GIS Tracking Sheet

Case No.: DCI 2002-00035

Intake Date: July 12, 2002

Project Name: Ambrozy Rezone

STRAP Number(s): 32-47-25-B4-00207.0220
32-47-25-B4.00207.0230

Planner Name: Jeff L. Ext. 8336

Post-it® eLabel 005 725 150

LEGAL DESCRIPTION VERIFICATION and INITIAL GIS MAPPING

Date: 10/17/02 INTAKE: DCI02035

LEGAL SUFFICIENT ☒ YES ☐ NO Initials: gm

If not, give brief explanation:

MAP UPDATE following FINAL ACTION

Date: ☒ BONITA SPRINGS

☐ Hearing Examiner Decision ☐ Board of County Commissioner's Resolution

☐ Administrative Approval ☐ Blue Sheet

Zoning Notes: BS ORD# 03-01, DCI2002-00035, 27JAN03, DBC FM TFC-2 TO RPD; CONDS

MAP UPDATED ☒ YES ☐ NO Initials: AJJJJ

If not, give brief explanation:

TFC:2:000307 Deleted
RPD:000710 Created

S:\WRITERS\Jacobybj\gissheet.wpd

DCI 2002-00035

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

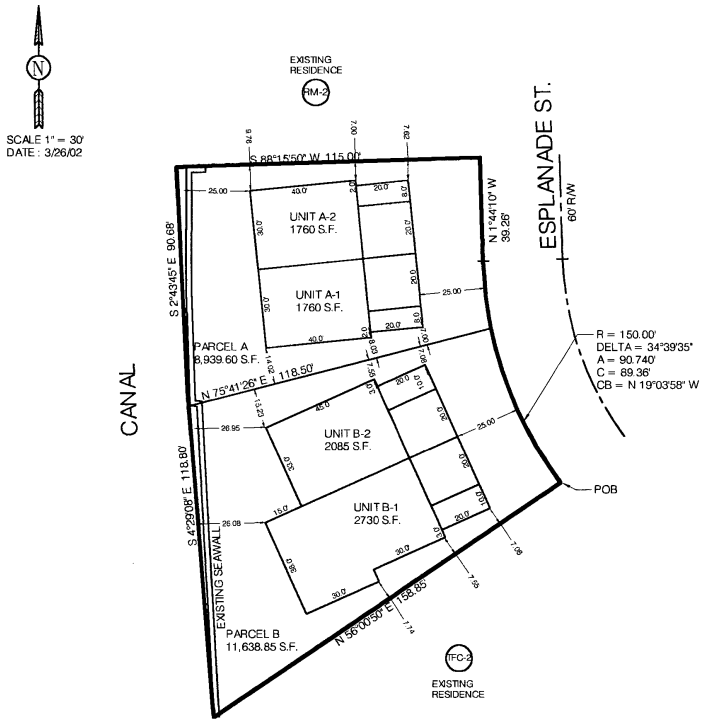
A recombination of combined Lot 22 and Lot 23 Block 7, Unit 1 unrecorded Imperial Shores, in Section 32, Township 47 South, Range 25 East, as recorded in Official Records Book 53, page 130, in the public records of Lee County, Florida, more particularly described as:
A lot or parcel of land lying in 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 S2°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 jm 10/17/02

DCI 2002-00035



NOTES :

1. NO DEVIATIONS ARE BEING REQUESTED.
2. NO PROPOSED ACCESS OR FACILITIES FOR PUBLIC TRANSIT, DOES NOT LIE WITHIN LEETRAN FRANCHISE AREA.

LEGAL DESCRIPTION

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 52°30'05" 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 S2°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).

SCHEDULE OF USES

-Accessory uses, buildings and structures
-Amateur radio antenna/tower
  -Under 50 feet in height
-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
-Essential services
-Home care facility
-Home occupation:
  -No outside help
-Residential accessory uses (34-622(c)(42))
-Model Home

BUILDING DEVELOPMENT REGULATIONS

MINIMUM LOT SIZE = 7,500 S.F.
MINIMUM LOT AREA PER UNIT = 3,750 S.F.
MINIMUM LOT WIDTH PER UNIT = 37.5'
MINIMUM LOT DEPTH 100'
MINIMUM SETBACK :
SIDE YARD = 7.0'
REAR YARD = 20.0'
WATER BODY = 25.0'
STREET = 25.0'
MAXIMUM LOT COVERAGE = 45%
MAXIMUM HEIGHT = 35.0'
MAXIMUM No. OF STORIES = 3
MAXIMUM GROSS SQUARE FOOTAGE = 9,259 S.F.
OPEN SPACE REQUIRED = 20% = 4,115 S.F.
MAXIMUM No. OF DWELLING UNITS = 4
(2 - TWO FAMILY ATTACHED BUILDINGS)

OWNER/DEVELOPER
RAY AMBROZY
4895 ESPLANADE STREET
BONITA SPRINGS, FLA. 34134
PH. : 948-1695

MASTER CONCEPT PLAN OPTION 1
RAY AMBROZY
(ENGINEER OF RECORD)
DEBORA ALLEN GRESS, P.E. #37276
SCALE : 1" = 20'
DRAWN BY: DAG
DATE : 6/24/02
REVISED : 9/20/02
PROGRESSIVE ENGINEERING
COA #3779
25671 CORZINE LANE S.E.
BONITA SPRINGS, FLA. 34135
PH. : (941) 992-1818 FAX : 992-8571
SH. 1 of 1

OCT 2002 00035

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 27th day of January, 2003.

AUTHENTICATION:

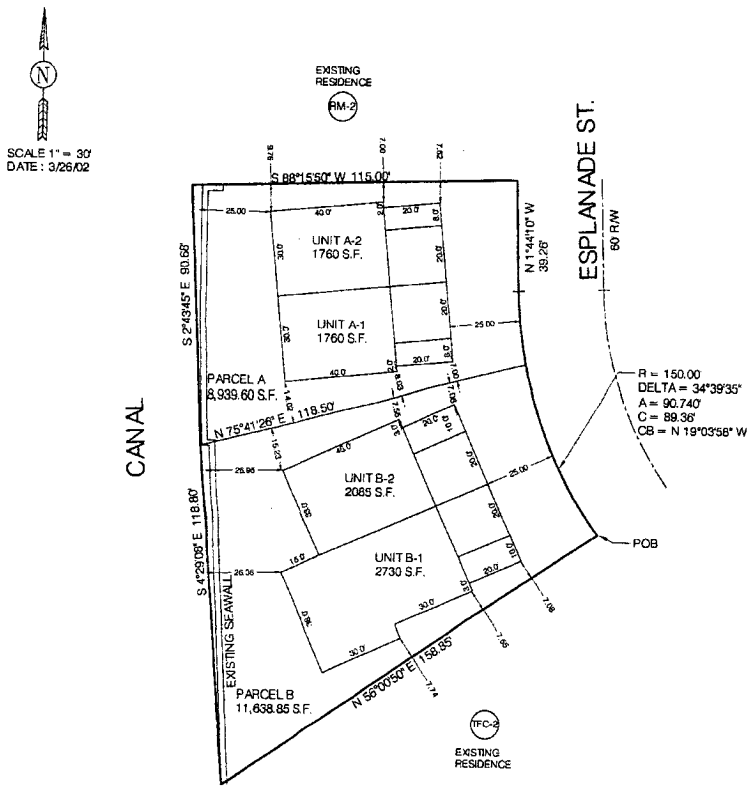
Mayor City Clerk

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



LEGAL DESCRIPTION

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 1e 44'10" W along the east line thereof for 1250.03 feet; thence run S 88e45'10"W parallel with the south line of said section for 1409.05 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 53e50'05" 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 34e39'35" for 90.74 feet to a point of tangency; thence run N 01e44'10"W for 39.26 feet; thence run S 88e15'50"W for 115 feet; thence run S2e43'45"E for 90.68 feet; thence run S 4e29'05E for 118.80 feet to an intersection with a line passing through the Point of Beginning bearing S 56e00'50"W; thence run N 56e00'50"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).

SCHEDULE OF USES

-Accessory uses, buildings and structures
-Amateur radio antenna/tower
  -Under 50 feet in height
-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
-Essential services
-Home care facility
-Home occupation:
  -No outside help
-Residential accessory uses (34-622(c)(42))
-Model Home

BUILDING DEVELOPMENT REGULATIONS

MINIMUM LOT SIZE = 7,500 S.F.
MINIMUM LOT AREA PER UNIT = 3,750 S.F.
MINIMUM LOT WIDTH PER UNIT = 37.5'
MINIMUM LOT DEPTH = 100'
MINIMUM SETBACK :
SIDE YARD = 7.0'
REAR YARD = 20.0'
WATER BODY = 25.0'
STREET = 25.0'
MAXIMUM LOT COVERAGE = 45%
MAXIMUM HEIGHT = 35.0'
MAXIMUM No. OF STORIES = 3
MAXIMUM GROSS SQUARE FOOTAGE = 9,259 S.F.
OPEN SPACE REQUIRED = 20% = 4,115 S.F.
MAXIMUM No. OF DWELLING UNITS = 4
(2 - TWO FAMILY ATTACHED BUILDINGS)

APPROVED
Master Concept Plan
Site Plan # 20-05-01 Page 1 of 1
Subject to conditions in Ordinance 20-03-01
Case # DCI2002-00035
CITY OF BONITA SPRINGS

RECEIVED
SEP 27 2002

CONSISTENCY CLOSURE
9/24/02

NOTES :

1. NO DEVIATIONS ARE BEING REQUESTED.
2. NO PROPOSED ACCESS OR FACILITIES FOR PUBLIC TRANSIT, DOES NOT LIE WITHIN LEETRAN FRANCHISE AREA

OWNER/DEVELOPER
RAY AMBROZY
4895 ESPLANADE STREET
BONITA SPRINGS, FLA. 34134
PH. : 948-1695

MASTER CONCEPT PLAN OPTION 1
RAY AMBROZY

ENGINEER OF RECORD:
DEBORA ALLEN GRESS, P.E. #37276

SCALE : 1" = 20'
DATE : 6/24/02
DRAWN BY: DAG
REVISED : 8/20/02

PROGRESSIVE ENGINEERING
25671 CORZINE LANE S.E.
BONITA SPRINGS, FLA. 34135
PH. : (941) 992-1619 FAX : 992-8571
COA #4778

SH. 1 of 1

DCI 2002-00035

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 S2°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 gm 10/17/02

City of Bonita Springs
City Council Zoning Hearing
Monday, January 27, 2003
9:00 am
Bonita Springs Utilities' Board Room
11860 East Terry Street
Bonita Springs, Florida 34135
MINUTES

I. CALL TO ORDER.

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

II. PLEDGE OF ALLEGIANCE.

The Vice Mayor led in the pledge of allegiance.

III. ROLL CALL.

All Council Members were in attendance except for Mayor Pass and Councilman John Warfield. Councilman David Piper entered the meeting at 9:05 A.M.

IV. SECOND READING:

A. Ambrozy Rezone DCI2002-00035

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.

The City Attorney read the title block of the Ordinance into the record.

Debbie Gress, representative for the Applicant, provided a brief summary of the request, entering into the record a copy of her presentation (dated 1/27/03, labeled Debbie Gress). The intent is to rezone the site to allow the development of two-family attached dwelling units on the property, which the current TFC-2 (Two Family Conservation) does not allow. The Applicant plans to demolish the existing structures on the property and construct new buildings that can be sold to allow individual ownership. Staff suggested the RPD (Residential Planned Development) zoning district to allow them to delete eight uses from the list of permitted uses to allow a more desirable development. Approval would result in a less intense use than those to the north and south.

Pam Houck, Development Services Division, stated that Staff has recommended approval of the request with conditions. Jeff Laurien, also with Development Services Division, Planner for the case, was in attendance to respond to questions.

Ray Ambrozy, the Applicant, responded to concerns of Council Member Wagner by stating that he has lived on the property for approximately one and one half years. The property itself has been in his family for 26 years. He does plan to live on the property in one of the units.

Council Member Nelson addressed ownership of the units. Mr. Ambrozy responded that approval would allow the units to be sold instead of rented. He plans to include restrictive covenants to ensure the properties are properly maintained.

PUBLIC COMMENTS:

Frankie Everett, a 16-year resident of Esplanade Street and real estate broker in the area, spoke in opposition to the request. She would like the property to be developed with single-family residential uses. She also expressed concern regarding the enforcement of any restrictive covenants. Feels the request portrays spot zoning that will open the door to similar development on Esplanade Street.

Kathy McGrath, a resident of Esplanade Street as well, and owner of property on the street since 1972, concurs that the request entails spot zoning. She referred next to a petition that reflected the names of approximately 40 residents in the area opposed to the request (copy in file).

Arthur Danser, a resident of 4860 Esplanade Street, also spoke opposed to the request. He further questioned the definition of spot zoning, which Mrs. Houck responded. The request does not entail spot zoning.

Council Member Piper addressed setbacks.

Mr. Ambrozy next referred to a petition he obtained which reflected the names of 14 homeowners who reside adjacent to the site (to the north and south) in support of his request. The street consists of 30 single-family homes, 27 duplex units, and 10 vacant lots.

Council Member Nelson motioned approval of the Ordinance; Council Member Piper seconded.

Council Members Wagner and Piper then reported ex parte communications they had regarding the case.

The motion carried 4-1 (Council Member Wagner dissenting). **Adopted Zoning Ordinance No. 03-01.**

Tape 1 Side 2

B. Living Waters Community Church SEZ2002-00028

A ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; APPROVING A SPECIAL EXCEPTION REQUEST BY LIVING WATERS TO ALLOW A PLACE OF WORSHIP ON LAND LOCATED AT 27911 VERMONT STREET, BONITA SPRINGS, FLORIDA 34135 (STRAP NO. 35-47-25-B4-00212.0080) ON 1.93 ± ACRES; PROVIDING FOR AN EFFECTIVE DATE.

The City Attorney read the title block of the Ordinance.

Kirk Crane, Development Services Division, provided a brief overview of the request, which involves the approval of a Special Exception in the TFC-2 (Two-Family Conservation) zoning district. The

intent is to expand the existing facilities, which now consists of a 4,050 square foot sanctuary, a 4,325 square foot classroom, and an older building located along Bonita Beach Road.

Development is to occur in two phases for a total development area of 26,162 square feet. The first phase will consist of a main sanctuary in the center of the site and the second phase will include a youth building. The property is located in the Central Urban Future land use category, which allows churches. Staff has recommended approval with the following two conditions:

1. The Special Exception is limited to a "Place of Worship" in substantial compliance with the one-page "Site Plan of Living Waters Community Church," prepared by Community Engineering Services, Inc., dated 9/09/02, stamped "Received, September 12, 2002, Community Development" and "SEZ2002-00018."

2. If the "Place of Worship" use is discontinued for a period of one-year, then the Special Exception approved in Special Exception Case Number SEZ2002-00028 is void and any subsequent use of the property must comply with the Land Development Code requirements.

Mark McCleary, representative for the Applicant, concurred with Staff's presentation.

Council Member Wagner addressed parking, which Mr. Crane explained would have to conform to the parking requirements of the Land Development Code.

Council Member Wagner motioned approval of the Ordinance; Council Member Edsall seconded; and the motion carried unanimously. **Adopted Zoning Ordinance No. 03-02.**

C. Parklands DCI2002-00022

A ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; APPROVING A REQUEST BY PARKLANDS TO AMEND AN EXISTING RESIDENTIAL PLANNED DEVELOPMENT (RPD) AND COMMERCIAL PLANNED DEVELOPMENT (CPD); ON LAND LOCATED AT 14751 BONITA BEACH ROAD, BONITA SPRINGS, FLORIDA (STRAP NO. 04-48-26-B2-00001.0000) ON 315.03 ± ACRES; PROVIDING FOR AN EFFECTIVE DATE.

The City Attorney read the title block of the Ordinance.

Charles Basinait, representative for the Applicant, introduced other representatives in attendance, including Gary Muller, Ted Treesh, and Dave Underhill. Also in attendance was Brian Farrar, the Applicant.

Mike Pavese, Development Services Division, provided a brief overview of the request, which involves an amendment to the existing Residential and Commercial Planned Developments. The main issue involves the inclusion of the conversion table to allow the conversion of retail square footage and multi-family uses, to single-family units. Density for the project would not increase. The second issue involves list of permitted uses, and the Applicant's request regarding the Temporary Real Estate Office, which has been subject to Condition 11 for purposes of clarifying the location and length of time this use(s) is allowed on the site. Condition 11 states:

11. Temporary Real Estate Office(s) may be permitted in the RPD, subject to the location designated on the Master Concept Plan for a period of five (5) years,

which may be extended for two (2) additional periods of two (2) years, by administrative amendment.

Mr. Basinait next furnished Council Members with an outline depicting all of the changes to the project (furnished an outline of the changes labeled "Basinait, 1/27/03). The Applicant's intended location for the real estate sales offices is the northeast corner of the site and another along Bonita Beach Road. Discussion ensued.

Council Member Nelson motioned approval of the Ordinance; Council Member Piper seconded; and the motion carried unanimously. **Adopted Zoning Ordinance 03-03.**

ADDITIONAL REQUEST BY PARKLANDS:

Mr. Basinait next referred to his letter dated January 2003 (in zoning case file) to address an additional request by Parklands to allow them to start the construction of single-family units on the site, i.e., permitting, etc., infrastructure, development order approvals, and the submission of single-family permits. All work would be conducted at their own risk. He further explained.

The City Attorney stated that approval would allow the Applicant to expedite the development order process, etc. She further suggested Mr. Basinait provide Staff with a Statement of Indemnification to the City of Bonita Springs and that Parklands forego any type of vested rights or equitable estoppel arguments. Discussion ensued.

Council Member Edsall motioned approval of allowing the Applicant to proceed with single-family development on the site, inclusive of the Statement of Indemnification to the City, and Parklands foregoing any type of vested rights or equitable estoppel arguments; Council Member Nelson seconded; and the motion carried unanimously.

V. ADJOURNMENT.

There being no further items to discuss, the meeting adjourned at 10:02 A.M.

Respectfully submitted,

Debra Muchler, Recording Secretary

APPROVED:

BONITA SPRINGS CITY COUNCIL:

Date: 02-10-03

AUTHENTICATED:

Jay Arend, District 2, Vice-Mayor

Dianne J. Lynn, City Clerk

City of Bonita Springs
Board for Land Use Hearings & Adjustments
And Zoning Board of Appeals
Friday, December 6, 2002
Bonita Springs Utilities' Board Room
11860 East Terry Street
Bonita Springs, FL 34135
MINUTES

I. CALL TO ORDER.

Chairman Wesley Norris called the meeting to order at 9:00 A.M.

II. INVOCATION

Board Member Incerpi furnished the invocation.

III. PLEDGE OF ALLEGIANCE

Chairman Norris led in the pledge of allegiance.

IV. ROLL CALL.

All Board Members were in attendance.

V. PUBLIC HEARINGS:

A. 9:00 a.m. CASE NO. DCI2002-00035

CASE NAME: Ambrozy Rezone

REQUEST: To rezone the 0.49 acre property from Residential Two-Family Conservation District (TFC-2), to Residential Planned Development (RPD) to allow among other uses duplexes, two-family attached, and single-family residence, conventional.

LOCATION: 4895 and 4891 Esplande Street (US41 to Bonita Beach Road, turn West on Bonita Beach Road to Imperial Shores Blvd. , turn North to Esplande Street and turn West and follow the curve, property will be on the left)

STRAP NO. 32-47-25-B4-00207.0220 and 32-47-25-B4-00207.0230

SIZE OF PROPERTY: .49± acres

STAFF REPORT: Direct inquiries to Jeff Laurien, Senior Planner, at 479-8336, at the Lee County Department of Community Development, 1500 Monroe Street, Ft. Myers, Florida.

The City Attorney introduced the case, read the request into the record, and placed all witnesses under oath. There was one member of the public in attendance for this case.

Debora Gress, representing the Applicant, Ray Ambrozy, resident of the subject property, addressed the Board. Referring to the aerial photograph she expanded on the surrounding uses and zonings in the area. The subject property is located on the corner of Esplande Street, in the area of the River Reach development.

The case involves a request to rezone two adjacent lots on a total .49 acres, to allow the development of two two-family attached dwelling units. The Applicant's original request was for a rezoning to the RM-2 (Residential) zoning district, which is comprised of uses Staff feels would not be appropriate in this area, and as such, they informed the Applicant that they would not recommend approval of the request. The Applicant then revised their request to RPD (Residential Planned Development), which Staff reviewed and has put forth a recommendation of approval.

She next referred to an aerial photograph, which depicted the existing duplexes on the site. The intent is to demolish the existing duplexes and construct two new buildings, consisting of a total of four units that would entail individual ownership. She next addressed the Schedule of Uses, which involved the addition of Two-family attached dwelling units and Model home. Staff has removed nine uses, which are allowed on the site as currently zoned. She next referred to a Unit Sketch of the proposed buildings on the site and further explained. The northernmost duplex on the site has been in the family for 25 years. The Applicant feels that individual ownership status of the units would create a use that would be compatible with the area and would be less intense than those uses to the north, south, and west (zoned Light Industrial) of the site.

Board Member Popp questioned the existence of other two story structures in the area. Ms. Gress responded that there did exist other duplexes in the area. The Applicant would conform to the 35-foot height requirement.

Chairman Norris referred to Condition 2. b. of the Staff Report, questioning the minimum lot width and the fee simple type of ownership in relation to lots smaller than the required 7,500 square feet. City Attorney Vance noted that the site involved lots-of-record, and as such, there should not be a problem. She next referred to the provision in the Land Development Code that allowed for smaller sized lots-of-record to explain.

Board Member Pastore questioned the need for 75-foot lots. The City Attorney explained that the Zoning Board could approve smaller and/or narrow lots. Discussion ensued.

Board Member Pescosolido addressed concerns he had regarding building separation and/or setbacks for the structures on the site. Chip Block, Development Services Division, responded that the setback where the lots would connect would involve a zero setback.

Jeff Laurien, Development Services Division, began by reading the request into the record, which was to allow the construction of two-family attached and single-family uses on the site. The Applicant's original request was for a rezoning to the RM-2 (Residential Multi-Family) zoning district, which

involved several commercial uses, including health care facilities, personal services (laundromats, health spas, etc), which staff felt were incompatible with the surrounding area. Approval of the request to RPD would not increase traffic or utilities. Two-family attached and model homes are additional uses that are being requested, which are not allowed in the TFC-2 zoning. Staff has reviewed the request and has found it to be compatible with the City of Bonita Springs Comprehensive Plan and all other pertinent regulations.

The Staff presentation concluded with Mr. Laurien addressing a typographical error on page 4 of the Staff Report, under the section titled "Master Concept Plan," which needed to be revised from 5.9 units per acre to 5.8 units per acre. Staff has recommended approval of the Applicant's request with conditions.

Frankie Everett, a 15-year resident of 4974 Esplanade Street and Real Estate Agent, expressed concerns regarding the proposed two-story structures. Esplanade Street is developed with duplexes that are being torn down and replaced with single-family residences, which is a result of the value of the waterfront properties on the street. She is not opposed to the appearance of the duplex, but is concerned about the maintenance of the units and possible deterioration. She is here to request single-family development for the site.

Ray Ambrozy, the owner/applicant, responded to Ms. Everett's comments. He plans to include covenants to ensure joint responsibility for maintenance of the buildings. Should one owner ignore, the other owner would have the legal right to remedy the situation by placing a lien against that other property owner. He is also the owner of a similar situation in Tampa in which he has utilized covenants, which was very successful. He also plans to reside in one of the units.

Board Member Pastore addressed the 35-foot height limitation, noting that the total height of the structure would be 41 feet (six feet from the existing grade). Ms. Gress agreed and further addressed the height regulations, to which both structures would conform. Chairman Norris questioned the inclusion of a condition to require covenants to address the concerns of Ms. Everett. The City Attorney responded. It's an issue beyond zoning for which she would not be comfortable including such a condition on any zoning approval. It was also something she felt would better be addressed at development order stage.

Board Member Popp motioned to uphold Staff's recommendation of approval, as conditioned, and as revised to reflect 5.8 units per acre on page 4 of the Staff Report; Board Member Pescosolido seconded; and the motion carried unanimously.

PARTICIPANTS:

1. Debora Allen Gress, P.E., Progressive Engineering, 25671 Corzine Road, S.E., Bonita Springs, Florida 34135 (Agent).
2. Ray Ambrozy, 4895 Esplande Street, Bonita Springs, Florida 34134 (Owner/Applicant).
3. Frankie Everett, 4974 Esplanade Street, Bonita Springs, Florida 34134
4. Mark McCleary, Community Engineering Services, Inc., P.O. Box 249, Bonita Springs, Florida 34133
5. Richard and Nicolina Barber, 4944 Esplanade Street, Bonita Springs, Florida 34134
6. Robert and Kathy McGrath, 5060 Esplanade Street, Bonita Springs, Florida 34134-3921
7. Arthur and Barbara Danser, 147 Plainsboro Road, Cranbury, N.J. 08512

B. 9:30 a.m. CASE NO. SEZ2002-00028

CASE NAME:	Living Waters Community Church
REQUEST:	Special Exception in Residential Two-Family Conservation (TFC-2) and Commercial (C-1 and C-1A) districts to allow a place of worship, on approximately 2.64 acres of land, per Land Development Code (LDC) Section 34-694.
LOCATION:	27911 Vermont Street (north side of Bonita Beach Road between Iowa and Vermont Street)
STRAP NO.	35-47-25-B4-00212.0080
SIZE OF PROPERTY:	2.08± acres
STAFF REPORT:	Direct inquiries to Kirk Crane, AICP, Planner, at 479-8322, at the Lee County Department of Community Development, 1500 Monroe Street, Ft. Myers, Florida.

The City Attorney introduced the case, read the request into the record, and placed all witnesses under oath. There were two members of the public in attendance.

Mark McCleary, representative for the Applicant, Living Waters Community Church, began by referring to an aerial photograph to explain the surrounding uses and zonings in the area, which includes a mobile home park (the Temple Aire Mobile Home Park), Rick Johnson Tires, residential uses, vacant commercial lands, and an apartment complex (Monterra at Bonita Springs).

Referring to the land use/zoning map, he then expanded on the history of the site, explaining that in 1982 a Special Exception was approved (under Resolution ZB-82-344) for the site (and a Variance as part of a two part request) to allow a church of less than two acres (1.55 acres; see page 2 of the Staff Report, under the section titled "Background."). The Applicant has since purchased additional property for purposes of expanding their facility. He next referred to Attachment "D" (to the Staff Report) to address their proposed development plans for the site. He also referred to a larger version of the site plan (Attachment B to the Staff Report) to show the orientation of the proposed structures on the site. There are no environmental issues or public safety issues associated with the site. They concur with Staff's recommendation of approval.

He concluded by submitting into the record the correct legal description for the property, which is shown in error in Lee County's GIS mapping system, which reflects the property as consisting of 2.08 acres, when in reality consists only of 1.93 acres.

Kirk Crane, Development Services Division, presented the Staff Report. The site totals 2.64 acres and is located in three different zoning districts (TFC-2, C-1 and C-1A). The Applicant is requesting the Special Exception for the 1.93-acre portion of the site, which is currently zoned TFC-2 (the cross-hatched area reflected on Attachment A to the Staff Report). A "place of worship" (church) is a permitted use in the C-1 and C-1A (Commercial) zoning districts. He further addressed the previous approvals for the property (as reflected on page 2 of the Staff Report).

Tape 1 Side 2

He next expanded on the Applicant's two-phase plan of development for the site (as reflected on page 3 of the Staff Report). Phase one will involve the removal of the church classroom building and the youth ministry building, which is to be replaced with a 20,162-square-foot single-story church building in the southern portion of the site. Phase two will involve the removal of the existing sanctuary, which will entail a new 6,000 square foot youth ministries building for a total building area of 26,162 square feet in the two new buildings on the property. The Special Exception will extend over the entire site and allow improvements that will act to double the size of the church as well as modernize the entire church facilities. Development will conform to all parking, landscaping, etc., requirements. Attachment B to the Staff Report is the new site plan.

Staff has reviewed the request and has found it to be consistent with Comprehensive Plan. He concluded by explaining that a "Place of Worship" differs from "Religious Facilities," in that it involves the utilization of daycare facilities and other differences. The Land Development Code requires there to be less than 100 daycare students to be designated as a Place of Worship. He further expanded on "Place of Worship" and the uses allowed, and the Level of Service for Bonita Beach Road, which is at "C," which is projected to increase to "D." He noted that even though the project would add traffic to Bonita Beach Road it would not change the LOS. Staff has reviewed the request and has found it meets the requirements for the approval of a Special Exception, with the following two conditions:

1. The Special Exception is limited to a "Place of Worship" in substantial compliance with the one-page "Site Plan of Living Waters Community Church," prepared by Community Engineering Services, Inc., dated 9/09/02, stamped "Received, September 12, 2002, Community Development" and "SEZ2002-00028."

2. If the "Place of Worship" use is discontinued for a period of one-year, then the Special Exception approved in Special Exception Case Number SEZ2002-00028 is void and any subsequent use of the property must comply with Land Development Code requirements.

Mr. McCleary next entered into the record the revised legal description for the property.

Board Member Howe concurred with Staff's recommendation of approval of the request. Board Member Pescosolido expressed concerns regarding the one-year hiatus as reflected in Condition 2, questioning whether this condition was typical in these type requests. Mr. Crane responded. Staff usually includes expiration dates on Special Exceptions. Staff also concurs to allow worship services occurring during construction on the site. The City Attorney also explained.

Mr. McCleary explained that their plans include utilization of the existing worship center. Once they move into the new building they will demolish the worship center and utilize the youth building as part of the second phase.

Board Member Incerpi motioned to uphold Staff's recommendation of approval, as conditioned; Board Member Howe seconded; and the motion carried unanimously.

PARTICIPANTS:

1. Living Waters Community Church, 27911 Vermont Street, Bonita Springs, Florida 34135 (Applicant/Owner).
2. Mark D. McCleary, P.E., President, Community Engineering Services, Inc., P.O. Box 249, Bonita Springs, Florida 34135 (Agent).
3. Scott Rheiner, 27911 Vermont Street, Bonita Springs, Florida 34135

4. Russell Winn, 27911 Vermont Street, Bonita Springs, Florida 34135.

C. 10:00 a.m. CASE NO. DCI2002-00022

CASE NAME: Parklands

REQUEST: Amend an existing Residential Planned Development (RPD) and Commercial Planned Development (CPD) to incorporate property development regulations, to rezone 1.92 acres from RPD to CPD and 1.2 acres from CPD to RPD, add golf course (nine holes) and single family residential units as permitted uses, incorporate a conversion table to permit the conversion of retail square footage to and multiple family residential units to single family residential units, and delete a 20 acre school/park site.

LOCATION: 14751 Bonita Beach Road, SE

STRAP NO. 04-48-26-B2-00001.0000

SIZE OF PROPERTY: 315.03± acres

STAFF REPORT: Direct inquiries to Mike Pavese, Principal Planner, at 479-8630, at the Lee County Department of Community Development, 1500 Monroe Street, Ft. Myers, Florida.

The City Attorney introduced the case, read the request into the record, and placed all witnesses under oath.

Charles Basinait, representing the Applicant, Parklands, introduced other representatives of the Applicant in attendance, including, Gary Muller, to address planning; Ted Treesh, for Traffic; Brian Farrar, with Ronto, and Dave Underhill, with Banks Engineering.

The request is to amend the existing zoning for both the CPD (Commercial Planned Development) and the RPD (Residential Planned Development) portions of the Parklands development, which involves property in Lee County consisting of 315± acres. Referring to an aerial photograph, he showed the location of the subject property, noting that the CPD portion is located in the northwest corner of the site and consists of 10 acres. The remainder of the site is zoned RPD.

Mr. Basinait next addressed the proposed amendments, noting that the deletion of the 20-acre school site was being handled in conjunction with a prior agreement between the School District of Lee County and the Parklands West development. The intent is to add a nine-hole golf course, single-family units, modify the internal road system, and reconfigure the CPD and RPD portions of the property slightly to address the dedication of the Bonita Beach road right-of-way. The intent is also to change the CPD portion to allow it to remain at 10 acres; updating the property development regulations for the site; provide multi-family units in the CPD portion of the site, if appropriate; incorporate a conversion ratio to convert multi-family units and commercial floor area into single-family units. The reason for the revisions was to address the market, which indicates that single-family uses are more important in the area. The end result is that their proposed amendments will not result in increased traffic or units on the site. They are

also planning to add three interconnections between the Parklands and Parklands West developments for purposes of improving traffic circulation.

They generally concur with the Staff report, specifically with Conditions 1, 4, 5, 6, 8, 9, and 10. Mr. Basinait next furnished the Board with a submittal reflecting those conditions the Applicant is seeking to be revised (revisions highlighted in yellow; labeled as Applicant's Exhibit 4), to which Staff concurs. The deviations reflected within the Staff Report should be withdrawn from consideration, as they are not part of the request today since they involve issues that would more appropriately be addressed and/or requested at development order stage.

Gary Muller, the Project Planner, described the project and the changes that have occurred between the current Master Concept Plan (MCP; Applicant's Exhibit 2) and the proposed MCP (Applicant's Exhibit 3). He next expanded on the history of the project. Parklands is a 996-acre DRI (Development of Regional Impact) located in both Lee and Collier Counties. The Lee County portion was incorporated into the City on January 1, 2000 and consists of 315 acres located on the south side of Bonita Beach Road. It is immediately east of the Parklands West DRI. He next expanded on the surrounding uses, and referring to an aerial photograph of the site, he showed the location of the site in relation to Bonita Beach Road and I-75. He also referred to the portion of Parklands located in Collier County. In April of 1986 Parklands, per Resolution ZAB-85-131 (addressed on page 8 of the Staff Report) was approved to allow an RPD consisting of 1,290 units and a CPD to all 120,000 square feet of development on a 10-acre site. That Resolution was amended by Resolution Z-89-098 to extend the expiration date of the MCP from three years to seven years. It was subsequently amended in February of 1999 to extend the commencement and buildout dates for an additional two years, and a third time in June 2002.

He next addressed the revisions in relation to the MCP, comparing both plans and the uses depicted on each plan. The revised site plan still encompasses two access points off of Bonita Beach Road and a total of 120,000 square feet of commercial area and 1,290 dwelling units. It would also incorporate the trip generation conversion table to allow the conversion of multiple family units and commercial square footage into single-family units (reflected in Condition 7 of Staff Report). The proposed revisions would also allow for three interconnections between the two projects – Parklands and Parklands West. Development Area "A" would consist of 63 acres and involve the CPD portion of the site, which would entail a recreation area and several multi-family tracts.

Tape 2 Side 1

The CPD portion of the site would now portray a town center design with office and retail uses, as well as a provision to allow residential uses above those uses to put forth the neo-traditional form of development with buildings closer to the street, and with rear drives/garages that will access alleyways in the rear. Guest parking would be developed in the front of the units. Development Area "C" is where the golf course would be developed. This area will involve mostly single-family residences and a small mixture of multi-family and two-family attached in the southwest corner.

He next addressed the revisions in relation to the Comprehensive Plan. The proposed amendments are consistent with the densities and intensities of the Comprehensive Plan in that it will involve a density of 4.1 dwelling units per acre and 120,000 square feet of commercial area, both of which are vested under the original approval of 1986. The proposal is also compatible and consistent with the surrounding area. Growth management, fire protection, emergency medical services, and police protection are all available to service the site.

They concur with Staff's recommendation of approval. He concluded by further expanding on the Applicant's revised recommendations to Staff's recommended conditions (as highlighted in yellow on Applicant's Exhibit).

Ted Treesh, the Applicant's Traffic Engineer for the project, addressed the Board on Condition 7, as revised by the Applicant to read:

> 7. Multi-family units may be converted to single-family units at a rate of ~~2.6~~ 2.0 multi-family units per single-family units and retail square feet may be converted to single-family units at a rate of ~~178~~ 156 square feet per single-family unit. ~~provided the total number of dwelling units does not exceed 1,290~~. Further, up to 1,290 multi-family dwelling units and up to 120,000 square feet of retail floor area may be converted to single-family dwelling units so long as the cumulative P.M. peak hour net new trip generation does not exceed 1,217 net new trips and such that the number of dwelling units does not exceed 1,290. Multi family units and retail floor are may only be converted to single-family units. No conversion may occur from single-family units to either multi-family units or retail floor area. Approval of the proposed conversion ratios for this planned development is subject to approval of the same conversion ratios for this planned development is subject to the approval of the same conversion ~~table~~ ratio as part of the pending DRI amendment in case # DRI 2002-00005.

As revised, this condition is consistent with the NOPC (Notice of Proposed Change) previously approved. He further expanded on the formula used to explain how they arrived at the rates, and safeguards, i.e., the conversion table. They will not be allowed to convert multi family units to retail floor area, but would be afforded the right to convert retail floor area into single-family units. He further explained.

Board Member Popp questioned whether the golf course was included in the trip generation calculations. Mr. Treesh explained that the golf course was to be a private course, and as such, would not result in any additional trips to the site.

Mr. Basinait addressed the Exhibits and labeled the aerial photograph as Applicant's Exhibit 1, the MCP as Applicant's Exhibit 2; the proposed MCP as Applicant's Exhibit 3; and the Applicant's revised conditions as Applicant's Exhibit 4.

The City Attorney next addressed questions of the Zoning Board pertaining to the proposed Extension of State Road 951. Discussion ensued.

Mike Pavese, Development Services Division, referred to the Staff Report and a revision that needed to be made to Condition 1 to change the date of the MCP as a result of the Applicant's revisions (to reflect the date of the Proposed MCP). Prior to the date of the City Council meeting, the MCP will be revised to reflect the correct date.

He concurred with the Applicant in that the deviations reflected within the Staff Report should not be considered as part of the instant request. Deviations 1 through 6 pertain to the locations of rights-of-way; utility easements, etc., which are all issues that are typically handled at development order stage. Deviation 7 involves a request for which permission needs to be obtained from Lee County Department of Transportation.

He next addressed the Applicant's proposed revised Conditions (Applicant's Exhibit 4), noting that he just received the request involving the Real Estate Sales Office the previous day. Staff feels that the way it has been worded is not applicable to his development in that the way presented it applies more to ancillary/subordinate uses in mobile home and RV parks. Staff feels what the Applicant is requesting needs to be more specific since the intent is to allow them the right to have more of a temporary real estate sales office limited to the sale of lots and/or units within the development. Staff feels it would be more appropriate to add "temporary real estate sales office" to the proposed list of permitted uses. He further suggested that prior to the City Council hearing, that the Applicant designate a specific area of the property for placement of the real estate sales office so that it can be included on the MCP. He further explained. The Applicant concurred.

Tape 2 Side 2

Board Member Pescosolido questioned the inclusion of an expiration date for the temporary sales office on the site. Mr. Pavese concurred, suggesting a minimum of at least three years. Mr. Basinait suggested five years, requesting the ability to obtain administrative approval to extend the date if buildout of the project is not completed. He suggested five years. The City Attorney agreed that the administrative process to allow an extension was a good idea, as was the suggestion to allow five years. She concurred with Mr. Basinait regarding the five-year expiration date and to allow the extension(s) to be done administratively, with the ability of two 2-year extensions.

Board Member McKenzie concurred with Staff's recommendation of approval.

Board Member Pescosolido addressed the multi-family uses in the CPD portion of the project, expressing his support for the neo-traditional concept of development. He further expressed the need for the creation of development guidelines from the City's Local Planning Agency.

Board Member Popp motioned to uphold Staff's recommendation of approval, inclusive of the Applicant's revised conditions (Applicant's Exhibit 4), with the Real Estate Sales Office use revised to reflect a "Temporary Real Estate Sales Office," allowable for a period of five years, and with the MCP revised to reflect a specified location on the site for the Temporary Real Estate Sales Office; Board Member Pastore seconded; and the motion carried unanimously.

PARTICIPANTS:

1. Brian Farrar, Director of Land Development, The Ronto Group, 3185 Horseshoe Drive South, Naples, Florida 34104 (Applicant).
2. Dewey Gargiulo and Michael Procacci, 649 5th Avenue South, Suite 221, Naples, Florida 34102 (Owner).
3. Gary F. Muller, AICP, 1482 Argyle Drive, Fort Myers, Florida 33919 (Agent).
4. Charles Basinait, Esq., Henderson, Franklin, Starnes & Holt, P.A., P.O. Box (Agent).
5. Dave Underhill, Banks Engineering, Inc., 6640 Willow Park Drive, Suite B, Naples, Florida 34109 (Agent).
6. Ted Treesh, Metro Transportation Group, Inc., 12651 McGregor Boulevard, Suite 4-403, Fort Myers, Florida 33919-4489 (Agent).

D. 1:00 p.m. CASE NO. REZ1999-00023

CASE NAME: 11521 E. Terry Street

REQUEST:	Rezone from Agriculture District (AG-2) to Special Commercial Office District (CS-1).
LOCATION:	11521 East Terry Street (north side of East Terry Street, approximately one (1) mile east of Old 41)
STRAP NO.	25-47-25-00-00004.0020
SIZE OF PROPERTY:	2.38± acres
STAFF REPORT:	Direct inquiries to Alvin "Chip" Block, AICP, Senior, Planner, at 479-8371, at the Lee County Department of Community Development, 1500 Monroe Street, Ft. Myers, Florida.

All Board Members were in attendance for this case, except for Board Member McKenzie, who received an excused absence from the Chairman.

The City Attorney introduced the case, read the request into the record, and placed all witnesses under oath.

Mark McCleary, owner of the subject parcel, addressed the Board, explaining the history of the site and his intent for development. He purchased the subject site in May 2000.

He started his Civil Engineering firm in Bonita Springs in May of 1993, and subsequently began looking for other property on which to relocate. He found a site which he purchased from a nearby church, which is located near the Bugs-Away pest control company, which abuts three churches. His intent is to start a non-profit organization for which he received "501" status last December. He also plans to utilize a social services type facility to help the people in the Manna Christian once a month with food and clothing. It's the reason he opted for a rezoning to the CS-1 (Special Commercial Office District), which he felt was the least intense commercial zoning district. Furthermore, he feels the CS-1 zoning district would act as a buffer between the church property and the nearby residential uses. The site shares an access road with the nearby Wildwood project, which received its approval from the Lee County Hearing Examiner previously.

The site is very narrow and consists of 2.38 acres and can accommodate up to 10,000 square feet of development. His intent is to develop only 8,000 square feet. Because of the narrow width of the property, all buildings would have to be situated in the center of the property.

Tape 3 Side 1

The intent is to develop low to moderate commercial uses with social services. If not approved for CS-1, he would ask that the RM-2 or RM-10 zoning district be approved instead for the entire site, to allow the construction of housing in the back portion of the site. He would also be happy with a zoning to RSA, as property adjacent to the subject property is zoned.

Referring to the Staff Report, he expanded on the surrounding zoning and land uses. He also addressed buffering, which would be required in the form of a Type "A"; the Trafficways Map and designation of the road, which is depicted as both an arterial and collector; sewer service for the property,

which is available to service the site; and shared access for the site. He would also develop a Landscape Betterment Plan at development order stage to ensure the site is adequately buffered. He further addressed his request in relation to the Comprehensive Plan, specifically addressing Policy 1.1.6, relating to the Moderate Density Single-Family Residential land use category; and Staff's Findings and Conclusions, as reflected on page 7 of the Staff Report. He concluded by stating that the CS-1 zoning district is the only zoning category that fits in with what he is attempting to accomplish. He does not concur with Staff's recommendation of denial.

Chip Block, Development Services Division, provided the Board with a summary of Staff's recommendation, for which they have reviewed the request and feel that the proposed commercial zoning district could result in adverse impacts to the surrounding residential neighborhood in that it would entail the establishment of a new commercial entity in an already established residential neighborhood. It does not constitute the infilling of a commercial site, and as such Staff does not believe it would be appropriate to approve. Staff further believes that the site is better suited for residential use, and has therefore, recommended that the Applicant's request be found inconsistent with the Comprehensive Plan.

The uses surrounding the site are all within the Urban Community land use category, which allows for residential, commercial, and light industrial uses. The Staff Report addresses several Comprehensive Plan Policies in which the request does not conform (Policies 1.1.4, 2.2.1, 5.1.5, 6.1.1, 6.1.4, 6.1.7, 24.1.5, and 1.1.6). The City's Comprehensive Plan also reflects a Moderate Density Single-family designation for the site. Central sewer is still not available on Terry Street at this time, nor has the Three Oaks Extension been planned.

Staff has recommended denial of the Applicant's requested CS-1 zoning. Furthermore, Staff would suggest a planned development zoning for any commercial usage of the site, i.e., a CPD.

Neena Lurvey, resident and member of the Christian Science Society, expressed concerns regarding the lack of a set plan to show development on the site. She agrees with Staff in that there should be a more specific plan of development for the property to ensure compatibility with the nearby residential area.

Mr. McCleary responded to Ms. Lurvey's concerns, explaining that the Group I type uses would be the only uses that would be allowed to be developed on the site. It also affords the least intensive uses, with more low key office type social services type uses. His plans include vegetation along the front portion of the site.

Board Member Pescosolido spoke opposed to the request, stressing the need to adhere to the Policies of the Comprehensive Plan. Chairman Norris addressed concerns regarding traffic and the uses allowed in the CS-1 zoning district. He also is opposed to approval of the request. Board Member Incerpi spoke in favor of the residential character of the area remaining intact. He also supports the Staff recommendation of denial. Board Member Pastore discussed concerns with ingress/egress to the site.

Tape 3 Side 2

Board Member Howe also concurred with Staff's recommendation of denial.

Board Member Incerpi motioned to uphold Staff's recommendation of denial of the request; Board Member Pescosolido seconded; and the motion carried unanimously (Board Member McKenzie not in attendance).

Discussion was held regarding the approval of a different zoning district for the site, as discussed by the Applicant. Mr. Block furnished the Board with their available options, which included a withdrawal of the case, a remand by City Council back to the Zoning Board, noting that City Council has the right to approve a lesser intense zoning district for the site. Chairman Norris opted to let the Board's decision stand.

VI. APPROVAL OF MINUTES: 11-01-02

Board Member Pescosolido suggested the deletion of a sentence on page 5 of the minutes.

Board Member Incerpi motioned approval of the minutes, as revised; Board Member Howe seconded; and the motion carried unanimously (Board Member McKenzie not in attendance for the vote).

PARTICIPANTS:

1. Mark McCleary, 9200 Bonita Beach Road, #213, Bonita Springs, Florida 34135 (Applicant).
2. Church of Christ, Inc., P.O. Box 1995, Bonita Springs, Florida 34133
3. Neena Lurvey, 13221 Bridgeford Avenue, Bonita Springs, Florida 34135
4. Jessica Cribbett, 18553 Quince Road, Ft. Myers, Florida 33912
5. Jocelyn McCleary, 4812 Esplanade Street, Bonita Springs, Florida 34134

OTHER BUSINESS:

Chairman Norris addressed Board Member attendance in relation to the City's Administrative Codes. He also questioned the procedures relating to pending lawsuits within the City. Lastly, he suggested the rescheduling of the Zoning Board's first meeting for the upcoming new year from January 3rd, 2003, to January 10th, 2003.

Board Member Howe motioned approval of rescheduling the Zoning Board's meeting of January 3rd, 2003, to January 10th, 2003; Board Member Incerpi seconded; and the motion carried unanimously.

VII. ADJOURNMENT.

There being no further items to discuss, the meeting adjourned at 2:02 P.M.

Respectfully submitted,

Debra Muchler, Recording Secretary

APPROVED:
ZONING BOARD

Date: 1/10/03
AUTHENTICATED:

Wesley Norris, Chairman

Dianne J. Lynn, City Clerk

STAFF REPORT
For the City of Bonita Springs

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

CASE NUMBER: **DCI2002-00035**

HEARING DATE: **December 6, 2002**

I. APPLICATION SUMMARY:

A. Applicant: Raymond Ambrozy Rezone

B. Request: To rezone the 0.49+/- acre property from Residential Two-Family Conservation District (TFC-2) to Residential Planned Development (RPD) to allow among other uses duplexes, two-family attached, and single-family residence, conventional.

C. Location: The subject property is located at 4895 and 4891 Esplande St. (US 41 to Bonita Beach Road. Turn West on Bonita Beach Road to Imperial Shores Blvd., turn North to Esplande St., turn West and follow curve, property will be on the left), in S32-T47S-R25E, Lee County, FL.

D. Future Land Use Plan Designation, Current Zoning and Use of Subject Property: The subject property is currently zoned Two-Family Conservation District (TFC-2), is located within the Urban Community land use category and each existing lot is occupied by a duplex.

E. Surrounding Land Use:

Existing Zoning & Land Use		Future Land Use Map
North:	RM-2, built duplexes	Urban Community
East:	Across Esplanade Street, RS-1, vacant	Urban Community
South:	TFC-2, built duplex	Urban Community
West:	Across canal, IL, vacant	Urban Community

Size of Property: 0.49± acres

II. RECOMMENDATION:

Staff recommends **APPROVAL** of the Applicant's request for rezoning from TFC-2 to RPD with the following conditions and deviations:

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 Lee County 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
   (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 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 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 Lee 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.

B. Deviations

No deviations are 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 Lee Plan, the Land Development Code, and other applicable codes and regulations.

2. The requested zoning:

   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 Lee 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 Lee 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

This request is to rezone approximately 0.49+/- acres of property (2 lots) from Residential Two-Family Conservation District (TFC-2) to Residential Planned Development (RPD) to allow among other uses duplexes, two-family attached, and single-family residence, conventional. Both lots are currently developed with one (1) duplex on each. Both lots front on and gain access from Esplanade Street. The rear of each lot abuts on a canal. No deviations are requested. The purpose of this application, as expressed by the applicant, is to allow two-family attached dwellings which would allow separate ownership of each unit.

Master Concept Plan

The proposed Master Concept Plan (MCP) is a one page document entitled "Master Concept Plan Option 1", stamped received September 27, 2002, last revised 9/20/02. The applicant has requested approval of dwelling units consisting of duplexes, two-family attached, and single-family, conventional among other uses. The maximum number of units will be 4 with a density of 5.9 units per acre (see calculation below) which is allowed within the Urban Community land use category in which the property is located.

Bonita Springs (Lee Plan) Comprehensive Plan Considerations

The subject property is located within the Urban Community land use category within the Lee Plan and is described as follows:

POLICY 1.1.4: *The Urban Community areas are areas outside of Fort Myers and Cape Coral that are characterized by a mixture of relatively intense commercial and residential uses. Included among them, for example, are parts of Lehigh Acres, San Carlos Park, Fort Myers Beach, South Fort Myers, Bonita Springs, Pine Island, and Gasparilla Island. Although the Urban Communities have a distinctly urban character, they should be developed at slightly lower densities. As the vacant portions of these communities are urbanized, they will need to maintain their existing bases of urban services and expand and strengthen them accordingly. As in the Central Urban area, predominant land uses in the Urban Communities will be residential, commercial, public and quasi-public, and limited light industry (see Policy 7.1.6). Standard density ranges from one dwelling unit per acre (1 du/acre) to six dwelling units per acre (6du/acre), with a maximum of ten dwelling units per acre (10du.acrs).*

With a proposed density of 5.8 units per acre, this application complies with this policy. This density is calculated utilizing the 0.49 acres of the subject property and adding the area to the centerline of the abutting road and canal for a total area of approximately 0.69 acres (4 units divided by 0.69 acres equals 5.8 dwelling units per acre).

The subject property is located within the "Moderate Density Single-Family" future land use category within the proposed Bonita Springs Comprehensive Plan which is described as follows:

The Future Land Use Map identifies 1,952 acres of land for this use. This designation is typically given to lands presently zoned RS-1, RS-2 or RS-3 where single-family development is predominant. The most intense development is located in areas zoned RS-1 which allows a single-family home on a 7,500 square foot lot, representing a density of up to 5.8 dwelling units per acre. This land use category is also applied to vacant agriculturally zoned land in close proximity to single-family development in the moderate density range of up to 5.8 dwelling units per acre.

The subject property is not the typical RS-1, RS-2 or RS-3 zoned property to which this future land use category is generally assigned. The subject property is currently zoned Two-Family Conservation District (TFC-2), with existing built duplexes, and is surrounded by Multi-Family Residential (RM-2), TFC-2 and RS-1 zoned properties. The surrounding properties include vacant land, duplexes and single-family homes. Thus, this particular area is diverse in its make-up of residential development.

The proposed rezoning would allow single-family homes, duplexes, and two-family homes. The current zoning allows single family homes and duplexes. The only real difference between two-family homes and duplexes is the ability for each unit within a two-family home to have separate distinct ownership. The rezoning would allow a maximum density of 5.8 dwelling units per acre (as discussed above) which is consistent with the maximum density allowed within the proposed Bonita Spring Comprehensive Plan. Given the already existing mix of residential development in the area, and the maximum density being adhered to, this application is consistent with this land use category.

OBJECTIVE 2.1: DEVELOPMENT LOCATION: *Contiguous and compact growth patterns will be promoted through the rezoning process to contain urban sprawl, minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, prevent development patterns where large tracts of land are by-passed in favor of development more distant from services and existing communities.*

The subject properties are within an existing residential development thus are consistent with this objective.

POLICY 5.1.5: *Protect existing and future residential areas from any encroachment of uses that are potentially destructive to the character and integrity of the residential environment. Requests for conventional rezonings will be denied in the event that the buffers provided in Chapter 10 of the Land Development Code are not adequate to address potentially incompatible uses in a satisfactory manner. If such uses are proposed in the form of a planned development or special exception and generally applicable development regulations are deemed to be inadequate, conditions will be attached to minimize or eliminate the potential impacts or, where no adequate conditions can be devised, the application will be denied altogether. The Land Development Code will continue to require appropriate buffers for new developments.*

The subject properties are surrounded by developed lots within their neighborhood which contain single-family and duplex buildings. The proposed rezoning will allow duplexes, single

-family and two-family dwellings. The two-family dwellings is the only use not currently permitted on the subject parcels. Two-family buildings are very similar to duplexes only they can be owned as separate units rather than owned as a combined duplex unit. Thus, the character and integrity of the existing residential area will not be adversely affected by this rezoning. Thus, this application complies with this policy.

Neighborhood Compatibility

Please see discussion above regarding Policy 5.1.5 of the Lee Plan.

Environmental Issues

The site has already been cleared and developed thus, there are no environmental issues.

Special Case Issues

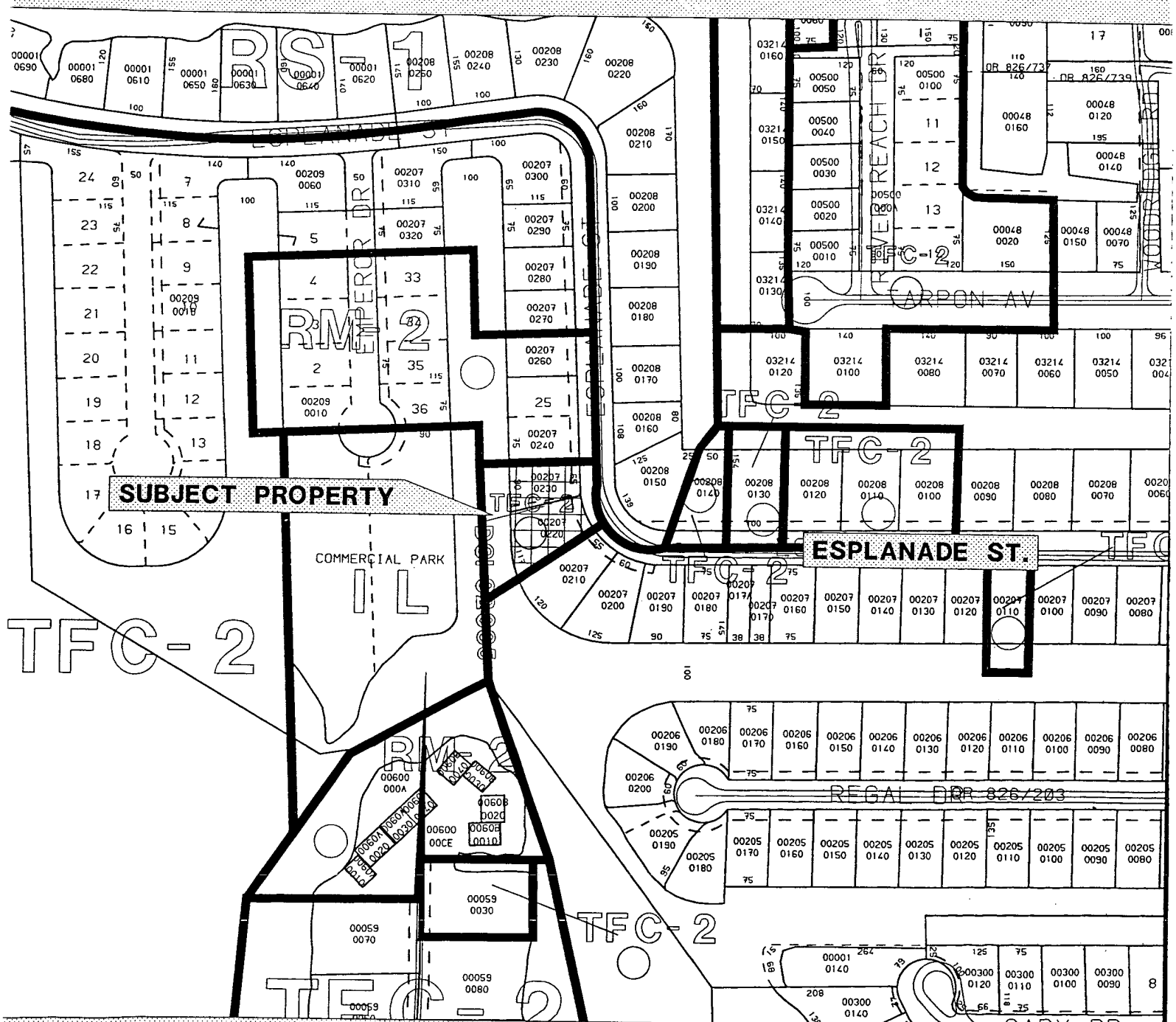
There are no special case issues in this application.

IV. ATTACHMENTS:

A. Map of surrounding zoning
B. Aerial photograph
C. Master Concept Plan

cc: Applicant
City Attorney
DCI Zoning file
DCI Planner file

ZONING MAP



RS-1
ESPLANADE ST
EMPEROR DR
RM-2
SUBJECT PROPERTY
COMMERCIAL PARK
IL
TFC-2
ESPLANADE ST.
TARPON AV
REGAL DR
DR 826/203
CARY RD

A

ATTACHMENT B

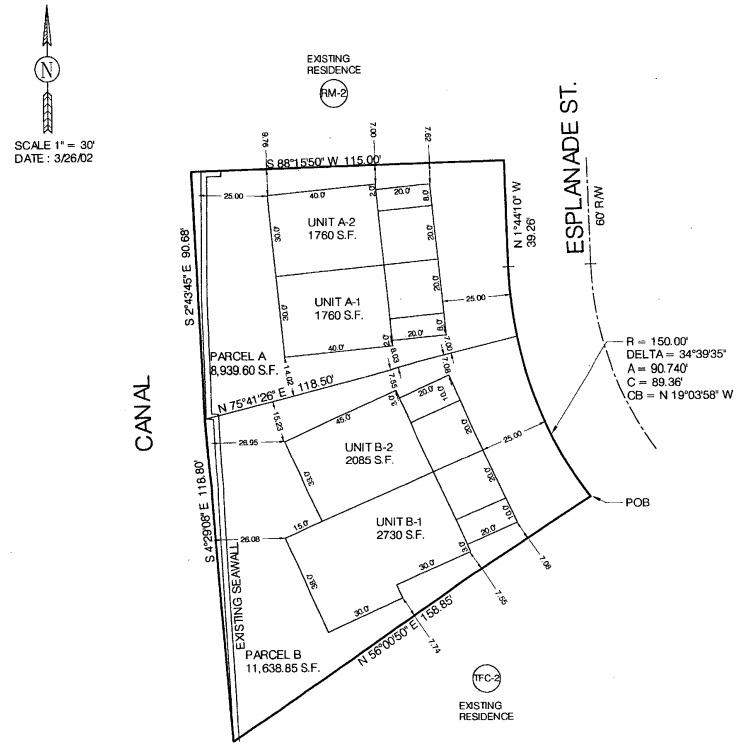
DCI 2002-00035

SEP 27 2002

PREPARED BY THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE FLORIDA DEPARTMENT OF REVENUE	LEE COUNTY FLORIDA COMMUNITY DEVELOPMENT	SCALE 1" = 200'	SECTION	TWP.	RANGE	SHEET NO.	MAP
FOR ASSESSMENT PURPOSES ONLY		PHOTO DATE FEB. 1999	32	47 S	25 E	148 D	
		PHOTO JOB NO. 98184					

0 200 400 600 800

SCALE 1"=200'



LEGAL DESCRIPTION

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 1ø 44'10" W along the east line thereof for 1250.03 feet; thence run S 89ø46'10"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 53ø50'05" 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 34ø39'35" for 90.74 feet to a point of tangency; thence run N 01ø44'10"W for 39.26 feet; thence run S 88ø15'50"W for 115 feet; thence run S2ø43'45"E for 90.68 feet; thence run S 4ø29'08"E for 118.80 feet to an intersection with a line passing through the Point of Beginning bearing S 56ø00'50"W; thence run N 56ø00'50"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).

SCHEDULE OF USES

-Accessory uses, buildings and structures
-Amateur radio antenna/tower
  -Under 50 feet in height
-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
-Essential services
-Home care facility
-Home occupation:
  -No outside help
-Residential accessory uses
(34-622(c)(42))
-Model Home

BUILDING DEVELOPMENT REGULATIONS

MINIMUM LOT SIZE = 7,500 S.F.
MINIMUM LOT AREA PER UNIT = 3,750 S.F.
MINIMUM LOT WIDTH PER UNIT = 37.5'
MINIMUM LOT DEPTH = 100'
MINIMUM SETBACK :
SIDE YARD = 7.0'
REAR YARD = 20.0'
WATER BODY = 25.0'
STREET = 25.0'
MAXIMUM LOT COVERAGE = 45%
MAXIMUM HEIGHT = 35.0'
MAXIMUM No. OF STORIES = 3
MAXIMUM GROSS SQUARE FOOTAGE = 9,259 S.F.
OPEN SPACE REQUIRED = 20% = 4,115 S.F.
MAXIMUM No. OF DWELLING UNITS = 4
(2 - TWO FAMILY ATTACHED BUILDINGS)

Debora Allen Gress 9/26/02

OWNER/DEVELOPER
RAY AMBROZY
4895 ESPLANADE STREET
BONITA SPRINGS, FLA. 34134
PH. : 948-1695

NOTES :

1. NO DEVIATIONS ARE BEING REQUESTED.
2. NO PROPOSED ACCESS OR FACILITIES FOR PUBLIC TRANSIT, DOES NOT LIE WITHIN LEETRAN FRANCHISE AREA.

ATTACHMENT C

SEP 27 2002

MASTER CONCEPT PLAN OPTION 1
RAY AMBROZY
ENGINEER OF RECORD :
DEBORA ALLEN GRESS, P.E. #37276
SCALE : 1" = 20'
DATE : 6/24/02
DRAWN BY : DAG
REVISED : 9/20/02
PROGRESSIVE ENGINEERING
COA #4778
25671 CORZINE LANE S.E.
BONITA SPRINGS, FLA. 34135
PH. : (941) 992-1619 , FAX : 992-8571
SH. 1 of 1

DCI 2002.00035

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 ten (10) days in advance of the Zoning Board of the City of Bonita Springs. This sign will be provided by the Development Services Division in the following manner:

a. Signs for case **#DCI2002-00035** must be posted by **November 22, 2002.**
b. 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.
c. 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.
d. 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.
e. If the sign is destroyed, lost, or rendered unreadable, the applicant must report the condition to the Development Services Division, and obtain duplicate copies of the sign from the Development Services 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 DEVELOPMENT SERVICES DIVISION, 1500 MONROE ST., FT. MYERS, FL 33901.

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

AFFIDAVIT OF POSTING NOTICE

STATE OF FLORIDA
COUNTY OF LEE

BEFORE THE UNDERSIGNED AUTHORITY, PERSONALLY APPEARED Raymond Ambrozy 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:

RECEIVED
NOV 1220
NOV 19 2002
COMMUNITY DEVELOPMENT

Raymond Ambrozy
SIGNATURE OF APPLICANT OR AGENT

Raymond Ambrozy
NAME (TYPED OR PRINTED)

4895 Esplanade St.
ST. OR PO BOX

Bonita Springs, FL 34134
CITY, STATE & ZIP

#DCI2002-00035/Ambrozy Rezone/ 12/6/02 JLP

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was sworn to and subscribed before me this 19th day of November, 2002, by Raymond Ambrozy, personally known to me or who produced _____ as identification and who did/did not take an oath.

Shawne' Jones Rich
Signature of Notary Public

Printed Name of Notary Public

My Commission Expires:
(Stamp with serial number)

SHAWNE' JONES RICH
MY COMMISSION # CC 957495
EXPIRES: November 28, 2004
Bonded Thru Notary Public Underwriters

LEE COUNTY

RECEIVED
JUL 12 2002
COMMUNITY DEVELOPMENT

APPLICATION FOR PUBLIC HEARING FOR PLANNED DEVELOPMENT

BONITA SPRINGS OR FORT MYERS BEACH ONLY

Applicant's Name: Raymond L. Ambrozy

Project Name: Ambrozy Rezone

STRAP Number(s): 32-47-25-B4-00207.0220, 32-47-25-B4-00207.0230

Application Form: _____ **Computer Generated*** X **County Printed**

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

STAFF USE ONLY

Planning Community Imperial Shores *Case Number:* DCI 2002-00035

Current Zoning: TFC-2 *Date of Application:* 7/12/02

Land Use Classification(s): urban com *Fee:* 4000.00

Comp. Plan Density Range: 1-6 - du/ac

Date Zoning Board/Planning Agency Public Hearing: DCI 2002-00035

Planner in charge: _____

TYPE OF APPLICATION

___ DRI	___ PD - Existing Development	X OPTION 1
___ DCI - Major	___ PD - Existing Development	___ OPTION 2
X DCI - Minor	___ PD - Amendment	

LEE COUNTY
COMMUNITY DEVELOPMENT
P.O. BOX 398 (1500 MONROE STREET)
FORT MYERS, FLORIDA 33902
PHONE (941) 479-8585

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) Rezonings 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

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". **[Sec. 34-202(b)(1)]**

PART I
APPLICANT\PROPERTY OWNERSHIP INFORMATION

A. Name(s) of applicant(s): Raymond Ambrozy

Mailing Address: Street: 4895 Esplande Road

City: Bonita Springs State: Fl Zip: 34134

Phone Number: Area Code: 941 Number: 992-1695 Ext:

Fax Number: Area Code: 941 Number: 992-1795

E-mail:

RECEIVED
JUL 12 2002
COMMUNITY DEVELOPMENT

B. Relationship of applicant to property:

__X__ 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: Same as applicant

Mailing Address: Street:

City: State: Zip:

Phone Number: Area Code: Number: Ext:

Fax Number: Area Code: Number:

D. Date property was acquired by present owner(s): 6/22/01 Lot 23, March 02, Lot 22

E. Is the property subject to a sales contract or sales option? __X__ NO _____ YES

F. Is owner(s) or contract purchaser(s) required to file a disclosure form? _____ NO __X__ 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? __X__ 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: Progressive Engineering

Address: 25671 Corzine Rd, Bonita Springs, Fl 34135

Contact Person: Debora Allen Gress, P.E.

Phone: 941-992-1619 Fax: 941-992-8571

E-mail: dgress@att.net

DCI 2002-00035

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 (941) - 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)]**

PART II
GENERAL INFORMATION

A. Request:

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

X RPD - Residential	_____ MPD - Mixed Use
_____ MHPD - Mobile Home	_____ RVPD - Recreational Vehicle
_____ CPD - Commercial	_____ CFPD - Community Facilities
_____ IPD - Industrial	_____ 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:

RECEIVED
JUL 12 2002
COMMUNITY DEVELOPMENT

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: 4895 and 4891 Esplande St., Bonita Springs

D. General Location Of Property (referenced to major streets): US41 to Bonita Beach Road. Turn west on Bonita Beach Road to Imperial Shores Blvd. Turn North to Esplande St. Turn west and follow curve. Property will be on the left.

E. Lee Plan Information

1. Lee Plan Land Use Classification: Urban Community

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-I") 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).* 11.00 *NGVD (MSL)*

DCI 2002-00035

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.

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: Each lot has one duplex on it. Both are fully occupied.

H. Property Dimensions

1. Width (average if irregular parcel): 129.93 Feet

2. Depth (average if irregular parcel): 134.57 Feet

3. Frontage on road or street: 129.93 Feet on Esplan (Name of street)

4. Total land area: 0.47 Acres or Square Feet

RECEIVED
JUL 12 2002
COMMUNITY DEVELOPMENT

I. Land Area Calculations

1. Undevelopable Areas:

a. Freshwater wetland areas _____

b. Other wetland areas _____

c. Submerged land subject to tidal influence: _____

d. Total (a + b + c): 0

2. Remaining developable land (H.4 less I.1.d): 0.47 acres

DCI 2002-00035

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.**

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:

_____ Single Family	_____ Mobile Homes	_____ Recreational Vehicles
_____ Zero-Lot-Line	__4__ 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): __8.5 /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. (number) _____ 426-725 sq. Ft. (number) _____ 726 or more sq. Ft. (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.

RECEIVED
JUL 12 2002
COMMUNITY DEVELOPMENT
DCI 2002-00035

PART III EXPLANATORY NOTES (cont)

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).

B. *Facilities*

1. *Fire District:* Bonita Springs Fire Control and 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? 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

RECEIVED
JUL 12 2002
COMMUNITY DEVELOPMENT

b. Is any special effluent anticipated? X NO _____ YES. If yes, please complete Exhibit III-B-3 (attached).
(currently served by water)

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.
(currently served by sewer)

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.

DR 02-00035

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)]**

Unified Control Documentation. A notarized document (see Exhibit IV-D) corroborating unified control over the subject parcel. **[Sec. 34-373(a)(3)]**

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.

Existing Conditions: **[Sec. 34-373(a)(4)]** NOTE: If more than one of the following requirements is shown on the same set of maps or photos, please mark the document with all appropriate exhibition numbers.

Existing zoning and current uses: Show existing zoning and current land uses surrounding the property to a distance of 375 feet.

Soils, vegetation and ground cover : Classified in accordance with USDA/SCS system and the Florida Land Use and Cover Classification System, respectively

Topography: Provide a Lee County Topographical map (if available).

Public Transit: Show the property in relation to existing and proposed public transit routes and bus stops, including what facilities exist at the bus stop.

Environmental Assessment: Areas of encroachment by undesirable exotic (floral) species, the line of mean high water, and jurisdictional boundaries of state and federal agencies, and Coastal Construction Setback Lines. If the site contains unique landforms or biological areas such as creek beds, sand dunes, coastal or interior hammocks, or old growth pine flatwoods, additional information may be required including wildlife and plant inventories and hydrologic details, in order to identify the highest quality biological communities and develop suitable conservation measures. Please contact the Lee County Division of Environmental Sciences at 335-2477 with any questions concerning this environmental assessment.

Master Concept Plan: Refer to Sec. 34-373(a)(6)a.3. or b. 3. AND 34-373(a)(7)a. for information.

Schedule of Uses: **[Sec. 34-373(a)(7)]**

1. A summary of the kinds of uses proposed for the entire site (for projects containing residential uses, this shall include the types of proposed dwelling units);

2. The units (gross square feet for commercial/industrial uses, number of units for residential, motel/ hotel uses , beds for institutional types of uses, etc.) of each kind of use for the entire site;

3. For developments containing uses for which the parking requirements are to be determined by the Director, the number of parking spaces proposed for those uses.

PART IV
SUBMITTAL REQUIREMENTS

RECEIVED
JUL 12 2002
COMMUNITY DEVELOPMENT

COPIES REQUIRED					Exhibit #	Item
SUB	DRI	DCI	EXIST	MINOR		
✓	12	11	11	11		Completed application **[34-201(b)]**
✓	1	1	1	1		Application Fee [34-202(a)(9)]
✓	2	2	2	2	I-B-1	**Notarized** Authorization Form (if applicable) [34-201(a)(1)]
N/A	2	2	2	2	I-B-2	Blue Sheet (If applicable) [34-201(a)(2)]
Already Submitted	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)]
Already Submitted	2	2	2	2	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)]
✓	2	2	2	2	I-F	**Notarized** Disclosure Form (if applicable) [34-201(b)(1)]
N/A	2	2	2	2	I-G	Deed Restrictions & Narrative (if applicable) [34-202(b)(2)
✓	12	11	11	11	II-B-1	Legal Description [34-202(a)(1)]
✓	12	11	11	11	II-B-2	Certified sketch of description (if applicable) [34-202(a)(2)]
N/A	2	2	2	2	II-B-3	Plat Book Page (if applicable) [34-202(a)(1)]
✓	12	11	11	11	II-D	Area Location Map. [34-202(a)(4)]
N/A	12	11	11	11	II-E-1	Lee Plan Amendment (if applicable) [34-373(a)(5) & 34-491]
✓	12	11	11	11	II-E-2	Narrative/how prop. complies with Lee Plan, etc. [34-373(a)(5)]
N/A	12	11	11	11	II-F-1	Environ. Sensitive Lands map (if app.) [34-373(a)(4)c]
N/A	4	4	4	4	II-F-2	Environmental Assessment [34-1573]
✓	12	11	4	4	II-F-3	Exist. zoning & current land use map/photo [34-373(a)(4)a]
✓	12	11	4	4	II-F-4	Soils, vegetation and ground cover maps [34-373(a)(4)b.]
N/A	12	11	4	4	II-F-5	Topography map (if available) [34-373(a)(4)b.]
N/A	12	11	-	-	III-A-2	Density Calcs (if applicable) [34-373(a)(6)a.3 & (6)b.3 & (7)a.]
N/A	12	11	-	-	III-A-5	Aviation Hazard (if applicable) [34-1001 et seq.]
N/A	12	11	-	-	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]
N/A	4	4	-	4	III-C	TIS Exemption Form (if applicable) [34-373(a)(6)a.11 or b.10]
N/A	12	11	4	4	IV-A	Public transit routes map (if applicable) [34-373(a)(4)d.]
✓	12	11	4	4	IV-C	Existing easements and r-o-w map. [34-373(a)(4)e.]
✓	12	11	11	11	IV-D	Description of proposed development. [34-373(a)(6)]
✓	12	11	11	11	IV-E	Master Concept Plan (Option 1) [34-373(a)(6)a.]
N/A	12	11	11	11	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
✓	12	11	11	11	IV-G	Schedule of Uses [34-373(a)(6)a.3. or b.3 and 34-373(a)(7)]
N/A	12	11	11	11	IV-H	Schedule of Dev. & Justification [34-373(a)(6)a.9 or b.9 & (7)d]
N/A	4	4	-	-	IV-I	Surface Water Management Plan [34-373(b)(1)]
N/A	4	4	-	-	IV-J	Protected Species Management Plan [34-373(b)(2)]
N/A	12	11	11	11	IV-K	Program for phased development (if applicable) [34-373(b)(3)]
N/A	12	11	11	11	IV-L	Haz. Mat Emer Plan (if applicable) [34-202(b)(4)]
N/A	-	-	4	-	IV-M	Mobile Home Park Rezoning Information [34-373(d)]

Sufficiency items per Jeff Laurien 7-12-02 AE

item by item w/ Jeff.

DCI 2002-00035

PART IV EXPLANATIONS (Cont)

Schedule of deviations: Refer to Sec. 34-373(a)(6)a.9. or b.9. and 34-373(a)(7)d.

Traffic Impact Statement: **[Sec. 34-373(a)(6)a.11 Or b. 10 and 34-373(a)(7)]** Format and degree of detail is set forth in the adopted Lee County Administrative Code.

Surface Water Management Plan: **[Sec. 34-373(b)(1)]** Written statements which describe:

1. the runoff characteristics of the property in its existing state;
2. in general terms, the drainage concept proposed, including the outfall to canals or natural water bodies including how drainage flow from adjacent properties will be maintained;
3. the retention features (including existing natural features) that will be incorporated into the drainage system and the legal mechanism which will guarantee their maintenance;
4. how existing natural features will be preserved. Include an estimate of the ranges of existing and post development water table elevations, where appropriate.
5. Describe the requirements for fill materials posed by this development for other than building pads (use, volume, etc.)
6. If the property is subject to seasonal inundation or subject to inundation by a stream swollen by the rains of a 100-year storm event, indicate the measures that will be taken to mitigate the effects of expectable flooding. **[34-442(1)f]**

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)

PART V

AFFIDAVIT

I, Debora Allen Gress 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.

Debora Allen Gress — 7/12 DG
Signature of Owner or Owner-authorized Agent — Date

Debora Allen Gress, P.E. Agent
Typed or printed name and title

STATE OF FLORIDA)
COUNTY OF LEE)

The foregoing instrument was certified and subscribed before me this 12 DG pm 10th day of July 2002, by Debora Allen Gress, who is personally known to me or who has produced Florida dr lic. as identification.

(SEAL)

GAIL A. MANCIVALANO
MY COMMISSION # DD 057987
EXPIRES: September 18, 2005
Bonded Thru Notary Public Underwriters

Gail A. Mancivalano
Signature of notary public

GAIL A. MANCIVALANO
Printed name of notary public

RECD
JUL 12 2002
COMMUNITY DEVT

DCI 2002-00035

This page intentionally blank

EXHIBIT III-A-2

PRELIMINARY DENSITY CALCULATIONS*

(Complete only if living units are proposed).

A. Gross Residential Acres

1. Total land area: 0.47 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): 0.47 acres

   a. Uplands areas 0.47 *acres*

   b. Freshwater Wetlands areas 0 *acres*

   c. Other Wetland areas 0 *acres*

URBAN

B. Lee Plan *Land Use Classification:* COMM. *(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: 6 *units\gross res. acre*

2. Maximum total density for Land Use Classification: 10 *units\gross res. acre*

MAXIMUM PERMITTED DWELLING UNITS

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

1. *Standard density uplands units (A.3.a. times B.1)* 2.8 *units*

2. Standard density wetlands units (A.3.b. & A.3.c. times B.1) / units

3. *Total standard density units (sum of C.1 & C.2)* 2.8 *units*

4. Max. total density units [A.3.a. times ((B.1 plus 1/2 of (B.2 less B.1))] 4.7 units

5. ***Sub-total permitted standard density units:*** 2.8 ***Units*** *(line C.3 or C.4 - whichever is less)*

RECEIVED
JUL 12 2002
COMMUNITY DEVELOPMENT

** 6. *BONUS UNITS*

   a. *Low-moderate housing density:* 0 *units*

   b. *TDR units:* 0 *units*

   c. **Sub-total (C.6.a plus C.6.b)** 0 units

7. **Total Permitted Units (C.5. plus C.6.c):** 2.8 **units** ((may not exceed (A.3.a. times B.2) plus (A.3.b. and A.3.c. times .05)).

* *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

DCI 2002-00035

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

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

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***)* _____ *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****)* _____ *units*
3. ***Total permitted units:*** _____ ***units***

RECEIVED
JUL 12 2002
COMMUNITY DEVELOPMENT

** *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)*

DCI 2002-00035

FIELDBOOK 156 & 159 PAGE 4, 5, 23 DATE 1-10-02	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
- FD CONC MON W/ CAP
- FD IRON PIN W/CAP
- FD CONC MON
- FD IRON PIN
- ASSUMED ELEVATION
- BENCHMARK
- RECORDED
- MEASURED

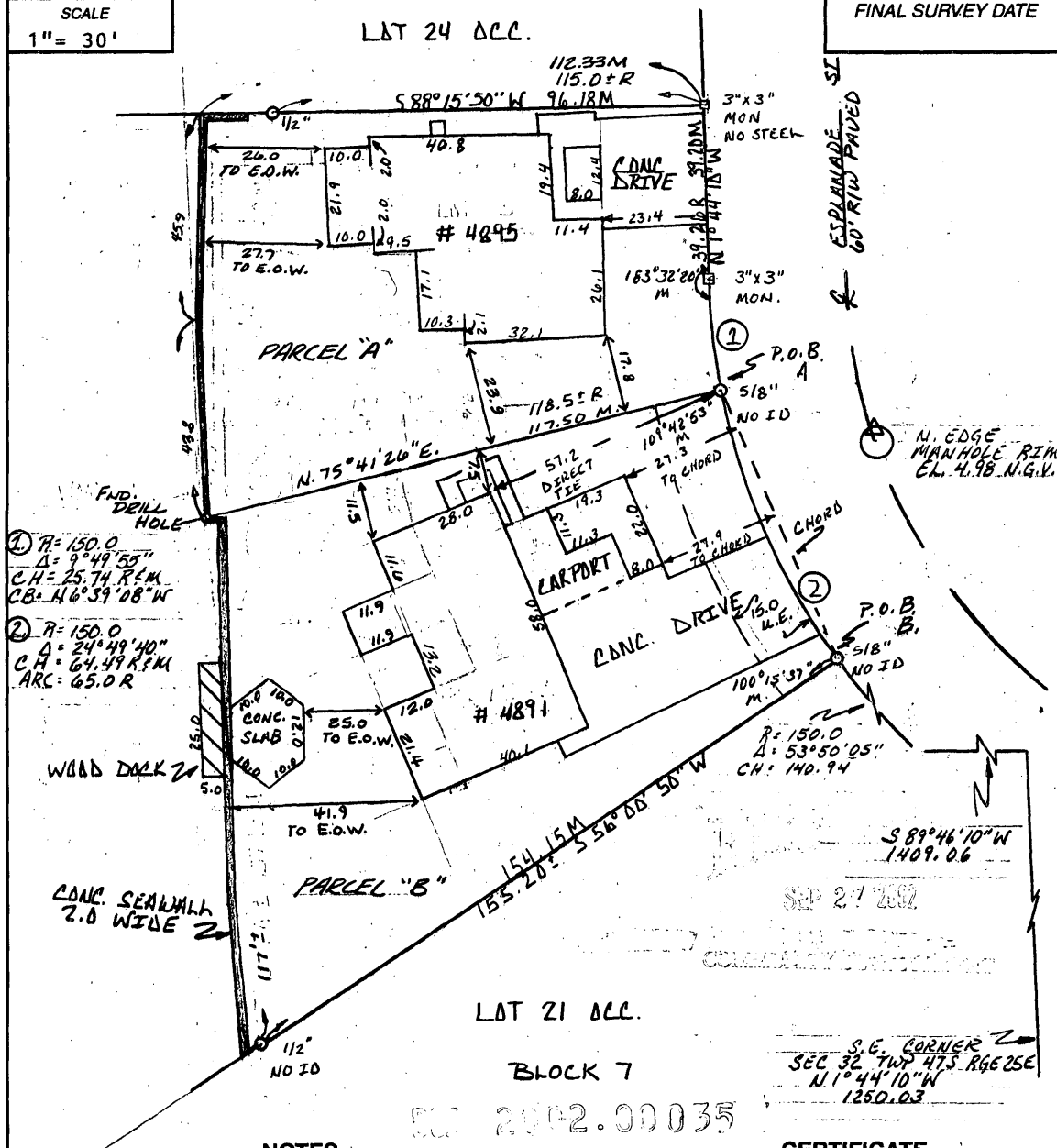
CON'T REVERSE SIDE

SCALE 1"= 30'

FINAL SURVEY DATE

LEGAL DESCRIPTION
(AS PROVIDED BY CLIENT)

See reverse side for metes and bounds Description and certifications.



SEP 27 2002

SC 2002.00035

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 Angles Field Measured
5. THIS PROPERTY LIES IN FLOOD ZONE AE PER F.I.R.M. PANEL NO. 125124 0505 E (EL 11.0) DATED 7-20-98
6. LAST DATE OF FIELDWORK 1-08-02

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.

P.L.S. 9-27-02

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

FAX 992-6070
TELE: 992-8900

MARK O. ALLEN, INC.
PROFESSIONAL LAND SURVEYOR

#6558
26751 OLD U.S. 41 RD., S.E.
BONITA SPRINGS, FLORIDA 33923

DWN. BY	CHK'D BY	ORDERED BY	SHEET	OF
DB		Ray Ambrozy	1	1

PARCEL A

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 78°39'45" for 205.94 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 09°49'55" for 25.74 feet to a point of tangency; thence run N 01°44'10"W for 39.26 ft; thence run S 88°15'50"W for 115 feet more or less to the waters of a boat canal; thence run southerly along said waters for 90.68 ft. more or less to an intersection with a line passing through the Point of Beginning bearing S 75°41'26"W; thence run N 75°41'26"E for 118.5 feet more or less to the Point of Beginning.

An easement for ingress and egress and utility purposes is granted in the SW1/4 of Section 32, Township 47 South, Range 25 East 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 S89°46'10"W, parallel with the South line of said section for 20 feet to the Point of Beginning.
From said Point of Beginning run S 89°46'10"W parallel with the South line of said fraction for 1389.06 feet to a point of curve; thence run Northwesterly and Northerly along the arc of a curve to the right having a radius of 150.00 feet; a central angle of 88°29'40" for an arc length of 231.68 feet to a point of tangency; thence run N 1°44'10"W for 549.26 feet to a point of curve; thence run along the arc of a curve to the left having a radius of 60.00 feet, a central angle of 94°30'00" for an arc length of 98.96 feet to a point of tangency; thence run S83°45'50"W for 100.00 feet; thence run S 06°14'10"E for 30 feet; thence run S83°45'50"W for 140.00 feet; thence run N 6°14'10"W for 120.00 feet; thence run N 83°45'50"E for 120.00 feet; thence run S 6°14'10"E for 30 feet; thence run N83°45'50"E for 120 feet to a point of curve; thence run along the arc of a curve to the right having a radius of 120 feet, a central angle of 94°30'00" for an arc length of 197.92 feet to a point of tangency; thence run S 1°44'10"E for 549.26 feet to a point of curve; thence run along the arc of a curve to the left having a radius of 60 feet, a central angle of 88°29'40" for an arc length of 139.00 feet to a point of tangency; thence run N 89°46'10"E for 1407.48 feet; thence run S 16°50'10"W for 60.24 feet to the Point of Beginning.

PARCEL B

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 24°49'40" for 65.00 feet; thence run S 75°41'26"W for 118.5 feet more or less to the waters of a boat canal; thence run in a southeasterly and easterly direction along the waters of a boat canal for 117 feet more or less 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 155.2 feet more or less to the Point of Beginning.

SUBJECT TO A 15 foot wide utility easement located southwest 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).

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.	FIELDBOOK	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
				℄	CENTER LINE
				Δ	DELTA

FIELDBOOK 156 & 159 PAGE 4, 5, 23 DATE 1-10-02	SECTION 32 , TWP 47 S, RGE 25 E

NORTH ARROW

FOUNDATION LOCATION DATE | FIELDBOOK | PAGE

LEGEND

- SET CONC MON W/ CAP L.D. # 3553
- SET IRON PIN W/CAP L.D. # 3553
- FD CONC MON W/ CAP
- FD IRON PIN W/CAP
- FD CONC MON
- FD IRON PIN
- ASSUMED ELEVATION
- BENCHMARK
- RECORDED
- MEASURED

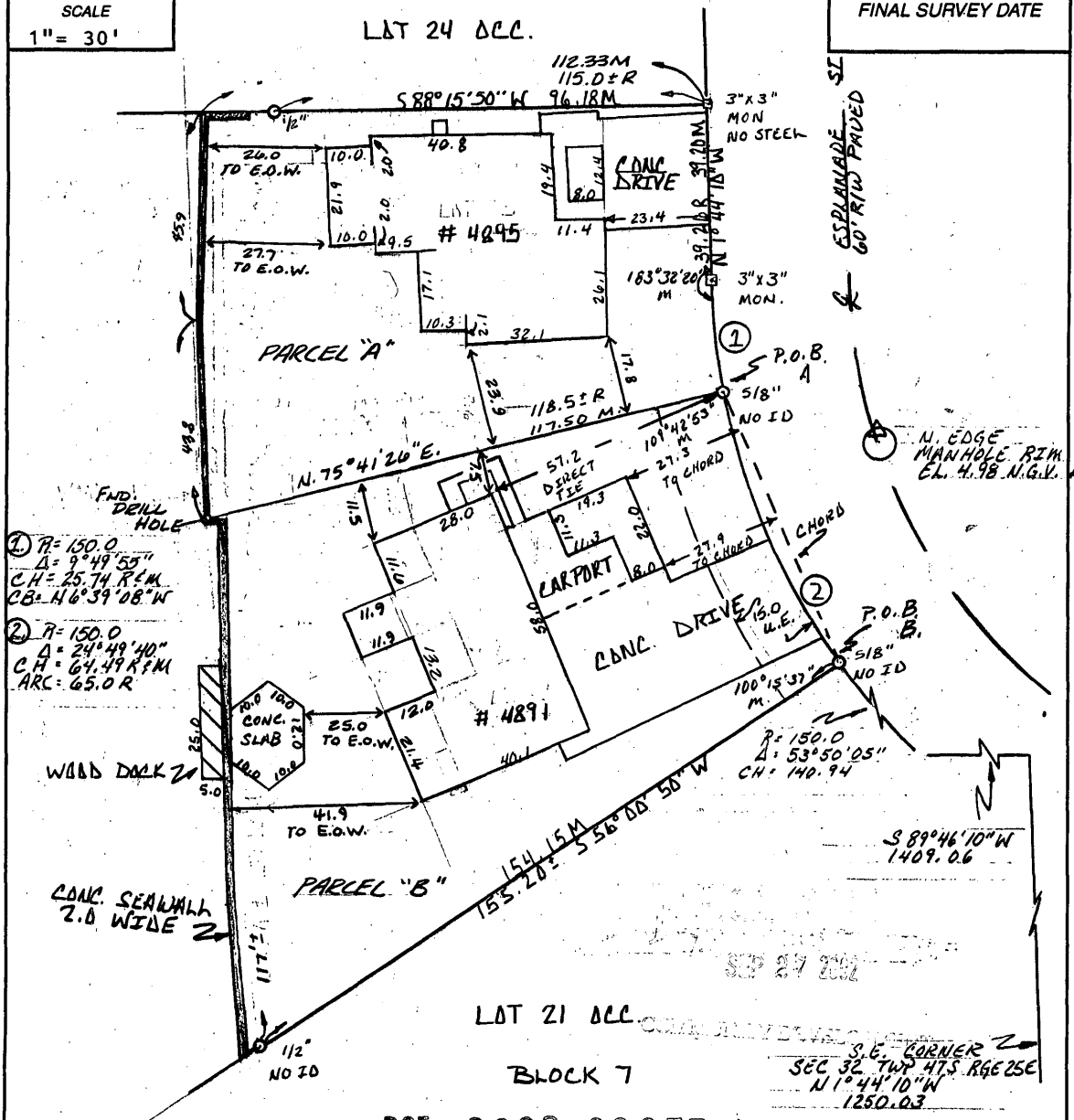
CON'T REVERSE SIDE

SCALE 1"= 30'

FINAL SURVEY DATE

LEGAL DESCRIPTION
(AS PROVIDED BY CLIENT)

See reverse side for metes and bounds Description and certifications.



DCI 2002.00035

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 Angles Field Measured
5. THIS PROPERTY LIES IN FLOOD ZONE AE PER F.I.R.M. PANEL NO. 125124 0505 E (EL. 11.0) DATED 7-20-98
6. LAST DATE OF FIELDWORK 1-08-02

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.

P.L.S.

4-27-02

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

MARK O. ALLEN, INC. #6558
PROFESSIONAL LAND SURVEYOR
26731 OLD U.S. 41 RD., S.E.
BONITA SPRINGS, FLORIDA 33923
FAX 992-6070
TELE: 992-8900

DWN. BY	CHK'D BY	ORDERED BY	SHEET	OF
DB		Ray Ambrozy	1	1

PARCEL A

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 78°39'45" for 205.94 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 09°49'55" for 25.74 feet to a point of tangency; thence run N 01°44'10"W for 39.26 ft; thence run S 88°15'50"W for 115 feet more or less to the waters of a boat canal; thence run southerly along said waters for 90.68 ft. more or less to an intersection with a line passing through the Point of Beginning bearing S 75°41'26"W; thence run N 75°41'26"E for 118.5 feet more or less to the Point of Beginning.

An easement for ingress and egress and utility purposes is granted in the SW1/4 of Section 32, Township 47 South, Range 25 East 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 S89°46'10"W, parallel with the South line of said section for 20 feet to the Point of Beginning.
From said Point of Beginning run S 89°46'10"W parallel with the South line of said fraction for 1389.06 feet to a point of curve; thence run Northwesterly and Northerly along the arc of a curve to the right having a radius of 150.00 feet; a central angle of 88°29'40" for an arc length of 231.68 feet to a point of tangency; thence run N 1°44'10"W for 549.26 feet to a point of curve; thence run along the arc of a curve to the left having a radius of 60.00 feet, a central angle of 94°30'00" for an arc length of 98.96 feet to a point of tangency; thence run S83°45'50"W for 100.00 feet; thence run S 06°14'10"E for 30 feet; thence run S83°45'50"W for 140.00 feet; thence run N 6°14'10"W for 120.00 feet; thence run N 83°45'50"E for 120.00 feet; thence run S 6°14'10"E for 30 feet; thence run N83°45'50"E for 120 feet to a point of curve; thence run along the arc of a curve to the right having a radius of 120 feet, a central angle of 94°30'00" for an arc length of 197.92 feet to a point of tangency; thence run S 1°44'10"E for 549.26 feet to a point of curve; thence run along the arc of a curve to the left having a radius of 90 feet, a central angle of 88°29'40" for an arc length of 139.00 feet to a point of tangency; thence run N 89°46'10"E for 1407.48 feet; thence run S 16°50'10"W for 60.24 feet to the Point of Beginning.

PARCEL B

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:

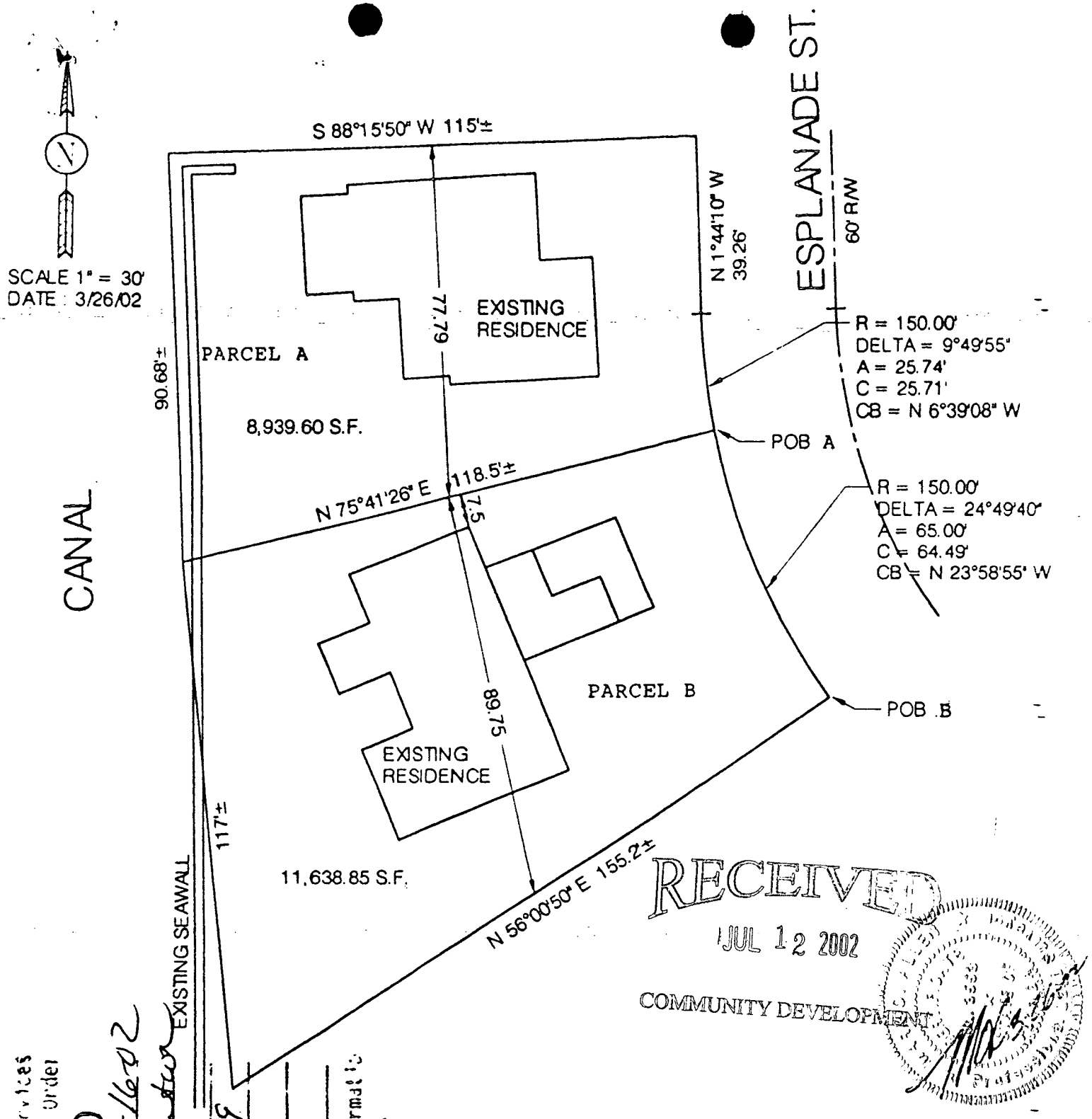
From the southeast corner of said fraction of a section run N 1° 44'10" W along the east line thereof for 1250.03 feet; thence run S 89°46'10"W parallel with the south line of said section for 1409.06 feet to a point of curvature; thence run westerly along the arc of a curve to the right having a radius 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 24°49'40" for 65.00 feet; thence run S 75°41'26"W for 118.5 feet more or less to the waters of a boat canal; thence run in a southeasterly and easterly direction along the waters of a boat canal for 117 feet more or less 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 155.2 feet more or less to the Point of Beginning.

SUBJECT TO a 15 foot wide utility easement located southwest 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).

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.	FIELDBOOK	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'D	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
CGGS	COASTAL AND GEODETIC SURVEY	MON	MONUMENT	RES	RESIDENCE
CH'K'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
				℄	CENTER LINE
				Δ	DELTA



RECEIVED
JUL 12 2002
COMMUNITY DEVELOPMENT

BOUNDARY SKETCH	
RAY AMBROZY	
SCALE : 1" = 30' DATE : 3/26/02	DRAWN BY MWG REVISED
PREPARED BY: MARK O. ALLEN LAND SURVEYING 26751 OLD 41 RD. S.E. BONITA SPRINGS, FLA 34135 PH. (941) 992-8900	SH. 1 of 1

Division of Development Services
Limited Review Development Order
APPROVED
By [signature] Date 4-16-02
For Lot Reconfiguration
DO # L002002 00059
Review Type 4C
Zoning TFC F.E.M.A.
Approval based on site information supplied by applicant.

DCI 2002-00035

RECEIVED
JUL 12 2002

PARCEL A

A recombination of combined Lot 22 and Lot 23 Block 7, Unit 1 of 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 78°39'45" for 205.94 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 09°49'55" for 25.74 feet to a point of tangency; thence run N 01°44'10"W for 39.26 ft; thence run S 88°15'50"W for 115 feet more or less to the waters of a boat canal; thence run southerly along said waters for 90.68 ft. more or less to an intersection with a line passing through the Point of Beginning bearing S 75°41'26"W; thence run N 75°41'26"E for 118.5 feet more or less to the Point of Beginning.

An easement for ingress and egress and utility purposes is granted in the SW1/4 of Section 32, Township 47 South, Range 25 East 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 S89°46'10"W, parallel with the South line of said section for 20 feet to the Point of Beginning.
From said Point of Beginning run S 89°46'10"W parallel with the South line of said fraction for 1389.06 feet to a point of curve; thence run Northwesterly and Northerly along the arc of a curve to the right having a radius of 150.00 feet; a central angle of 88°29'40" for an arc length of 231.68 feet to a point of tangency; thence run N 1°44'10"W for 549.26 feet to a point of curve; thence run along the arc of a curve to the left having a radius of 60.00 feet, a central angle of 94°30'00" for an arc length of 98.96 feet to a point of tangency; thence run S83°45'50"W for 100.00 feet; thence run S 06°14'10"E for 30 feet; thence run S83°45'50"W for 140.00 feet; thence run N 6°14'10"W for 120.00 feet; thence run N 83°45'50"E for 120.00 feet; thence run S 6°14'10"E for 30 feet; thence run N83°45'50"E for 120 feet to a point of curve; thence run along the arc of a curve to the right having a radius of 120 feet, a central angle of 94°30'00" for an arc length of 197.92 feet to a point of tangency; thence run S 1°44'10"E for 549.26 feet to a point of curve; thence run along the arc of a curve to the left having a radius of 90 feet, a central angle of 88°29'40" for an arc

length of 139.00 feet to a point of tangency; thence run N 89°46'10"E for 1407.48 feet; thence run S 16°5[redacted]10"W for 60.24 feet to the Point of Beginning.

RECEIVED
JUL 12 2002
COMMUNITY DEVELOPMENT

DOT 21-12-00035

MDL 3-2602

PARCEL B

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 24°49'40" for 65.00 feet; thence run S 75°41'26"W for 118.5 feet more or less to the waters of a boat canal; thence run in a southeasterly and easterly direction along the waters of a boat canal for 117 feet more or less 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 155.2 feet more or less to the Point of Beginning.

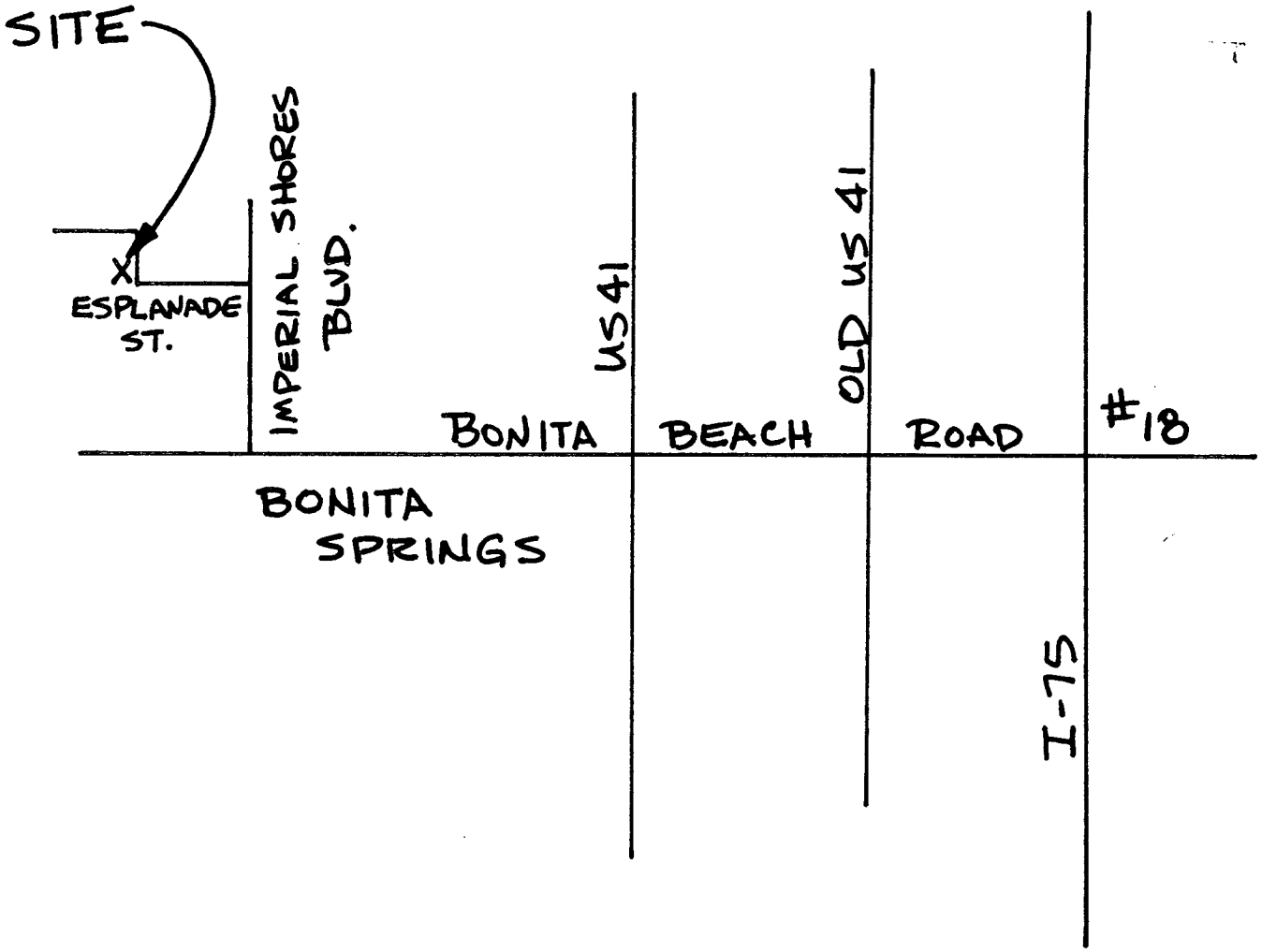
SUBJECT TO a 15 foot wide utility easement located southwest of, adjacent to and concentric with the above mentioned arc of a curve having a radius of 150.00 feet. Bearings hereinabove mentioned are true from centerline survey of State Road No. S-865 (Bonita Beach Road).

RECEIVED
JUL 12 2002
COMMUNITY DEVELOPMENT

INST 2002-00035

EXHIBIT II-D

RECEIVED
JUL 12 2002



DCI 2002-00035

AREA LOCATION MAP

EXHIBIT II-E-2

The proposed rezoning will allow for the construction of 2 two-family attached dwelling units. Currently two duplexes exist on the property. The existing buildings were built in the 70's and are not built to current county codes or to the minimum flood zone. The two new proposed buildings will be designed and constructed in accordance with all applicable county development regulations including setbacks and building heights. The site currently is served by city water and sewer. No new utilities or roads are proposed for this site. The traffic generated by this project will be the same as existing as currently 4 dwelling units exist on site and the proposed dwellings units will be 4. This project will not impose a nuisance on surrounding land uses or the publics interest generally through emissions of noise, glare, dust, odor, air or water pollutants. All surrounding land uses are compatible with the proposed 2 two-family attached dwelling units.

With approval of this rezoning, an improvement will be made to the neighborhood as the looks of the new buildings will greatly enhance the aesthetics of the street.

RECEIVED
JUL 12 2002
COMMUNITY DEVELOPMENT

DCI 2002-00035

Exhibit IV-D

RECEIVED
JUL 12 2002
COMMUNITY DEVELOPMENT

Strap # 32-47-25-B4-00207.0230
32-47-25-B4-00207.0220

OWNER: Ray Ambrozy

Nature of Request:

The owner is requesting a rezoning of these two lots from TFC-2 which currently allows duplexes, to RM-2 to allow for two-family attached dwellings. Lot 23 has been in the current owner's family for 25 years. Over the course of this time, the owner has watched the neighborhood start to decline. Lot 22 was purchased in March 2002.

In April of 2002, a lot line adjustment was approved for these two lots which made them conforming with the current and proposed zoning regulations. Prior to April 2002, Lot 23 was considered a nonconforming lot of record. It is the owner's intention that with the rezoning of these lots, the existing duplexes which are over 30 years old and do not meet current codes, will be demolished. In their place, two new "Old Florida Style" two-family attached dwellings will be constructed in accordance with the current Florida Building Code.

With RM-2 zoning, each unit of a two-family attached dwelling can be individually owned as opposed to duplexes which are usually rented. The idea being, with ownership comes responsibility and pride in maintenance and upkeep of the property.

Under the current TFC-2 zoning, a minimum lot size of 7500 SF is required for duplex. The proposed rezone to RM-2 also requires a minimum lot size of 7500 SF for two-family attached. Approval of the rezoning will not cause any increase in density, but still allow two families on 7500 SF.

The rezoning will also be compatible with the neighborhood as several parcels immediately adjacent to the north are currently zoned RM-2. We respectfully request your approval of this rezone and feel with the ultimate construction of the new residences this project will be an enhancement to the area and the City of Bonita Springs.

DCI 2002-00035

LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: 479-8585

Bob Janes
District One

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

December 30, 2002

Debora Allen Gress
Progressive Engineering
25671 Corzine Road
Bonita Springs, FL 34135

Re: **Agenda Schedule for Ambrozy Rezone**
Case No. DCI2002-00035

Dear Ms. Gress:

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 and to review the Zoning Board for Land Use Hearings recommendation.

DATE & TIME: January 27, 2003, Meeting commences at 9:00 a.m.

LOCATION: Bonita Springs Utilities Board Room
11860 East Terry Street
Bonita Springs, FL 34135

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

Call if you have any questions.

DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Division

Jamie Princing
Administrative Assistant

cc: Raymond Ambrozy 4895
Jeff Laurien, Senior Planner
Zoning File

U:\200212\DCI20020.003\5\APPLETTERCOUNCIL 2nd.wpd

MEMORANDUM

From The

Department Of

Community Development

Development Services Division

Date: December 17, 2002

To: FILE - DCI2002-00035 FROM: Jamie Princing

RE: Notice of Public Hearing -January 2, 2003
Bonita Springs Council Zoning Hearing (1st reading)

I, Jamie Princing, Internal Services Secretary, Development Services Division, do hereby certify that I have mailed notices to the participants in regard to the above referenced meeting, in the attached style, pursuant to the list marked and attached hereto and made a part of the certification.

NOTICE TO PARTICIPANT

CASE NUMBER: DCI2002-00035

NAME: Ambrozy Rezone

REQUEST: **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.**

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 January 2, 2003 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 11860 East Terry Street Bonita Springs, FL 34135.

A **SECOND READING** on this matter is tentatively scheduled for January 27, 2003 at 9:00 a.m. at the same location.

NO FURTHER NOTICES WILL 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 Development Services Division, 1500 Monroe St., Ft. Myers, FL. Telephone 479-8585 for additional information.

DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Division

DCI2002-00035 Ambrozy Rezone

Debora Allen Gress, P.E.
Progressive Engineering
25671 Corzine Road, SE
Bonita Springs, FL 34135

Ray Ambrozy
4895 Esplande Street
Bonita Springs, Florida 34134

Frankie Everett
4974 Esplanade Street
Bonita Springs, Florida 34134

Mark McCleary
Community Engineering Services, Inc.
P.O. Box 249
Bonita Springs, Florida 34133

Richard and Nicolina Barber
4944 Esplanade Street
Bonita Springs, Florida 34134

Robert and Kathy McGrath
5060 Esplanade Street
Bonita Springs, Florida 34134-3921

Arthur and Barbara Danse
147 Plainsboro Road
Cranbury, N.J. 08512

LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: 479-8585

Bob Janes
District One

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

December 11, 2002

Debora Allen Gress
Progressive Engineering
25671 Corzine Road
Bonita Springs, FL 34135

Re: **Agenda Schedule for Ambrozy Rezone**
Case No. DCI2002-00035

Dear Ms. Gress:

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 and to review the Zoning Board for Land Use Hearings recommendation.

DATE & TIME: January 2, 2003, Meeting commences at 5:30 p.m.

LOCATION: Bonita Springs Utilities Board Room
11860 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 27, 2003 at 9:00 a.m. at the same location.

Call if you have any questions.

DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Division

Jamie Princing
Administrative Assistant

cc: Raymond Ambrozy
Jeff Laurien, Senior Planner
Zoning File

U:\200212\DCI20020.003\5\APPLETTERCOUNCIL.wpd

MEMORANDUM

FROM THE
DEPARTMENT OF
COMMUNITY DEVELOPMENT
DEVELOPMENT SERVICES DIVISION

DATE: November 19, 2002

TO: File -DCI2002-00035

FROM: Jamie Princing
Secretary, Internal Services

RE: Notice of Zoning Board for Land Use Hearings of the City of Bonita Springs
December 6, 2002

I, Jamie Princing, Secretary, Internal Services, Development Services Division, do hereby certify that I have mailed 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: DCI2002-00035

CASE NAME: AMBROZY REZONE

REQUEST: To rezone the 0.49 acre property from Residential Two-Family Conservation District (TFC-2), to Residential Planned Development (RPD) to allow among other uses duplexes, two-family attached, and single-family residence, conventional.

LOCATION: The subject property is located at 4895 and 4891 Esplande Street (US41 to Bonita Beach Road, turn West on Bonita Beach Road to Imperial Shores Blvd., turn North to Esplande Street and turn West and follow the curve, property will be on the left), in S32 (Section)-T47 (Township)S-R25 (Range)E, Lee County, Florida.

SIZE OF PROPERTY: 0.47 Acres ±

STAFF REPORT: Direct inquiries to Jeff E. Laurien, Senior Planner, at 239-479-8336, at the Department of Community Development, 1500 Monroe St., Ft. Myers, FL 33901.

PROPERTY OWNERS REPRESENTATIVE: MS. DEBORA A GRESS
PROGRESSIVE ENGINEERING
239-992-1619

Notice is hereby given that the City of Bonita Springs Zoning Board for Land Use will hold a public hearing at 9:00 a.m. on December 06, 2002, 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-B4-00207.0230
AMBROZY RAYMOND L

4895 ESPLANADE ST

BONITA SPRINGS FL 34134

32-47-25-B4-00206.0150
CAWLEY GEORGE H + PATRICIA

4862 REGAL DR

BONITA SPRINGS FL 34134

32-47-25-B4-00206.0170
DONOVAN NANCY M

26895 MCLAUGHLIN BLVD

BONITA SPRINGS FL 34134

32-47-25-B4-00206.0190
SUMMERTON CHRIS R + ANN H

4878 REGAL DR

BONITA SPRINGS FL 34134

32-47-25-B4-00207.0140
YOUNGBLOOD BARBARA

PMB 227
8951 BONITA BEACH RD #525
BONITA SPRINGS FL 34135

32-47-25-B4-00207.0160
JAKLITCH HAZEL W

293 3RD ST

BONITA SPRINGS FL 34134

32-47-25-B4-00207.017A
WIERANGA FRANK + JACQUELINE

4902 ESPLANADE ST

BONITA SPRINGS FL 34134

32-47-25-B4-00207.0190
ECKERT RAYMOND E + RUTH M

4881 ESPLANADE ST

BONITA SPRINGS FL 34134

32-47-25-B4-00207.0210
CARTER TRICIA A

PO BOX 110

KILLINGTON VT 05751

32-47-25-B4-00207.0240
THOMPSON RICHARD C

18855 RAPIDS RD

HIRAM OH 44234

32-47-25-B4-00[redacted]190
BERRY L F JR + PATRICIA N COTR

4877 REGAL DR

BONITA SPRINGS FL 34134

32-47-25-B4-00206.0160
BROWN BRADLEY R +

4866 REGAL DR

BONITA SPRINGS FL 34134

32-47-25-B4-00206.0180
KENNEDY RICHARD L + DARCY D

4874 REGAL DR

BONITA SPRINGS FL 34134

32-47-25-B4-00206.0200
MCHUGH FRANK M + VIRGINIA

4882 REGAL DR

BONITA SPRINGS FL 34134

32-47-25-B4-00207.0150
WESLEY MICHAEL J III + SUSAN A

28232 MANGO DR

BONITA SPRINGS FL 34134

32-47-25-B4-00207.0170
WIERENGA JACQUELINE +

4902 ESPLANADE ST

BONITA SPRINGS FL 34134

32-47-25-B4-00207.0180
EIGENHEER BRUNO + INGRID

OFFIZIERS GASSE 21

VILLMERGEN 5612 SWITZERLAND

32-47-25-B4-00207.0200
CARTER TRICIA A

PO BOX 110

KILLINGTON VT 05751

32-47-25-B4-00207.0220
MULLENIX CLAUDE + DORIS

4891 ESPLANADE SW

BONITA SPRINGS FL 34134

32-47-25-B4-00207.0260
THOMPSON RICHARD C

18855 RAPIDS RD

HIRAM OH 44234

DVPP2012-00035

32-47-25-B4-00207.0270
DUPUIS LORRIE N

4911 ESPLANADE ST

BONITA SPRINGS FL 34134

32-47-25-B4-00207.0280
RAKICH STEVE T +

4915 ESPLANADE ST

BONITA SPRINGS FL 34134

32-47-25-B4-00207.0290
COFFEY L C

4919 ESPLANADE ST

BONITA SPRINGS FL 34134

32-47-25-B4-00207.0300
REAHARD RICHARD 50% TR +

4366 PINE LAKE RD

BONITA SPRINGS FL 34134

32-47-25-B4-00207.030A
LEE COUNTY

P O BOX 398

FT MYERS FL 33902

32-47-25-B4-00207.0310
HENDERSON JEROME A TR +

P O BOX 366731

BONITA SPRINGS FL 34136

32-47-25-B4-00207.0320
LEE COUNTY

P O BOX 398

FT MYERS FL 33902

32-47-25-B4-00208.0110
QUINN C R + ROBERTA L

4866 ESPLANADE ST

BONITA SPRINGS FL 34134

32-47-25-B4-00208.0120
BENJAMIN RICHARD H + HELGA G

4872 ESPLANADE ST

BONITA SPRINGS FL 34134

32-47-25-B4-00208.0130
SIMS STEVEN R

P O BOX 188

BONITA SPRINGS FL 34133

32-47-25-B4-00208.0140
LONG BASIL W

6774 MAPLEBROOK LN

WORTHINGTON OH 43235

32-47-25-B4-00208.0150
LONG BASIL W

6774 MAPLEBROOK LN

WORTHINGTON OH 43235

32-47-25-B4-00208.0160
BLANCHARD HELEN H

4896 ESPLANADE ST

BONITA SPRINGS FL 34134

32-47-25-B4-00208.0170
WIERENGA JACQUELINE

4902 ESPLANADE ST

BONITA SPRINGS FL 34134

32-47-25-B4-00208.0180
OCONNELL ROBERT V + DOROTHY L

4908 ESPLANADE ST

BONITA SPRINGS FL 34134

32-47-25-B4-00208.0190
PALUMBO L REBECCA +

4914 ESPLANADE ST

BONITA SPRINGS FL 34134

32-47-25-B4-00208.0200
NICKEL CARL I

PO BOX 2325

BONITA SPRINGS FL 34133

32-47-25-B4-00209.0010
LEE COUNTY

P O BOX 398

FT MYERS FL 33902

32-47-25-B4-00500.0010
WATER WATCH LLC

STE 403 8889 PELICAN BAY BLVD

NAPLES FL 34108

32-47-25-B4-00600.000A
BAY POINT CONDO PH 1 + 2

27670 BAY POINT LN

BONITA SPRINGS FL 34134

WATER WATCH LLC

STE 403
8889 PELICAN BAY BLVD
NAPLES FL 34108

32-47-25-B4-03214.0130
WATER WATCH LLC

STE 403 8889 PELICAN BAY BLVD

NAPLES FL 34108

32-47-25-B4-03[redacted].0120
CLOUD VIVIAN O +

4873 TARPON AVE

BONITA SPRINGS FL 34134

32-47-25-B4-03214.0140
WATER WATCH LLC

STE 403 8889 PELICAN BAY BLVD

NAPLES FL 34108

agent:

Progressive Engineering
Attn: Debora Allen Gress
25671 Corzine Road
Bonita Springs, FL 34135

LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: 479-8585

Bob Janes
District One

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

November 6, 2002

Debora Allen Gress
Progressive Engineering
25671 Corzine Road
Bonita Springs, FL 34135

Re: Agenda Schedule for Ambrozy Rezone
Case No. DCI2002-00035

Dear Ms. Gress:

Your zoning request has been scheduled before the Zoning Board for Land Use Hearings of the City of Bonita Springs on December 6, 2002, at 9:00 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 November 7, 2002, 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 November 22, 2002, and is to remain posted until final decision is rendered.

Call if you have any questions.

DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Division

Jamie Princing
Administrative Assistant

cc: Raymond Ambrozy
Jeff Laurien, Senior Planner
Zoning File

U:\200211\DCI20020.003\5\Applicantletter .wpd

ZONING DIVISION
CITY OF BONITA SPRINGS
PLANNED DEVELOPMENT SUFFICIENCY REVIEW
TRANSMITTAL SHEET

TO: Distribution
see below

FROM: Jeff E. Laurien

DATE: 09/27/2002

*** REVIEWERS - remember permit plan checklists should now be used.**

PROJECT NAME: AMBROZY REZONE

CASE #: DCI2002-00035

INFORMATION SUMMARY:

RESUBMITTAL

___ To update your file
_X_ Review and forward sufficiency questions or make finding of sufficiency

RESPONSE REQUIRED BY: 10/11/2002

Additional Comments:

DISTRIBUTION TO:

Audrey Vance, City Attorney
Jerry Murphy, Zoning

(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

DCI2002-00035

Distributed by: Becky Tatlock

Date: 09/30/2002

PROGRESSIVE ENGINEERING
25671 CORZINE LANE SE
BONITA SPRINGS, FL. 34135
Phone:941-992-1619
Fax no:941-992-8571

September 27, 2002

Jeff Laurien
Lee County Department of Community Development
P.O. Box 398
Fort Myers, Florida 33902

RE: Ambrozy Rezone
DCI2002-00035

DCI 2002.00035

Dear Jeff:

Per your letter dated August 2, 2002, please find the following:

1. Aerial Photograph with site delineated.
2. MCP with proposed uses revised. We did keep the "signs in compliance with Chapter 30" since that is an allowable use now and the owner intends to erect a sign during construction.
3. Added the word "minimum" to building development regulations
4. Per our phone conversation, you found the owner authorization and unified control documents which allow me to be an agent.
5. A new legal was written for the MCP as one parcel with bearings and distances around the perimeter as opposed to two individual lots as it exists.
6. 11 copies of a boundary survey. This should satisfy comments 6(b),6(c),6(c1),6(c2).

I am in hopes that all additional information will be deemed sufficient and this project can be placed on the agenda as the owner is anxious to move forward with this project. Should you have any questions, please feel free to call me at the above number.

Sincerely,

Debora Allen Gress, P.E.
DAG/mmi

Writer's Direct Dial Number: 239-479-8336

CITY OF BONITA SPRINGS

Paul D. Pass
Mayor

Wayne Edsall
District One

Jay G. Arend
District Two

Robert Wagner
District Three

John C. Warfield
District Four

David Piper, Jr.
District Five

Ben L. Nelson, Jr.
District Six

Gary A. Price
City Manager

Audrey E. Vance
City Attorney

October 18, 2002

MS. DEBORA A. GRESS
PROGRESSIVE ENGINEERING
25671 CORZINE LANE
BONITA SPRINGS, FL 34135

Re: AMBROZY REZONE
DCI2002-00035 - PDS Application (Minor PD)

Dear MS. DEBORA A. GRESS :

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:

> To rezone the 0.49 acre property from Residential Two-Family Conservation District (TFC-2), to Residential Planned Development (RPD) to allow among other uses duplexes, two-family attached, and single-family residence, conventional.
>
> 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 November 1, 2002 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 December 6, 2002. 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.

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

Jeff E. Laurien
Senior Planner

copy w/o attachments
- Pamela Houck, Division Director
- Audrey Vance, City Attorney
- DS Reviewer - Don Blackburn
- Paul O'Connor, Planning
- Kim Trebatoski, Environmental Sciences
- Roland Ottolini, Natural Resources
- Andy Getch, LCDOT
- Stephanie Keyes, Lee County School District
- Billie Jacoby, DCD Admin
- DCI Zoning File
- DCI Working File

DCI 2002-00035

ZONING DIVISION
CITY OF BONITA SPRINGS
PLANNED DEVELOPMENT SUBSTANTIVE REVIEW
TRANSMITTAL SHEET

TO: Distribution
Audrey Vance, City Attorney
TIS Reviewer - Bob Rentz
DS Reviewer - Don Blackburn
Paul O'Connor, Planning
Kim Trebatoski, Environmental Sciences
Andy Getch, LCDOT
Stephanie Keyes, Lee County School District
Roland Ottolini, Natural Resources
Jerry Murphy, Zoning

FROM: Jeff E. Laurien

DATE: 10/22/2002

PROJECT NAME: AMBROZY REZONE

CASE #: DCI2002-00035

INFORMATION SUMMARY:

___ To update your file
_X_ Review and forward substantive comments **ASAP**.

RESPONSE REQUIRED BY: OCTOBER 29, 2002

Additional Comments:

cc: DCI planner/working file
DCI Zone File

Distributed by: Billie Jacoby

Date: 10/22/2002

DCI 2002-00035

fxmtlsfrvsubst_bon.rpt

LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Bob Janes
District One

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. Yeager
County Attorney

Diana M. Parker
County Hearing Examiner

Writer's Direct Dial Number: 239-479-8336

August 2, 2002

MS. DEBORA A. GRESS
PROGRESSIVE ENGINEERING
25671 CORZINE LANE
BONITA SPRINGS, FL 34135

Re: AMBROZY REZONE
DCI2002-00035 - PDS Application (Minor PD)

Dear MS. DEBORA A. GRESS :

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,

DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Division

Jeff E. Laurien
Senior Planner

DCI 2002-00035

cc: Pamela Houck, Division Director
Paul O'Connor, Planning
John Fredyma, Assistant County Attorney
Kim Trebatoski, Environmental Sciences
Roland Ottolini, Natural Resources
Andy Getch, LCDOT
Don Blackburn, Development Review
Zoning/DCI Files

DCI 2002-00035

Sufficiency Checklist for Planned Developments, Amendments, and Existing Developments Requesting Planned Development Zoning

9d) Aerial Photograph. An aerial photograph with the site clearly delineated. [34-373(a)(4)d.]

This was not submitted with your application. Please submit one with the subject property clearly marked.

14a) Types of Uses. The types of uses proposed for the entire site. For projects with residential uses, the summary must include the types of proposed dwelling units. [34-373(a)(8)i.]

As per our telephone conversation, staff recomends removing the following listed uses from the submitted Master Concept Plan and submitting 11 new full-size and 11 11" x 17" Master Concept Plans: Entrance gate, gatehouses; signs in compliance with chapter 30; Administrative offices; Essential service facilities (34-622(c)(13)) Group I; Excavation water retention; Parks (34(622 (o)(32)), Group I; Recreational facilities personal; Temporary uses; Two-family attached (already under Dwelling Unit heading).

19) Miscellaneous Items.

Under the "Building Development Regulations" heading on the Master Concept Plan, please label the lot area per unit, lot width per unit, and lot depth as minimums, i.e.: minimum lot area per unit = 3, 750 S.F., minimum lot width..., minimum lot depth...

Legal Requirements Sufficiency Checklist

1a) The application was signed by the owner of the property or an authorized representative. [34-201(a)(1)a.1.]

See below.

1a1) If the owner(s) has authorized an agent to prepare and sign the application and to represent him in all matters pertaining to the application, the agent must provide a document establishing his authority which has been signed by the owner and notarized by a notary public. [34-202(b)(1)b.]

The application indicates that the owner is the applicant, and that Progressive Engineering is the authorized agent, but Debora Gress has signed the application affidavit. If the owner is the applicant he should sign the affidavit. If the owner wishes to authorize Debora Gress to be the agent, then she should be named as such on the appropriate letter of authorization and covenant of unified control documents. If the owner wishes to authorize Progressive Engineering, then any documents executed by Progressive Engineering should be executed by the appropriate officer of that entity in their legal capacity with appropriate jurat.

DCI 2002-00035

5) Applications must be presented on the official forms provided by the department, or on county-approved computer-generated forms containing the same information. [34-201(b)(2)]

The application appears to be missing a covenant of unified control and letter of authorization. The application indicates that the owner is required to file a disclosure form, yet none is included in the application.

6) All applications requiring a public hearing must include the following: [34-202(a)]

See below.

6a) Legal description. The request must include a legal description of the property upon which the action is to be initiated. [34-202(a)(1)]

See below.

6a1) The legal description must be sufficiently detailed so as to locate the property on county maps or section aerial photographs. [34-202(a)(1)]

See below.

6a3) If the application includes multiple abutting parcels or consists of other than one or more undivided platted lots, the legal description must specifically describe the perimeter of the total property, by metes & bounds with accurate bearings and distances for every line, but need not describe each individual parcel. [34-202(a)(1)]

This requirement is not satisfied. The applicant has provide two individual descriptions of the two abutting parcels which comprise the project. The referenced canal appears to be completely seawalled and the project property within the seawall. The MCP shows this as jogging and having angles, the "Boundary Sketch" shows the seawall significantly differently.

6b) Certified sketch of description. A certified sketch of description as set out in chapter 61G 17-6.006, Florida Administrative Code, must be provided unless the subject property consists of one or more undivided platted lots in a subdivision recorded in the Official County Plat Books. [34-202(a)(2)]

If the necessary information can be provided in a legal description and sketch of description packagte, this may be acceptable and waiver from the Boundary Survey requirement should be requested. Please contact Jerry Murphy if you wish to discuss this option further.

DCI 2002-00035

6c) Boundary Survey. A boundary survey meeting the minimum technical standards for land surveying in the state, as set out in chapter 61G 17-6, FAC, is required for property encompassing 10 or more acres and for all Planned Development applications. [34-202(a)(2)]

The "Boundary Sketch" submitted in the application is not a Boundary Survey meeting the minimum requirements of the FAC.

6c1) The perimeter boundary must be clearly marked on the survey with a heavy line and must include the entire area to be developed. [34-202(a)(2)]

It is not clear from either the Boundary Sketch or the MCP what the actual perimeter boundary of the property is. The property appears to be seawalled along the entire eastern face and this seawall should probably be used as the boundary and described by metes and bounds with accurate bearings and distances. See notes on legal description, above.

6c2) The boundary survey must show the location of existing structures on the property. [34-202(a)(2)]

The existing structures are depicted, but no perpendicular ties to the property lines have been indicated. Please provide ties to the front and closest side lot lines.

7) Miscellaneous Items.

Sufficiency or applicability subject to change with receipt and review of subsequent submittals.

DCI 2002-00035

ZONING DIVISION
CITY OF BONITA SPRINGS
PLANNED DEVELOPMENT SUFFICIENCY REVIEW
TRANSMITTAL SHEET

TO: Distribution
Audrey Vance, City Attorney
TIS Reviewer - Bob Rentz
DS Reviewer - Don Blackburn
Paul O'Connor, Planning
Kim Trebatoski, Environmental Sciences
Andy Getch, LCDOT
Stephanie Keyes, Lee County School District
Roland Ottolini, Natural Resources

FROM: Jeff E. Laurien

DATE: 07/12/2002

*** REVIEWERS - remember permit plan checklists should now be used.**

PROJECT NAME: AMBROZY REZONE

CASE #: DCI2002-00035

INFORMATION SUMMARY:

NEW SUBMITTAL

___ To update your file
_X_ Review and forward sufficiency questions or make finding of sufficiency

RESPONSE REQUIRED BY: 07/26/2002

Additional Comments:

(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: 07/16/2002

DCI 2002-00035

~~EXHIBIT IV-A~~
I-B-5

VARIANCE REPORT -- Parcels Found by Scan

SUBJECT PARCEL: AP:324725:B4:00207:0230 EXPAND HDR: FALSE TRAP CONDOS: FALSE

DCI 2002-00035

1) 32-47-25-B4-00207.0230
2) 32-47-25-B4-00205.0190
3) 32-47-25-B4-00206.0150
4) 32-47-25-B4-00206.0160
5) 32-47-25-B4-00206.0170
6) 32-47-25-B4-00206.0180
7) 32-47-25-B4-00206.0190
8) 32-47-25-B4-00206.0200
9) 32-47-25-B4-00207.0140
10) 32-47-25-B4-00207.0150
11) 32-47-25-B4-00207.0160
12) 32-47-25-B4-00207.0170
13) 32-47-25-B4-00207.017A
14) 32-47-25-B4-00207.0180
15) 32-47-25-B4-00207.0190
16) 32-47-25-B4-00207.0200
17) 32-47-25-B4-00207.0210
18) 32-47-25-B4-00207.0220
19) 32-47-25-B4-00207.0240
20) 32-47-25-B4-00207.0260
21) 32-47-25-B4-00207.0270
22) 32-47-25-B4-00207.0280
23) 32-47-25-B4-00207.0290
24) 32-47-25-B4-00207.0300
25) 32-47-25-B4-00207.030A
26) 32-47-25-B4-00207.0310
27) 32-47-25-B4-00207.0320
28) 32-47-25-B4-00208.0110
29) 32-47-25-B4-00208.0120
30) 32-47-25-B4-00208.0130
31) 32-47-25-B4-00208.0140
32) 32-47-25-B4-00208.0150
33) 32-47-25-B4-00208.0160
34) 32-47-25-B4-00208.0170
35) 32-47-25-B4-00208.0180
36) 32-47-25-B4-00208.0190
37) 32-47-25-B4-00208.0200
38) 32-47-25-B4-00209.0010
39) 32-47-25-B4-00500.0010
40) 32-47-25-B4-00600.000A
41) 32-47-25-B4-03214.0100
42) 32-47-25-B4-03214.0120
43) 32-47-25-B4-03214.0130
44) 32-47-25-B4-03214.0140

TOTAL STRAPS: 44 (EXPANDED)CONDOS: 0
TOTAL PARCELS : 44

DCI 2002-00035

****
*** VARIANCE REPORT ***
***
***
*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
****

DCI 2002-00035

DATE OF REPORT : 13FEB02
SUBJECT PROPERTY : 32-47-25-B4-00207.0230
VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 44

32-47-25-B4-00207.0230

IMPERIAL SHORES U 1 UNREC BLK 7 OR 53 PG 130 L OT 23

********** OWNER ********** ********** SITE *********

AMBROZY RAYMOND L

4895 ESPLANADE ST 4895 ESPLANADE ST

BONITA SPRINGS FL 34134 Bonita Springs 34134

32-47-25-B4-00205.0190

IMPERIAL SHORES #1 UNREC BLK 5 OR 53 PG 130 LOTS 19 + 20 LESS OR 1702 PG 224

********** OWNER ********** ********** SITE *********

BERRY L F JR + PATRICIA N COTR

4877 REGAL DR 4877 REGAL DR

BONITA SPRINGS FL 34134 Bonita Springs 34134

32-47-25-B4-00206.0150

IMPERIAL SHORES UN.1 UREC. BLK 6 OR 53 PG 130 LOT 15

********** OWNER ********** ********** SITE *********

CAWLEY GEORGE H + PATRICIA

4862 REGAL DR 4862 REGAL DR

BONITA SPRINGS FL 34134 Bonita Springs 34134

32-47-25-B4-00206.0160

IMPERIAL SHORES UN.1 UREC. BLK 6 OR 53 PG 130 LOT 16

********** OWNER ********** ********** SITE *********

BROWN BRADLEY R +

4866 REGAL DR 4866 REGAL DR

BONITA SPRINGS FL 34134 Bonita Springs 34134

DCI 2002-00035

****
*** VARIANCE REPORT ***
***
***
*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
****

DATE OF REPORT : 13FEB02
SUBJECT PROPERTY : 32-47-25-B4-00207.0230
VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 44

32-47-25-B4-00206.0170

IMPERIAL SHORES UN.1 UREC.
BLK 6 OR 53 PG 130
LOT 17

********** OWNER ********** ********** SITE *********
DONOVAN NANCY M

26895 MCLAUGHLIN BLVD 4868/70 REGAL DR

BONITA SPRINGS FL 34134 Bonita Springs
34134

32-47-25-B4-00206.0180

IMPERIAL SHORES UN.1 UNREC
BLK.6 OR 53 PG 130
LOT 18

********** OWNER ********** ********** SITE *********
KENNEDY RICHARD L + DARCY D

4874 REGAL DR 4874 REGAL DR

BONITA SPRINGS FL 34134 Bonita Springs
34134

32-47-25-B4-00206.0190

IMPERIAL SHORES UN.1 UNREC
BLK.6 OR 53 PG 130
LOT 19

********** OWNER ********** ********** SITE *********
SUMMERTON CHRIS R + ANN H

4878 REGAL DR 4878 REGAL DR

BONITA SPRINGS FL 34134 Bonita Springs
34134

32-47-25-B4-00206.0200

IMPERIAL SHORES UN 1 UNREC
BLK 6 OR 53 PG 130 LOT 2
0 + PARL PER OR 1702 PG 2

********** OWNER ********** ********** SITE *********
MCHUGH FRANK M + VIRGINIA

4882 REGAL DR 4882 REGAL DR

BONITA SPRINGS FL 34134 Bonita Springs
34134

****
*** VARIANCE REPORT ***
*** ***
*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
****

DATE OF REPORT : 13FEB02
SUBJECT PROPERTY : 32-47-25-B4-00207.0230
VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 44

32-47-25-B4-00207.0140

IMPERIAL SHORES UN 1 UREC BLK 7 OR 53 PG 130 L OT 14

********** OWNER ********** ********** SITE *********

YOUNGBLOOD BARBARA

PMB 227
8951 BONITA BEACH RD #525
BONITA SPRINGS FL 34135

4859 4861ESPLANADE ST
Bonita Springs 34134

32-47-25-B4-00207.0150

IMPERIAL SHORES UN.1 UREC. BLK 7 OR 53 PG 130 LOT 15

********** OWNER ********** ********** SITE *********

WESLEY MICHAEL J III + SUSAN A

28232 MANGO DR
BONITA SPRINGS FL 34134

4863 4865ESPLANADE ST
Bonita Springs 34134

32-47-25-B4-00207.0160

IMPERIAL SHORES UN.1 UREC. BLK 7 OR 53 PG 130 LOT 16

********** OWNER ********** ********** SITE *********

JAKLITCH HAZEL W

293 3RD ST
BONITA SPRINGS FL 34134

4867 4869ESPLANADE ST
Bonita Springs 34134

32-47-25-B4-00207.0170

IMPERIAL SHORES UN.1 UREC. BLK 7 OR 53 PG 130 1/2 DUPLEX E 1/2 OF LT 17

********** OWNER ********** ********** SITE *********

WIERENGA JACQUELINE +

4902 ESPLANADE ST
BONITA SPRINGS FL 34134

4871 ESPLANADE ST
Bonita Springs 34134

DCI 2002-00035

****
*** VARIANCE REPORT ***
*** ***
*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
****

DATE OF REPORT : 13FEB02
SUBJECT PROPERTY : 32-47-25-B4-00207.0230
VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 44

32-47-25-B4-00207.017A

IMPERIAL SHORES UN 1 UNREC
BLK 7 OR 53 PG 130 1/2
DUPLEX W 1/2 OF LOT 17

********** OWNER ********** ********** SITE *********
WIERANGA FRANK + JACQUELINE

4902 ESPLANADE ST 4873 ESPLANADE ST

BONITA SPRINGS FL 34134 Bonita Springs
34134

32-47-25-B4-00207.0180

IMPERIAL SHORES UN.1 UNREC
BLK.7 OR 53 PG 130
LOT 18

********** OWNER ********** ********** SITE *********
EIGENHEER BRUNO + INGRID

OFFIZIERS GASSE 21 4875 ESPLANADE ST

VILLMERGEN 5612 Bonita Springs
SWITZERLAND 34134

32-47-25-B4-00207.0190

IMPERIAL SHORES UN.1 UNREC
BLK.7 OR 53 PG 130
LOT 19

********** OWNER ********** ********** SITE *********
ECKERT RAYMOND E + RUTH M

4881 ESPLANADE ST 4879 4881ESPLANADE ST

BONITA SPRINGS FL 34134 Bonita Springs
34134

32-47-25-B4-00207.0200

IMPERIAL SHORES UN.1 UNREC
BLK.7 OR 53 PG 130
LOT 20

********** OWNER ********** ********** SITE *********
CARTER TRICIA A

PO BOX 110 4883 ESPLANADE ST

KILLINGTON VT 05751 Bonita Springs
34134

DCT 2002-00035

****
*** VARIANCE REPORT ***
***
***
*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
****

DATE OF REPORT : 13FEB02
SUBJECT PROPERTY : 32-47-25-B4-00207.0230
VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 44

32-47-25-B4-00207.0210

IMPERIAL SHORES UN 1 UNREC
BLK 7 OR 53 PG 130
LOT 21

********** OWNER **********
CARTER TRICIA A

PO BOX 110

KILLINGTON VT 05751

********** SITE *********
4887 ESPLANADE ST

Bonita Springs
34134

32-47-25-B4-00207.0220

IMPERIAL SHORES U.1 UNREC.
BLK.7 OR 53 PG 130
LOT 22

********** OWNER **********
AMBROZY RAYMOND L

4895 ESPLANADE SW

BONITA SPRINGS FL 34134

********** SITE *********
4891 4893ESPLANADE ST

Bonita Springs
34134

32-47-25-B4-00207.0240

IMPERIAL SHORES UN.1 UNREC
BLK.7 OR 53 PG 130
LOTS 24 + 25

********** OWNER **********
THOMPSON RICHARD C

18855 RAPIDS RD

HIRAM OH 44234

********** SITE *********
4897 4899 ESPLANADE ST

Bonita Springs
34134

32-47-25-B4-00207.0260

PARL IN SEC 32 TWP 47 R 25
BLK 7 DESC IN OR 500 PG
715

********** OWNER **********
THOMPSON RICHARD C

18855 RAPIDS RD

HIRAM OH 44234

********** SITE *********
4905 4907ESPLANADE ST

Bonita Springs
34134

DCI 2002-00035

```
**********************************************
***            VARIANCE REPORT             ***
***                                        ***
***                Prepared By             ***
***     LEE COUNTY PROPERTY APPRAISER      ***
***          Kenneth M. Wilkinson          ***
**********************************************
  DATE OF REPORT     : 13FEB02
  SUBJECT PROPERTY   : 32-47-25-B4-00207.0230
  VARIANCE DISTANCE  : 500(ft)
  PARCELS AFFECTED   : 44
```

32-47-25-B4-00207.0270

PARL SW1/4 DESC OR1215/377 LESS PAR 7.028 AKA LT 27 BLK 7 UT 1 IMPERIAL SHOR

********** OWNER **********
DUPUIS LORRIE N

4911 ESPLANADE ST

BONITA SPRINGS FL 34134

********** SITE *********
4911 ESPLANADE ST

Bonita Springs 34134

32-47-25-B4-00207.0280

PARL IN SW 1/4 DESC OR 1 869 PG 1831 AKALOT 28 B K 7 IMPERIAL SHRS U-1 UNR

********** OWNER **********
RAKICH STEVE T +

4915 ESPLANADE ST

BONITA SPRINGS FL 34134

********** SITE *********
4915 ESPLANADE ST

Bonita Springs 34134

32-47-25-B4-00207.0290

IMPERIAL SHORES U 1 UNREC BLK 7 OR 500 PG 715 LOT 29

********** OWNER **********
COFFEY L C

4919 ESPLANADE ST

BONITA SPRINGS FL 34134

********** SITE *********
4919 ESPLANADE ST

Bonita Springs 34134

32-47-25-B4-00207.0300

IMPERIAL SHORES UN.1 UNREC BLK.7 OR 53 PG 130 LOT 30

********** OWNER **********
REAHARD RICHARD 50% TR +

4366 PINE LAKE RD

BONITA SPRINGS FL 34134

********** SITE *********
4937 ESPLANADE ST

Bonita Springs 34134

DCI 2002-00035

****
*** VARIANCE REPORT ***
***
***
*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
****

DATE OF REPORT : 13FEB02
SUBJECT PROPERTY : 32-47-25-B4-00207.0230
VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 44

32-47-25-B4-00207.030A

IMPERIAL SHORES UN 1 UNREC
BLK 7 OR 53 PG 130
PARK S OF LOT 30

********** OWNER ********** ********** SITE *********
LEE COUNTY

P O BOX 398 27650 EMPEROR DR

FT MYERS FL 33902 Bonita Springs
34134

32-47-25-B4-00207.0310

IMPERIAL SHORES UN 1 UNREC
BLK 7 OR 53 PG 130
LOT 31

********** OWNER ********** ********** SITE *********
HENDERSON JEROME A TR +

P O BOX 366731 4951 4953ESPLANADE ST

BONITA SPRINGS FL 34136 Bonita Springs
34134

32-47-25-B4-00207.0320

IMPERIAL SHORES UN 1 UNREC
BLK 7 OR 53 PG 130
LOTS 32 THRU 36

********** OWNER ********** ********** SITE *********
LEE COUNTY

P O BOX 398 27594 EMPEROR DR

FT MYERS FL 33902 Bonita Springs
34134

32-47-25-B4-00208.0110

IMPERIAL SHORES UN.1 UREC.
BLK 8 OR 53 PG 130
LOT 11

********** OWNER ********** ********** SITE *********
QUINN C R + ROBERTA L

4866 ESPLANADE ST 4866 4868ESPLANADE ST

BONITA SPRINGS FL 34134 Bonita Springs
34134

DCI 2002-00035

```
**********************************************
***            VARIANCE REPORT             ***
***                                        ***
***                Prepared By             ***
***     LEE COUNTY PROPERTY APPRAISER      ***
***          Kenneth M. Wilkinson          ***
**********************************************
  DATE OF REPORT     : 13FEB02
  SUBJECT PROPERTY   : 32-47-25-B4-00207.0230
  VARIANCE DISTANCE  : 500(ft)
  PARCELS AFFECTED   : 44
```

32-47-25-B4-00208.0120

IMPERIAL SHORES UN 1 UREC BLK 8 OR 53 PG 130 L OT 12

********** OWNER **********
BENJAMIN RICHARD H + HELGA G

4872 ESPLANADE ST

BONITA SPRINGS FL 34134

********** SITE *********
4872 ESPLANADE ST

Bonita Springs 34134

32-47-25-B4-00208.0130

IMPERIAL SHORES U 1 UNREC BLK 8 OR 53 PG 130 L OT 13

********** OWNER **********
SIMS STEVEN R

P O BOX 188

BONITA SPRINGS FL 34133

********** SITE *********
4878 ESPLANADE ST

Bonita Springs 34134

32-47-25-B4-00208.0140

IMPERIAL SHORES U.1 UNREC BLK.8 OR 53 PG 128 L OT 14

********** OWNER **********
LONG BASIL W

6774 MAPLEBROOK LN

WORTHINGTON OH 43235

********** SITE *********
4884 4886ESPLANADE ST

Bonita Springs 34134

32-47-25-B4-00208.0150

IMPERIAL SHORES UN.1 UNREC BLK.8 OR 53 PG 130 LOT 15

********** OWNER **********
LONG BASIL W

6774 MAPLEBROOK LN

WORTHINGTON OH 43235

********** SITE *********
4890 ESPLANADE ST

Bonita Springs 34134

DCI 2002-00035

****
*** VARIANCE REPORT ***
***
***
*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
****

DATE OF REPORT : 13FEB02
SUBJECT PROPERTY : 32-47-25-B4-00207.0230
VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 44

32-47-25-B4-00208.0160

IMPERIAL SHRS UNIT 1 UNREC BLK 8 OR 53 PG 130 LOT 16

********** OWNER ********** ********** SITE *********

BLANCHARD HELEN H

4896 ESPLANADE ST 4896 ESPLANADE ST

BONITA SPRINGS FL 34134 Bonita Springs 34134

32-47-25-B4-00208.0170

IMPERIAL SHORESU1 UNREC BLK 8 OR53 PG 130 LOT 17

********** OWNER ********** ********** SITE *********

WIERENGA JACQUELINE

4902 ESPLANADE ST 4902 ESPLANADE ST

BONITA SPRINGS FL 34134 Bonita Springs 34134

32-47-25-B4-00208.0180

IMPERIAL SHORES UN 1 UNREC BLK 8 OR 53 PG 130 LOT 18

********** OWNER ********** ********** SITE *********

OCONNELL ROBERT V + DOROTHY L

4908 ESPLANADE ST 4908 ESPLANADE ST

BONITA SPRINGS FL 34134 Bonita Springs 34134

32-47-25-B4-00208.0190

IMPERIAL SHORES UN 1 UNREC BLK 8 OR 53 PG 130 LOT 19

********** OWNER ********** ********** SITE *********

PALUMBO L REBECCA +

4914 ESPLANADE ST 4914 ESPLANADE ST

BONITA SPRINGS FL 34134 Bonita Springs 34134

****
*** VARIANCE REPORT ***
*** ***
*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
****

DATE OF REPORT : 13FEB02
SUBJECT PROPERTY : 32-47-25-B4-00207.0230
VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 44

32-47-25-B4-00208.0200

IMPERIAL SHORES UN.1 UNREC BLK 8 OR 53 PG 128 LOT 20

********** OWNER **********
NICKEL CARL I

PO BOX 2325

BONITA SPRINGS FL 34133

********** SITE **********
4920 ESPLANADE ST

Bonita Springs 34134

32-47-25-B4-00209.0010

IMPERIAL SHORES UNREC BLK 9 OR53 PG130 LTS 1-5 + 7 -24

********** OWNER **********
LEE COUNTY

P O BOX 398

FT MYERS FL 33902

********** SITE **********
0 EMPEROR DR

Bonita Springs 34134

32-47-25-B4-00500.0010

RIVERWOOD ESTATES UNREC OR881 PG 475 LOT 1

********** OWNER **********
WATER WATCH LLC

STE 403 8889 PELICAN BAY BLVD

NAPLES FL 34108

********** SITE **********
27595 597RIVERWOOD DR

Bonita Springs 34134

32-47-25-B4-00600.000A

BAY POINT CONDO PH 1 + 2 DESC OR BK 1572 PG 2085 + OR BK 1853 PG 0761

********** OWNER **********
BAY POINT CONDO PH 1 + 2

27670 BAY POINT LN

BONITA SPRINGS FL 34134

********** SITE **********
0 HDR: BAY POINT PH I

Bonita Springs 34134

****
*** VARIANCE REPORT ***
*** ***
*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***
****

DATE OF REPORT : 13FEB02
SUBJECT PROPERTY : 32-47-25-B4-00207.0230
VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 44

32-47-25-B4-03214.0100

FR SE COR RUN W ALG S LI 665 FT TH N 50 FT TO N LI BEACH RD CONT N 1618.5 FT

********** OWNER ********** ********** SITE *********
WATER WATCH LLC

STE 403 4865/4867 TARPON AV
8889 PELICAN BAY BLVD
NAPLES FL 34108 Bonita Springs
34134

32-47-25-B4-03214.0120

BEG 1668.5 FT N + 3501 FT W OF SE COR OF SEC TH S 135 FT W 450 FT N 135

********** OWNER ********** ********** SITE *********
CLOUD VIVIAN O +

4873 TARPON AVE 4873 TARPON AV

BONITA SPRINGS FL 34134 Bonita Springs
34134

32-47-25-B4-03214.0130

PARL IN S W 1/4 DESC IN O R 1575 PG 1330

********** OWNER ********** ********** SITE *********
WATER WATCH LLC

STE 403 8889 PELICAN BAY BLVD 4885 TARPON AV

NAPLES FL 34108 Bonita Springs
34134

32-47-25-B4-03214.0140

PARL IN S W 1/4 DESC IN O R 1575 PG 1332

********** OWNER ********** ********** SITE *********
WATER WATCH LLC

STE 403 8889 PELICAN BAY BLVD 0 ACCESS UNDETERMINED

NAPLES FL 34108 Bonita Springs
34134

```
**********************************************
***              VARIANCE REPORT             ***
***                                          ***
***                 Prepared By              ***
***      LEE COUNTY PROPERTY APPRAISER       ***
***            Kenneth M. Wilkinson          ***
**********************************************
  DATE OF REPORT     : 13FEB02
  SUBJECT PROPERTY   : 32-47-25-B4-00207.0230
  VARIANCE DISTANCE  : 500(ft)
  PARCELS AFFECTED   : 44

****************************
***     END OF REPORT     ***
****************************
```

DCT 2002-00035

LEE COUNTY

REQUEST FOR PUBLIC HEARING SUBMITTAL REQUIREMENT WAIVER

Upon written request, the director may modify the submittal requirements for Public Hearings where it can be clearly demonstrated 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.

APPLICATION FOR WAIVER OF SUBMITTAL ITEMS REQUIRED FOR PUBLIC HEARING

- ✓ Public Hearing - General Requirements (34-202)
- _____ Public Hearing - Additional requirements for:
  - _____ Development of Regional Impact (34-203(a))
  - _____ Planned Developments (34-203(b))
  - _____ Rezonings other than Planned Developments (34-203 (c))
  - _____ Mobile Home Park (34-203(d))
  - _____ Special Exception (34-203(e))
  - _____ Variances (34-203(f))

PLEASE PRINT OR TYPE:

STRAP Number: 32-47-25-B4-00207.0220, .0230

Name of Project: Ambrozy Rezone

Name of Applicant*: Reynaud L. Ambrozy

Street Address: 4895 Esplanade Road

City: Bonita Springs State: FL Zip: 34135

Phone #: 992-1619 Fax #: 992-8571 E-mail: dgress@ATT.NET

*** If applicant is not the owner, a letter of authorization from the owner must be submitted.**

SPECIFIC SECTION(S) AND REQUIREMENT(S) FOR WHICH A WAIVER IS SOUGHT:

Section Number	Requirement
34-373(a)(4)(c)	Environ. Sensitive Lands Map
34-1573	Environmental Assessment
34-373(a)(4)(b)	Topography map

Over

LEE COUNTY
COMMUNITY DEVELOPMENT
P.O. BOX 398 (1500 MONROE STREET)
FORT MYERS, FLORIDA 33902
PHONE (941) 479-8585

DCI 2002-00035

SCOPE OF PROJECT AND REASON(s) FOR REQUEST

Please provide an explanation of the scope of the project and the reason(s) why you think the request for submittal waiver should be approved. Use additional sheets if necessary.
(Please print or type)

Site is already cleared and developed.

Under penalties of perjury, I declare that I have read the foregoing application and that the facts stated in it are true.

Debra Ann Gress
Signature of Applicant: 7/18/02

Directors Decision: ✓ **Request Approved** _____ **Request Denied**

Comments:

Signature: Tom Hoecker **Date:** July 19, 2002

S:\Forms\APPLCTNS\Zds0116.wpd
Revised January 14, 1999

DCT 2002-00035