



GIS Tracking Sheet

Case No.: REZ2005-00018

Intake Date: August 19, 05

Project Name: Gohari Rezoning

STRAP Number(s): 34-47-25-B3-00253.005B

Planner Name: Chahram Ext. 8372

LEGAL DESCRIPTION VERIFICATION and INITIAL GIS MAPPING

Date: 8/31/2005 ^{ArcGIS}
INTAKE: REZ05018

LEGAL SUFFICIENT

☒ YES

☐ NO

Initials: LGM

If not, give brief explanation:

MAP UPDATE following FINAL ACTION

Date: 07 MAR 06

☒ BONITA SPRINGS

☐ Hearing Examiner Decision

☐ Board of County Commissioner's Resolution

☐ Administrative Approval

☐ Blue Sheet

Zoning Notes: REZ2005-00018, BS ORD #05-25, 19 DEC 05, REZONE FROM RM-2 TO CC P 9790 BONITA BEACH ROAD

MAP UPDATED

☒ YES

☐ NO

Initials: [Signature]

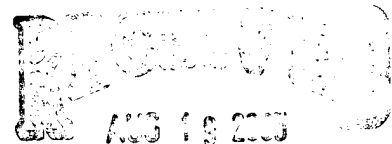
If not, give brief explanation:

CREATED CC: 501223

Legal Description
EXHIBIT II-A-1

THE EAST 105 FEET OF THE WEST 205 FEET OF THE SOUTH 280 FEET, LOT 5,
BLOCK 53, HEITMAN'S BONITA SPRINGS TOWNSITE, ACCORDING TO THE MAP OR
PLAT THEREOF AS RECORDED IN PLAT BOOK 6, PAGE(S) 24, LESS ROAD RIGHT-
OF-WAY, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

Applicant's Legal Checked
by Lgm 8/31/2005



PLAT BOOK 6

REZ 2005-00018

WISCONSIN STREET 50' R/W

LOT 1
BLOCK 53

LOT 2
BLOCK 53

LOT 3
BLOCK 53

LOT 6
BLOCK 53

REMAINDER OF
LOT 5, BLOCK 53

REMAINDER OF
LOT 5, BLOCK 53

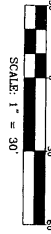
LOT 4
BLOCK 53

DESCRIPTION AS FURNISHED
THE EAST 108 FEET OF THE WEST 206 FEET OF THE SOUTH 280 FEET LOT 5, BLOCK 53, HAYMAN'S BONITA SPRINGS PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE(S) 24, LESS ROAD OF LEE COUNTY, FLORIDA.

(VACANT)

ASPHALT PARKING LOT

BLOCK WALL



MICHIGAN STREET 50' R/W

Applicant's Survey Checked
By lgm 8/31/2005

BONITA BEACH ROAD (R/W VARIES)

STATE OF FLORIDA

COUNTY OF LEE

I, Dennis M. Portillo, Sr., a Registered Land Surveyor in the State of Florida, hereby certify that the foregoing plat represents a survey of the herein described premises, of the Public Records of Collier County, Florida. That a survey of the above described property was made under my personal supervision and that the same was made in accordance with the provisions of Section 472.027, Florida Statutes. There are no visible encroachments other than shown on estimates of which we have knowledge. No title search has been made by the surveyor. No attempt has been made to locate the original plat or plat book. Street address is 8790 Bonita Beach Road, Bonita Springs, FL. Bearings conform to Plat "X". Property is in Road Zone "X".

Dennis M. Portillo, Sr. P.L.S. #5504
Not valid unless signed and sealed with embossed seal.

SYMBOL	DESCRIPTION	SYMBOL	DESCRIPTION
1	BOUNDARY	10	ADJACENT PROPERTY
2	ADJACENT PROPERTY	11	ADJACENT PROPERTY
3	ADJACENT PROPERTY	12	ADJACENT PROPERTY
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89	ADJACENT PROPERTY	98	ADJACENT PROPERTY
90	ADJACENT PROPERTY	99	ADJACENT PROPERTY
91	ADJACENT PROPERTY	100	ADJACENT PROPERTY

CERTIFICATION IS MADE TO:
ALCIS HOLDINGS II, INC.

REZ 2005-00018

file

CITY OF BONITA SPRINGS
ZONING ORDINANCE NO. 05-25

A ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; APPROVING A REQUEST BY MARK GOHARI TO REZONE FROM RESIDENTIAL MULTI-FAMILY DISTRICT (RM-2) TO COMMUNITY COMMERCIAL DISTRICT (CC); ON LAND LOCATED AT 9790 BONITA BEACH ROAD, BONITA SPRINGS, FLORIDA, (STRAP NO. 34-47-25-B3-00253.005B), 29,400 ± SQUARE FEET; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Mark Gohari in reference to Gohari rezoning has filed an application for rezone 29,400 ± square feet from Residential Multi-Family district (RM-2) to Community Commercial district (CC).

WHEREAS, the subject property is located at 9790 Bonita Beach Road, Bonita Springs, Florida, and is described more particularly as:

"See Schedule A"

WHEREAS, a Public Hearing was advertised and heard on November 4, 2005 by the City of Bonita Springs Board for Land Use Hearings and Adjustments and Zoning Board of Appeals ("Zoning Board") on Case REZ 2005-00018 who gave full consideration to the evidence available and recommended APPROVAL (6-0); 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 October 5, 2005 Staff Report prepared by Lee County Development Services Division and evidence submitted at the Zoning Board hearing is on file with the City Clerk.

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

SECTION ONE: APPROVAL OF REQUEST

City Council of Bonita Springs hereby APPROVES the Applicant's request for rezoning from RM-2 (Residential Multi-Family) to CC (Community Commercial).

Findings and Conclusions:

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

1. The applicant has proven entitlement to the rezoning by demonstrating compliance with the Bonita Springs Comprehensive Plan, the Land Development Code, and other applicable codes and regulations.

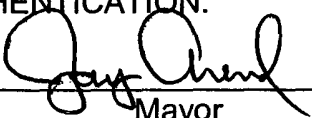
2. Approval of the request will not place an undue burden upon existing transportation or planned infrastructure facilities and will be served by streets with the capacity to carry traffic generated by the development.
3. Urban services, as defined in the Bonita Springs Comprehensive Plan, are, or will be, available and adequate to serve the proposed land use.
4. The requested zoning district:
 - a) Meets or exceeds all performance and locational standards set forth for the potential uses allowed by the request;
 - b) Is consistent with the densities, intensities and general uses set forth in the Bonita Springs Comprehensive Plan;
 - c) Is compatible with existing or planned uses in the surrounding area; and
 - d) Will not adversely affect environmentally critical areas and natural resources.

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 19th day of December, 2005.

AUTHENTICATION:

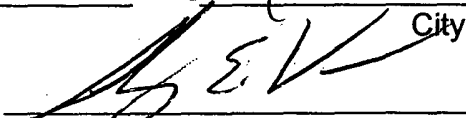


Mayor



City Clerk

APPROVED AS TO FORM:



City Attorney

Vote:

Arend	AYE	Nelson	AYE
Edsall	AYE	Piper	AYE
Grantt	AYE	Wagner	AYE
Joyce	AYE		

Date filed with City Clerk: 12-19-05

Legal Description

THE EAST 105 FEET OF THE WEST 205 FEET OF THE SOUTH 280 FEET, LOT 5, BLOCK 53, HEITMAN'S BONITA SPRINGS TOWNSITE, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 6, PAGE(S) 24, LESS ROAD RIGHT-OF-WAY, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

Applicant's Legal Checked
by Lgm 8/31/2005

RECEIVED
AUG 19 2005

PERMIT COUNTER

REZ 2005-00018

EXHIBIT "A"

RECEIVED
JAN 09 2006

COMMUNITY DEVELOPMENT

City of Bonita Springs
City Council Zoning
Monday, December 19, 2005, 9:00 A.M.
Bonita Springs City Hall
9101 Bonita Beach Road
Bonita Springs, FL 34135
MINUTES

I. CALL TO ORDER

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

II. PLEDGE OF ALLEGIANCE.

Mayor Arend led in the pledge of allegiance.

III. ROLL CALL

Mayor Arend and all Council Members were in attendance.

IV. SECOND READING:

A. FAIRWINDS MODEL HOME SEZ2005-00016

A ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; APPROVING A SPECIAL EXCEPTION REQUEST BY CATHERINE BACKOS IN REFERENCE TO FAIRWINDS MODEL HOME; TO PERMIT A MODEL HOME AND AN ABUTTING PARKING LOT; ON LAND LOCATED AT 10105 AVONLEIGH DRIVE, BONITA SPRINGS, FLORIDA (STRAP NO. 14-47-25-B4-00800.0370/0380), ON 0.68 + ACRES; PROVIDING FOR AN EFFECTIVE DATE.

9:00:35 AM City Attorney Audrey Vance read the title block of the Zoning Ordinance into the record. The first reading was held December 7, 2005.

9:01:05 AM Chip Block, Zoning Division, furnished a brief overview of the request. Both Staff and the Zoning Board have recommended approval with conditions.

9:01:35 AM Gabriel Olivares, representing the Applicant, briefly commented on the intent.

9:07:30 AM Council Member Robert Wagner motioned approval of the Zoning Ordinance.

No public comments were made.

9:07:54 AM Council Member Nelson seconded; and the motion carried unanimously. **ADOPTED ZONING ORDINANCE NO. 05-23**

B. COCKLESHELL VILLAGE VAR2004-00041

A ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; APPROVING VARIANCES REQUESTED BY RPM MANAGEMENT, INC. IN REFERENCE TO COCKLESHELL VILLAGE FOR A RESIDENTIAL DEVELOPMENT IDENTIFICATION SIGN; ON LAND LOCATED AT 25800 COCKLESHELL DRIVE, BONITA SPRINGS, FLORIDA (STRAP NO.22-47-25-B3-0200A.00CE), ON 7.2 + ACRES; PROVIDING FOR AN EFFECTIVE DATE.

9:08:39 AM City Attorney Audrey Vance read the title block of the Zoning Ordinance into the record. She stated that the first reading was held December 7, 2005.

9:09:17 AM Chip Block, Zoning Division, furnished a brief overview of the request which was for a variance for an existing identification sign. Both Staff and the Zoning Board recommended approval with conditions. The Applicant is not in attendance.

No public comments.

9:10:05 AM Council Member David Piper motioned approval of the Zoning Ordinance; Council Member Robert Wagner seconded; and the motion carried unanimously. (Council Member Ben Nelson was not in attendance for the vote) **ADOPTED ZONING ORDINANCE NO. 05-24**

C. BONITA SPRINGS FIRE STATION #1 VAR2005-00036 – CASE WITHDRAWN

A ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; APPROVING VARIANCES REQUESTED BY BONITA SPRINGS FIRE CONTROL AND RESCUE DISTRICT IN REFERENCE TO BONITA SPRINGS FIRE STATION #1; ON LAND LOCATED AT 27490 OLD 41ROAD, BONITA SPRINGS, FLORIDA, (STRAP NO. 35-47-25-B4-00204.0050), ON 1.35 + ACRES; PROVIDING FOR AN EFFECTIVE DATE.

D. GOHARI REZONING REZ2005-00018

A ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; APPROVING A REQUEST BY MARK GOHARI TO REZONE FROM RESIDENTIAL MULTI-FAMILY DISTRICT (RM-2) TO COMMUNITY COMMERCIAL DISTRICT (CC); ON LAND LOCATED AT 9790 BONITA BEACH ROAD, BONITA SPRINGS, FLORIDA, (STRAP NO. 34-47-25-B3-00253.005B), 29,400 + SQUARE FEET; PROVIDING FOR AN EFFECTIVE DATE.

9:10:40 AM City Attorney Audrey Vance read the title block of the Zoning Ordinance into the record, stating that the first reading was held December 7, 2005.

9:11:10 AM Chip Block, Zoning Division, furnished a brief overview of the request, stating that both Staff and the Zoning Board have recommended approval with conditions.

9:11:58 AM Tom Hart, representing the owner, briefly commented on the request.

9:12:38 AM Council Member Wayne Edsall motioned approval of the Zoning Ordinance; Council Member John Joyce seconded; and the motion carried unanimously. **ADOPTED ZONING ORDINANCE NO. 05-25**

E. ADAMS VARIANCE VAR2005-00024

A ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; APPROVING VARIANCES REQUESTED BY DEBORAH ADAMS; ON LAND LOCATED AT 27661 AND 27665 PIERCE AVENUE, BONITA SPRINGS, FLORIDA, (STRAP NOS. 36-47-25-B4-00038.0010 AND 36-47-25-B4-00038.0120), ON 15,312.00 + SQUARE FEET; PROVIDING FOR AN EFFECTIVE DATE.

9:13:13 AM City Attorney Audrey Vance read the title block of the Zoning Ordinance into the record. The first reading was December 7, 2005.

9:13:42 AM Chip Block, Zoning Division, furnished the background.

9:14:26 AM Council Member David Piper motioned approval of the Zoning Ordinance; Council Member Wayne Edsall seconded; and the motion carried unanimously. **ADOPTED ZONING ORDINANCE NO. 05-26**

V. ADJOURNMENT.

There being no further cases to discuss, the meeting adjourned at 9:16 A.M.

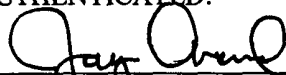
Respectfully submitted,

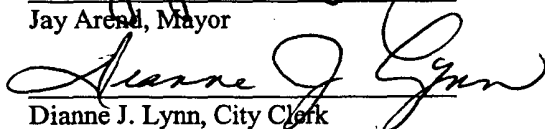

Debra Muchler, Recording Secretary

APPROVED:

BONITA SPRINGS CITY COUNCIL:

Date: 1-4-06
AUTHENTICATED:


Jay Arend, Mayor


Dianne J. Lynn, City Clerk

REZ2005-00018

RECEIVED
FEB 16 2006

COMMUNITY DEVELOPMENT

City of Bonita Springs
Board for Land Use Hearings & Adjustments
And Zoning Board of Appeals
Friday, November 4, 2005
Bonita Springs City Hall
9101 Bonita Beach Road
Bonita Springs, FL 34135
MINUTES

I. CALL TO ORDER:

Chairman Robert Incerpi called the meeting to order at 9:00 A.M.

II. INVOCATION:

Board Member James Brandreth furnished the invocation.

III. PLEDGE OF ALLEGIANCE:

Chairman Incerpi led in the pledge of allegiance.

IV. ROLL CALL:

Present:

Robert Incerpi, Chairman
William Pescosolido
Chris Bielski
Pete Pastore
Frank Howe
James Brandreth

Not Present:

Wesley Norris

V. PUBLIC HEARINGS:

A. 9:00 AM CASE NO. SEZ2005-00016

CASE NAME: FAIRWINDS MODEL HOME

REQUEST: Special Exception in the Residential Single Family (RS-1) zoning district to permit a model home center and an abutting parking lot with 13 spaces, situated on two single-family zoned lots per Bonita Springs Land Development Code Section 34-1954.

LOCATION: 10105 Avonleigh Drive, Bonita Springs, FL (South of the entrance to Fairwinds Subdivision at the intersection of Avonleigh & Paradise Road), in S14-T47S-R25E, Bonita Springs, FL.

STRAP NO.: 14-47-25-B4-00800.0370, and 14-47-25-B4-00800.0380

SIZE OF PROPERTY: 0.68 acres

STAFF REPORT: Direct inquiries to Michael W. Frensley, Planner, (239) 479-8378, at the Lee County Department of Community Development, 1500 Monroe Street, Ft. Myers, FL.

9:03:36 AM City Attorney Audrey Vance introduced the case, read the request into the record, and placed all witnesses under oath. Gabriel Olivares, representing the Applicant, was next tendered an expert in engineering and land use.

9:06:38 AM Mr. Olivares next addressed the request, which he stated was for a Special Exception in the RS-1 (Residential Single-Family) zoning district to allow a mobile home and an abutting parking lot from Land Development Code (LDC) Section 34-1954. The site is located in the Fairwinds Subdivision, which is west of Paradise Road and Avonleigh.

9:08:32 AM The mobile home would be placed on Lot 37 and the parking lot on Lot 38. He next addressed the surrounding uses (reflected on page 1 of the Staff Report). There are 18 homes currently under construction in the subdivision. The Applicant concurs with Staff's recommendations. Water and sewer is available to service the site. Staff recommends a maximum of four parking spaces, inclusive of one handicap space. A landscape plan for the site will be provided by a licensed landscape architect.

9:14:03 AM Michael Frensley, Zoning Division, presented the Staff Report. The request is for a model home and abutting parking lot, which Staff conditioned to include a landscape buffer, and limiting parking to four parking spaces. Mr. Olivares mentioned that they have a permit to build a home on the site, which he explained could be obtained because of it being a residential structure in a residential zoning district. In the event the Special Exception is not approved, the home would simply be constructed as a single-family residence. Overall, Staff recommended approval of the request with the conditions as reflected in the Staff Report.

9:15:30 AM Board Member Chris Bielski referred to the reference in Condition 7 to Condition 3, which references Lot 38, however, she did not see Lot 38. Mr. Frensley explained that Staff included a condition in a previous version of the Staff Report that basically restated the requirements of the Bonita Springs Land Development Code, and because it was already in the code, Staff removed it. Ms. Bielski referred to other model home cases, which she stated usually contained a condition that required them to convert into a single-family residence after a certain period of time. Mr. Frensley stated that also was addressed in the Bonita Springs Land Development Code and, therefore, did not need to be included.

9:16:52 AM Board Member Bill Pescosolido questioned the expiration time for a model home, which Mr. Frensley stated was 3 years.

PUBLIC COMMENTS:

9:17:49 AM Gary Bowen, a resident directly across the street, referred to another model home that was located on Paradise Road. He stated that he did not understand why another model home was needed. Mr. Olivares explained that the model home he was referring to was for a different subdivision.

9:22:39 AM Board Member Frank Howe motioned to uphold Staff's recommendation of approval, as conditioned; Board Member Pete Pastore seconded; and the motion carried unanimously.

PARTICIPANTS – SEE ATTACHED EXHIBIT “A”

B. 9:30 AM

CASE NO. VAR2004-00041

CASE NAME: COCKLESHELL VILLAGE

REQUEST: Variances in the RM-2 Residential Multiple Family zoning district from Land Development Code Section 30-152(2)(a)(1)(i)1 to allow a 9.38 feet setback from the right-of-way of the public access road where 15 feet is the requirement for a single ground-mounted sign located in the median strip of the entrance; and 2) to allow a 2 feet setback from the edge of the pavement of the entrance and exit lanes where 5 feet is the requirement for a residential development identification sign.

LOCATION: 25800 Cockleshell Drive, Bonita Springs, FL (N.E. Corner of Cockleshell Drive and Old 41)

STRAP NO.: 22-47-25-B3-0200A.00CE

SIZE OF PROPERTY: 7.20 acres

STAFF REPORT: Direct inquiries to Shawn Lamey, Planner, (239) 479-8484, at the Lee County Department of Community Development, 1500 Monroe Street, Ft. Myers, FL.

9:31:58 AM City Attorney Audrey Vance introduced the case, read the request into the record, and placed all witnesses under oath.

9:33:03 AM Shawn Lamey, Zoning Division, presented the Staff Report, which he stated was dated Oct 19, 2005, which was incorporated into the record. The request is for two variances to allow a reduced street setback of 9.38 feet in an area where 15 feet is required, and to allow a 2-foot setback from the edge of the pavement of the entrance/exit lanes where 5 feet is required for a residential identification sign. Staff did not receive any phone calls or letters from the neighbors. Staff has reviewed the request and has recommended approval.

9:35:48 AM Randy Morris, the developer of Cockleshell Village, stated that the issue regards the mounting of a sign on the existing monument. The monument is there and is what is impeding on the required street setback. The sign was placed on the monument, which was found to be in violation of the Sign Ordinance. The monument itself has been approved. Applying the sign to the monument poses no safety issues.

9:37:26 AM Board Member Bill Pescosolido questioned whether the monument sign was permitted. Mr. Morris responded that the design for the entryway to the site was an engineering function; the monument was a County building permit function and was obtained as part of the development itself without any reference to signage.

9:38:19 AM Board Member Chris Bielski referred to the picture of the monument dated August 27, 2004, and asked how long the monument has existed at that location. Mr. Morris responded approximately January/Feb 2004. Board Member Bielski also questioned traffic in the area, which Mr. Morris stated did not entail any high-speed traffic.

No public comments were made.

9:40:27 AM Board Member Pete Pastore motioned to uphold Staff's recommendation of approval, as conditioned; Board Member Pescosolido seconded; and the motion carried unanimously.

PARTICIPANTS – SEE ATTACHED EXHIBIT “A”

C. 10:00 AM CASE NO. VAR2005-00036

CASE NAME: BONITA SPRINGS FIRE STATION #1

REQUEST: The applicant is requesting:
a) a variance in the C-1 zoning district to reduce the required side setback from 15 feet to zero feet; and
b) a variance from Section 3-416 of the Land Development Code to allow for no landscape buffer where the building is requested to be built on the property line.

LOCATION: 27490 Old 41 Road(From Bonita Beach Road, S.E., turn north onto Old US 41 Road for approximately 0.5 miles), in S35-T47S-R25E, Bonita Springs, FL.

STRAP NO.: 35-47-25-B4-00204.0050

SIZE OF PROPERTY: 1.35 acres

STAFF REPORT: Direct inquiries to Chahram Badamtchian, Senior Planner, (239) 479-8372, at the Lee County Department of Community Development, 1500 Monroe St., Ft. Myers, FL.

10:02:13 AM City Attorney Audrey Vance introduced the case, read the request into the record, and placed all witnesses under oath. Mark Wildonger, with WilsonMiller, was tendered as an expert in land use and planning.

10:05:21 AM Mr. Wildonger stated that the subject property is located along Old 41 Road, one half mile north of Bonita Beach Road. The site consists of 1.35 acres and is currently zoned C-1 (Commercial). It is located in the General Commercial land use category.

The request is for a variance from Section 34-844 to reduce the required side setback from 15 feet to zero feet, and a Variance from Section 3-416 to allow no landscape buffer where the building is to be built, on the property line. The intent is to reconstruct the current fire station office on the subject parcel, thus, warranting a new variance. The proposed facility will allow the fire district to maintain their level of service to the community. Additionally, it is also similar to the variance that was approved in 1982, and will not impact the surrounding landowners. The variance will not be injurious to the neighborhood since the new structure would simply be replacing the old structure.

As stated, the variance is similar to one approved in 1982. The intent is to replace old structure with a new one. Additionally, the adjacent property owner (Ruby N. Salyers) has agreed to deed her property to fire district in event of her passing (attachment D to the Staff Report). Staff has recommended approval of the request.

10:08:20 AM Board Member Bill Pescosolido questioned why it was necessary to reconstruct the existing structure, which appeared to involve the same footprint as the current structure. Fire Chief Dan Gourley responded. He explained that currently it was set up as an office. The intent is to include bunkrooms, a meeting room, and report rooms.

10:09:27 AM Chahram Badamtchian, Zoning Division, stated that proposed structure is basically being placed down the same property line. The intent is to change the footprint of the building a bit, which is the reason for the request. Staff has recommended approval with the conditions reflected in the Staff Report.

PUBLIC COMMENTS:

10:11:08 AM Todd Michaels spoke in support of requested variances.

10:14:04 AM Board Member Bielski motioned to uphold Staff's recommendation of approval, as conditioned; Board Member Frank Howe seconded; and the motion carried unanimously.

PARTICIPANTS – SEE ATTACHED EXHIBIT “A”

D.	10:30 AM	CASE NO. REZ2005-00018
	CASE NAME:	GOHARI REZONING
	REQUEST:	Rezone 29400 square feet from Residential Multi-family district (RM-2) to Community Commercial district (CC).
	LOCATION:	9790 Bonita Beach Road (Take I-75 south to Exit 116 toward Bonita Springs, Merge onto Bonita Beach Road SE and end at 9790 Bonita Beach Road)
	STRAP NO.:	34-47-25-B3-00253.005B
	SIZE OF PROPERTY:	29,400.00 square feet
	STAFF REPORT:	Direct inquiries to Chahram Badamtchian, Senior Planner, (239) 479-8372, at the Lee County Department of Community Development, 1500 Monroe St., Ft. Myers, FL.

10:31:47 AM City Attorney Audrey Vance introduced the case, read the request into the record, and placed all witnesses under oath.

10:32:47 AM Attorney Matt Uhle, representing the Applicant, next outlined the request, stating that they are in total agreement with the Staff Report.

10:33:10 AM Mike Roeder, representing the Applicant, stated that the request involves a 29,000-square-foot parcel located on the north side of Bonita Beach Road. He next addressed the surrounding uses (reflected on page 1 of Staff Report). The site is in the General Commercial land use category of the Comprehensive Plan. The Applicant is requesting a rezoning to the CC (Community Commercial) zoning district. The road operates at a Level of Service “C” at this time. The Applicant believes this is a very logical request, which would be appropriate to approve.

10:35:25 AM Chahram Badamtchian, Zoning Division, stated that the site is located on Bonita Beach Road, sandwiched between two commercial uses. Staff has recommended approval of the request. The site is located within the Bonita Beach Road Corridor.

10:37:01 AM In response to Board Member Bill Pescosolido, Mr. Roeder stated that the applicant does not have a specific use in mind for the property at this time. The CC zoning district is, however, more restrictive and does not allow for any light industrial uses.

PUBLIC COMMENTS:

10:42:28 AM Jason Dickerson, owner of property to the west, stated that he does not object.

Discussion on height followed.

10:52:25 AM Board Member Pescosolido motioned to uphold Staff's recommendation of approval; Board Member Pete Pastore seconded; and the motion carried unanimously.

PARTICIPANTS – SEE ATTACHED EXHIBIT “A”

E.	11:00 AM	CASE NO. VAR2005-00024
	CASE NAME:	ADAMS VARIANCE
	REQUEST:	Two variance requests in the Two Family Conservation (TFC-2) zoning district to allow the following: a) a 87.5-foot lot depth for a single-family residence where Section 34-695 of the City of Bonita Springs Land Development Code requires a 100-foot lot depth. b) 6,562 square feet lot area for a single-family residence where Section 34-695 of the City of Bonita Springs Land Development Code requires 7,500 square feet lot area.
	LOCATION:	27665 and 27661 Pierce Avenue, in S36-T47S-R25E, Bonita Springs, FL
	STRAP NO.:	36-47-25-B4-00038.0010 and 36-47-25-B4-00038.0120
	SIZE OF PROPERTY:	15,312.00 square feet
	STAFF REPORT:	Direct inquiries to Shawn Lamey, Planner, (239) 479-8484, at the Lee County Department of Community Development, 1500 Monroe St., Ft. Myers, FL.

11:02:53 AM City Attorney Audrey Vance introduced the case, read the request into the record, and placed all witnesses under oath.

11:03:45 AM Shawn Lamey, Zoning Division, presented the Staff Report. The request is for variances that will allow the construction of a home on the property that is 87.5 feet deep with a lot area of 6,562 square feet. The site is currently zoned TFC-2 (Two Family Conservation) and is surrounded with properties that have a similar zoning. The Applicant is proposing a single-family residence on the site. Attachment “E” to the Staff Report illustrates existing lot conditions on Pierce Avenue. Staff believes that there exist special conditions inherent to the site, since many of the lots on Pierce Avenue cannot meet lot depth or lot area requirements. Staff has found the request to be consistent with the City of Bonita Springs Comprehensive Plan. Approval of the request will allow the site to be developed in a manner that provides effective use of the property. Furthermore, approval will allow the site to be developed in a manner consistent with the intent of the Medium Density Residential land use category. Furthermore, no adverse

impacts to the surrounding area is expected, nor will any unique natural habitat be impacted. Based on Staff's Findings & Conclusions, Staff recommends approval of the request.

11:06:28 AM Board Member Pete Pastore referenced the 87.5-foot depth and asked whether that entailed a 75-foot width. Mr. Lamey responded yes, which the Applicant meets.

11:06:59 AM Board Member Chris Bielski referred to the 2 STRAP numbers reflected in the Staff Report, and asked whether the variances were for two properties, or if it entailed two lots that were being combined with one residence proposed to be built. Mr. Lamey responded that there were two lots at one point in time that were subsequently combined into one. Therefore, when the Applicant tries to revert to the old lot, it triggers the question as to whether it meets the requirements. In this instance, it does not meet the lot area or lot depth requirements. There is already a single-family home to the north, and on the northern property, the lot area is met. The need for the variances was triggered when the property was split.

11:08:24 AM Deborah Adams, the Applicant, stated that she purchased the property believing that she purchased two separate lots. She spoke with all of her neighbors and received letters in support (in Clerk's file) from them.

11:15:34 AM Board Member Bielski motioned to uphold Staff's recommendation of approval, as conditioned; Board Member Pastore seconded; and the motion carried unanimously.

VI. APPROVAL OF MINUTES: 09/02/05, 09/16/05 and 10/07/05

11:16:49 AM Board Member Frank Howe motioned approval of the minutes of September 2, 2005; Board Member Jim Brandreth seconded; and the motion carried unanimously.

11:17:09 AM Board Member Howe motioned approval of the minutes of September 16, 2005; Board Member Bielski seconded; and the motion carried unanimously.

11:17:22 AM Board Member Pete Pastore motioned approval of the minutes of October 7, 2005; Board Member Howe seconded; and the motion carried unanimously.

PARTICIPANTS – SEE ATTACHED EXHIBIT “A”

VII. ADJOURNMENT:

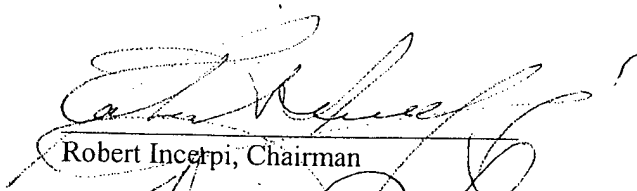
11:17:38 AM There being no further cases to discuss, the meeting adjourned at 11:17 A.M.

Respectfully submitted,

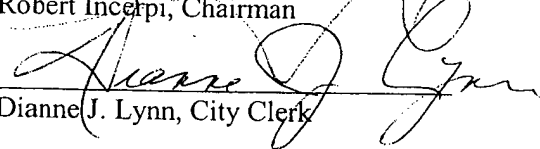

Debra Muchler, Recording Secretary

APPROVED:
ZONING BOARD

Date: 2/13/06
AUTHENTICATED:



Robert Incerti, Chairman



Dianne J. Lynn, City Clerk

INSTRUCTIONS

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

A zoning sign must be posted on the parcel subject to any zoning application for a minimum of fifteen CALENDAR (15) days in advance of the Hearing Examiner's Public Hearing and maintained through the Board of County Commissioners Hearing, if any. This sign will be provided by the Zoning Division in the following manner:

- Signs for case #REZ2005-00018 must be posted by ~~Thursday, October 20, 2005~~ ²³.
- The sign must be erected in full view of the public, not more than five (5) feet from the nearest street right-of-way or easement.
- The sign must be securely affixed by nails, staples or other means to a wood frame or to a wood panel and then fastened securely to a post, or other structure. The sign may not be affixed to a tree or other foliage.
- The applicant must make a good faith effort to maintain the sign in place, and readable condition until the requested action has been heard and a final decision rendered.
- If the sign is destroyed, lost, or rendered unreadable, the applicant must report the condition to the Zoning Division, and obtain duplicate copies of the sign from the Zoning Division.

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

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

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

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

AFFIDAVIT OF POSTING NOTICE

STATE OF FLORIDA
COUNTY OF LEE

BEFORE THE UNDERSIGNED AUTHORITY, PERSONALLY APPEARED Mike Roeder
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 REFERENCE BELOW:



PERMIT COUNTER

Mike Roeder
SIGNATURE OF APPLICANT OR AGENT
MIKE ROEDER
NAME (TYPED OR PRINTED)
1625 HENRY ST.
ST. OR PO BOX
FT MYERS, FL 33901
CITY, STATE & ZIP

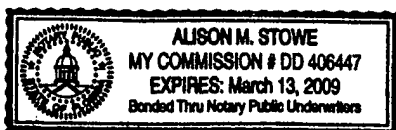
#REZ2005-00018/GOHARI REZONING/11/04/2005/JSS

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was sworn to and subscribed before me this 31st day of October, 2005 by Mike Roeder, personally known to me or who produced _____ as identification and who did/did not take an oath.

Alison M. Stowe
Signature of Notary Public
Alison M. Stowe
Printed Name of Notary Public

My Commission Expires:
(Stamp with serial number)



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

TYPE OF CASE: CONVENTIONAL ZONING DISTRICT

CASE NUMBER: REZ2005-00018

ZONING BOARD DATE: November 4, 3005

I. APPLICATION SUMMARY:

- A. Applicant: Mr. Mark Gohari in reference to Gohari Rezoning
- B. Request: Rezone 29,400± square feet from Residential Multi-Family district (RM-2) to Community Commercial district (CC).
- C. Location: The subject property is located at 9790 Bonita Beach Road, in Section 34, Township 47South, Range 25 East, Bonita Springs, FL.

D. Future Land Use Plan Designation, Current Zoning and Use of Subject Property:

The subject property is zoned RM-2 (Residential Multi-Family). The Future Land Use Plan designation of the property is "General Commercial". The property is currently vacant.

E. Surrounding Land Use:

Existing Zoning & Land Use

North: Residential multi-family development, zoned C-1

East: Hotel, zoned C-1

South: Residential multi-family development, zoned RPD

West: Commercial building, zoned CPD

Future Land Use Map

High Density Residential

General Commercial

Moderate Density Mixed-Use/Planned Development

General Commercial

F. Size of Property: 29,400± Sq. Ft.

II. RECOMMENDATION:

Staff recommends **APPROVAL** of the Applicant's request for rezoning from RM-2 (Residential Multi-Family) to CC (Community Commercial).

Findings and Conclusions:

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

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

III. BACKGROUND INFORMATION AND ANALYSIS:

Introduction/Synopsis

The subject property is a small parcel located directly on Bonita Beach Road. The parcel is zoned for residential uses and surrounded on two sides by commercially zoned and used properties. The Future Land Use designation of the property is "General Commercial".

The owner of the property is requesting to rezone the property to Community Commercial, which will enable them to develop the site with a retail and/or office building.

LDC Section 34-341(1)c requires rezoning of properties in excess of 10 acres or containing a floor area of 100,000 square feet or more to be in the form of Commercial Planned Development (CPD). This property is less than one acre in size. Therefore, is not required to be rezoned to CPD.

Bonita Springs Comprehensive Plan Considerations

Policy 1.1.14:General Commercial: Intended to accommodate a wide range of commercial uses serving the general population of the City. This designation recognizes, but is not specifically limited to, properties that have been developed, have

received development approval or have been zoned for commercial use prior to the adoption of the Comprehensive Plan.

- a. Appropriate uses include a wide range of commercial retail and service uses for residents and visitors; hotels/motels; offices; light industrial uses; schools; recreation; public and semi-public uses; multi-family uses up to 10 units per acre; and mixed residential and commercial use in planned developments.
- b. If affordable housing is provided, residential density may be increased by up to five additional units per acre.
- c. Maximum allowable height of structures shall be 75 feet from the base flood elevation to the eaves except that no new structures or modification of existing structures located on the islands west of the mainland may be constructed in excess of 35 feet in height.
- d. Nonresidential uses shall be limited to a maximum floor area ratio (FAR) of 1.2.

Findings: The request is to rezone the property to Community Commercial, which will allow retail and office uses. The maximum building height will be limited to 35 feet. This request is consistent with the requirements of Policy 1.1.14 of the Bonita Springs Comprehensive Growth Management Plan.

Objective 1.11: Development orders and permits for new development or redevelopment shall be issued only if public facilities and services necessary to meet the City's adopted Level of Service (LOS) standards are available concurrent with the impacts of the development.

Findings: Currently all required services are available to the site. Water and sanitary sewer services are available and they have adequate capacity to handle the needs of the site, when developed. Solid waste disposal services are also available to the site.

Bonita Beach Road Corridor Study:

The subject property is located in the Bonita Beach Road Corridor Study area. The Bonita Beach Road Corridor Study recommends amending the City Codes to lower the heights for buildings, increase street setback, require wide sidewalks, consolidate access points, etc.

This request will comply with all recommendations formally adopted into the Bonita Springs Comprehensive Growth Management Plan and Land Development Code.

Neighborhood Compatibility

The area is mostly developed with commercial uses along Bonita Beach Road with residential uses behind them. The property in question is surrounded on two sides by commercial developments. The rezoning action and subsequent development of this property with commercial buildings will not look out of character with the area.

Environmental Issues

No environmental issues were revealed during this review. Should any environmental issues arise in the future, it will be dealt during the Development Order review stage.

IV. SUBJECT PROPERTY:

A. STRAP: The applicant indicates the STRAP number is: 34-47-25-B3-00253.005B

B. LEGAL DESCRIPTION: See Exhibit "A"

V. ATTACHMENTS:

A. Map of surrounding zoning.

cc: Applicant
City Attorney
Zoning File

Legal Description

THE EAST 105 FEET OF THE WEST 205 FEET OF THE SOUTH 280 FEET, LOT 5, BLOCK 53, HEITMAN'S BONITA SPRINGS TOWNSITE, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 6, PAGE(S) 24, LESS ROAD RIGHT-OF-WAY, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

Applicant's Legal Checked
by Lgm 8/31/2005

RECEIVED
AUG 19 2005

PERMIT COUNTER

REZ 2005-00018

EXHIBIT "A"

MICHIGAN STREET 50' R/W

CERTIFICATION IS MADE TO
ALCRIS HOLDINGS II, INC.

REZ 2005-00018

STATE OF FLORIDA)
COUNTY OF LEE)

I, Dennis M. Field, Sr., a Registered Land Surveyor in the State of Florida, hereby certify that the above is a true and correct copy of the original plat of the subject property, as shown on the Public Record of the State of Florida, and that the same is in accordance with the direction and meets the Minimum Technical Standards set forth in Chapter 16107-1, Florida Statutes, Section 4720.07, The Surveyor. There are no visible encroachments other than those shown, and no other features beneath the surface. No title search has been made by the surveyor. No Street Address is 9730 Bonita Beach Road, Bonita Springs, FL
Bearing is in Flood Zone "X"
Property is in Flood Zone "X"

Dennis M. Portello, Sr. PLS #4504
Not valid unless signed and sealed
with embossed seal.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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REVISIONS	BOUNDARY SURVEY	PREPARED FOR
FB 1194/9 PLASBIDVG CD-1 (H-B)	CASPARI BUILDERS, LLC	POINTELLA & ASSOCIATES, LLC LB# 7304
		2364 UNWOOD AVE. NAPLES, FL 34112
		SCALE: 1" = 30' DATE: June 25, 2005
		(732) 276 5511

BONITA BEACH ROAD (R/W VARIES)
(CEBAC METHOD)

REC'D - AUG 19 2005
FBI - BOSTON

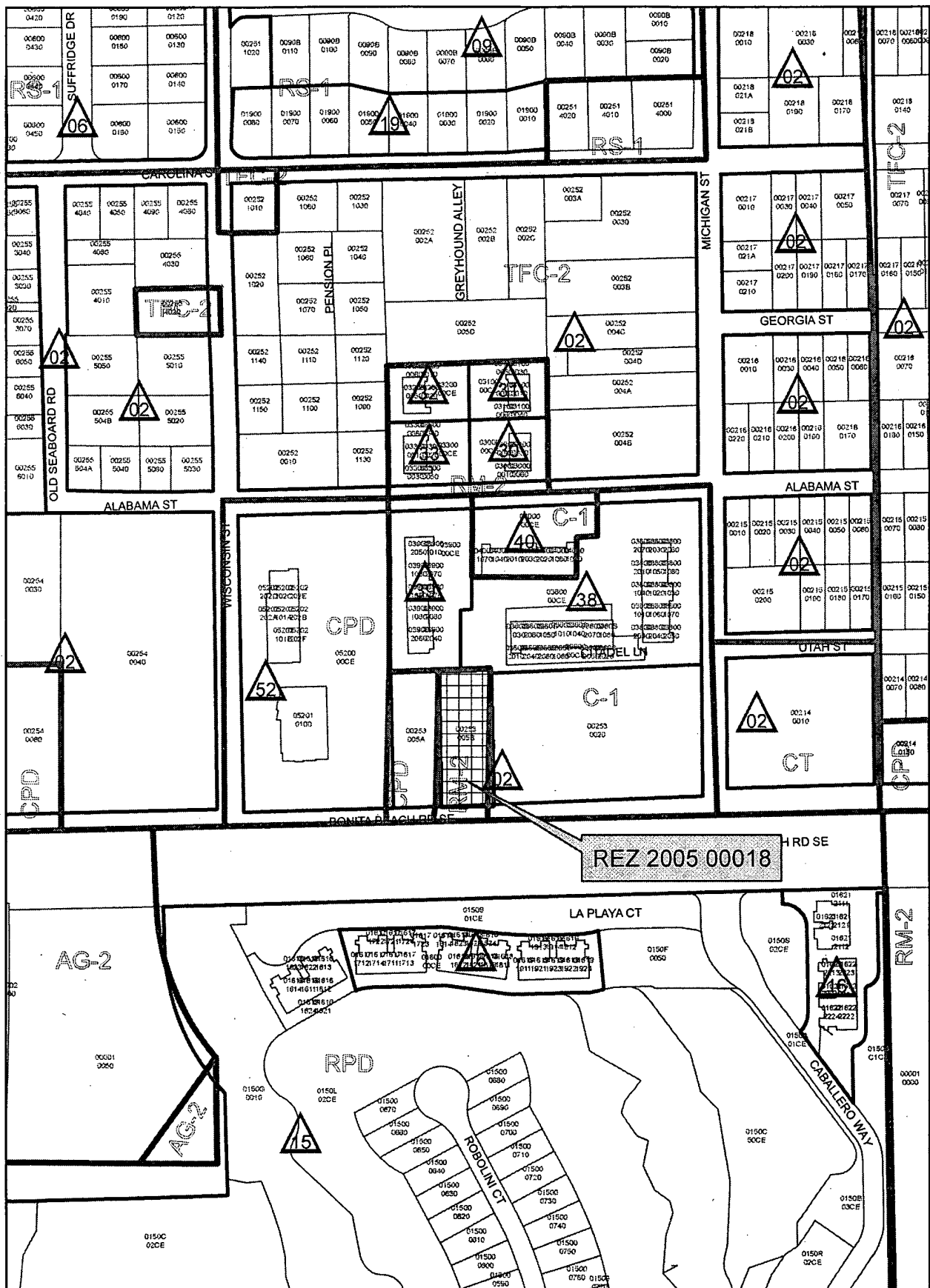
SCALE: 1" = 30'

EXHIBIT II-A-2

ZONING INTAKE MAP

Attachment A

9/20/2005



290 145 0

290 Feet

ATTACHMENT "A"



RECEIVED
AUG 19 2005
MKW
PLANNING DEPT

**APPLICATION FOR PUBLIC HEARING
FOR
REZONINGS (CONVENTIONAL) &
SPECIAL EXCEPTIONS
BONITA SPRINGS**

Applicant's Name: Mark Gohari Phone #: 239-287-4952
Project Name: Gohari Rezoning
STRAP Number: 34-47-25-B3-00253.005B
Application Form: ✓ Computer Generated* County Printed

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

STAFF USE ONLY

Planning Community: RE2-2005-00018 Case Number:
Current Zoning: RM-2 Date of Application: 8-19-05
Land Use Classification(s): Gen. Comm Fee: \$2500.00
Comp. Plan Density Range:
Date Zoning Board/Planning Agency Public Hearing:
Planner in charge:
Staff Recommendation:

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

PART I

A. Name of applicant: Mark Gohari

Mailing Address: Street: 28375 Del Lago Way

City: Bonita Springs State: FL Zip: 34135

Phone Number: Area Code: 239 Number: 287-4952 Ext.

Fax Number: Area Code: 561 Number: 431-3368

E-mail: Mark@gohari.org

B. Relationship of applicant to property:

☒ Owner
 ☐ Trustee*
 ☐ Option holder*

☐ Lessee*
 ☐ Contract Purchaser*

☐ Other (indicate)* _____

*If applicant is NOT the owner and the application is NOT County-initiated, submit a **notarized** Authorization Form from the owner to the applicant. Label the attachment "Exhibit I-B-1".

* 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 of property: Cyrus Bonita LLC

Mailing Address: Street: 28375 Del Lago Way

City: Bonita Springs State: FL Zip: 34135

Phone Number: Area Code: 239 Number: 287-4952 Ext.

Fax Number: Area Code: 561 Number: 431-3368

D. Date property was acquired by present owner(s): 05/02/2005

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

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

G. Authorized Agent(s): List names of authorized agents. Attach extra sheet if more space is required

Name: Knott, Consoer, Ebelini, Hart & Swett, P.A.

Contact Person: Michael E. Roeder

Address: 1625 Hendry Street, Suite 301

Phone: (239) 334-2722 Fax: (239) 334-1446

E-mail: Mroeder@knott-law.com

**PART II
GENERAL INFORMATION**

- A. Legal Description: Is property within a platted subdivision recorded in official Plat Books of Lee County?
_____ NO. Attach a legible copy of the legal description (labeled Exhibit II-A-1.) and a certified sketch of description as set out in chapter 61G 17-6.006, Florida Administrative Code, 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. (labeled Exhibit II-A-2.)

___✓___ YES. Property is identified as:

Subdivision Name: _____ Heitman's Bonita Springs _____

Plat Book: _____ 6 _____ Page: _____ 24 _____ Unit: _____ Block: _____ Lot: _____

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

STRAP NUMBER: _____ 34-47-25-B3-00253.005B _____

B. Project Street Address: _____ 9790 Bonita Beach Road SE, Bonita Springs, FL 34135 _____

C. General Location Of Property (referenced to major streets) _____ Take I-75 south to Exit 116 toward _____
_____ Bonita Springs. Merge onto Bonita Beach Rd SE and end at 9790 Bonita Beach Road. _____

D. Nature of Request: (Check applicable answers)

___✓___ Rezoning (Non-DCI) FROM: _____ RM-2 _____ TO: _____ CC _____

_____ Special Exception for: _____

E. Property Dimensions

1. Width (average if irregular parcel): _____ 105 _____ Feet

2. Depth (average if irregular parcel): _____ 280 _____ Feet

3. Frontage on road or street: _____ 105 _____ Feet

4. Width along waterbody (If applicable): _____ NA _____ Feet

5. Total land area: _____ 29,400 _____ Acres or Square Feet

F. Facilities

1. Fire District: _____ Bonita Springs _____

2. Sewer Service Supplier: _____ Bonita Springs Utilities _____

3. Water Service Supplier: _____ Bonita Springs Utilities _____

G. Present Use of Property: Is the property vacant? ___✓___ Yes _____ No

Except for County-initiated requests, 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 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: _____ Vacant _____

H. Property restrictions: Are there any deed restrictions or other types of covenants or restrictions on the property? _____ Yes ___✓___ No. If yes, submit a copy of the restrictions and a written statement as to how the restrictions may affect the request. **[Sec. 34-202(b)(2)]** _____

**PART IV
SUBMITTAL REQUIREMENTS**

	TYPE OF APPLICATION	Copies	Exhibit	Item
	✓ All ✓	1		Completed application [34-201(b)]
	✓ All ✓	1		Application Fee [34-202(a)(9)]
	✓ All ✓	1		Area Location Map [34-202(a)(4)]
	✓ All ✓	1	I-B-1	Notarized Authorization Form (if applicable) [34-202(b)(1)]
	County Initiated	1	I-B-2	Blue Sheet (If applicable)
	County Initiated ✓	1	I-B-3	List of Property Owners (If applicable) [34-202(a)(5)]
	✓ All ✓	1	I-F	Notarized Disclosure Form (if applicable) [34-201(b)(2)]
	✓ All ✓	1	II-A-1	Legal Description [34-202(a)(1)]
	✓ All ✓	1	II-A-2	Certified sketch of description (if applicable) [34-202(a)(2)]
	✓ All ✓	1	II-A-3	Plat Book Page (if applicable) [34-201(a)(1)]
	✓ All ✓	2	IV-A	Surrounding Property Owners List & Mailing Labels [34-202(a)(6)]
	✓ All ✓	1	IV-B	Property Owners Map [34-202(a)(7)]
	Owner Initiated ✓	1	IV-C	Deed Restrictions & Narrative (if applicable) [34-202(b)(2)]
	✓ Rezoning ✓	1	IV-D	Narrative Regarding Zoning Request [34-203(c)]
	NA Rezoning	1	IV-E	Haz. Mat. Emer Plan (if applicable) [34-202(b)(4)]
	SPEC. EXCEPTIONS			
	All	1	IV-F	Narrative Re. Special Exception Request [34-203(d)(1)]
	All	1	IV-G	Site Plan [34-203(d)(2)]
	All	1	IV-H	Traffic Impact Analysis [34-203(e)(2)d.]
	Solar/wind	1	IV-I	Needs Documentation [34-203(d)(3)]
	Temp. Parking	1	IV-J	Need Analysis [34-203(d)(4)]
	Temp. Parking	1	IV-K	Traffic/Ped. Safety Plan [34-203(d)(4)]
	Consumption on prem.	1	IV-L	Affidavit [34-203(d)(5)]
	Harvesting of Cypress	1	IV-M-1	Aerial Photograph [34-203(d)(a)]
	Harvesting of Cypress	1	IV-M-2	Forest Management Plan [34-203(d)(6)]
	Joint Parking	1	IV-O-1	Notarized Statement [34-203(d)(7)a]
	Joint Parking	1	IV-O-2	Agreements [34-203(d)(7)b]
	Joint Parking	1	IV-O-3	Back-up Plan [34-203(d)(7)c]
	Air. Land. Facility	1	IV-P	Certified List [34-203(d)(8)c]
	Animals	1	IV-Q	Number & Type animals [34-1297(b)]
	Communication Towers	1	IV-R-1	Map showing all tower locations [34-203(e)(10)a]
	Communication Towers	1	IV-R-2	Proof of attempt to use other facilities [34-203(e)(10)b]
	Communication Towers	1	IV-R-3	Proof of attempt to inform others [34-203(e)(10)c]
	Communication Towers	1	IV-R-4	Shared Tower Plan Agreement [34-203(e)(10)d]
	Communication Towers	1	IV-R-5	Letter from Mosquito Control (if app.) [34-203(e)(10)e]
	Communication Towers	1	IV-R-6	Letter from L.C. Port Authority (if app.) [34-203(e)(10)e]

EXPLANATORY NOTES GENERAL

ALL APPLICANTS 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 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.

EXPLANATORY NOTES FOR PART I

- A. Applicant's Name: Application may be made by the landowner or the authorized agent. **[Sec. 34-201(a)]**
Where there is more than one owner, either legal or equitable, then all such owners must jointly initiate the application. Exceptions to this are:
- 1) It is not required that both husband and wife initiate the application on private real property owned by them.
 - 2) Where the property is subject to a land trust agreement, the trustee may initiate the application.
 - 3) Where the fee owner is a corporation, any duly authorized corporate official may initiate the application.
 - 4) Where the fee owner is a partnership, the general partner may initiate the application.
 - 5) Where the fee owner is an association, the association may appoint an agent to initiate the application on behalf of the association.
 - 6) Where the property is a condominium or time-share condominium, refer to Sec. 34-201(a)(1)b. for rules.
 - 7) Where the property is a subdivision, refer to Sec. 34-201(a)(1)c. for rules.
 - 8) Rezoning initiated by the Board of County Commissioners on property not owned by the County.
- B. Relationship of applicant to owner: Except for County-Initiated rezonings, if the applicant is not the owner of the property, a **notarized** authorization form from the owner to the applicant must be submitted. If the application IS County-initiated, then attach to the application a copy of the "Blue Sheet" whereby the action was authorized. Label this submittal as Exhibit I-B. **[Sec. 34-202(b)(1)]**
- C. Name of owner (s): see F. below
- D. Date property was acquired by present owner(s). If County-initiated 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. Name of Owner(s): 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. Authorized Agents: If the owner or applicant has authorized agents 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)]**

EXPLANATORY NOTES FOR PART II

- A. Legal Description: 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. Also include the Section, Township, Range, and parcel number(s). **[Sec. 34-202(a)(1)]**

If the application includes multiple abutting 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-A-1. **[Sec. 34-202(b)(1)]**

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. Label the Sketch as Exhibit II-A-2. **[34-202(a)]**

If the request is owner-initiated and a boundary survey is required, the survey must include the location of any existing structures on the property. Label the Boundary Survey as Exhibit II-A-2. **[Sec. 34-202(a)(2)]**

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)]**

A copy of the plat may be purchased from the County Clerk's office.

NOTE: 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 sketch to be submitted. **[Sec. 34-202(a)(1)]**

- B. Project Street Address: If the street address is unknown, the address may be obtained from the Lee County E-911 Addressing Division at (239) 335-1630.
- C. General Location: The general location should reference known major streets so as to indicate to the general public the location of the property.
- E. 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.
- F.1. Fire District: Insert the name of the Fire District in which the property is located. **[Sec.34-202(a)(8)]**
- F.2. Sewer Service Supplier: List the name of the utility company or package plant which will be providing sanitary sewer service to the project. If a new private disposal plant is proposed or if septic systems will be used, so indicate. **[Sec. 34-202(a)(8)]**
- F.3. Potable Water Service Supplier: List the name of the utility company which will be providing potable water service to the project. If wells are to be utilized, so indicate. **(Sec. 34-202(a)(8))**
- G. Present Use of Property: Briefly describe the present use of the property.
- H. Property Restrictions: The application must include a copy of the deed restrictions or other types of covenants and restrictions on the parcel, along with a statement as to how the restrictions may affect the requested action. If there are no restrictions on the property, the applicant must indicate so on the application form. **[34-202(b)(2)]**

EXHIBIT I-B-1

RECEIVED
AUG 19 2005

PERMIT COUNTER

I, * Mahmoud M. Gohari as Managing Member of Cyrus Bonita, LLC,
swear or affirm under oath, that I am the owner or the authorized representative of the owner(s) of the
property and that:

1. I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the County in accordance with this application and the Land Development Code;
2. All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;
3. I am hereby authorizing 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; and that
4. The property will not be transferred, conveyed, sold or subdivided unencumbered by the conditions and restrictions imposed by the approved action.

Cyrus Bonita, LLC

*Name of Entity (corporation, partnership, LLP, LC, etc)

[Signature]
Signature

Mahmoud M. Gohari
(Type or printed name)

Managing Member
(title of signatory)

STATE OF Florida
COUNTY OF Collier

The foregoing instrument was sworn to (or affirmed) and subscribed before me this 8th day of June 2005
by Mahmoud M. Gohari as Managing Member of Cyrus Bonita, LLC (name of person providing
oath or affirmation), who is personally known to me or who has produced
(type of identification) as identification.

[Signature]
Signature of person taking oath or affirmation

Julie Turner
Name typed, printed or stamped

Title or rank



Serial number, if any

*Notes:

- If the applicant is a corporation, then it is usually executed by the corp. pres. or v. pres.
- If the applicant is a Limited Liability Company (L.L.C.) or Limited Company (L.C.), then the documents should typically be signed by the Company's "Managing Member."
- If the applicant is a partnership, then typically a partner can sign on behalf of the partnership.
- If the applicant is a limited partnership, then the general partner must sign and be identified as the "general partner" of the named partnership.
- If the applicant is a trustee, then they must include their title of "trustee."
- In each instance, first determine the applicant's status, e.g., individual, corporate, trust, partnership, estate, etc., and then use the appropriate format for that ownership.

EXHIBIT I-F
DISCLOSURE OF INTEREST FORM FOR:

STRAP NO. 34-47-25-B3-00253.005B CASE NO. _____

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

Name and Address	Percentage of Ownership
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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

Name and Address	Percentage of Stock
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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

Name and Address	Percentage of Interest
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

LIMITED LIABILITY COMPANY

4. If the property is in the name of a ~~GENERAL PARTNERSHIP~~ OR LIMITED PARTNERSHIP, list the names of the general and limited partners.

Name and Address	Percentage of Ownership
Mahmoud M. Gohari	50%
Essi F. Gohari	50%
28375 Del Lago Way	_____
Bonita Springs, FL 34135	_____
_____	_____
_____	_____

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

Name and Address	Percentage of Stock

Date of Contract: _____

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

Name and Address	



PERMIT CONTINUED

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

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

Signature: _____

(Applicant)

Mahmoud M. Gohari

(Printed or typed name of applicant)

STATE OF FLORIDA
COUNTY OF LEE

REZ 2005-00018

The foregoing instrument was acknowledged before me this 8th day of June 20 05

by Mahmoud M. Gohari as Managing
Member of Cyrus Bonita, LLC

who is personally known to me or who has produced

as identification. .

(SEAL)



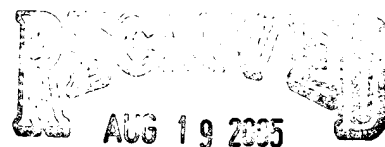
Signature of Notary Public

Julie Turner

Printed Name of Notary Public

**Narrative
EXHIBIT IV-D**

This is a request to rezone a 0.67 acre parcel at 9790 Bonita Beach Road from RM-2 to CC to allow for the development of small scale office and/or retail commercial uses. The property is on the south side of Bonita Beach road and is located in the General Commercial land use category. All of the necessary Urban services are available to this site, and it is one of the last residentially zoned parcels on this portion of Bonita Beach Road. Given its size and neighboring land uses, it would not be appropriate for residential development. There is a Comfort Inn on the east and several auto repair businesses on the west with which the property will share access to Bonita Beach Road. Minor commercial use will provide a transition from the semi-residential use of the hotel on the east to the more intense automobile servicing activity on the west. There are no environmentally sensitive areas affected by this request, and it will not place an undue burden on any of the requisite infrastructure. The site is serviced by Bonita Springs Utilities, and Bonita Beach Road currently operates at Level of Service "C" in this location.

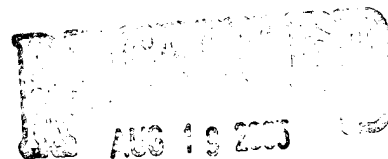


PERMIT CENTER

REZ 2005-00018

Legal Description
EXHIBIT II-A-1

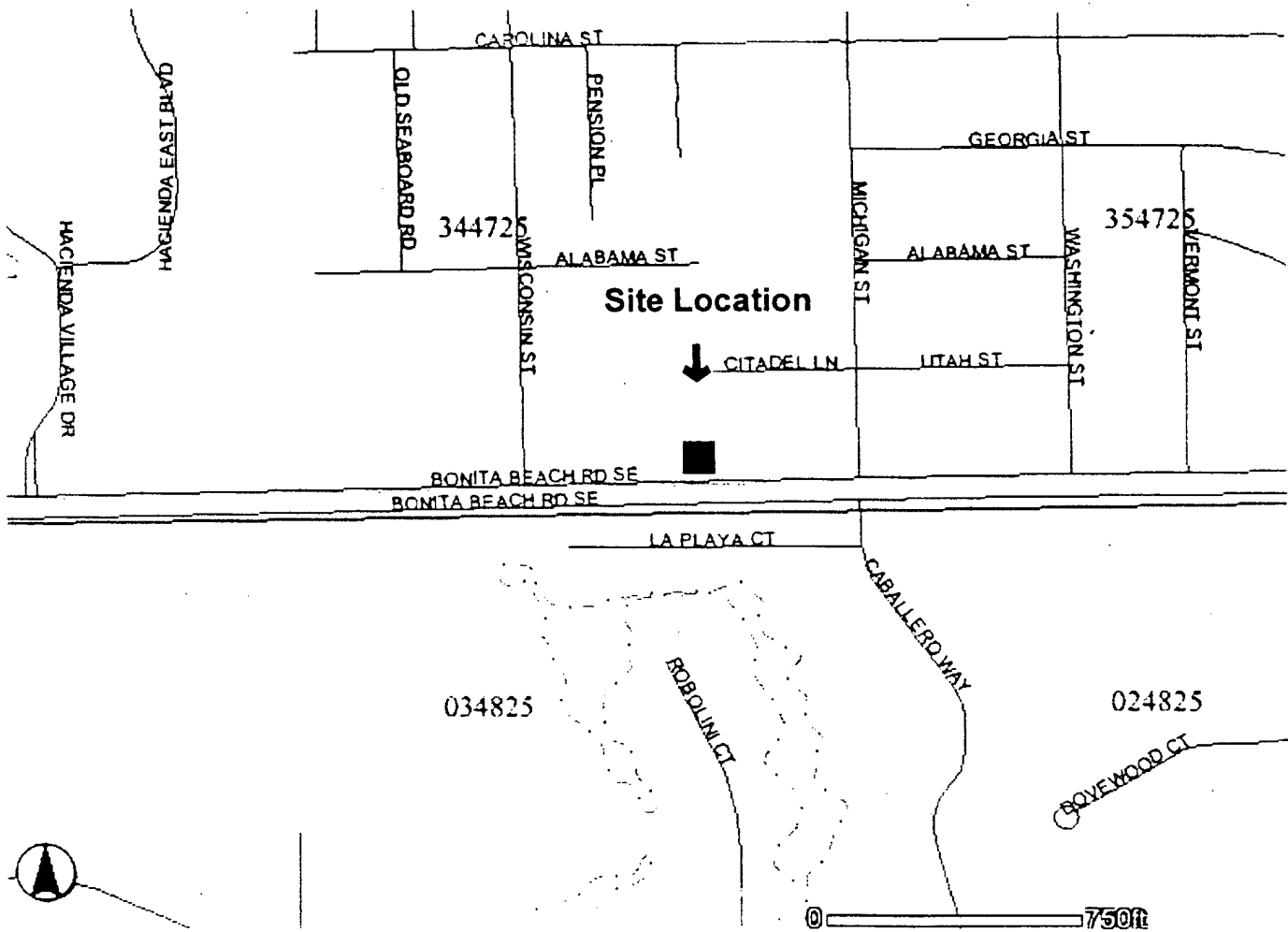
THE EAST 105 FEET OF THE WEST 205 FEET OF THE SOUTH 280 FEET, LOT 5,
BLOCK 53, HEITMAN'S BONITA SPRINGS TOWNSITE, ACCORDING TO THE MAP OR
PLAT THEREOF AS RECORDED IN PLAT BOOK 6, PAGE(S) 24, LESS ROAD RIGHT-
OF-WAY, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.



RECEIVED COUNTY CLERK

REZ 2005-00018

Area Location Map



PERMIT
AUG 19 2005

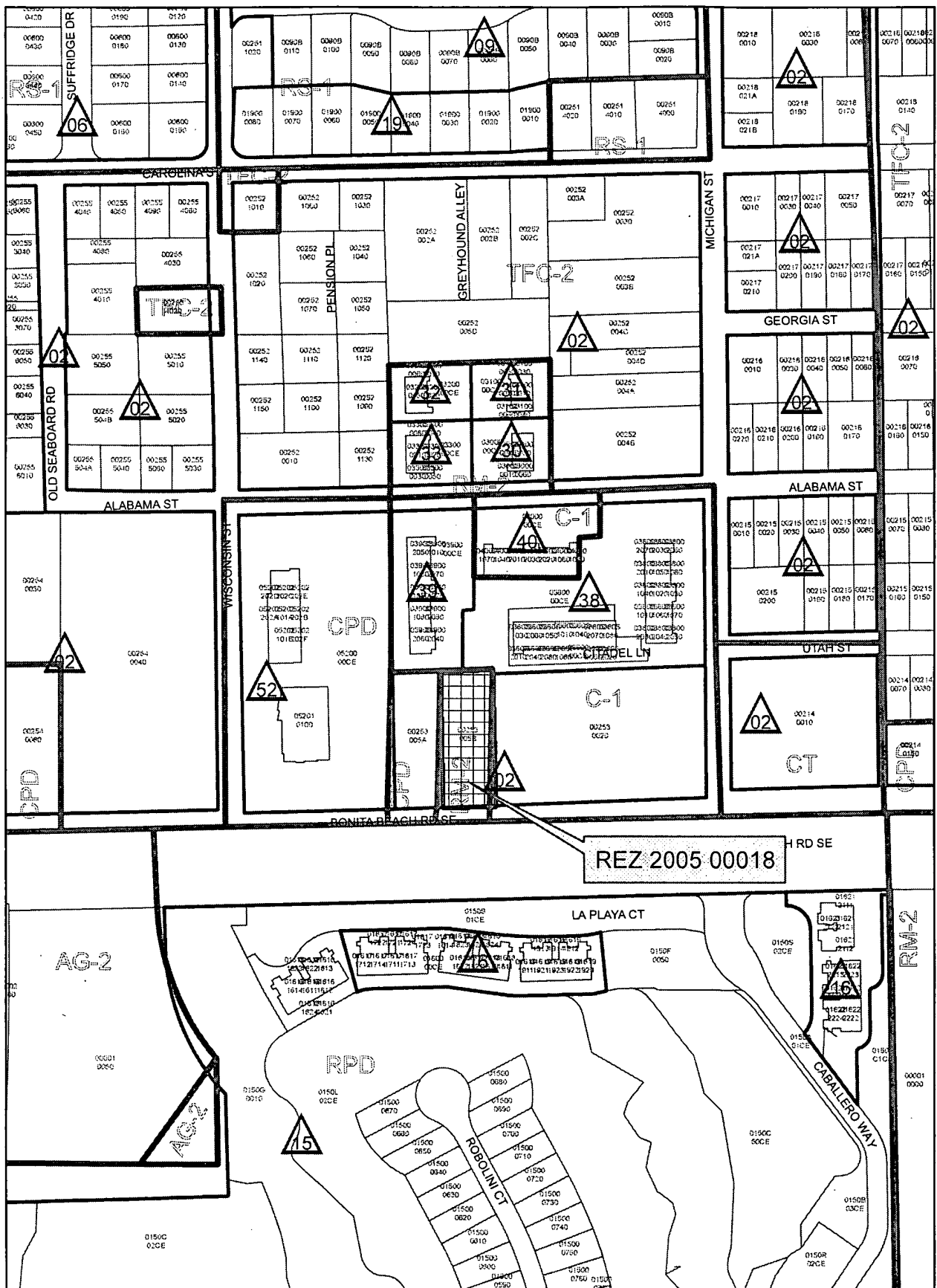
REZ 2005-00018

PERMIT COUNTER

● ZONING INTAKE MAP

Attachment A

9/20/2005



290 145 0

290 Feet

Spatial District Query Report

STRAP Number: 34-47-25-B3-00253.005B

District Name	District Value(s)		Pct of Parcel in District (if fractional)	Notes
Airport Noise Zone			NOT FOUND	
Airspace Notification			NOT FOUND	
Census Tract	Tract ID	506		
Coastal Building Zone			NOT FOUND	
Coastal High Hazard Area			NOT FOUND	
Fire District	Fire District Taxing Authority	Bonita Springs 009		
Flood Insurance Zone	Flood Zone	X		
FIRM Floodway			NOT FOUND	
Flood Insurance Panel	Community	120680 BSP	> 99.99%	
	Panel	(null)		
	Version	(null)		
	Date	(null)		
	Community	125124	> 99.99%	
	Panel	0510		
	Version	D		
	Date	072098		
DNR Flood Zones			NOT FOUND	
Flood Insurance Coastal Barrier			NOT FOUND	
Lighting District	Lighting District Taxing Authority	Bonita Springs 010		
Planning Community	ID	3		
	Plan Community	Bonita Springs		
Planning Land Use 2010	Landuse	General Commercial	94.63%	
	Landuse	High Den. MF Res.	5.37%	1
Sanibel/County Agreement			NOT FOUND	
School Board District	District School Board Member	3 Jane E. Kucel, Ph.D.		
School Choice Zone	Choice Zones	South Zone	> 99.99%	
	Choice Zones	South Zone 3	> 99.99%	
Solid Waste District	District Area	Area 1		
Storm Surge	Category	3		
Subdivisions	Subdivision No.	34472502B3	> 99.99%	
	Subdivision Name	HEITMAN'S BONITA SPRINGS		
	Book Page 1 Book Page 2 Book Page 3			
	Subdivision No.	34472539B3	< 0.01%	1
	Subdivision Name	THE CITADEL WEST CONDO		
	Book Page 1 Book Page 2 Book Page 3			
	Subdivision No.	34472538B3	< 0.01%	1

	Subdivision Name	THE CITADEL EAST CONDO		
	Book Page 1			
	Book Page 2			
	Book Page 3			
Traffic Analysis Zone	TAZ	660		
Archaeological Sensitivity	NOT FOUND			
Sea Turtle Lighting Zone	NOT FOUND			
Watersheds	Shed ID	Imperial River		
FLUCCS1995	Code	141	55.93%	
	Landuse	Retail sales and services		
	Code	133	43.99%	
	Landuse	Multiple dwelling units low rise		
	Code	411	0.08%	1
	Landuse	Pine flatwoods		
Vegetation Permit Required	NOT FOUND			
Soil	Map Symbol	37	73.52%	
	Soil Name	SATELLITE FINE SAND		
	Map Symbol	28	26.48%	
	Soil Name	IMMOKALEE SAND		
Panther Habitat	NOT FOUND			
Eagle Nesting Site buffer	NOT FOUND			
Commissioner District	District Commissioner	3 Ray Judah		
Unincorporated Lee County Zoning	Zoning Designation	RM-2	94.81%	<u>Zoning Notes</u>
	Zoning Designation	C-1	5.19%	<u>1</u>
Development Orders	Development Order Status	83-07-052-00D	5.06%	<u>1</u>
	Wet Season Water Table			
	Development Order Status	84-06-024-00D	5.06%	<u>1</u>
	Wet Season Water Table			
	Development Order Status	99-03-064-11L	1.6%	<u>1</u>
	Wet Season Water Table			
	Development Order Status	LDO2001-00239	< 0.01%	<u>1</u>
	Wet Season Water Table			
	Development Order Status	DOS2002-00079	< 0.01%	<u>1</u>
	Wet Season Water Table			
Fort Myers Beach Interim Zoning	NOT FOUND			
Road Impact Fee Districts	District	61		
	Tidemark ID	61		
	Name	Bonita55		

Water Franchise

Franchise Name

Bonita Springs
Utilities

[Modify] Report Settings**Note****Details**

-
- | Note | Details |
|------|--|
| 1 | Small percentages can result from slight variations in the way lines are drawn or imported into our system. Such values may not accurately reflect an overlap with the subject parcel. |
-

Our goal is to provide the most accurate data available, however no warranties, expressed or implied, are provided with this data, its use, or interpretation.
All information subject to change without notice.

MEMORANDUM
From The
Department Of
Community Development
Development Services Division

RE22005-00018

Date: November 23, 2005

To: FILE

FROM: Jessica M. Smith
DCD Administration

RE: Notice of Public Hearing - December 7, 2005
Bonita Springs Council Zoning Hearing (1st reading)

I, Jessica Smith, 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: REZ2005-00018

NAME: Gohari Rezoning

REQUEST: A ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; APPROVING A REQUEST BY MARK GOHARI TO REZONE FROM RESIDENTIAL MULTI-FAMILY DISTRICT (RM-2) TO COMMUNITY COMMERCIAL DISTRICT (CC); ON LAND LOCATED AT 9790 BONITA BEACH ROAD, BONITA SPRINGS, FLORIDA, (STRAP NO. 34-47-25-B3-00253.005B), 29,400 + SQUARE FEET; PROVIDING FOR AN EFFECTIVE DATE.

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

Notice is hereby given that on December 7, 2005 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 City Hall, 9101 Bonita Beach Road, Bonita Springs, FL 34135.

A **SECOND READING** on this matter is tentatively scheduled for December 19, 2005 at 9:00 a.m. at the same location.

NO FURTHER NOTICES WILL BE DISTRIBUTED UNLESS THE SECOND READING DATE IS CHANGED.

The law states that, as a participant, you have the right to appear and address the Council on this case. However, the law strictly limits all testimony before the Council to statements challenging the correctness of findings and conclusions contained in the record, or statements alleging the discovery of relevant new evidence which was not known by the speaker at the time of the Zoning Board for Land Use Hearings and not otherwise disclosed in the record.

In accordance with the Americans with Disabilities Act, reasonable accommodations will be made upon request. If you are in need of a reasonable accommodation, please contact Gary A. Price, City Manager at 239-949-6262, at least 48 hours prior to the meeting.

Additional copies of the Zoning Board for Land Use Hearing's recommendation may be obtained or the file reviewed at the Zoning Division, 1500 Monroe St., Ft. Myers, FL. Telephone 479-8585 for additional information.

DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Division



Mark Gohari
28375 Del Lago Way
Bonita Springs, Florida 34135 (Applicant)

Cyrus Bonita LLC
28375 Del Lago Way
Bonita Springs, Florida 34135 (Owner)

Michael Roeder
Knott, Consoer, Ebelini, Hart & Swett, P.A.
1625 Hendry Street, Suite 301
Fort Myers, Florida 33902 (Agent).

Jason Dickerson
3126 Davis Boulevard
Naples, Florida 34104



NOTICE TO PROPERTY OWNERS WITHIN 375 FEET

CASE NUMBER: REZ2005-00018

CASE NAME: GOHARI REZONING

REQUEST: Rezone 29400 square feet from Residential Multi-family district (RM-2) to Community Commercial district (CC).

LOCATION: The subject property is located at 9790 Bonita Beach Road (Take I-75 south to Exit 116 toward Bonita Springs, Merge onto Bonita Beach Road SE and end at 9790 Bonita Beach Road)

SIZE OF PROPERTY: 29,400.00 Sq Ft ±

STAFF REPORT: Direct inquiries to Chahram Badamtchian, Senior Planner, at (239) 479-8372, at the Department of Community Development, 1500 Monroe St., Ft. Myers, FL 33901.

PROPERTY OWNERS REPRESENTATIVE: MR. MIKE ROEDER
KNOTT CONSOER
239-334-2722

Notice is hereby given that the City of Bonita Springs Zoning Board for Land Use will hold a public hearing at 10:30 AM on 11/04/2005 on the above case. The public hearing will be held in the Bonita Springs City Hall, 9101 Bonita Beach Road, 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) 949-6238 at least 48 hours prior to the hearing.

LEE COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Division

34-47-25-B3-00214.0010
SCOTT DARLENE G +
9930 BONITA BEACH RD
BONITA SPRINGS, FL 34135

34-47-25-B3-00252.0010
FERREIRA JAMES M +
25640 INLET WAY CT
BONITA SPRINGS, FL 34135

34-47-25-B3-00252.1090
BROOKS ROGER P + MAUREEN E
24860 PENNYROYAL DR
BONITA SPRINGS, FL 34134

34-47-25-B3-00253.0020
ALCRIS HOLDINGS INC
9800 BONITA BEACH RD
BONITA SPRINGS, FL 34135

34-47-25-B3-00254.0040
DOUGHERTY PAULINE TR
9726 BEACH RD SE
BONITA SPRINGS, FL 34135

34-47-25-B3-03300.00CE
VILLANOVA COLONNADE CONDO IV

9821 ALABAMA ST
BONITA SPRINGS, FL 34135

34-47-25-B3-03800.00CE
CITADEL EAST CONDO ASSOC
9895 CITADEL LN
BONITA SPRINGS, FL 34135

34-47-25-B3-04000.00CE
CITADEL NORTH CONDO ASSOC
FLOYD R LUCKEY
PO BOX 2472
BONITA SPRINGS, FL 34133

03-48-25-B2-0150A.01CE
TOUSA HOMES INC
SPANISH WELLS HOMEOWNERS ASSN
4000 N HOLLYWOOD BLVD #500-N
HOLLYWOOD, FL 33021

03-48-25-B2-0150F.0050
TOUSA HOMES INC
4000 N HOLLYWOOD BLVD #500-N
HOLLYWOOD, FL 33021

34-47-25-B3-00215.0200
PAUL RONALD
27933 MICHIGAN ST
BONITA SPRINGS, FL 34135

34-47-25-B3-00252.004B
BURTON C P + MARY JO
27870 MICHIGAN ST
BONITA SPRINGS, FL 34135

34-47-25-B3-00252.1130
STAID J LEO + CATHLEEN F
9835 CONNECTICUT ST
BONITA SPRINGS, FL 34135

34-47-25-B3-00253.005A
J + K BONITA GROUP LLC
3126 DAVIS BLVD
NAPLES, FL 34112

34-47-25-B3-03000.00CE
VILLANOVA COLONNADE CONDO I
9871 ALABAMA ST
BONITA SPRINGS, FL 34135

34-47-25-B3-03600.00CE
CITADEL SOUTH CONDO
RECREATIONAL ASSOC INC
26960 VILLANOVA CT
BONITA SPRINGS, FL 34135

34-47-25-B3-03900.00CE
CITADEL WEST CONDO ASSOC
9895 CITADEL LN
BONITA SPRINGS, FL 34135

34-47-25-B3-05200.00CE
BONITA BEACH ROAD PROFESSIONAL

03-48-25-B2-0150C.50CE
SPANISH WELLS GOLF + C C INC
MARBELLA AT SPANISH WELLS ASSN
9801 TREASURE CAY LN
BONITA SPRINGS, FL 34135

03-48-25-B2-0150G.0010
SPANISH WELLS GOLF +
9801 TREASURE CAY LN
BONITA SPRINGS, FL 34135

03-48-25-B2-0150L.02CE
SPANISH WELLS GOLF +
SPANISH WELLS HOMEOWNERS ASSN
9801 TREASURE CAY LN
BONITA SPRINGS, FL 34135

03-48-25-B2-01600.00CE
MARBELLA AT SPANISH WELLS I
14001 LAKE MAHOGANY BLVD #2311
FORT MYERS, FL 33907

03-48-25-B2-01616.1612
MUFFI JOHN W + CATHERINE P
20 MILLBRIDGE RD
LAUREL SPRINGS, NJ 08021

03-48-25-B2-01616.1614
TOUSA HOMES INC
4000 N HOLLYWOOD BLVD #500-N
HOLLYWOOD, FL 33021

03-48-25-B2-01616.1622
KREIDMAN LAWRENCE + BARBARA
9305 LA PLAYA CT #1622
BONITA SPRINGS, FL 34135

03-48-25-B2-01616.1624
PARUTI DAVID M + JEAN T
161 SOUTH ST
BRIDGEWATER, MA 02324

03-48-25-B2-01617.1712
CASANOVA RONALD M
215 CRICKET LANE
WOODBIDGE, NJ 07095

03-48-25-B2-01617.1714
CATALIOTO MARCO
3172 POPLAR ST
YORKTOWN HEIGHTS, NY 10598

03-48-25-B2-01617.1722
VOTTA MARIANNE C
248 KENRICK ST
NEWTON, MA 02458

03-48-25-B2-01617.1724
TOUSA HOMES INC
4000 N HOLLYWOOD BLVD #500-N
HOLLYWOOD, FL 33021

03-48-25-B2-0150S.01CE
TOUSA HOMES INC
SPANISH WELLS HOMEOWNERS ASSN
4000 N HOLLYWOOD BLVD #500-N
HOLLYWOOD, FL 33021

03-48-25-B2-01616.1611
SCALZITTI MARIO + BEATRICE
9305 LA PLAYA CT #1611
BONITA SPRINGS, FL 34135

03-48-25-B2-01616.1613
BONHOMME GERARD + MARIE
2 AVENUE VILMORIN
LELONG BEACH,
FRANCE

03-48-25-B2-01616.1621
TOUSA HOMES INC
4000 N HOLLYWOOD BLVD #500-N
HOLLYWOOD, FL 33021

03-48-25-B2-01616.1623
POULTON TEDDY W + ROBERTA
5495 E HEISLEY RD
MENTOR, OH 44060

03-48-25-B2-01617.1711
GALLAHUE THOMAS D + GALE
58 WOODPECKER LN
LEVITTOWN, NY 11756

03-48-25-B2-01617.1713
DANNEMANN HENRY F + MARILYN L
152 PINEHURST RD
MARSHFIELD, MA 02050

03-48-25-B2-01617.1721
WOODS PATRICIA G +
2107 CROSSGATE DR
CROFTON, MD 21114

03-48-25-B2-01617.1723
HARTMAN MARILYN R + THOMAS M
7168 TARPON BAY CT
MAUMEE, OH 43537

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Mr. Hohmoud Gohari & Essie F. Gohari appl/owner
28375 Del Lago Way
Bonita Springs, FL 34135

Mr. Mike Roeder
1625 Hendry ST.
Fort Myers, FL 33901





CITY OF
BONITA SPRINGS

November 16, 2005

479-8585

9101 BONITA BEACH ROAD
BONITA SPRINGS, FL 34135
TEL: (239) 949-6262
FAX: (239) 390-1004
www.cityofbonitasprings.org

MR. MIKE ROEDER
KNOTT CONSOER
1625 HENDRY ST
FT MYERS, FL 33901

Jay Arend
Mayor

Wayne P. Edsall
District One

Alex Grantt
District Two

R. Robert Wagner
District Three

John Joyce
District Four

David T. Piper, Jr.
District Five

Ben L. Nelson, Jr.
District Six

Gary A. Price
City Manager

Audrey E. Vance
City Attorney

RE: **Agenda Schedule for GOHARI REZONING
Case No. REZ2005-00018**

Dear MR. MIKE ROEDER :

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

DATE & TIME: Wednesday, December 7, 2005. Meeting commences at 5:30 p.m.
LOCATION: Bonita Springs City Hall
9101 Bonita Beach Road
Bonita Springs, FL 34135

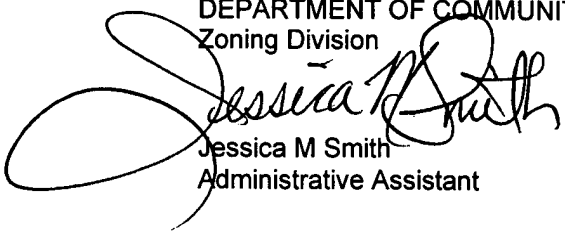
The first reading is a reading of the request and the second reading is the hearing.

A second reading on this matter is tentatively scheduled for Monday, December 19, 2005 at 9:00 a.m. at the same location.

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

Call if you have any questions.

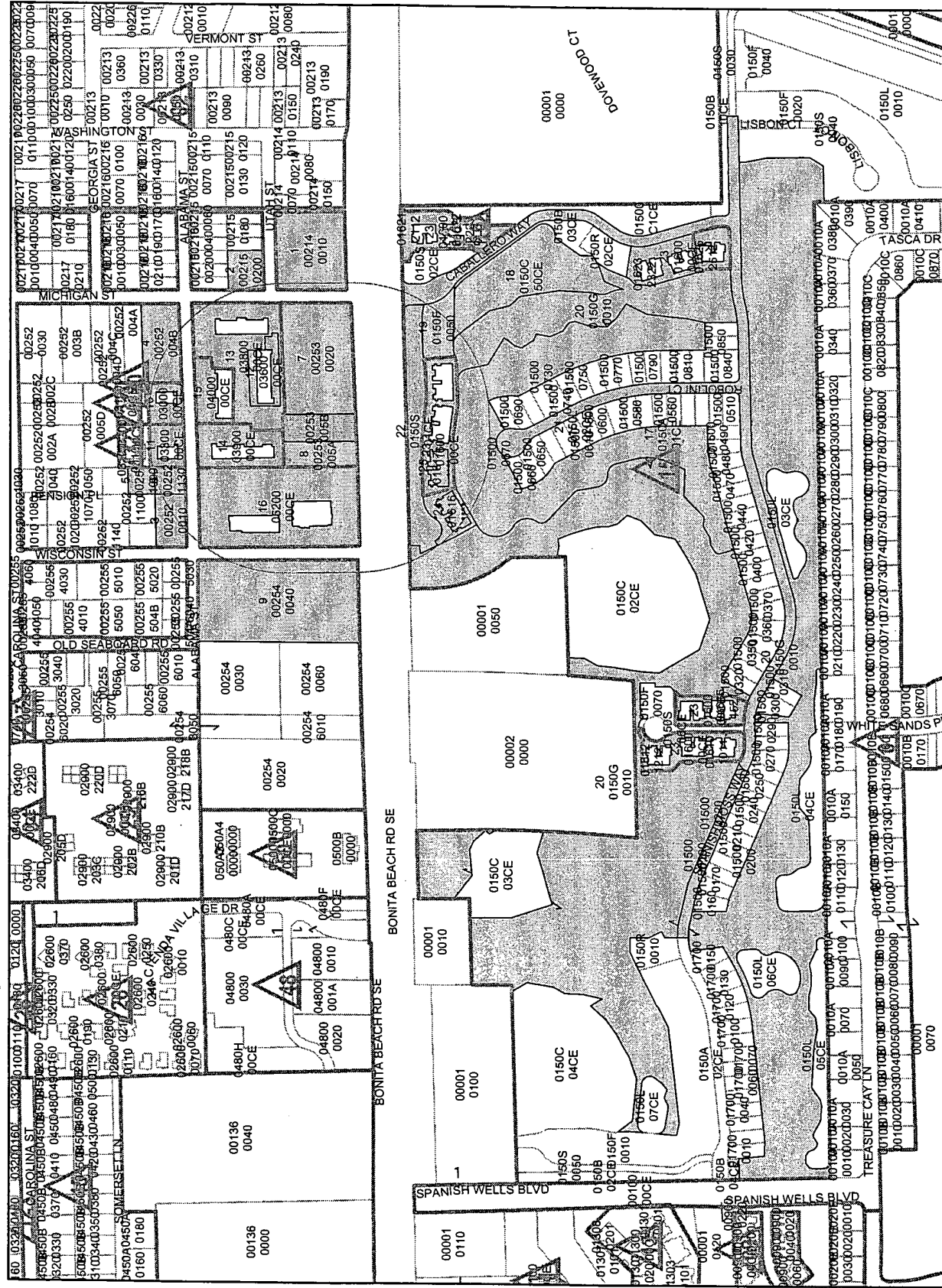
DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Division


Jessica M Smith
Administrative Assistant

cc: MR. MARK GOHARI
MAHMOUD M GOHARI & ESSI F. GOHARI, CYRUS BONITA LLC
Chahram Badamtchian, Senior Planner
Zoning File

VARIANCE REPORT

Subject Parcels : 1 Affected Parcels : 39 Buffer Distance : 500 ft



600	300	0	600 Feet
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34-47-25-B3-00253.005B

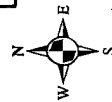
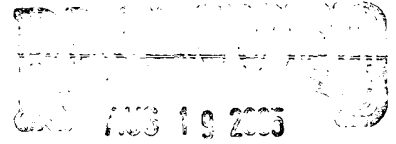


EXHIBIT IV-A**Lee County Property Appraiser****Kenneth M. Wilkinson, C.F.A.****GIS Department / Map Room****Phone: (239) 339-6159 • Fax: (239) 339-6139 • eMail: MapRoom@LeePA.org****VARIANCE REPORT**

Date of Report: June 08, 2005
Buffer Distance: 500 ft
Parcels Affected: 39
Subject Parcel: 34-47-25-B3-00253.005B



STAMPED: 6/19/2005
 BY: [Signature]

REZ 2005-00018

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	Map Index
SCOTT DARLENE G + 3930 BONITA BEACH RD BONITA SPRINGS FL 34135	34-47-25-B3-00214.0010 27941 MICHIGAN ST #965 BONITA SPRINGS FL 34135	HEITMANS BONITA SPRINGS BLK 14 PB 6 PG 24 LOTS 1 THRU 6 + 17 THRU 22	1
PAUL RONALD 27933 MICHIGAN ST BONITA SPRINGS-FL 34135	34-47-25-B3-00215.0200 27933 MICHIGAN ST BONITA SPRINGS FL 34135	HEITMANS BONITA SPRINGS BLK 15 PB 6 PG 24 LOTS 20 21 + 22	2
FERREIRA JAMES M + 25640 INLET WAY CT BONITA SPRINGS FL 34135	34-47-25-B3-00252.0010 9771 ALABAMA ST BONITA SPRINGS FL 34135	HEITMANS BONITA SPRINGS BLK 52 PB 6 PG 24 LOT 6 LS PAR 52.101 THRU 52.113	3
BURTON C P + MARY JO 27870 MICHIGAN ST BONITA SPRINGS FL 34135	34-47-25-B3-00252.004B 27870 MICHIGAN ST BONITA SPRINGS FL 34135	HEITMANS BONITA SPRINGS BLK.52 PB 6 PG 24 S 140 FT LOT 4	4
BROOKS ROGER P + MAUREEN E 24860 PENNYROYAL DR BONITA SPRINGS FL 34134	34-47-25-B3-00252.1090 27841 PENSION PL #43 BONITA SPRINGS FL 34135	HEITMANS BONITA SPRINGS BLK 52 PB 6 PG 24 PT LOT 6	5
STAID J LEO + CATHLEEN F 3835 CONNECTICUT ST BONITA SPRINGS FL 34135	34-47-25-B3-00252.1130 9777/79 ALABAMA ST BONITA SPRINGS FL 34135	HEITMANS BONITA SPRINGS BLK 52 PB 6 PG 24 LOT 6 S 110 FT OF E 105 FT LOT 6	6
ALCRIS HOLDINGS INC 3800 BONITA BEACH RD BONITA SPRINGS FL 34135	34-47-25-B3-00253.0020 9800 BONITA BEACH RD SE BONITA SPRINGS FL 34135	HEITMANS BONITA SPGS BLK 53 PB6 PG24 PT LTS 4+5 S OF CITADEL CONDO LESRDR/W	7
J + K BONITA GROUP LLC 3126 DAVIS BLVD NAPLES FL 34112	34-47-25-B3-00253.005A 9786 BONITA BEACH RD SE BONITA SPRINGS FL 34135	HEITMANS BONITA SPRINGS BLK 53 PB 6 PG 24 W 100 FT OF S 280 FT LOT 5	8
DOUGHERTY PAULINE TR 3726 BEACH RD SE BONITA SPRINGS FL 34135	34-47-25-B3-00254.0040 9726 BONITA BEACH RD SE BONITA SPRINGS FL 34135	HEITMANS BONITA SPRINGS BLK.54 PB 6 PG 24 LOTS 4 + 5	9
VILLANOVA COLONNADE CONDO I 3871 ALABAMA ST BONITA SPRINGS FL 34135	34-47-25-B3-03000.00CE 0 HDR: VILLANOVA 1 BONITA SPRINGS FL 34135	VILLANOVA COLONNADE CONDO I COMMON AREA DESC IN OR 1649 PG 3440	10
VILLANOVA COLONNADE CONDO IV 3821 ALABAMA ST BONITA SPRINGS FL 34135	34-47-25-B3-03300.00CE 0 HDR: VILLANOVA 4 BONITA SPRINGS FL 34135	VILLANOVA COLONNADE CONDO IV COMMON AREA DESC IN OR 1684 PG 1728	11
CITADEL SOUTH CONDO RECREATIONAL ASSOC INC 26960 VILLANOVA CT BONITA SPRINGS FL 34135	34-47-25-B3-03600.00CE COMMON ELEMENT BONITA SPRINGS FL 33923	CITADEL SOUTH CONDO OR1773/2352 + OR2876/2952 COMMON ELEMENTS: POOL	12
CITADEL EAST CONDO ASSOC 3895 CITADEL LN BONITA SPRINGS FL 34135	34-47-25-B3-03800.00CE COMMON ELEMENT BONITA SPRINGS FL 34135	CITADEL EAST CONDO OR1829/3437 + OR2876/2952 COMMON ELEMENTS: POOL	13

EXHIBIT IV-A

<u>OWNER AND ADDRESS</u>	<u>STRAP AND LOCATION</u>	<u>LEGAL DESCRIPTION</u>	<u>Map Index</u>
CITADEL WEST CONDO ASSOC 9895 CITADEL LN BONITA SPRINGS FL 34135	34-47-25-B3-03900.00CE COMMON ELEMENT BONITA SPRINGS FL 34135	CITADEL WEST CONDO OR1882/1749 + OR2876/2952 COMMON ELEMENTS: POOL	14
CITADEL NORTH CONDO ASSOC FLOYD R LUCKEY PO BOX 2472 BONITA SPRINGS FL 34133	34-47-25-B3-04000.00CE COMMON ELEMENT BONITA SPRINGS FL 34135	CITADEL NORTH CONDO OR1994/3385 + OR2876/2952 COMMON ELEMENTS: POOL	15
BONITA BEACH ROAD PROFESSIONAL	34-47-25-B3-05200.00CE COMMON ELEMENT BONITA SPRINGS FL 34135	REPLAT OF HEITMANS BONITA SPRINGS PB 6 PG 24 BLK 53 LOTS 1 + 6 AS DESC IN OR 4072 PG 2932 + OR 4374 PG 4456 COMMON ELEMENTS	16
TOUSA HOMES INC SPANISH WELLS HOMEOWNERS ASSN 4000 N HOLLYWOOD BLVD #500-N HOLLYWOOD FL 33021	03-48-25-B2-0150A.01CE RIGHT OF WAY BONITA SPRINGS FL 34135	MARBELLA AT SPANISH WELLS PB 75 PGS 19-29 TRACT A-1	17
SPANISH WELLS GOLF + C C INC MARBELLA AT SPANISH WELLS ASSN 9801 TREASURE CAY LN BONITA SPRINGS FL 34135	03-48-25-B2-0150C.50CE COMMON ELEMENT BONITA SPRINGS FL 34135	MARBELLA AT SPANISH WELLS PB 75 PGS 19-29 TRACT C-5	18
TOUSA HOMES INC 4000 N HOLLYWOOD BLVD #500-N HOLLYWOOD FL 33021	03-48-25-B2-0150F.0050 LA PLAYA CT BONITA SPRINGS FL 34135	MARBELLA AT SPANISH WELLS PB 75 PGS 19-29 TRACT F-5 LESS CONDO	19
SPANISH WELLS GOLF + 9801 TREASURE CAY LN BONITA SPRINGS FL 34135	03-48-25-B2-0150G.0010 GOLF COURSE BONITA SPRINGS FL 34135	MARBELLA ATR SPANISH WELLS PB 75 PGS 19-29 TRACTS G-1 THRU G-4	20
SPANISH WELLS GOLF + SPANISH WELLS HOMEOWNERS ASSN 9801 TREASURE CAY LN BONITA SPRINGS FL 34135	03-48-25-B2-0150L.02CE COMMON ELEMENT BONITA SPRINGS FL 34135	MARBELLA ATR SPANISH WELLS PB 75 PGS 19-29 TRACT L-2	21
TOUSA HOMES INC SPANISH WELLS HOMEOWNERS ASSN 4000 N HOLLYWOOD BLVD #500-N HOLLYWOOD FL 33021	03-48-25-B2-0150S.01CE RIGHT OF WAY BONITA SPRINGS FL 34135	MARBELLA AT SPANISH WELLS PB 75 PGS 19-29 TRACT S-1	22
MARBELLA AT SPANISH WELLS I 14001 LAKE MAHOGANY BLVD #2311 FORT MYERS FL 33907	03-48-25-B2-01600.00CE COMMON ELEMENT FL	POR OF MARBELLA AT SPANISH WELLS PB 75 PGS 19-29 OR 4306/1125 + 4306/1378+4349/3910+4349/3904 + 4398/3211+4404/678+4444/2081 + 2087+4508/2708+4508/2714+ COMMON ELEMENTS	23
SCALZITTI MARIO + BEATRICE 9305 LA PLAYA CT #1611 BONITA SPRINGS FL 34135	03-48-25-B2-01616.1611 9305 LA PLAYA CT #1611 BONITA SPRINGS FL 34135	MARBELLA AT SPANISH WELLS DESC IN OR 4670 PG 1413 PH 7 BLDG 16 UNIT 1611	*24
MUFFI JOHN W + CATHERINE P 20 MILLBRIDGE RD LAUREL SPRINGS NJ 08021	03-48-25-B2-01616.1612 9305 LA PLAYA CT #1612 BONITA SPRINGS FL 34135	MARBELLA AT SPANISH WELLS DESC IN OR 4670 PG 1413 PH 7 BLDG 16 UNIT 1612	*24
BONHOMME GERARD + MARIE 2 AVENUE VILMORIN LELONG BEACH FRANCE	03-48-25-B2-01616.1613 9305 LA PLAYA CT #1613 BONITA SPRINGS FL 34135	MARBELLA AT SPANISH WELLS DESC IN OR 4670 PG 1413 PH 7 BLDG 16 UNIT 1613	*24
TOUSA HOMES INC 4000 N HOLLYWOOD BLVD #500-N HOLLYWOOD FL 33021	03-48-25-B2-01616.1614 9305 LA PLAYA CT #1614 BONITA SPRINGS FL 34135	MARBELLA AT SPANISH WELLS DESC IN OR 4670 PG 1413 PH 7 BLDG 16 UNIT 1614	*24
TOUSA HOMES INC 4000 N HOLLYWOOD BLVD #500-N HOLLYWOOD FL 33021	03-48-25-B2-01616.1621 9305 LA PLAYA CT #1621 BONITA SPRINGS FL 34135	MARBELLA AT SPANISH WELLS DESC IN OR 4670 PG 1413 PH 7 BLDG 16 UNIT 1621	*24
KREIDMAN LAWRENCE + BARBARA 9305 LA PLAYA CT #1622 BONITA SPRINGS FL 34135	03-48-25-B2-01616.1622 9305 LA PLAYA CT #1622 BONITA SPRINGS FL 34135	MARBELLA AT SPANISH WELLS DESC IN OR 4670 PG 1413 PH 7 BLDG 16 UNIT 1622	*24

EXHIBIT IV-A

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	Map Index
POULTON TEDDY W + ROBERTA 5495 E HEISLEY RD MENTOR OH 44060	03-48-25-B2-01616.1623 9305 LA PLAYA CT #1623 BONITA SPRINGS FL 34135	MARBELLA AT SPANISH WELLS DESC IN OR 4670 PG 1413 PH 7 BLDG 16 UNIT 1623	*24
PARUTI DAVID M + JEAN T 161 SOUTH ST BRIDGEWATER MA 02324	03-48-25-B2-01616.1624 9305 LA PLAYA CT #1624 BONITA SPRINGS FL 34135	MARBELLA AT SPANISH WELLS DESC IN OR 4670 PG 1413 PH 7 BLDG 16 UNIT 1624	*24
GALLAHUE THOMAS D + GALE 58 WOODPECKER LN LEVITTOWN NY 11756	03-48-25-B2-01617.1711 9315 LA PLAYA CT #1711 BONITA SPRINGS FL 34135	MARBELLA AT SPANISH WELLS DESC IN OR 4557 PG 3521 PH 8 BLDG 17 UNIT 1711	*25
CASANOVA RONALD M 215 CRICKET LANE WOODBIDGE NJ 07095	03-48-25-B2-01617.1712 9315 LA PLAYA CT #1712 BONITA SPRINGS FL 34135	MARBELLA AT SPANISH WELLS DESC IN OR 4557 PG 3521 PH 8 BLDG 17 UNIT 1712	*25
DANNEMANN HENRY F + MARILYN L 152 PINEHURST RD MARSHFIELD MA 02050	03-48-25-B2-01617.1713 9315 LA PLAYA CT #1713 BONITA SPRINGS FL 34135	MARBELLA AT SPANISH WELLS DESC IN OR 4557 PG 3521 PH 8 BLDG 17 UNIT 1713	*25
CATALIOTO MARCO 3172 POPLAR ST YORKTOWN HEIGHTS NY 10598	03-48-25-B2-01617.1714 9315 LA PLAYA CT #1714 BONITA SPRINGS FL 34135	MARBELLA AT SPANISH WELLS DESC IN OR 4557 PG 3521 PH 8 BLDG 17 UNIT 1714	*25
WOODS PATRICIA G + 2107 CROSSGATE DR CROFTON MD 21114	03-48-25-B2-01617.1721 9315 LA PLAYA CT #1721 BONITA SPRINGS FL 34135	MARBELLA AT SPANISH WELLS DESC IN OR 4557 PG 3521 PH 8 BLDG 17 UNIT 1721	*25
VOTTA MARIANNE C 248 KENRICK ST NEWTON MA 02458	03-48-25-B2-01617.1722 9315 LA PLAYA CT #1722 BONITA SPRINGS FL 34135	MARBELLA AT SPANISH WELLS DESC IN OR 4557 PG 3521 PH 8 BLDG 17 UNIT 1722	*25
HARTMAN MARILYN R + THOMAS M 7168 TARPON BAY CT MAUMEE OH 43537	03-48-25-B2-01617.1723 9315 LA PLAYA CT #1723 BONITA SPRINGS FL 34135	MARBELLA AT SPANISH WELLS DESC IN OR 4557 PG 3521 PH 8 BLDG 17 UNIT 1723	*25
TOUSA HOMES INC 4000 N HOLLYWOOD BLVD #500-N HOLLYWOOD FL 33021	03-48-25-B2-01617.1724 9315 LA PLAYA CT #1724 BONITA SPRINGS FL 34135	MARBELLA AT SPANISH WELLS DESC IN OR 4557 PG 3521 PH 8 BLDG 17 UNIT 1724	*25

39 RECORDS PRINTED

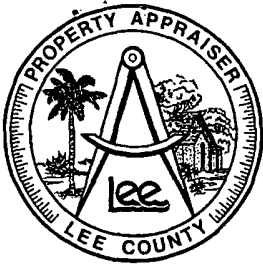


EXHIBIT IV-A

Lee County Property Appraiser

Kenneth M. Wilkinson, C.F.A.

GIS Department / Map Room

Phone: (239) 339-6159 • Fax: (239) 339-6139 • eMail: MapRoom@LeePA.org

VARIANCE REPORT

Date of Report: June 08, 2005
Buffer Distance: 500 ft
Parcels Affected: 39
Subject Parcel: 34-47-25-B3-00253.005B

<u>OWNER NAME AND ADDRESS</u>	<u>STRAP AND LOCATION</u>	<u>LEGAL DESCRIPTION</u>	<u>Map Index</u>
SCOTT DARLENE G + 9930 BONITA BEACH RD BONITA SPRINGS FL 34135	34-47-25-B3-00214.0010 27941 MICHIGAN ST #965 BONITA SPRINGS FL 34135	HEITMANS BONITA SPRINGS BLK 14 PB 6 PG 24 LOTS 1 THRU 6 + 17 THRU 22	1
PAUL RONALD 27933 MICHIGAN ST BONITA SPRINGS FL 34135	34-47-25-B3-00215.0200 27933 MICHIGAN ST BONITA SPRINGS FL 34135	HEITMANS BONITA SPRINGS BLK 15 PB 6 PG 24 LOTS 20 21 + 22	2
FERREIRA JAMES M + 25640 INLET WAY CT BONITA SPRINGS FL 34135	34-47-25-B3-00252.0010 9771 ALABAMA ST BONITA SPRINGS FL 34135	HEITMANS BONITA SPRINGS BLK 52 PB 6 PG 24 LOT 6 LS PAR 52.101 THRU 52.113	3
BURTON C P + MARY JO 27870 MICHIGAN ST BONITA SPRINGS FL 34135	34-47-25-B3-00252.004B 27870 MICHIGAN ST BONITA SPRINGS FL 34135	HEITMANS BONITA SPRINGS BLK 52 PB 6 PG 24 S 140 FT LOT 4	4
BROOKS ROGER P + MAUREEN E 24860 PENNYROYAL DR BONITA SPRINGS FL 34134	34-47-25-B3-00252.1090 27841 PENSION PL #43 BONITA SPRINGS FL 34135	HEITMANS BONITA SPRINGS BLK 52 PB 6 PG 24 PT LOT 6	5
STAID J LEO + CATHLEEN F 1835 CONNECTICUT ST BONITA SPRINGS FL 34135	34-47-25-B3-00252.1130 9777/79 ALABAMA ST BONITA SPRINGS FL 34135	HEITMANS BONITA SPRINGS BLK 52 PB 6 PG 24 LOT 6 S 110 FT OF E 105 FT LOT 6	6
ALCRIS HOLDINGS INC 1800 BONITA BEACH RD BONITA SPRINGS FL 34135	34-47-25-B3-00253.0020 9800 BONITA BEACH RD SE BONITA SPRINGS FL 34135	HEITMANS BONITA SPGS BLK 53 PB6 PG24 PT LTS 4+5 S OF CITADEL CONDO LESRDR/W	7
I + K BONITA GROUP LLC 1126 DAVIS BLVD JAPLES FL 34112	34-47-25-B3-00253.005A 9786 BONITA BEACH RD SE BONITA SPRINGS FL 34135	HEITMANS BONITA SPRINGS BLK 53 PB 6 PG 24 W 100 FT OF S 280 FT LOT 5	8
DOUGHERTY PAULINE TR 1726 BEACH RD SE BONITA SPRINGS FL 34135	34-47-25-B3-00254.0040 9726 BONITA BEACH RD SE BONITA SPRINGS FL 34135	HEITMANS BONITA SPRINGS BLK 54 PB 6 PG 24 LOTS 4 + 5	9
VILLANOVA COLONNADE CONDO I 1871 ALABAMA ST BONITA SPRINGS FL 34135	34-47-25-B3-03000.00CE 0 HDR: VILLANOVA 1 BONITA SPRINGS FL 34135	VILLANOVA COLONNADE CONDO I COMMON AREA DESC IN OR 1649 PG 3440	10
VILLANOVA COLONNADE CONDO IV 1821 ALABAMA ST BONITA SPRINGS FL 34135	34-47-25-B3-03300.00CE 0 HDR: VILLANOVA 4 BONITA SPRINGS FL 34135	VILLANOVA COLONNADE CONDO IV COMMON AREA DESC IN OR 1684 PG 1728	11
CITADEL SOUTH CONDO RECREATIONAL ASSOC INC 6960 VILLANOVA CT BONITA SPRINGS FL 34135	34-47-25-B3-03600.00CE COMMON ELEMENT BONITA SPRINGS FL 33923	CITADEL SOUTH CONDO OR1773/2352 + OR2876/2952 COMMON ELEMENTS: POOL	12
CITADEL EAST CONDO ASSOC 895 CITADEL LN BONITA SPRINGS FL 34135	34-47-25-B3-03800.00CE COMMON ELEMENT BONITA SPRINGS FL 34135	CITADEL EAST CONDO OR1829/3437 + OR2876/2952 COMMON ELEMENTS: POOL	13

EXHIBIT IV-A

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	Map Index
CITADEL WEST CONDO ASSOC 9895 CITADEL LN BONITA SPRINGS FL 34135	34-47-25-B3-03900.00CE COMMON ELEMENT BONITA SPRINGS FL 34135	CITADEL WEST CONDO OR1882/1749 + OR2876/2952 COMMON ELEMENTS: POOL	14
CITADEL NORTH CONDO ASSOC FLOYD R LUCKEY PO BOX 2472 BONITA SPRINGS FL 34133	34-47-25-B3-04000.00CE COMMON ELEMENT BONITA SPRINGS FL 34135	CITADEL NORTH CONDO OR1994/3385 + OR2876/2952 COMMON ELEMENTS: POOL	15
BONITA BEACH ROAD PROFESSIONAL	34-47-25-B3-05200.00CE COMMON ELEMENT BONITA SPRINGS FL 34135	REPLAT OF HEITMANS BONITA SPRINGS PB 6 PG 24 BLK 53 LOTS 1 + 6 AS DESC IN OR 4072 PG 2932 + OR 4374 PG 4456 COMMON ELEMENTS	16
TOUSA HOMES INC SPANISH WELLS HOMEOWNERS ASSN 4000 N HOLLYWOOD BLVD #500-N HOLLYWOOD FL 33021	03-48-25-B2-0150A.01CE RIGHT OF WAY BONITA SPRINGS FL 34135	MARBELLA AT SPANISH WELLS PB 75 PGS 19-29 TRACT A-1	17
SPANISH WELLS GOLF + C C INC MARBELLA AT SPANISH WELLS ASSN 9801 TREASURE CAY LN BONITA SPRINGS FL 34135	03-48-25-B2-0150C.50CE COMMON ELEMENT BONITA SPRINGS FL 34135	MARBELLA AT SPANISH WELLS PB 75 PGS 19-29 TRACT C-5	18
TOUSA HOMES INC 4000 N HOLLYWOOD BLVD #500-N HOLLYWOOD FL 33021	03-48-25-B2-0150F.0050 LA PLAYA CT BONITA SPRINGS FL 34135	MARBELLA AT SPANISH WELLS PB 75 PGS 19-29 TRACT F-5 LESS CONDO	19
SPANISH WELLS GOLF + 9801 TREASURE CAY LN BONITA SPRINGS FL 34135	03-48-25-B2-0150G.0010 GOLF COURSE BONITA SPRINGS FL 34135	MARBELLA ATR SPANISH WELLS PB 75 PGS 19-29 TRACTS G-1 THRU G-4	20
SPANISH WELLS GOLF + SPANISH WELLS HOMEOWNERS ASSN 9801 TREASURE CAY LN BONITA SPRINGS FL 34135	03-48-25-B2-0150L.02CE COMMON ELEMENT BONITA SPRINGS FL 34135	MARBELLA ATR SPANISH WELLS PB 75 PGS 19-29 TRACT L-2	21
TOUSA HOMES INC SPANISH WELLS HOMEOWNERS ASSN 4000 N HOLLYWOOD BLVD #500-N HOLLYWOOD FL 33021	03-48-25-B2-0150S.01CE RIGHT OF WAY BONITA SPRINGS FL 34135	MARBELLA AT SPANISH WELLS PB 75 PGS 19-29 TRACT S-1	22
MARBELLA AT SPANISH WELLS I 14001 LAKE MAHOGANY BLVD #2311 FORT MYERS FL 33907	03-48-25-B2-01600.00CE COMMON ELEMENT FL	POR OF MARBELLA AT SPANISH WELLS PB 75 PGS 19-29 OR 4306/1125 + 4306/1378+4349/3910+4349/3904 + 4398/3211+4404/678+4444/2081 + 2087+4508/2708+4508/2714+ COMMON ELEMENTS	23
SCALZITTI MARIO + BEATRICE 9305 LA PLAYA CT #1611 BONITA SPRINGS FL 34135	03-48-25-B2-01616.1611 9305 LA PLAYA CT #1611 BONITA SPRINGS FL 34135	MARBELLA AT SPANISH WELLS I DESC IN OR 4670 PG 1413 PH 7 BLDG 16 UNIT 1611	*24
WUFFI JOHN W + CATHERINE P 20 MILLBRIDGE RD LAUREL SPRINGS NJ 08021	03-48-25-B2-01616.1612 9305 LA PLAYA CT #1612 BONITA SPRINGS FL 34135	MARBELLA AT SPANISH WELLS I DESC IN OR 4670 PG 1413 PH 7 BLDG 16 UNIT 1612	*24
3ONHOMME GERARD + MARIE 2 AVENUE VILMORIN ELONG BEACH FRANCE	03-48-25-B2-01616.1613 9305 LA PLAYA CT #1613 BONITA SPRINGS FL 34135	MARBELLA AT SPANISH WELLS I DESC IN OR 4670 PG 1413 PH 7 BLDG 16 UNIT 1613	*24
TOUSA HOMES INC 4000 N HOLLYWOOD BLVD #500-N HOLLYWOOD FL 33021	03-48-25-B2-01616.1614 9305 LA PLAYA CT #1614 BONITA SPRINGS FL 34135	MARBELLA AT SPANISH WELLS I DESC IN OR 4670 PG 1413 PH 7 BLDG 16 UNIT 1614	*24
TOUSA HOMES INC 4000 N HOLLYWOOD BLVD #500-N HOLLYWOOD FL 33021	03-48-25-B2-01616.1621 9305 LA PLAYA CT #1621 BONITA SPRINGS FL 34135	MARBELLA AT SPANISH WELLS I DESC IN OR 4670 PG 1413 PH 7 BLDG 16 UNIT 1621	*24
CREIDMAN LAWRENCE + BARBARA 9305 LA PLAYA CT #1622 BONITA SPRINGS FL 34135	03-48-25-B2-01616.1622 9305 LA PLAYA CT #1622 BONITA SPRINGS FL 34135	MARBELLA AT SPANISH WELLS I DESC IN OR 4670 PG 1413 PH 7 BLDG 16 UNIT 1622	*24

EXHIBIT IV-A

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	Map Index
POULTON TEDDY W + ROBERTA 5495 E HEISLEY RD MENTOR OH 44060	03-48-25-B2-01616.1623 9305 LA PLAYA CT #1623 BONITA SPRINGS FL 34135	MARBELLA AT SPANISH WELLS DESC IN OR 4670 PG 1413 PH 7 BLDG 16 UNIT 1623	*24
PARUTI DAVID M + JEAN T 161 SOUTH ST BRIDGEWATER MA 02324	03-48-25-B2-01616.1624 9305 LA PLAYA CT #1624 BONITA SPRINGS FL 34135	MARBELLA AT SPANISH WELLS DESC IN OR 4670 PG 1413 PH 7 BLDG 16 UNIT 1624	*24
GALLAHUE THOMAS D + GALE 58 WOODPECKER LN LEVITTOWN NY 11756	03-48-25-B2-01617.1711 9315 LA PLAYA CT #1711 BONITA SPRINGS FL 34135	MARBELLA AT SPANISH WELLS DESC IN OR 4557 PG 3521 PH 8 BLDG 17 UNIT 1711	*25
CASANOVA RONALD M 215 CRICKET LANE WOODBIDGE NJ 07095	03-48-25-B2-01617.1712 9315 LA PLAYA CT #1712 BONITA SPRINGS FL 34135	MARBELLA AT SPANISH WELLS DESC IN OR 4557 PG 3521 PH 8 BLDG 17 UNIT 1712	*25
DANNEMANN HENRY F + MARILYN L 152 PINEHURST RD MARSHFIELD MA 02050	03-48-25-B2-01617.1713 9315 LA PLAYA CT #1713 BONITA SPRINGS FL 34135	MARBELLA AT SPANISH WELLS DESC IN OR 4557 PG 3521 PH 8 BLDG 17 UNIT 1713	*25
CATALIOTO MARCO 3172 POPLAR ST YORKTOWN HEIGHTS NY 10598	03-48-25-B2-01617.1714 9315 LA PLAYA CT #1714 BONITA SPRINGS FL 34135	MARBELLA AT SPANISH WELLS DESC IN OR 4557 PG 3521 PH 8 BLDG 17 UNIT 1714	*25
WOODS PATRICIA G + 2107 CROSSGATE DR CROFTON MD 21114	03-48-25-B2-01617.1721 9315 LA PLAYA CT #1721 BONITA SPRINGS FL 34135	MARBELLA AT SPANISH WELLS DESC IN OR 4557 PG 3521 PH 8 BLDG 17 UNIT 1721	*25
VOTTA MARIANNE C 248 KENRICK ST NEWTON MA 02458	03-48-25-B2-01617.1722 9315 LA PLAYA CT #1722 BONITA SPRINGS FL 34135	MARBELLA AT SPANISH WELLS DESC IN OR 4557 PG 3521 PH 8 BLDG 17 UNIT 1722	*25
HARTMAN MARILYN R + THOMAS M 7168 TARPON BAY CT MAUMEE OH 43537	03-48-25-B2-01617.1723 9315 LA PLAYA CT #1723 BONITA SPRINGS FL 34135	MARBELLA AT SPANISH WELLS DESC IN OR 4557 PG 3521 PH 8 BLDG 17 UNIT 1723	*25
FOUSA HOMES INC 4000 N HOLLYWOOD BLVD #500-N HOLLYWOOD FL 33021	03-48-25-B2-01617.1724 9315 LA PLAYA CT #1724 BONITA SPRINGS FL 34135	MARBELLA AT SPANISH WELLS DESC IN OR 4557 PG 3521 PH 8 BLDG 17 UNIT 1724	*25

39 RECORDS PRINTED