

**CITY OF BONITA SPRINGS
ZONING ORDINANCE NO. 02-17**

A ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; APPROVING A REQUEST BY ST. MARY'S EPISCOPAL CHURCH FOR A SPECIAL EXCEPTION ON LAND LOCATED AT 9801-9805 BONITA BEACH ROAD, S.E, BONITA SPRINGS, FLORIDA (STRAP NO. 03-48-25-B2-00001.0050) ON 5.13 ± ACRES; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, St. Mary's Episcopal Church has filed an application for a special exception in an Agriculture (AG-2) zoning district to designate an existing church as a religious facility in conformity with the Bonita Springs Land Development Code (LDC) Section 34-653 and Chapter 34, Division 27; and,

WHEREAS, the subject property is located at 9801-9805 Bonita Beach Road, S.E., Bonita Springs, Florida, and is described more particularly as:

"See Schedule A"

WHEREAS, a Public Hearing was advertised and heard on August 2, 2002 by the City of Bonita Springs Board for Land Use Hearings and Adjustments and Zoning Board of Appeals ("Zoning Board") on Case SEZ 2002-00018 who gave full consideration to the evidence available and recommended approval; giving full and complete consideration of the record, consisting of the Staff Recommendation, the Zoning Board, the documents on file with the City and the testimony of all interested parties. The July 18, 2002 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 Special Exception to allow the designation of the existing church as a religious facility in conformity with the Bonita Springs Land Development Code Section 34-653 and Chapter 34, Division 27, with the following conditions:

- 1) This special exception approval limits the proposed additional use to a church operated clothing thrift store located in the 3,484 ± sq. ft. building shown on the attached site plan. Any additional uses not permitted by a "place of worship", or any expansion of the current proposed "religious facility", will require approval by separate public hearing.

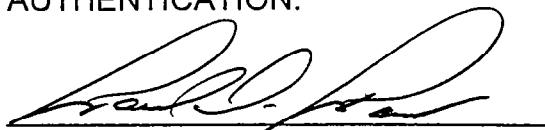
- 2) Applicant must receive a certificate of compliance for development order #DOS2002-00011 prior to opening the proposed church thrift store.
- 3) Hours of operation for the thrift store shall be limited to Monday through Friday 9:00 a.m. to 6:00 p.m. and Saturday 9:00 a.m. to 4:00 p.m.

SECTION TWO: EFFECTIVE DATE

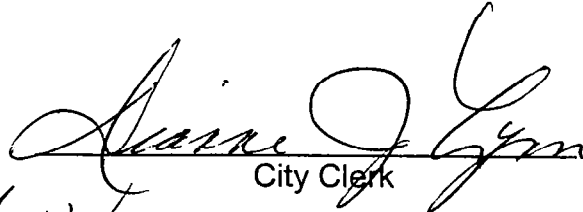
This ordinance shall take effect thirty (30) days from the date of adoption.

DULY PASSED AND ENACTED by the Council of the City of Bonita Springs, Lee County, Florida, this 23rd day of September, 2002.

AUTHENTICATION:

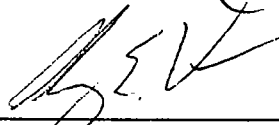


 Mayor



 City Clerk

APPROVED AS TO FORM: _____



 City Attorney

Vote:

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

Date filed with City Clerk: 9-25-02

EXHIBIT "A"
SEZ2002-00018
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LEGAL DESCRIPTION
(METES AND BOUNDS)

A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 3,
TOWNSHIP 48 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING
MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 3; THENCE RUN
S 01°04'35" E FOR A DISTANCE OF 122.16 FEET TO THE SOUTHERLY
RIGHT-OF-WAY LINE OF COUNTY ROAD 865 (BONITA BEACH ROAD); THENCE
RUN S 88°31'20" W, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, FOR A
DISTANCE OF 1459.79 FEET; THENCE RUN S 01°28'40" E, FOR A DISTANCE
OF 20.00 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN
DESCRIBED; THENCE CONTINUE S 01°28'40" E, FOR A DISTANCE OF 80.00 FEET,
TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE CONCAVE TO THE
NORTHEAST; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT,
HAVING A RADIUS OF 450.00 FEET, THROUGH A CENTRAL ANGLE OF 41°21'27", SUBTENDED
BY A CHORD OF 317.81 FEET AT A BEARING OF S 22°09'23" E, FOR AN ARC LENGTH
OF 324.82 FEET TO THE END OF SAID CURVE; THENCE RUN S 01°32'20" E FOR A
DISTANCE OF 206.33 FEET; THENCE RUN S 88°27'40" W FOR A DISTANCE OF 450.33
FEET TO A POINT ON A CIRCULAR CURVE CONCAVE TO THE WEST, WHOSE RADIUS
POINT BEARS N 87°09'09" W, A DISTANCE OF 5,929.65 FEET THEREFROM;
THENCE RUN NORTHERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A
RADIUS OF 5,929.65 FEET, THROUGH A CENTRAL ANGLE OF 03°59'51", SUBTENDED
BY A CHORD OF 413.61 FEET, AT A BEARING OF N 00°50'55" E, FOR AN ARC LENGTH
OF 413.70 FEET TO THE END OF SAID CURVE; THENCE RUN N 01°09'00" W FOR A
DISTANCE OF 170.88 FEET TO A POINT ON SAID SOUTHERLY RIGHT-OF-WAY LINE; THENCE
RUN N 88°31'20" E, ALONG SAID RIGHT-OF-WAY LINE, FOR A DISTANCE OF
320.11 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN
DESCRIBED, CONTAINING 5.133 ACRES, MORE OR LESS.

Applicant's Legal Checked
by *[Signature]* 5/29/02