintenance. The reason for the deviation relates to the depth of the property and the way it comes up to New Moon Court where it's only 53.58 feet at the right-of-way. They came out at an angle.

Nettie Richardson, Zoning Division, addressed the request, which she stated is to rezone the subject property to RPD to allow the construction of six single-family units for low income housing within the Leitner Creek area. The subject property is the last remaining undeveloped parcel in Leitner Creek, north of the Spanish Gardens storage area. The subject property is located in the Medium Density Multi-Family Residential land use category, and is consistent with Policy 1.1.8 which allow a maximum of 10 dwelling units per acre. She explained that if you

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|  |  | <p>have affordable housing you are allowed to increase density an additional four units per acre, which brings them up to the 10 dwelling units per acre. The gross density for the subject property, however, is proposed at 3.3 dwelling units per acre, below the maximum 10 units per acre. The homes will be conventional single-family homes at a maximum 35 feet height. The proposal is both consistent with the density and the height limitations of the Medium Density Multi-Family Residential land use category.</p> <p>Policy 1.11.1., which deals with any future land use elements. There also needs to be availability of the public facilities and services necessary to support the development. The property has access onto New Moon Court, with local roads throughout the development. However, based on the ITE Trip Generation Report Seventh Edition, the six lot single-family subdivision will generate only 6 peak hour trips, which will not result in any adverse impacts to the Level of Service in the immediate area. Additionally, Bonita Springs Utilities will provide water and sewer even though the Applicant has not yet secured their agreement with them, which they will do prior to development order. Also, adequate stormwater management must be addressed, which the Applicant has done on their Master Concept Plan, making them consistent with that policy. Mobile homes mixed with conventional single-family homes on the site is consistent with Goal 1 of the Future Land Use Element. The Housing Land Use Element of the Comprehensive Plan, specifically Goal 1, Policy 1.3.6. and Objective 1.6, deal with the location of low and very low income housing and how they need to be serviced by utilities in that area, and that they are supposed to provide housing and suitable living environments throughout the City. The proposal will blend in with the existing neighborhood and will not negatively affect the surrounding development.</p> <p>Staff has recommended approval of both deviation requests as they relate to the wall and the road right-of-way width. Overall, they have recommended approval of the request with 8 conditions.</p> <p>Board Member Incerpi expressed concerns relating to code enforcement and the number of families living in each home. Mary Sorge, with the BSAHDC, stated that they utilize State and Federal subsidies to fill the gap between the mortgage and their costs to the customers and so they are required to certify and they are audited once a year regarding the number of people living in the house. They have to have everyone's income living in the house, and if they exceed the income limits they do not get their subsidy. If they get complaints they visit the home. The BSAHDC has taken over management of the property and actually have a resident manager on site that watches for these things. Although they understand that is a problem, it is a problem that none of their homes have because they have controlled it. They purchased the property from Bonita Springs Utilities who placed a deed restriction on the property that it could only be used for affordable housing.</p> <p>Ms. Gress pointed out that the only reason they are here for the rezoning is</p> |
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|-------------|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|             |     | <p>because the low income guidelines do not allow mobile homes.</p> <p>PUBLIC COMMENTS:</p> <p>David Barrientros, a resident of New Moon Court, spoke in support of the request.</p> <p>John Mansfield, representing the Spanish Gardens Homeowner's Association, stated that their development was adversely affected by the proposed development because the only access they have to their community association recreation area is through Lot 95. Their property is south of Lot 95. The recreation area is the triangle shaped piece of property that starts behind one of the units on New Moon Court. He further explained. They share their one property line with the City and their other property line is bordered by lots that have unusual single-family homes on them. They do not have a bridge across Leitner Creek other than a foot bridge and so right now there is no access in off the City property. The original developer of their development has a limestone road that enters the recreation area with a gate, in the middle of Lot 95. They have no problem with the development of the subject, as their problem is that they have no access for their recreation area, which includes a swimming pool, tennis courts, a playground, a basketball court and shuffleboard courts. In the event of an emergency, the only access route is through the gravel road to the property. There's no way to get an ambulance in unless by helicopter. They spoke to the Applicant's representative to see if there was some way they would allow them to put in a gate where their property line is and allow them to change their entrance road for the purpose of emergency access. Another problem is that they have no way to maintain this area or the pool without using that. The original developer went bankrupt and then the bank auctioned the lots off. There used to be a sewage treatment plant on the east half of Lot 95 and when BSU offered sewer in this area they were given this lot because it had the package plant on it. He never thought that Lot 95 included the area where the package plant was so they didn't expect there would be enough room to put more than one mobile home on it. They are severely impacted because they have no access to their property other than the foot bridge, which is five feet wide or the gate that is between Lot 95 and their property. He further explained.</p> <p>Ms. Gress responded that it was a temporary easement and that the easement specifically stated that it would be terminated at the time Spanish Gardens was notified in writing, which occurred March 11, 2004. Discussion ensued.</p> <p>Board Member Pescosolido motioned to uphold Staff's recommendation of approval, as conditioned, and with the deviations; Board Member Bielski seconded; and the motion carried 3-1 (Board Member Incerpi dissenting, and with Board Members Brandreth, Howe, and Norris not present).</p> <p>PARTICIPANTS LISTED ON ATTACHMENT "A"</p> |
| 12:55:36 PM | VI. | APPROVAL OF MINUTES: 10/01/04                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

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|                    |      | Deferred to December 3, 2004.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <u>12:56:02 PM</u> | VII. | <p>ADJOURNMENT:</p> <p>There being no further cases to discuss, the meeting adjourned at 12:56 P.M.</p> <p>Respectfully submitted,</p> <p><br/>Debra Muchler, Recording Secretary</p> <p>APPROVED:<br/>ZONING BOARD</p> <p>Date: <u>2/4/05</u></p> <p>AUTHENTICATED:</p> <p><br/>Peter Pastore, Chairman</p> <p><br/>Dianne J. Lynn, City Clerk</p> |

## SCHEDULE OF USES

- ACCESSORY USES, BUILDINGS AND STRUCTURES  
POOLS, TANKS  
DOCK, MARINA  
-HOUSE IN CONFORMANCE WITH CHAPTER 30  
-HOUSE IN CONFORMANCE WITH CHAPTER 30  
-ACCESSORY APARTMENT  
-COMMUNITY RESIDENTIAL HOME  
-DWELLING UNIT  
-DUPLICATE  
-TWO-TO-FAMILY ATTACHED  
-SINGLE-FAMILY RESIDENCE, CONDITIONAL  
-RESIDENTIAL SERVICES FACILITIES, GROUP 1  
-HOME OCCUPANCY  
-HOME COMPARISON  
-NO OUTSIDE HELP  
-RESIDENTIAL, ACCESSORY USE  
74-122 (NY 42)

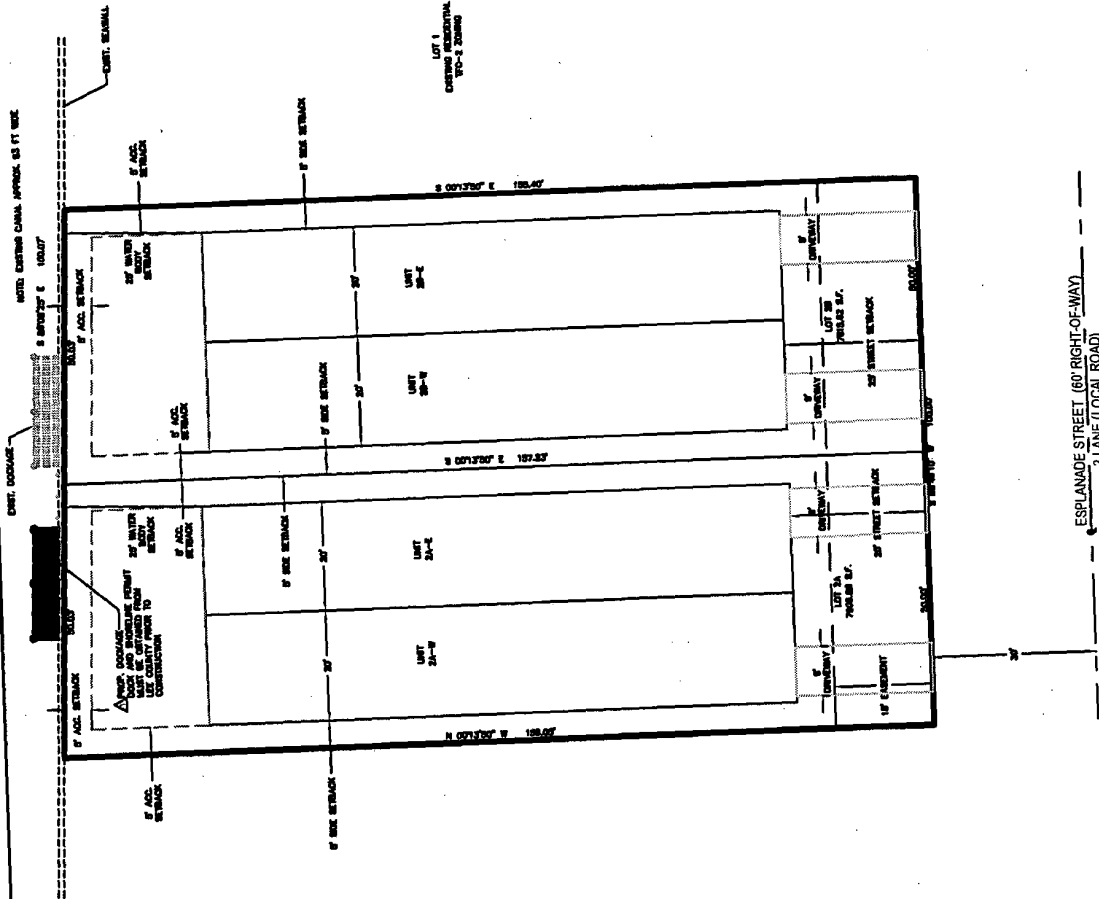
## NOTES

- [illegible]

## SITE DATA

WTS AREA = 15,725.5 SF (0.38 Ac.)  
OPEN SPACE REQUIRED = 200 = 3,344 SF  
MAXIMUM NO. OF OBSTACLES = 4  
SEE PAGE 4 ATTACHED DRAWINGS

LOT 3  
CONTING REMEDIAL  
TWINCREEK SHELTER



RECEIVED  
OCT 18 2004

# PERMIT COUNTER

DCI 2004 00034

ESPLANADE STREET (60' RIGHT-OF-WAY)  
2 LANE (LOCAL ROAD)

**community engineering services, inc.**  
civil engineering • surveys • project management  
EB-0006613 LB-6572  
8001 Dennis Center Drive, Suite 103  
Fort Myers, Florida 33912  
Telephone (238) 938-8777 Fax (238) 938-0064

**MASTER CONCEPT PLAN  
OF  
4812 ESPLANADE**

## LEADS

2 of 5

**data**



## SCHEDULE OF USES

- ACCESSORY USES, BUILDINGS AND STRUCTURES
- DOCKS, SEAWALLS
- FENCES, WALLS
- NONROOFED ACCESSORY STRUCTURES
- SIGNS IN COMPLIANCE WITH CHAPTER 30
- ACCESSORY APARTMENT
- COMMUNITY RESIDENTIAL HOME
- DWELLING UNIT
- DUPLEX
- TWO-FAMILY ATTACHED
- SINGLE-FAMILY RESIDENCE, CONVENTIONAL
- RESIDENTIAL SERVICES FACILITIES, GROUP 1
- HOTEL, MOTEL, TRAVEL FACILITY
- HOME OCCUPANCY
- NO OUTSIDE HELP
- RESIDENTIAL ACCESSORY USE
- (34-822616/423)

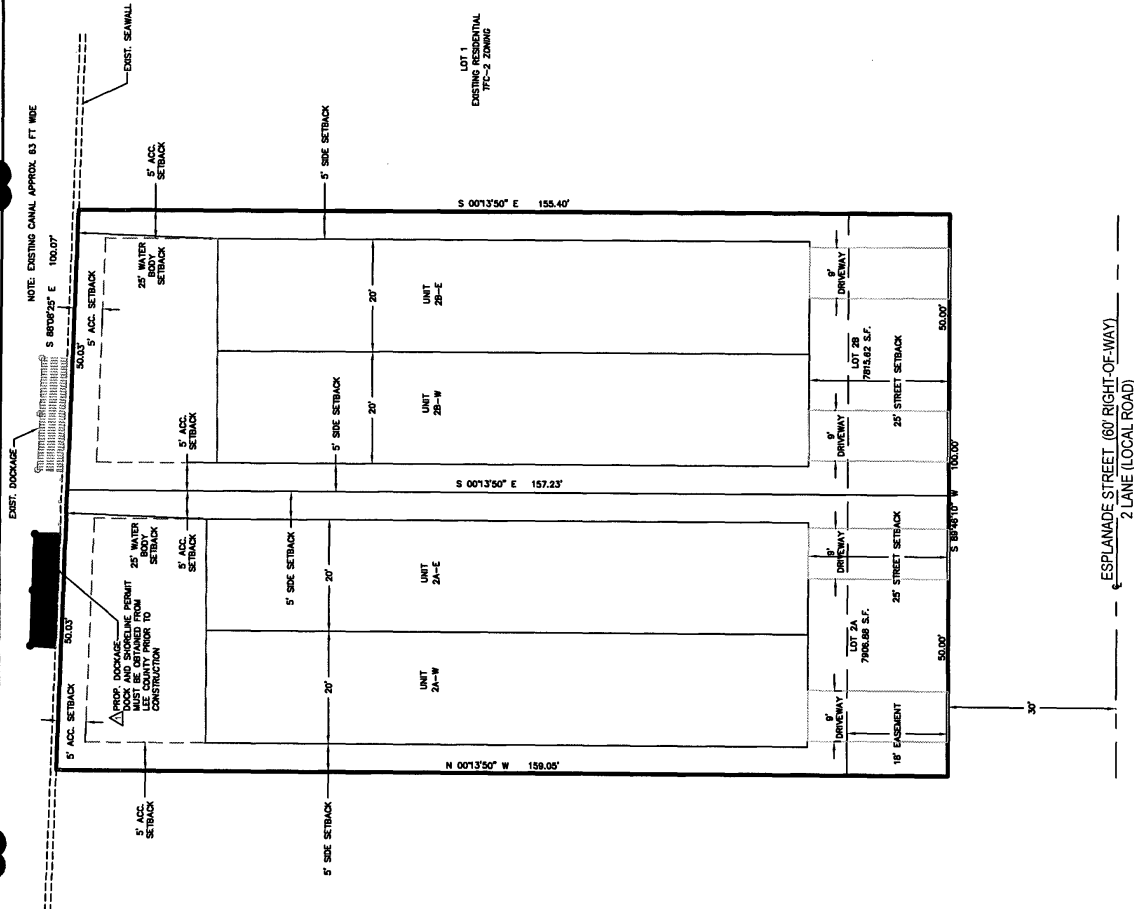
## NOTES

1. PROPOSED ZONING - TFC-2
2. PROPOSED DENSITY - 10 UNITS PER ACRE
3. FUTURE LAND USE DESIGNATION IS MEDIUM DENSITY SINGLE RESIDENTIAL
4. FOR BOTH THE PROPOSED PROJECT AND NEIGHBORING PROPERTIES
5. ROAD CLASSIFICATION - LOCAL
6. NO PROPOSED ACCESS OR FACILITIES FOR PUBLIC TRANSIT
7. DOES NOT LIE WITHIN LITETRAFFIC FRANCHISE AREA
8. NO DEVELOPMENT BLASTING IS REQUIRED
9. NO AND NO DRAINAGE TREATMENT AREA, SEE SEPARATE DRAINAGE
10. EXHIBIT (SHEET 5 OF 6)

## SITE DATA

SITE AREA = 15,722.5 SF (0.36 AC.)  
OPEN SPACE REQUIRED = 20% = 3,144 SF  
MAXIMUM NO. OF DWELLINGS = 4  
(2 - TWO FAMILY ATTACHED BUILDINGS)

**LOT 3  
EXISTING RESIDENTIAL  
TFC-2 ZONING**



DCI 2007 00037

RECEIVED  
OCT 18 2004

date 0404  
drawn TJE  
file name: MCP  
job ESPLANADE

| Revisions | Date  | PER COUNTY COMMENTS |
|-----------|-------|---------------------|
|           | 09/04 |                     |

PER COUNTY COMMENTS

|   |      |       |
|---|------|-------|
| 1 | Date | 09/04 |
|---|------|-------|

1

date 0404

---

SP



**community engineering services, inc.**  
civil engineering • surveying • project management

EB-0006613 LB-6572  
88991 Daniels Center Drive Suite 103

Telephone (239) 936-9777 Fax (239) 936-0064

**MASTER CONCEPT PLAN  
of  
4812 ESPLANADE**

FOR  
MARY D. MCCLEARY & JOSEPH W. F. M. CLEARY

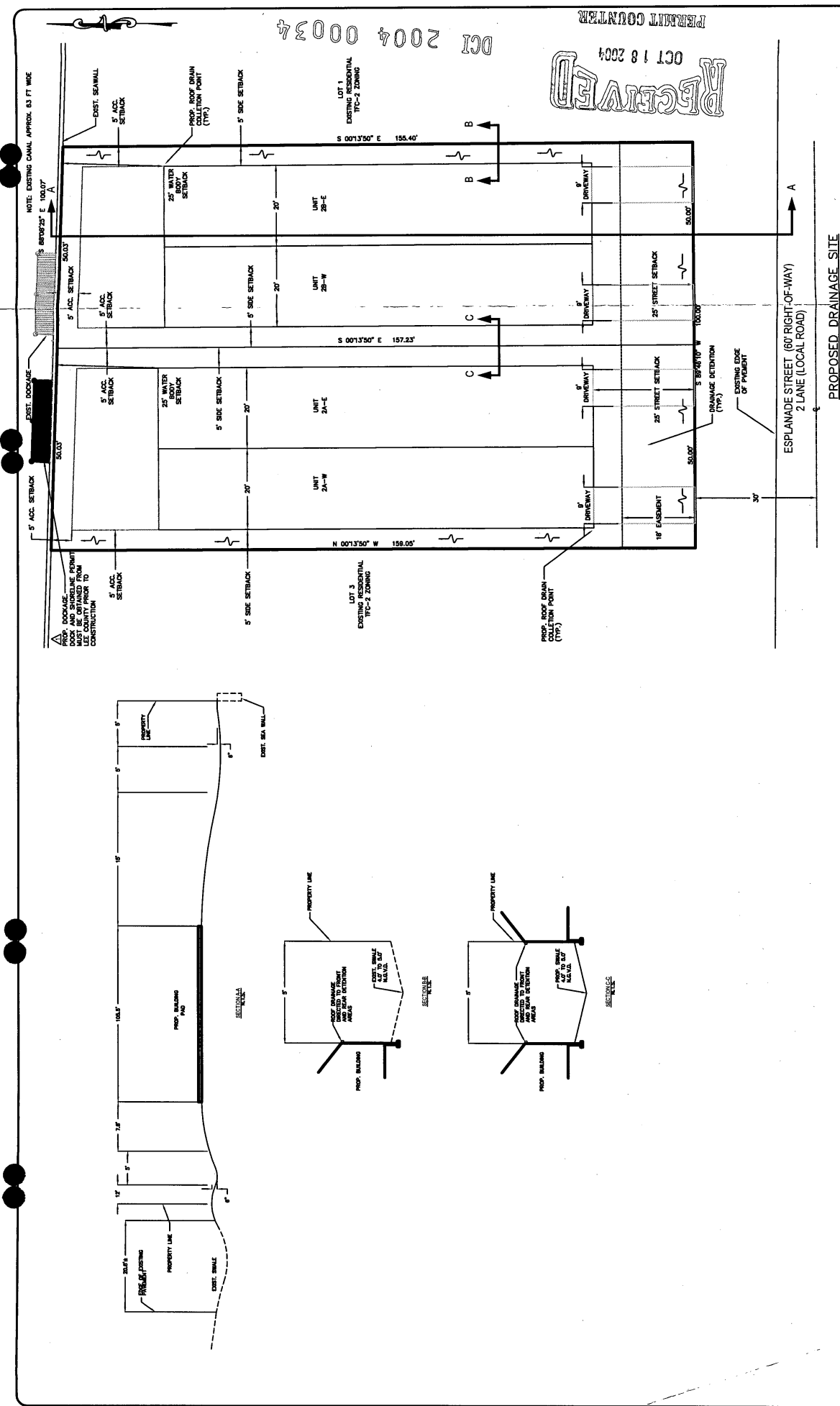
4812 ESPLANADE ST.  
ONITA SPRINGS, FL 34134  
TEL. (239) 498-1634

scale: 1"=1

# LEAFS

**2 OF 5**

2



date: 0404  
drawn: TJE  
file name: MCP  
job: ESPLANADE

REV. DATE FOR COUNTY COMMENTS  
1 06/04

**community engineering services, inc.**  
civil engineering • surveying • project management  
EB-000613 LB-6572  
8891 Daniels Center Drive, Suite 103  
Fort Myers, Florida 33912  
Telephone (239) 936-9777 Fax (239) 936-0064

DRAINAGE EXHIBIT  
4812 ESPLANADE  
FOR  
MARK D. MCLEARY & JOCELYN F. MCLEARY  
4812 ESPLANADE, ST. LEO  
BOX 161, ST. LEO, FL 33956  
TEL. (239) 488-1634

scale: **SHEET**  
5 OF 5

date: 10/18/2004

**BONITA SPRINGS, FLORIDA**  
**DEPARTMENT OF COMMUNITY DEVELOPMENT**  
**ZONING DIVISION**  
**DRAFT STAFF REPORT**

**TYPE OF CASE:** PLANNED DEVELOPMENT/DCI

**CASE NUMBER:** DCI2004-00034

**HEARING DATE:** NOVEMBER 5, 2004

**I. APPLICATION SUMMARY:**

- A. Applicant: Mr. and Mrs. Mark D. & Jocelyn F. McCleary in ref. to 4812 Esplanade
- B. Request: Rezone +/- 0.36 acres of land from Two-Family Conservation (TFC-2) to Residential Planned Development (RPD) to permit development of a pair of two-family attached dwelling units (4 total dwelling units). No development blasting is proposed.
- C. Location: The subject property is located at 4812 Esplanade Street, Bonita Springs, FL 34134 (US41 to Bonita Beach Rd. turn west to Imperial Shores Blvd. turn north to Esplanade Street, second house on right.), in S32-T47S-R25E, Lee County, FL.
- D. Future Land Use Plan Designation, Current Zoning and Use of Subject Property:
- |                                 |                                                                     |
|---------------------------------|---------------------------------------------------------------------|
| Bonita Springs Future Land Use: | Medium Density Single-Family/Duplex (11.6 dwelling units per acre). |
| Current Zoning:                 | Two Family Conservation (TFC-2)                                     |
| Land Use:                       | Single-family residence with 2-story detached garage.               |
- E. Surrounding Land Use:

Existing Zoning & Land Use

Future Land Use Map

North: 63-foot canal then TFC-2 zoned land with single-family, two-family and multi-family dwelling units on Tarpon Avenue.

Medium Density Single-Family/Duplex

East: TFC-2 zoning, Triplex dwelling unit, then Imperial Shores Boulevard.

Medium Density Single-Family/Duplex

South: Esplanade Street (2 lanes), then TFC-2 zoning, Single, duplex, triplex dwelling units.

Medium Density Single-Family/Duplex

West: TFC-2 zoning; single-family dwelling unit, then a duplex.

Medium Density Single-Family/Duplex

Size of Property: 0.36± acres.

**II. RECOMMENDATION:**

Staff recommends **APPROVAL** of the Applicant's request for rezoning from Two Family Conservation (**TFC-2**) to Residential Planned Development (**RPD**) with the following conditions.

**Conditions**

1. The development of this project must be consistent with the 1-page Master Concept Plan entitled "**MASTER CONCEPT PLAN OF 4812 ESPLANADE**" stamped received **OCTOBER 18, 2004** except as modified by the conditions below.

This development must comply with all requirements of the City of Bonita Springs LDC at time of local Development Order Approval, except as may be granted by deviation as part of this planned development. If changes to the Master Concept Plan are subsequently pursued, appropriate approvals will be necessary.

2. The following limits apply to the project and uses:

- a. Schedule of Uses

ACCESSORY USES, BUILDINGS AND STRUCTURES  
ADMINISTRATIVE OFFICES  
DOCKS, SEAWALLS  
FENCES, WALLS  
NONROOFED ACCESSORY STRUCTURES  
ACCESSORY APARTMENTS  
COMMUNITY RESIDENTIAL HOME  
DWELLING UNITS - 4 maximum  
    DUPLEX  
    TWO FAMILY ATTACHED  
    SINGLE-FAMILY  
ESSENTIAL SERVICES  
ESSENTIAL SERVICE FACILITIES, GROUP I  
EXCAVATION, WATER RETENTION (NO BLASTING)  
HOME CARE FACILITY  
HOME OCCUPATION - NO OUTSIDE HELP  
RESIDENTIAL ACCESSORY USES - PER LDC SEC. 34-622(C)(42)  
SIGNS IN ACCORDANCE WITH CHAPTER 30  
TEMPORARY USES

b. Site Development Regulations

|                             | <i>Minimum Lot Size</i> | <i>Minimum Width/Depth</i> |
|-----------------------------|-------------------------|----------------------------|
| Single Family               | 7,500                   | 50/150                     |
| Two-Family Att.<br>Per unit | 3,750                   | 25/150                     |
| Duplex                      | 7,500                   | 50/150                     |

*Minimum Setbacks, primary and accessory structures.*

|                        | Front | Side *<br>(See<br>condition<br>8) | Interior<br>Side | Rear | Waterbody |
|------------------------|-------|-----------------------------------|------------------|------|-----------|
| SINGLE FAMILY          | 25'   | 5'                                | N/A              | 25'  | 25'       |
| TWO-FAMILY<br>ATTACHED | 25'   | 5'                                | 0'               | 25'  | 25'       |
| DUPLEX                 | 25'   | 5'                                | N/A              | 25'  | 25'       |

Maximum Building Height: 35 feet (from flood base to eaves)  
3 stories

Maximum Lot Coverage: 45%

Minimum Open Space: 20%

Maximum Number of Dwelling Units: 4 (*single-family, two-family attached, or duplexes only, no multi-family development*)

3. No development blasting is to be permitted on this property.
4. Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the Lee County LDC may be required to obtain a local development order.
5. Approval of this rezoning does not guarantee local development order approval. Future development order approvals must satisfy the requirements of the City of Bonita Springs Comprehensive Plan.
6. Prior to local development order approval (or permitting), a minimum of 20% of common open space must be delineated on the landscape plans.
7. Prior to local development order (or permitting), any additional proposed docks must be represented on the development order plans. The plans must specify the dimensions of proposed docks and number of slips requested. The plans must also

include a statement specifying that a Dock and Shoreline Permit must be obtained from Lee County prior to construction.

**8. 5-FOOT SETBACK CONDITION**

- a. No structures, including but not limited to, sidewalks, mechanical equipment, door stoops, walls, etc. may be constructed or placed within the required 5-foot side setbacks.
- b. Prior to issuance of Certificate of Occupancy on each lot, the Engineer of Record must certify that the drainage for each lot is built in compliance with the *typical lot grading detail* provided (See Attachment L).

**B. Deviations**

None requested.

**Findings and Conclusions:**

Based upon an analysis of the application and the standards for approval of planned development rezonings, staff makes the following findings and conclusions:

1. The applicant has proven entitlement to the rezoning by demonstrating compliance with the Bonita Springs Plan, the Land Development Code, and other applicable codes and regulations.
2. The requested zoning, as conditioned:
  - a) meets or exceeds all performance and locational standards set forth for the potential uses allowed by the request;
  - b) is consistent with the densities, intensities and general uses set forth in the Bonita Springs Plan;
  - c) is compatible with existing or planned uses in the surrounding area; and
  - d) will not adversely affect environmentally critical areas or natural resources.
3. Approval of the request will not place an undue burden upon existing transportation or planned infrastructure facilities and the site will be served by streets with the capacity to carry traffic generated by the development.
4. Urban services, as defined in the Bonita Springs Plan, are, or will be, available and adequate to serve the proposed land use.
5. The proposed use or mix of uses is appropriate at the subject location.
6. The recommended conditions to the concept plan and other applicable regulations provide sufficient safeguards to the public interest.

7. The recommended conditions are reasonably related to the impacts on the public's interest created by or expected from the proposed development.

### **III. BACKGROUND INFORMATION AND ANALYSIS:**

#### **Introduction/Synopsis**

The applicant proposes to rezone a 100'X157' foot property (0.36 acres, approximately 15,700 square feet) from Two Family Conservation (TFC-2) to Residential Planned Development (RPD) to permit two residential structures with a maximum 4 dwelling units.

The property is located on 4812 Esplanade Street in Bonita Springs.

The site is rectangular in shape and is bordered by a combination of two-family, triplexes and single-family development, and a seawalled 63-foot canal with access to the Imperial River. There is an existing single-family residence and detached garage on site. Property Appraiser records show 7 bedrooms and 6 bathrooms on site.

The Two Family Conservation (TFC-2) zoning district permits single-family and duplex developments. Rather than pursue construction of housing in the conventional TFC-2 zoning district, the applicant has selected a planned development to allow the option of 2 single-family dwelling units, 2 duplexes, or 2 separate two-family attached dwelling units. The two-family attached permits fee simple ownership of each dwelling unit and lot as opposed to a duplex, which is defined simply as a lot with 2 dwelling units under single ownership.

The planned development allows for more flexibility in design and there are differences between the proposed RPD and the existing TFC-2 zoning district. The proposed rezoning will allow two 50-foot wide 5,000-square foot parcels to be utilized with 2 separate two-family attached dwelling units. The TFC-2 zoning district allows a duplex on a minimum 75-foot wide lot, with a minimum lot size of 7,500 square feet. The TFC-2 district also requires a 7.5-foot setback from the side property line, while this application requests a side setback of 5 feet.

*Staff has proposed Condition #8 to address concerns - including drainage - regarding the 5-foot setbacks, and to minimize any detrimental impacts due to construction within this setback area. Since this is single-family development, no development order is required. Due to concerns over the 5-foot setback, staff requests an engineer of record certify the drainage system will work properly per the attached plans (See Attachment L).*

The applicant is not asking for additional height (3 stories/35 feet is permitted in TFC-2), nor model units. No development blasting is being requested. The density (4 units) is the maximum allowed under the Bonita Springs Comprehensive Plan for the Medium Density Single-Family/Duplex Future Land Use category. Uses proposed are nearly identical to those allowed under TFC-2 zoning.

Staff has included attachments showing similar zoning requests at 4895/91 Esplanade Street (DCI2003-00035 Ambrozy RPD) which permitted 4 dwelling units on a 0.49 acre property, and 4061 Tarpon Avenue (DCI2003-00024 Tarpon RPD) which permitted 2 dwelling units on 0.24 acres of property. Both were also rezonings from TFC-2 zoning. River Reach Estates (DCI2002-00041) permitted 22 dwelling units on 5.11 acres of property on Tarpon Avenue, and is also attached.

## **Master Concept Plan**

The Master Concept Plan consists of 4 pages, including a cover page (sheet 1), the master concept plan (sheet 2), aerial photograph (sheet 3), and another aerial photograph showing the site plan and surrounding properties (sheet 4).

The Master Concept Plan (MCP) depicts the dimensions of the parcel and shows approximate locations for 2 duplexes, or two-family attached structures. The MCP shows the location relative to Esplanade Street and canal in the rear. It also shows the location of an existing dock. There is also an easement shown in front, which does not interfere with the locations of the buildings.

The schedule of uses allows for single-family, two-family attached, or a duplex with customary residential accessory uses. No deviations are requested.

## **City of Bonita Springs Plan Considerations**

***FUTURE LAND USE Policy 1.1.4 - Allowable Uses*** - The listing of appropriate land uses in each of the individual land use categories identifies those uses generally expected to be appropriate. However, other uses which are similar in character, intensity and impacts to those listed may also be deemed to be appropriate.

This request is for uses entirely customary to a residential zoning district and **CONSISTENT** with Policy 1.1.4 of the City of Bonita Springs Plan.

***FUTURE LAND USE Policy 1.1.7 - Medium Density Single-Family/Duplex Residential*** - Intended to accommodate areas with a mix of single-family and duplex residential development at a maximum density of up to 11.6 dwelling units per gross acre; group homes and foster care facilities; public schools and other public, semi-public and recreational uses on a limited basis.

- a. *Appropriate residential housing types include conventional and modular constructed single-family and duplex structures on permanent foundations.*
- b. *As an alternative to a duplex structure, and in order to encourage dispersing affordable housing throughout the community, one accessory dwelling, such as a garage apartment or mother-in-law apartment, may be located on a single lot occupied by one single-family structure, provided development of the lot remains within the maximum allowable density. Conditions on accessory dwelling such as larger than minimum lot sizes, limitations on unit size to ensure that they are accessory rather than principle uses, or other appropriate measures, may be required within the Land Development Regulations to prevent overcrowding and ensure compatibility with surrounding land uses.*
- c. *Maximum allowable height of structures shall be 35 feet from the base flood elevation to the eaves.*

This request is for a maximum 4 units for a 0.36-acre parcel, which is **CONSISTENT** with Policy 1.1.7 of the Bonitia Springs Plan and consistent with the density allowed for the Medium Density Single-Family/Duplex Residential Future Land Use. With 11.6 dwelling units per gross acre, this parcel may be permitted 4.176 dwelling units on 0.36 of an acre.

The applicant seeks a maximum 4.0 dwelling units, and is not asking for height above 35 feet from the base flood elevation to the eaves.

### **Neighborhood Compatibility**

Esplanade Street consists of a variety of residential dwelling units. All surrounding properties are in the TFC-2 zoning district. In the immediate vicinity of the subject property, there are already established single-family dwelling units, duplexes, triplexes, and multi-family structures.

Under the current zoning of TFC-2, a duplex is an allowed use. The introduction of a pair of two-family attached units would not create any compatibility issues since it is identical to a duplex, except for the ownership. Under existing zoning only 1 duplex or single-family structure would be permitted.

The surrounding neighborhood has a variety of dwelling units, lot sizes, setbacks, and designs. The addition of this development would not detract from the neighborhood, and has the potential for enhancement.

Rezoning of similar dimensions have been approved on Esplanade Street and nearby Tarpon Avenue. More density, more development, teardowns, and redevelopment are expected in this neighborhood due to its location, water access, and growth in the Bonita Springs community. Staff anticipates this trend continuing as the market evolves in this neighborhood.

**North** North of the subject property is a 63' foot canal, then residential single-, two-, and multi-family development on Tarpon Avenue. No buffer is required on this waterway for this type of residential development.

**South** South of the subject property is Esplanade Street (a 60-foot 2-lane local road) then a duplex (27635 Imperial Shores Avenue), triplex 4811/13 Esplanade Street, and a single-family home on 4815 Esplanade Street.

**East** East of the subject property is a triplex residence at 4806 Esplanade Street, then Imperial Shores Boulevard.

**West** West of the subject property is a single-family residence at 4818 Esplanade Street, then a duplex on 4822/24 Esplanade Street.

Esplanade Street, as well as other surrounding streets, have a rich mix of housing (single-family, duplex, triplex) in a variety of shapes and sizes. The proposed development will add to the diversity of housing choices and does not present any compatibility problems, or threats to the public health, safety or welfare.

### **Environmental Issues**

Environmental Sciences staff raised no issues with this application, due to the fact that under the current zoning a single-family or duplex residence is already a permitted use. Open space and buffering must be in compliance with the City of Bonita Springs LDC. Single-family, duplex and two-family attached developments are not subject to the development order process, unless they need a Limited Development Order for a lot split for two-family attached.

Conditions recommended by Environmental Sciences staff have been incorporated above.

### **Transportation Issues**

Development Service and Lee County Department of Transportation staff raised no issues with this application, due to the fact that under the current zoning a single-family or duplex residence is already a permitted use. Access must be in compliance with the City of Bonita Springs LDC. Single-family, duplex and two-family attached developments are not subject to the development order process, unless they need a Limited Development Order for a lot split for two-family attached. Four dwelling units on this property will not create any traffic, or level of service issues.

### **Conclusions**

The applicant has proven entitlement to the rezoning to Residential Planned Development (RPD), compliance with the Bonita Springs Plan, and the Land Development Code. No deviations are requested.

The requested zoning, as conditioned, is consistent with the Bonita Springs Plan, is compatible with the existing and emerging neighborhood, and will not adversely affect environmentally critical areas or natural resources.

The request will not place an undue burden upon existing roads. Urban services are available and adequate. The proposed uses are appropriate. Lastly, the recommended conditions provide sufficient safeguards to the public interest.

#### **IV. ATTACHMENTS:**

- A. Map of surrounding zoning
- B. Master Concept Plan (including cover sheet and aerials)
- C. Survey
- D. Applicant's Narrative
- E. Applicant's Property Development Regulations
- F. Applicant's Traffic Impact Statement
- G. Environmental Sciences Staff Report
- H. Resolution #03-01, DCI2002-00035 Ambrozy RPD
- I. Sales Brochure for Ambozy "Villas De Esplanade"
- J. Resolution #03-24, DCI2003-00024 Tarpon RPD
- K. Resolution #03-06, DCI2002-00041 River Reach Estates
- L. Applicant's Drainage Exhibit

cc: Applicant  
City Attorney  
DCI Zoning file  
DCI Planner file  
Patricia Anjoski, 4818 Esplanade Street, Bonita Springs, FL 34134  
Carmen & Antoinette Chicone, 4806 Esplanade Street, Bonita Springs, FL 34134

DCI2004-00034 ESPLANADE RPD

RIVER REACH ESTATES

TARPON AVE

TARPON AVE.

TARPON AVE

CANAL

CANAL

SUBJECT PROPERTY

ESPLANADE 2 ST. SPLANADE ST

CANAL

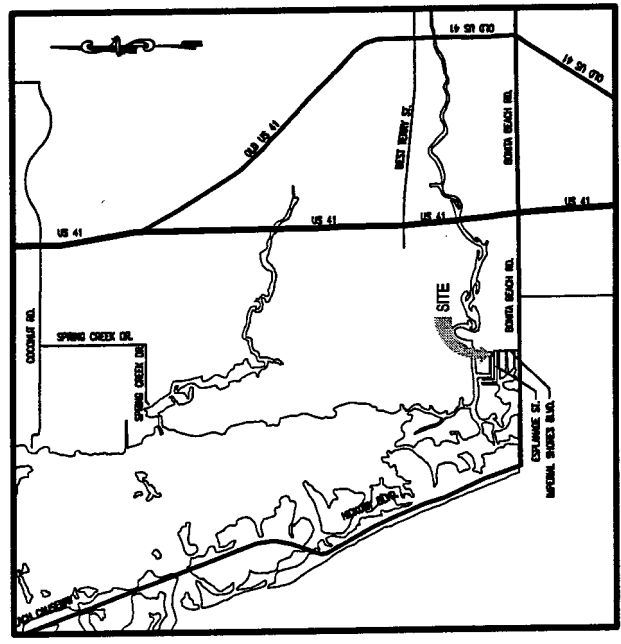
IMPERIAL SHORES BLVD

ATTACHMENT A

# 4812 ESPLANADE STREET MASTER CONCEPT PLAN

RECEIVED  
AUG 02 2004  
DCI 2004-00034  
COMMUNITY DEVELOPMENT

SECTION 32, TOWNSHIP 47 SOUTH, RANGE 25 EAST  
BONITA SPRINGS, LEE COUNTY, FLORIDA



LOCATION MAP  
NOT TO SCALE

**PROPERTY OWNER**  
MARK D. MCLEARY  
JOCELYN F. MCLEARY  
4812 ESPLANADE ST.  
BONITA SPRINGS, FL. 34134  
TEL. (239) 488-1634

| DWG. NO. | DESCRIPTION         |
|----------|---------------------|
| 1        | LOCATION MAP        |
| 2        | MASTER CONCEPT PLAN |
| 3        | AERIAL PHOTOGRAPH   |
| 4        | SITE PLAN           |

| REV. | DATE | REVISION |
|------|------|----------|
|      |      |          |
|      |      |          |
|      |      |          |
|      |      |          |
|      |      |          |



Community Engineering Services, Inc.  
8991 Daniels Center Drive, Suite 103  
Fort Myers, Florida 33912  
(239) 936-9777

EB-0006613 LB-6572

## ATTACHMENT B

07-30-04





**community engineering services, Inc.**  
civil engineering • surveying • project management  
EB-0006613 LB-4572  
8891 Daniels Center Drive, Suite 103  
Fort Myers, Florida 33912  
Telephone (239) 938-8777 Fax (239) 938-0044

**AERIAL PHOTO  
OF  
4812 ESPLANADE**

MARK D. McCLEARY & JOSEPH F. McCLEARY  
4812 CRYSTALADE ST.  
BOHOTA SPRING, FL. 34134

code 1°-50'

**LEHS**

data

3 of 4

**Supervisor:**

date 0404  
drawn T.E.  
file name: AERI  
job: ESPLANAD



|                                                                   |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                     |                                                                                                                                                                                                                                      |  |                                  |                                                                   |
|-------------------------------------------------------------------|--|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|----------------------------------|-------------------------------------------------------------------|
| date: 0484<br>drawn: J.E.<br>file name: es_0484<br>job: ESPLANADE |  | Revision<br>1<br>2<br>3<br>4<br>5<br>6<br>7<br>8<br>9<br>10<br>11<br>12<br>13<br>14<br>15<br>16<br>17<br>18<br>19<br>20<br>21<br>22<br>23<br>24<br>25<br>26<br>27<br>28<br>29<br>30<br>31<br>32<br>33<br>34<br>35<br>36<br>37<br>38<br>39<br>40<br>41<br>42<br>43<br>44<br>45<br>46<br>47<br>48<br>49<br>50<br>51<br>52<br>53<br>54<br>55<br>56<br>57<br>58<br>59<br>60<br>61<br>62<br>63<br>64<br>65<br>66<br>67<br>68<br>69<br>70<br>71<br>72<br>73<br>74<br>75<br>76<br>77<br>78<br>79<br>80<br>81<br>82<br>83<br>84<br>85<br>86<br>87<br>88<br>89<br>90<br>91<br>92<br>93<br>94<br>95<br>96<br>97<br>98<br>99<br>100 | SITE PLAN<br>OF<br>4812 ESPLANADE<br>FOR<br>MARK A. HANSEN ASSOCIATES, INC.<br>4812 ESPLANADE, ST.<br>SOUTH, MIAMI, FL 33144<br>TEL. (305) 444-1441 | COMMUNITY ENGINEERING SERVICES, INC.<br>civil engineering • surveying • project management<br>ES-0000613 LS-4572<br>8891 Daniels Center Drive, Suite 103<br>Fort Myers, Florida 33912<br>Telephone (239) 838-8777 Fax (239) 838-0064 |  | scale: 1"=30'<br>SHEET<br>4 of 4 | date: 0484<br>drawn: J.E.<br>file name: es_0484<br>job: ESPLANADE |
|-------------------------------------------------------------------|--|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|----------------------------------|-------------------------------------------------------------------|

# ATTACHMENT C

FIELDBOOK SEE PAGE FILE DATE 10-24-91

SECTION 32, TWP 47 S, RGE 25 E

NORTH  
ARROW



SCALE  
1" = 30'

FOUNDATION LOCATION DATE

FIELDBOOK PAGE

LEGEND

SET CONC MON W/ CAP I.D. # 3553  
SET IRON PIN W/ CAP I.D. # 3553  
FO CONC MON W/ CAP  
FO IRON PIN W/ CAP  
FO CONC MON  
FO IRON PIN  
ASSUMED ELEVATION  
BENCHMARK  
RECORDED  
MEASURED

## LEGAL DESCRIPTION

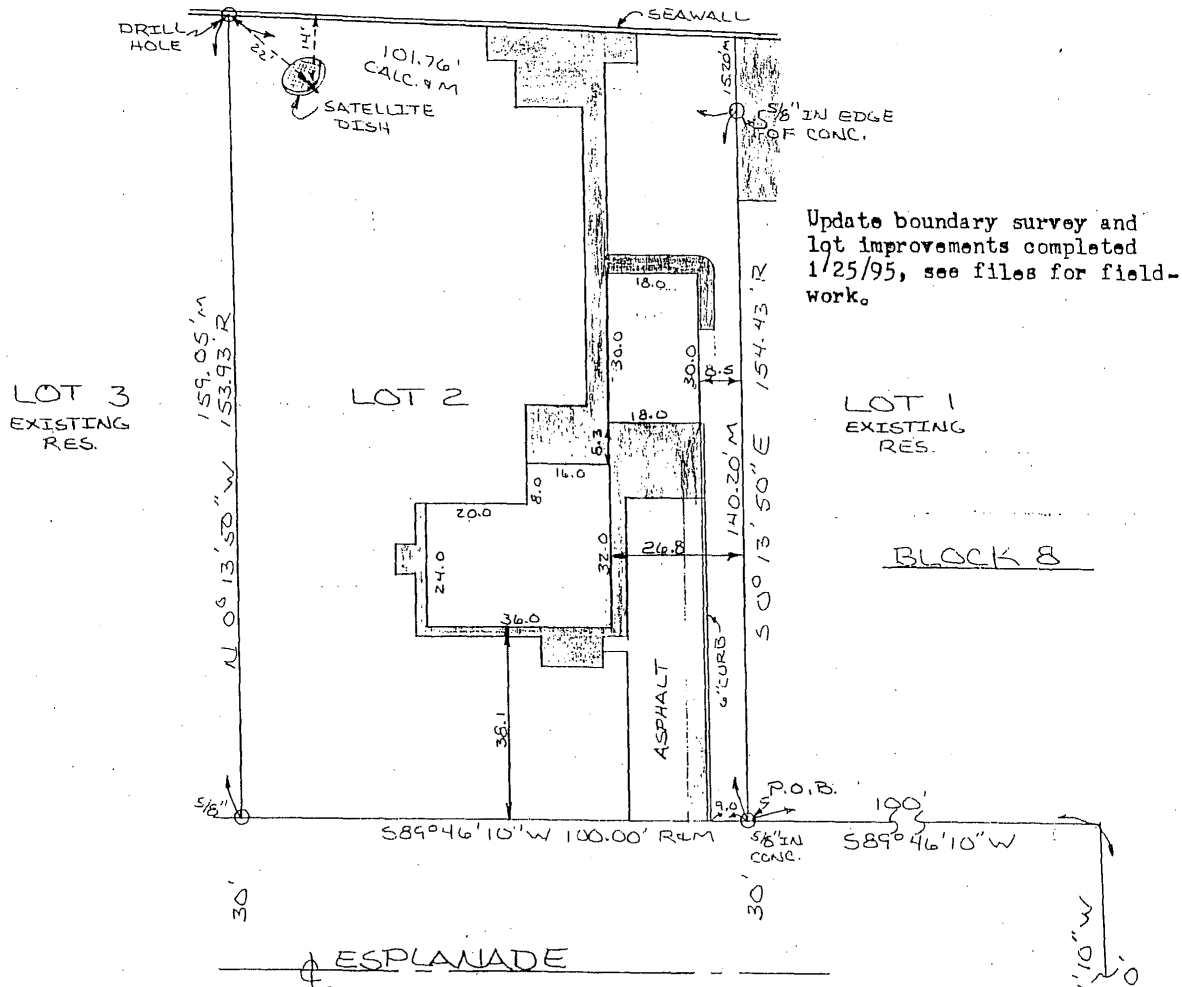
(AS PROVIDED BY CLIENT)

This is a boundary survey, see reverse side for a legal description.

This property lies in Flood Zone A 15, EL 11 per FIRM Panel No. 125124 0505 C, 11/3/89.

FINAL SURVEY DATE

CANAL



Update boundary survey and lot improvements completed 1/25/95, see files for fieldwork.

LOT 1  
EXISTING  
RES.

BLOCK 8

LOT 3  
EXISTING  
RES.

LOT 2

ESPLANADE

This survey is certified to Ralph A. Richardson, Attorney's Title Insurance Fund, Inc., Mark D. McCleary, and to Sunbank/Southwest Florida.

SE COR - SE 1/4 - SW 1/4 -  
SEC. 32, T47S, R25E

## CERTIFICATE

## NOTES

1. REPRODUCTION OF THIS SKETCH IS NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.
2. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS-OF-WAY, AND OR OWNERSHIP WERE FURNISHED THIS SURVEYOR EXCEPT AS SHOWN.
3. NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS NOTED.
4. BEARINGS SHOWN HEREON ARE BASED ON

ESPLANADE BEING S89°46'10"W

I hereby certify that the above described property was surveyed under my direction and the sketch of survey is true and correct to the best of my knowledge. This survey meets or exceeds the minimum technical standards set forth by the Florida Board of Land Surveyors, pursuant to Rule 61G17 - 6 Florida Administrative Code, and pursuant to Section 472.027 Florida Statutes. There are no visible encroachments other than those shown hereon.

JAN 26 1995

LAST DATE OF FIELDWORK 1-24-95

MARK O. ALLEN R.L.S. # 3553

P.L.S.

NAPLES  
597-7500

MARK O. ALLEN  
PROFESSIONAL LAND SURVEYOR

26751 OLD U.S. 41 RD., S.E.  
BONITA SPRINGS  
992-8900

OWN. BY  
MG

CHK'D BY

ORDERED BY  
MARK MCCLEARY

SHEET 1 OF 1

**RECEIVED**

JUL 30 2004

**PERMIT COUNTER**

DCI 2004 00034

## **EXHIBIT II E-2**

### **NARRATIVE REGARDING REZONING REQUEST**

The applicant is requesting a rezoning from TFC-2 to RPD on a 0.36 acre parcel of land on the north side of Esplanade Street. The proposed development will consist of a small single family subdivision which will be designed to meet or exceed the standards applicable to RPD zoned property and the requirements contained within Chapter 10 of the Land Development Code. The requested rezoning will be consistent with the following goals, objectives and policies.

#### **Land Use and Compatibility:**

The subject property is located within the Medium Density Single Family/Duplex Residential land use classification of the City of Bonita Springs Comprehensive Plan. Under Policy 1.1.7 of the City of Bonita Springs Comprehensive Plan, these are areas that are "intended to accommodate areas with a mix of single-family and duplex residential development at a maximum density of up to 11.6 dwelling units per gross acre; group homes and foster care facilities; public schools and other public, semi-public and recreational uses on a limited basis."

The property is abutted to the east, west, south and north by TFC-2 residential development. Buffers in accordance with Chapter 10 of the LDC will be provided to ensure compatibility with and protection for existing and planned residential development in accordance with the City of Bonita Springs Land Use Regulation.

Other City of Bonita Springs Comprehensive Plan goals, objectives and policies with which the proposed rezoning is consistent include:

**Goal 1:** A balanced land use pattern that promotes a high quality of life and allows for a variety of land uses, densities and intensities and the preservation and stabilization of existing neighborhoods...

**Policy 1.1.7:** Medium Density Single-Family/Duplex Residential – intended to accommodate areas with a mix of single-family and duplex residential development at a maximum density of up to 11.6 dwelling units per gross acre; group homes and foster care facilities; public schools and other public, semi-public and recreational uses on a limited basis

- a. Appropriate residential housing types include conventional and modular constructed single-family and duplex structures on permanent foundations.
- b. As an alternative to a duplex structure, and in order to encourage dispersing affordable housing throughout the community, one accessory dwelling, such as a garage apartment or mother-in-law apartment, may be located on a single lot occupied by one single-family structure, provided development of the lot remains within the maximum allowable density. Conditions on accessory dwelling such as larger than minimum size lots, limitations on unit size to ensure that they are accessory rather than principle uses, or other appropriate measures, may be required within the Land Development Regulations to prevent overcrowding and ensure compatibility with surrounding land uses.
- c. Maximum allowable height of structures shall be 35 feet from the base flood elevation to the eaves.

#### **Transportation:**

The proposed rezoning is located on Esplanade Street, a local road in Bonita Springs. The proposed development will not place an undue burden on this facility since no substantial additional traffic will be generated.

#### **Sewer, Water and Fire Protection:**

The subject property is located within the Bonita Springs Utilities sewer and water franchise area and within the Bonita Springs Fire District.

# **ATTACHMENT D**

**Property Development Regulations**

Minimum Lot Sizes = 7,500 SF

Minimum Lot Area Per Unit = 3,750 SF

Minimum Lot Width Per Unit = 25.0'

Minimum Lot Depth = 154.0'

Minimum Setbacks =

-Side Yard = 5.0'

-Rear Yard = 20.0'

-Water Body = 25.0'

-Street = 25.0'

Minimum Accessory Setbacks =

-Side Yard = 5.0'

-Rear Yard = 5.0'

-Front Yard = 25.0'

Maximum Lot Coverage = 45%

Maximum Height = 35.0'

Maximum No. of Stories = 3

**RECEIVED**  
JUL 30 2004

**PERMIT COUNTER**

DCI 2004 00034

---

**ATTACHMENT E**

**4812 Esplande Street**  
**Trip Generation**

ITE Land Use Code: 210 Single Family Residential

ITE Trip Generation 7th Edition

Units: Dwelling Units

No.: 2

Rate Codes were utilized based on the small size of development

Weekday

Weekday Traffic =

Ln(T) = 0.92 x

T = 28

 $\text{Ln}(T) = 0.92 \text{Ln}(x) + 2.71$ 

0.693147 + 2.71

Trips \* Not reasonable use rate calc

Rate Calc T = 9.57 (x)

T = 9.57 x

2

T = 19 Trips

AM Peak Adjacent Street

AM Peak Traffic =

T = 0.7 x

T = 11

Entering = 3

 $T = 0.70 (x) + 9.43$ 

2 +

9.43

Trips \* Not reasonable use rate calc

Exiting = 8

Rate Calc T = 0.75 (x)

T = 0.75 x

2

T = 2 Trips

Entering = 0

Exiting = 1

PM Peak Adjacent Street

PM Peak Traffic =

Ln(T) = 0.9 x

T = 3

Entering = 2

 $\text{Ln}(T) = 0.90 \text{Ln}(T) + 0.53$ 

0.693147 + 0.53

Trips

Exiting = 1

Rate Calc T = 1.01 (x)

T = 1.01 x

2

T = 2 Trips

Entering = 1

Exiting = 1

Saturday

Rate: 10.1 x

(X)

T = 20 Trips

Sunday

Rate: 8.78 x

(X)

T = 18 Trips

**RECEIVED**  
 JUL 30 2004

**PERMIT COUNTER**

DCI 2004 00034

# ATTACHMENT F

**4812 Esplande Street  
Trip Generation**

ITE Land Use Code: 230 Residential Condominium/Townhouse  
Units: Dwelling Units  
No.: 4

Rate Codes were utilized based on the small size of development

Weekday

Rate: 5.86 x (X)  
T = 23 Trips

AM Peak Adjacent Street

Rate: 0.44 x (X)  
T = 2 Trips

PM Peak Adjacent Street

Rate: 0.54 x (X)  
T = 2 Trips

Saturday

Rate: 5.67 x (X)  
T = 23 Trips

Sunday

Rate: 4.84 x (X)  
T = 19 Trips

# ATTACHMENT F

**RECEIVED**  
JUL 30 2004

**PERMIT COUNTER**

DCI 2004 00034

**STAFF REPORT  
FROM  
DEPARTMENT OF COMMUNITY DEVELOPMENT  
DIVISION OF ENVIRONMENTAL SCIENCES**

**Date:** August 2, 2004

**To:** Tony Palermo, Senior Planner  
**From:** Alaina Ray, Environmental Planner   
**Phone:** (239) 479-8323  
**E-mail:** aray@leegov.com

**Project:** 4812 Esplanade  
**Case:** DCI2004-00034  
**STRAP:** 32-47-25-B4-00208.0020

The Division of Environmental Sciences (ES) staff have reviewed the proposed residential planned development (RPD) and conducted a field inspection. The property currently consists of an existing residence on a canal. A seawall and dock were previously constructed behind the existing residence. There are no existing indigenous plant communities, and no Lee County listed species were noted on site.

Based on the current site conditions and the proposed development, ES staff recommends APPROVAL with the following conditions:

*1. Prior to local development order approval, a minimum of 20% of common open space must be delineated on the landscape plans.*

*2. Prior to local development order, any additional proposed docks must be represented on the development order plans. The plans must specify the dimensions of proposed docks and number of slips requested. The plans must also include a statement specifying that a Dock and Shoreline Permit must be obtained from Lee County prior to construction.*

**ATTACHMENT G**

**CITY OF BONITA SPRINGS  
ZONING ORDINANCE NO. 03-01**

**A ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; APPROVING A REQUEST BY RAYMOND AMBROZY TO REZONE FROM RESIDENTIAL TWO-FAMILY CONSERVATION DISTRICT (TFC-2) TO RESIDENTIAL PLANNED DEVELOPMENT (RPD); ON LAND LOCATED AT 4895 AND 4891 ESPLANADE STREET, BONITA SPRINGS, FLORIDA (STRAP NOS. 32-47-25-B4-00207.0220 and 32-47-25-B4-00207.0230) ON 0.49 ± ACRES; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Raymond Ambrozy filed an application to rezone from Residential Two-Family Conservation District (TFC-2) to Residential Planned Development (RPD);

**WHEREAS**, the subject property is located at 4895 and 4891 Esplanade Street, Bonita Springs, Florida, and is described more particularly as:

"See Exhibit A"

**WHEREAS**, a Public Hearing was advertised and heard on December 6, 2002 by the City of Bonita Springs Board for Land Use Hearings and Adjustments and Zoning Board of Appeals ("Zoning Board") on Case DCI 2002-00035 who gave full consideration to the evidence available and recommended approval; and gave full and complete consideration of the record, consisting of the Staff Recommendation, the Zoning Board, the documents on file with the City and the testimony of all interested parties. The July 16, 2002 Staff Report prepared by Bonita Springs Development Services Division and evidence submitted at the Zoning Board hearing is on file with the City Clerk.

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

**SECTION ONE: APPROVAL OF REQUEST**

City Council of Bonita Springs hereby approves the rezoning of the subject property from Residential Two-Family Conservation District (TFC-2) to Residential Planned Development (RPD) with the following conditions:

1. The development of this project must be consistent with the One (1) page Master Concept Plan entitled "Master Concept Plan Option 1," stamped received September 27, 2002, last revised 9/20/02, except as modified by the conditions below. This development must comply with all requirements of the Bonita Springs LDC at time of local Development Order Approval, except

as may be granted by deviation as part of this planned development. If changes to the Master Concept Plan are subsequently pursued, appropriate approvals will be necessary.

2. The following limits apply to the project and uses:

a. Schedule of Uses

Accessory uses, buildings and structures  
Amateur radio antenna - Under 50 feet in height  
Docks, seawalls  
Fences, walls  
Non-roofed accessory structures  
Signs in compliance with Chapter 30  
Accessory apartment  
Community residential home  
Dwelling unit:  
    Duplex  
    Two-family attached  
    Single-family residence, conventional  
Essential services  
Home occupation - No outside help  
Residential accessory uses, see 34-622(c)(42)  
Model home

b. Site Development Regulations

|                                         |                   |
|-----------------------------------------|-------------------|
| Minimum lot size:                       | 7,500 square feet |
| Minimum lot area per unit:              | 3,759 square feet |
| Minimum lot width per unit:             | 37.5 feet         |
| Minimum lot depth:                      | 100'              |
| Minimum setbacks:                       |                   |
| Side yard:                              | 7.0'              |
| Rear yard:                              | 20.0'             |
| Water body:                             | 25.0'             |
| Street:                                 | 25.0'             |
| Maximum lot coverage:                   | 45%               |
| Maximum building height:                | 35.0'             |
| Maximum number of stories:              | 3                 |
| Minimum open space:                     | 20%               |
| Maximum number of dwelling units:       | 4                 |
| (i.e., 2 two-family attached buildings) |                   |

3. No blasting is to be permitted on the subject property.

4. Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the Bonita Springs LDC may be required to obtain a local development order.
5. Approval of this rezoning does not guarantee local development order approval. Future development order approvals must satisfy the requirements of the Lee Plan Planning Communities Map and Acreage Allocation Table, Map 16 and Table 1(b), be reviewed for, and found consistent with, the retail commercial standards for site area, including range of gross floor area, location, tenant mix and general function, as well as all other comprehensive plan provisions.
6. This development must comply with all of the requirements of the LDC at the time of local development order approval, except as may be granted by deviations approved as part of this planned development.

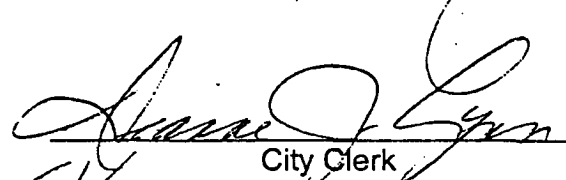
## SECTION TWO: EFFECTIVE DATE

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

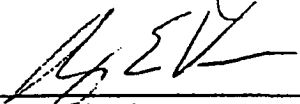
**DULY PASSED AND ENACTED** by the Council of the City of Bonita Springs, Lee County, Florida, this 27<sup>th</sup> day of January, 2003.

AUTHENTICATION:

  
\_\_\_\_\_  
Mayor

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

APPROVED AS TO FORM:

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

Vote:

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

Date filed with City Clerk: 1-31-03

**MASTER CONCEPT PLAN OPTION 1**  
**RAY AMBROZY**  
 UNIVERSITY OF MICHIGAN  
 DEBORAH ALLEN GRESS, P.E. #37276  
 SCALE: 1" = 30'  
 DATE: 8/2/82  
 DRAWN BY: DAG  
 REVISED: 9/20/89  
**PROGRESSIVE ENGINEERING**  
 26071 CORONADO LANE SE.  
 BOATLAND SPRINGS, FLA. 34435  
 TEL. (813) 882-1615 FAX. 582-5871  
 4000 147078  
 SH. 1 of 1

EXHIBIT "A"  
DCI2002-00035  
PAGE 1 OF 1

LEGAL DESCRIPTION

DCI 2002-00035

LEGAL DESCRIPTION FOR REZONING PURPOSES ONLY.  
NOT TO BE USED FOR TITLE OR DEED PURPOSES.

Lots 22, and 23 Block 7 Unit 1  
unrecorded Imperial Shores

A recombination of combined Lot 22 and Lot 23 Block 7, Unit 1 unrecorded Imperial Shores, in Section 32, Township 47 South, Range 25 East, as recorded in Official Records Book 53, page 130, in the public records of Lee County, Florida, more particularly described as:

A lot or parcel of land lying in the SW1/4 of Section 32, Township 47 South, Range 25 East which tract or parcel is described as follows:

From the southeast corner of said fraction of a section run N 1° 44'10" W along the east line thereof for 1250.03 feet; thence run S 89°46'10"W parallel with the south line of said section for 1409.06 feet to a point of curvature; thence run westerly along the arc of a curve to the right having a radius of 150.00 feet, a central angle of 53°50'05" for 140.94 feet to the Point of Beginning. From said Point of Beginning, continue along the arc of a curve to the right having a radius of 150.00 feet, a central angle of 34°39'35" for 90.74 feet to a point of tangency, thence run N 01°44'10"W for 39.26 feet; thence run S 88°15'50"W for 115 feet; thence run S 2°43'45"E for 90.68 feet; thence run S 4°29'08"E for 118.80 feet to an intersection with a line passing through the Point of Beginning bearing S 56°00'50"W; thence run N 56°00'50"E for 158.85 feet to the Point of Beginning.

SUBJECT TO a 15 foot wide utility easement along the easterly property adjacent to Esplanade located southwest and westerly of, adjacent to and concentric with the above mentioned arc of a curve having a radius of 150.00 feet. Bearings hereinabove mentioned are true from centerline survey of State Road No. S-865 (Bonita Beach Road).

Applicant's Legal Checked

by gmr 10/17/02

ATTACHMENT H

# ATTACHMENT

**VILLAS DE ESPLANADE**  
4891 & 4895 ESPLANADE ST.  
BONITA SPRINGS, FL 34134  
PHONE (239) 948-1695  
CELL (239) 860-1695

THANK YOU FOR YOUR INTEREST IN AN EXCITING NEW REAL ESTATE INVESTMENT OPPORTUNITY THAT SHOULD BE CONSIDERED FOR YOUR PRIMARY RESIDENCE, OR A BEAUTIFUL WATERFRONT VACATION HOME.

THE COMMUNITY OF IMPERIAL SHORES IS SURROUNDED BY MULTI-MILLION DOLLAR HOMES IN BAREFOOT BEACH, BAREFOOT BAY, BONITA BAY AND NOW THE NEW RIVER REACH ESTATES PROJECT ON TARPON AVE. THIS TRULY IS AN IDEAL LOCATION FOR THOSE SEEKING PRIME WATERFRONT PROPERTY WITH DYNAMIC APPRECIATION POTENTIAL.

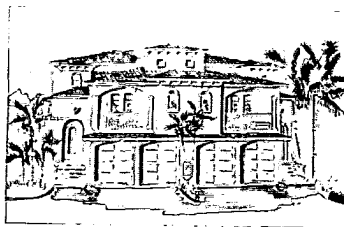
IN COLLABORATION WITH A PROMINENT ARCHITECTURAL DESIGN FIRM AND PRESTIGIOUS BUILDER, I AM REPLACING THE 2 DUPLEXES AT THIS SITE WITH 2 LUXURIOUS TWO-FAMILY VILLAS. EACH "VILLA RESIDENCE" WILL BE SEPARATELY DEEDED AS "FEE SIMPLE" PROVIDING INDIVIDUAL OWNERSHIP WITHOUT THE HIGH FEES OF A CONDO ASSOCIATION. IF YOU ARE A PRE-CONSTRUCTION BUYER, WE WOULD BE DELIGHTED TO WORK WITH YOU TO PERSONALIZE YOUR FLOOR PLANS, MAKING THIS YOUR ULTIMATE DREAM HOME.

EACH VILLA FEATURES 2,493 SQUARE FEET "UNDER AIR" (3,367 SQ. FT. TOTAL) A MASTER SUITE, 2 GUEST SUITES, A LARGE FAMILY ROOM AND GOURMET KITCHEN, POWDER ROOM, 10 FOOT CEILINGS, A LARGE 2 CAR GARAGE, POOL, LANAI, AND BOAT DOCK. THE PRIVATE CANAL HAS DIRECT GULF ACCESS, AND; THE MANGROVES BEHIND THE PROPERTY ARE PART OF LEE COUNTY'S NATURAL PRESERVE PROTECTING THEM FOREVER FROM FUTURE DEVELOPMENT.

CONSTRUCTION IS SCHEDULED TO START IN APRIL 04. OUR GOAL IS TO PROVIDE YOU WITH YOUR BEAUTIFUL NEW HOME FOR THE HOLIDAYS.

*New Waterfront*  
**Construction**

**Ray Ambrozy**  
Project Manager



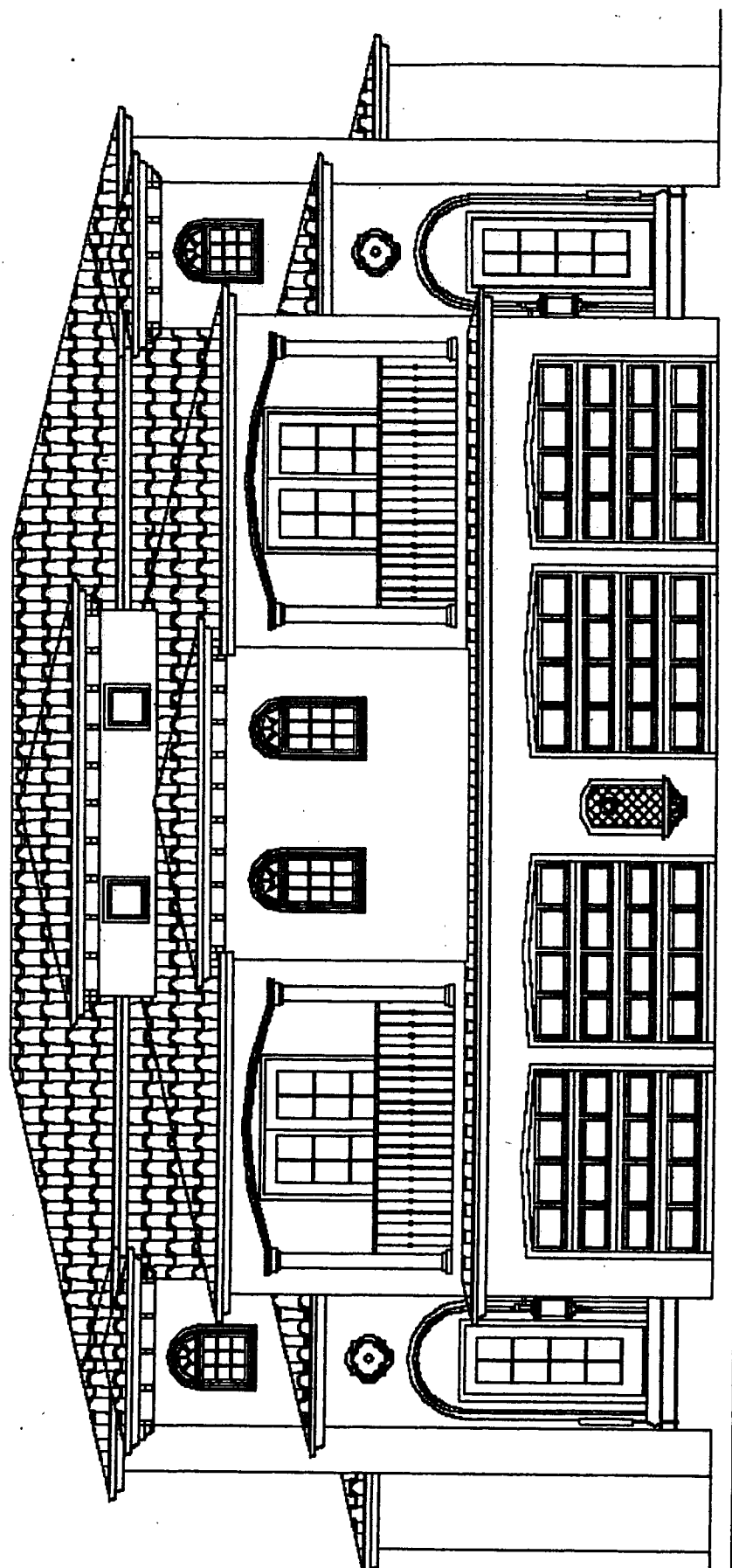
TEL: (239) 948-1695  
FAX: (239) 948-1795  
CELL: (239) 860-1695

4891 Esplanade St.  
Bonita Springs, FL 34134  
rlambrozy@aol.com

**\$895,000.00**  
**(\$359 / sq. ft. A/C)**  
**Broker Protected**

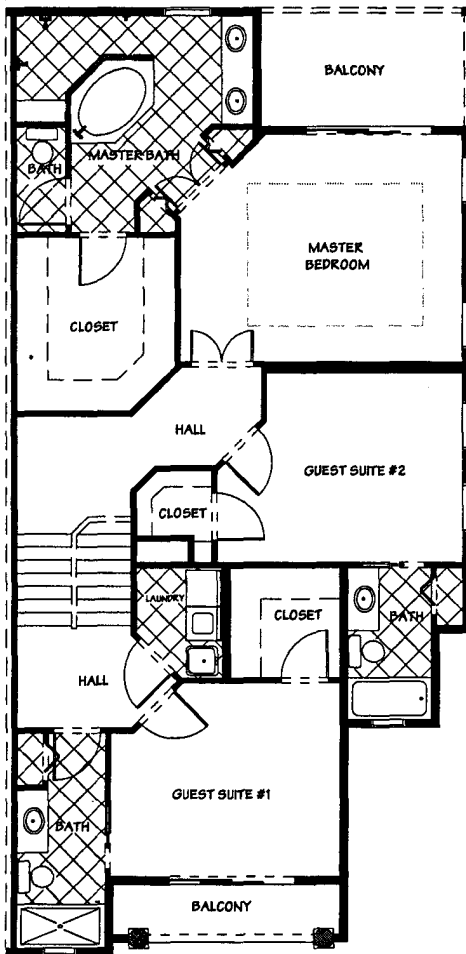
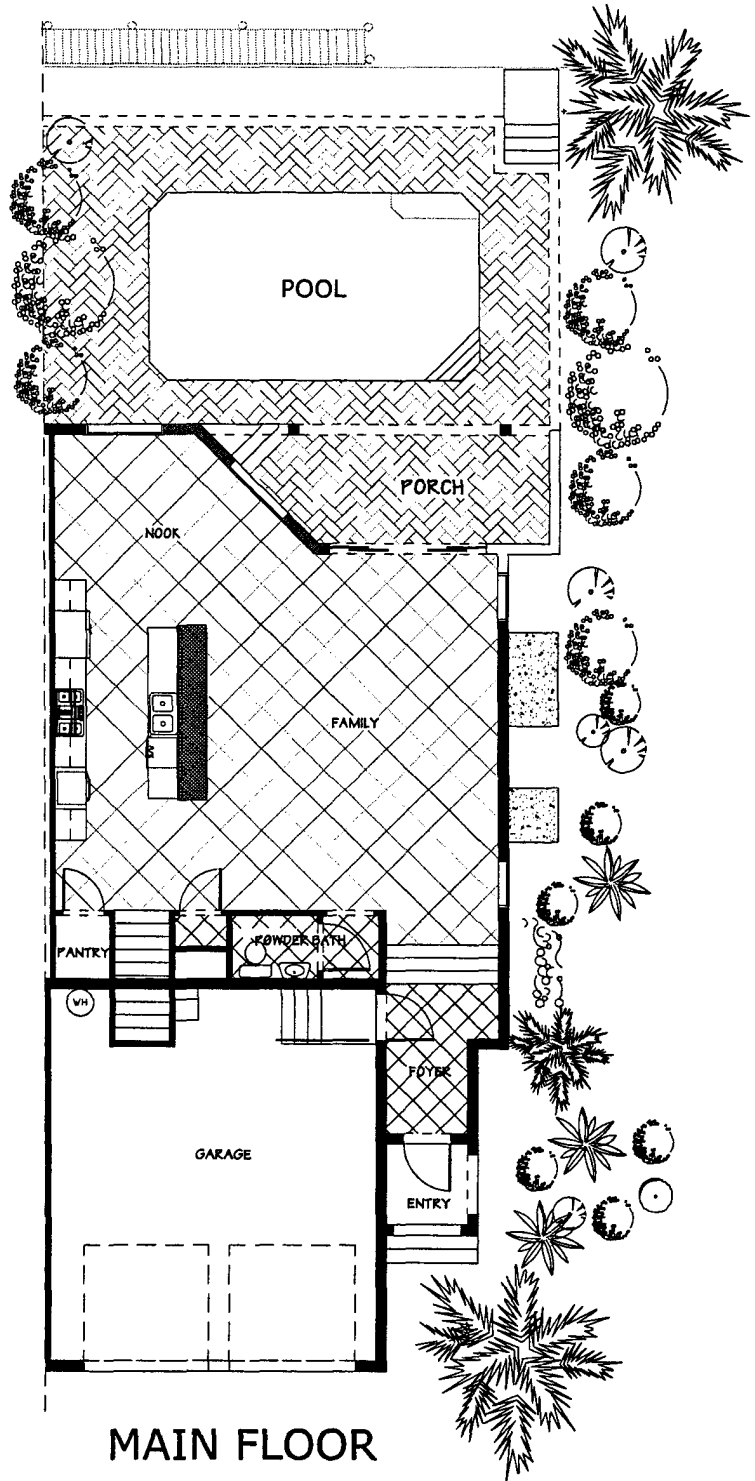
03/15/04

# VILLAS DE ESPLANADE "IMPERIAL SHORES"



# Villas de Esplanade

| AREA TABULATION (SQ FT) |             |
|-------------------------|-------------|
| UNDER AIR               | 2493        |
| GARAGE                  | 534         |
| LANAI                   | 152         |
| ENTRY                   | 31          |
| BALCONY                 | 157         |
| <b>TOTAL</b>            | <b>3367</b> |

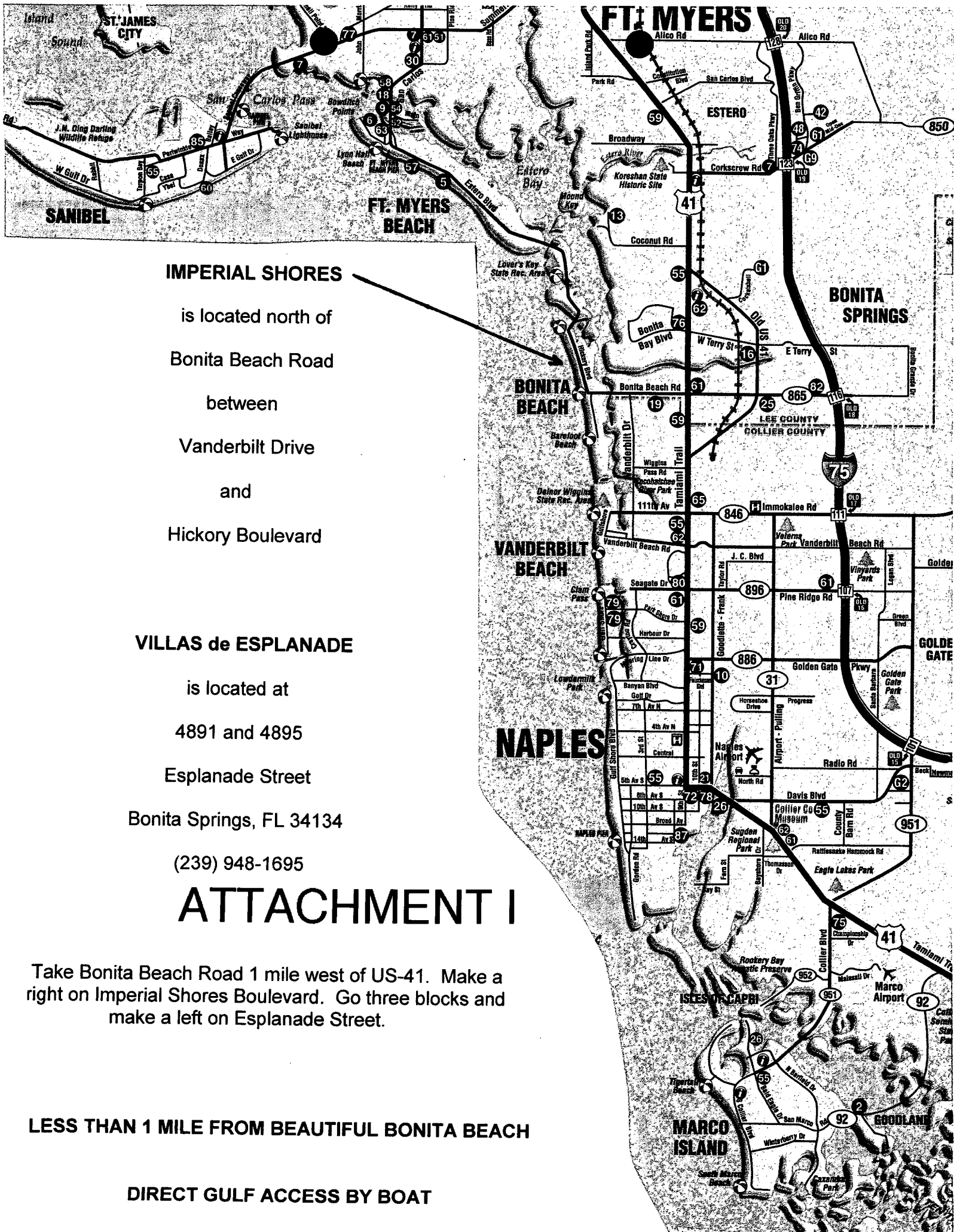


DESIGN BY:



TEL: (259) 649-7950 FAX: (259) 649-8828

ALL PLANS, SPECIFICATIONS, DIMENSIONS AND FEATURES ARE PRELIMINARY AND SUBJECT TO CHANGE WITHOUT NOTICE



## IMPERIAL SHORES

is located north of  
Bonita Beach Road  
between  
Vanderbilt Drive  
and  
Hickory Boulevard

## VILLAS de ESPLANADE

is located at  
4891 and 4895  
Esplanade Street  
Bonita Springs, FL 34134  
(239) 948-1695

# ATTACHMENT I

Take Bonita Beach Road 1 mile west of US-41. Make a right on Imperial Shores Boulevard. Go three blocks and make a left on Esplanade Street.

LESS THAN 1 MILE FROM BEAUTIFUL BONITA BEACH

DIRECT GULF ACCESS BY BOAT

**CITY OF BONITA SPRINGS  
ZONING ORDINANCE NO. 03-24**

**A ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; APPROVING A REQUEST BY TARPON RPD TO REZONE FROM TWO-FAMILY CONSERVATION DISTRICT (TFC-2) TO RESIDENTIAL PLANNED DEVELOPMENT (RPD); ON LAND LOCATED AT 4061 TARPON AVENUE, BONITA SPRINGS, FLORIDA, (STRAP NO. 32-47-25-B3-03209.0170); ON 0.24 ± ACRES; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Wesley Norris, on behalf of Tarpon RPD has filed an application to rezone a Two-Family Conservation District (TFC-2) to Residential Planned Development (RPD) to permit a maximum of two dwelling units.

**WHEREAS**, the subject property is located at 4061 Tarpon Avenue, Bonita Springs, Florida, and is described more particularly as:

"See Schedule A"

**WHEREAS**, a Public Hearing was advertised and heard on July 25, 2003 by the City of Bonita Springs Board for Land Use Hearings and Adjustments and Zoning Board of Appeals ("Zoning Board") on Case DCI 2003-00024 who gave full consideration to the evidence available and recommended approval; and gave full and complete consideration of the record, consisting of the Staff Recommendation, the Zoning Board, the documents on file with the City and the testimony of all interested parties. The June 5, 2003 Staff Report prepared by the Development Services Division and evidence submitted at the Zoning Board hearing is on file with the City Clerk.

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

**SECTION ONE: APPROVAL OF REQUEST**

City Council of Bonita Springs hereby approves the rezoning of 0.24 ± acres from Two-Family Conservation District (TFC-2) to Residential Planned Development (RPD) with the following conditions:

1. The development of this project must be consistent with the three-page Master Concept Plan entitled "Tarpon RPD Master Concept Plan" stamped received Community Development April 23, 2003 except as modified by the conditions below. This development must comply with all requirements of the City of Bonita Springs LDC at time of local Development Order Approval. If changes to

**ATTACHMENT J**

the Master Concept Plan are subsequently pursued, appropriate approvals will be necessary.

2. The following limits apply to the project and uses:

a. Schedule of Uses

DWELLING UNITS

SINGLE-FAMILY (MAXIMUM 1 UNIT)

TWO-FAMILY ATTACHED (MAXIMUM 2 UNITS)

DUPLEX (MAXIMUM 2 UNITS)

ESSENTIAL SERVICES

ESSENTIAL SERVICE FACILITIES, GROUP I

FENCES, WALLS

RECREATIONAL FACILITIES, PERSONAL

RESIDENTIAL ACCESSORY USES (CHAPTER 34,  
ARTICLE VII, DIVISION 2)

DOCKS

SEAWALLS

b. Site Development Regulations

| Minimum Lot Size | Width/Depth | Area |
|------------------|-------------|------|
|------------------|-------------|------|

|               |                     |                    |
|---------------|---------------------|--------------------|
| Single-Family | 59.57 feet/100 feet | 10,000 square feet |
|---------------|---------------------|--------------------|

|                     |                     |                   |
|---------------------|---------------------|-------------------|
| Two-Family Attached | 29.78 feet/175 feet | 5,000 square feet |
|---------------------|---------------------|-------------------|

|        |                     |                    |
|--------|---------------------|--------------------|
| Duplex | 59.57 feet/175 feet | 10,000 square feet |
|--------|---------------------|--------------------|

Minimum Setback (Principal Structure)

|                     | Front | Side | Interior Side | Rear | Water Body |
|---------------------|-------|------|---------------|------|------------|
| Single-Family       | 25'   | 7'   | N/A           | 20'  | 25'        |
| Two-Family Attached | 25'   | 7'   | 0'            | 20'  | 25'        |
| Duplex              | 25'   | 7'   | N/A           | 20'  | 25'        |

Minimum Setback (Accessory Use, Building or Structure)

| Front | Side | Interior Side | Rear | Water Body |
|-------|------|---------------|------|------------|
| N/A   | 7'   | N/A           | 5'   | 5'         |

|                                     |                                                                                    |
|-------------------------------------|------------------------------------------------------------------------------------|
| Maximum Building Height/ # Stories: | 35 feet (from                                                                      |
| Maximum Building Height/ # Stories: | 35 feet (from base<br>flood to eaves)                                              |
|                                     | 2 stories                                                                          |
| Maximum Lot Coverage:               | 40%                                                                                |
| Minimum Open Space:                 | Not required. Lot<br>exceeds minimum<br>requirements of<br>Chapter 10 Sec.<br>415. |
| Maximum Number of Dwelling Units    | 2                                                                                  |

3. No blasting is to be permitted on the subject property.
4. Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the City of Bonita Springs LDC may be required to obtain a local development order.
5. This development must comply with all of the requirements of the LDC at the time of local development order approval.

### **Findings and Conclusions:**

Based upon an analysis of the application and the standards for approval of planned development rezonings, the City of Bonita Springs makes the following findings and conclusions:

1. The applicant has proven entitlement to the rezoning to Residential Planned Development (RPD) by demonstrating compliance with the City of Bonita Springs Comprehensive Plan, the Land Development Code, and other applicable codes and regulations.
2. The requested zoning, as conditioned:
  - a) meets or exceeds all performance and locational standards set forth for the potential uses allowed by the request;
  - b) is consistent with the densities, intensities and general uses set forth in the City of Bonita Springs Comprehensive Plan;

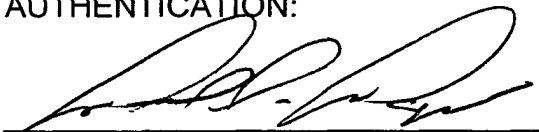
- c) is compatible with existing or planned uses in the surrounding area; and
  - d) will *not* adversely affect environmentally critical areas or natural resources.
3. Approval of the request as conditioned will not place an undue burden upon existing transportation or planned infrastructure facilities and the site will be served by streets with the capacity to carry traffic generated by the development.
  4. Urban services, as defined in the City of Bonita Springs Comprehensive Plan are available and adequate to serve the proposed land use.
  5. The proposed mix of uses is appropriate at the subject location.
  6. The recommended conditions to the concept plan and other applicable regulations provide sufficient safeguards to the public interest.
  7. The recommended conditions are reasonably related to the impacts on the public's interest created by or expected from the proposed development.

## SECTION TWO: EFFECTIVE DATE

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

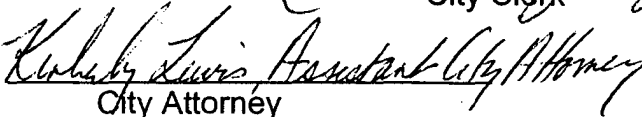
**DULY PASSED AND ENACTED** by the Council of the City of Bonita Springs, Lee County, Florida, this 25<sup>th</sup> day of August, 2003.

AUTHENTICATION:

  
Mayor

  
City Clerk

APPROVED AS TO FORM:

  
City Attorney

Vote:

|        |     |          |     |
|--------|-----|----------|-----|
| Arend  | AYE | Piper    | AYE |
| Edsall | AYE | Wagner   | AYE |
| Nelson | AYE | Warfield | AYE |
| Pass   | AYE |          |     |

Date filed with City Clerk: 8-27-03

## LEGAL DESCRIPTION

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 32, TOWNSHIP 47 SOUTH, RANGE 25 EAST, RUN WEST ALONG THE SOUTH LINE OF SAID SECTION FOR 665 FEET; THENCE NORTH 50 FEET PARALLEL TO THE EAST LINE OF SAID SECTION TO THE NORTH LINE OF BONITA BEACH ROAD (S-865); THENCE CONTINUE ON THE SAME COURSE ON THE CENTER LINE OF A ROAD 130 FEET WIDE FOR 1618.5 FEET TO THE SOUTH LINE OF A ROAD 100 FEET WIDE; THENCE EAST PARALLEL TO THE SOUTH LINE OF SAID SECTION FOR 365.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH PARALLEL TO THE EAST LINE OF SECTION 32, 175.00 FEET; THENCE EAST 60 FEET; THENCE NORTH 175.00 FEET; THENCE WEST 60.00 FEET TO THE POINT OF BEGINNING.

Applicant's Legal Checked

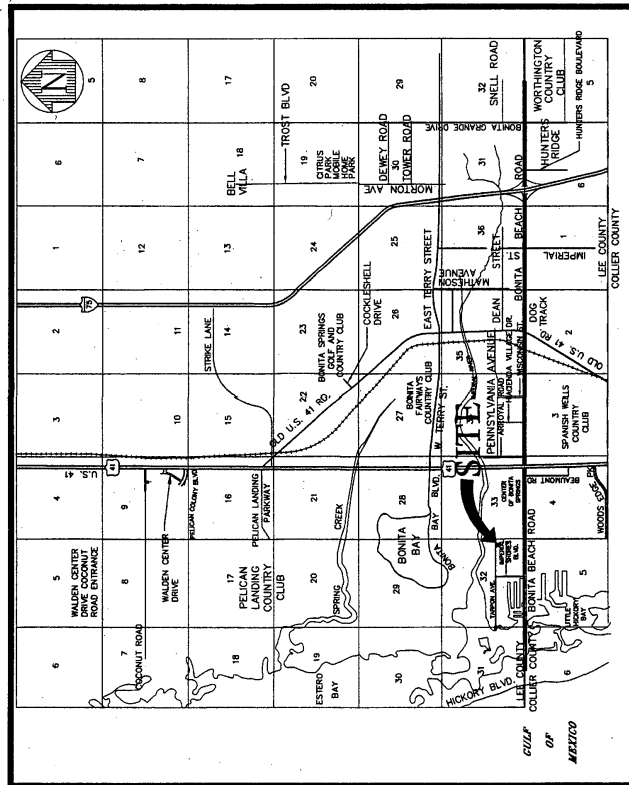
by RAEK 4/28/03 |

# TARPON RPD MASTER CONCEPT PLAN

LOCATED IN SECTION 32, TOWNSHIP 47 SOUTH, RANGE 25 EAST  
BONITA SPRINGS, LEE COUNTY, FLORIDA

ATTACHMENT 1

OWNER/DEVELOPER  
MESMARK CUSTOM HOMES  
27233 JOLLY ROGER LANE  
BONITA SPRINGS, FL 34134



LOCATION MAP  
N.T.S.

PREPARED BY:  
**Q. GRADY MINOR AND ASSOCIATES, P.A.**  
CIVIL ENGINEERS - LAND SURVEYORS - PLANNERS  
BONITA SPRINGS, FLORIDA 34134  
PHONE: (888) 847-1144 FAX: (888) 847-0876  
ENGINEERING CERTIFICATE OF AUTHORIZATION NO. 0005161  
SURVEYING CERTIFICATE OF AUTHORIZATION NO. 0005161

PRINTED  
APR 22 2003  
Q. GRADY MINOR AND ASSOCIATES, P.A.  
CIVIL ENGINEERS - LAND SURVEYORS

## INDEX OF DRAWINGS

| DWG. NO. | DESCRIPTION         |
|----------|---------------------|
| 1        | LOCATION MAP        |
| 2        | MASTER CONCEPT PLAN |
| 3        | AERIAL PHOTOGRAPH   |

APPROVED  
Master Concept Plan  
Date: 03-24-03 Page: 1 of 3  
Subject: Mesmark Custom Homes  
Case: LCE 2003-00024  
CITY OF BONITA SPRINGS

RECEIVED  
APR 23 2003  
COMMUNITY DEVELOPMENT  
EXHIBIT II-D  
2003-00024

DATE: MARCH 2003  
FILE: MCF  
DRAWING NUMBER: 1 OF 3

# PROPERTY DEVELOPMENT REGULATIONS

MINIMUM LOT SIZE  
SINGLE FAMILY:  
TWO-FAMILY ATTACHED:  
DUPLEX:

WIDTH / DEPTH  
59.57' / 100' FEET  
29.78' / 175' FEET  
59.57' / 175' FEET

AREA  
10,000 SQUARE FEET  
5,000 SQUARE FEET  
10,000 SQUARE FEET

MAXIMUM BUILDING HEIGHT  
35 FEET (2 STORIES)

| SETBACK (PRINCIPAL STRUCTURE) | FRONT | SIDE | INTERIOR SIDE | REAR | WATER BODY |
|-------------------------------|-------|------|---------------|------|------------|
| SINGLE FAMILY:                | 25'   | 6'   | N/A           | 20'  | 25'        |
| TWO-FAMILY ATTACHED:          | 25'   | 6'   | 0'            | 20'  | 25'        |
| DUPLEX:                       | 25'   | 6'   | N/A           | 20'  | 25'        |

| SETBACK (ACCESSORY STRUCTURE) | SIDE | INTERIOR SIDE | REAR | SEAWALL |
|-------------------------------|------|---------------|------|---------|
| SINGLE FAMILY:                | 6'   | N/A           | 5'   | 5'      |
| TWO-FAMILY ATTACHED:          | 6'   | N/A           | 5'   | 5'      |
| DUPLEX:                       | 6'   | N/A           | 5'   | 5'      |

## SCHEDULE OF DEVIATIONS

NONE

## SCHEDULE OF USES

DWELLING UNITS (MAXIMUM OF 2 UNITS)  
SINGLE FAMILY (MAXIMUM 1 UNIT)  
TWO-FAMILY ATTACHED (MAXIMUM 2 UNITS)  
DUPLEX (MAXIMUM OF 2 UNITS)  
ESSENTIAL SERVICES  
RECREATIONAL FACILITIES, GROUP 1  
FENCES, WALLS  
RECREATIONAL FACILITIES, PERSONAL  
RESIDENTIAL ACCESSORY USES (CHAPTER 34, ARTICLE VII, DIVISION 2)  
DOCKS  
SEAWALLS

## PLANNING DATA

EXISTING ZONING - TFC-2  
PROPOSED ZONING - RPD  
FUTURE LAND USE DESIGNATION IS MEDIUM DENSITY  
SINGLE FAMILY/DUPLEX RESIDENTIAL

STRAP #32-47-25-B3-03209.0170

## UTILITY PROVIDERS

POTABLE WATER: BONITA SPRINGS UTILITIES, INCORPORATED  
WASTEWATER: BONITA SPRINGS UTILITIES, INCORPORATED  
ELECTRICITY: FLORIDA POWER AND LIGHT  
TELEPHONE: SPRINT  
CABLE: COMCAST

## LEGAL DESCRIPTION

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 32, TOWNSHIP 23 NORTH, RANGE 29 WEST, COUNTY OF BROWARD, FLORIDA; THENCE NORTH 50 FEET PARALLEL TO THE EAST LINE OF SAID SECTION TO THE NORTH LINE OF BONITA BEACH ROAD (S-865); THENCE CONTINUE ON THE SAME COURSE ON THE CENTER LINE OF A ROAD 130 FEET WIDE FOR 1618.5 FEET TO THE SOUTH LINE OF A ROAD 100 FEET WIDE; THENCE EAST PARALLEL TO THE SOUTH LINE OF SAID SECTION FOR 365.00 FEET TO THE EAST LINE OF SAID SECTION; THENCE NORTH 50 FEET PARALLEL TO THE EAST LINE OF SAID SECTION FOR 175.00 FEET; THENCE EAST 60 FEET; THENCE NORTH 175.00 FEET; THENCE WEST 60.00 FEET TO THE POINT OF BEGINNING.

EXISTING ZONING: TFC-2  
EXISTING USE: RESIDENTIAL, SINGLE FAMILY  
FUTURE LAND USE: MEDIUM DENSITY SF/DUP RESIDENTIAL  
TARPON AVENUE (100' ROW) (LOCAL ROAD)

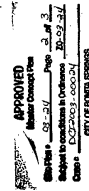
WEST 60.00'  
59.57' (M)  
NO BUFFER REQUIRED

SOUTH 175.00'  
S.00°10'59"E. 154.75' (M)  
N.00°28'23"W. 154.88' (M)

VACANT

NO BUFFER REQUIRED  
SEA WALL  
EAST 60.00' (P)  
CANAL

EXISTING ZONING: TFC-2  
EXISTING USE: RESIDENTIAL, SINGLE FAMILY  
FUTURE LAND USE: MEDIUM DENSITY SF/DUP RESIDENTIAL



RECEIVED  
APR 23 2003

EXHIBIT N-2  
EXHIBIT N-3  
EXHIBIT N-4  
EXHIBIT N-5

2003-00024

|                                                                          |  |                  |  |               |  |                 |  |                |  |                 |  |                                                                                                                                                                                                                                                                       |  |                                   |  |                      |  |                |  |                        |  |
|--------------------------------------------------------------------------|--|------------------|--|---------------|--|-----------------|--|----------------|--|-----------------|--|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|-----------------------------------|--|----------------------|--|----------------|--|------------------------|--|
| OWNER/DEVELOPER<br>WESMARK CUSTOM HOMES<br>BONITA SPRINGS, FLORIDA 34134 |  | DESIGNED BY: SAJ |  | DRAWN BY: SAJ |  | APPROVED BY: BT |  | JOB CODE: WRPD |  | SCALE: 1" = 10' |  | PRINTED<br>APR 2 2003<br>Q. GRADY MINOR AND ASSOCIATES, P.A.<br>CIVIL ENGINEERS • LAND SURVEYORS • PLANNERS<br>3900 N.W. 15th AVE. SUITE 200<br>BONITA SPRINGS, FLORIDA 34134<br>PHONE: (239) 847-1144 FAX: (239) 847-0775<br>SERVING THE COMMUNITY OF BROWARD COUNTY |  | TARPON RPD<br>MASTER CONCEPT PLAN |  | DATE: FEBRUARY, 2003 |  | FILE NAME: MCP |  | DRAWING NUMBER: 2 of 3 |  |
|--------------------------------------------------------------------------|--|------------------|--|---------------|--|-----------------|--|----------------|--|-----------------|--|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|-----------------------------------|--|----------------------|--|----------------|--|------------------------|--|



NOTE: AERIAL FLOWN DATE: FEBRUARY 1998

OWNER/DEVELOPER  
WESMARK CUSTOM HOMES  
27233 JOLLY ROGER LANE  
BONITA SPRINGS, FLORIDA 34134

| Revision | Date | Description | By |
|----------|------|-------------|----|
|          |      |             |    |
|          |      |             |    |
|          |      |             |    |
|          |      |             |    |

PRINTED  
APR 12 2003  
Q. GRADY MINOR AND ASSOCIATES, P.A.  
CIVIL ENGINEERS AND LAND SURVEYORS

DESIGNED BY: SAU  
DRAWN BY: SAU  
APPROVED BY: BT  
JOB CODE: WMRPD  
SCALE: 1" = 200'

Q. GRADY MINOR AND ASSOCIATES, P.A.  
CIVIL ENGINEERS • LAND SURVEYORS • PLANNERS  
9000 VIA DEL REY  
BONITA SPRINGS, FLORIDA 34134  
PHONE: (352) 847-0075  
FAX: (352) 847-0075  
PROFESSIONAL CERTIFICATE OF APPROVAL REQUIRED

TARPOON RPD RECEIVED  
DCI 2003-00024  
MASTER CONCEPT  
APR 23 2003  
DATE: FEBRUARY, 2003  
FIRM NAME: MCD  
DRAWING NUMBER: 3 OF 3

**CITY OF BONITA SPRINGS  
ZONING ORDINANCE NO. 03-06**

**A ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; APPROVING A REQUEST BY RIVER REACH ESTATES TO REZONE THE SUBJECT PROPERTIES FROM TFC-2 TO RESIDENTIAL PLANNED DEVELOPMENT (RPD) ON 5.11 ± ACRES; ON LAND LOCATED ON TARPON AVENUE AND RIVERWOOD DRIVE, BONITA SPRINGS, FLORIDA (STRAP NOS. 32-47-25-B4-00048.0020; 32-47-25-B4-00500.0010; 32-47-25-B4-00500.0020; 32-47-25-B4-00500.0030; 32-47-25-B4-00500.0040; 32-47-25-B4-00500.0050; 32-47-25-B4-00500.0060; 32-47-25-B4-00500.0070; 32-47-25-B4-00500.0080; 32-47-25-B4-00500.0100; 32-47-25-B4-03214.0100; 32-47-25-B4-03214.0130; 32-47-25-B4-03214.0140; 32-47-25-B4-03214.0150; and 32-47-25-B4-03214.0160); PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, River Reach Estates has filed an application for rezoning 5.11 ± acres from TFC-2 to Residential Planned Development (RPD) to permit a maximum of 22 dwelling units with a maximum height of 35 feet; and

**WHEREAS**, the subject property is located on Tarpon Avenue and Riverwood Drive, Bonita Springs, Florida, and is described more particularly as:

"See Exhibit A"

**WHEREAS**, a Public Hearing was advertised and heard on January 10, 2003 by the City of Bonita Springs Board for Land Use Hearings and Adjustments and Zoning Board of Appeals ("Zoning Board") on Case DCI 2002-00041 who gave full consideration to the evidence available and recommended approval; and gave full and complete consideration of the record, consisting of the Staff Recommendation, the Zoning Board, the documents on file with the City and the testimony of all interested parties. The January 6, 2003 Revised Staff Report prepared by Lee County Development Services Division and evidence submitted at the Zoning Board hearing is on file with the City Clerk.

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

**SECTION ONE: APPROVAL OF REQUEST**

City Council of Bonita Springs hereby approves the rezoning of 5.11 ± acres from from TFC-2 to Residential Planned Development (RPD) with the following conditions and deviations:

**ATTACHMENT K**

## Conditions

1. The development of this project must be consistent with the four (4) page Master Concept Plan entitled "River Reach Estates RPD" stamped received November 22, 2002 last revised November 21, 2002 except as modified by the conditions below. This development must comply with all requirements of the Bonita Springs LDC at time of local Development Order Approval, except as may be granted by deviation as part of this planned development. If changes to the Master Concept Plan are subsequently pursued, appropriate approvals will be necessary.
2. The following limits apply to the project and uses:

- a. Schedule of Uses

Administrative Offices

Dwelling Units (Maximum total 22 units)

    Single-Family (Maximum 8 units)

    Two-Family Attached (Maximum 14 units)

    Duplex (Maximum of 14 units)

Entrance Gates and Gatehouse

Essential Services

Essential Services Facilities Group I.

Fences, Walls

Model Homes and Speculative Homes

Recreational Facilities, Personal

Residential Accessory Uses (Chapter 34, Article VII, Division 3)

Signs (Chapter 30)

- b. Site Development Regulations

| <u>Minimum Lot Size</u> | <u>Width/Depth</u> | <u>Area</u>       |
|-------------------------|--------------------|-------------------|
| Single-Family           | 50/100 feet        | 6,500 square feet |
| Two-Family Attached     | 35/100 feet        | 3,750 square feet |
| Duplex                  | 35/100 feet        | 7,500 square feet |

### Setback (Principal Structure)

|                 | <u>Front</u> | <u>Side</u> | <u>Interior Side</u> | <u>Rear</u> | <u>Water Body</u> |
|-----------------|--------------|-------------|----------------------|-------------|-------------------|
| Single Family   | 20'          | 5'          | N/A                  | 20'         | 25'               |
| Two-Family Att. | 20'          | 5'          | 0'                   | 20'         | 25'               |
| Duplex          | 20'          | 5'          | N/A                  | 20'         | 25'               |

Maximum Building Height: 35 feet

Maximum Lot Coverage: 40%

Minimum Open Space: Not required. All lots exceed minimum requirements of Chapter 10 Sec. 415.

Maximum Number of Units: 22

3. No blasting is to be permitted on the subject property.
4. Deviation #2 be limited to the seven two-family/duplex lots as depicted in the approved Master Concept Plan for privacy walls.
5. Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the Bonita Springs LDC may be required to obtain a local development order.
6. Approval of this rezoning does not guarantee local development order approval. Future development order approvals must satisfy the requirements of the Comprehensive Plan Planning Communities Map and Acreage Allocation Table, Map 16 and Table 1(b), if applicable.
7. This development must comply with all of the requirements of the LDC at the time of local development order approval, except as may be granted by deviations approved as part of this planned development.

### Deviations

Deviation #1 is approved, granting relief from Sec. 34-222(4)(c) which requires cul-de-sac lots to have a minimum angle of 45 degrees, to allow for cul-de-sac lots with a minimum angle of 37°46' 18" degrees.

Deviation #2 is approved except for Lot 15, granting relief from Sec. 34-1744(b)(2)a.iii which requires all fences located within twenty five feet (25') of a body of water must be open mesh screening above a height of three and one half feet (3½'), to permit a solid

opaque wall above three and one half feet (3½') extending 13.5' into the rear setback, located on or adjacent to the common property line of the two-family attached residential unit.

Findings and Conclusions:

Based upon an analysis of the application and the standards for approval of planned development rezonings, Bonita Springs City Council makes the following findings and conclusions:

1. The applicant has proven entitlement to the RPD by demonstrating compliance with the City of Bonita Springs Comprehensive Plan, the Land Development Code, and other applicable codes and regulations.
2. The requested zoning, as conditioned:
  - a) meets or exceeds all performance and locational standards set forth for the potential uses allowed by the request;
  - b) is consistent with the densities, intensities and general uses set forth in the City of Bonita Springs Comprehensive Plan;
  - c) is compatible with existing or planned uses in the surrounding area; and
  - d) will not adversely affect environmentally critical areas or natural resources.
3. Approval of the request will not place an undue burden upon existing transportation or planned infrastructure facilities and the site will be served by streets with the capacity to carry traffic generated by the development.
4. Urban services, as defined in the City of Bonita Springs Comprehensive Plan, are, or will be, available and adequate to serve the proposed land use.
5. The proposed use or mix of uses is appropriate at the subject location.
6. The recommended conditions to the concept plan and other applicable regulations provide sufficient safeguards to the public interest.

7. The recommended conditions are reasonably related to the impacts on the public's interest created by or expected from the proposed development.
8. The deviations granted:
  - a) enhance the objectives of the planned development; and
  - b) preserve and promote the general intent of the LDC to protect the public health, safety and welfare.

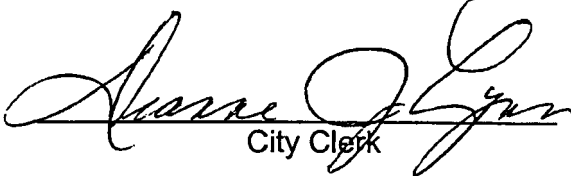
## SECTION TWO: EFFECTIVE DATE

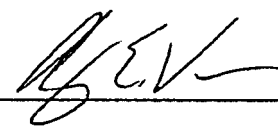
This ordinance shall take effect thirty (30) days from the date of adoption

**DULY PASSED AND ENACTED** by the City Council of the City of Bonita Springs, Lee County, Florida, this 24th day of February, 2003.

AUTHENTICATION:

  
\_\_\_\_\_  
Mayor

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

APPROVED AS TO FORM: 

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

Vote:

|        |     |          |     |
|--------|-----|----------|-----|
| Arend  | AYE | Piper    | AYE |
| Edsall | AYE | Wagner   | AYE |
| Nelson | AYE | Warfield | AYE |
| Pass   | AYE |          |     |

Date filed with City Clerk: 2-27-03

**RIVER REACH ESTATES RPD****RIVERWOOD DRIVE, BONITA SPRINGS, FLORIDA**

STRAP NUMBERS 32-47-25-B4-03214.0100, 32-47-25-B4-03214.0130, 32-47-25-B4-03214.0140, 32-47-25-B4-03214.0150

32-47-25-B4-03214.0160, 32-47-25-B4-00500.0010, 32-47-25-B4-00500.0020, 32-47-25-B4-00500.0030, 32-47-25-B4-00500.0040

32-47-25-B4-00500.0050, 32-47-25-B4-00500.0060, 32-47-25-B4-00500.0070, 32-47-25-B4-00500.0080, 32-47-25-B4-00500.0100

AND 32-47-25-B4-00048.0020

**LEGAL DESCRIPTION**

A PARCEL OF LAND LOCATED IN SOUTHWEST 1/4 OF SECTION 32, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SECTION 32, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA; THENCE RUN SOUTH 89°44'01" WEST, ALONG THE SOUTH LINE OF SAID SECTION 32, FOR A DISTANCE OF 665.29 FEET; THENCE RUN NORTH 00°30'00" WEST FOR A DISTANCE OF 50.00 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF BONITA BEACH ROAD, THE SAME BEING A POINT ON THE CENTER LINE OF IMPERIAL RIVER ROAD, A 130 FOOT WIDE RIGHT OF WAY; THENCE CONTINUE NORTH 00°30'00" WEST, ALONG SAID CENTER LINE, FOR A DISTANCE OF 1,718.79 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF TARPON AVENUE, A 100 FOOT WIDE RIGHT OF WAY; THENCE RUN SOUTH 89°46'00" WEST, ALONG SAID NORTH RIGHT OF WAY LINE, FOR A DISTANCE OF 2,744.67 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE SOUTH 89°46'00" WEST, ALONG SAID NORTH RIGHT OF WAY LINE, FOR A DISTANCE OF 450.00 FEET; THENCE RUN SOUTH 00°14'00" EAST FOR A DISTANCE OF 100.00 FEET; THENCE RUN SOUTH 89°46'00" WEST FOR A DISTANCE OF 60.99 FEET TO A POINT ON THE MEAN HIGH WATER LINE; THENCE RUN ALONG SAID MEAN HIGH WATER LINE FOR THE NEXT 20 CALLS, NORTH 00°45'54" WEST FOR A DISTANCE OF 233.61 FEET; THENCE RUN NORTH 00°01'37" EAST FOR A DISTANCE OF 89.24 FEET; THENCE RUN NORTH 01°20'50" WEST FOR A DISTANCE OF 96.98 FEET; THENCE RUN NORTH 03°00'12" WEST FOR A DISTANCE OF 69.46 FEET; THENCE RUN NORTH 02°35'23" WEST FOR A DISTANCE OF 30.22 FEET; THENCE RUN NORTH 02°00'48" EAST FOR A DISTANCE OF 15.74 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE SOUTHEAST, WHOSE RADIUS POINT BEARS SOUTH 88°39'50" EAST, A DISTANCE OF 30.01 FEET THEREFROM; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 64°35'26", SUBTENDED BY A CHORD OF 32.07 FEET AT A BEARING OF NORTH 33°37'53" EAST, FOR AN ARC LENGTH OF 33.83 FEET TO THE END OF SAID CURVE; THENCE RUN NORTH 70°27'40" EAST FOR A DISTANCE OF 35.46 FEET; THENCE RUN NORTH 70°57'19" EAST FOR A DISTANCE OF 62.11 FEET; THENCE RUN NORTH 78°14'07" EAST FOR A DISTANCE OF 117.46 FEET; THENCE RUN NORTH 87°44'34" EAST FOR A DISTANCE OF 92.31 FEET; TO A POINT ON A CIRCULAR CURVE CONCAVE SOUTHWEST, WHOSE RADIUS POINT BEARS SOUTH 04°28'34" EAST, A DISTANCE OF 46.09 FEET THEREFROM; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 109°41'41", SUBTENDED BY A CHORD OF 75.37 FEET AT A BEARING OF SOUTH 39°37'44" EAST, FOR AN ARC LENGTH OF 88.24 FEET TO THE END OF SAID CURVE; THENCE RUN SOUTH 06°20'08" WEST FOR A DISTANCE OF 28.71 FEET; THENCE RUN SOUTH 01°25'02" WEST FOR A DISTANCE OF 100.00 FEET; THENCE RUN SOUTH 02°32'37" EAST FOR A DISTANCE OF 82.96 FEET; THENCE RUN SOUTH 04°32'47" EAST FOR A DISTANCE OF 28.12 FEET; THENCE RUN SOUTH 00°28'39" EAST FOR A DISTANCE OF 83.14 FEET; THENCE RUN SOUTH 18°29'48" EAST FOR A DISTANCE OF 11.70 FEET; THENCE RUN SOUTH 78°03'43" EAST FOR A DISTANCE OF 15.94 FEET; THENCE RUN SOUTH 89°12'52" EAST FOR A DISTANCE OF 134.44 FEET; THENCE RUN SOUTH 00°14'00" EAST FOR A DISTANCE OF 122.58 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED, CONTAINING 4.705 ACRES, MORE OR LESS.

AND

A PARCEL OF LAND LOCATED IN SOUTHWEST 1/4 OF SECTION 32, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SECTION 32, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA; THENCE RUN SOUTH 89°44'01" WEST ALONG THE SOUTH LINE OF SAID SECTION 32, FOR A DISTANCE OF 665.29 FEET; THENCE RUN NORTH 00°30'00" WEST FOR A DISTANCE OF 50.00 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF BONITA BEACH ROAD, THE SAME BEING A POINT ON THE CENTER LINE OF IMPERIAL RIVER ROAD, A 130 FOOT WIDE RIGHT OF WAY; THENCE CONTINUE NORTH 00°30'00" WEST ALONG SAID CENTER LINE FOR A DISTANCE OF 1,618.79 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF TARPON AVENUE, A 100 FOOT WIDE RIGHT OF WAY; THENCE RUN SOUTH 89°46'00" WEST ALONG SAID SOUTH RIGHT OF WAY LINE, FOR A DISTANCE OF 3046.96 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE RUN SOUTH 00°14'00" EAST FOR A DISTANCE OF 127.90 FEET; THENCE RUN NORTH 88°36'02" WEST FOR A DISTANCE OF 140.06 FEET; THENCE RUN NORTH 00°14'00" WEST FOR A DISTANCE OF 123.91 FEET; THENCE RUN NORTH 89°46'00" EAST FOR A DISTANCE OF 140.00 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED, CONTAINING 0.405 ACRES, MORE OR LESS.

TOTAL PARCEL CONTAINING 5.110 ACRES, MORE OR LESS.

DCI 2002-00041

Applicant's Legal Checked

by *Jim-11/26/02*

# RIVER REACH ESTATES RPD

## MASTER CONCEPT PLAN

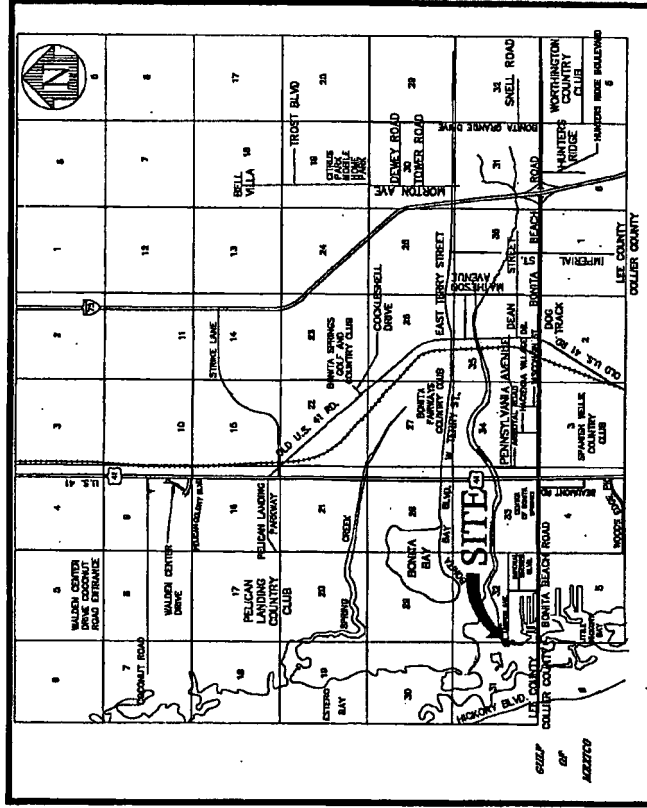
LOCATED IN SECTION 32, TOWNSHIP 47 SOUTH, RANGE 25 EAST  
BONITA SPRINGS, LEE COUNTY, FLORIDA

### PROPERTY OWNER

RIVER REACH, LP  
255 BAREFOOT BEACH BLVD., #304  
BONITA SPRINGS, FL 34134  
PHONE: (239) 273-5016

### INDEX OF DRAWINGS

| DWG. NO. | DESCRIPTION         |
|----------|---------------------|
| 1        | LOCATION MAP        |
| 2        | MASTER CONCEPT PLAN |
| 3        | TOPOGRAPHIC EXHIBIT |
| 4        | AERIAL PHOTOGRAPH   |



LOCATION MAP  
N.T.S.

PREPARED BY:  
**Q. GRADY MINOR AND ASSOCIATES, P.A.**  
CIVIL ENGINEERS • LAND SURVEYORS • PLANNERS  
3830 VIA DEL REY  
BONITA SPRINGS, FLORIDA 34134

PHONE: (239) 647-5144 FAX: (239) 647-0576  
REGISTERED PROFESSIONAL ENGINEERS IN FLORIDA  
SUPPORTING CERTIFICATE OF APPROVAL FOR RECORD

PRINTED  
MAY 21 2002

Q. GRADY MINOR ASSOCIATES, P.A.  
ONE HUNTERWOOD BLVD.  
BONITA SPRINGS, FLORIDA 34134

RECEIVED  
MAY 22 2002

APPROVED  
DATE: 20-04-06  
BY: [Signature]  
FOR: [Signature]  
BY: [Signature]  
BY: [Signature]

COMMUNITY DEVELOPMENT

DE 2002-00041  
CITY OF BONITA SPRINGS

EXHIBIT II-D

DATE: AUGUST 2002  
FILE: MCP  
DRAWING: AUGUST 1 02

| MINIMUM LOT SIZE     | WIDTH/DEPTH     | AREA              |
|----------------------|-----------------|-------------------|
| SINGLE FAMILY:       | 30' / 100' FEET | 8,500 SQUARE FEET |
| TWO-FAMILY ATTACHED: | 36' / 100' FEET | 3,760 SQUARE FEET |
| DUPLEX               | 39' / 100' FEET | 7,500 SQUARE FEET |

MAXIMUM BUILDING HEIGHT:  
33 FEET

| FRONT SIDE | INTERIOR SIDE | REAR | WATER BODY |
|------------|---------------|------|------------|
| 20'        | 5'            | 20'  | 25'        |
| 20'        | 5'            | 20'  | 24'        |

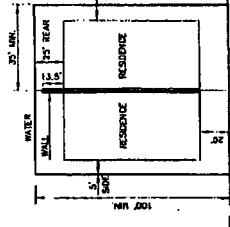
40% MAXIMUM  
NOT REQUIRED - ALL LOTS EXCEED MINIMUM  
REQUIREMENTS OF CHAPTER 10 - 415.

[illegible]

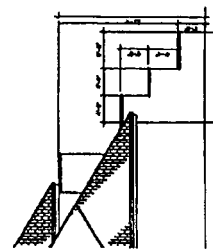
EXISTING ZONING: TL-2  
PROPOSED ZONING: RFD  
FUTURE: LAND USE DESIGNATION IS URBAN COMMUNITY

**FROM SECTION 34-2221(4)(C) WHICH REQUIRES CUL-DE-SAC LOTS TO HAVE A MINIMUM ANGLE OF 45 DEGREES, TO ALLOW FOR CUL-DE-SAC LOTS WITH A MINIMUM ANGLE OF 37° 45' 18" DEGREES.**

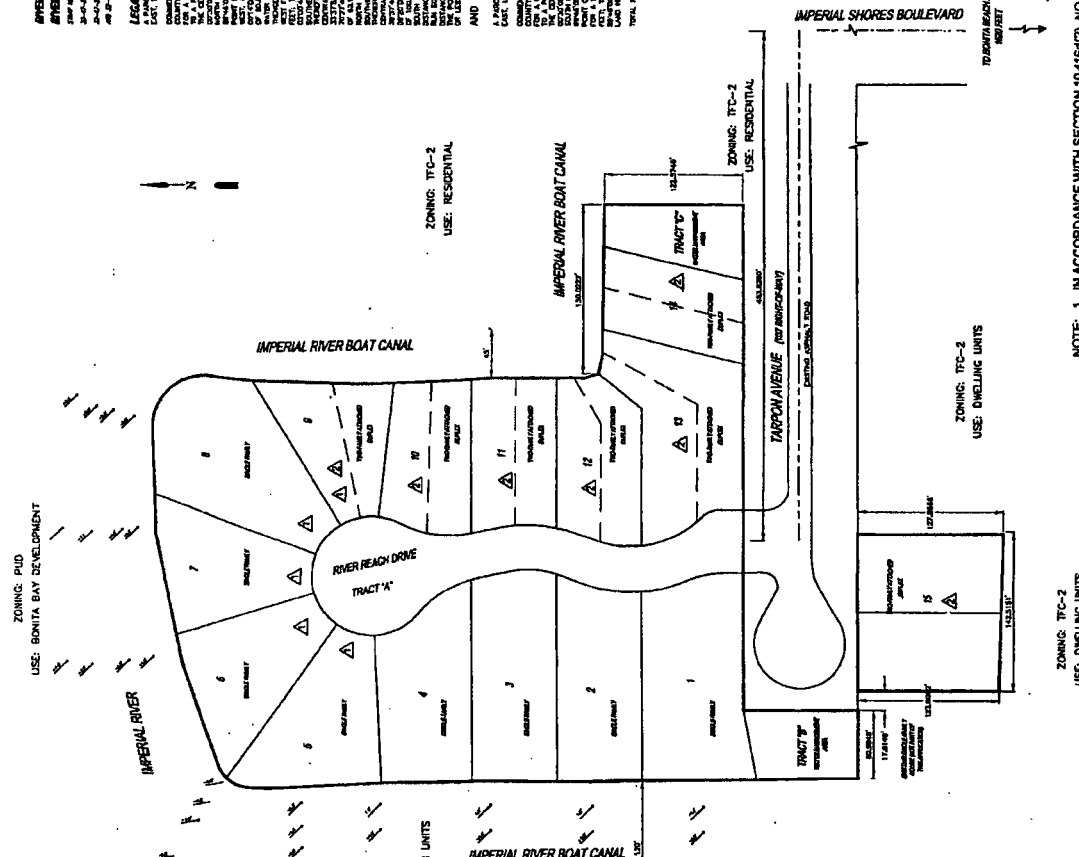
**FROM SECTION 34-1744 (b)(2)(a) II, WHICH REQUIRES ALL FENCES LOCATED WITHIN TWENTY FIVE FEET (25') OF A BODY OF WATER MUST BE OPEN MESH SCREENING ABOVE A HEIGHT OF THREE AND ONE-HALF FEET (3 1/2'), TO PERMIT SOLID, OPAQUE WALL ABOVE THREE AND ONE-HALF FEET (3 1/2'), EXTENDING 13.5' INTO THE REAR SETBACK, LOCATED ON OR ADJACENT TO THE COMMON PROPERTY LINE OF THE TWO-FAMILY ATTACHED RESIDENTIAL UNIT.**



**TWO FAMILY ATTACHED A**



## PRIVACY WALL ELEVATION



NOTE: 1. IN ACCORDANCE WITH SECTION 10416d(2), NO BUFFERS ARE REQUIRED FOR SINGLE-FAMILY, TWO-FAMILY AND DUPLEX USES WHERE ABUTTING OTHER PERMITTED OR EXISTING LAND USES.

2. THE PROJECT WILL NOT PROVIDE ACCESS OR FACILITIES TO PUBLIC TRANSIT AS THE PROJECT LOCATION IS NOT IN CLOSE PROXIMITY TO ANY LEE TRAN BUS STOP. FACILITY OR ESTABLISHED ROUTE.

APPROXIMATE AREA  
CULCINATION

| Year | 1991 | 1992 | 1993 | 1994 | 1995 | 1996 | 1997 | 1998 | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | 2021 | 2022 | 2023 | 2024 | 2025 | 2026 | 2027 | 2028 | 2029 | 2030 | 2031 | 2032 | 2033 | 2034 | 2035 | 2036 | 2037 | 2038 | 2039 | 2040 | 2041 | 2042 | 2043 | 2044 | 2045 | 2046 | 2047 | 2048 | 2049 | 2050 | 2051 | 2052 | 2053 | 2054 | 2055 | 2056 | 2057 | 2058 | 2059 | 2060 | 2061 | 2062 | 2063 | 2064 | 2065 | 2066 | 2067 | 2068 | 2069 | 2070 | 2071 | 2072 | 2073 | 2074 | 2075 | 2076 | 2077 | 2078 | 2079 | 2080 | 2081 | 2082 | 2083 | 2084 | 2085 | 2086 | 2087 | 2088 | 2089 | 2090 | 2091 | 2092 | 2093 | 2094 | 2095 | 2096 | 2097 | 2098 | 2099 | 2100 |
|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|
| 1991 | 1992 | 1993 | 1994 | 1995 | 1996 | 1997 | 1998 | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | 2021 | 2022 | 2023 | 2024 | 2025 | 2026 | 2027 | 2028 | 2029 | 2030 | 2031 | 2032 | 2033 | 2034 | 2035 | 2036 | 2037 | 2038 | 2039 | 2040 | 2041 | 2042 | 2043 | 2044 | 2045 | 2046 | 2047 | 2048 | 2049 | 2050 | 2051 | 2052 | 2053 | 2054 | 2055 | 2056 | 2057 | 2058 | 2059 | 2060 | 2061 | 2062 | 2063 | 2064 | 2065 | 2066 | 2067 | 2068 | 2069 | 2070 | 2071 | 2072 | 2073 | 2074 | 2075 | 2076 | 2077 | 2078 | 2079 | 2080 | 2081 | 2082 | 2083 | 2084 | 2085 | 2086 | 2087 | 2088 | 2089 | 2090 | 2091 | 2092 | 2093 | 2094 | 2095 | 2096 | 2097 | 2098 | 2099 | 2100 |      |

## UTILITY PROVIDERS

POTABLE WATER: BONITA SPRINGS UTILITIES, INCORPORATED  
WASTEWATER: BONITA SPRINGS UTILITIES, INCORPORATED  
ELECTRIC: FLORIDA POWER AND LIGHT  
TELEPHONE: SPRINT  
CABLE: COMCAST

**DAVID BEACH ESTATES INC.**  
**WATERWOOD DRIVE, BONITA SPRING, FLORIDA**

[illegible][illegible]

**UTILITY PROVIDERS**

POTABLE WATER: BONITA SPRINGS UTILITIES, INCORPORATED  
WASTEWATER: BONITA SPRINGS UTILITIES, INCORPORATED  
ELECTRIC: FLORIDA SPRINGS UTILITIES, INCORPORATED  
TELEPHONE: SPRINT  
CABLE: COMCAST

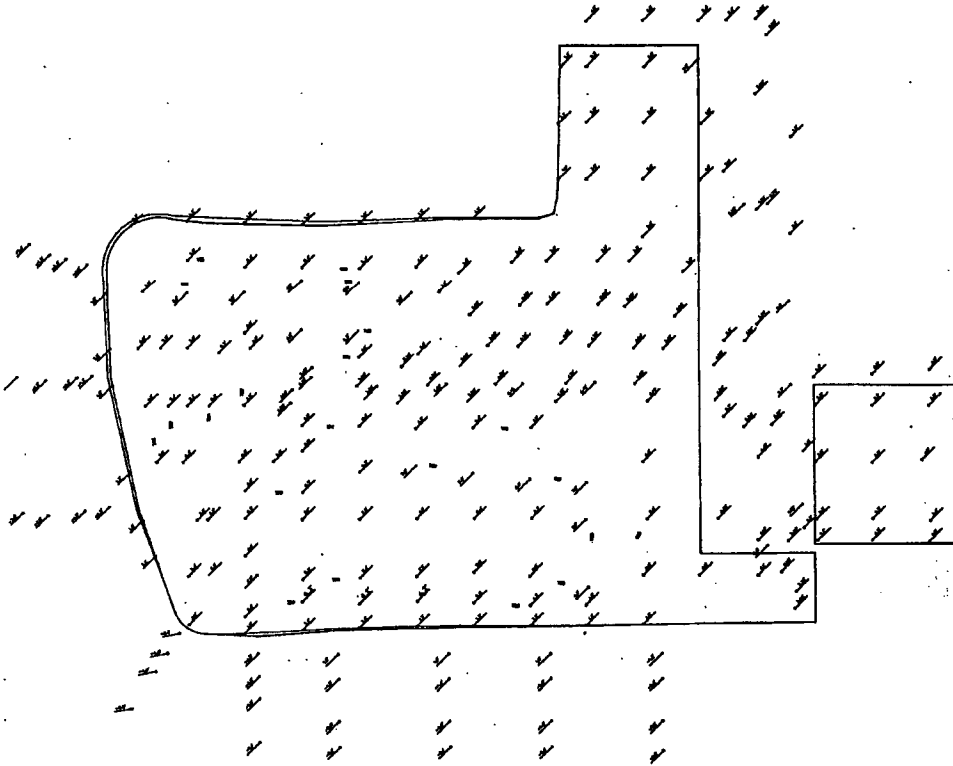
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NOV 21 2012  
UNIVERSITY MICROFILMS INT'L  
SERIALS ACQUISITION

|                     |                  |                  |                 |                 |
|---------------------|------------------|------------------|-----------------|-----------------|
| DESIGNED BY: S.J.U. | DRAWN BY: S.J.U. | APPROVED: D.W.A. | JOB CODE: RERPO | SCALE: 1" = 50' |
|---------------------|------------------|------------------|-----------------|-----------------|

**EDDY MINOR AND ASSOCIATES, P.A.**  
ENGINEERS • LAND SURVEYORS • PLANNERS  
3800 VIA DEL MAR  
BONITA SPRING, FLORIDA 33134  
(260) 647-1141 FAX: (260) 647-1576  
CONSULTANTS OF INTERNATIONAL IN CONSULTING  
ENGINEERING AND ARCHITECTURE IN OCEAN

RIVER  
 EXHIBITS  
 MAST  
 DATE: JULY 2002

UNITATES RPD  
V-E, IV-G  
T PLAN  
AWING NUMBER ?



DEC 2002-00041

|                                                                                                                          |                                                                                                                                                                                                                   |                                                                                                                                                                |                                                                                                                                                                                                                                     |                                                                                                                                                               |
|--------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|
| OWNER/DEVELOPER<br><br>RIVER REACH, L. P.<br>C/O BUSINESS LANE<br>1008 BUSINESS LANE<br>SUITE 10<br>NAPLES FLORIDA 34110 | <div> <div>PRINTED</div> <div>NOV 11 2007</div> <div>           0.00 ACRES LOCATED IN<br/>           Q. GRADY MINOR AND ASSOCIATES, P.A.<br/>           Q. GRADY MINOR AND ASSOCIATES, P.A.         </div> </div> | <div> <div>INSURANCE BY STATE</div> <div>           STATE BY S.U.U.<br/>           APPROVED: D.M.A.<br/>           NOT CARRIED: N.E.P.O.         </div> </div> | <div> <div>Q. GRADY MINOR AND ASSOCIATES, P.A.</div> <div>           CIVIL ENGINEERS &amp; LAND SURVEYORS • PLANNERS<br/>           3600 W. 14th AVE. SUITE 100<br/>           NAPLES, FLORIDA 34104, FLORIDA         </div> </div> | <div> <div>TOPOGRAPHIC EXHIBIT E-7-S</div> <div>           RIVER REACH ESTATES<br/>           DATE: JUNE 2007<br/>           BY: J.M.P.         </div> </div> |
|                                                                                                                          |                                                                                                                                                                                                                   |                                                                                                                                                                |                                                                                                                                                                                                                                     |                                                                                                                                                               |



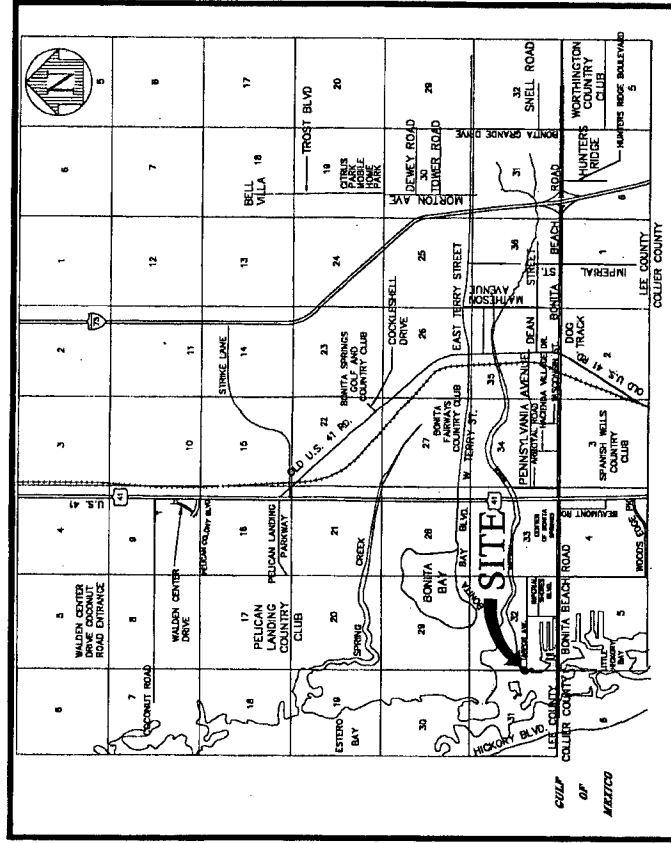
# RIVER REACH ESTATES RPD

## MASTER CONCEPT PLAN

LOCATED IN SECTION 32, TOWNSHIP 47 SOUTH, RANGE 25 EAST  
BONITA SPRINGS, LEE COUNTY, FLORIDA

### PROPERTY OWNER

RIVER REACH, LP  
255 BAREFOOT BEACH BLVD., #304  
BONITA SPRINGS, FL 34134  
PHONE: (239) 273-5016



LOCATION MAP  
N.T.S.

PREPARED BY:

**Q. GRADY MINOR AND ASSOCIATES, P.A.**  
CIVIL ENGINEERS • LAND SURVEYORS • PLANNERS  
3800 VIA DEL REY  
BONITA SPRINGS, FLORIDA 34134

PHONE: (239) 947-1144 FAX: (239) 947-0375  
BONITA SPRINGS, FLORIDA 34134  
SUSAN M. GRADY, P.E., P.L.S.  
REGISTERED PROFESSIONAL ENGINEER AND LAND SURVEYOR  
SUSAN M. GRADY, P.E., P.L.S.

PRINTED  
NOV 21 2002

Q. GRADY MINOR & ASSOCIATES, P.A.  
BONITA SPRINGS, FLORIDA 34134  
CIVIL ENGINEERS • LAND SURVEYORS • PLANNERS

### INDEX OF DRAWINGS

| DWG. NO. | DESCRIPTION         |
|----------|---------------------|
| 1        | LOCATION MAP        |
| 2        | MASTER CONCEPT PLAN |
| 3        | TOPOGRAPHIC EXHIBIT |
| 4        | AERIAL PHOTOGRAPH   |

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NOV 22 2002

APPROVED  
Master Concept Plan

Site Plan - 20-05-06 Page 1 of 4

Subject to conditions in Ordinance 20-13-06

Case - 20-2003-0004

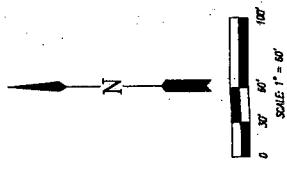
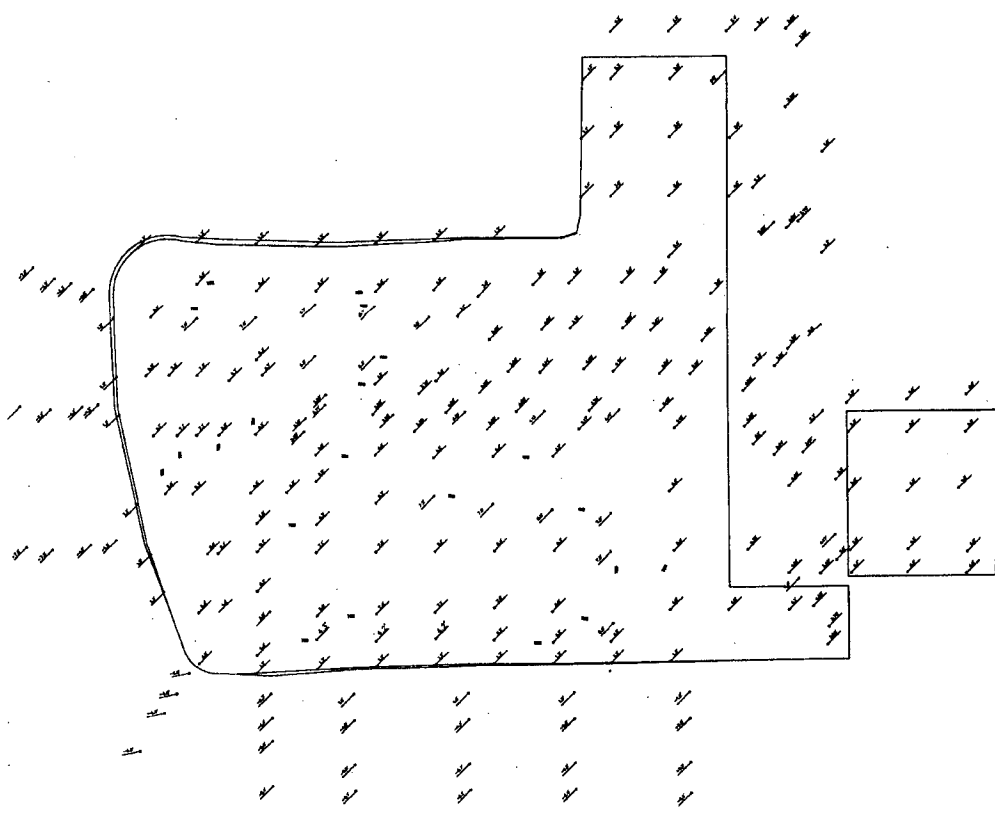
CITY OF BONITA SPRINGS

EXHIBIT II-D

DATE: AUGUST, 2002

DRAWING NUMBER: 1 OF 4





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 MAY 22 2002  
 COMMUNITY DEVELOPMENT  
 CITY OF SOUTH SPRING

DOI 2002-00041

|                                                                                                                 |      |                                                                                                  |    |                                                                                                                                                                                                                           |  |                     |  |
|-----------------------------------------------------------------------------------------------------------------|------|--------------------------------------------------------------------------------------------------|----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---------------------|--|
| OWNER/DEVELOPER<br>RIVER REACH, L.P.<br>C/O DCS INC.<br>1085 BUSINESS LANE<br>SUITE 10<br>NAPLES, FLORIDA 34110 |      | DESIGNED BY: S.J.U.<br>DRAWN BY: S.J.U.<br>APPROVED: D.W.A.<br>JOB CODE: REPO<br>SCALE: 1" = 60' |    | Q. GRADY MINOR AND ASSOCIATES, P.A.<br>CIVIL ENGINEERS & LAND SURVEYORS - FLORIDA<br>8001 N. STENOVA, FORT MYERS, FLORIDA 33904<br>PHONE: (888) 242-1444 FAX: (888) 947-2076<br>MINOR ENGINEERS OF PROFESSIONAL ENGINEERS |  | RIVER REACH ESTATES |  |
| PRINTED<br>MAY 11 2002<br>Q. GRADY MINOR AND ASSOCIATES, P.A.<br>CIVIL ENGINEERS & LAND SURVEYORS               |      | TOPOGRAPHIC EXHIBIT "F-5"                                                                        |    | DATE: JUNE 2002<br>FILE NAME: 2002-00041                                                                                                                                                                                  |  | DRAWING NUMBER: 10  |  |
| Revised                                                                                                         | Date | Description                                                                                      | By |                                                                                                                                                                                                                           |  |                     |  |

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Master Concept Plus  
802-0600

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**OWNER/DEVELOPER**  
RIVER REACH, L. P.  
C/O DCS, INC.  
1085 BUSINESS LANE  
SUITE 10  
NAPLES, FLORIDA 34110

NOTE: AERIAL IS TO AN APPROXIMATE SCALE OF 1" = 300'  
NOTE: AERIAL FLOWN DATE: FEBRUARY 1988

|   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |     |
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| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 | 51 | 52 | 53 | 54 | 55 | 56 | 57 | 58 | 59 | 60 | 61 | 62 | 63 | 64 | 65 | 66 | 67 | 68 | 69 | 70 | 71 | 72 | 73 | 74 | 75 | 76 | 77 | 78 | 79 | 80 | 81 | 82 | 83 | 84 | 85 | 86 | 87 | 88 | 89 | 90 | 91 | 92 | 93 | 94 | 95 | 96 | 97 | 98 | 99 | 100 |
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**OWNER/DEVELOPER**  
RIVER REACH, L. P.  
C/O DCS, INC.  
1085 BUSINESS LANE  
SUITE 10  
NAPLES, FLORIDA 34110

NOTE: AERIAL IS TO AN APPROXIMATE SCALE OF 1" = 300'  
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|   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |     |
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| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 | 51 | 52 | 53 | 54 | 55 | 56 | 57 | 58 | 59 | 60 | 61 | 62 | 63 | 64 | 65 | 66 | 67 | 68 | 69 | 70 | 71 | 72 | 73 | 74 | 75 | 76 | 77 | 78 | 79 | 80 | 81 | 82 | 83 | 84 | 85 | 86 | 87 | 88 | 89 | 90 | 91 | 92 | 93 | 94 | 95 | 96 | 97 | 98 | 99 | 100 |
|---|---|---|---|---|---|---|---|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-----|



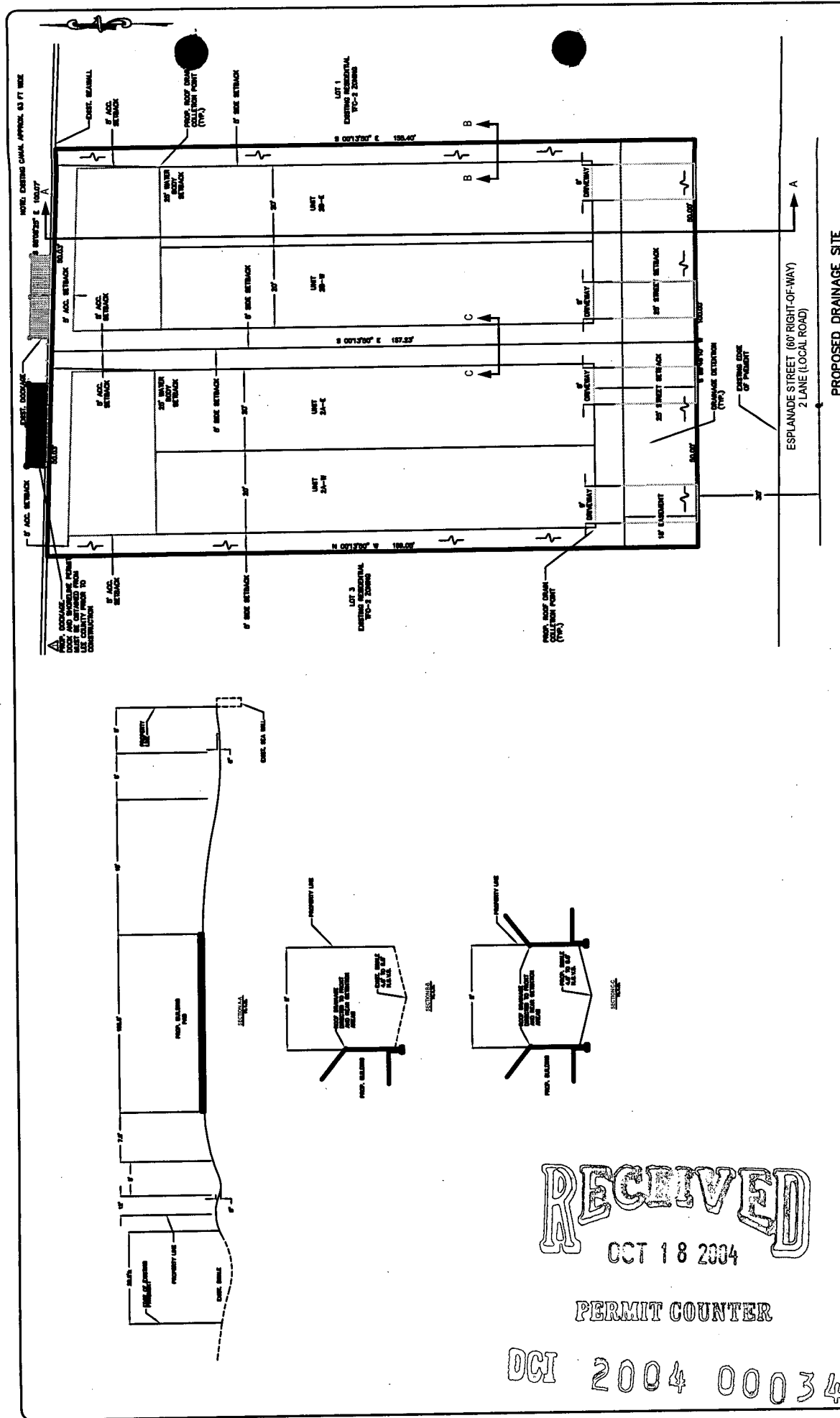
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NOV 2 2 2012

**OWNER/DEVELOPER**  
RIVER REACH, L. P.  
C/O DCS, INC.  
1085 BUSINESS LANE  
SUITE 10  
NAPLES, FLORIDA 34110

NOTE: AERIAL IS TO AN APPROXIMATE SCALE OF 1" = 300'  
NOTE: AERIAL FLOWN DATE: FEBRUARY 1988

# ATTACHMENT K

# ATTACHMENT L



PROPOSED DRAINAGE SITE

|                                                                      |  |                 |                                                                                                                                        |                                                                                                                                                                                                                                      |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                             |
|----------------------------------------------------------------------|--|-----------------|----------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------|
| date: _____<br>drawn: J.E.<br>checked: M.C.P.<br>job: 4812-ESPLANADE |  | SHEET<br>5 of 5 | DRAINAGE EXHIBIT<br>4812-ESPLANADE<br>FOR<br>MARY A. MARY A. MARY A. MARY A.<br>MARY A. MARY A. MARY A. MARY A.<br>TEL: (239) 481-1818 | community engineering services, inc.<br>civil engineering • surveying • project management<br>69-0006813 LB-8372<br>8891 Daniels Center Drive, Suite 103<br>Fort Myers, Florida 33913<br>Telephone (239) 638-9777 For (239) 638-0044 |  | Sections<br>1. 12" WATER MAIN<br>2. 12" WATER MAIN<br>3. 12" WATER MAIN<br>4. 12" WATER MAIN<br>5. 12" WATER MAIN<br>6. 12" WATER MAIN<br>7. 12" WATER MAIN<br>8. 12" WATER MAIN<br>9. 12" WATER MAIN<br>10. 12" WATER MAIN<br>11. 12" WATER MAIN<br>12. 12" WATER MAIN<br>13. 12" WATER MAIN<br>14. 12" WATER MAIN<br>15. 12" WATER MAIN<br>16. 12" WATER MAIN<br>17. 12" WATER MAIN<br>18. 12" WATER MAIN<br>19. 12" WATER MAIN<br>20. 12" WATER MAIN<br>21. 12" WATER MAIN<br>22. 12" WATER MAIN<br>23. 12" WATER MAIN<br>24. 12" WATER MAIN<br>25. 12" WATER MAIN<br>26. 12" WATER MAIN<br>27. 12" WATER MAIN<br>28. 12" WATER MAIN<br>29. 12" WATER MAIN<br>30. 12" WATER MAIN<br>31. 12" WATER MAIN<br>32. 12" WATER MAIN<br>33. 12" WATER MAIN<br>34. 12" WATER MAIN<br>35. 12" WATER MAIN<br>36. 12" WATER MAIN<br>37. 12" WATER MAIN<br>38. 12" WATER MAIN<br>39. 12" WATER MAIN<br>40. 12" WATER MAIN<br>41. 12" WATER MAIN<br>42. 12" WATER MAIN<br>43. 12" WATER MAIN<br>44. 12" WATER MAIN<br>45. 12" WATER MAIN<br>46. 12" WATER MAIN<br>47. 12" WATER MAIN<br>48. 12" WATER MAIN<br>49. 12" WATER MAIN<br>50. 12" WATER MAIN<br>51. 12" WATER MAIN<br>52. 12" WATER MAIN<br>53. 12" WATER MAIN<br>54. 12" WATER MAIN<br>55. 12" WATER MAIN<br>56. 12" WATER MAIN<br>57. 12" WATER MAIN<br>58. 12" WATER MAIN<br>59. 12" WATER MAIN<br>60. 12" WATER MAIN<br>61. 12" WATER MAIN<br>62. 12" WATER MAIN<br>63. 12" WATER MAIN<br>64. 12" WATER MAIN<br>65. 12" WATER MAIN<br>66. 12" WATER MAIN<br>67. 12" WATER MAIN<br>68. 12" WATER MAIN<br>69. 12" WATER MAIN<br>70. 12" WATER MAIN<br>71. 12" WATER MAIN<br>72. 12" WATER MAIN<br>73. 12" WATER MAIN<br>74. 12" WATER MAIN<br>75. 12" WATER MAIN<br>76. 12" WATER MAIN<br>77. 12" WATER MAIN<br>78. 12" WATER MAIN<br>79. 12" WATER MAIN<br>80. 12" WATER MAIN<br>81. 12" WATER MAIN<br>82. 12" WATER MAIN<br>83. 12" WATER MAIN<br>84. 12" WATER MAIN<br>85. 12" WATER MAIN<br>86. 12" WATER MAIN<br>87. 12" WATER MAIN<br>88. 12" WATER MAIN<br>89. 12" WATER MAIN<br>90. 12" WATER MAIN<br>91. 12" WATER MAIN<br>92. 12" WATER MAIN<br>93. 12" WATER MAIN<br>94. 12" WATER MAIN<br>95. 12" WATER MAIN<br>96. 12" WATER MAIN<br>97. 12" WATER MAIN<br>98. 12" WATER MAIN<br>99. 12" WATER MAIN<br>100. 12" WATER MAIN | RECEIVED<br>OCT 18 2004<br>PERMIT COUNTER<br>DCI 2004 00034 |
|----------------------------------------------------------------------|--|-----------------|----------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------|

### INSTRUCTIONS

(Section C.1.c., Lee County Administrative Code AC 2-8)

A zoning sign must be posted on the parcel subject to any zoning application for a minimum of fifteen CALENDAR (15) days in advance of the Zoning Board of the City of Bonita Springs and maintained through the Bonita Springs City Council Hearing. This sign will be provided by the Zoning Division in the following manner:

- Signs for case #DCI2004-00034 must be posted by **October 21, 2004**
- The sign must be erected in full view of the public, not more than five (5) feet from the nearest street right-of-way or easement.
- The sign must be securely affixed by nails, staples or other means to a wood frame or to a wood panel and then fastened securely to a post, or other structure. The sign may not be affixed to a tree or other foliage.
- The applicant must make a good faith effort to maintain the sign in place, and readable condition until the requested action has been heard and a final decision rendered.
- If the sign is destroyed, lost, or rendered unreadable, the applicant must report the condition to the Zoning Division, and obtain duplicate copies of the sign from the Zoning Division.

The Division may require the applicant to erect additional signs where large parcels are involved with street frontages extending over considerable distances. If required, such additional signs must be placed not more than three hundred (300) feet apart.

When a parcel abuts more than one (1) street, the applicant must post signs along each street. When a subject parcel does not front a public road, the applicant must post the sign at a point on a public road which leads to the property, and the sign must include a notation which generally indicates the distance and direction to the parcel boundaries and the dimensions of the parcel.

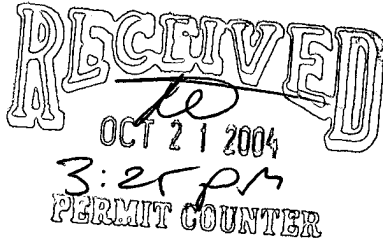
**NOTE: AFTER THE SIGN HAS BEEN POSTED, THE AFFIDAVIT OF POSTING NOTICE, BELOW, SHOULD BE RETURNED NO LATER THAN THREE (3) WORKING DAYS BEFORE THE INITIAL HEARING DATE TO LEE COUNTY ZONING DIVISION, 1500 MONROE ST., FT. MYERS, FL 33901.**

(Return the completed Affidavit below to the Zoning Division as indicated in previous paragraph.)

### AFFIDAVIT OF POSTING NOTICE

STATE OF FLORIDA  
COUNTY OF LEE

BEFORE THE UNDERSIGNED AUTHORITY, PERSONALLY APPEARED Mark D. McCleary  
WHO ON OATH SAYS THAT HE/SHE HAS POSTED PROPER NOTICE AS REQUIRED BY SECTION 34-236(b) OF THE  
LEE COUNTY LAND DEVELOPMENT CODE ON THE PARCEL COVERED IN THE ZONING APPLICATION  
REFERENCED BELOW:



Mark D. McCleary  
SIGNATURE OF APPLICANT OR AGENT

MARK D. MCCLEARY  
NAME (TYPED OR PRINTED)

8991 DANIELS CENTER DR #103  
ST. OR PO BOX

Fort Myers, FL 33912  
CITY, STATE & ZIP

#DCI2004-00034/Esplanade RPD/ 11/5/04 / JSS

STATE OF FLORIDA  
COUNTY OF LEE

The foregoing instrument was sworn to and subscribed before me this 21<sup>st</sup> day of October,  
2004, by Mark D. McCleary, personally known to me or who produced \_\_\_\_\_  
as identification and who did/did not take an oath.

Nancy Scott  
Signature of Notary Public

Nancy Scott  
Printed Name of Notary Public

My Commission Expires:  
(Stamp with serial number)



Nancy E. Scott  
Commission #DD179350  
Expires: Feb 07, 2007  
Bonded Thru  
Atlantic Bonding Co., Inc.



# APPLICATION FOR PUBLIC HEARING FOR PLANNED DEVELOPMENT BONITA SPRINGS

Applicant's Name: Mark D. & Jocelyn F. McCleary

Project Name: 4812 Esplanade

STRAP Number(s): 32-47-25-B4-00208.0020

Application Form: X Computer Generated\* \_\_\_\_\_ County Printed

\* By signing this application, the applicant affirms that the form has not been altered.

\*\*\*\*\*

## STAFF USE ONLY

Planning  
Community:

Bonita Springs

Case Number:

DCI 2004-00034

Current Zoning:

TFC-2

Date of Application:

5-21-04

Land Use  
Classification(s):

Fee:

5000.00

Comp. Plan  
Density Range:

**DCI 2004-00034**

Date Zoning Board/Planning Agency  
Public Hearing:

Planner in charge: \_\_\_\_\_

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## TYPE OF APPLICATION

\_\_\_\_ DRI

\_\_\_\_ PD - Existing Development

X

OPTION 1

\_\_\_\_ DCI - Major

\_\_\_\_ PD - Existing Development

OPTION 2

X DCI - Minor

\_\_\_\_ PD - Amendment

**PERMIT COUNTER**

\*\*\*\*\*  
LEE COUNTY  
COMMUNITY DEVELOPMENT  
P.O. BOX 398 (1500 MONROE STREET)  
FORT MYERS, FLORIDA 33902  
PHONE (239) 479-8585

**PART I**  
**APPLICANT\PROPERTY OWNERSHIP INFORMATION**

A. Name(s) of applicant(s): Mark D. & Jocelyn F. McCleary

Mailing Address: Street: 4812 Esplanade Street

City: Bonita Springs State: FL Zip: 34134

Phone Number: Area Code: 239 Number: 498-1634 Ext:

Fax Number: Area Code:  Number:

E-mail:

B. Relationship of applicant to property:

☒ Owner ☐ Trustee ☐ Option holder ☐ Lessee ☐ Contract Purchaser  
☐ Other (indicate):

*If applicant is NOT the owner or the person authorized by the Covenant of Unified Control, submit a **Notarized Authorization Form** from the owner or his authorized representative. Label as Exhibit I-B.*

*\* If the application is County-initiated, enter the date the action was initiated by the Board:   
Attach a copy of the "blue sheet" and a list of all property owners, and their mailing addresses, for all properties within the area described. Names and addresses must be those appearing on the latest tax rolls of Lee County. Label the "blue sheet" as "Exhibit I-B-2" and the list as "Exhibit I-B-3". [Sec. 34-202(a)(5)]*

C. Name of owner(s) of property: Mark D. & Jocelyn F. McCleary

Mailing Address: Street: 4812 Esplanade Street

City: Bonita Springs State: FL Zip: 34134

Phone Number: Area Code: 239 Number: 498-1634 Ext:

Fax Number: Area Code:  Number:

D. Date property was acquired by present owner(s): 2/14/2003

**DCI 2004-00034**

E. Is the property subject to a sales contract or sales option? ☒ NO ☐ YES

F. Is owner(s) or contract purchaser(s) required to file a disclosure form? ☒ NO ☐ YES. If yes, please complete and submit Exhibit I-F (attached).

G. Are there any existing deed restrictions or other covenants on this property which may affect this request?  
☒ NO ☐ YES. If yes, submit a copy of the deed restrictions or other covenants and a statement explaining how the restrictions may affect the requested action. Label as "Exhibit I-G".

H. Authorized Agent(s): List names of authorized agents (submit additional sheets if necessary).

Name: Community Engineering Services, Inc.

Address: 8991 Daniels Center Drive - Suite #103, Ft Myers, FL 33912

Contact Person: Mark D. McCleary

Phone: (239) 936-9777 Fax: (239) 936-0064

E-mail: mmccleary@communityengineeringonline.com

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**PART II  
GENERAL INFORMATION**

**A. Request:**

1. Rezoning from TFC-2 TO: (check all applicable)

|                                                       |                                                      |
|-------------------------------------------------------|------------------------------------------------------|
| <input checked="" type="checkbox"/> RPD - Residential | <input type="checkbox"/> MPD - Mixed Use             |
| <input type="checkbox"/> MHPD - Mobile Home           | <input type="checkbox"/> RVPD - Recreational Vehicle |
| <input type="checkbox"/> CPD - Commercial             | <input type="checkbox"/> CFPD - Community Facilities |
| <input type="checkbox"/> IPD - Industrial             | <input type="checkbox"/> AOPD - Airport Operations   |

2. Option Chosen:   x   Option 1 [34-373(a)(6)a]        Option 2 [34-373(a)(6)b]

3. Other - Provide specific details. \_\_\_\_\_

**B. Legal Description and Boundary Sketch: Is property within a platted subdivision recorded in the official Plat Books of Lee County?**

  x   NO. Attach a legible copy of the legal description (label it Exhibit II-B-1.) and Certified sketch of description as set out in chapter 61G 17-6.006 FAC. (labeled Exhibit II-B-2.). **If the legal description is available on computer disc (Word or Word Perfect) please provide a copy at time of application.**

       YES. Property is identified as:

Subdivision Name: Imperial Shores, Unit 1, unrecorded

Plat Book:        Page:        Unit:        Block:        Lot         
Section:        Township:        Range:       

Attach a copy of the Plat Book page with subject property clearly marked. Label this Exhibit II-B-3.

C. Project Street Address: 4812 Esplanade Street, Bonita Springs, FL 34134

D. General Location Of Property (referenced to major streets): US 41 to Bonita Beach Rd,  
turn west to Imperial Shores Blvd, turn north to Esplanade Street, second house on right.

**E. Lee Plan Information**

1. Lee Plan Land Use Classification: City of Bonita Policy 1.1.7, Medium Density Single Family/Duplex Residential

2. Are you proposing any Lee Plan amendments which could affect the subject property?   x   NO

       YES. If yes, submit a copy of the proposed amendment (labeled as "Exhibit II-E-1") along with a statement as to how the proposed amendment will affect your property (labeled as "Exhibit II-E-2").

**F. Drainage, Water Control and Other Environmental Issues**

1. Is the property within an Area of Special Flood Hazard as indicated in the Flood Insurance Rate Maps (FIRM)s?        NO   x   YES. If yes, specify the minimum elevation required for the first habitable floor). 11.0 NGVD (MSL)

2. Are there any environmentally sensitive lands such as, but not limited to: wetlands (as defined in the Lee Plan); flow-ways, creek beds, sand dunes, other unique land forms [see Lee Plan Policy 77.1 (2)] or listed species occupied habitat (see Sec. 10-474 of the Land Development Code) on the subject property?  
  x   NO        YES If yes, delineate these areas on a map or aerial photo and label it Exhibit II-F-1. Also, complete Exhibit II-F-2. attached hereto.

G. Present Use of Property: Is the property vacant?   x   NO        YES

If the property is not vacant, the owner or applicant's signature on this application indicates that the Owner agrees to either remove all existing buildings and structures, OR that the proposed use of the building or structure(s) will be in compliance with all applicable requirements of the Land Development Code. [Sec. 34-202(b)(3)]

Briefly describe current use of the property: Residential use within the structure(s).

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H. Property Dimensions

1. Width (average if irregular parcel):   100   Feet
2. Depth (average if irregular parcel):   157   Feet
3. Frontage on road or street:   100   Feet on   Esplanade    
(Name of street)
4. Total land area:   0.36   Acres or Square Feet 11,400

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I. Land Area Calculations

1. Undevelopable Areas:

- a. Freshwater wetland areas           0
- b. Other wetland areas           0
- c. Submerged land subject to tidal influence:           0
- d. Total (a + b + c):           0

2. Remaining developable land (H.4 less I.1.d):           .36          

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**PART III  
PROPOSED DEVELOPMENT**

**A. Nature of Request**

1. Will the development contain living units? \_\_\_\_\_ NO x YES. If the answer is yes, please indicate the total number of living units proposed, by type:

2 Single Family                      \_\_\_\_\_ Mobile Homes                      \_\_\_\_\_ Recreational Vehicles  
\_\_\_\_\_ Zero-Lot-Line                      2 Duplex/Two Family                      \_\_\_\_\_ Townhouses  
\_\_\_\_\_ Multiple Family                      4 TOTAL ALL TYPES

2. If the development will contain living units, please complete Exhibit III-A-2 (attached) and enter the following information:

- a. PERMITTED total units (from Exhibit III-A-2): 4  
b. PROPOSED total units (from A-1. above): 4  
c. PROPOSED density (from Exhibit III-A-2): 11.6 /AC

3. Will the development contain non-residential areas? x NO \_\_\_\_\_ YES. If the answer is yes, please indicate the size [gross square footage (gsf) unless indicated otherwise] of each general class of uses below:

Retail: \_\_\_\_\_ Total gsf

Offices: \_\_\_\_\_ Total gsf

Medical: \_\_\_\_\_ gsf                      Non-medical: \_\_\_\_\_ gsf

Hotel/Motel: \_\_\_\_\_ Total units

Size of units: \_\_\_\_\_ 0-425 sq. Ft.                      \_\_\_\_\_ 426-725 sq. Ft.                      \_\_\_\_\_ 726 or more sq. Ft.  
(number)                      (number)                      (number)

Industrial: \_\_\_\_\_ Total gsf

Under roof: \_\_\_\_\_ gsf                      Not under roof: \_\_\_\_\_ gsf

Mines, Quarries, or General Excavation:

Acres to be excavated: \_\_\_\_\_

Other-specify: \_\_\_\_\_

Number of Beds (if applicable): \_\_\_\_\_ OR: \_\_\_\_\_ gsf

**4. Building Height**

35 Maximum height of buildings (in feet above grade)

3 Number of Habitable Floors

5. Aviation Hazard: Do you propose any structures, lighting, or other features that might affect safe flight conditions? x NO \_\_\_\_\_ YES. If yes, please submit an explanation and label it Exhibit III-A-5.

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B. Facilities

1. Fire District: Bonita Springs Fire Control & Rescue District

2. Water Supply

a. Estimated daily consumption of potable water:

1. Residential units: 1200 gpd

2. Mobile Home units:        gpd

3. Rec. Vehicle units:        gpd

4. Commercial:        gpd

5. Industrial:        gpd

b. Source of potable water: Bonita Springs Utilities

c. Do you have a written agreement from the utility company to serve your project?

d. x NO        YES. If yes, please submit a copy of the agreement.

d. Source of Non-potable water: N/A

3. Sanitary Sewer Service

a. Estimated daily production of wastewater:

1. Residential units: 1200 gpd

2. Mobile Home units:        gpd

3. Recreational Vehicles:        gpd

4. Commercial:        gpd

5. Industrial:        gpd

b. Is any special effluent anticipated? x NO        YES. If yes, please complete Exhibit III-B-3 (attached).

c. Source of sanitary sewer service: Bonita Springs Utilities

d. Do you have a written agreement from the utility company to serve your project?

x NO        YES. If yes, please submit a copy of the agreement.

e. Will a private on-site disposal facility be used? x NO        YES. If yes, please complete Exhibit III-B-3 (attached).

f. Are individual sewage disposal systems proposed? x NO        YES.

C. Transportation

1. Has this project been exempted from filing a Traffic Impact Statement? x NO        YES  
       NOT REQUIRED (Exist. development). If it has been exempted, attach a copy of the exemption and label it Exhibit III-C.

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**PART IV  
SUBMITTAL REQUIREMENTS**

| COPIES REQUIRED |     |     |       |       | Exhibit # | Item                                                                         |
|-----------------|-----|-----|-------|-------|-----------|------------------------------------------------------------------------------|
| SUB             | DRI | DCI | EXIST | MINOR |           |                                                                              |
| ✓               | 13  | 12  | 12    | 12    |           | Completed application [34-201(b)]                                            |
| ✓               | 1   | 1   | 1     | 1     |           | Application Fee [34-202(a)(9)]                                               |
| NA              | 2   | 2   | 2     | 2     | I-B-1     | Notarized Authorization Form (if applicable) [34-201(a)(1)]                  |
| NA              | 2   | 2   | 2     | 2     | I-B-2     | Blue Sheet (If applicable) [34-201(a)(2)]                                    |
| NA              | 2   | 2   | 2     | 2     | I-B-3     | List of Property Owners (If applicable) [34-202(a)(5)]                       |
| ✓               | 2   | 2   | 2     | 2     | I-B-4     | Notarized Covenant & doc. Of Unified Control [34-373(a)(3)]                  |
| ✓               | 1   | 1   | 1     | 1     | I-B-5     | Surrounding Property Owners List [34-202(a)(6)]                              |
| ✓               | 2   | 2   | 2     | 2     | I-B-6     | Property Owners Map [34-202(a)(7)]                                           |
| ✓               | 1   | 1   | 1     | 1     | I-B-7     | Mailing Labels for Surrounding Property Owners                               |
| ✓               | 2   | 2   | 2     | 2     | I-F       | Notarized Disclosure Form (if applicable) [34-201(b)(1)]                     |
| NA              | 2   | 2   | 2     | 2     | I-G       | Deed Restrictions & Narrative (if applicable) [34-202(b)(2)]                 |
| ✓               | 13  | 12  | 12    | 12    | II-B-1    | Legal Description [34-202(a)(1)]                                             |
| ✓               | 13  | 12  | 12    | 12    | II-B-2    | Certified sketch of description (if applicable) [34-202(a)(2)]               |
| NA              | 2   | 2   | 2     | 2     | II-B-3    | Plat Book Page (if applicable) [34-202(a)(1)]                                |
| ✓               | 13  | 12  | 12    | 12    | II-D      | Area Location Map [34-202(a)(4)]                                             |
| NA              | 13  | 12  | 12    | 12    | II-E-1    | Lee Plan Amendment (if applicable) [34-373(a)(5) & 34-491]                   |
| ✓               | 13  | 12  | 12    | 12    | II-E-2    | Narrative/how prop. complies with Lee Plan, etc. [34-373(a)(5)]              |
| NA              | 13  | 12  | 12    | 12    | II-F-1    | Environ. Sensitive Lands map (if app.) [34-373(a)(4)c]                       |
|                 | 4   | 4   | 4     | 4     | II-F-2    | Environmental Assessment [34-1573]                                           |
| ✓               | 13  | 12  | 4     | 4     | II-F-3    | Exist. zoning & current land use map/photo [34-373(a)(4)a]                   |
| ✓               | 13  | 12  | 4     | 4     | II-F-4    | Soils, vegetation and ground cover maps [34-373(a)(4)b.]                     |
| NA              | 13  | 12  | 4     | 4     | II-F-5    | Topography map (if available) [34-373(a)(4)b.]                               |
| NA              | 13  | 12  | -     | -     | III-A-2   | Density Calcs (if applicable) [34-373(a)(6)a.3 & (6)b.3 & (7)a.]             |
| NA              | 13  | 12  | -     | -     | III-A-5   | Aviation Hazard (if applicable) [34-1001 et seq.]                            |
| NA              | 13  | 12  | -     | -     | III-B-3   | Sanitary Sewer Facilities(if applicable) [34-442 (1)n]                       |
| ✓               | 4   | 4   | -     | 4     | III-C     | Traffic Imp. Statement (if applicable) [34-373(a)(6)a.11 or b.10]            |
| NA              | 4   | 4   | -     | 4     | III-C     | TIS Exemption Form (if applicable) [34-373(a)(6)a.11 or b.10]                |
| None MCP        | 13  | 12  | 4     | 4     | IV-A      | Public transit routes map (if applicable) [34-373(a)(4)d.]                   |
|                 | 13  | 12  | 4     | 4     | IV-C      | Existing easements and r-o-w map. [34-373(a)(4)e.]                           |
| ✓               | 13  | 12  | 12    | 12    | IV-D      | Description of proposed development. [34-373(a)(6)]                          |
| ✓               | 13  | 12  | 12    | 12    | IV-E      | Master Concept Plan (Option 1) [34-373(a)(6)a.]                              |
|                 | 13  | 12  | 12    | 12    | IV-F      | Master Concept Plan (Option 2) [34-373(a)(6)b.]                              |
| ✓               | 1   | 1   | 1     | 1     |           | 11 inch by 17 inch copy of the Master Concept Plan                           |
| ✓               | 13  | 12  | 12    | 12    | IV-G      | Schedule of Uses [34-373(a)(6)a.3. or b.3 and 34-373(a)(7)]                  |
| None MCP        | 13  | 12  | 12    | 12    | IV-H      | Schedule of Dev. & Justification [34-373(a)(6)a.3. or b.3 and 34-373(a)(7)d] |
| NA              | 4   | 4   | -     | -     | IV-I      | Surface Water Management Plan [34-373(b)(2)]                                 |
| NA              | 4   | 4   | -     | -     | IV-J      | Protected Species Management Plan [34-373(b)(2)]                             |
| NA              | 13  | 12  | 12    | 12    | IV-K      | Program for phased development (if applicable) [34-373(b)(5)]                |
| NA              | 13  | 12  | 12    | 12    | IV-L      | Haz. Mat Emer Plan (if applicable) [34-202(b)(4)]                            |
| NA              | -   | -   | 4     | -     | IV-M      | Mobile Home Park Rezoning Information [34-373(F)]                            |
| ✓               | 3   | 3   | 3     | 3     | IV-N      | Aerial [34-373(b)]                                                           |
| NA              | 3   | 3   | 3     | 3     | IV-O      | Map of Historical & Archaeological Sites [34-373(F)]                         |
| NA              | 3   | 3   | 3     | 3     | IV-P      | Possible Impacts on Historical & Archaeological Sites [34-373(F)]            |

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PART V

AFFIDAVIT

I, Mark D. McCleary certify that I am the owner or authorized representative of the property described herein, and that all answers to the questions in this application and any sketches, data or other supplementary matter attached to and made a part of this application, are honest and true to the best of my knowledge and belief. I also authorize the staff of Lee County Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made thru this application.

Mark D. McCleary 4/19/2004  
Signature of Owner or Owner-authorized Agent Date

Mark D. McCleary, Owner  
Typed or printed name and title

STATE OF FLORIDA )  
COUNTY OF LEE )

The foregoing instrument was certified and subscribed before me this 19<sup>th</sup> day of April  
2004, by Mark D. McCleary, who is personally known to me or who has  
produced \_\_\_\_\_ as identification.

(SEAL)

Nancy Scott  
Signature of notary public  
Nancy Scott  
Printed name of notary public



Nancy E. Scott  
Commission #DD179350  
Expires: Feb 07, 2007  
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## PART I - EXPLANATORY NOTES

### GENERAL

THE APPLICANT MUST PAY THE APPLICATION FEE SET FORTH IN THE COUNTY EXTERNAL FEES AND CHARGES MANUAL. (ADMINISTRATIVE CODE 3-10 APPENDIX C)

UPON WRITTEN REQUEST, THE DIRECTOR MAY MODIFY THE SUBMITTAL REQUIREMENTS CONTAINED IN THIS SECTION IF THE APPLICANT CLEARLY DEMONSTRATES THAT THE SUBMISSION WILL HAVE NO BEARING ON THE REVIEW AND PROCESSING OF THE APPLICATION. THE REQUEST AND THE DIRECTOR'S WRITTEN RESPONSE MUST ACCOMPANY THE APPLICATION SUBMITTED AND WILL BECOME A PART OF THE PERMANENT FILE.

### EXPLANATORY NOTES FOR PART I

A. Applicant's Name: Application may be made by the landowner or the authorized agent. [Sec. 34-201(a)] Where there is more than one owner, either legal or equitable, then all such owners must jointly initiate the application. Exceptions to this are:

- 1) It is not required that both husband and wife initiate the application on private real property owned by them.
- 2) Where the property is subject to a land trust agreement, the trustee may initiate the application.
- 3) Where the fee owner is a corporation, any duly authorized corporate official may initiate the application.
- 4) Where the fee owner is a partnership, the general partner may initiate the application.
- 5) Where the fee owner is an association, the association may appoint an agent to initiate the application on behalf of the association.
- 6) Where the property is a condominium or time-share condominium, refer to Sec. 34-201(a)(1)b. for rules.
- 7) Where the property is a subdivision, refer to Sec. 34-201(a)(1)c. for rules.
- 8) Rezoning initiated by the Board of County Commissioners (BOCC) on property not owned by the County.

B. Relationship of applicant to owner: If the applicant is not the owner of the property or the person authorized to represent the owner through the Covenant of Unified Control, the applicant must submit proof of authority to represent the owner. This may be accomplished with a **notarized** authorization form from the owner or his authorized representative. Label this submittal as Exhibit I-B-1. [Sec. 34-202(b)(1)].

If the owner does not desire to sign the attached Covenant of Unified Control he may submit an alternate document for consideration by the County Attorney's office prior to submitting the application for rezoning. A copy of the County Attorney's approval of the document must be submitted with the application.

If the application is County-initiated by the BOCC, attach a copy of the "blue sheet" whereby the action was authorized. Label the copy as Exhibit I-B-2.

Submit a list of the names of all property owners and their addresses for property included within the requested action. Label as Exhibit I-B-3. [Sec. 34-202(a)(5)]

C. Name of owner (s): see F. below

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D. Date property was acquired by present owner(s). If the County initiated the rezoning and does not own the property or have it under contract for purchase, enter "Not Applicable".

E. If the request is County-initiated and the County is not purchasing the property, enter "Not Applicable".

F. Disclosure Form: Except for County-Initiated rezonings, a Disclosure Form (Exhibit I-F, attached) must be submitted for any entity whose interest in the property is other than solely equity interest(s) which are regularly traded on an established commodities market in the United States or another Country. [Sec. 34-201(b)(2)]

G. Existing Deed Restrictions: A copy of the deed restrictions on the subject property, if any, and a statement as to how the deed restrictions may affect the requested action must be submitted.

H. Authorized Agent(s): If the owner or applicant has authorized agent(s) to act on his/her behalf, list the agent(s) name, mailing address and phone number. If County-initiated, enter "Not Applicable".

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## PART II - EXPLANATORY NOTES

### A. Nature of Request:

1. If for rezoning to a Planned Development district, indicate the zoning classification(s) being requested.
2. If not for rezoning provide specific details of the action requested. (eg. Amendment to PD. Etc),

### B. Legal Description: **If rezoning to more than one district, a separate legal description must be provided for each classification requested. [34-373(a)(1)]**

If the property is not within a platted subdivision recorded in the official plat books of Lee County, a complete legal description must be attached which is sufficiently detailed and legible so as to be able to locate said property on county maps or aerial photographs. The legal description must include the Section, Township, Range, and parcel number(s). **[34-202(a)]**

If the application includes multiple contiguous parcels, the legal description may describe the perimeter boundary of the total area, and need not describe each individual parcel, except where different zoning requests are made on individual parcels. Label the legal description as Exhibit II-B-1. **[34-202(a)]**

If the request is owner-initiated, a survey or a certified sketch of description as set out in chapter 61G 17-6.006, Florida Administrative Code must be submitted. , unless the subject property consists of one or more undivided platted lots. If the application includes multiple abutting parcels, the legal description must describe the perimeter boundary of the total area, but need not describe each individual parcel. However, the STRAP number for each parcel must be included. **[34-202(a)]**

The Director has the right to reject any legal description which is not sufficiently detailed or legible so as to locate said property, and may require a certified survey or boundary-survey prepared by a surveyor meeting the minimum technical standards for land surveying in the state, as set out in chapter 61G 17-6, F. A.C. Boundaries must be clearly marked with a heavy line. The boundary line must include the entire area to be developed. If the request is owner-initiated the Federal Emergency Management Agency flood zone and required finished floor elevation must be shown as well as the location of existing structures on the property. **[Sec. 34-202(b)(2)]**

### C. Project Street Address: If the street address is unknown, the address may be obtained from the Lee County E-911 Addressing Division at (239) 338-3200.

### D. General Location: The general location should reference known major streets so as to indicate to the general public the location of the property. A property location map must be submitted. Label the map as Exhibit II-D. **[34-202(a)(4)]**

### E-1. Lee Plan Information: List the current Lee Plan Land Use Classification of the subject parcel(s).

### E-2. Lee Plan Information. Submit a copy of any amendment being proposed to the Lee Plan by the applicant which may affect the subject property as well as the Planning Division's reference number for the amendment. Label the proposed amendment as Exhibit II-E-1. Attach a statement as to how the amendment will affect your property. Label the statement as Exhibit II-E-2. **[Sec. 34-202(a)(8)]**

### F.2. If environmentally sensitive areas exist on the site, an environmental assessment must be prepared that examines the existing conditions, addresses the environmental problems, and proposes means and mechanisms to protect, conserve, or preserve the environmental and natural resources. (See Sec. 34-1573). **(Sec. 34-373)**

### H. Property Dimensions: If the parcel is irregularly shaped, indicate the average width and depth of the property. Indicate the length of property abutting any existing street rights-of-way or easements. If property abuts more than one street, indicate frontage on each street. **[Sec 34-202(b)(9)]**

The total area (in square feet or acres) of the property.

### I. Land Area Calculations

1. Undevelopable Areas: Insert the area of land identified as undevelopable by the following terms:
  - a. Freshwater wetlands
  - b. Other wetlands
  - c. Submerged land subject to tidal inundation. The area of land which is submerged and is subject to tidal inundation.

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### PART III - EXPLANATORY NOTES

A. 5. Aviation Hazard: If your project is near any commercial or general aviation facility or within any area delineated on the Lee County Port Authority Airspace Notification Map as a notification area, describe any structures (including proposed communication towers), lighting, or other features which could adversely affect safe flight, and labeled it Exhibit III.A.5. **Refer to Section 34-1001 et seq.**

#### B. Facilities

1. Fire District: List the Fire District in which the property is located.

2. Water Supply:

a. Estimate the daily consumption of potable water by the proposed project.

For residential projects, use 250 gpd (gallons per day) per unit. If the water treatment facility serves only mobile homes or recreational vehicles, the following figures may be used:

Mobile Homes use 187.5 gpd. per unit.

Recreational Vehicles use 150 gpd. per unit.

For all other types of projects, show calculations and source of consumption rates utilized.

b. If the property lies wholly or partly in the certificated franchised service area of an established water utility, name the utility company.

If a private, on-site, potable water system is proposed, please provide a description of the system.

d. Source of non-potable water service: If a separate system is proposed for non-potable (irrigation) water uses, please specify the source.

3. Sanitary Sewer Service.

a. Estimated daily production of wastewater

For residential projects use 200 gpd (gallons per day) per unit. If the sewage treatment facility serves only mobile homes or recreational vehicles, the following figures may be used:

Mobile Homes use 150 gpd per unit.

Recreational Vehicles use 120 gpd per unit

For all other types of projects, show calculations and source of consumption rates utilized.

b. If any special types of effluent can be anticipated, please submit Exhibit III.B.3. (attached)

c. If the property lies wholly or partly in the certificated or franchised service area of an established sanitary sewer district or sewer utility name the utility.

e. If a private, on-site, wastewater treatment and disposal facility is proposed, please submit Exhibit III.B.3 (attached).

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### PART IV - Explanatory Notes for Exhibits not previously discussed.

Surrounding Property Owners List : A complete list of all property owners, and their mailing addresses, for all property within three hundred seventy-five (375) feet [five hundred (500) feet if for a COP] of the perimeter of the subject property or the portion thereof that is the subject of the request. Names and addresses of property owners shall be deemed to be those appearing on the latest tax rolls of the County. The applicant is responsible for the accuracy of such list. **[Sec. 34-202(a)(6)]**

Property Owners Map: A County Zoning map or other similar map displaying all of the parcels of property within three hundred seventy-five feet [five hundred (500) feet if for a COP] of the perimeter of the subject parcel or the portion thereof that is the subject of the request, referenced by number or other symbol to the names on the property owners list. The applicant shall be responsible for the accuracy of the map. **[Sec. 34-202(a)(7)]**

#### **PART IV - EXPLANATIONS (Cont)**

Management Plan for Protected Species: [Sec. 34-373(b)(2)] Refer to the Sec. 10-474.

Program for phased development: [Sec. 34-373(b)(3)] Description of program for phased development (if applicable). A description of the program of phased construction, if the development is to be so constructed.

#### **GENERAL**

- a. The applicant is responsible for the accuracy and completeness of this application. Any time delays or additional expenses necessitated due to the submittal of inaccurate or incomplete information shall be the responsibility of the applicant.
- b. All information submitted with the application or submitted at the public hearing becomes part of the public record and shall be a permanent part of the file.
- c. All applications must be submitted in person. Mailed-in applications will not be processed.
- d. All attachments and exhibits submitted shall be of a size that will fit or conveniently fold to fit into a letter size (8 1/2" x 11") folder.
- e. The Department staff will review this application for compliance with requirements of the Lee County Land Development Code. If any deficiencies are noted, the applicant will be notified.
- f. All applicants shall pay an application fee as set forth in the county External Fees and Charges Manual. (Administrative Code 3-10 Appendix C)

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## EXHIBIT I-F

## DISCLOSURE OF INTEREST FORM FOR:

STRAP NO. 32-47-25-B4-00208.0020 CASE NO. \_\_\_\_\_

1. If the property is owned in fee simple by an INDIVIDUAL, tenancy by the entirety, tenancy in common, or joint tenancy, list all parties with an ownership interest as well as the percentage of such interest.

| Name and Address              | Percentage of Ownership |
|-------------------------------|-------------------------|
| Mark D. & Jocelyn F. McCleary | 100%                    |
|                               |                         |
|                               |                         |
|                               |                         |
|                               |                         |

2. If the property is owned by a CORPORATION, list the officers and stockholders and the percentage of stock owned by each.

| Name, Address, and Office | Percentage of Stock |
|---------------------------|---------------------|
|                           |                     |
|                           |                     |
|                           |                     |
|                           |                     |
|                           |                     |
|                           |                     |

3. If the property is in the name of a TRUSTEE, list the beneficiaries of the trust with percentage of interest.

| Name and Address | Percentage of Interest |
|------------------|------------------------|
|                  |                        |
|                  |                        |
|                  |                        |
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4. If the property is in the name of a GENERAL PARTNERSHIP OR LIMITED PARTNERSHIP, list the names of the general and limited partners.

| Name and Address | Percentage of Ownership |
|------------------|-------------------------|
|                  |                         |
|                  |                         |
|                  |                         |
|                  |                         |
|                  |                         |
|                  |                         |

**DCI 2004-00034**

5. If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the officers, stockholders, beneficiaries, or partners.

| Name, Address, & Office(if applicable) | Percentage of Stock |
|----------------------------------------|---------------------|
|                                        |                     |
|                                        |                     |
|                                        |                     |
|                                        |                     |
|                                        |                     |
|                                        |                     |
|                                        |                     |
|                                        |                     |

Date of Contract: \_\_\_\_\_

6. If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

| Name and Address |  |
|------------------|--|
|                  |  |
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For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest shall be filed.

The above is a full disclosure of all parties of interest in this application, to the best of my knowledge and belief.

Signature: \_\_\_\_\_

(Applicant)

Mark D. McCleary  
(Printed or typed name of applicant)

STATE OF FLORIDA  
COUNTY OF LEE

**OCI 2004-00034**

The foregoing instrument was acknowledged before me this 19<sup>th</sup> day of April, 2004, by Mark D. McCleary, who is personally known to me or who has produced \_\_\_\_\_ as identification.

(SEAL)

Nancy Scott  
Signature of Notary Public

Nancy Scott  
Printed Name of Notary Public



Nancy E. Scott  
Commission #DD179350  
Expires: Feb 07, 2007  
Bonded Thru  
Atlantic Bonding Co., Inc.

**EXHIBIT II-F-2  
ENVIRONMENTAL ISSUES**

**A. Topography:** Describe the range of surface elevations of the property:

The existing range of surface elevations are from elevation 4.00' +/- NGVD at the sea wall to 5.00' +/- NGVD  
at the structures.

**B. Sensitive Lands:** Identify any environmentally sensitive lands, including, but not limited to, wetlands (as defined in the Lee Plan), flowways, creek beds, sand dunes, other unique land forms [see Lee Plan Policy 77.1.1 (2)] or listed species occupied habitat (see Sec. 10-4730 of the Land Development Code).

N/A

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Continued

C. **Preservation/Conservation of Natural Features:** Describe how the lands listed in B. above will be protected by the completed project:

N/A

D. **Shoreline Stabilization:** If the project is located adjacent to navigable natural waters, describe the method of shoreline stabilization, if any, being proposed:

N/A Sea wall exists

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**EXHIBIT III-A-2**  
**PRELIMINARY DENSITY CALCULATIONS\***  
(Complete only if living units are proposed).

**A. Gross Residential Acres**

1. Total land area: 0.36 acres
2. Area to be used for non-residential uses: (Line A.2.a. plus A.2.b.): 0 acres
  - a. R-O-W providing access to non-residential uses: 0 acres
  - b. Non-residential use areas: 0 acres
3. Gross residential acres (Line A.1 less A.2): 0.36 acres
  - a. Uplands areas 0 acres
  - b. Freshwater Wetlands areas 0 acres
  - c. Other Wetland areas 0 acres

**B. Lee Plan Land Use Classification: City of Bonita/Medium Density Single Family/Duplex** (If more than one classification, calculations for each classification must be submitted)

**Density Standards (from Lee Plan Table 1)**

1. Maximum standard density for Land Use Classification: - units/gross res. acre
2. Maximum total density for Land Use Classification: 11.6 units/gross res. acre

**MAXIMUM PERMITTED DWELLING UNITS**

**DCI 2004-00034**

**C. Intensive Development, Central Urban, and Urban Community Areas:**

1. Standard density uplands units (A.3.a. times B.1) -- units
2. Standard density wetlands units (A.3.b. & A.3.c. times B.1) 0 units
3. Total standard density units (sum of C.1 & C.2) -- units
4. Max. total density units [A.3.a. times ((B.1 plus 1/2 of ( B.2 less B.1)))] 4.18 units

**5. Sub-total permitted standard density units: \_\_\_\_\_ Units ( line C.3 or C.4 - whichever is less)**

**\*\* 6. BONUS UNITS**

- a. Low-moderate housing density: \_\_\_\_\_ units
- b. TDR units: \_\_\_\_\_ units
- c. **Sub-total (C.6.a plus C.6.b)** \_\_\_\_\_ units

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**7. Total Permitted Units (C.5. plus C.6.c): 4.18 units** ((may not exceed (A.3.a. times B.2) plus (A.3.b. and A.3.c. times .05)). **PERMIT COUNTER**

\* Subject to staff review and correction.

\*\* If Low-moderate housing density credits or Transfer of Development Rights (TDRs) credits are included, attach the calculations and approvals hereto.

**continued**

**D. Suburban land use areas**

1. Standard density uplands units (A.3.a. times B.1) \_\_\_\_\_ units
2. Standard density freshwater wetlands units (A.3.b. times B.1) \_\_\_\_\_ units
3. Total standard density units (sum of D.1 & D.2) \_\_\_\_\_ units
4. Maximum upland density (A.3.a. times 8) \_\_\_\_\_ units
5. **Total permitted units:** \_\_\_\_\_ **Units** ( line D.3 or D.4 - whichever is less)

**E. Outlying Suburban Land Use Areas**

1. Standard density uplands units (A.3.a. times B.1) \_\_\_\_\_ units
2. Standard density freshwater wetlands units (A.3.b times B.1) \_\_\_\_\_ units
3. Total standard density (sum of E.1 & E.2) \_\_\_\_\_ units
4. Maximum upland density (A.3.a times 4<sup>\*\*\*</sup>) \_\_\_\_\_ units
5. **Total permitted units:** \_\_\_\_\_ **units** ( line E.3 or E.4 - whichever is less)

**F. Open Lands**

1. Total acres of "Open Land" \_\_\_\_\_ acres
2. Maximum open land density (F.1 times 0.2<sup>\*\*\*\*</sup>) \_\_\_\_\_ units
3. **Total permitted units:** \_\_\_\_\_ **units**

**\*\*** If Low-moderate housing density credits or Transfer of Development Rights (TDRs) credits are included, attach the calculations and approvals hereto.

**\*\*\*** Outlying suburban land located north of the Caloosahatchee River and east of Interstate-75, north of Pondella Road and south of Pine Island Road (SR 78), and in the Buckingham area (see Goal 19 of the Lee Plan), the maximum upland density is two (2) units per acre plus one (1) for a total of three (3) units per acre.

**\*\*\*\*** One unit per five acres if the PD process is being used to prevent adverse impacts on environmentally sensitive lands (as defined in Policy 77,1,1,4)

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**EXHIBIT III-B-3  
SANITARY SEWER FACILITIES**

- A. **Special Effluent:** If special effluent is anticipated, please specify what it is and what strategies will be used to deal with its' special characteristics:

N/A

- B. **Private On-site Facilities:** If a private on-site wastewater treatment and disposal facility is proposed, please provide a detailed description of the system including:

1. Method and degree of treatment:

2. Quality of the effluent:

3. Expected life of the facility:

4. Who will operate and maintain the internal collection and treatment facilities:

5. Receiving bodies or other means of effluent disposal:

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C. **Spray Irrigation:** If spray irrigation will be used, specify:

1. The location and approximate area of the spray fields:

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2. Current water table conditions:

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3. Proposed rate of application:

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4. Back-up system capacity:

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**EXHIBIT I-B-4  
COVENANT OF UNIFIED CONTROL**

The undersigned do hereby swear or affirm that they are the fee simple title holders and owners of record of property commonly known as 4812 Esplanade Street and legally described in exhibit A attached hereto. (street address)

The property described herein is the subject of an application for planned development zoning. We hereby designate Community Engineering Services, Inc. as the legal representative of the property and as such, this individual is authorized to legally bind all owners of the property in the course of seeking the necessary approvals to develop. This authority includes but is not limited to the hiring and authorization of agents to assist in the preparation of applications, plans, surveys, and studies necessary to obtain zoning and development approval on the site. This representative will remain the only entity to authorize development activity on the property until such time as a new or amended covenant of unified control is delivered to Lee County.

The undersigned recognize the following and will be guided accordingly in the pursuit of development of the project:

1. The property will be developed and used in conformity with the approved master concept plan including all conditions placed on the development and all commitments agreed to by the applicant in connection with the planned development rezoning.
2. The legal representative identified herein is responsible for compliance with all terms, conditions, safeguards, and stipulations made at the time of approval of the master concept plan, even if the property is subsequently sold in whole or in part, unless and until a new or amended covenant of unified control is delivered to and recorded by Lee County.
3. A departure from the provisions of the approved plans or a failure to comply with any requirements, conditions, or safeguards provided for in the planned development process will constitute a violation of the Land Development Code.
4. All terms and conditions of the planned development approval will be incorporated into covenants and restrictions which run with the land so as to provide notice to subsequent owners that all development activity within the planned development must be consistent with those terms and conditions.
5. So long as this covenant is in force, Lee County can, upon the discovery of noncompliance with the terms, safeguards, and conditions of the planned development, seek equitable relief as necessary to compel compliance. The County will not issue permits, certificates, or licenses to occupy or use any part of the planned development and the County may stop ongoing construction activity until the project is brought into compliance with all terms, conditions and safeguards of the planned development.



Owner

Mark D. McCleary

Printed Name

STATE OF FLORIDA )  
COUNTY OF LEE )

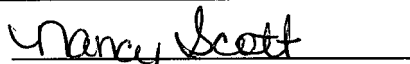
**OCI 2004-00034**

Sworn to (or affirmed) and subscribed before me this 19<sup>th</sup> day of April, 2004.

by Mark D. McCleary who is personally known to me or has produced \_\_\_\_\_ as identification.

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**PERMIT COUNTER**

  
Notary Public  
Nancy Scott  
(Name typed, printed or stamped)  
(Serial Number, if any)



Nancy E. Scott  
Commission #DD179350  
Expires: Feb 07, 2007  
Bonded Thru  
Atlantic Bonding Co., Inc.

LEE COUNTY PROPERTY APPRAISER

# **PROPERTY DATA FOR PARCEL 32-47-25-B4-00208.0020** **TAX YEAR 2003**

Parcel data is available for the following tax years:

[ 2001 | 2002 | 2003 ]

[ [Next Lower Parcel Number](#) | [Next Higher Parcel Number](#) | [Display Building Permits on this Parcel](#) | [Display Tax Bills on this Parcel](#) ]

OWNERSHIP, LEGAL, SALES AND DISTRICT DATA ARE FROM THE CURRENT DATABASE.  
 LAND, BUILDING, VALUE AND EXEMPTION DATA ARE FROM THE 2003 ROLL.

## **PROPERTY DETAILS**     **OCI**     **2004-00034**

**OWNER OF RECORD**

MCCLEARY MARK D  
 + JOCELYN  
 4812 ESPLANADE ST  
 BONITA SPRINGS FL  
 34134

**SITE ADDRESS**

4812 ESPLANADE ST  
 BONITA  
 SPRINGS FL 34134

**LEGAL DESCRIPTION**

IMPERIAL SHORES  
 UN.1 UREC.  
 BLK 8 OR 53 PG 130  
 LOT 2

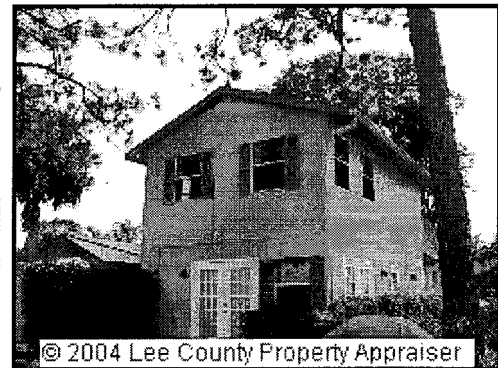
[ [VIEWER](#) ] TAX MAP [ [PRINT](#) ]

An error occurred that  
 prevented the aerial image from  
 being drawn. We are working  
 on a system to correct this error and  
 apologize for any  
 inconvenience.

IMPERIAL SHORES UNREC



Copyright 2004 Lee County Property Appraiser

**IMAGE OF STRUCTURE**

© 2004 Lee County Property Appraiser

Photo Date: March of 2003

PHOTO 2003 ROLL  
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 MAY 21 2004

[ [PICTOMETRY ONLINE](#) ]**TAXING DISTRICT**

018 - CITY OF BONITA SPRINGS - 018

**DOR CODE**

01 - SINGLE FAMILY RESIDENTIAL

**PROPERTY VALUES****EXEMPTIONS****ATTRIBUTES**

|              |         |              |                    |        |
|--------------|---------|--------------|--------------------|--------|
| JUST         | 479,810 | HOMESTEAD    | 0 UNITS OF MEASURE | FF     |
| ASSESSED     | 479,810 | AGRICULTURAL | 0 NUMBER OF UNITS  | 100.00 |
| ASSESSED SOH | 479,810 | WIDOW        | 0 FRONTAGE         | 100    |
| TAXABLE      | 479,810 | WIDOWER      | 0 DEPTH            | 140    |
| BUILDING     | 138,580 | DISABILITY   | 0 BEDROOMS         | 7      |
| LAND         | 341,230 | WHOLLY       | 0 BATHROOMS        | 6      |

O.M.B. No 3067-0077  
Expires May 31, 1993

**ELEVATION CERTIFICATE**  
**FEDERAL EMERGENCY MANAGEMENT AGENCY**  
**NATIONAL FLOOD INSURANCE PROGRAM**

**ATTENTION:** Use of this certificate does not provide a waiver of the flood insurance purchase requirement. This form is used only to provide elevation information necessary to ensure compliance with applicable community floodplain management ordinances, to determine the proper insurance premium rate, and/or to support a request for a Letter of Map Amendment or Revision (LOMA or LOMR). Instructions for completing this form can be found on the following pages.

| SECTION A PROPERTY INFORMATION                                                                                           |                         | FOR INSURANCE COMPANY USE |
|--------------------------------------------------------------------------------------------------------------------------|-------------------------|---------------------------|
| BUILDING OWNER'S NAME<br><u>MARK McCLEARY</u>                                                                            | POLICY NUMBER<br>       |                           |
| STREET ADDRESS (Including Apt., Unit, Suite and/or Bldg. Number) OR P.O. ROUTE AND BOX NUMBER<br><u>4812 ESPLANADE</u>   | COMPANY NAIC NUMBER<br> |                           |
| OTHER DESCRIPTION (Lot and Block Numbers, etc.)<br><u>LOT 2, BLOCK 8, IMPERIAL SHORES UNRECORDED, SEE ATTACHED LEGAL</u> |                         |                           |
| CITY<br><u>BONITA SPRINGS</u>                                                                                            | STATE<br><u>FL</u>      | ZIP CODE<br><u>33923</u>  |

**SECTION B FLOOD INSURANCE RATE MAP (FIRM) INFORMATION**

Provide the following from the proper FIRM (See Instructions):

| 1. COMMUNITY NUMBER | 2. PANEL NUMBER | 3. SUFFIX | 4. DATE OF FIRM INDEX | 5. FIRM ZONE | 6. BASE FLOOD ELEVATION<br>(in AO Zones, use depth) |
|---------------------|-----------------|-----------|-----------------------|--------------|-----------------------------------------------------|
| <u>125124</u>       | <u>0505</u>     | <u>D</u>  | <u>11-4-92</u>        | <u>A 15</u>  | <u>EL 11</u>                                        |

7. Indicate the elevation datum system used on the FIRM for Base Flood Elevations (BFE): ☒ NGVD '29 ☐ Other (describe on back)
8. For Zones A or V, where no BFE is provided on the FIRM, and the community has established a BFE for this building site, indicate the community's BFE: \_\_\_\_\_ feet NGVD (or other FIRM datum—see Section B, Item 7).

**SECTION C BUILDING ELEVATION INFORMATION**

1. Using the Elevation Certificate Instructions, indicate the diagram number from the diagrams found on Pages 5 and 6 that best describes the subject building's reference level 1.
- 2(a). FIRM Zones A1-A30, AE, AH, and A (with BFE). The top of the reference level floor from the selected diagram is at an elevation of 5.0 feet NGVD (or other FIRM datum—see Section B, Item 7). GUEST HOUSE EL. 4.9' NGVD
- (b). FIRM Zones V1-V30, VE, and V (with BFE). The bottom of the lowest horizontal structural member of the reference level from the selected diagram, is at an elevation of \_\_\_\_\_ feet NGVD (or other FIRM datum—see Section B, Item 7).
- (c). FIRM Zone A (without BFE). The floor used as the reference level from the selected diagram is \_\_\_\_\_ feet above ☐ or below ☐ (check one) the highest grade adjacent to the building.
- (d). FIRM Zone AO. The floor used as the reference level from the selected diagram is \_\_\_\_\_ feet above ☐ or below ☐ (check one) the highest grade adjacent to the building. If no flood depth number is available, is the building's lowest floor (reference level) elevated in accordance with the community's floodplain management ordinance? ☐ Yes ☐ No ☐ Unknown
3. Indicate the elevation datum system used in determining the above reference level elevations: ☒ NGVD '29 ☐ Other (describe under Comments on Page 2). (NOTE: If the elevation datum used in measuring the elevations is different than that used on the FIRM [see Section B, Item 7], then convert the elevations to the datum system used on the FIRM and show the conversion equation under Comments on Page 2.)
4. Elevation reference mark used appears on FIRM: ☐ Yes ☒ No (See Instructions on Page 4)
5. The reference level elevation is based on: ☒ actual construction ☐ construction drawings  
(NOTE: Use of construction drawings is only valid if the building does not yet have the reference level floor in place, in which case this certificate will only be valid for the building during the course of construction. A post-construction Elevation Certificate will be required once construction is complete.)
6. The elevation of the lowest grade immediately adjacent to the building is: 5.3 feet NGVD (or other FIRM datum—see Section B, Item 7).

**SECTION D COMMUNITY INFORMATION**

1. If the community official responsible for verifying building elevations specifies that the reference level indicated in Section C, Item 1 is not the "lowest floor" as defined in the community's floodplain management ordinance, the elevation of the building's "lowest floor" as defined by the ordinance is: \_\_\_\_\_ feet NGVD (or other FIRM datum—see Section B, Item 7).
2. Date of the start of construction or substantial improvement \_\_\_\_\_

# SECTION E CERTIFICATION

This certification is to be signed by a land surveyor, engineer, or architect who is authorized by state or local law to certify elevation information when the elevation information for Zones A1-A30, AE, AH, A (with BFE), V1-V30, VE, and V (with BFE) is required. Community officials who are authorized by local law or ordinance to provide floodplain management information, may also sign the certification. In the case of Zones AO and A (without a FEMA or community issued BFE), a building official, a property owner, or an owner's representative may also sign the certification.

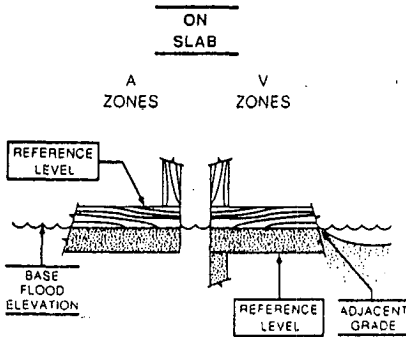
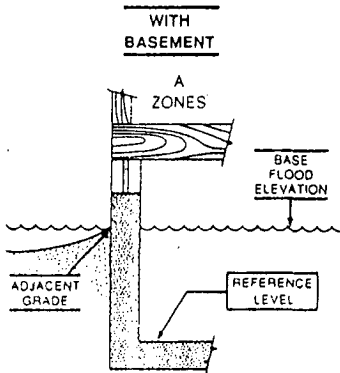
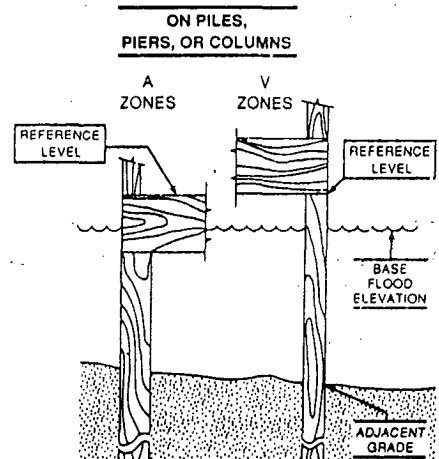
Reference level diagrams 6, 7 and 8 - Distinguishing Features-If the certifier is unable to certify to breakaway/non-breakaway wall, enclosure size, location of servicing equipment, area use, wall openings, or unfinished area Feature(s), then list the Feature(s) not included in the certification under Comments below. The diagram number, Section C, Item 1, must still be entered.

I certify that the information in Sections B and C on this certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

|                                                                                                |                                          |                                                    |                     |
|------------------------------------------------------------------------------------------------|------------------------------------------|----------------------------------------------------|---------------------|
| CERTIFIER'S NAME<br><b>MARK O. ALLEN</b>                                                       |                                          | LICENSE NUMBER (or Affix Seal)<br><b>3553</b>      |                     |
| TITLE<br><b>LAND SURVEYOR</b>                                                                  |                                          | COMPANY NAME<br><b>MARK O. ALLEN LAND SURVEYOR</b> |                     |
| ADDRESS<br><b>26751 OLD 4 RD. S.E.</b>                                                         | CITY<br><b>BONITA SPRINGS</b>            | STATE<br><b>FLA.</b>                               | ZIP<br><b>33523</b> |
| SIGNATURE<br> | DATE<br><b>(UPDATE 1-25-95) 10-25-91</b> | PHONE<br><b>(813) 992-8900</b>                     |                     |

Copies should be made of this Certificate for: 1) community official, 2) Insurance agent/company, and 3) building owner.

COMMENTS: ELEVATIONS BASED ON STATE RD. DEPT. DISK STAMPED B-247



The diagrams above illustrate the points at which the elevations should be measured in A Zones and V Zones.

Elevations for all A Zones should be measured at the top of the reference level floor.

Elevations for all V Zones should be measured at the bottom of the lowest horizontal structural member.

4812 Esplanade  
DCI2004-00034 (Minor PD)  
Comments and Responses from June 10, 2004  
Zoning Division

July 9, 2004

***Zoning Comments***

1. You may want to clarify that the water body setback/rear setback is 25 feet. You propose a rear setback of 20 feet and a waterbody setback of 25 feet.

**The rear setback has been revised to show 25 feet. Please see attached revised Master Concept Plan (Sheet 2 of 4).**

2. You should propose accessory setbacks. It would be reasonable to say the accessory setbacks are the same as the building setbacks (25 in front, 5 in the side, 25 in back)

**The 5 foot accessory structure setbacks have been added. Please see attached revised Master Concept Plan (Sheet 2 of 4).**

3. There may be neighboring objections to 3 story buildings (even with a 35-foot height limitation). Are there other residential buildings with more than 1 story near the subject property?

**The existing structure on this property is a two story residential building. There are other 2 story residential buildings in the neighborhood.**

4. The maybe neighboring objections to model homes (traffic, hours, nuisance, flags, banners, etc.) Do you want 1 or more models? If so, please specify which unit(s). Are you proposing parking for the model use?

**The model home use for this site has been removed.**

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JUL 30 2004

**PERMIT COUNTER**

5. Please show any easements on the property on the MCP. If easements are near the property, you may want to draw that easement on the MCP to illustrate this point.

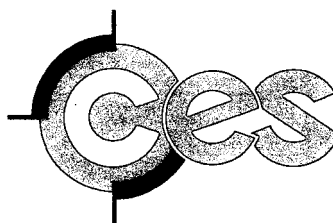
**An Easement has been located at the front of the property. Please see attached revised Master Concept Plan (Sheet 2 of 4).**

6. Please show the surrounding conditions on the MCP (are there houses across the street?) Are there structures on lot 1 and 3?

T:\ENG\ESPLANADE\Comments  
& Responses-040702.doc

DCI 2004 00034

Page  
1 of 3



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civil engineering • surveying • project management

  
**4812 Esplanade**  
**DCI2004-00034 (Minor PD)**  
**Comments and Responses from June 10, 2004**  
**Zoning Division**

**Please see attached Site Plan (Sheet 4 of 4). The existing structures have been shown and labeled.**

7. Please show the canal width on the MCP. Are there structures across the canal? (you will need to show neighboring structures or lack of structures on the MCP)

**Please see attached Site Plan (Sheet 4 of 4). The width of the canal and the neighboring structures across the canal have been shown.**

8. Please show the road classification (local, public, private, etc.) on the MCP.

**According to LDOT the road classification for this project is local. Please see attached revised Master Concept Plan (Sheet 2 of 4). The note has been added.**

9. You do not have to show the legal description on the MCP. This may be included in a separate attachment.

**The legal description has been removed from the MCP. Please see the attached revised Master Concept Plan (Sheet 2 of 4).**

10. Please verify - no development blasting is requested. You may add this to Notes.

**No development blasting is requested for this site. Please see the attached revised Master Concept Plan (Sheet 2 of 4) for the additional note.**

11. Please put the Future Land Use for the property and surrounding properties on the MCP.

**A Future Land Use Note has been added to the MCP. Please see the attached revised Master Concept Plan (Sheet 2 of 4) and Site Plan (Sheet 4 of 4).**

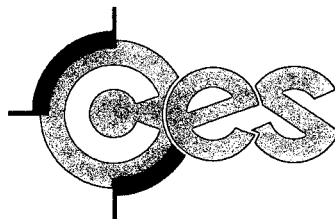
DCI 2004 00034

12. Please place parking areas, water or dry detention areas on the MCP, if applicable. These issues may be raised by the public or zoning board.

**Please see the attached revised Master Concept Plan (Sheet 2 of 4). Conceptual driveway locations have been added. Detention areas will be added during the development order phase.**

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Page  
2 of 3

  
**4812 Esplanade**  
**DCI2004-00034 (Minor PD)**  
**Comments and Responses from June 10, 2004**  
**Zoning Division**

**Please see attached Boundary Survey and revised MCP (Sheet 2 of 4). 18' easement is now shown on the MCP per Lee County GIS. It is not known if this is a valid easement at this time.**

***T.I.S. Checklist***

18. Description of Development & ITE Land Use Code. The TIS must contain a general description of each type of use proposed, the units of development (i.e. number of dwelling units, square feet of building floor area, etc.) and the Land Use Code for each type of use used in the Trip Generation (i.e. Single Family Detached Housing, 200 Lots, Land Use Code 210).

**Please see attached revised TIS.**

19. Remove the property dev. regulations and uses from the MCP – and put on a separate attachment. – They will be in the resolution not the MCP.

On P.2 of the MCP – keep the site area and open space and max. # of dwelling units on the MCP.

**Please see attached revised Master Concept Plan (Sheet 2 of 4) and attached development regulations.**

20. On Esplanade Street please put a note saying – 2 lanes (page 2 MCP)

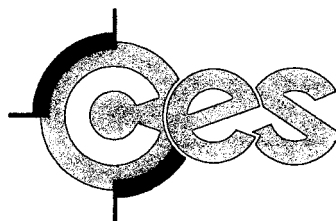
**Please see attached revised Master Concept Plan (Sheet 2 of 4). Note has been added.**

21. Show the approx. width of the canal on the MCP. and a note with the zoning and land use for the properties north of the canal. (page 2 MCP)

**Please see attached revised Master Concept Plan (Sheet 2 of 4). A note has been added referring to the width of the canal.**

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Page  
4 of 3

4812 Esplanade  
DCI2004-00034 (Minor PD)  
Comments and Responses from June 10, 2004  
Zoning Division

13. Why did you propose "non-roofed structures?" This is in conflict with Accessory uses, buildings and structures in your list of uses.

**The non-roofed structures were proposed in the Ambrozy rezoning. Our project is very similar.**

14. Accessory apartments count as one dwelling unit. Let us know if you intend to include accessory structures. If you are proposing them, you may need to show locations on the MCP.

**The accessory apartment, if used, will be inside the structure.**

15. You may want to include Essential Service Facilities, Group 1. It's a standard residential use.

**Please see the attached revised Master Concept Plan (Sheet 2 of 4). The essential services note has been added.**

***Environmental Sciences Planned Development Sufficiency Checklist***

16. Dock & Shoreline Structures. Location and dimensions of proposed structure(s) must be shown on the Master Concept Plan. How will protected species, the natural waterway buffer, and adjacent waterways be affected? [10-474; 10-416(d)(9); Chapter 26]

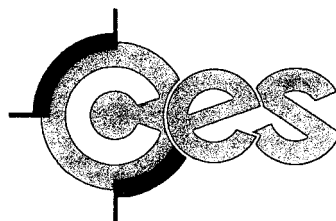
The Schedule of Uses lists docks as a proposed use. Will there be more than on dock, or just on dock with multiple slips? Please provide information on the number of docks/slips proposed and the generalized layout of the docks/slips on the MCP.

**Please see attached Site Plan (Sheet 4 of 4). The existing dockage and shoreline is shown. If new dockage is proposed it will be permitted separately.**

***Legal Requirements Sufficiency Checklist***

17. The boundary survey must show the location of existing structures on the property. [34-202(a)(2)]

T:\ENG\ESPLANADE\Comments  
& Responses-040702.doc



DCI 2004 00034

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8991 Daniels Center Drive, Suite 103 • Fort Myers, Florida 33912 • 239.936.9777 • fax 239.936.0064  
www.communityengineeringonline.com

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Page  
3 of 3

  
**4812 Esplanade**  
**DCI2004-00034 (Minor PD)**  
**Comments and Responses from June 10, 2004**  
**Zoning Division**

22. Show the zoning and land use for the properties south of Esplanade on P. 2 of the MCP.

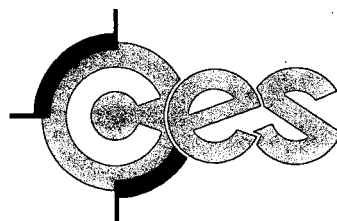
**Please see attached Site Plan (Sheet 4 of 4). Zoning and land use are shown.**

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JUL 30 2004

**PERMIT COUNTER**

DCI 2004 00034

T:\ENG\ESPLANADE\Comments  
& Responses-040702.doc



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Page  
5 of 3

  
**4812 Esplanade**  
**DCI2004-00034 (Minor PD)**  
**Comments and Responses from June 10, 2004**  
**Zoning Division**

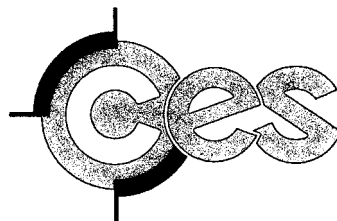
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JUL 30 2004

**PERMIT COUNTER**

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& Responses-040702.doc

Page  
6 of 3



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**Property Development Regulations**

Minimum Lot Sizes = 7,500 SF

Minimum Lot Area Per Unit = 3,750 SF

Minimum Lot Width Per Unit = 25.0'

Minimum Lot Depth = 154.0'

Minimum Setbacks =

-Side Yard = 5.0'

-Rear Yard = 20.0'

-Water Body = 25.0'

-Street = 25.0'

Minimum Accessory Setbacks =

-Side Yard = 5.0'

-Rear Yard = 5.0'

-Front Yard = 25.0'

Maximum Lot Coverage = 45%

Maximum Height = 35.0'

Maximum No. of Stories = 3

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**PERMIT COUNTER**

**4812 Esplande Street**  
**Trip Generation**

ITE Land Use Code: 210 Single Family Residential

ITE Trip Generation 7th Edition

Units: Dwelling Units

No.: 2

Rate Codes were utilized based on the small size of development

Weekday

Weekday Traffic =  $\ln(T) = 0.92 \ln(x) + 2.71$   
 $\ln(T) = 0.92 \times 0.693147 + 2.71$   
 $T = 28$  Trips \* Not reasonable use rate calc

Rate Calc  $T = 9.57 (x)$  $T = 9.57 \times 2$  $T = 19$  TripsAM Peak Adjacent Street

AM Peak Traffic =  $T = 0.70 (x) + 9.43$   
 $T = 0.7 \times 2 + 9.43$   
 $T = 11$  Trips \* Not reasonable use rate calc  
 Entering = 3 Exiting = 8

Rate Calc  $T = 0.75 (x)$  $T = 0.75 \times 2$  $T = 2$  Trips

Entering = 0 Exiting = 1

PM Peak Adjacent Street

PM Peak Traffic =  $\ln(T) = 0.90 \ln(T) + 0.53$   
 $\ln(T) = 0.9 \times 0.693147 + 0.53$   
 $T = 3$  Trips  
 Entering = 2 Exiting = 1

Rate Calc  $T = 1.01 (x)$  $T = 1.01 \times 2$  $T = 2$  Trips

Entering = 1 Exiting = 1

Saturday

Rate: 10.1 x (X)  
 $T = 20$  Trips

Sunday

Rate: 8.78 x (X)  
 $T = 18$  Trips

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7/27/2004

**4812 Esplande Street**  
**Trip Generation**

ITE Land Use Code: 230 Residential Condominium/Townhouse  
Units: Dwelling Units  
No.: 4

Rate Codes were utilized based on the small size of development

Weekday

Rate: 5.86 x (X)  
T = 23 Trips

AM Peak Adjacent Street

Rate: 0.44 x (X)  
T = 2 Trips

PM Peak Adjacent Street

Rate: 0.54 x (X)  
T = 2 Trips

Saturday

Rate: 5.67 x (X)  
T = 23 Trips

Sunday

Rate: 4.84 x (X)  
T = 19 Trips

DCI 2004 00034

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JUL 30 2004

**PERMIT COUNTER**

FIELDBOOK SEE PAGE FILE DATE 10-24-91

SECTION 32, TWP 47 S, RGE 25 E

NORTH  
ARROW

FOUNDATION LOCATION DATE

FIELDBOOK PAGE

LEGEND

SET CONC MON W/ CAP I.D. # 3553  
SET IRON PIN W/ CAP I.D. # 3553  
FO CONC MON W/ CAP  
FO IRON PIN W/ CAP  
FO CONC MON  
FO IRON PIN  
ASSUMED ELEVATION  
BENCH MARK  
RECORDED  
MEASURED

LEGAL DESCRIPTION  
(AS PROVIDED BY CLIENT)

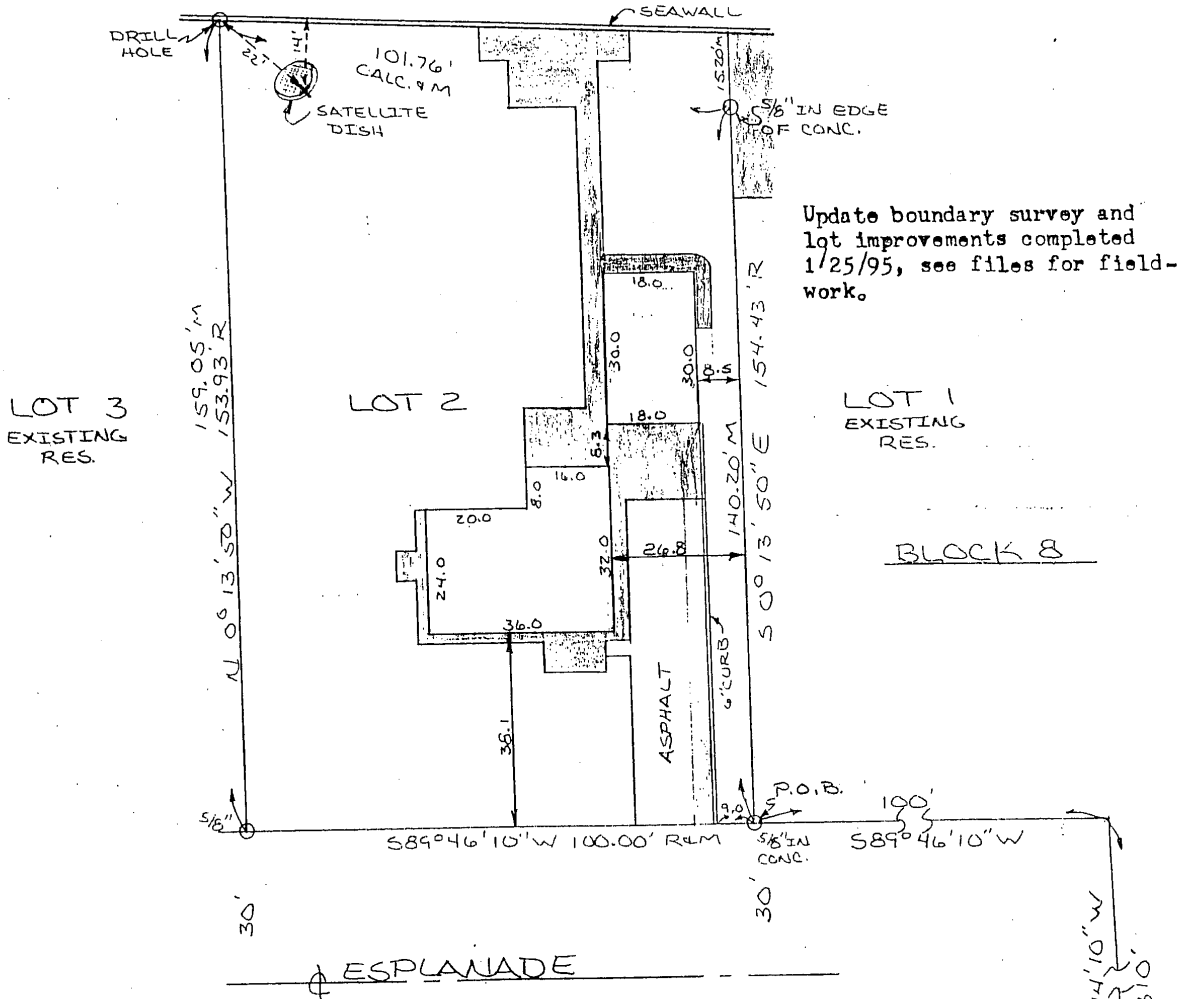
This is a boundary survey, see reverse side for a legal description.

This property lies in Flood Zone A 15, EL 11 per FIRM Panel No. 125124 0505 C, 11/3/89.

FINAL SURVEY DATE

SCALE  
1" = 30'

CANAL



This survey is certified to Ralph A. Richardson, Attorney's Title Insurance Fund, Inc., Mark D. McCleary, and to Sunbank/Southwest Florida.

SE COR - SEV4 - SWV4 -  
SEC 32, T47S, R25E

CERTIFICATE

NOTES

1. REPRODUCTION OF THIS SKETCH IS NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.
2. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS-OF-WAY, AND OR OWNERSHIP WERE FURNISHED THIS SURVEYOR EXCEPT AS SHOWN.
3. NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS NOTED.
4. BEARINGS SHOWN HEREON ARE BASED ON

ESPLANADE BEING 589°46'10" W

I hereby certify that the above described property was surveyed under my direction and the sketch of survey is true and correct to the best of my knowledge. This survey meets or exceeds the minimum technical standards set forth by the Florida Board of Land Surveyors, pursuant to Rule 61G17 - 6 Florida Administrative Code, and pursuant to Section 472.027 Florida Statutes. There are no visible encroachments other than those shown hereon.

JAN. 26 1995

P.L.S.

LAST DATE OF FIELDWORK 1-24-95

MARK O. ALLEN R.L.S. # 3553

NAPLES  
597-7500

MARK O. ALLEN  
PROFESSIONAL LAND SURVEYOR

26751 OLD U.S. 41 RD., S.E.  
BONITA SPRINGS  
992-8900

OWN. BY  
MG

CHK'D BY

ORDERED BY  
MARK MCCLEARY

SHEET 1 OF 1

DCI 2004 00034

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JUL 30 2004

PERMIT COUNTER

Lot 2, Block 8, IMPERIAL SHORES, an unrecorded subdivision lying in Section 32, Township 47 South, Range 25 East, Lee County, Florida, more particularly described as follows:

From the Southeast corner of the Southeast quarter of the Southwest quarter of Section 32, Township 47 South, Range 25 East, run North  $01^{\circ} 44' 10''$  West along the East line thereof for 1310 feet; thence run South  $89^{\circ} 46' 10''$  West parallel with the South line of said Section for 100 feet to the Point of Beginning of the lands herein described. From said Point of Beginning continue along the same course South  $89^{\circ} 46' 10''$  West for 100 feet; thence run North  $01^{\circ} 13' 50''$  West for 153.93 feet, thence run North  $89^{\circ} 28' 50''$  East for 100 feet; thence run South  $01^{\circ} 13' 50''$  East for 154.43 feet to the Point of Beginning.

DCI 2004 00034

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JUL 30 2004

**PERMIT COUNTER**

RECEIVED

AUG 02 2004

# COMMUNITY DEVELOPMENT

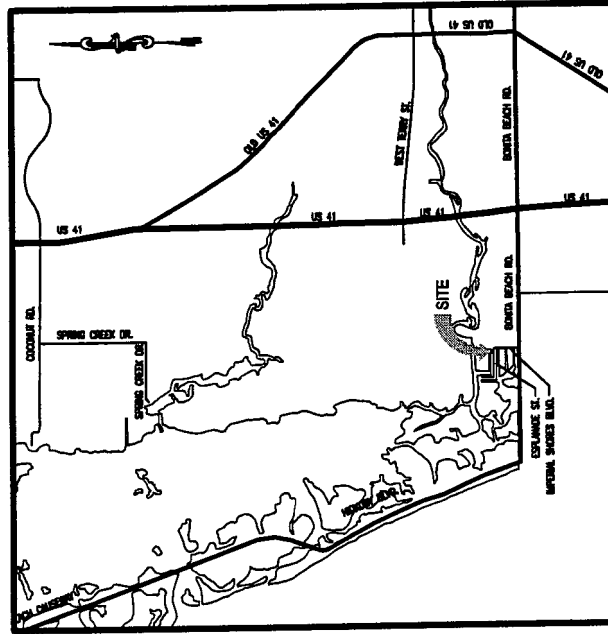
DCI 2004-00034

PROPERTY OWNER

**MARK D. MCCLEARY**  
**JOCELYN F. MCCLEARY**  
4812 ESPLANADE ST.  
BONITA SPRINGS, FL 34134  
TEL (239) 498-1634

## DRAWING INDEX

| DWG. NO. | DESCRIPTION         |
|----------|---------------------|
| 1        | LOCATION MAP        |
| 2        | MASTER CONCEPT PLAN |
| 3        | AERIAL PHOTOGRAPH   |
| 4        | SITE PLAN           |



**LOCATION MAP**  
**NOT TO SCALE**



**Community Engineering Services, Inc.**  
**Fort Myers, Florida 33912**

(239) 936-9777  
EB-0006613 LB-61

0-2-30-0-4



|                                                                    |  |                                                                                                                                                                                                                                                                                                                                            |  |   |  |   |  |   |  |   |  |   |  |   |  |   |  |   |  |   |  |    |  |  |  |                                                                                                                                                                                                                                 |  |                                                                                                                                                       |  |                                                  |  |
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| date: 0404<br>drawn: J.E.<br>file name: AERIAL<br>job: ESP-PLANADE |  | Revision<br><table border="1"> <tr><td>1</td><td></td></tr> <tr><td>2</td><td></td></tr> <tr><td>3</td><td></td></tr> <tr><td>4</td><td></td></tr> <tr><td>5</td><td></td></tr> <tr><td>6</td><td></td></tr> <tr><td>7</td><td></td></tr> <tr><td>8</td><td></td></tr> <tr><td>9</td><td></td></tr> <tr><td>10</td><td></td></tr> </table> |  | 1 |  | 2 |  | 3 |  | 4 |  | 5 |  | 6 |  | 7 |  | 8 |  | 9 |  | 10 |  |  |  | community engineering services, inc.<br>civil engineering • surveying • project management<br>ES-000613 LS-4572<br>8801 Central Expressway, Suite 103<br>Fort Worth, Texas 76120<br>Telephone (214) 938-8777 Fax (214) 938-0064 |  | AERIAL PHOTO<br>of<br>4612 ESPANADE<br>for<br>MARK S. HADLEY & ASSOCIATES, P.C.<br>4612 ESPANADE, S.W.<br>PORTA RICA, FL 33436<br>Tel. (239) 466-1634 |  | scale: 1"=50'<br><b>SHEET</b><br>3 of 4<br>date: |  |
| 1                                                                  |  |                                                                                                                                                                                                                                                                                                                                            |  |   |  |   |  |   |  |   |  |   |  |   |  |   |  |   |  |   |  |    |  |  |  |                                                                                                                                                                                                                                 |  |                                                                                                                                                       |  |                                                  |  |
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| 5                                                                  |  |                                                                                                                                                                                                                                                                                                                                            |  |   |  |   |  |   |  |   |  |   |  |   |  |   |  |   |  |   |  |    |  |  |  |                                                                                                                                                                                                                                 |  |                                                                                                                                                       |  |                                                  |  |
| 6                                                                  |  |                                                                                                                                                                                                                                                                                                                                            |  |   |  |   |  |   |  |   |  |   |  |   |  |   |  |   |  |   |  |    |  |  |  |                                                                                                                                                                                                                                 |  |                                                                                                                                                       |  |                                                  |  |
| 7                                                                  |  |                                                                                                                                                                                                                                                                                                                                            |  |   |  |   |  |   |  |   |  |   |  |   |  |   |  |   |  |   |  |    |  |  |  |                                                                                                                                                                                                                                 |  |                                                                                                                                                       |  |                                                  |  |
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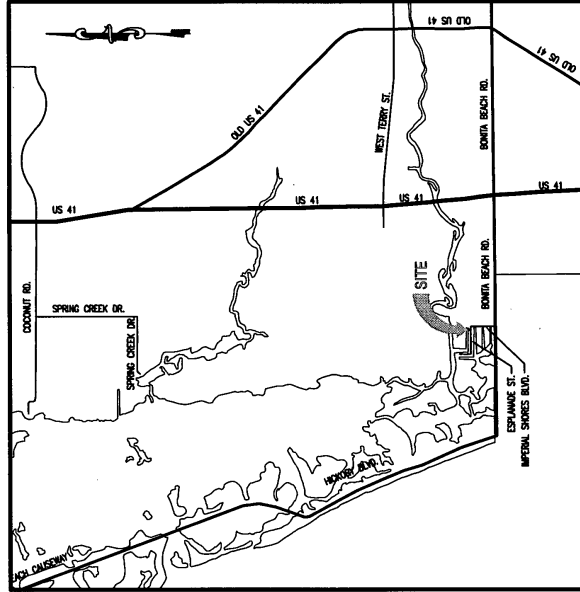




# 4812 ESPLANADE STREET

## MASTER CONCEPT PLAN

SECTION 32, TOWNSHIP 47 SOUTH, RANGE 25 EAST  
 BONITA SPRINGS, LEE COUNTY, FLORIDA



LOCATION MAP  
 NOT TO SCALE



Community Engineering Services, Inc.  
 8991 Daniels Center Drive, Suite 103  
 Fort Myers, Florida 33912

(239) 936-9777  
 EB-0006613 LB-6572

| NO. | DATE | REVISION |
|-----|------|----------|
|     |      |          |
|     |      |          |
|     |      |          |
|     |      |          |

### PROPERTY OWNER

MARK D. MCLEARY  
 JOCELYN F. MCLEARY  
 4812 ESPLANADE ST.  
 BONITA SPRINGS, FL. 34134  
 TEL. (239) 498-1634

### DRAWING INDEX

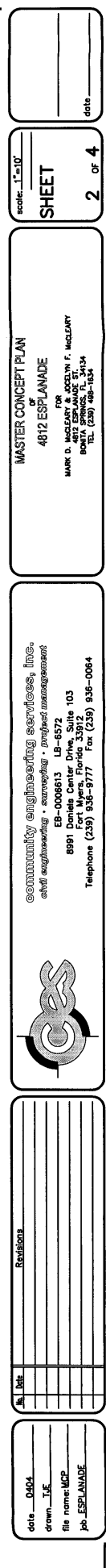
| DWG. NO. | DESCRIPTION         |
|----------|---------------------|
| 1        | LOCATION MAP        |
| 2        | MASTER CONCEPT PLAN |
| 3        | AERIAL PHOTOGRAPH   |
| 4        | SITE PLAN           |

DCI 2004-00034  
**RECEIVED**

AUG 02 2004

COMMUNITY DEVELOPMENT

- 07-30-04



SITE AREA = 15,722.5 SF (0.36 Ac.)  
OPEN SPACE REQUIRED = 20% = 3,144 SF  
MAXIMUM NO. OF DWELLINGS = 4  
(2 -- TWO FAMILY ATTACHED BUILDINGS)



|       |       |
|-------|-------|
| date  | _____ |
| _____ | _____ |

|               |       |        |
|---------------|-------|--------|
| scale: 1"=50' | SHEET | 3 OF 4 |
| _____         |       |        |

|                                                                                                                                 |
|---------------------------------------------------------------------------------------------------------------------------------|
| AERIAL PHOTO<br>4812 ESPLANADE<br>FOR<br>MARK D. MCGEE<br>4812 ESPLANADE ST.<br>BONITA SPRINGS, FL 33434<br>TEL: (239) 936-0064 |
|---------------------------------------------------------------------------------------------------------------------------------|

|                                                                                                                                                                                              |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| community engineering services, inc.<br>civil engineering • surveying • project management<br>EB-006613 LS-6572<br>8991 Fort M. Florida 33912<br>Telephone (239) 936-9777 Fax (239) 936-0064 |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

| Revisions |
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| file name: AERIAL |
| job: ESPLANADE    |



FIELDBOOK SEE PAGE FILE DATE 10-24-91

SECTION 32, TWP 47 S, RGE 25 E

NORTH  
ARROW

FOUNDATION LOCATION DATE

FIELDBOOK PAGE

LEGEND

SET CONC MON W/ CAP I.D. # 3555  
SET IRON PIN W/ CAP I.D. # 3555  
FO CONC MON W/ CAP  
FO IRON PIN W/ CAP  
FO CONC MON  
FO IRON PIN  
ASSUMED ELEVATION  
BENCHMARK  
RECORDED  
MEASURED

**LEGAL DESCRIPTION**  
(AS PROVIDED BY CLIENT)

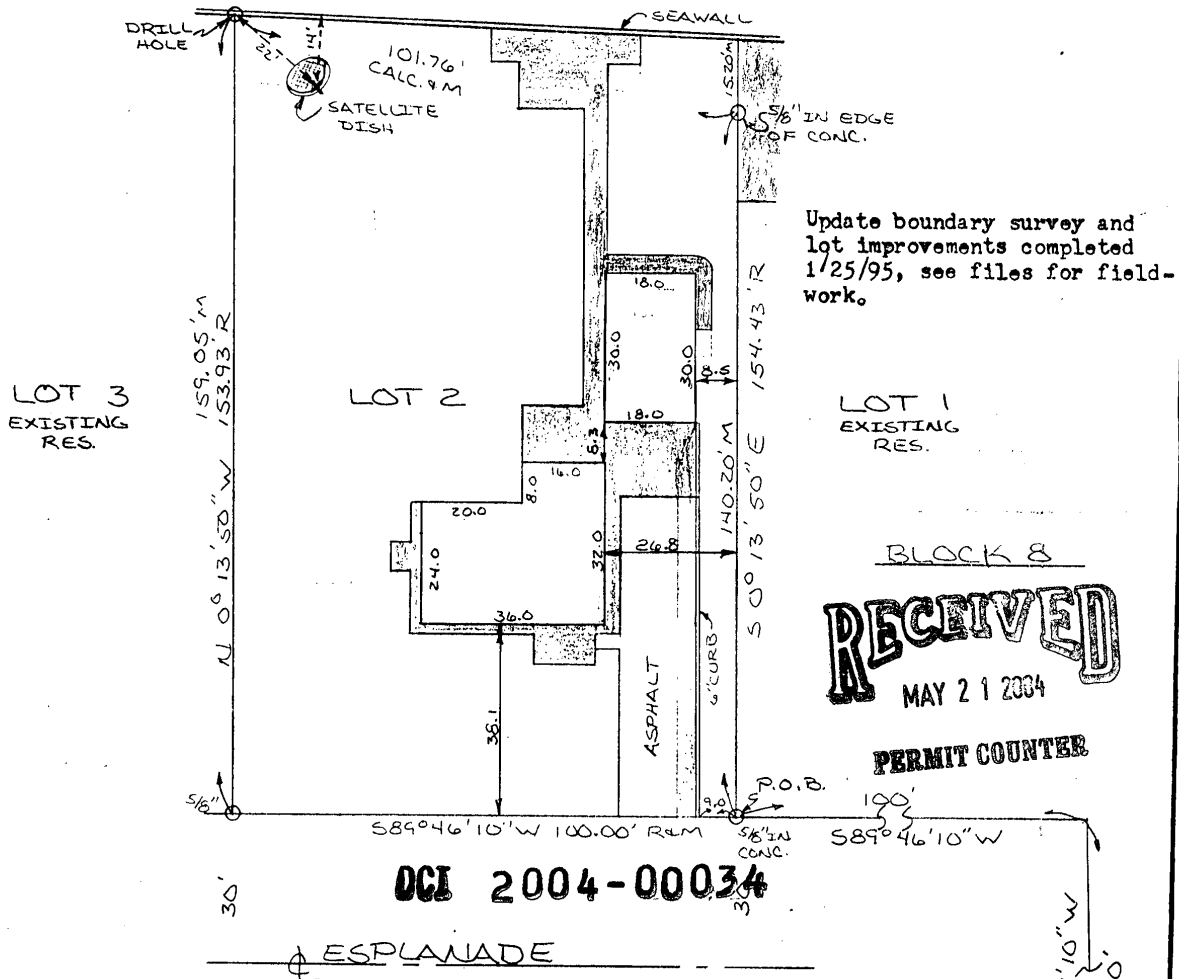
This is a boundary survey, see reverse side for a legal description.

This property lies in Flood Zone A 15, EL 11 per FIRM Panel No. 125124 0505 C, 11/3/89.

FINAL SURVEY DATE

SCALE  
1" = 30'

CANAL



Update boundary survey and lot improvements completed 1/25/95, see files for field-work.

BLOCK 8  
**RECEIVED**  
MAY 21 2004

PERMIT COUNTER

DCI 2004-00034

ESPLANADE

This survey is certified to Ralph A. Richardson, Attorney's Title Insurance Fund, Inc., Mark D. McCleary, and to Sunbank/Southwest Florida.

SE COR - SE 1/4 - SW 1/4 -  
SEC 32, T47S, R25E

**NOTES**

1. REPRODUCTION OF THIS SKETCH IS NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.
2. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS-OF-WAY, AND OR OWNERSHIP WERE FURNISHED THIS SURVEYOR EXCEPT AS SHOWN.
3. NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS NOTED.
4. BEARINGS SHOWN HEREON ARE BASED ON

ESPLANADE BEING S89°46'10\"W

**CERTIFICATE**

I hereby certify that the above described property was surveyed under my direction and the sketch of survey is true and correct to the best of my knowledge. This survey meets or exceeds the minimum technical standards set forth by the Florida Board of Land Surveyors, pursuant to Rule 61G17 - 6 Florida Administrative Code, and pursuant to Section 472.027 Florida Statutes. There are no visible encroachments other than those shown hereon.

JAN. 26 1995

LAST DATE OF FIELDWORK 1-24-95

MARK O. ALLEN R.L.S. # 3553

P.L.S.

NAPLES  
597-7500

**MARK O. ALLEN**  
PROFESSIONAL LAND SURVEYOR

26751 OLD U.S. 41 RD., S.E.  
BONITA SPRINGS  
992-8900

DWN. BY  
MG

CHK'D BY

ORDERED BY

MARK MCCLEARY

SHEET 1 OF 1

Lot 2, Block 8, IMPERIAL SHORES, an unrecorded subdivision lying in Section 32, Township 47 South, Range 25 East, Lee County, Florida, more particularly described as follows:

From the Southeast corner of the Southeast quarter of the Southwest quarter of Section 32, Township 47 South, Range 25 East, run North  $01^{\circ} 44' 10''$  West along the East line thereof for 1310 feet; thence run South  $89^{\circ} 46' 10''$  West parallel with the South line of said Section for 100 feet to the Point of Beginning of the lands herein described. From said Point of Beginning continue along the same course South  $89^{\circ} 46' 10''$  West for 100 feet; thence run North  $0^{\circ} 13' 50''$  West for 153.93 feet; thence run North  $89^{\circ} 28' 50''$  East for 100 feet; thence run South  $0^{\circ} 13' 50''$  East for 154.43 feet to the Point of Beginning.

#### APPENDIX A

##### LEGEND OF ABBREVIATIONS

|             |                             |           |                                  |          |                          |
|-------------|-----------------------------|-----------|----------------------------------|----------|--------------------------|
| A           | ARC                         | E.O.P.    | EDGE OF PAVEMENT                 | P.O.B.   | POINT OF BEGINNING       |
| APPROX.     | APPROXIMATE                 | E.O.W.    | EDGE OF WATER                    | P.O.C.   | POINT OF COMMENCEMENT    |
| ASPH        | ASPHALT                     | F.B.      | FIELD BOOK                       | PROP     | PROPERTY                 |
| AVE.        | AVENUE                      | FD        | FOUND                            | P.T.     | POINT OF TANGENCY        |
| BLVD.       | BOULEVARD                   | FLA.      | FLORIDA                          | PUE      | PUBLIC UTILITY EASEMENT  |
| B.M.        | BENCHMARK                   | I.P.      | IRON PIN                         | R        | RECORD                   |
| C           | CHORD                       | LN.       | LANE                             | RAD      | RADIUS                   |
| CALC.       | CALCULATED                  | M         | MEASURED                         | RCP      | REINFORCED CONCRETE PIPE |
| C.B.        | CHORD BEARING               | M.E.      | MAINTENANCE EASEMENT             | RD.      | ROAD                     |
| CBS         | CONCRETE BLOCK STRUCTURE    | M.H.      | MAN HOLE                         | RDL      | RADIAL                   |
| C&GS        | COASTAL AND GEODETIC SURVEY | MON       | MONUMENT                         | RES      | RESIDENCE                |
| CHK'D       | CHECKED                     | N/A       | NOT APPLICABLE                   | RLS      | REGISTERED LAND SURVEYOR |
| CMP         | CORRIGATED METAL PIPE       | NGVD      | NATIONAL GEODETIC VERTICAL DATUM | R.O.W.   | RIGHT OF WAY             |
| CO.         | COUNTY                      | NO.       | NUMBER                           | R OR RGE | RANGE                    |
| CONC        | CONCRETE                    | O.R. BOOK | OFFICIAL RECORD BOOK             | SEC      | SECTION                  |
| COR.        | CORNER                      | ORIG      | ORIGINAL                         | ST.      | STREET                   |
| CT.         | COURT                       | O/S       | OFFSET                           | STY      | STORY                    |
| D.E.        | DRAINAGE EASEMENT           | P.B.      | PLAT BOOK                        | TOB      | TOP OF BANK              |
| DESC        | DESCRIPTION                 | P.C.      | POINT OF CURVATURE               | T OR TWP | TOWNSHIP                 |
| D.H.        | DRILL HOLE                  | PG.       | PAGE                             | TYP      | TYPICAL                  |
| DWN.        | DRAWN                       | P.I.      | POINT OF INTERSECTION            | UE       | UTILITY EASEMENT         |
| EL OR ELEV. | ELEVATION                   | PLS       | PROFESSIONAL LAND SURVEYOR       | W/       | WITH                     |
|             |                             |           |                                  | Q        | CENTER LINE              |
|             |                             |           |                                  | Δ        | DELTA                    |

**ELEVATION CERTIFICATE**  
**FEDERAL EMERGENCY MANAGEMENT AGENCY**  
**NATIONAL FLOOD INSURANCE PROGRAM**

O.M.B. No 3067-0077  
Expires May 31, 1993

**ATTENTION:** Use of this certificate does not provide a waiver of the flood insurance purchase requirement. This form is used only to provide elevation information necessary to ensure compliance with applicable community floodplain management ordinances, to determine the proper insurance premium rate, and/or to support a request for a Letter of Map Amendment or Revision (LOMA or LOMR). Instructions for completing this form can be found on the following pages.

**SECTION A PROPERTY INFORMATION**

|                                                                                                                                 |                                  |
|---------------------------------------------------------------------------------------------------------------------------------|----------------------------------|
| <b>BUILDING OWNER'S NAME</b><br><u>MARK McCLEARY</u>                                                                            | <b>FOR INSURANCE COMPANY USE</b> |
| <b>STREET ADDRESS (Including Apt., Unit, Suite and/or Bldg. Number) OR P.O. ROUTE AND BOX NUMBER</b><br><u>4812 ESPLANADE</u>   | <b>POLICY NUMBER</b><br>         |
| <b>OTHER DESCRIPTION (Lot and Block Numbers, etc.)</b><br><u>LOT 2, BLOCK 8, IMPERIAL SHORES UNRECORDED, SEE ATTACHED LEGAL</u> | <b>COMPANY NAIC NUMBER</b><br>   |
| <b>CITY</b><br><u>BONITA SPRINGS</u>                                                                                            | <b>STATE</b><br><u>FL</u>        |
| <b>ZIP CODE</b><br><u>33923</u>                                                                                                 |                                  |

**SECTION B FLOOD INSURANCE RATE MAP (FIRM) INFORMATION**

Provide the following from the proper FIRM (See Instructions):

|                                             |                                       |                              |                                                |                                    |                                                                            |
|---------------------------------------------|---------------------------------------|------------------------------|------------------------------------------------|------------------------------------|----------------------------------------------------------------------------|
| <b>1. COMMUNITY NUMBER</b><br><u>125124</u> | <b>2. PANEL NUMBER</b><br><u>0505</u> | <b>3. SUFFIX</b><br><u>D</u> | <b>4. DATE OF FIRM INDEX</b><br><u>11-4-92</u> | <b>5. FIRM ZONE</b><br><u>A 15</u> | <b>6. BASE FLOOD ELEVATION</b><br>(in AO Zones, use depth)<br><u>EL 11</u> |
|---------------------------------------------|---------------------------------------|------------------------------|------------------------------------------------|------------------------------------|----------------------------------------------------------------------------|

7. Indicate the elevation datum system used on the FIRM for Base Flood Elevations (BFE): ☒ NGVD '29 ☐ Other (describe on back)
8. For Zones A or V, where no BFE is provided on the FIRM, and the community has established a BFE for this building site, indicate the community's BFE:            feet NGVD (or other FIRM datum—see Section B, Item 7).

**SECTION C BUILDING ELEVATION INFORMATION**

1. Using the Elevation Certificate Instructions, indicate the diagram number from the diagrams found on Pages 5 and 6 that best describes the subject building's reference level 1.
- 2(a). FIRM Zones A1-A30, AE, AH, and A (with BFE). The top of the reference level floor from the selected diagram is at an elevation of 5.0 feet NGVD (or other FIRM datum—see Section B, Item 7). GUEST HOUSE EL. 4.9' NGVD
- (b). FIRM Zones V1-V30, VE, and V (with BFE). The bottom of the lowest horizontal structural member of the reference level from the selected diagram, is at an elevation of            feet NGVD (or other FIRM datum—see Section B, Item 7).
- (c). FIRM Zone A (without BFE). The floor used as the reference level from the selected diagram is            feet above ☐ or below ☐ (check one) the highest grade adjacent to the building.
- (d). FIRM Zone AO. The floor used as the reference level from the selected diagram is            feet above ☐ or below ☐ (check one) the highest grade adjacent to the building. If no flood depth number is available, is the building's lowest floor (reference level) elevated in accordance with the community's floodplain management ordinance? ☐ Yes ☐ No ☐ Unknown
3. Indicate the elevation datum system used in determining the above reference level elevations: ☒ NGVD '29 ☐ Other (describe under Comments on Page 2). (NOTE: If the elevation datum used in measuring the elevations is different than that used on the FIRM [see Section B, Item 7], then convert the elevations to the datum system used on the FIRM and show the conversion equation under Comments on Page 2.)
4. Elevation reference mark used appears on FIRM: ☐ Yes ☒ No (See Instructions on Page 4)
5. The reference level elevation is based on: ☒ actual construction ☐ construction drawings  
(NOTE: Use of construction drawings is only valid if the building does not yet have the reference level floor in place, in which case this certificate will only be valid for the building during the course of construction. A post-construction Elevation Certificate will be required once construction is complete.)
6. The elevation of the lowest grade immediately adjacent to the building is: 5.3 feet NGVD (or other FIRM datum—see Section B, Item 7).

**SECTION D COMMUNITY INFORMATION**

1. If the community official responsible for verifying building elevations specifies that the reference level indicated in Section C, Item 1 is not the "lowest floor" as defined in the community's floodplain management ordinance, the elevation of the building's "lowest floor" as defined by the ordinance is:            feet NGVD (or other FIRM datum—see Section B, Item 7).
2. Date of the start of construction or substantial improvement

**OCI 2004-00034**

# SECTION E CERTIFICATION

This certification is to be signed by a land surveyor, engineer, or architect who is authorized by state or local law to certify elevation information when the elevation information for Zones A1-A30, AE, AH, A (with BFE), V1-V30, VE, and V (with BFE) is required. Community officials who are authorized by local law or ordinance to provide floodplain management information, may also sign the certification. In the case of Zones AO and A (without a FEMA or community issued BFE), a building official, a property owner, or an owner's representative may also sign the certification.

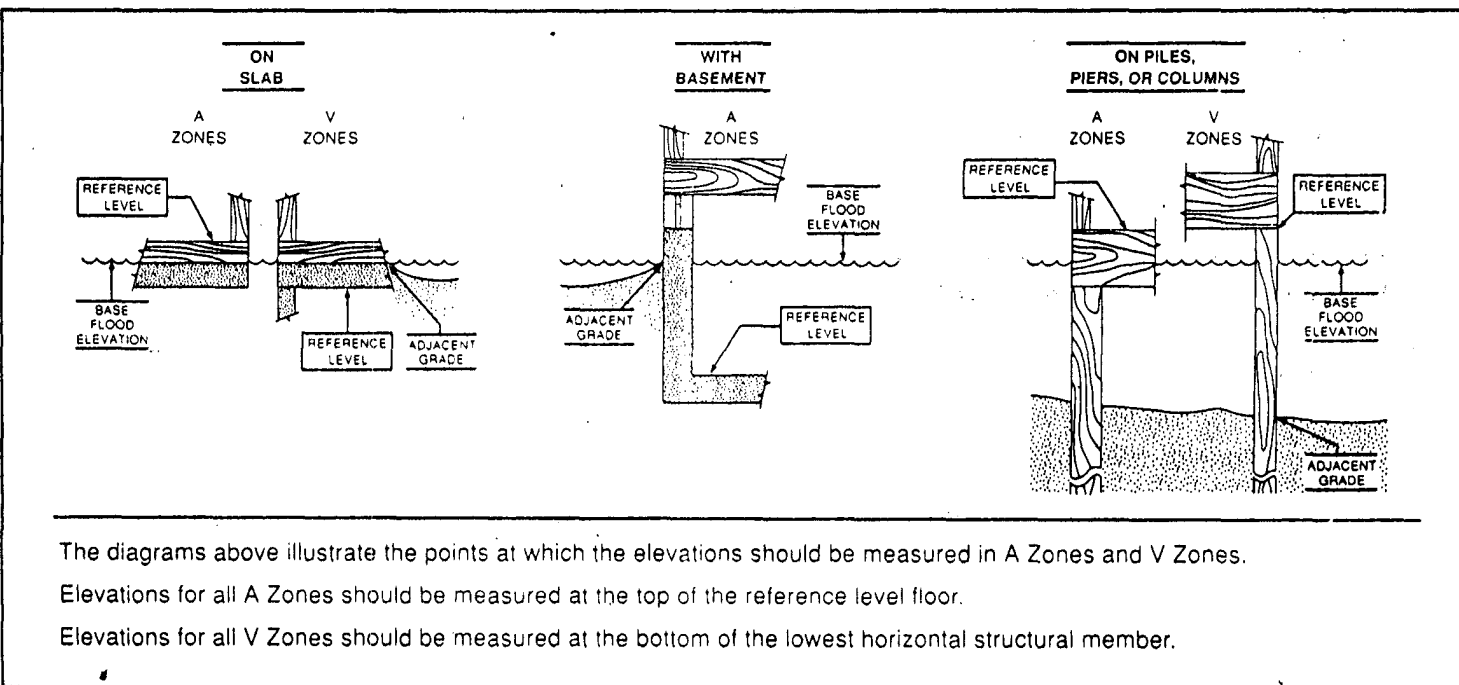
Reference level diagrams 6, 7 and 8 - Distinguishing Features-If the certifier is unable to certify to breakaway/non-breakaway wall, enclosure size, location of servicing equipment, area use, wall openings, or unfinished area Feature(s), then list the Feature(s) not included in the certification under Comments below. The diagram number, Section C, Item 1, must still be entered.

I certify that the information in Sections B and C on this certificate represents my best efforts to interpret the data available.  
I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

|                                                       |  |                                                    |                                |
|-------------------------------------------------------|--|----------------------------------------------------|--------------------------------|
| CERTIFIER'S NAME<br><b>MARK O. ALLEN</b>              |  | LICENSE NUMBER (or Affix Seal)<br><b>3553</b>      |                                |
| TITLE<br><b>LAND SURVEYOR</b>                         |  | COMPANY NAME<br><b>MARK O. ALLEN LAND SURVEYOR</b> |                                |
| ADDRESS<br><b>26751 OLD WARD RD. S.E.</b>             |  | CITY<br><b>BONITA SPRINGS</b>                      | STATE ZIP<br><b>FLA. 33523</b> |
| SIGNATURE<br><i>[Signature]</i><br><b>JAN 26 1995</b> |  | DATE<br><b>(UPDATE 1-26-95) 10-25-91</b>           | PHONE<br><b>(813) 992-8900</b> |

Copies should be made of this Certificate for: 1) community official, 2) insurance agent/company, and 3) building owner.

COMMENTS: ELEVATIONS BASED ON STATE RD. DEPT. DISK STAMPED B-247



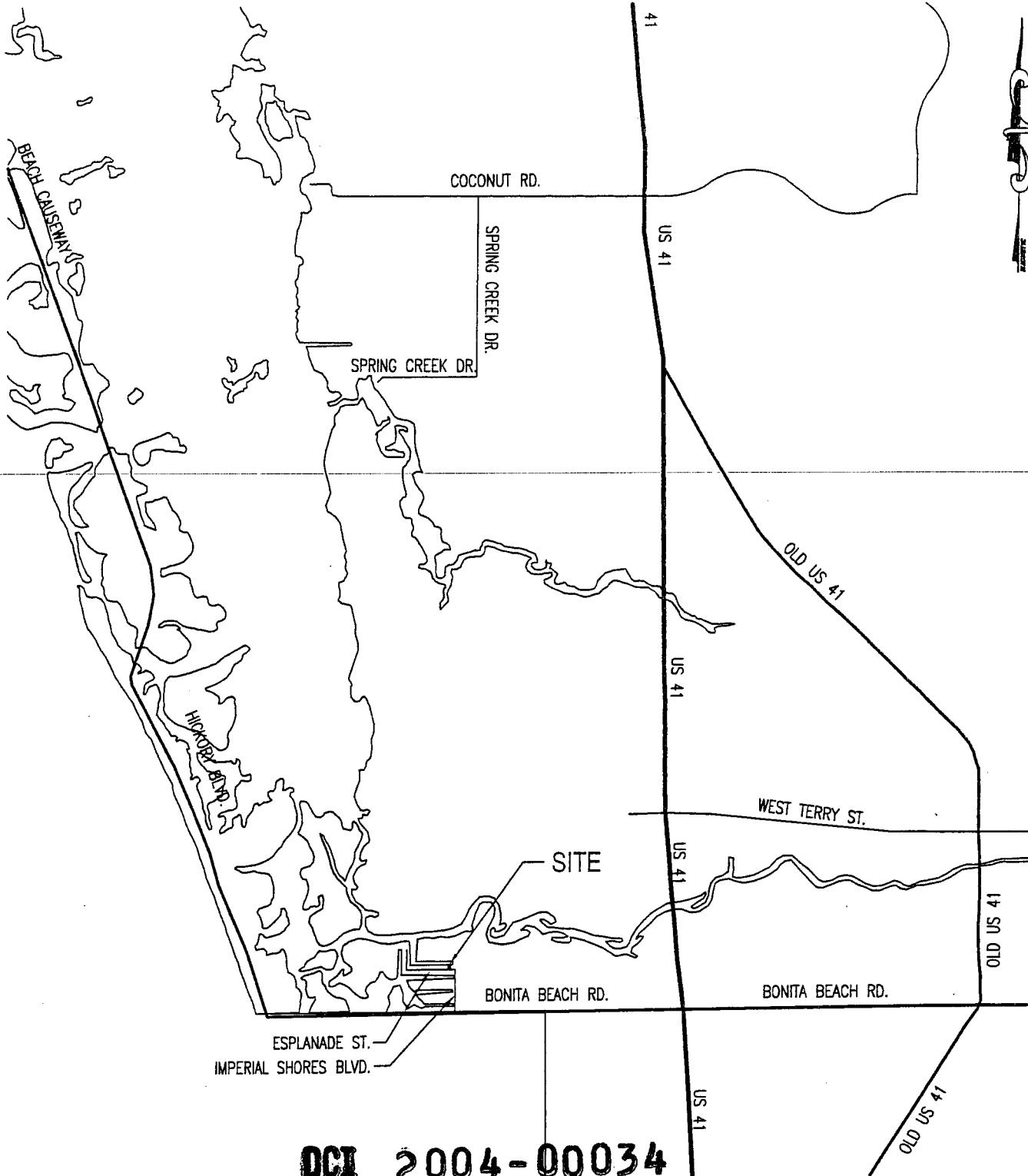
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From the Southeast corner of the Southeast quarter of the Southwest quarter of Section 32, Township 47 South, Range 25 East, run North  $01^{\circ} 44' 10''$  West along the East line thereof for 1310 feet; thence run South  $89^{\circ} 46' 10''$  West parallel with the South line of said Section for 100 feet to the Point of Beginning of the lands herein described. From said Point of Beginning continue along the same course South  $89^{\circ} 46' 10''$  West for 100 feet; thence run North  $0^{\circ} 13' 50''$  West for 153.93 feet, thence run North  $89^{\circ} 28' 50''$  East for 100 feet; thence run South  $0^{\circ} 13' 50''$  East for 154.43 feet to the Point of Beginning.

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**001 2004-00034**



OCI 2004-00034

LOCATION MAP

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community engineering services, inc.  
8991 Daniels Center Drive, Suite 103  
Fort Myers, FL 33912  
(239)936-9777 Fax (239)936-0064

## EXHIBIT II E-2

### NARRATIVE REGARDING REZONING REQUEST

The applicant is requesting a rezoning from TFC-2 to RPD on a 0.36 acre parcel of land on the north side of Esplanade Street. The proposed development will consist of a small single family subdivision which will be designed to meet or exceed the standards applicable to RPD zoned property and the requirements contained within Chapter 10 of the Land Development Code. The requested rezoning will be consistent with the following goals, objectives and policies.

#### Land Use and Compatibility:

The subject property is located within the Medium Density Single Family/Duplex Residential land use classification of the City of Bonita Springs Comprehensive Plan. Under Policy 1.1.7 of the City of Bonita Springs Comprehensive Plan, these are areas that are "intended to accommodate areas with a mix of single-family and duplex residential development at a maximum density of up to 11.6 dwelling units per gross acre; group homes and foster care facilities; public schools and other public, semi-public and recreational uses on a limited basis."

The property is abutted to the east, west, south and north by TFC-2 residential development. Buffers in accordance with Chapter 10 of the LDC will be provided to ensure compatibility with and protection for existing and planned residential development in accordance with the City of Bonita Springs Land Use Regulation.

Other City of Bonita Springs Comprehensive Plan goals, objectives and policies with which the proposed rezoning is consistent include:

Goal 1: A balanced land use pattern that promotes a high quality of life and allows for a variety of land uses, densities and intensities and the preservation and stabilization of existing neighborhoods...

Policy 1.1.7: Medium Density Single-Family/Duplex Residential – intended to accommodate areas with a mix of single-family and duplex residential development at a maximum density of up to 11.6 dwelling units per gross acre; group homes and foster care facilities; public schools and other public, semi-public and recreational uses on a limited basis

- a. Appropriate residential housing types include conventional and modular constructed single-family and duplex structures on permanent foundations.
- b. As an alternative to a duplex structure, and in order to encourage dispersing affordable housing throughout the community, one accessory dwelling, such as a garage apartment or mother-in-law apartment, may be located on a single lot occupied by one single-family structure, provided development of the lot remains within the maximum allowable density. Conditions on accessory dwelling such as larger than minimum size lots, limitations on unit size to ensure that they are accessory rather than principle uses, or other appropriate measures, may be required within the Land Development Regulations to prevent overcrowding and ensure compatibility with surrounding land uses.
- c. Maximum allowable height of structures shall be 35 feet from the base flood elevation to the eaves.

#### Transportation:

The proposed rezoning is located on Esplanade Street, a local road in Bonita Springs. The proposed development will not place an undue burden on this facility since no substantial additional traffic will be generated.

#### Sewer, Water and Fire Protection:

The subject property is located within the Bonita Springs Utilities sewer and water franchise area and within the Bonita Springs Fire District.

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## Hydro Features

## Back

## Parcels

Road Center Line

Zoning - County

**Sanjay S. Chhabra**

**சான்றிதழ்**

1. Introduction

|               |               |               |               |               |               |               |
|---------------|---------------|---------------|---------------|---------------|---------------|---------------|
| 03214<br>0050 | 0040<br>03214 | 0030<br>03214 | 03214<br>0020 | 0010<br>03214 | 0180<br>03215 | 0170<br>03215 |
|---------------|---------------|---------------|---------------|---------------|---------------|---------------|

**MINER 80**

1

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# 200ft

LITTLE HICKORY RD

MEDIUM DENSITY SINGLE-FAMILY/DUPLEX RESIDENTIAL

2004-00034

4812 Esplanade

TARPON AVE

|                    |               |               |               |               |               |
|--------------------|---------------|---------------|---------------|---------------|---------------|
| 03214<br>0050 0040 | 03214<br>0030 | 03214<br>0020 | 03214<br>0010 | 03215<br>0180 | 03215<br>0170 |
|--------------------|---------------|---------------|---------------|---------------|---------------|

|                    |            |            |            |                      |            |
|--------------------|------------|------------|------------|----------------------|------------|
| 0070 0060<br>00208 | 0050 00208 | 00208 0040 | 0030 00208 | 324725<br>0020 00208 | 0010 00208 |
|--------------------|------------|------------|------------|----------------------|------------|

10

ESPLANADE ST

|            |            |            |            |            |            |            |            |
|------------|------------|------------|------------|------------|------------|------------|------------|
| 0080 00207 | 00207 0070 | 0060 00207 | 0050 00207 | 0040 00207 | 0030 00207 | 0020 00207 | 0010 00207 |
|------------|------------|------------|------------|------------|------------|------------|------------|

IMPERIAL SHORES BLVD

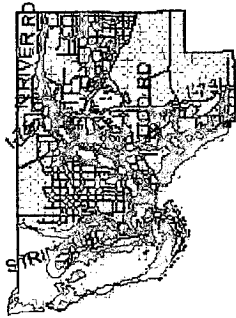
|            |            |                       |
|------------|------------|-----------------------|
| 016A 03215 | 03215 0150 | 03215 0140 0130 03215 |
| 03215 0160 | 0010 00204 | 0020 00204 0030 00204 |

MARINER RD

|            |            |                 |
|------------|------------|-----------------|
| 0260 00203 | 0220 00203 | 00203 0210 0200 |
| 0250 00203 | 00203 0240 | 00203 0020 0030 |
| 00203 0230 | 0010 00203 |                 |

LITTLE HICKORY RD

150ft



- Legend**
- Selected Features
  - Hydro Features
  - Lot
  - Block
  - Parcels
  - Parcel Hooks
  - Road Center Line
  - Section Lines
  - Neared Grid
  - Soils
  - 10 - Pompano
  - 69 - Matlacha

# SOILS MAP

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OCE 2004-00034

**4812 Esplande Street  
Trip Generation**

ITE Land Use Code: 230 Residential Condominium/Townhouse  
Units: Dwelling Units  
No.: 4

Rate Codes were utilized based on the small size of development

Weekday

Rate: 5.86 x (X)  
T = 23 Trips

AM Peak Adjacent Street

Rate: 0.44 x (X)  
T = 2 Trips

PM Peak Adjacent Street

Rate: 0.54 x (X)  
T = 2 Trips

Saturday

Rate: 5.67 x (X)  
T = 23 Trips

Sunday

Rate: 4.84 x (X)  
T = 19 Trips

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**OCI 2004-00034**



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#### **EXHIBIT IV-D**

The Proposed development will consist of a small single family community which will be designed to meet or exceed the standards applicable to RPD zoned property and the requirements contained within Chapter 10 of the Land Development Code.

**QCI 2004-00034**

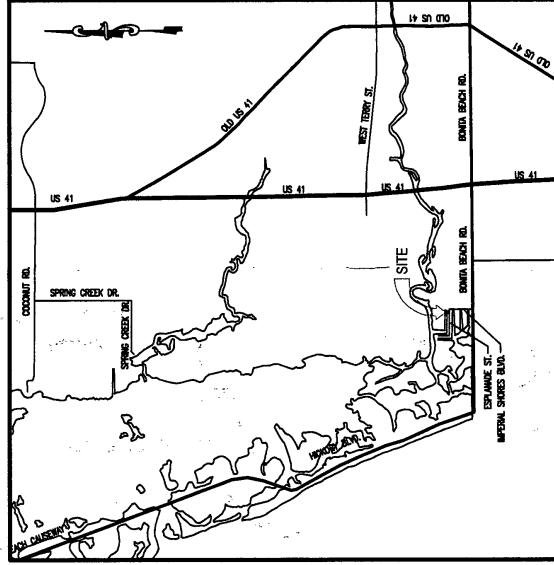
### Schedule of Uses

- Accessory Uses, Buildings and Structures
- Docks, Seawalls
- Fences, Walls
- Non-Roofted Accessory Structures
- Signs In Compliance With Chapter 30
- Accessory Apartment
- Community Residential Home
- Dwelling Unit
  - Duplex
  - Two-Family Attached
  - Single-Family Residence, Conventional
- Essential Services
- Home Care Facility
- Home Occupation
  - No Outside Help
- Residential Accessory Use
  - (34-622(c)(42))
- Model Home

**DCI 2004-00034**

# 4812 ESPLANADE STREET MASTER CONCEPT PLAN

SECTION 32, TOWNSHIP 47 SOUTH, RANGE 25 EAST  
BONITA SPRINGS, LEE COUNTY, FLORIDA



LOCATION MAP  
NOT TO SCALE

## PROPERTY OWNER

MARK D. MCLEARY  
JOCELYN F. MCLEARY  
4812 ESPLANADE ST.  
BONITA SPRINGS, FL 34134  
TEL (239) 498-1634

| NO. | DATE | REVISION |
|-----|------|----------|
|     |      |          |
|     |      |          |
|     |      |          |
|     |      |          |

## DRAWING INDEX

| DWG. NO. | DESCRIPTION         |
|----------|---------------------|
| 1        | LOCATION MAP        |
| 2        | MASTER CONCEPT PLAN |
| 3        | AERIAL PHOTOGRAPH   |

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05-20-04



Community Engineering Services, Inc.

8991 Daniels Center Drive, Suite 103 Fort Myers, Florida 33912

(239) 936-9777

EB-0006013 LB-6572





date: 0404  
drawn: J.E  
file name: AERIAL  
job: ESPLANADE

| No. | Date | Revisions |
|-----|------|-----------|
|     |      |           |
|     |      |           |
|     |      |           |
|     |      |           |
|     |      |           |



**community engineering services, inc.**  
civil engineering • surveying • project management  
EB-0006613 LB-6572  
8901 Dunwoody Center Drive, Suite 103  
Atlanta, Georgia 30338  
Telephone (239) 938-9777 Fax (239) 938-0084

AERIAL  
4812 ESPLANADE  
MAY 21 2004  
MARK D. McLEOD & JOSEPH F. McLEOD  
REGISTERED PROFESSIONAL ENGINEERS  
FLORIDA LICENSE NO. 17777  
TEL: (239) 938-9777

scale: 1"=50'  
SHEET  
3 of 3  
date

OC 2004-00034

DCI 2004 00034

## SCHEDULE OF USES

- ACCESSORY LOTS, BUILDINGS AND STRUCTURES  
POCKETS, BEACHES  
FENCES, BARRIERS  
-BUNKER HOUSES  
-HOUSE IN COMPLIANCE WITH CHAPTER 20  
ACCESSORY APARTMENT  
COMMUNITY RESIDENTIAL HOME  
DOWLING LOT  
-DUPLICATE  
-TWO-FAMILY ATTACHED  
CONDOMINIUM  
-SMALL-FAMILY FACILITIES, GROUP 1  
COURTESY CARPORT  
HOME CARE FACILITY  
-HOME OCCUPATION  
-NO OUTSIDE HELP  
RESIDENTIAL ACCESSORY USE  
(74-8226)(c)

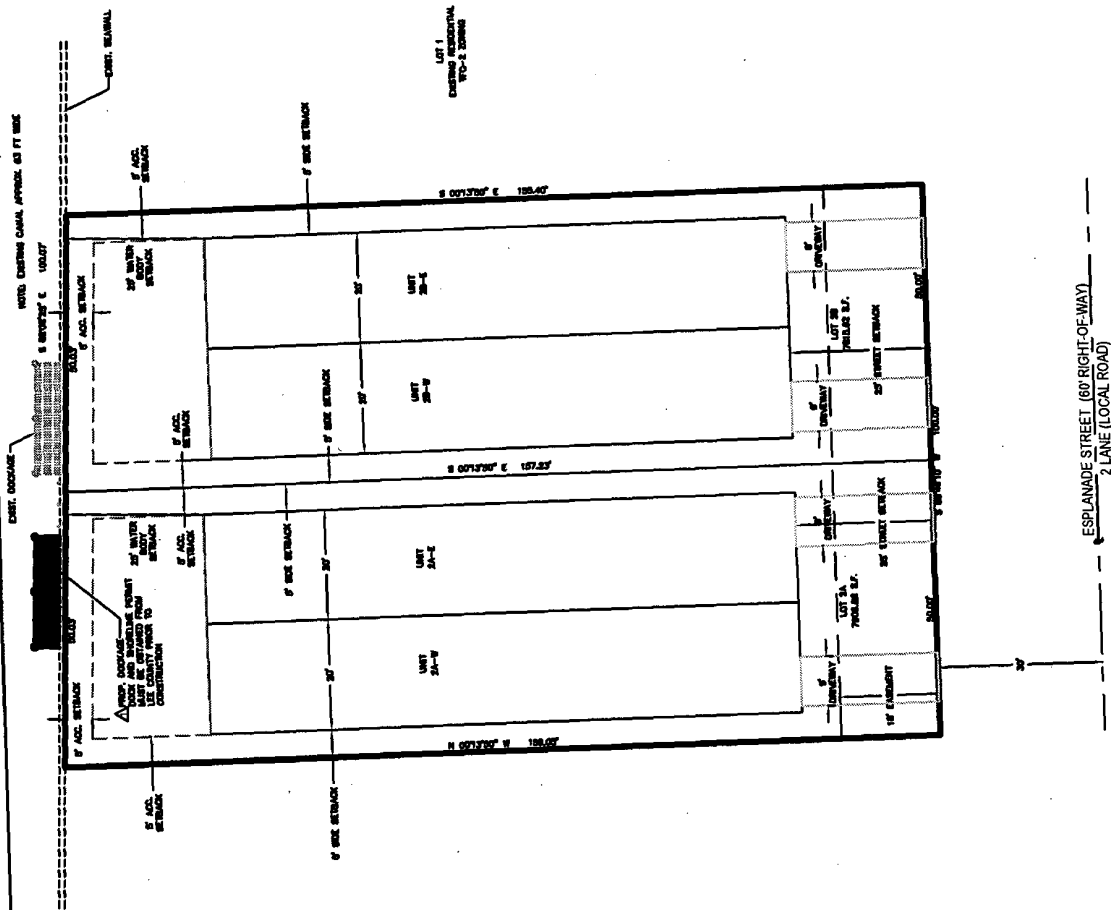
## NOTES

- [illegible]

## SITE DATA

SITE AREA = 15,725 SF (0.36 AC.)  
OPEN SPACE REQUIRED = 20% = 3,144 SF  
MAXIMUM NO. OF OBSTRUCTIONS = 4  
(3 - TWO FAMILY ATTACHED BUILDINGS)

**LOT 3**  
**EXISTING MEMORIAL**  
**WILCOX STREET**  
**2000 S.W. 20th**



ESPLANADE STREET (60' RIGHT-OF-WAY)  
2 LANE (LOCAL ROAD)

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EB-0006613 LB-8572  
8801 Daniels Center Drive, Suite 103  
Fort Worth, Texas 76112  
Telephone (214) 938-8777 Fax (214) 938-0064



**MASTER CONCEPT PLAN**  
**OF**  
**4812 ESPLANADE**  
**FOR**  
MARK D. MACLEARY & JOCELYN F. MACLEARY  
4812 ESPLANADE ST.  
BOHOTA SPRINGS, FL 34134  
TEL. (305) 466-1634

scale: \_\_\_\_\_  
SHEET  
2 of

date -



ESPLANADE STREET (60' RIGHT-OF-WAY)  
2 LANE (LOCAL ROAD)



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8991 Daniels Center Drive, Suite 103  
Fort Myers, Florida 33912  
Telephone (239) 936-9777 Fax (239) 936-0064

**DRAINAGE EXHIBIT**  
**OF**  
**4812 ESPLANADE**

**FOR**

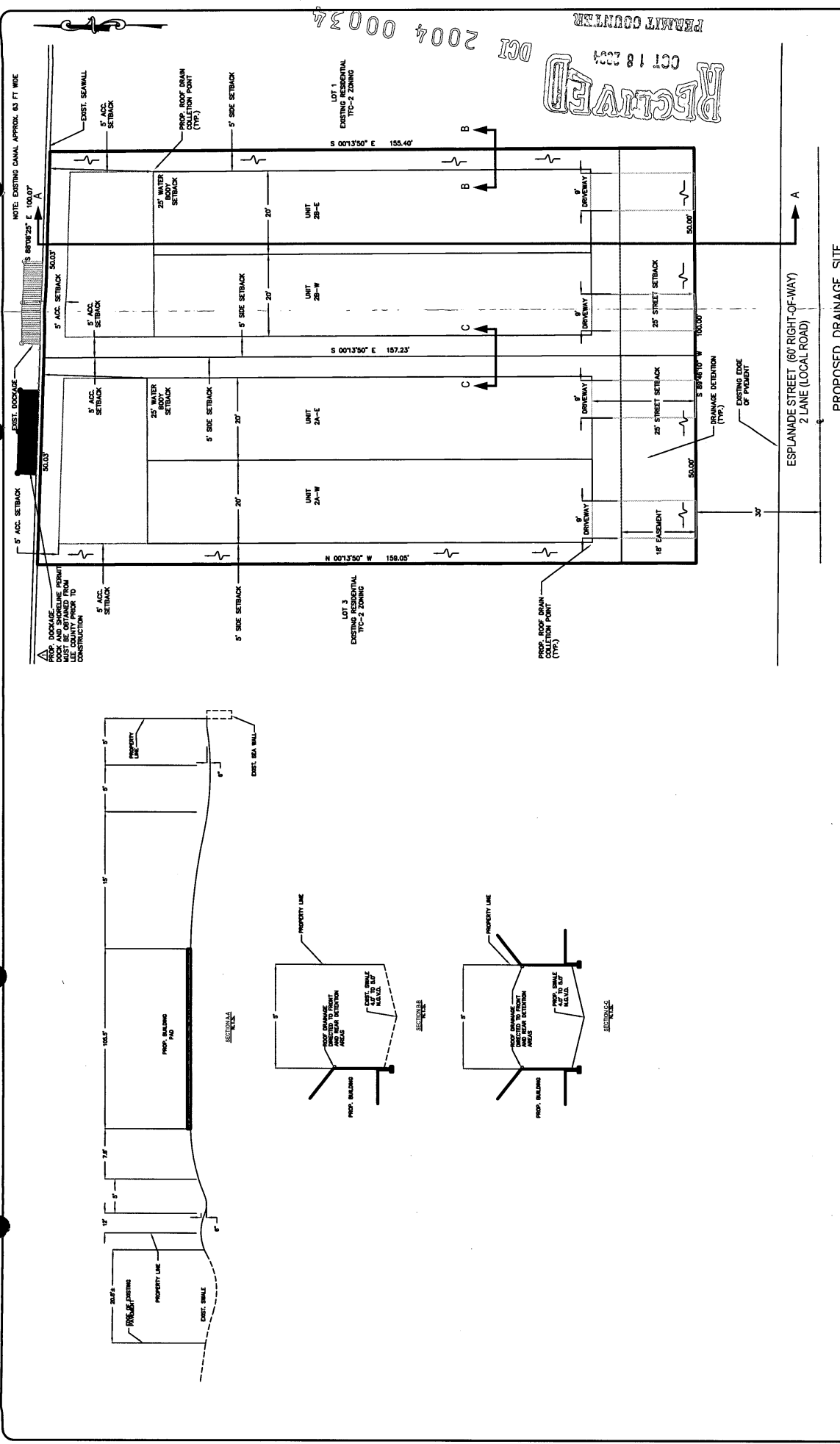
**MARK D. MCLEARY & JOCELYN F. MCLEARY**  
**4812 ESPLANADE ST.**  
**BONITA SPRINGS, FL. 34134**  
**TEL (239) 498-1834**

scale: \_\_\_\_\_

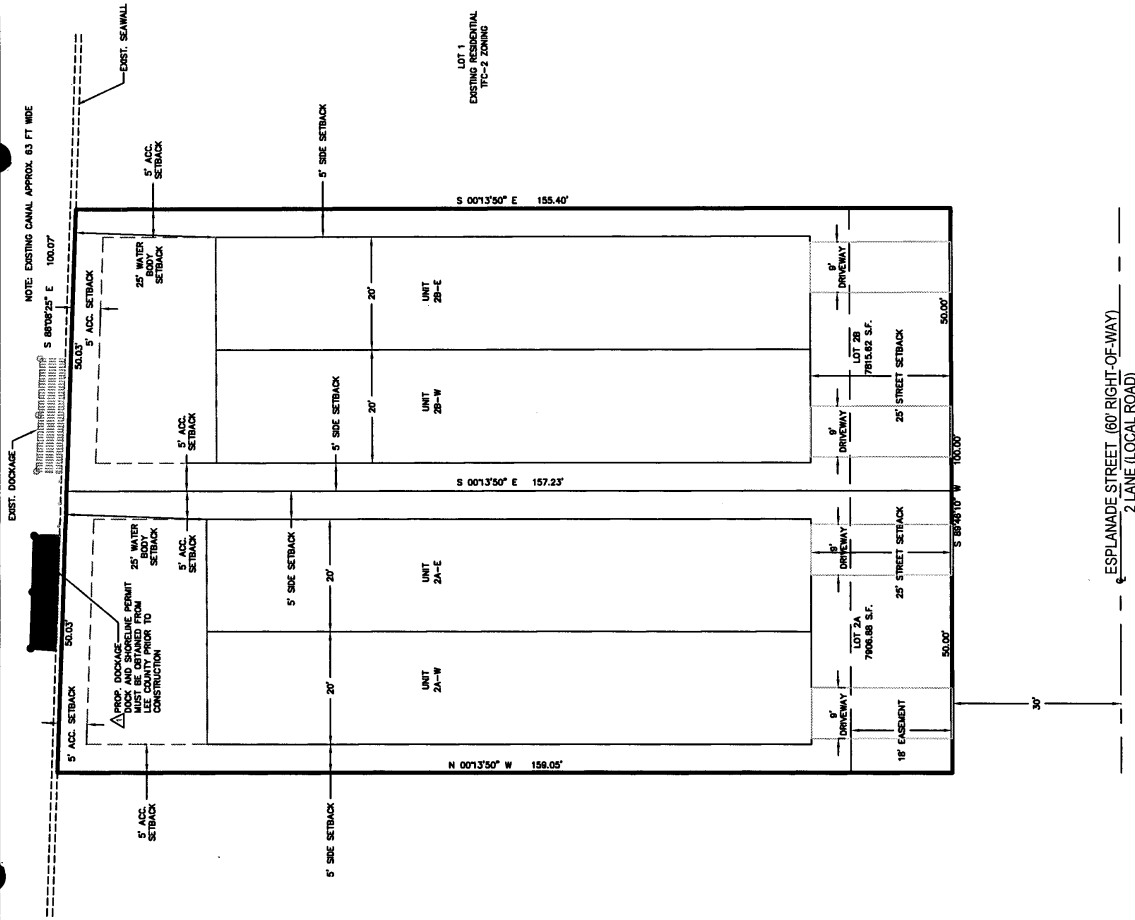
**SHEET**

5 of 5

date \_\_\_\_\_



date \_\_\_\_\_





**LEE COUNTY**  
SOUTHWEST FLORIDA

**BOARD OF COUNTY COMMISSIONERS**

Writer's Direct Dial Number: 479-8585

Bob Janes  
District One

November 10, 2004

Douglas R. St. Cerny  
District Two

Ray Judah  
District Three

Andrew W. Coy  
District Four

John E. Albion  
District Five

Donald D. Stilwell  
County Manager

James G. Yaeger  
County Attorney

Diana M. Parker  
County Hearing  
Examiner

Mr. Mark D. McCleary  
Community Engineering Services  
8991 Daniels Center Drive Suite 103  
Fort Myers, FL 33912

Re: **Agenda Schedule for Esplanade RPD  
Case No. DCI2004-00034**

Dear Mr. McCleary:

Your request has been scheduled before the City Council of the City of Bonita Springs for a **FIRST READING** of an ordinance on the referenced matter. Public comment will not be taken at the First Reading.

DATE & TIME: December 1, 2004, Meeting commences at 5:30 p.m.

LOCATION: Bonita Springs Utilities Board Room  
11900 East Terry Street  
Bonita Springs, FL 34135

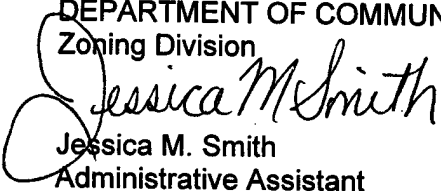
**The first reading is a reading of the request and the second reading is the hearing.**

A second reading on this matter is tentatively scheduled for January 10, 2005 at 9:00 a.m. at the same location.

Be advised all exhibits presented to City Council are required to be retained by the City Clerk for the minutes and records. The City encourages the applicant to provide reduced copies of these exhibits for the record as an alternative to a full size copy, for reproduction purposes.

Call if you have any questions.

DEPARTMENT OF COMMUNITY DEVELOPMENT  
Zoning Division

  
Jessica M. Smith  
Administrative Assistant

cc: Mr. & Mrs. Mark D. & Jocelyn McCleary (4812 Esplanade St., Bonita Springs, FL 34134)  
Mr. Tony Palermo, Senior Planner  
Zoning File

*file*

**NOTICE TO PARTICIPANT**

CASE NUMBER: DCI2004-00034

NAME: Esplanade RPD

REQUEST: A ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; APPROVING A REQUEST BY Mark D. & Jocelyn F. McCleary TO REZONE from Two-Family Conservation (TFC-2) to Residential Planned Development (RPD); ON LAND LOCATED AT 4812 ESPLANADE STREET, BONITA SPRINGS, FLORIDA, (STRAP NO. 32-47-25-B4-00208.0020), ON 0.36 + ACRES; PROVIDING FOR AN EFFECTIVE DATE.

**No public participation will be heard at the first reading.**  
The first reading of the zoning ordinance is a reading of the request and the second reading is the hearing.

Notice is hereby given that on December 1, 2004 the City Council of the City of Bonita Springs will hold a public hearing at 5:30 p.m. for a **FIRST READING** of an ordinance on the referenced matter and to review the Zoning Board for Land Use Hearings recommendation. This hearing will be held in the Bonita Springs Utilities Board Room 11900 East Terry Street Bonita Springs, FL 34135.

A **SECOND READING** on this matter is tentatively scheduled for January 10, 2005 at 9:00 a.m. at the same location.

**NO FURTHER NOTICES WILL BE DISTRIBUTED UNLESS THE SECOND READING DATE IS CHANGED.**

The law states that, as a participant, you have the right to appear and address the Council on this case. However, the law strictly limits all testimony before the Council to statements challenging the correctness of findings and conclusions contained in the record, or statements alleging the discovery of relevant new evidence which was not known by the speaker at the time of the Zoning Board for Land Use Hearings and not otherwise disclosed in the record.

**In accordance with the Americans with Disabilities Act, reasonable accommodations will be made upon request. If you are in need of a reasonable accommodation, please contact Gary A. Price, City Manager at 239-390-1000, at least 48 hours prior to the meeting.**

Additional copies of the Zoning Board for Land Use Hearing's recommendation may be obtained or the file reviewed at the Zoning Division, 1500 Monroe St., Ft. Myers, FL. Telephone 479-8585 for additional information.

DEPARTMENT OF COMMUNITY DEVELOPMENT  
Zoning Division



Mark D. & Jocelyn F. McCleary  
418 Esplanade Street  
Bonita Springs, FL 34134 (Applicants/Owners)

Community Engineering Services, Inc.  
8991 Daniels Center Drive, Suite #103  
Fort Myers, FL 33912 (Agent)

Bill Feeney  
1530 Cleemont Drive  
Naples, FL 34109

Rex Sims  
PO Box 2387  
Bonita Springs, FL 34133

Ray Ambrozy  
4891 Esplanade St.  
Bonita Springs, FL 34134

Lake and Connie Sims  
5100 Esplanade Street  
Bonita Springs, FL 34134

Frankie Everett  
4974 Esplanade Street,  
Bonita Springs, FL 34134

Dwain Bartley  
27711 Windsor Road, Lot 165  
Bonita Springs, FL 34134

Patricia Anjoski  
4818 Esplanade  
Bonita Springs, FL 34134

Antoinette Dermody  
4824 Esplanade St.  
Bonita Springs, FL 34134

Ed Jakstavich  
4817 Esplanade St.  
Bonita Springs, FL 34134

John Mansfield  
26840 Spanish Gardens Drive  
Bonita Springs, FL 34135

Rebecca Rogers  
798 Robin Road  
Lexington, Kentucky 40502



**LEE COUNTY**  
SOUTHWEST FLORIDA

**BOARD OF COUNTY COMMISSIONERS**

Writer's Direct Dial Number: 479-8585

Bob Janes  
*District One*

December 22, 2004

Douglas R. St. Cerny  
*District Two*

Ray Judah  
*District Three*

Andrew W. Coy  
*District Four*

John E. Albion  
*District Five*

Donald D. Stilwell  
*County Manager*

James G. Yaeger  
*County Attorney*

Diana M. Parker  
*County Hearing Examiner*

Mr. Mark D. McCleary  
Community Engineering Services  
8991 Daniels Center Drive Suite 103  
Fort Myers, FL 33912

Re: **Agenda Schedule for Esplanade RPD**  
**Case No. DCI2004-00034**

Dear Mr. McCleary:

Your request has been scheduled before the City Council of the City of Bonita Springs for a **SECOND READING** of an ordinance on the referenced matter. Public comment by participants will be taken during this hearing.

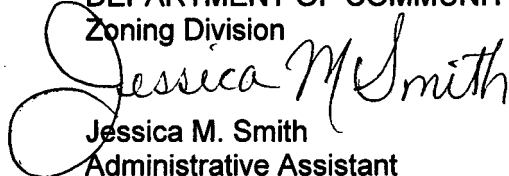
DATE & TIME: January 10, 2005, Meeting commences at 9:00 a.m.

LOCATION: Bonita Springs Utilities Board Room  
11900 East Terry Street  
Bonita Springs, FL 34135

Be advised all exhibits presented to City Council are required to be retained by the City Clerk for the minutes and records. The City encourages the applicant to provide reduced copies of these exhibits for the record as an alternative to a full size copy, for reproduction purposes.

Call if you have any questions.

DEPARTMENT OF COMMUNITY DEVELOPMENT  
Zoning Division



Jessica M. Smith  
Administrative Assistant

cc: Mr. & Mrs. Mark D. & Jocelyn McCleary  
Mr. Tony Palermo, Senior Planner  
Zoning File

S:\CASES\JessicaDump\2nd Reading Applicant Letter.wpd

P.O. Box 398, Fort Myers, Florida 33902-0398 (239) 335-2111  
Internet address <http://www.lee-county.com>  
AN EQUAL OPPORTUNITY AFFIRMATIVE ACTION EMPLOYER

MEMORANDUM  
FROM THE  
DEPARTMENT OF  
COMMUNITY DEVELOPMENT  
DEVELOPMENT SERVICES DIVISION

DATE: October 20, 2004

TO: File - DCI2004-00034 FROM: Jessica M Smith  
DCD Administration

RE: Notice of Zoning Board for Land Use Hearings of the City of Bonita Springs  
January 9, 2003

I, Jessica M. Smith, Administrative Assistant, Internal Services, Development Services Division, do hereby certify that I have sent notices to the **adjacent property owners** on the above referenced date, in the attached style, pursuant to the list marked and attached hereto and made a part of this certification.

# NOTICE TO PROPERTY OWNERS WITHIN 375 FEET

CASE NUMBER: DCI2004-00034

CASE NAME: 4812 ESPLANADE

REQUEST: Rezone +/- 0.36 acres of land from Two-Family Conservation (TFC-2) to Residential Planned Development (RPD) to permit development of a pair of two-family attached dwelling units (4 total dwelling units). No development blasting is proposed.

LOCATION: The subject property is located at 4812 Esplanade Street, Bonita Springs, FL 34134 (US41 to Bonita Beach Rd. turn west to Imperial Shores Blvd. turn north to Esplanade Street, second house on right.), in S32 (Section)-T47 (Township)S-R25 (Range)E, Lee County, Florida.

SIZE OF PROPERTY: 0.36 Acres ±

STAFF REPORT: Direct inquiries to Tony Palermo, Senior Planner, at 239-479-8325, at the Department of Community Development, 1500 Monroe St., Ft. Myers, FL 33901.

PROPERTY OWNERS REPRESENTATIVE: MR. MARK D MCCLEARY  
COMMUNITY ENGINEERING SERVICES  
239-495-0009

Notice is hereby given that the City of Bonita Springs Zoning Board for Land Use will hold a public hearing at 10:30 a.m. on November 05, 2004, on the above case. The public hearing will be held in the Bonita Springs Utilities Board Room, 11860 East Terry Street, Bonita Springs, FL 34135.

You must appear in person, or through counsel, or an authorized agent and provide testimony, legal argument or other evidence at the hearing to become a participant with the right to address the City Council.

After the Zoning Board for Land Use has made a written recommendation, the case will be scheduled for a public hearing before the City Council of the City of Bonita Springs who will review the recommendation and make a final decision.

**If you do not appear before the Zoning Board for Land Use you will not be allowed to appear before the City Council at the final hearing in this case.**

Copies of the staff report will be available two weeks prior to the hearing. The file may be reviewed at the Development Services Division, 1500 Monroe St., Fort Myers, FL 33901. Call 239/479-8585 for additional information.

**In accordance with the Americans with Disabilities Act, reasonable accommodations will be made upon request. If you are in need of a reasonable accommodation, please contact Gary A. Price, City Manager, at 239/390-1000 at least 48 hours prior to the hearing.**

LEE COUNTY  
DEPARTMENT OF COMMUNITY DEVELOPMENT  
Development Services Division

32-47-25-B4-00208.0020  
MCCLEARY MARK D + JOCELYN  
4812 ESPLANADE ST  
BONITA SPRINGS, FL 34134

32-47-25-B3-00009.0130  
NICOLA ROBERT J + HELEN M  
1608 VICKERY ST  
PORTAGE, MI 49002

32-47-25-B3-00202.0260  
HORNE JEAN W  
76 4TH ST APT 6-102  
BONITA SPRINGS, FL 34134

32-47-25-B3-00203.0020  
MANN W R + DOROTHEA TR +  
1110 AVE B  
BINGHAMTON, NY 13901

32-47-25-B3-00203.0220  
JAWOROSKI EDWARD J + PATRICIA  
4471 MARINER RD  
BONITA SPRINGS, FL 34134

32-47-25-B3-00203.0240  
BISHOP MARGARET AHEARN  
199 OLD TAMiami TRL  
NAPLES, FL 34110

32-47-25-B3-00203.0260  
RAMEY C JR + WILMA  
27628 IMPERIAL SHORES BLVD  
BONITA SPRINGS, FL 34134

32-47-25-B3-00204.0020  
FONTAINE TERRI L  
4472 MARINER RD  
BONITA SPRINGS, FL 34134

32-47-25-B3-00206.0010  
PORTER JOHN B + JOANNA  
27031 DRIFTWOOD DR  
BONITA SPRINGS, FL 34135

32-47-25-B3-00208.0010  
CHICONE CARMEN P + ANTOINETTE  
4806 ESPLANADE ST  
BONITA SPRINGS, FL 34134

32-47-25-B3-00009.0060  
SWARTZ KENNETH + WILLAGENE TR  
4470 TARPON AVE  
BONITA SPRINGS, FL 34134

32-47-25-B3-00051.0010  
KOPP MARY ANN TR  
5714 SOUTH 107TH ST  
HALES CORNERS, WI 53130

32-47-25-B3-00203.0010  
TURCHIN JOANNA  
810 GOLF LINKS RD UNIT 10  
ANCASTER, ON L9K 1J7  
CANADA

32-47-25-B3-00203.0210  
SHILLO CARL J + MARIE L  
336 HEBRON RD  
ANDOVER, CT 06232

32-47-25-B3-00203.0230  
GRIFFIN TRISHA S  
27642 IMPERIAL SHORES BLVD  
BONITA SPRINGS, FL 34134

32-47-25-B3-00203.0250  
IMPERIAL SHORES LLC  
409 WASHINGTON ST  
WATERFORD, WI 53185

32-47-25-B3-00204.0010  
BARBER RICHARD L + NICOLINA G  
4944 ESPLANADE SW  
BONITA SPRINGS, FL 34134

32-47-25-B3-00204.0030  
REAHARD RICHARD 50% TR +  
4366 PINE LAKE RD  
BONITA SPRINGS, FL 34134

32-47-25-B3-00207.0010  
LEVERICK WILLIAM A +  
27633/635 IMPERIAL SHORES BLVD  
BONITA SPRINGS, FL 34134

32-47-25-B3-03215.0140  
COCHERELL ROBERT S + JILL N  
P O BOX 1538  
BONITA SPRINGS, FL 34133

32-47-25-B3-03215.0150  
REED VERNON +  
4471 TARPON AVE  
BONITA SPRINGS, FL 34134

32-47-25-B3-03215.016A  
MAKOWSKI EDWARD + PHYLLIS  
27604 IMPERIAL SHORES BLVD  
BONITA SPRINGS, FL 34134

32-47-25-B4-00048.0000  
BORRUSO WILLIAM TR +  
4826 TARPON AV  
BONITA SPRINGS, FL 34134

32-47-25-B4-00051.0000  
KOPP MARY ANN TR  
5714 SOUTH 107TH ST  
HALES CORNERS, WI 53130

32-47-25-B4-00206.0030  
BARLOW NICK  
526 144TH AVE  
CALEDONIA, MI 49316

32-47-25-B4-00206.0050  
KUHNLOHE ROBERT C ETAL J/T  
4822 REGAL DR  
BONITA SPRINGS, FL 34134

32-47-25-B4-00207.0020  
ENNIS JOSEPH P  
RT 2 HWY 80-82-33  
WONEWOC, WI 53968

32-47-25-B4-00207.0040  
JAKSTAVICH EDWARD  
24827 LAKEMONT COVE #203  
BONITA SPRINGS, FL 34134

32-47-25-B4-00207.0060  
BULL ROBERT P  
4823 ESPLANADE ST  
BONITA SPRINGS, FL 34134

32-47-25-B4-00207.0080  
DOMINY HARRY L  
4835 ESPLANADE ST  
BONITA SPRINGS, FL 34134

32-47-25-B3-03215.0160  
COMMERFORD MICHAEL J  
3522 DISCOVER DR  
PUNTA GORDA, FL 33983

32-47-25-B3-03215.0170  
NICOLA ROBERT J + HELEN M  
1608 VICKERY ST  
PORTAGE, MI 49002

32-47-25-B4-00048.0040  
J R + P J SIMS LLC  
PO BOX 2387  
BONITA SPRINGS, FL 34133

32-47-25-B4-00206.0020  
CHANG PAUL P + CECILIA LEE  
6 FERN DR RD #3 MT RASCAL RD  
HACKETTSTOWN, NJ 07840

32-47-25-B4-00206.0040  
DAYE ROBERT A + JOAN  
4818 REGAL DR  
BONITA SPRINGS, FL 34134

32-47-25-B4-00206.0060  
HAY LAURL + THOMAS W/H  
4826 REGAL DR  
BONITA SPRINGS, FL 34134

32-47-25-B4-00207.0030  
DE HART ROBERT  
4815 ESPLANADE ST  
BONITA SPRINGS, FL 34134

32-47-25-B4-00207.0050  
BULL ROBERT P  
4823 ESPLANADE ST  
BONITA SPRINGS, FL 34134

32-47-25-B4-00207.0070  
NICOLA ROBERT +  
1608 VICKERY DR  
PORTAGE, MI 49002

32-47-25-B4-00208.0030  
CASPER ROBERT E  
4818 ESPLANADE SW  
BONITA SPRINGS, FL 34134

32-47-25-B4-00208.0040  
DERMODY ANTOINETTE M + KEVIN  
4822 ESPLANADE ST  
BONITA SPRINGS, FL 34134

32-47-25-B4-00208.0050  
FEENEY WILLIAM J  
1920 TIMASSON WAY  
NAPLES, FL 34109

32-47-25-B4-00208.0060  
KIELY CATHERINE J  
4839 ESPANADE ST  
BONITA SPRINGS, FL 34134

32-47-25-B4-03214.0010  
WILLETTE MARJORIE +  
18430 28 MILE RD  
WASHINGTON, MI 48094

32-47-25-B4-03214.0020  
HASSETT MICHAEL SR + MARY  
4827 TARPON AV  
BONITA SPRINGS, FL 34134

32-47-25-B4-03214.0030  
BLOCK DOUGLAS J + LORI S TILL  
4831 TARPON AVE  
BONITA SPRINGS, FL 34134

32-47-25-B4-03214.0040  
WILLETTE LEO L + LINDA  
4837 TARPON AVE  
BONITA SPRINGS, FL 34134

32-47-25-B4-03215.0180  
FRIIA RICHARD P + MARGUERITE E  
43 3RD ST  
BONITA SPRINGS, FL 34134

4000-4003 101

32-47-25-B4-03215.0180  
FRIIA RICHARD P + MARGUERITE E  
43 3RD ST  
BONITA SPRINGS, FL 34134

32-47-25-B4-03214.0040  
WILLETTE LEO L + LINDA  
4837 TARPON AVE  
BONITA SPRINGS, FL 34134

32-47-25-B4-03214.0030  
BLOCK DOUGLAS J + LORI S TILL  
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32-47-25-B4-03214.0020  
HASSETT MICHAEL SR + MARY  
4827 TARPON AV  
BONITA SPRINGS, FL 34134

32-47-25-B4-03214.0010  
WILLETTE MARJORIE +  
18430 28 MILE RD  
WASHINGTON, MI 48094

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KIELY CATHERINE J  
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BONITA SPRINGS, FL 34134

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FEENEY WILLIAM J  
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NAPLES, FL 34109

32-47-25-B4-00208.0040  
DERMODY ANTOINETTE M + KEVIN  
4822 ESPLANADE ST  
BONITA SPRINGS, FL 34134

Christine Bielski  
BBIA  
27566 Hickory Blvd.  
Bonita Springs, FL 34134

Ed Bowers  
Highland Woods Golf and Country Club  
9100 Highland Woods Blvd.  
Bonita Springs, FL 34135

Mr. Mark D. McCleary  
8991 Daniels Center Dr. Suite 103  
Fort Myers, FL 33912

Don Sedota  
Spanish Wells Homeowners Association  
PO BOX 219  
Bonita Springs, FL 34133

Mr. & Mrs. Mark D. McCleary  
4812 Esplanade St.  
Bonita Springs, FL 34134

# NOTICE TO PROPERTY OWNERS WITHIN 375 FEET

CASE NUMBER: DCI2004-00034

CASE NAME: 4812 ESPLANADE

REQUEST: Rezone +/- 0.36 acres of land from Two-Family Conservation (TFC-2) to Residential Planned Development (RPD) to permit development of a pair of two-family attached dwelling units (4 total dwelling units). No development blasting is proposed.

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SIZE OF PROPERTY: 0.36 Acres ±

STAFF REPORT: Direct inquiries to Tony Palermo, Senior Planner, at 239-479-8325, at the Department of Community Development, 1500 Monroe St., Ft. Myers, FL 33901.

PROPERTY OWNERS REPRESENTATIVE: MR. MARK D MCCLEARY  
COMMUNITY ENGINEERING SERVICES  
239-495-0009

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LEE COUNTY  
DEPARTMENT OF COMMUNITY DEVELOPMENT  
Development Services Division

32-47-25-B4-00208.0020  
MCCLEARY MARK D + JOCELYN  
4812 ESPLANADE ST  
BONITA SPRINGS, FL 34134

32-47-25-B3-00009.0130  
NICOLA ROBERT J + HELEN M  
1608 VICKERY ST  
PORTAGE, MI 49002

32-47-25-B3-00202.0260  
HORNE JEAN W  
76 4TH ST APT 6-102  
BONITA SPRINGS, FL 34134

32-47-25-B3-00203.0020  
MANN W R + DOROTHEA TR +  
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BINGHAMTON, NY 13901

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199 OLD TAMiami TRL  
NAPLES, FL 34110

32-47-25-B3-00203.0260  
RAMEY C JR + WILMA  
27628 IMPERIAL SHORES BLVD  
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27031 DRIFTWOOD DR  
BONITA SPRINGS, FL 34135

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CHICONE CARMEN P + ANTOINETTE  
4806 ESPLANADE ST  
BONITA SPRINGS, FL 34134

32-47-25-B3-00009.0060  
SWARTZ KENNETH + WILLAGENE TR  
4470 TARPON AVE  
BONITA SPRINGS, FL 34134

32-47-25-B3-00051.0010  
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CANADA

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IMPERIAL SHORES LLC  
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WATERFORD, WI 53185

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BONITA SPRINGS, FL 34134

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BONITA SPRINGS, FL 34134

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27633/635 IMPERIAL SHORES BLVD  
BONITA SPRINGS, FL 34134

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BONITA SPRINGS, FL 34133

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REED VERNON +  
4471 TARPON AVE  
BONITA SPRINGS, FL 34134

32-47-25-B3-03215.016A  
MAKOWSKI EDWARD + PHYLLIS  
27604 IMPERIAL SHORES BLVD  
BONITA SPRINGS, FL 34134

32-47-25-B4-00048.0000  
BORRUSO WILLIAM TR +  
4826 TARPON AV  
BONITA SPRINGS, FL 34134

32-47-25-B4-00051.0000  
KOPP MARY ANN TR  
5714 SOUTH 107TH ST  
HALES CORNERS, WI 53130

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BARLOW NICK  
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CALEDONIA, MI 49316

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KUHNLOHE ROBERT C ETAL J/T  
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BONITA SPRINGS, FL 34134

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ENNIS JOSEPH P  
RT 2 HWY 80-82-33  
WONEWOC, WI 53968

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JAKSTAVICH EDWARD  
24827 LAKEMONT COVE #203  
BONITA SPRINGS, FL 34134

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BULL ROBERT P  
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BONITA SPRINGS, FL 34134

32-47-25-B4-00207.0080  
DOMINY HARRY L  
4835 ESPLANADE ST  
BONITA SPRINGS, FL 34134

32-47-25-B3-03215.0160  
COMMERFORD MICHAEL J  
3522 DISCOVER DR  
PUNTA GORDA, FL 33983

32-47-25-B3-03215.0170  
NICOLA ROBERT J + HELEN M  
1608 VICKERY ST  
PORTAGE, MI 49002

32-47-25-B4-00048.0040  
J R + P J SIMS LLC  
PO BOX 2387  
BONITA SPRINGS, FL 34133

32-47-25-B4-00206.0020  
CHANG PAUL P + CECILIA LEE  
6 FERN DR RD #3 MT RASCAL RD  
HACKETTSTOWN, NJ 07840

32-47-25-B4-00206.0040  
DAYE ROBERT A + JOAN  
4818 REGAL DR  
BONITA SPRINGS, FL 34134

32-47-25-B4-00206.0060  
HAY LAURL + THOMAS W/H  
4826 REGAL DR  
BONITA SPRINGS, FL 34134

32-47-25-B4-00207.0030  
DE HART ROBERT  
4815 ESPLANADE ST  
BONITA SPRINGS, FL 34134

32-47-25-B4-00207.0050  
BULL ROBERT P  
4823 ESPLANADE ST  
BONITA SPRINGS, FL 34134

32-47-25-B4-00207.0070  
NICOLA ROBERT +  
1608 VICKERY DR  
PORTAGE, MI 49002

32-47-25-B4-00208.0030  
CASPER ROBERT E  
4818 ESPLANADE SW  
BONITA SPRINGS, FL 34134

32-47-25-B4-00208.0040  
DERMODY ANTOINETTE M + KEVIN  
4822 ESPLANADE ST  
BONITA SPRINGS, FL 34134

32-47-25-B4-00208.0050  
FEENEY WILLIAM J  
1920 TIMASSON WAY  
NAPLES, FL 34109

32-47-25-B4-00208.0060  
KIELY CATHERINE J  
4839 ESPANADE ST  
BONITA SPRINGS, FL 34134

32-47-25-B4-03214.0010  
WILLETTE MARJORIE +  
18430 28 MILE RD  
WASHINGTON, MI 48094

32-47-25-B4-03214.0020  
HASSETT MICHAEL SR + MARY  
4827 TARPON AV  
BONITA SPRINGS, FL 34134

32-47-25-B4-03214.0030  
BLOCK DOUGLAS J + LORI S TILL  
4831 TARPON AVE  
BONITA SPRINGS, FL 34134

32-47-25-B4-03214.0040  
WILLETTE LEO L + LINDA  
4837 TARPON AVE  
BONITA SPRINGS, FL 34134

32-47-25-B4-03215.0180  
FRIIA RICHARD P + MARGUERITE E  
43 3RD ST  
BONITA SPRINGS, FL 34134

4300-4000

BONITA SPRINGS, FL 34134  
43 3RD ST  
FRIIA RICHARD P + MARGUERITE E  
32-47-25-B4-03215.0180

BONITA SPRINGS, FL 34134  
4837 TARPON AVE  
WILLETTE LEO L + LINDA  
32-47-25-B4-03214.0040

BONITA SPRINGS, FL 34134  
4831 TARPON AVE  
BLOCK DOUGLAS J + LORI S TILL  
32-47-25-B4-03214.0030

BONITA SPRINGS, FL 34134  
4827 TARPON AV  
HASSETT MICHAEL SR + MARY  
32-47-25-B4-03214.0020

WASHINGTON, MI 48094  
18430 28 MILE RD  
WILLETTE MARJORIE +  
32-47-25-B4-03214.0010

BONITA SPRINGS, FL 34134  
4839 ESPANADE ST  
KIELY CATHERINE J  
32-47-25-B4-00208.0060

NAPLES, FL 34109  
1920 TIMASSON WAY  
FEENEY WILLIAM J  
32-47-25-B4-00208.0050

BONITA SPRINGS, FL 34134  
4822 ESPLANADE ST  
DERMODY ANTOINETTE M + KEVIN  
32-47-25-B4-00208.0040

ZONING DIVISION  
CITY OF BONITA SPRINGS  
PLANNED DEVELOPMENT SUBSTANTIVE REVIEW  
TRANSMITTAL SHEET

TO: Distribution

FROM: Tony Palermo

DATE: 10/19/2004

Audrey Vance, City Attorney

**DEBBIE MUCHLER**

DS Reviewer - Susan Hollingsworth

Kim Trebatoski, Environmental Sciences

Andy Getch, LCDOT

Roland Ottolini, Natural Resources

PROJECT NAME: 4812 ESPLANADE

CASE #: DCI2004-00034

INFORMATION SUMMARY:

To update your file

\_X\_ Review and forward substantive comments **ASAP**.

**RESPONSE REQUIRED BY: 10/29/2004**

Additional Comments:

cc: DCI planner/working file  
DCI Zone File

Distributed by: Jessica M Smith

Date: 10/19/2004

October 18, 2004

Mr. Tony Palermo, Senior Planner  
Lee County Development Services  
1500 Monroe Street  
P.O. Box 398  
Fort Myers, Florida 33902

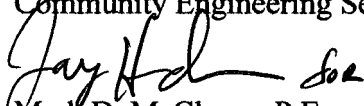
**RE: 4812 Esplanade  
DCI2004-00034**

Dear Mr. Palermo:

Please see revised MCP plans as it relates to you comments on the dock. Also attached is a drainage exhibit indicating future drainage of the project as requested by staff.

Should you have any further comments or concerns please do not hesitate to contact me.

Sincerely,  
Community Engineering Services, Inc.

  
Mark D. McCleary, P.E.  
President

MDM:bs

Attachments

Cc: File

**RECEIVED**  
OCT 18 2004

PERMIT COUNTER

DCI 2004 00034



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*civil engineering • surveying • project management*

**ZONING DIVISION**  
**CITY OF BONITA SPRINGS**  
**PLANNED DEVELOPMENT SUFFICIENCY REVIEW**  
**TRANSMITTAL SHEET**

TO: Distribution

FROM: Tony Palermo

DATE: 05/21/2004

Audrey Vance, City Attorney  
TIS Reviewer - Bob Rentz  
DS Reviewer - Susan Hollingsworth  
Paul O'Connor, Planning  
Kim Trebatoski, Environmental Sciences  
Andy Getch, LCDOT  
Kathy Babcock, Lee County School District  
Roland Ottolini, Natural Resources  
  
Luis Machado, Zoning

**\* REVIEWERS - remember permit plan checklists should now be used.**

PROJECT NAME: 4812 ESPLANADE

CASE #: DCI2004-00034

INFORMATION SUMMARY:

**NEW SUBMITTAL**

To update your file  
\_X\_ Review and forward sufficiency  
questions or make finding of  
sufficiency

**RESPONSE REQUIRED BY: 06/04/2004**

Additional Comments:

1st Round Sufficiency

(DCI) Lee County LDC Section 34-373(d)(1).

**Sufficiency and Completeness**

No hearing will be scheduled for an application for a Planned Development until the application has been found sufficient. All applications for Planned Developments will be deemed sufficient unless a letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of submittal of the application. All amended applications will be deemed sufficient unless a subsequent letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of the date of the resubmittal. The contents of insufficiency letters will be limited to brief explanations of the manner in which insufficient applications do not comply with the formal requirements in Section 34-373.

cc: DCI planner/working file  
DCI Zone File

Distributed by: Jodi M Payne

Date: 05/25/2004

Case # DCI2004-00034

Jurisdiction : Bonita Springs

Agent/Applicant : COMMUNITY ENGINEERING SERVICE

Owner MCCLEARY MARK D + JOCELYN  
4812 ESPLANADE ST  
BONITA SPRINGS FL 34134

Description of Request APPLICATION FOR rezoning from TFC-2 to RPD

---

Following is a list of submittal requirements which were missing from your application received on 5/21/2004

Thank you

We appreciate your submitting all required documents for the above referenced Planned Development application.

This document is for informational purposes only and is not intended to be construed as a finding of sufficiency or completeness of the application or documentation submitted.

**DCI 2004-00034**

**RECEIVED**  
MAY 21 2004  
**PERMIT COUNTER**

May 21, 2004

Mr. Chip Block  
Lee County Community Development  
1500 Monroe Street  
Fort Myers, FL 33902

**RE: 4812 Esplanade - Application for Public Hearing  
For A Planned Development, Bonita Springs**

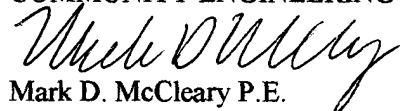
Dear Mr. Block:

We are applying for a Public Hearing for approval of a minor DCI amendment for the above referenced project. Included in this submittal are the following:

- |                                                           |              |
|-----------------------------------------------------------|--------------|
| 1. Completed Application                                  | (12 copies); |
| 2. Filing Fee;                                            |              |
| 3. Notarized Affidavit of Authorization Form              | (2 copies);  |
| 4. List of Property Owners                                | (2 copies);  |
| 5. Notarized Covenant of Unified Control                  | (2 copies);  |
| 6. Surrounding Property Owners List                       | (1 copy);    |
| 7. Property Owners Map                                    | (2 copies);  |
| 8. Mailing Labels for Surrounding Property Owners         | (1 copy);    |
| 9. Notarized Disclosure Form                              | (2 copies);  |
| 10. Legal Description                                     | (12 copies); |
| 11. Certified Sketch of Description                       | (12 copies); |
| 12. Area Location Map                                     | (12 copies); |
| 13. Narrative/Complies with Lee Plans                     | (12 copies); |
| 14. Existing Zoning & Land Use Map                        | (12 copies); |
| 15. Soils, Vegetation and Ground Cover Maps               | (12 copies); |
| 16. Density Calculations                                  | (12 copies); |
| 17. Trip Generation                                       | (4 copies);  |
| 18. Existing easements and ROW Maps (on certified sketch) | (12 copies); |
| 19. Description of Proposed Development                   | (12 copies); |
| 20. Schedule of Uses                                      | (12 copies); |
| 21. Reduced Master Concept Plan 11"x17"                   | (1 copy);    |
| 22. Master Concept Plan                                   | (12 copies); |
| 23. Aerial                                                | (3 copies)   |

Should you have any questions or concerns, please contact us.

Sincerely,  
COMMUNITY ENGINEERING SERVICES, INC.

  
Mark D. McCleary P.E.  
President

MDM:bs

**DCI 2004-00034**

**RECEIVED**  
MAY 21 2004

**PERMIT COUNTER**



**community engineering services, inc.**

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ZONING DIVISION  
CITY OF BONITA SPRINGS  
PLANNED DEVELOPMENT SUFFICIENCY REVIEW  
TRANSMITTAL SHEET

TO: Distribution

FROM: Tony Palermo

DATE: 07/30/2004

Audrey Vance, City Attorney  
TIS Reviewer - Bob Rentz  
DS Reviewer - Susan Hollingsworth  
Alaina Ray, Environmental Sciences  
Lili Wu, LCDOT  
Luis Machado, Zoning

**\* REVIEWERS - remember permit plan checklists should now be used.**

PROJECT NAME: 4812 ESPLANADE

CASE #: DCI2004-00034

INFORMATION SUMMARY:

**RESUBMITTAL**

To update your file  
\_X\_ Review and forward sufficiency  
questions or make finding of  
sufficiency

**RESPONSE REQUIRED BY:** 08/09/2004

**Updated MCP. Please review sufficiency issues.**

(DCI) Lee County LDC Section 34-373(d)(1).  
Sufficiency and Completeness

No hearing will be scheduled for an application for a Planned Development until the application has been found sufficient. All applications for Planned Developments will be deemed sufficient unless a letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of submittal of the application. All amended applications will be deemed sufficient unless a subsequent letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of the date of the resubmittal. The contents of insufficiency letters will be limited to brief explanations of the manner in which insufficient applications do not comply with the formal requirements in Section 34-373.

cc: DCI planner/working file  
DCI Zone File

Distributed by: Billie Jacoby

Date: 08/02/2004

July 30, 2004

Mr. Tony Palermo, Senior Planner  
Lee County Development Services  
1500 Monroe Street  
P.O. Box 398  
Fort Myers, FL 33902

RE: 4812 Esplanade  
DCI2004-00034-PDS Application  
Comments to Responses

**RECEIVED**  
JUL 30 2004

**PERMIT COUNTER**

Dear Mr. Palermo:

We have received comments from the Zoning Division and provide the following in response:

- |                                         |              |
|-----------------------------------------|--------------|
| 1. Zoning Division Comments & Responses | (12 copies); |
| 2. Property Development Regulations     | (12 copies); |
| 3. Trip Generation (TIS)                | (12 copies); |
| 4. Boundary Survey                      | (12 copies); |
| 5. Revised Concept Plans                | (12 copies); |

Should staff have any additional concerns, please contact us.

Sincerely,  
COMMUNITY ENGINEERING SERVICES, INC.

  
Mark McCleary, P.E.  
Project Engineer

DCI 2004 00034

Attachments  
CC: File



**community engineering services, inc.**  
civil engineering • surveying • project management

file

ZONING DIVISION  
CITY OF BONITA SPRINGS  
PLANNED DEVELOPMENT SUBSTANTIVE REVIEW  
TRANSMITTAL SHEET

TO: Distribution

FROM: Tony Palermo

DATE: 08/04/2004

Audrey Vance, City Attorney  
TIS Reviewer - Bob Rentz  
DS Reviewer - Susan Hollingsworth  
Paul O'Connor, Planning  
Kim Trebatoski, Environmental Sciences  
Andy Getch, LCDOT  
Kathy Babcock, Lee County School District  
Roland Ottolini, Natural Resources  
Luis Machado, Zoning

PROJECT NAME: 4812 ESPLANADE

CASE #: DCI2004-00034

INFORMATION SUMMARY:

To update your file  
☒ Review and forward substantive comments **ASAP**.

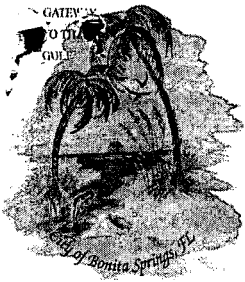
**RESPONSE REQUIRED BY: 08/16/2004**

Additional Comments:

cc: DCI planner/working file  
DCI Zone File

Distributed by: Jodi M Payne

Date: 08/04/2004



Writer's Direct Dial Number: 239-479-8325

*CITY OF BONITA SPRINGS*

Jay G. Arend  
Mayor

August 4, 2004

Wayne Edsall  
District One

MR. MARK D. MCCLEARY  
COMMUNITY ENGINEERING SERVICES  
8991 DANIELS CENTER DR.  
SUITE 103  
FORT MYERS, FL 33912

Alex Grantt  
District Two

Robert Wagner  
District Three

Re: 4812 ESPLANADE  
DCI2004-00034 - PDS Application (Minor PD)

John Joyce  
District Four

David Piper, Jr.  
District Five

Dear MR. MARK D. MCCLEARY :

Ben L. Nelson, Jr.  
District Six

The Zoning Division has reviewed the information provided and supplemented for the rezoning request referenced above. The application is now sufficient and the formal request has been drafted from your application as follows:

Gary A. Price  
City Manager

Rezone +/- 0.36 acres of land from Two-Family Conservation (TFC-2) to Residential Planned Development (RPD) to permit development of a pair of two-family attached dwelling units (4 total dwelling units). No development blasting is proposed.

Audrey E. Vance  
City Attorney

NOTE: If approved, the Master Concept Plan (available for inspection at 1500 Monroe St., in Ft. Myers) may deviate from certain Land Development Code (LDC) standards.

Please review this language carefully, and notify me in writing by August 18, 2004 whether or not this wording is satisfactory. Staff's substantive comments, along with the staff report, are being prepared. This request has been tentatively scheduled for public hearing before the Bonita Springs Zoning Board of Adjustments and Appeals on November 5, 2004. However, please note that this is a tentative date that is subject to change and that Lee County will be held harmless for any potential delay in effectuating compliance with the tentative hearing date.

MR. MARK D. MCCLEARY  
COMMUNITY ENGINEERING SERVICES  
RE: 4812 ESPLANADE  
DCI2004-00034  
August 4, 2004  
Page 2

You may schedule or waive a formal pre-hearing conference to discuss substantive issues. Contact me if you have any questions or if you would like to meet informally prior to the public hearings.

Sincerely,

LEE COUNTY  
DEPARTMENT OF COMMUNITY DEVELOPMENT  
Zoning Division  
For the City of Bonita Springs



Tony Palermo  
Senior Planner

ALSO PENDING: COMMENTS FROM DEVELOPMENT SERVICES.

copy w/o attachments

Pamela Houck, Division Director  
Audrey Vance, City Attorney  
DS Reviewer - Susan Hollingsworth

  
Kim Trebatoski, Environmental Sciences  
Roland Ottolini, Natural Resources  
Andy Getch, LCDOT  
Kathy Babcock, Lee County School District  
Billie Jacoby, DCD Admin  
DCI Zoning File  
DCI Working File

**ZONING DIVISION**  
**CITY OF BONITA SPRINGS**  
**PLANNED DEVELOPMENT SUFFICIENCY REVIEW**  
**TRANSMITTAL SHEET**

TO: Distribution

FROM: Tony Palermo

DATE: 07/20/2004

Audrey Vance, City Attorney  
TIS Reviewer - Bob Rentz  
DS Reviewer - Susan Hollingsworth  
Alana Ray, Environmental Sciences  
Andy Getch, LCDOT  
Roland Ottolini, Natural Resources  
Luis Machado, Zoning

**\* REVIEWERS - remember permit plan checklists should now be used.**

PROJECT NAME: 4812 ESPLANADE

CASE #: DCI2004-00034

INFORMATION SUMMARY:

**RESUBMITTAL**

To update your file  
☒ Review and forward sufficiency  
questions or make finding of  
sufficiency

**RESPONSE REQUIRED BY: 08/03/2004**

Additional Comments:

Sufficiency Response  
Bonita RPD - Round 2

(DCI) Lee County LDC Section 34-373(d)(1).  
Sufficiency and Completeness

No hearing will be scheduled for an application for a Planned Development until the application has been found sufficient. All applications for Planned Developments will be deemed sufficient unless a letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of submittal of the application. All amended applications will be deemed sufficient unless a subsequent letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of the date of the resubmittal. The contents of insufficiency letters will be limited to brief explanations of the manner in which insufficient applications do not comply with the formal requirements in Section 34-373.

cc: DCI planner/working file  
DCI Zone File

Distributed by: Jamie Princing

Date: 07/21/2004

4812 Esplanade  
DCI2004-00034 (Minor PD)  
Comments and Responses from June 10, 2004  
Zoning Division

July 9, 2004

Lee County  
Department of Community Development  
Zoning Division for the City of Bonita Springs  
Tony Palermo, Senior Planner

Re: 4812 Esplanade  
DCI2004-00034 – PDS Application (Minor PD)  
Response to Comments

1. You may want to clarify that the water body setback/rear setback is 25 feet. You propose a rear setback of 20 feet and a waterbody setback of 25 feet.

**The rear setback has been revised to show 25 feet. Please see attached revised Master Concept Plan (Sheet 2 of 4).**

2. You should propose accessory setbacks. It would be reasonable to say the accessory setbacks are the same as the building setbacks (25 in front, 5 in the side, 25 in back)

**The 5 foot accessory structure setbacks have been added. Please see attached revised Master Concept Plan (Sheet 2 of 4).**

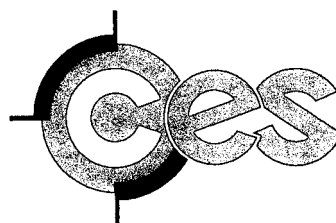
3. There may be neighboring objections to 3 story buildings (even with a 35-foot height limitation). Are there other residential buildings with more than 1 story near the subject property?

**The existing structure on this property is a two story residential building. There are other 2 story residential buildings in the neighborhood.**

4. The maybe neighboring objections to model homes (traffic, hours, nuisance, flags, banners, etc.) Do you want 1 or more models? If so, please specify which unit(s). Are you proposing parking for the model use?

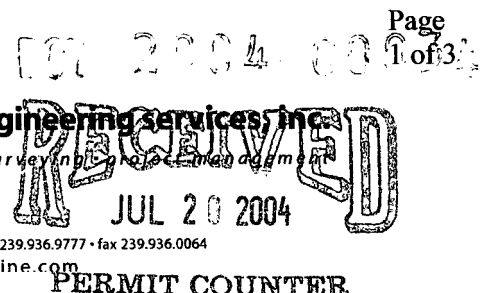
**The model home use for this site has been removed.**

T:\ENG\ESPLANADE\Comments  
& Responses-040702.doc



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www.communityengineeringonline.com



Page  
1 of 3

  
**4812 Esplanade**  
**DCI2004-00034 (Minor PD)**  
**Comments and Responses from June 10, 2004**  
**Zoning Division**

5. Please show any easements on the property on the MCP. If easements are near the property, you may want to draw that easement on the MCP to illustrate this point.

**An Easement has been located at the front of the property. Please see attached revised Master Concept Plan (Sheet 2 of 4).**

6. Please show the surrounding conditions on the MCP (are there houses across the street?)  
Are there structures on lot 1 and 3?

**Please see attached Site Plan (Sheet 4 of 4). The existing structures have been shown and labeled.**

7. Please show the canal width on the MCP. Are there structures across the canal? (you will need to show neighboring structures or lack of structures on the MCP)

**Please see attached Site Plan (Sheet 4 of 4). The width of the canal and the neighboring structures across the canal have been shown.**

8. Please show the road classification (local, public, private, etc.) on the MCP.

**According to LDOT the road classification for this project is local. Please see attached revised Master Concept Plan (Sheet 2 of 4). The note has been added.**

9. You do not have to show the legal description on the MCP. This may be included in a separate attachment.

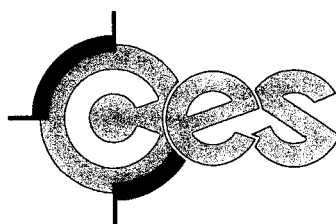
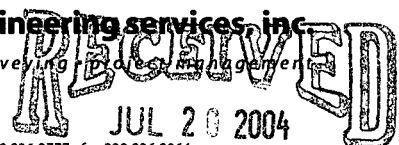
**The legal description has been removed from the MCP. Please see the attached revised Master Concept Plan (Sheet 2 of 4).**

10. Please verify - no development blasting is requested. You may add this to Notes.

**No development blasting is requested for this site. Please see the attached revised Master Concept Plan (Sheet 2 of 4) for the additional note.**

11. Please put the Future Land Use for the property and surrounding properties on the MCP.

**A Future Land Use Note has been added to the MCP. Please see the attached revised Master Concept Plan (Sheet 2 of 4) and Site Plan (Sheet 4 of 4).**



  
**4812 Esplanade**  
**DCI2004-00034 (Minor PD)**  
**Comments and Responses from June 10, 2004**  
**Zoning Division**

12. Please place parking areas, water or dry detention areas on the MCP, if applicable. These issues may be raised by the public or zoning board.

**Please see the attached revised Master Concept Plan (Sheet 2 of 4). Conceptual driveway locations have been added. Detention areas will be designed during the development order phase.**

13. Why did you propose "non-roofed structures?" This is in conflict with Accessory uses, buildings and structures in your list of uses.

**The non-roofed structures were proposed in the Ambrozy rezoning. Our project is very similar.**

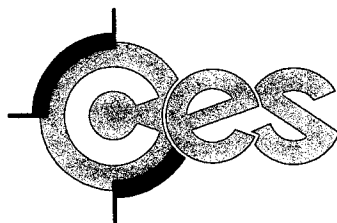
14. Accessory apartments count as one dwelling unit. Let us know if you intend to include accessory structures. If you are proposing them, you may need to show locations on the MCP.

**The accessory apartment, if used, will be inside the structure.**

15. You may want to include Essential Service Facilities, Group 1. It's a standard residential use.

**Please see the attached revised Master Concept Plan (Sheet 2 of 4). The essential services note has been added.**

T:\ENG\ESPLANADE\Comments  
& Responses-040702.doc



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[www.communityengineeringonline.com](http://www.communityengineeringonline.com)

DCI 2004-00034  
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JUL 20 2004

PERMIT COUNTER

Page  
3 of 3

  
**4812 Esplanade**  
**DCI2004-00034 (Minor PD)**  
**Comments and Responses from June 10, 2004**  
**Zoning Division**

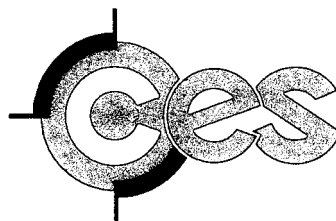
DCI 2004-00034

**RECEIVED**  
JUL 20 2004

PERMIT COUNTER

Page  
4 of 3

T:\ENG\ESPLANADE\Comments  
& Responses-040702.doc



**community engineering services, inc.**  
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[www.communityengineeringonline.com](http://www.communityengineeringonline.com)



File

Writer's Direct Dial Number: 239-479-8325

*CITY OF BONITA SPRINGS*

**Jay G. Arend**  
Mayor

June 10, 2004

**Wayne Edsall**  
District One

**Alex Grantt**  
District Two

**Robert Wagner**  
District Three

**John Joyce**  
District Four

**David Piper, Jr.**  
District Five

**Ben L. Nelson, Jr.**  
District Six

**Gary A. Price**  
City Manager

**Audrey E. Vance**  
City Attorney

MR. MARK D. MCCLEARY  
COMMUNITY ENGINEERING SERVICES  
8991 DANIELS CENTER DR.  
SUITE 103  
FORT MYERS, FL 33912

Re: 4812 ESPLANADE  
DCI2004-00034 - PDS Application (Minor PD)

Dear MR. MARK D. MCCLEARY :

The Zoning Division has reviewed the information provided for the above zoning application. The Land Development Code requires additional information for the application to be sufficient. Please respond to each requirement not satisfied on the attached sufficiency checklists. For your assistance, we have enclosed any additional memoranda from the various Lee County reviewing agencies.

If you do not provide the requested supplements or corrections within 60 calendar days of this letter, the Code requires that this application be considered withdrawn. Please feel free to contact me or the staff reviewers if you have any questions.

Sincerely,

LEE COUNTY  
DEPARTMENT OF COMMUNITY DEVELOPMENT  
Zoning Division  
For the City of Bonita Springs

  
Tony Palermo  
Senior Planner

MR. MARK D. MCCLEARY  
COMMUNITY ENGINEERING SERVICES  
RE: 4812 ESPLANADE  
DCI2004-00034  
June 10, 2004  
Page 2

ALSO PENDING: COMMENTS FROM DEVELOPMENT SERVICES.

cc: Pamela Houck, Division Director  
Audrey Vance, City Attorney  
~~\_\_\_\_\_~~  
Kim Trebatoski, Environmental Sciences  
Roland Ottolini, Natural Resources  
Andy Getch, LCDOT  
Billie Jacoby, DCD Admin  
Susan Hollingsworth, Development Review  
DCI Zoning File  
DCI Working File

MR. MARK D. MCCLEARY  
COMMUNITY ENGINEERING SERVICES  
RE: 4812 ESPLANADE  
DCI2004-00034  
June 10, 2004  
Page 3

**Bonita Springs Sufficiency Checklist for Planned Developments,  
Amendments, and Existing Developments Requesting Planned  
Development Zoning**

*11a) Sizes of Plans. Copies of the Master Concept Plan must be provided in two (2) sizes, 24 inches by 36 inches and 11 inches by 17 inches in size. [34-373(a)(6)]*

Please include 11X17 and 8X11 copies of the MCP. (and full sized)

*12d3) Setbacks. The minimum proposed setbacks for principal structures on each lot or parcel (including outparcels). [34-373(a)(6)c.]*

See below.

*14) Schedule of Uses. A schedule of uses keyed to the Master Concept Plan as well as a summary for the entire property must be provided including the following: [34-373(a)(8)]*

See below.

*20) Contact. The Zoning Planner may be contacted regarding any questions on the Planned Development Sufficiency Checklist.*

TONY PALERMO, SENIOR PLANNER, #239-479-8325.

MR. MARK D. MCCLEARY  
COMMUNITY ENGINEERING SERVICES  
RE: 4812 ESPLANADE  
DCI2004-00034  
June 10, 2004  
Page 4

21) *Miscellaneous Items.*

MR. MARK D. MCCLEARY  
COMMUNITY ENGINEERING SERVICES  
RE: 4812 ESPLANADE  
DCI2004-00034  
June 10, 2004  
Page 5

#### ZONING COMMENTS

1. You may want to clarify that the waterbody setback/rear setback is 25 feet. You propose a rear setback of 20 feet and a waterbody setback of 25 feet.
2. You should propose accessory setbacks. It would be reasonable to say the accessory setbacks are the same as the building setbacks (25 in front, 5 in the side, 25 in back)
3. There may be neighboring objections to 3-story buildings (even with a 35-foot height limitation). Are there other residential buildings with more than 1 story near the subject property?
4. There may be neighboring objections to model homes (traffic, hours, nuisance, flags, banners, etc.) Do you want 1 or more models? If so, please specify which unit(s). Are you proposing parking for the model use?
5. Please show any easements on the property on the MCP. If easements are near the property, you may want to draw that easement on the MCP to illustrate this point.
6. Please show surrounding conditions on the MCP (are there houses across the street?) Are there structures on lot 1 and 3?
7. Please show the canal width on the MCP. Are there structures across the canal? (you will need to show neighboring structures or lack of structures on the MCP)
8. Please show the road classification (local, public, private, etc.) on the MCP.
9. You do not have to show the legal description on the MCP. This may be included in a separate attachment.
10. Please verify - no development blasting is requested. You may add this to NOTES.
11. Please put the Future Land Use for the property and surrounding properties on the MCP.
12. Please place parking areas, water or dry retention areas on the MCP, if applicable. These issues may be raised by the public or zoning board.
13. Why did you propose "non-roofed accessory structures?" This is in conflict with Accessory uses, buildings and structures in your list of uses.
14. Accessory apartments count as one dwelling unit. Let us know if you intend to include accessory structures. If you are proposing them, you may need to show locations on the MCP.
15. You may want to include Essential Service Facilities, Group I. It's a standard residential use.

**Environmental Sciences Planned Development Sufficiency Checklist**

*10) Dock & Shoreline Structures. Location and dimensions of proposed structure(s) must be shown on the Master Concept Plan. How will protected species, the natural waterway buffer, and adjacent waterways be affected? [10-474; 10-416(d)(9); Chapter 26]*

The Schedule of Uses lists docks as a proposed use. Will there be more than one dock, or just one dock with multiple slips? Please provide information on the number of docks/slips proposed and the generalized layout of the docks/slips on the MCP.

*13) Contact. The Environmental Planner may be contacted regarding any question on the Environmental Sciences Sufficiency Checklist.*

Alaina Ray, 239-479-8323

**Legal Requirements Sufficiency Checklist**

*6) All applications requiring a public hearing must include the following: [34-202(a)]*

See below.

*6c2) The boundary survey must show the location of existing structures on the property. [34-202(a)(2)]*

As per County's GIS, It appears that an easement abuts the subject property along the south portion. Therefore, please clearly map and label all easements located within the subject property on Survey & MCP.

*7) Miscellaneous Items.*

Note: "Sufficiency or non-applicability of Legal Requirements subject to change upon review of subsequent resubmittals."

*8) Contact. The Planner may be contacted regarding any questions on this Checklist.*

Please contact Luis G. Machado, Planning Technician / Zoning at (239) 479-8485 or e-mail: lmachado@leegov.com

**T.I.S. Checklist**

*1) Description of Development & ITE Land Use Code. The TIS must contain a general description of each type of use proposed, the units of development (i.e. number of dwelling units, square feet of building floor area, etc.) and the Land Use Code for each type of use used in the Trip Generation (i.e. Single Family Detached Housing, 200 Lots, Land Use Code 210).*

MR. MARK D. MCCLEARY  
COMMUNITY ENGINEERING SERVICES  
RE: 4812 ESPLANADE  
DCI2004-00034  
June 10, 2004  
Page 7

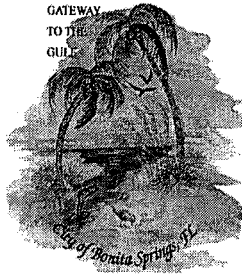
*2) Trip End Rates or Equations. The TIS must contain the equations or the average trip end generation rates for each type of use proposed and the name of the document from which this information was obtained (i.e. ITE TRIP GENERATION, current edition).*

*2a) Trip generation must be based on the combination of uses shown in the Schedule of Uses on the Master Concept Plan which generates the highest total number of trips during the A.M. and P.M. peak hour of the generator(s).*

The trip generation should be based on conventional single-family residence, which is listed as a proposed use and is a higher traffic generator than multi-family.

*11) Contact. The reviewer may be contacted with any questions relative to this TIS Sufficiency Checklist.*

Contact Bob Rentz @ 479-8587



CITY OF BONITA SPRINGS

## **COURTESY NOTICE OF RECEIPT OF ZONING APPLICATION**

Date: May 26, 2004

Case Number: DCI2004-00034

Case Name: 4812 ESPLANADE

Request: Rezone +/- 0.36 acres of land from Two-Family Conservation (TFC-2) to Residential Planned Development (RPD) to permit development of a pair of two-family attached dwelling units (4 total dwelling units).

Location: 4812 Esplanade Street, Bonita Springs, FL 34134 (US41 to Bonita Beach Rd. turn west to Imperial Shores Blvd. turn north to Esplanade Street, second house on right.)

Location Map: SEE REVERSE

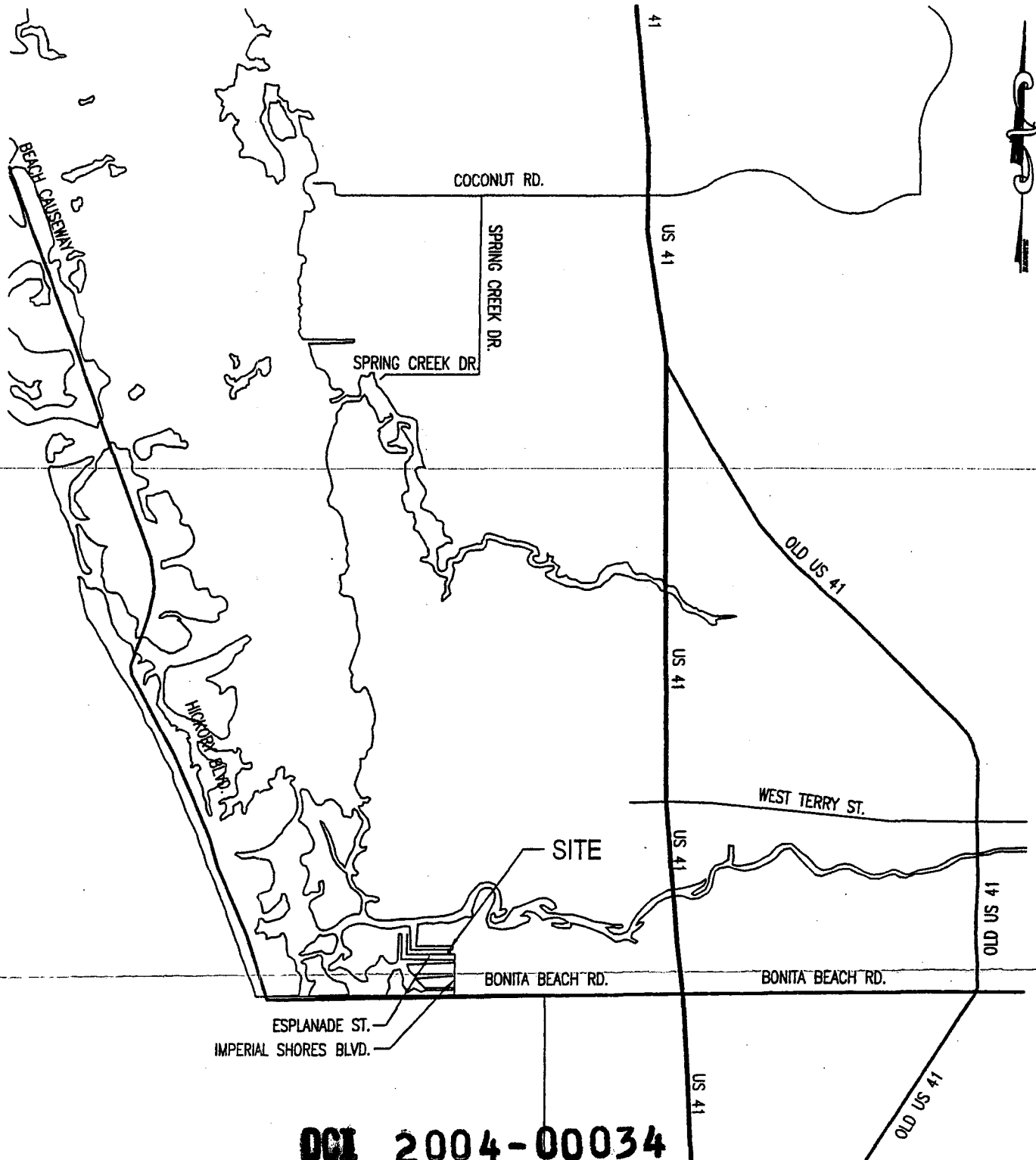
PROPERTY OWNER'S  
REPRESENTATIVE: MR. MARK D MCCLEARY  
COMMUNITY ENGINEERING SERVICES  
239-495-0009

Lee County Planner: Tony Palermo  
239-479-8325

The file may be reviewed Monday through Friday between the hours of 7:30 a.m. and 4:30 p.m. at the Lee County Development Services Division, 1500 Monroe St., Fort Myers, FL 33901. Call 239/479-8585 for additional information.

This is a courtesy notice. A public hearing date has not yet been set. You will receive another notice once the hearing date and time have been established.

MP



OCI 2004-00034

LOCATION MAP

NOT TO SCALE

**RECEIVED**  
MAY 21 2004

**PERMIT COUNTER**



community engineering services, Inc.  
8991 Daniels Center Drive, Suite 103  
Fort Myers, FL 33912  
(239)936-9777 Fax (239)936-0064

Ms. Christine Bielski  
BBIA  
27566 Hickory Blvd  
Bonita Springs, FL 34134

\*Bonita Springs

Mr. Don Sedota  
Spanish Wells Homeowners Assoc.  
P.O. Box 219  
Bonita Springs, FL 34133



**LEE COUNTY**  
SOUTHWEST FLORIDA

**BOARD OF COUNTY COMMISSIONERS**

Writer's Direct Dial Number: 479-8585

Bob Janes  
District One

October 6, 2004

Douglas R. St. Cerny  
District Two

Ray Judah  
District Three

Andrew W. Coy  
District Four

John E. Albion  
District Five

Donald D. Stilwell  
County Manager

James G. Yaeger  
County Attorney

Diana M. Parker  
County Hearing  
Examiner

**Bonita Springs Area Housing Development**  
26801 Old 41 Rd., Unit 2  
Bonita Springs, FL 34135

**Re: Agenda Schedule for 11101 New Moon Ct.**  
**Case No. DCI2004-00044**

To whom it may concern:

Your zoning request has been scheduled before the Zoning Board for Land Use Hearings of the City of Bonita Springs on November 5, 2004, at 11:00 a.m.. The hearing will be conducted in the Bonita Springs Utilities Board Room, 11860 East Terry Street, Bonita Springs, FL 34135.

Your zoning sign will be ready for pickup any time after October 8, 2004, at the drive-thru window at 1500 Monroe St., Ft. Myers, FL. This sign must be posted in accordance with Department procedures no later than October 21, 2004, and is to remain posted until final decision is rendered.

Call if you have any questions.

**DEPARTMENT OF COMMUNITY DEVELOPMENT**  
**Zoning Division**

Jessica M. Smith  
Administrative Assistant

cc: Mrs. Nettie Richardson, Principal Planner  
Zoning File

# VARIANCE REPORT

12/30/2003

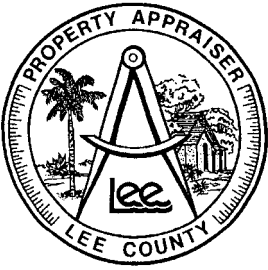
Subject Parcels : 1 Affected Parcels : 47 Buffer Distance : 375 ft



32-47-25-B4-00208.0020

210 105 0 210 Feet

PERMIT COUNTER



# Lee County Property Appraiser

**Kenneth M. Wilkinson, C.F.A.**

**GIS Department / Map Room**

**Phone: (239) 339-6159 • Fax: (239) 339-6139 • eMail: MapRoom@LeePA.org**

## VARIANCE REPORT

**Date of Report:** December 30, 2003  
**Buffer Distance:** 375 ft  
**Parcels Affected:** 47  
**Subject Parcel:** 32-47-25-B4-00208.0020

**DCI 2004-00034**

| <b><u>OWNER NAME AND ADDRESS</u></b>                                          | <b><u>STRAP AND LOCATION</u></b>                                                           | <b><u>LEGAL DESCRIPTION</u></b>                                                      | <b><u>Map Index</u></b> |
|-------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|-------------------------|
| MCCLEARY MARK D + JOCELYN<br>4812 ESPLANADE ST<br>BONITA SPRINGS FL 34134     | <b>32-47-25-B4-00208.0020</b><br>4812 ESPLANADE ST<br>BONITA SPRINGS FL 34134              | IMPERIAL SHORES UN.1 UREC.<br>BLK 8 OR 53 PG 130<br>LOT 2                            | 1                       |
| SWARTZ KENNETH + WILLAGENE TR<br>4470 TARPON AVE<br>BONITA SPRINGS FL 34134   | <b>32-47-25-B3-00009.0060</b><br>4470 TARPON AVE<br>BONITA SPRINGS FL 34134                | PARL IN NW 1/4 OF SE 1/4<br>W OF TARPON BEND SUBD<br>UNREC E OF SUNSET BLVD          | 2                       |
| NICOLA ROBERT J + HELEN M<br>1608 VICKERY ST<br>PORTAGE MI 49002              | <b>32-47-25-B3-00009.0130</b><br>27598 IMPERIAL SHORES BLVD<br>BONITA SPRINGS FL 34134     | BEG SE COR RUN N1768.5 FT<br>THENCE WLY 2439 FT TO POB<br>AS DESC IN OR 2191 PG 1215 | 3                       |
| KOPP MARY ANN TR<br>5714 SOUTH 107TH ST<br>HALES CORNERS WI 53130             | <b>32-47-25-B3-00051.0010</b><br>4814 TARPON AVE<br>BONITA SPRINGS FL 34134                | PARL IN SE 1/4 OF NE 1/4<br>OF SW 1/4 OF 32 BEING<br>E 79.15 FT OR 2110/0826         | 4                       |
| HORNE JEAN W<br>76 4TH ST APT 6-102<br>BONITA SPRINGS FL 34134                | <b>32-47-25-B3-00202.0260</b><br>27646 IMPERIAL SHORES BLVD #48<br>BONITA SPRINGS FL 34134 | IMPERIAL SHORES UN 1 UNREC<br>BLK 2 OR 53 PG 130<br>LOT 26                           | 5                       |
| TURCHIN JOANNA<br>810 GOLF LINKS RD UNIT 10<br>ANCASTER ON L9K 1J7<br>CANADA  | <b>32-47-25-B3-00203.0010</b><br>4472 LITTLE HICKORY RD<br>BONITA SPRINGS FL 34134         | IMPERIAL SHORES UT 1 UREC<br>BLK 3 OR 53 PG 130<br>LOT 1                             | 6                       |
| MANN W R + DOROTHEA TR +<br>1110 AVE B<br>BINGHAMTON NY 13901                 | <b>32-47-25-B3-00203.0020</b><br>4464 LITTLE HICKORY RD<br>BONITA SPRINGS FL 34134         | IMPERIAL SHORES UN.1 UNREC<br>BLK.3 PB 53 PG 130<br>LOT 2                            | 7                       |
| SHILLO CARL J + MARIE L<br>336 HEBRON RD<br>ANDOVER CT 06232                  | <b>32-47-25-B3-00203.0210</b><br>4465 MARINER RD<br>BONITA SPRINGS FL 34134                | IMPERIAL SHORES UN.1 UREC.<br>BLK 3 OR 53 PG 130<br>LOT 21                           | 8                       |
| JAWOROSKI EDWARD J + PATRICIA<br>4471 MARINER RD<br>BONITA SPRINGS FL 34134   | <b>32-47-25-B3-00203.0220</b><br>4471 MARINER RD<br>BONITA SPRINGS FL 34134                | IMPERIAL SHORES U 1 UNREC<br>BLK 3 OR 53 PG 130<br>LOT 22                            | 9                       |
| GRIFFIN TRISHA S<br>27642 IMPERIAL SHORES BLVD<br>BONITA SPRINGS FL 34134     | <b>32-47-25-B3-00203.0230</b><br>27642 IMPERIAL SHORES BLVD<br>BONITA SPRINGS FL 34134     | IMPERIAL SHORES UN.1 UNREC<br>BLK.3<br>LOT 23                                        | 10                      |
| BISHOP MARGARET AHEARN<br>199 OLD TAMIAMI TRL<br>NAPLES FL 34110              | <b>32-47-25-B3-00203.0240</b><br>27638 IMPERIAL SHORES BLVD #40<br>BONITA SPRINGS FL 34134 | IMPERIAL SHORES UT 1 UNREC<br>BLK 3 OR 53 PG 130<br>LOT 24                           | 11                      |
| IMPERIAL SHORES LLC<br>409 WASHINGTON ST<br>WATERFORD WI 53185                | <b>32-47-25-B3-00203.0250</b><br>27632 IMPERIAL SHORES BLVD #34<br>BONITA SPRINGS FL 34134 | IMPERIAL SHORES UT.1 UREC.<br>BLK 3 OR 53 PG 130<br>LOT 25                           | 12                      |
| RAMEY C JR + WILMA<br>27628 IMPERIAL SHORES BLVD<br>BONITA SPRINGS FL 34134   | <b>32-47-25-B3-00203.0260</b><br>27628 IMPERIAL SHORES BLVD<br>BONITA SPRINGS FL 34134     | IMPERIAL SHORES UT 1 UNREC<br>BLK 3 OR 53 PG 130<br>LOT 26                           | 13                      |
| BARBER RICHARD L + NICOLINA G<br>4944 ESPLANADE SW<br>BONITA SPRINGS FL 34134 | <b>32-47-25-B3-00204.0010</b><br>27614 IMPERIAL SHORES BLVD<br>BONITA SPRINGS FL 34134     | IMPERIAL SHORES UN.1 UREC.<br>BLK.4 OR 53 PG 130<br>LOT 1                            | 14                      |

| <b>OWNER NAME AND ADDRESS</b>                                                       | <b>STRAP AND LOCATION</b>                                                                  | <b>LEGAL DESCRIPTION</b>                                                                                               | <b>Map Index</b> |
|-------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------|------------------|
| FONTAINE TERRI L<br>4472 MARINER RD<br>BONITA SPRINGS FL 34134                      | <b>32-47-25-B3-00204.0020</b><br>4472 MARINER RD<br>BONITA SPRINGS FL 34134                | IMPERIAL SHORES UN.1 UREC.<br>BLK 4 OR 53 PG 130<br>LOT 2                                                              | 15               |
| REAHARD RICHARD 50% TR +<br>4366 PINE LAKE RD<br>BONITA SPRINGS FL 34134            | <b>32-47-25-B3-00204.0030</b><br>4454 MARINER RD<br>BONITA SPRINGS FL 34134                | IMPERIAL SHORES UN.1 UREC.<br>BLK 4 OR 53 PG 130<br>LOT 3                                                              | 16               |
| PORTER JOHN B + JOANNA<br>27031 DRIFTWOOD DR<br>BONITA SPRINGS FL 34135             | <b>32-47-25-B3-00206.0010</b><br>4806 REGAL DR<br>BONITA SPRINGS FL 34134                  | IMPERIAL SHORES U 1 UNREC<br>BLK 6 OR 53 PG 130<br>LOT 1 TOGETHER WITH LT 1<br>EXT                                     | 17               |
| LEVERICK WILLIAM A +<br>27633/635 IMPERIAL SHORES BLVD<br>BONITA SPRINGS FL 34134   | <b>32-47-25-B3-00207.0010</b><br>27635 IMPERIAL SHORES BLVD<br>BONITA SPRINGS FL 34134     | IMPERIAL SHORES UN 1 UREC<br>BLK 7 OR 53 PG 130<br>LOT 1                                                               | 18               |
| CHICONE CARMEN P + ANTOINETTE<br>4806 ESPLANADE ST<br>BONITA SPRINGS FL 34134       | <b>32-47-25-B3-00208.0010</b><br>4806 ESPLANADE ST<br>BONITA SPRINGS FL 34134              | IMPERIAL SHORES UN.1 UREC.<br>BLK 8 OR 53 PG 130<br>LOT 1                                                              | 19               |
| COCHERELL ROBERT S + JILL N<br>P O BOX 1538<br>BONITA SPRINGS FL 34133              | <b>32-47-25-B3-03215.0140</b><br>4451 TARPON AVE<br>BONITA SPRINGS FL 34134                | PARL IN SE 1/4<br>SEC 32 TWP 47 R 25<br>DESC IN OR 1293 PG 1660                                                        | 20               |
| REED VERNON +<br>4471 TARPON AVE<br>BONITA SPRINGS FL 34134                         | <b>32-47-25-B3-03215.0150</b><br>4471 TARPON AVE<br>BONITA SPRINGS FL 34134                | BEG SE COR SEC 32 TH W<br>665 FT TH N 1658.5 FT TH W<br>1774 FT. TO POB TH S 177<br>AKA LOT 13 BLK 15 STANTONS<br>SUBD | 21               |
| COMMERFORD MICHAEL J<br>3522 DISCOVER DR<br>PUNTA GORDA FL 33983                    | <b>32-47-25-B3-03215.0160</b><br>27606 IMPERIAL SHORES BLVD #10<br>BONITA SPRINGS FL 34134 | BEG SE COR SEC TH W ALG S<br>LI SEC 665 FT N 50 FT<br>LESS PAR 19.0010                                                 | 22               |
| MAKOWSKI EDWARD + PHYLLIS<br>27604 IMPERIAL SHORES BLVD<br>BONITA SPRINGS FL 34134  | <b>32-47-25-B3-03215.016A</b><br>27604 IMPERIAL SHORES BLVD<br>BONITA SPRINGS FL 34134     | N1/2 OF PARL DESC IN OR<br>566 PG 0347 FROM SE CORN<br>SEC R/W 665.N 1668.5                                            | 23               |
| NICOLA ROBERT J + HELEN M<br>1608 VICKERY ST<br>PORTAGE MI 49002                    | <b>32-47-25-B3-03215.0170</b><br>27603 IMPERIAL SHORES BLVD<br>BONITA SPRINGS FL 34134     | BEG SE COR SEC W ALG S<br>LI SEC 665 FT TH N 50 FT<br>CONT N 1618.5 FT. TO S SI                                        | 24               |
| BORRUSO WILLIAM TR +<br>4826 TARPON AV<br>BONITA SPRINGS FL 34134                   | <b>32-47-25-B4-00048.0000</b><br>4826 TARPON AVE<br>BONITA SPRINGS FL 34134                | BEG 1768 FT N + 2685 FT W<br>OF SE COR SEC 32 TH GO W<br>300 FT TO POB CONT W 100                                      | 25               |
| J R + P J SIMS LLC<br>PO BOX 2387<br>BONITA SPRINGS FL 34133                        | <b>32-47-25-B4-00048.0040</b><br>4820/22 TARPON AVE<br>BONITA SPRINGS FL 34134             | BEG 1768.5 FT. N + 2224 FT.<br>W OF SE COR OF SEC TH N<br>175 FT. W 100 FT. S 175 FT.                                  | 26               |
| KOPP MARY ANN TR<br>5714 SOUTH 107TH ST<br>HALES CORNERS WI 53130                   | <b>32-47-25-B4-00051.0000</b><br>4816 TARPON AVE<br>BONITA SPRINGS FL 34134                | PARL IN SE 1/4 OF NE 1/4<br>OF SW 1/4 OF 32 BEING THE<br>W 120.85FT OR 2110/0824                                       | 27               |
| CHANG PAUL P + CECILIA LEE<br>6 FERN DR RD #3 MT RASCAL RD<br>HACKETTSTOWN NJ 07840 | <b>32-47-25-B4-00206.0020</b><br>4810 REGAL DR<br>BONITA SPRINGS FL 34134                  | IMPERIAL SHORES U 1 UNREC<br>BLK 6 OR 53 PG 130<br>LOT 2                                                               | 28               |
| BARLOW NICK<br>526 144TH AVE<br>CALEDONIA MI 49316                                  | <b>32-47-25-B4-00206.0030</b><br>4814 REGAL DR<br>BONITA SPRINGS FL 34134                  | IMPERIAL SHORES UN.1 UREC.<br>BLK 6 OR 53 PG 130<br>LOT 3                                                              | 29               |
| DAYE ROBERT A + JOAN<br>4818 REGAL DR<br>BONITA SPRINGS FL 34134                    | <b>32-47-25-B4-00206.0040</b><br>4816/18 REGAL DR<br>BONITA SPRINGS FL 34134               | IMPERIAL SHORES UN.1 UREC.<br>BLK 6 OR 53 PG 130<br>LOT 4                                                              | 30               |
| KUHNLOHE ROBERT C ETAL J/T<br>4822 REGAL DR<br>BONITA SPRINGS FL 34134              | <b>32-47-25-B4-00206.0050</b><br>4822 REGAL DR<br>BONITA SPRINGS FL 34134                  | IMPERIAL SHORES UN.1 UREC.<br>BLK 6 OR 53 PG 130<br>LOT 5                                                              | 31               |
| HAY LAURL + THOMAS W/H<br>4826 REGAL DR<br>BONITA SPRINGS FL 34134                  | <b>32-47-25-B4-00206.0060</b><br>4826 REGAL DR<br>BONITA SPRINGS FL 34134                  | IMPERIAL SHORES UN.1 UREC.<br>BLK 6 OR 53 PG 130<br>LOT 6                                                              | 32               |

**OWNER NAME AND ADDRESS****STRAP AND LOCATION****LEGAL DESCRIPTION****Map Index**

|                                                                              |                                                                                    |                                                                                      |    |
|------------------------------------------------------------------------------|------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|----|
| ENNIS JOSEPH P<br>RT 2 HWY 80-82-33<br>GARDEN CITY MOTEL<br>WONEWOC WI 53968 | <b>32-47-25-B4-00207.0020</b><br>4811 4813 ESPLANADE ST<br>BONITA SPRINGS FL 34134 | IMPERIAL SHORES UN 1 UREC<br>BLK 7 OR 53 PG 130 LOT 2 +<br>PT LOT 3 E 7 FT LOT 3     | 33 |
| DE HART ROBERT<br>4815 ESPLANADE ST<br>BONITA SPRINGS FL 34134               | <b>32-47-25-B4-00207.0030</b><br>4815 ESPLANADE ST<br>BONITA SPRINGS FL 34134      | IMPERIAL SHORES UN 1 UNREC<br>BLK 7 OR 53 PG 130 PT LOT<br>3 W 68 FT LOT 3           | 34 |
| JAKSTAVICH EDWARD<br>24827 LAKEMONT COVE #203<br>BONITA SPRINGS FL 34134     | <b>32-47-25-B4-00207.0040</b><br>4817 4819 ESPLANADE ST<br>BONITA SPRINGS FL 34134 | IMPERIAL SHORES UN.1 UREC.<br>BLK 7 OR 53 PG 130<br>LOT 4                            | 35 |
| BULL ROBERT P<br>4823 ESPLANADE ST<br>BONITA SPRINGS FL 34134                | <b>32-47-25-B4-00207.0050</b><br>4823 ESPLANADE ST<br>BONITA SPRINGS FL 34134      | IMPERIAL SHORES UN 1 UREC<br>BLK 7 OR 53 PG 130<br>LOT 5                             | 36 |
| BULL ROBERT P<br>4823 ESPLANADE ST<br>BONITA SPRINGS FL 34134                | <b>32-47-25-B4-00207.0060</b><br>4827 ESPLANADE ST<br>BONITA SPRINGS FL 34134      | IMPERIAL SHORES UN.1 UNREC<br>BLK.7 OR 53 PG 130<br>LOT 6                            | 37 |
| NICOLA ROBERT +<br>1608 VICKERY DR<br>PORTAGE MI 49002                       | <b>32-47-25-B4-00207.0070</b><br>4831 4833 ESPLANADE ST<br>BONITA SPRINGS FL 34134 | IMPERIAL SHORES UN.1 UNREC<br>BLK.7 OR 53 PG 130<br>LOT 7                            | 38 |
| DOMINY HARRY L<br>4835 ESPLANADE ST<br>BONITA SPRINGS FL 34134               | <b>32-47-25-B4-00207.0080</b><br>4835 ESPLANADE ST<br>BONITA SPRINGS FL 34134      | IMPERIAL SHORES UN.1 UNREC<br>BLK.7 OR 53 PG 130<br>LOT 8                            | 39 |
| CASPER ROBERT E<br>4818 ESPLANADE SW<br>BONITA SPRINGS FL 34134              | <b>32-47-25-B4-00208.0030</b><br>4818 ESPLANADE ST<br>BONITA SPRINGS FL 34134      | IMPERIAL SHORES UN.1 UREC.<br>BLK 8 OR 53 PG 130<br>LOT 3                            | 40 |
| DERMODY ANTOINETTE M + KEVIN<br>4822 ESPLANADE ST<br>BONITA SPRINGS FL 34134 | <b>32-47-25-B4-00208.0040</b><br>4822 4824 ESPLANADE ST<br>BONITA SPRINGS FL 34134 | IMPERIAL SHORES UN.1 UREC.<br>BLK 8 OR 53 PG 130<br>LOT 4                            | 41 |
| FEENEY WILLIAM J<br>1920 TIMASSON WAY<br>NAPLES FL 34109                     | <b>32-47-25-B4-00208.0050</b><br>4830 ESPLANADE ST<br>BONITA SPRINGS FL 34134      | IMPERIAL SHORES UN.1 UREC.<br>BLK 8 OR 53 PG 130<br>LOT 5                            | 42 |
| KIELY CATHERINE J<br>4839 ESPANADE ST<br>BONITA SPRINGS FL 34134             | <b>32-47-25-B4-00208.0060</b><br>4836 ESPLANADE ST<br>BONITA SPRINGS FL 34134      | IMPERIAL SHORES UN.1 UREC.<br>BLK 8 OR 53 PG 130<br>LOT 6                            | 43 |
| WILLETTE MARJORIE +<br>18430 28 MILE RD<br>WASHINGTON MI 48094               | <b>32-47-25-B4-03214.0010</b><br>4821 TARPON AVE<br>BONITA SPRINGS FL 34134        | FROM SE COR SEC W 665 FT N<br>1668.5 FT W 2224 FT. TO POB<br>W 100 FT S 177 FT E 100 | 44 |
| HASSETT MICHAEL SR + MARY<br>4827 TARPON AV<br>BONITA SPRINGS FL 34134       | <b>32-47-25-B4-03214.0020</b><br>4827 TARPON AVE<br>BONITA SPRINGS FL 34134        | BEG 1668.5 FT N + 2989 FT<br>W OF SE COR OF SEC TH W<br>100 FT S 135 FT E 100 FT N   | 45 |
| BLOCK DOUGLAS J + LORI S TILL<br>4831 TARPON AVE<br>BONITA SPRINGS FL 34134  | <b>32-47-25-B4-03214.0030</b><br>4831 TARPON AVE<br>BONITA SPRINGS FL 34134        | BEG 1668.5 FT N + 3089 FT<br>W OF SE COR SEC 32 TH S<br>135 FT W 96 FT N 135 FT E    | 46 |
| WILLETTE LEO L + LINDA<br>4837 TARPON AVE<br>BONITA SPRINGS FL 34134         | <b>32-47-25-B4-03214.0040</b><br>4837 TARPON AVE<br>BONITA SPRINGS FL 34134        | BEG 1668.5 FT N + 3185 FT<br>W OF SE COR SEC. TH S 135<br>FT W 96 FT N 135 FT E 96   | 47 |
| FRIIA RICHARD P + MARGUERITE E<br>43 3RD ST<br>BONITA SPRINGS FL 34134       | <b>32-47-25-B4-03215.0180</b><br>4817 TARPON AVE<br>BONITA SPRINGS FL 34134        | BEG SE COR SEC 32 W ALG S<br>LI SEC 665 FT N 50 FT TH<br>CONT SAME CRSE 1618.5 FT.   | 48 |

**48 RECORDS PRINTED****OCI 2004-00034**