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Document Type:	(GOV) Government
Modified Date:	2/16/2018 9:53:37 AM
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Grantor:	CITY OF BONITA SPRINGS SHR BONITA SPRINGS LLC D R HORTON INC
Book Type:	0
# of Pages:	2
Legal:	02-4826-B2-00001.1000, ADD17-43574-BOS

Note: Empty fields are not shown
Direct External Link to this Document

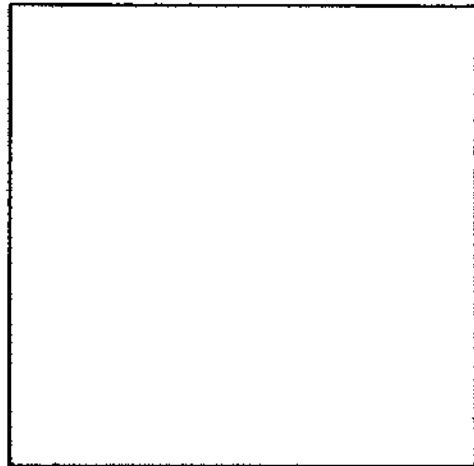
NOTICE OF A MASTER CONCEPT PLAN APPROVAL

In accordance with Chapter 4 of the City of Bonita Springs Land Development Code, the City of Bonita Springs gives notice of approval of an amendment to the master concept plan, upon the following property:

Current Project Name: East Bonita Active Adult Residential Planned Development (RPD) (aka Bonita Landing and Seasons at Bonita Springs)

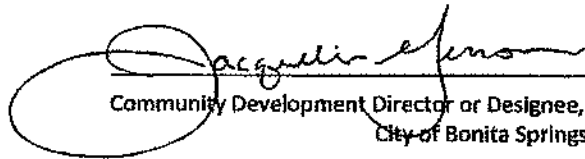
Current Applicable STRAP/FOLIO Numbers: STRAP: 02-48-26-B2-00001.1000 Folio ID: 10354187

LEGAL DESCRIPTION: EXHIBIT "A"

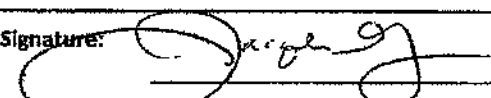


(Clerk of Court Use Only)

The property owner and applicant for the master concept plan amendment is **SHR BONITA SPRINGS LLC and D.R. Horton, Inc.** This master concept plan amendment approval and auxiliary documentation, and associated zoning ordinance is an encumbrance on the real estate described. For further details on this matter, any interested person should refer to file #: **ADD17-43574-B05**, located in the office of the City of Bonita Springs Community Development Department.


Community Development Director or Designee,
City of Bonita Springs

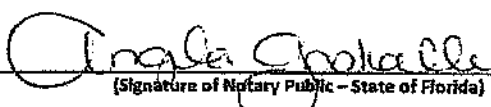
***** SIGN ONLY IN THE PRESENCE OF A NOTARY PUBLIC *****

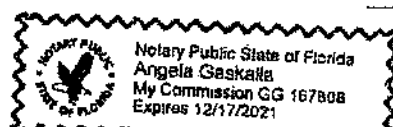
Printed Name: Jacqueline Genson Signature:  Date: 2-15-18

STATE OF FLORIDA, COUNTY OF _____ Sworn to (or affirmed) and subscribed before me

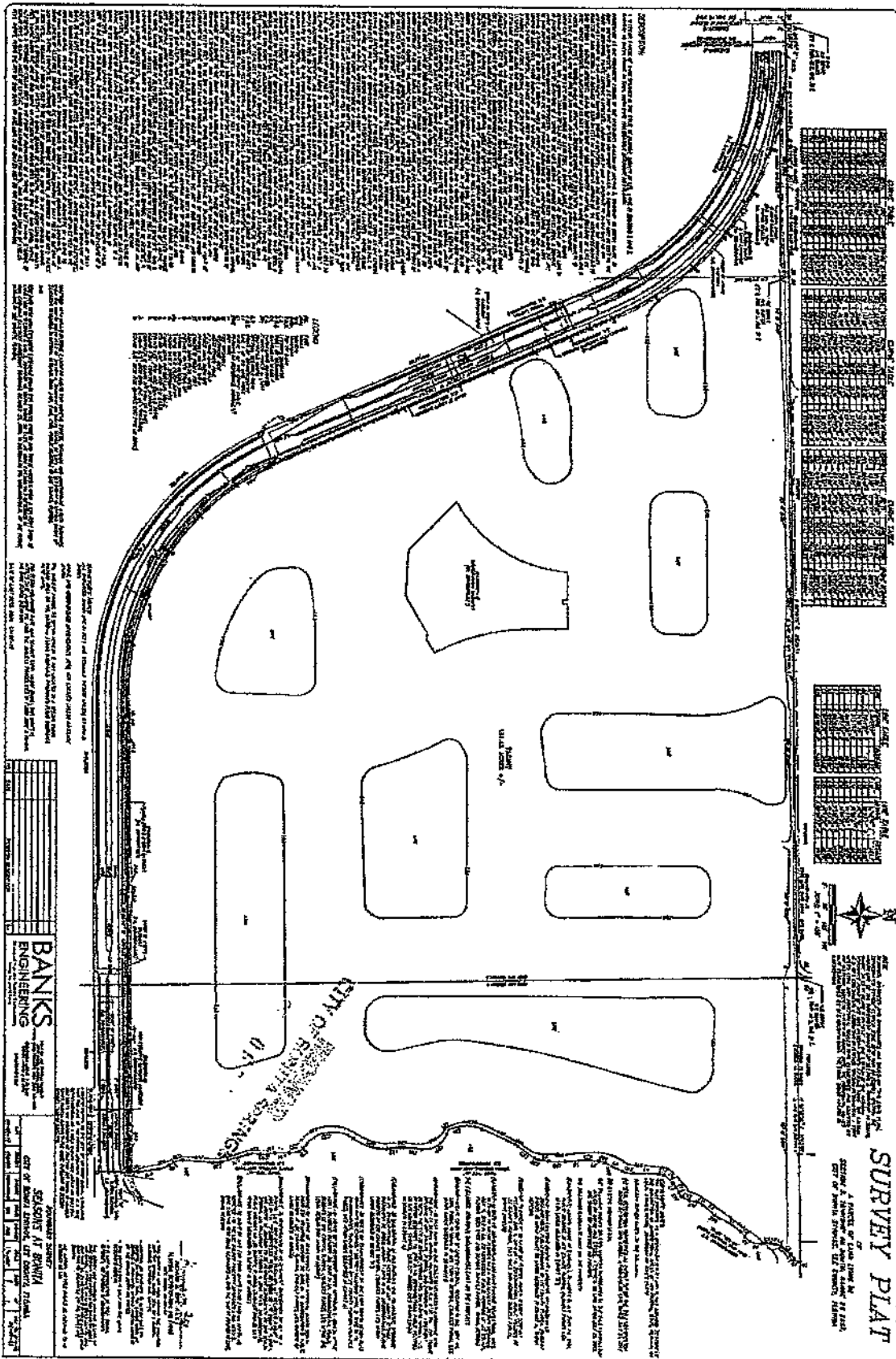
16 day of Feb, 2018, by Jacqueline Genson (name of person making statement).

Personally known: OR Produced identification: _____ Type of Identification produced: _____


(Signature of Notary Public - State of Florida)


(Print, Type or Stamp Commissioned Name of Notary Public)

ADD17-43574-BOS
Exhibit A



ADMINISTRATIVE AMENDMENT (MCP) ADD17-43574-BOS
TO ZONING ORDINANCE NO. 05-11
EAST ACTIVE ADULT RPD
BONITA SPRINGS, FL

ADMINISTRATIVE ACTION
BONITA SPRINGS, FLORIDA

WHEREAS, D.R. Horton, Inc. filed an application for an administrative amendment to a Residential Planned Development (RPD) on a project known as East Bonita Active Adult RPD (aka Bonita Landing and Seasons at Bonita Springs) to allow a revision to the Master Concept Plan (MCP) to request the following:

1. Amend the Master Concept Plan (MCP) Sheet 1 of ADD15-26519-BOS to reflect the following modifications consistent with MCP General Note 1 (ZO-05-11).
 - a. Amend the Development Regulations to allow for a 1' side yard setback for mechanical equipment that is placed on an exterior concrete pad; and
 - b. Amend the location of Emergency Ingress/Egress entrance to align with the most southerly entrance of Bonita Landing and allow residential egress; and
 - c. Expand the area for the Model Center use; and
 - d. Update the (sinuous) lake configurations; and
 - e. Update the Site Summary Table.

WHEREAS, the project is known as East Bonita Active Adult located to the east of Village Walk in Bonita Springs, Florida described more particularly as:

LEGAL DESCRIPTION: In Section 02 Township 48 South, Range 26 East, Lee County, Florida:

“See Exhibit A”

WHEREAS, SHR Bonita Springs, LLC has authorized D.R. Horton, Inc., contract purchaser, to pursue this administrative amendment; and

WHEREAS, the property was rezoned to an RPD pursuant to City of Bonita Springs Zoning Ordinance No. 05-11 and subsequently amended in ADD15-26519-BOS; and

WHEREAS, Zoning Ordinance No. 05-11 was approved with a 4-page MCP which listed the Schedule of Uses, Development Standards, Deviations, and Conceptual Site Plan options; and

WHEREAS, ADD15-26519-BOS included an amendment to Sheets 2 and 3 of the ZO-05-11 MCP; and

WHEREAS, MCP Sheet 1 in ADD15-26519-BOS repeals and replaces MCP Sheet 3 of ZO-05-11, which reflected the associated changes including the depiction of all deviations; and

WHEREAS, the subject property is located in the Urban Fringe Community District Future Land Use category as designated by the City of Bonita Springs Comprehensive Plan; and

WHEREAS, the RPD is currently approved for a total of 799 dwelling units and up to 50,000 square feet of amenity center uses; and

WHEREAS, the applicant is requesting deviation 8 to allow for a 1' side yard setback for mechanical equipment that is placed on an exterior concrete pad; and

WHEREAS, the original zoning was approved in 2005 with a minimum side yard setback of 2' for single family dwellings; 0'/10' between principal structures for two family attached, zero lot line, and townhouse units; 5' for duplex; and 10' for multi-family units; and

WHEREAS, the LDC did not limit the encroachment of mechanical equipment until an amendment was approved in city ordinance No. 12-17; and

WHEREAS, the LDC-1892(7) permits a maximum of 3.5' linear encroachment into the rear or side setback provided the setback is greater than 7.5'; and

WHEREAS, the intent of this regulation is to protect adjacent property owners from noise and potential drainage and maintenance concerns; and

WHEREAS, current HVAC systems contain a higher seasonal energy efficiency ratio (SEER) and energy efficiency ratio (EER) which result in less noise; and

WHEREAS, data shows that noise reduces by 6 decibels per doubling of distance from a noise source; and

WHEREAS, based on the setback requested, the noise generated from any piece of mechanical equipment will be reduced by 36 decibels from the source to an adjacent single-family structure; and

WHEREAS, modern home construction materials provide additional noise reduction controls; and

WHEREAS, the use of generators is infrequent and only in the event to power homes during a power outage as a means to maintain public health, safety, and welfare; and

WHEREAS, the city's Noise Control ordinance restricts sound levels by receiving land use at 66dBA from 7:00 am -10:00 pm and 55dBA from 10:00 pm – 7:00 am, yet provides exemptions for emergency work in the public interest, which includes restoration work to return property to a safe condition following an emergency; and

WHEREAS, the applicant is recommending that a minimum 10' lateral separation be required from any mechanical equipment utilizing the minimum 1' side yard setback on the adjacent lots to facilitate side yard drainage; and

WHEREAS, this is a new community and the developer is required to disclose to all purchasers the minimum side yard setback and separation requirements for all mechanical equipment including, but not limited to HVAC, pool equipment, generators; and

WHEREAS, the applicant is requesting to amend the location of the Emergency Ingress/Egress entrance to align with the most southerly entrance of Bonita Landing to allow for a safer intersection; and

WHEREAS, the applicant is also requesting to permit residential traffic to exit through this gate consistent with the intent of LDC 3-297(3), which requires residential development of more than five acres to provide two or more means of ingress or egress for the development; and

WHEREAS, the applicant has requested to amend the MCP to show the expanded location of the Model Center adjacent to the Amenity Center and previously approved Model Center locations; and

WHEREAS, the applicant has requested to amend the MCP to update sinuous lake configurations consistent with the pending local development order; and

WHEREAS, the applicant is requesting to update the Site Summary Table based on the current site design consistent with MCP General Note 1 and the pending local development order; and

WHEREAS, the Urban Fringe Community District requires 40% open space and defines open space as preserved natural areas, buffers, lakes, parks, golf courses, nature trails, retention areas, conservation areas, scenic resources, green belts, wetlands and associated areas; and

WHEREAS, the open space acreages delineated on the Site Summary Table have increased and are consistent with the Urban Fringe Community District; and

WHEREAS, the Bonita Springs Land Development Code provides for certain administrative changes to planned development master concept plans and planned unit development final development plans; and

WHEREAS, the subject application and plans have been reviewed by the City of Bonita Springs Community Development Department in accordance with the applicable regulations for compliance with all terms of the administrative approval procedures; and

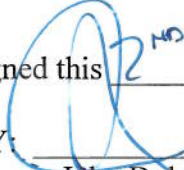
WHEREAS, it is found that the proposed amendment does not increase density or intensity within the development; does not decrease buffers or open space required by the LDC; does not underutilize public resources or infrastructure; does not reduce total open space, buffering, landscaping to preservation areas; and does not otherwise adversely impact surrounding land uses; and

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for an amendment to the East Bonita Active Adult RPD MCP is **APPROVED, subject to the following conditions:**

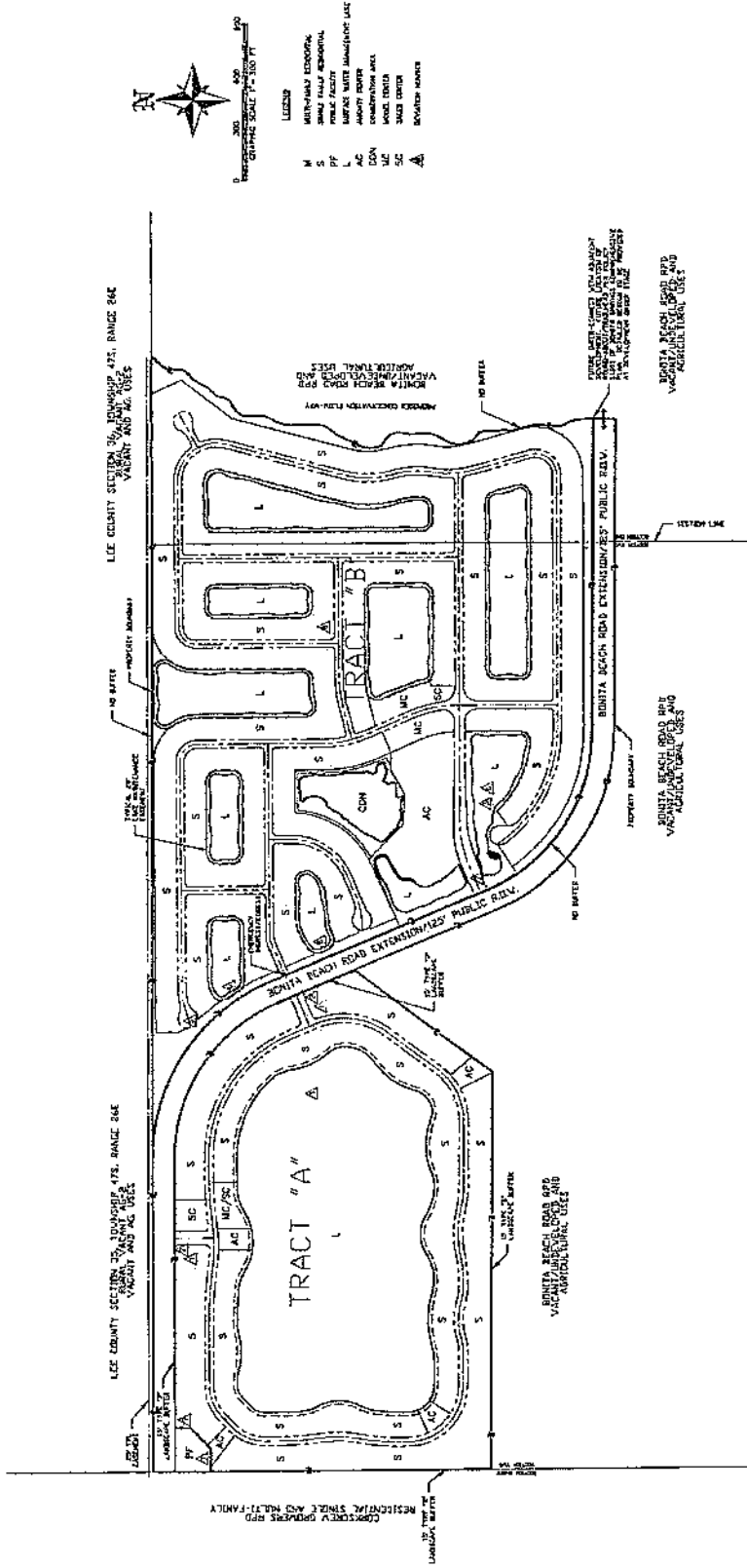
1. The Development must be in compliance with the amended Master Concept Plan, stamped "received" on December 6, 2017 ("**Attachment A**"). A reduced copy is attached herein.
2. Master Concept Plan Sheet 1, Deviation 8 of the Development Standards are approved subject to the following;
 - a. Mechanical equipment, including but not limited to HVAC, pool equipment, and generators, is limited to a minimum side yard setback of 1'; and
 - b. All mechanical equipment shall maintain a minimum 10' separation between other mechanical equipment on the same and/or adjacent lots; and
 - c. Generators
 - i. In addition to the above, every effort shall be made to site generators at the furthest possible distance from the abutting single-family dwelling unit's windows and/or doors; and
 - ii. All generators shall have user preselected exercise times limited between the hours of 11:00am - 5:00pm; and
 - d. Implementation of this minimum setback may require the use of gutters and/or underground pipe/bubblers between homes to properly direct drainage consistent with the approved Development Order; and
 - e. At time of building permit, a site plan and drainage plan shall be submitted showing the location of mechanical equipment on the property and adjacent properties with full measurements to demonstrate compliance with this condition. This condition only applies to those properties utilizing the Note 15 for the minimum 1' setback.
 - f. All Single Family homes will require final grading/engineering inspection prior to Certificate of Occupancy (CO) of that Single Family building permit.
3. At time of local development order, the design of the emergency access and exit only driveway at Bonita Beach Road shall be designed as a directional "right turn only." Do Not Enter signs should be clearly visible to through traffic on Bonita Beach Road.
4. At the time of local development order, the internal pedestrian sidewalk shall be extended to Bonita Beach Road. A multi-use path shall be designed to safely connect to the existing multi-use path on the south side of the roadway; or a multi-use path shall be constructed on the north side of the roadway.

5. All local Development Order(s) shall reflect all amendments mentioned in this Administrative Amendment approval; and
6. Any change not consistent with this approval will require approval from the City of Bonita Springs Community Development Department.
7. The terms and conditions of the original zoning ordinance remain in full force and effect.

DULY signed this 2ND day of FEBRUARY, A.D., 2018

BY: 
John Dulmer, AICP, Community Development Director
Department of Community Development

BONITA LANDING (FKA EAST BONITA ACTIVE ADULT) MASTER CONCEPT PLAN



SITE SUMMARY

LAND USE	ACRES	PERCENTAGE OF TOTAL SITE	PERCENTAGE OF TRACT A	PERCENTAGE OF TRACT B
Single-Family Residential (S)	11.5	11.5%	0%	100%
Active Adult Community (AC)	88.5	88.5%	100%	0%
Other	0.0	0.0%	0%	0%
TOTAL	100.0	100%	100%	100%

PERMITTED USES: Single-Family Residential, Active Adult Community, and other uses as shown on the plan.

CITY OF BONITA SPRINGS
DEC 06 2017
COMMUNITY DEVELOPMENT DEPARTMENT

BANKS ENGINEERING
11111 UNIVERSITY BLVD., SUITE 1000
FORT WORTH, TEXAS 76134
PH: 817.335.1111 FAX: 817.335.1112

LENHAR HOMES LLC
10000 W. STATE STREET, SUITE 100
FORT WORTH, TEXAS 76134
PH: 817.335.1111 FAX: 817.335.1112

**MASTER CONCEPT PLAN
SEASONS AT BONITA
LEE COUNTY, FLORIDA**

DATE	PROJECT	SCALE	BY	CHECKED	SCALE	SHEET
11/11/2015	125248	1/2"=1'-0"	DBK	DBK	1/2"=1'-0"	1

SURVEY PLAT

A PARCEL OF LAND LING IN
SECTION 7, TOWNSHIP 48 SOUTH, RANGE 26 EAST,
CITY OF BOHITA SPANISH, DE COUNTY, FLORIDA

SCALE: 1" = 100'

LINE	BEARING	DISTANCE
1	N 0° 00' 00" E	100.00
2	N 90° 00' 00" E	100.00
3	S 0° 00' 00" E	100.00
4	S 90° 00' 00" W	100.00

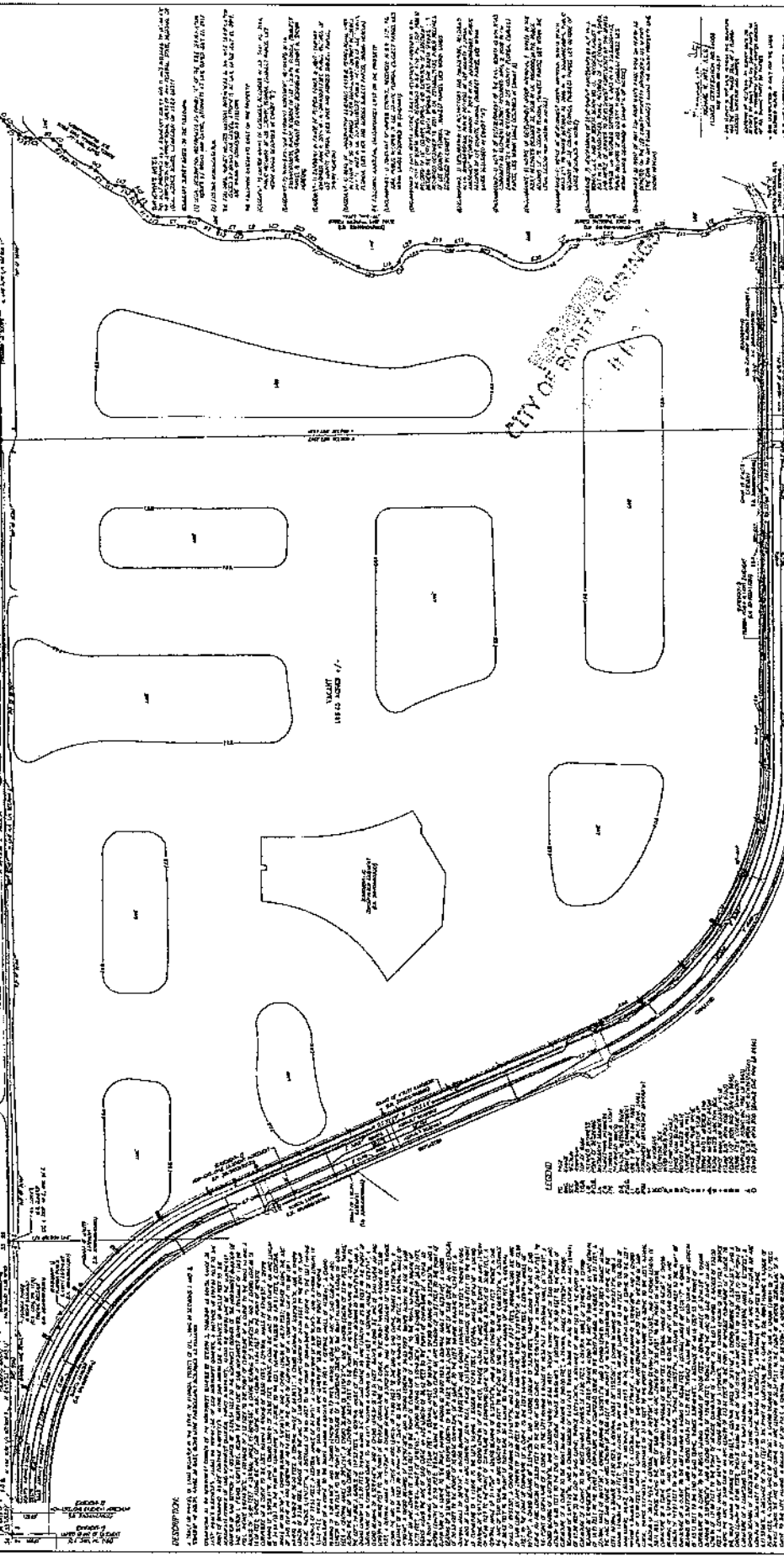
LINE	BEARING	DISTANCE
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2	N 90° 00' 00" E	100.00
3	S 0° 00' 00" E	100.00
4	S 90° 00' 00" W	100.00

LINE	BEARING	DISTANCE
1	N 0° 00' 00" E	100.00
2	N 90° 00' 00" E	100.00
3	S 0° 00' 00" E	100.00
4	S 90° 00' 00" W	100.00

LINE	BEARING	DISTANCE
1	N 0° 00' 00" E	100.00
2	N 90° 00' 00" E	100.00
3	S 0° 00' 00" E	100.00
4	S 90° 00' 00" W	100.00

LINE	BEARING	DISTANCE
1	N 0° 00' 00" E	100.00
2	N 90° 00' 00" E	100.00
3	S 0° 00' 00" E	100.00
4	S 90° 00' 00" W	100.00

LINE	BEARING	DISTANCE
1	N 0° 00' 00" E	100.00
2	N 90° 00' 00" E	100.00
3	S 0° 00' 00" E	100.00
4	S 90° 00' 00" W	100.00



LEGEND

1. ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.

2. ALL BEARINGS ARE TRUE BEARINGS.

3. ALL DISTANCES ARE IN FEET AND DECIMALS THEREOF.

4. ALL CORNERS ARE TO BE MARKED WITH IRON PIPES OR IRON BOLTS.

5. ALL EASEMENTS ARE TO BE MARKED WITH DASHED LINES.

6. ALL EASEMENTS ARE TO BE MARKED WITH DASHED LINES.

7. ALL EASEMENTS ARE TO BE MARKED WITH DASHED LINES.

8. ALL EASEMENTS ARE TO BE MARKED WITH DASHED LINES.

9. ALL EASEMENTS ARE TO BE MARKED WITH DASHED LINES.

10. ALL EASEMENTS ARE TO BE MARKED WITH DASHED LINES.

RECORDING STATEMENT

CITY OF BOHITA SPANISH, DE COUNTY, FLORIDA

DATE: 11/15/2017

BOOK: 111

PAGE: 1

BY: BANKS AT BOHITA ENGINEERING

BANKS AT BOHITA ENGINEERING

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PH: 904.241.1111

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