



# City of Bonita Springs Community Development Department

9220 Bonita Beach Road, Ste. 111  
Bonita Springs, FL 34135

Phone: (239) 444-6150

PLANNING - ZONING - ENGINEERING - BUILDING - INSPECTIONS

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## PLANNING & ZONING

Click the following questions to expand/contract answers provided by staff. If you require additional information, please dial (239) 444-6150 and our receptionist will route your call to staff who will assist you.

Animal kennel - What's the definition of Animal Kennel according to the Land Development Code?

Animal kennel means an establishment where more than four dogs or cats (except litters of animals of not more than six months of age) are kept, raised, bred, cared for or boarded, for a fee. Lee County residents who personally own more than four (4) dogs and/or cats are required to have them vaccinated, registered and licensed with Lee County Domestic Animal Services (239) 533-7387 (LEE-PETS), Fax (239) 277-7387 (277-PETS).

Are all properties zoned the same with the same development regulations?

No, each property has a unique zoning district designation. While properties may have the same zoning designation, the property development regulations are site specific. Please contact the Planner on Call at 239-444-6150 for further assistance.

Bonita Plan (Comprehensive Plan) defined

The City's Comp Plan was adopted in 2002 in accordance with the requirements of the 1985 Growth Management Act, which is also known as the Local Comprehensive



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Planning and Land Development Regulation Act, and the rules of the Florida Department of Community Affairs.

This plan, as amended, has provided the policy framework for growth management in Bonita Springs. The City's Comp Plan provides the direction and guidance which enables the City to maintain and enhance those attributes that make the City a desirable place to live, work, learn and play. The Comprehensive plan is designed to preserve and enhance the public health, safety and welfare through the management of growth, provision of adequate public services and the protection of natural resources.

The City's Comp Plan includes goals, objectives and policies for each of the State required elements. Some of the elements contain level of service standards requiring that development be managed to maintain the adopted standard (concurrency). The Bonita Plan and Future Land Use Map may be viewed and/or downloaded from our maps menu above.

Conventional Home vs. Modular and Mobile homes, what's the difference?

**Conventional Home:** A building, built upon the site and upon its own permanent foundation, constructed of basic materials such as wood, masonry or metal or minimally prefabricated components such as roof trusses, wall panels and bathroom/kitchen modules, and conformable to the locally adopted building, electrical, plumbing and other related codes

**Modular Home:** A building manufactured off the site in conformance with F.S. ch.



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553, pt. IV (or chapter 9B-1, Florida Administrative Code), subsequently transported to its site complete or in modules and fixed to its own foundation with no intention to relocate. Modular homes are considered Conventional.

**Mobile Home:** Means a building, manufactured off the site in conformance with the Federal Mobile Home Construction and Safety Standards (24 CFR 3280 et seq.), subsequently transported to a site complete or in sections where it is emplaced and tied down in accordance with chapter 15C1, Florida Administrative Code, with the distinct possibility of being relocated at a later date.

## Dwelling Unit defined

Dwelling unit means a room or rooms connected together, which could constitute a separate, independent housekeeping establishment for a family, for owner occupancy, or for rental or lease on a weekly, monthly or longer basis, and physically separated from any other rooms or dwelling units which may be in the same structure, and containing sleeping and sanitary facilities and one kitchen. The term dwelling unit shall not include rooms in hotels, motels or institutional facilities. See Dwelling Unit Types, LDC. Sec. 4-2

## Fence regulations for a residential districts?

Fences and walls may be erected, placed and maintained along any property line or on any residentially zoned property provided:

1. In residential areas, any fence or wall located between a street right-of-way or easement and the minimum required street setback line may not exceed



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three feet in height, except that fences may be a maximum height of four feet so long as the fence is of open mesh screening and does not interfere with vehicle visibility requirements at traffic access points.

2. A fence within 25 feet of a body of water must be open mesh screening above a height of 3 1/2 feet. For purposes of this requirement, the side yard will be considered that portion of the lot extending from the minimum required street setback line to the rear lot line.
3. Determination of grade. For residential fences, other than residential project fences, grade will be determined as the existing elevation of the lot. However, any fill placed on the lot which exceeds the average grade of the street shall be included in determining the maximum fence height.

Lot depth, how is this measured?

1. For lots lawfully created prior to January 28, 1983, depth of a lot shall be considered the distance between the midpoints of straight lines connecting the foremost points of the side lot lines in the front and the rearmost points of the side lot lines in the rear.
2. For lots lawfully created after January 28, 1983, depth of a lot shall be considered to be the distance between the front lot line and the rear lot line. To determine the midpoint of a curved line, a straight line is drawn connecting the points of intersection of the curved line with the side lot lines. A line drawn perpendicular to the midpoint of the straight line to the point it intersects the curved line shall determine the midpoint of the curved line for purposes of this chapter.



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Lot line rear, how is this defined?

Lot line, rear means that lot line which is parallel to or concentric with and most distant from the front lot line of the lot. In the case of an irregular or triangular lot, a line 20 feet in length, entirely within the lot, parallel to or concentric with and at the maximum possible distance from the front lot line, shall be considered to be the rear lot line. In the case of a through lot, there shall be no rear lot line. Such is considered a double-frontage lot.

In the case of a double-frontage lot, the line directly opposite from the front line shall be designated as either a rear line or a side line depending upon the designation of the adjacent property. In the case of corner lots, the rear lot line shall be the line most nearly parallel to or concentric with and most distant from the front lot line most prevalent along the block.

Lot of record, how is this defined?

Lot of record means a lot which is part of a plat which has been lawfully recorded in the plat books in the office of the clerk of the circuit court of the county, and is in compliance with F.S. ch. 177, or a parcel of land, the deed of which was lawfully recorded in the office of the clerk of the circuit court of the county on or before January 28, 1983.

Lot width, how is this measured?

1. For lots lawfully created prior to January 28, 1983, width of a lot shall be considered to be the average distance between straight lines connecting





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front and rear lot lines at each side of the lot, measured as straight lines between the foremost points of the side lot lines in front (where they intersect with the street line) and the rearmost points of the side lot lines in the rear.

2. For lots lawfully created after January 28, 1983, width of a lot shall be considered to be the distance between the side lot lines (or a front and side lot line for corner lots) as measured along the minimum required street setback line.

## Medical Office, defined

Medical office means standard office space for the dispensing of medical and health-related services, including outpatient clinics incidental to such offices. Users may include medical doctors, osteopaths, chiropractors, naturopaths, nurse practitioners, health maintenance organizations and similar group practices, psychiatrists, clinical psychologists, counselors of all sorts and other similar licensed or professional practitioners, but shall not include small animal hospitals or other veterinary clinics.

Metal buildings (shed, detached garage, etc.), are they permitted in a residentially zoned district?

LDC. Sec. 4-2225 Use of metal buildings in residential districts. "The construction or use of buildings with an exterior surface of corrugated or galvanized steel or similar materials (excluding aluminum lap or clapboard-style siding), exceeding 240 square feet in total floor area or 12 feet in height above finished floor, for storage of merchandise, produce, or commodities, or for the parking of vehicles (garages) is



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prohibited, unless approved as a special exception, in the following residential districts: RS, TFC,TF, RM, RPD and the residential portions of an MPD.”

If you are uncertain if the structure being considered is metal (as defined), please visit our office with drawings and/or product approval sheets so we can make a determination. Note the above does not apply to property zoned Commercial, Agricultural, Recreational Vehicle and Mobile Home.

Pet Services, defined

Pet services means establishments primarily engaged in providing grooming, obedience training and other services for pets not requiring the services of a veterinarian, not including animal clinics or kennels.

Planned Development (PD) zoning ... what does this mean?

Planned development means a development that is designed and developed as a cohesive, integrated unit under single ownership or unified control which permits flexibility in building siting, mixture of housing types or land uses, clustering, common functional open space, the sharing of services, facilities and utilities and protection of environmental and natural resources. If you have property development questions relative to your property, contact our planner-on-call at (239) 444-6166 for assistance.

Religious Facility or Place of Worship, what's the difference?

1. Religious Facility: Means religious related facilities and activities, which may



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include but are not limited to places of worship, bus storage facilities or areas, convents, monasteries, retreats, church or synagogue ministries involving classes for more than 100 children during the week, and homes for the aged.

2. Place of Worship: Means a structure or structures designed primarily for accommodating an assembly of people for the purpose of religious worship, including related religious instruction, church or synagogue ministries involving classes for 100 or less children during the week, and other church or synagogue sponsored functions which do not exceed the occupancy limits of the building.

Setbacks .. what exactly does this mean?

Setback means the minimum horizontal distance required between a specified line and the nearest point of a building or structure.

1. Street setback means the setback extending across the front of a lot measured from the edge of an existing or proposed street right-of-way or street easement. See section 4-1893 for requirements. Whenever this chapter refers to street setback it means existing or proposed street right-of-way or street easement, whichever is greater.
2. Side setback means the setback, extending from the required street setback to the required rear lot line, or opposing street setback in the case of a double-frontage lot, measured from the side lot line.
3. Rear setback means the setback, extending across the rear of a lot, measured from the rear lot line.





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4. Waterbody setback means the setback measured from the mean high water line (MHWL), or the control elevation line, if applicable, of a water body. See section 4-1894 for requirements.

Site-plan, what is it and why is one required?

A site-plan is a depiction of a property consisting of the property's boundary. Proposed development (all structures) require a site-plan which will illustrate where the proposed structure will be placed. The site-plan should include the following to be accepted for review:

1. Property boundary (clearly labeled)
2. Setback measurement(s) from property line to proposed structure (delineated and labeled)

Variance, what exactly does this mean?

Variance means a departure from the provisions of this chapter or from any ordinance (excluding building codes) relating to building and other structural setbacks, lot dimensions such as width, depth or area, structure or building height, open space, buffers, parking or loading requirements, lot coverage, impervious areas, landscaping and similar type regulations.

A variance may not involve the actual use of the property, building or structures, procedural requirements, or definitions. A variance may be granted in accordance with the procedures set forth in section 4-131(b).



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Note: Use variances are not legally permissible, and no application for a use variance will be processed. Department staff will notify the applicant when a more appropriate procedure, e.g., rezoning or special exception, is required.

What is a Requests for an interpretation of a Code provision and when is it required?

## [Sec. 2-1. - Requests for an interpretation of a Code provision.](#)

Where a question arises as to the meaning or intent of a section or subsection of this Code, a written request stating the area of concern and the explicit interpretation requested may be submitted to the city manager or designee.

- The city manager or designee may render decisions of an administrative nature concerning items such as, but not limited to:
  - a. The proper zoning classification for a use not specifically addressed;
  - b. The manner in which the particular Code provision is to be applied;  
and
  - c. The procedure to be followed in unusual circumstances.
- If, in the opinion of the city manager or designee, the interpretation involves a policy issue, the city manager or designee will bring the item forward for city council consideration on the agenda of a regularly scheduled meeting of the city council.
  - a. If the question involves clarification of the legislative intent of this Code, the city council may render a decision as an action item.



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- b. Decisions involving policy issues or potential conflicts with the city comprehensive plan must be scheduled for a public hearing in accordance with chapter 4.
  - Annotations of all decisions made by the city manager or designee or city council that may have an impact on future decisions will be periodically printed and made available to the general public.

What is the difference between a DCI vs. DRI?

1. Development of City Impact (DCI): Means a development which, because of its character, magnitude, location, size, timing, density or intensity would have a substantial effect upon the health, safety and welfare of the citizens of Bonita Springs or upon its natural resources. Developments of city impact are listed in LDC. Section 4-272.
2. Development of Regional Impact (DRI) means any development which, because of its character, magnitude or location, would have a substantial effect upon the health, safety or welfare of citizens of more than one jurisdiction.

What is the zoning classification of my property and regulations for development?

Zoning classifications for a specific piece of property can be viewed using the Zoning Map book located in our office. The LDC Chapter 4 regulates the use and development standards for property.

What's required when customers use a Courier Service to submit permits?



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In an effort to provide expedited customer service we are implementing the following process and procedure for applicants that use Courier Service Providers.

1. Please have all Courier Service Providers submit and pick up at the City of Bonita Springs Building Department, located at 9220 Bonita Beach Rd. Suite 111, Bonita Springs, FL 34135.
2. Please provide your Courier Service Provider with the following information for all permit submissions:
  1. Project name and permit type.
  2. Applicable permit fee in accordance with the City of Bonita Springs Community Development Fee Schedule.
  3. Courier Service Providers must wait until the application has been checked for intake. Insufficient applications may be turned away without proper documentation from staff.
3. Please provide your Courier Service Provider with the following information for all permit pickups:
  1. Project name; permit number, and staff contact
  2. Any outstanding permit fees must be paid or the permit may be withheld. All outstanding fees may be viewed through the Community Development ePortal

When would an ordinance interpretation be necessary for a commercial use permit application?

An ordinance interpretation may be requested by an applicant when a proposed USE is requested that is not specifically addressed in the City of Bonita Springs Land



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Development Code (LDC) or other governing documents, such as a planned development, yet is similar in characteristics and intensity as another use in that zoning district or planned development's schedule of uses.

Ordinance interpretations may be requested for those businesses seeking to occupy standard office space for the clerical and administrative functions of a use that would otherwise not be permitted as a principal use. Occupancy is limited to clerical and administrative staff with no equipment, material, and/or vehicle storage.

Those uses that are customarily associated with outdoor storage of equipment, materials, and/or vehicles shall provide proof of where those off-site items are stored.

The ordinance interpretation process ensures that the USE will function solely as a permitted administrative office and further complies with our Land Development Code.

Zoning Code - where can I find it?

The City of Bonita Springs Land Development Code Chapter (LDC) 4 is the Zoning Chapter and can be viewed and/or downloaded from [MuniCode Online](#).

Zoning, what does it mean?

Zoning is the division of land into districts. These districts have uniform zoning regulations including those on land use, height, setbacks, lot size, density, coverage, and floor area ratio (FAR). Use the online zoning map to determine the zoning on your property. Zoning and its regulations help ensure a city will grow and change in





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a managed, predictable way to help safeguard the health, safety and welfare of the general public. You must have the appropriate Zoning before you may build on your land. If the lot you want to build on is not properly zoned for your proposed development, you must obtain the proper zoning.

