



**City of Bonita Springs Board  
for  
Land Use Hearings & Adjustments and Zoning Board of Appeals  
MINUTES  
Tuesday, May 18, 2021  
9:00 A.M.**

**I. CALL TO ORDER.**

Chairman Anthony Rascio called the meeting to order at 9:00 A.M. A moment of silence was observed for Richard Donnelly and his work on the Zoning Board.

**II. INVOCATION.**

Board Member Russ Winn furnished the invocation.

**III. PLEDGE OF ALLEGIANCE.**

Chairman Anthony Rascio led the Board in the Pledge of Allegiance.

**IV. ROLL CALL.**

Members in attendance: Chairman Anthony Rascio, Board Member Bruce Galloway, Board Member Gary Gambrell, Board Member Ben Hershenson, Board Member Russ Winn.

Absent: Board Member Kelly Macklin

**V. APPROVAL OF MINUTES: February 23, 2021.**

Board Member Ben Hershenson motioned for approval of the minutes; Board Member Gary Gambrell seconded; motion passed unanimously.

**VI. SWEARING IN.**

City Attorney Derek Rooney placed all witnesses under oath.

**VII. PUBLIC HEARINGS.****A. CASE NAME: CASE NAME: POWER LODGE SPECIAL EXCEPTION (SPE20-75828-BOS)**

A SPECIAL EXCEPTION REQUEST TO ALLOW A VEHICLE & EQUIPMENT DEALER GROUP II AND III USE ON A PROPERTY LOCATED WITHIN THE US 41 OVERLAY, PURSUANT TO LDC 4-891.

**1. APPLICANT PRESENTATION.****Presenters:**

Paula McMichael, Hole Montes

Tom Dehn, Power Lodge Florida

Jeff Hieber, Power Lodge Florida

- Ms. McMichael began introduction with a brief overview of the presentation. She stated that Applicant had reviewed the staff report and was in agreement with the analysis and findings and approved the proposed conditions of approval.
- Mr. Dehn presented his professional background and that of Power Lodge Florida. He explained that the business was in the sales of power sports such as watercraft, boats, and motorcycles. Chairman Anthony Rascio asked for further definition of watercraft to which Mr. Dehn responded that it referred to jet skis.
- Chairman Rascio asked if Applicant had any experience in noise abatement with respect to motorcycles. Mr. Dehn replied he did not but offered that the dealership was metric, providing quieter motorcycles. Mr. Dehn stated that motorcycle sales were only 12% to 15% of the business. A neighborhood meeting was held where the types of motorcycles were displayed, and the response was positive.
- Mr. Dehn stated that decibel readers were installed in back of the facility lot. He believed there had been nothing registering higher than 64 decibels. He expressed concern that the noise already existing from U.S. 41 might be misconstrued by residents believing that his business was the source. Mr. Dehn informed that any work was performed inside the business. Board Member Russ Winn asked if the work done inside contained most of the noise. Mr. Dehn answered in the affirmative.
- Board Member Ben Hershenson ask for an equivalency of 64 decibels. Mr. Hieber addressed the neighborhood noise concerns stating that two decibel meter reading devices were installed inside the shop. An experiment was conducted to see what a decibel reading inside the shop would equate to behind the facility at the fence line. The engine of an ATV with a loud exhaust was revved up to 95 decibels inside the service facility. The reading outside was 64 decibels, which was believed to be a low decibel rating. Board Member Hershenson offered that Google equivocated 60-65 decibels to laughter.
- Board Member Gary Gambrell asked for clarification regarding the facility location on the map provided, and where the decibel reader outside was installed. Mr. Hieber provided answer.

- Board Member Bruce Galloway inquired whether the business had been operating with a temporary permit. Mr. Hieber replied that the business had been assembling watercraft inside for the past four months. Board Member Galloway questioned if there had been any complaints since operating. Mr. Hieber stated that one employee drove an ATV back by the fence prompting a neighbor to call. The concern was addressed, and no further complaints received.

**VIII. PUBLIC COMMENT.**

- Resident Paul P. who resided behind the facility asked what recourse existed for the neighborhood if noise issues arose. City Attorney Derek Rooney provided a response.

**2. STAFF REPORT.**

- Mike Fiigon, Community Development, asked that the staff report and presentation be entered into the record.
- Board Members discussed option of proceeding to a vote as the materials had been reviewed by the members, noise concerns discussed, and presentations were on record.
- Item A - Chairman Anthony Rascio called for a motion to approve, and Board Member Ben Hershenson entered a motion to approve the request consistent with the findings of staff; Board Member Gary Gambrell seconded; the motion carried unanimously.

<b>RESULT:</b>	<b>PASSED [5-0]</b>
<b>MOTION BY:</b>	Ben Hershenson, Board Member
<b>SECOND BY:</b>	Gary Gambrell, Board Member
<b>AYES:</b>	Rascio, Galloway, Gambrell, Hershenson, Winn
<b>NAYS:</b>	None

**IX. ADJOURNMENT.**

There being no further items to discuss, Chairman Rascio adjourned the meeting at 9:28 A.M.

Respectfully submitted,

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 Laurie K. Hamm, Recording Secretary

APPROVED:

BONITA SPRINGS ZONING BOARD:

Date: \_\_\_\_\_

AUTHENTICATED:

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 Anthony Rascio, Chairman