

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

A ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; APPROVING A REQUEST BY ALAGOLD COMMUNITIES, LTD, FOR ITS BONITA FAIRWAYS RPD/MHPD, TO AMEND THE EXISTING RESIDENTIAL PLANNED DEVELOPMENT (RPD) AND MOBILE HOME PLANNED DEVELOPMENT (MHPD) AND TO PERMIT AN INCREASE BY 3 UNITS FROM 103 TO 106 WITHIN THE PORTION OF THE PROJECT PLANNED FOR SINGLE FAMILY HOMES AND MOBILE HOMES AND A CORRESPONDING DECREASE BY 3 UNITS FROM 1,002 TO 999 WITHIN THE PORTION OF THE PROJECT PLANNED FOR MULTIPLE FAMILY DWELLING UNITS ON LAND LOCATED AT 26771 BONITA FAIRWAYS DRIVE, BONITA SPRINGS, FLORIDA (STRAP NOS. 27-47-25-B3-00002.0000 AND 27-47-25-B3-00002.000A) ON 184.178 ± ACRES; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Alagold Communities, Ltd., represented by Q. Grady Minor & Associates, for the Bonita Fairways RPD/MHPD project, has filed an application to amend the existing Residential Planned Development (RPD) and Mobile Home Planned Development (MHPD) and to permit an increase by 3 units for 103 to 106 within the portion of the project planned for single family homes and mobile homes and a corresponding decrease by 3 units from 1,002 to 999 within the portion of the project planned for multiple family dwelling units; and

WHEREAS, the subject property is located at 26771 Bonita Fairways Drive, Bonita Springs, Florida, and is described more particularly as:

See Exhibit "A", attached.

WHEREAS, a Public Hearing was advertised and heard on November 17, 2000 by the City of Bonita Springs Board for Land Use Hearings and Adjustments and Zoning Board of Appeals ("Zoning Board") on Case DCI 2000-00050 who gave full consideration to the evidence available and recommended approval with a condition; and

WHEREAS, City Council has given 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 November 2, 2000 Staff Report prepared by Lee County Development Services Division and all evidence submitted to the Zoning Board 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 amending the existing Residential Planned Development (RPD) and Mobile Home Planned Development (MHPD) and to permit an increase by 3 units for 103 to 106 within the portion of the project planned for single family homes and mobile homes and a corresponding decrease by 3 units from 1,002 to 999 within the portion of the project planned for multiple family dwelling units on 184.178 $\pm$ acres with the following condition:

Condition 2 of Resolution Z-96-063, adopted by the Lee County Board of County Commissioners, is hereby amended to read:

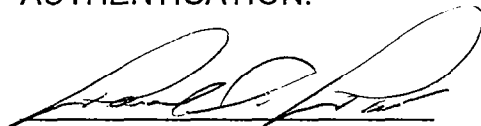
In the RPD, the project may not exceed 999 dwelling units.
In the MHPD, the project may not exceed 106 conventional single-family and/or mobile home dwellings.

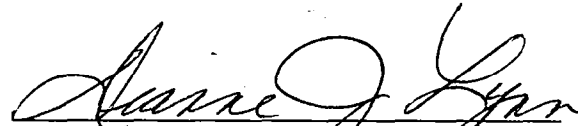
SECTION TWO: EFFECTIVE DATE

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

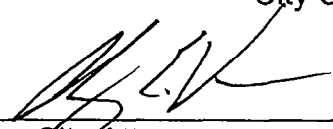
DULY PASSED AND ENACTED by the Council of the City of Bonita Springs, Lee County, Florida, this 8th day of January, 2001.

AUTHENTICATION:


Mayor Paul Pass


City Clerk

APPROVED AS TO FORM:


City Attorney

1-8-01
Date

Vote:

Arend Aye
Edsall Aye
Nelson Aye
Pass Aye

Piper Aye
Wagner Aye
Warfield Aye

Date filed with City Clerk: 1-9-01

Exhibit "A"
DCI2000-00050

Q. RADY MINOR & ASSOCIATES, P.A.
Civil Engineers • Land Surveyors • Planners

Q. GRADY MINOR, P.E.
MARK W. MINOR, P.E.
C. DEAN SMITH, P.E.
DAVID W. SCHMITT, P.E.
MICHAEL J. DELATE, P.E.

D. WAYNE ARNOLD, A.L.C.P.
ROBERT W. THINNES, A.L.C.P.
ERIC V. SANDOVAL, P.S.M.
THOMAS CHERNESKY, P.S.M.
ALAN V. ROSEMAN

LEGAL DESCRIPTION
MHPD/BONITA FAIRWAYS
(SKETCH B-1865-B)

A PARCEL OF LAND LYING IN THE SOUTHEAST QUARTER OF SECTION 27,
TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE
PARTICULARLY DESCRIBED AS FOLLOWS:

ALL OF THE PLAT OF CAROUSEL COVE, RECORDED IN PLAT BOOK 60 AT PAGES
13 THROUGH 15 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, AS
DESCRIBED THEREON; CONTAINING 22.235 ACRES, MORE OR LESS.

TOGETHER WITH

PROPOSED LOT 113
BONITA FAIRWAYS
(SKETCH B-1866)

RECEIVED
JUL 28 2000

PERMIT COUNTER

A PARCEL OF LAND LOCATED IN SECTION 27, TOWNSHIP 47 SOUTH, RANGE 25
EAST, LEE COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS
FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF LOT 112, BLOCK "B", AS SHOWN ON
THE PLAT OF CAROUSEL COVE, RECORDED IN PLAT BOOK 60 AT PAGES 13
THROUGH 15 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA;
THENCE RUN S 01°56'40" W ALONG THE WEST LINE OF SAID LOT 112, FOR
A DISTANCE OF 100.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE
OF TRACT "A" OF SAID CAROUSEL COVE; ALSO BEING A POINT ON A
CIRCULAR CURVE CONCAVE SOUTHERLY, WHOSE RADIUS POINT BEARS
S 01°56'50" W A DISTANCE OF 222.50 FEET THEREFROM; THENCE RUN
SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A
RADIUS OF 222.50 FEET, THROUGH A CENTRAL ANGLE OF 14°59'33",
SUBTENDED BY A CHORD OF 58.06 FEET AT A BEARING OF S 84°27'03" W,
FOR AN ARC LENGTH OF 58.22 FEET TO A POINT OF REVERSE CURVATURE;
THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT,
HAVING A RADIUS OF 277.50 FEET, THROUGH A CENTRAL ANGLE OF
11°11'08", SUBTENDED BY A CHORD OF 54.09 FEET AT A BEARING OF
S 82°32'50" W, FOR AN ARC LENGTH OF 54.17 FEET TO THE END OF SAID
CURVE; THENCE RUN N 01°56'40" E FOR A DISTANCE OF 100.35 FEET TO A
POINT ON A CIRCULAR CURVE CONCAVE NORTHERLY, WHOSE RADIUS POINT
BEARS N 04°00'35" W A DISTANCE OF 177.50 FEET THEREFROM; THENCE RUN
NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A
RADIUS OF 177.50 FEET, THROUGH A CENTRAL ANGLE OF 09°02'09",
SUBTENDED BY A CHORD OF 27.96 FEET AT A BEARING OF N 81°28'21" E,
FOR AN ARC LENGTH OF 27.99 FEET TO A POINT OF REVERSE CURVATURE;
THENCE RUN EASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT,

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SHEET 1 OF 3

HAVING A RADIUS OF 322.50 FEET, THROUGH A CENTRAL ANGLE OF 14°59'31", SUBTENDED BY A CHORD OF 84.14 FEET AT A BEARING OF N 84°27'01" E, FOR AN ARC LENGTH OF 84.38 FEET TO THE END OF SAID CURVE AND TO THE POINT OF BEGINNING, CONTAINING 0.258 ACRES, MORE OR LESS.

BEARINGS HEREON (FOR PROPOSED LOT 113 DESCRIPTION) REFER TO THE WEST LINE OF LOT 112, BLOCK "B" OF CAROUSEL COVE (PLAT BOOK 60, PAGES 13-15); AS BEING S 01°56'40" W.

TOGETHER WITH

PROPOSED LOT 2
BONITA FAIRWAYS
(SKETCH B-1866)

A PARCEL OF LAND LOCATED IN SECTION 27, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF LOT 3, BLOCK "A", AS SHOWN ON THE PLAT OF CAROUSEL COVE, RECORDED IN PLAT BOOK 60 AT PAGES 13 THROUGH 15 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA;

THENCE RUN S 01°56'40" W, ALONG THE WEST LINE OF SAID LOT 3, FOR A DISTANCE OF 100.00 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE SOUTHERLY, WHOSE RADIUS POINT BEARS S 01°56'52" W A DISTANCE OF 77.50 FEET THEREFROM; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 77.50 FEET, THROUGH A CENTRAL ANGLE OF 14°59'52", SUBTENDED BY A CHORD OF 20.23 FEET AT A BEARING OF S 84°27'12" W, FOR AN ARC LENGTH OF 20.29 FEET TO A POINT OF REVERSE CURVATURE; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 422.50 FEET, THROUGH A CENTRAL ANGLE OF 06°36'59", SUBTENDED BY A CHORD OF 48.76 FEET AT A BEARING OF S 80°15'46" W, FOR AN ARC LENGTH OF 48.79 FEET TO THE END OF SAID CURVE; THENCE RUN S 83°34'15" W FOR A DISTANCE OF 54.85 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF TRACT "A" OF SAID CAROUSEL COVE; ALSO BEING A POINT ON A CIRCULAR CURVE CONCAVE WESTERLY, WHOSE RADIUS POINT BEARS N 77°34'57" W A DISTANCE OF 112.50 FEET THEREFROM; THENCE RUN NORTHERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 112.50 FEET, THROUGH A CENTRAL ANGLE OF 06°28'14", SUBTENDED BY A CHORD OF 12.70 FEET AT A BEARING OF N 09°10'56" E, FOR AN ARC LENGTH OF 12.70 FEET TO THE END OF SAID CURVE; THENCE RUN N 05°56'49" E FOR A DISTANCE OF 57.68 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE CONCAVE SOUTHEASTERLY; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 40.00 FEET, THROUGH A CENTRAL ANGLE OF 77°37'25", SUBTENDED BY A CHORD OF 50.14 FEET AT A BEARING OF N 44°45'32" E, FOR AN ARC LENGTH OF 54.19 FEET TO A POINT OF REVERSE CURVATURE; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 322.50 FEET, THROUGH A CENTRAL ANGLE OF 06°36'59", SUBTENDED BY A CHORD OF 37.22 FEET AT

SHEET 2 OF 3

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A BEARING OF N 80°15'46" E, FOR AN ARC LENGTH OF 37.24 FEET TO A POINT OF REVERSE CURVATURE; THENCE RUN EASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 177.50 FEET, THROUGH A CENTRAL ANGLE OF 14°59'36", SUBTENDED BY A CHORD OF 46.32 FEET AT A BEARING OF N 84°27'04" E, FOR AN ARC LENGTH OF 46.45 FEET TO THE END OF SAID CURVE AND TO THE POINT OF BEGINNING, CONTAINING 0.270 ACRES. MORE OR LESS.

BEARINGS HEREON (FOR PROPOSED LOT 2 DESCRIPTION) REFER TO THE WEST LINE OF LOT 3, BLOCK "A" OF CAROUSEL COVE (PLAT BOOK 60, PAGES 13-15); AS BEING S 01°56'40" W.

AND LESS

TRACT "A" AS SHOWN ON THE PLAT OF CAROUSEL COVE, RECORDED IN PLAT BOOK 60 AT PAGES 13 THROUGH 15 OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA; CONTAINING 0.834 ACRES, MORE OR LESS.

THE PARCEL OF LAND HEREIN DESCRIBED CONTAINS A TOTAL OF 22.019 ACRES, MORE OR LESS. THIS PROPERTY IS SUBJECT TO EASEMENTS, RESERVATIONS AND/OR RESTRICTIONS OF RECORD.

Q. GRADY MINOR & ASSOCIATES, P.A.

SIGNED 7-24-00

Tom Chernesky
TOM CHERNESKY

P.S.M. #5426
STATE OF FLORIDA

Applicant's Legal Checked
by Jan 8/4/00

SHEET 3 OF 3

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