

**City of Bonita Springs  
City Council Zoning Hearing  
Monday, April 17, 2017  
9:00 A.M.  
Bonita Springs City Hall  
9101 Bonita Beach Road  
Bonita Springs, FL 34135  
MINUTES**

**I. CALL TO ORDER**

Mayor Peter Simmons called the meeting to order at 9:00 AM.

**II. PLEDGE OF ALLEGIANCE**

Councilman Steven Slachta led in the Pledge of Allegiance.

**III. ROLL CALL**

Mayor Simmons and all City Council members were all present.

**IV. SECOND READING OF THE FOLLOWING ORDINANCES**

**A. PD16-32666-BOS, RED HIBISCUS PLANNED DEVELOPMENT AMENDMENT, DISTRICT 1**

A ZONING ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; CONSIDERING A REQUEST TO AMEND BONITA SPRINGS ZONING ORDINANCE NO. 05-17, CONDITION 2B, TO REDUCE THE FRONT (STREET) AND REAR SETBACKS ON LOTS 10-11 AND 16-17; AMENDING THE MAXIMUM LOT COVERAGE FOR LOTS 10, 11, AND 17; LOCATED AT 26890, 26891, 26900, 26901 RED BLOSSOM CT., BONITA SPRINGS, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

9:01:12 AM City Attorney Audrey Vance read the title block into the record and tendered expert witnesses.

9:03:08 AM John Dailey, General Contractor for Habitat for Humanity, was entered into the record as an expert witness.

9:05:14 AM Katherine Green, President and CEO of Habitat for Humanity, discussed affordable housing, habitat's approach to affordable housing, and the subject property.

9:13:00 AM Dan DeLisi, Habitat for Humanity, discussed the setbacks of the property, separation from neighboring properties, and compatibility with the surrounding area. He also addressed the zoning regulations for the properties surrounding the area.

9:23:12 AM Councilwoman Amy Quaremba asked where the driveway of a house with a reduced setback would be.

9:24:08 AM Councilman Fred Forbes asked whether the development was within a Home Owners Association community. Councilman Peter O'Flinn asked about the current front setback.

[9:24:41 AM](#) Councilwoman Quaremba asked whether the 20' foot setback included the drainage area. Mr. DeLisi stated that it did not include the drainage area and was 10' feet.

[9:25:12 AM](#) Mike Fiigon, Community Development, stated that there were multiple requests within the application. Staff requested that the Master Concept Plan have additional detail and include the proposed building footprint. He provided the criteria that staff used to determine their recommendation and discussed the reason for the request.

[9:30:58 AM](#) He stated that the easements would stay intact and displayed the required setback and their adjustments. He noted that the drainage areas were not located within the individual project boundaries but were within the individual property boundaries. He discussed the staff recommendation of approval with the 5 conditions. Some of those conditions included that the changes were for the lots in question and no other lots, no encroachments into the 5' foot rear setback, and doors for any screened enclosures to be on the side of the house.

[9:39:49 AM](#) Councilman Fred Forbes discussed his concern with the 5' foot setback. He stated that increasing the density as proposed was not appropriate.

[9:40:48 AM](#) Councilman Mike Gibson stated that he was fine with the compatibility with the surrounding area.

[9:41:37 AM](#) Councilman O'Flinn asked about the reason for the rear setback within the code. Mr. Fiigon stated that the purpose was to create a separation between the subject and neighboring property.

[9:42:32 AM](#) John Dulmer, Community Development, further elaborated and clarified that the property lines were not the same as the project lines. Councilman O'Flinn asked what the standard rear setback was.

[9:43:32 AM](#) Councilman Greg DeWitt and Slachta expressed their support for the project.

[9:44:48 AM](#) Councilwoman Quaremba stated that she had problems with Lots 10 and 11 regarding their driveway access. She also asked about the drainage. Mr. Fiigon stated that staff engineers reviewed the drainage and slope before providing their recommendation. She also asked about the drainage and its depth. She expressed her concerns with the volume of water that would collect within the drainage easement and asked whether the water would impact the subject or neighboring properties.

[9:51:31 AM](#) Mr. DeLisi stated that the easement was designed contain all the water that would be discharged and carried offsite. He also stated that the purpose was to get water off of the property.

[9:53:45 AM](#) Councilman O'Flinn asked about charitable contributions and how Council's vote would be impacted by the next developer.

[9:55:17 AM](#) Mayor Simmons stated that his concern was whether the vote should be applied to Habitat for Humanity on their status or an individual applicant. Mr. Fiigon stated that there were other planned developments within the city that were approved by City Council vote for equal setback or less restrictive.

[9:57:38 AM](#) Mr. Dulmer stated that the application received a recommendation for approval because it met standards and not because of the applicant or their reputation. He stated that the City of Bonita Springs had more stringent requirements than the Water Management District.

[9:59:32 AM](#) Councilman Forbes asked whether the retention area was designed to a certain standard.

10:01:15 AM Mr. DeLisi addressed Councilman O'Flinn's question and stated that this request was unique because of the location and the setback distance.

PUBLIC COMMENTS:

10:02:40 AM Rick Steinmeyer, resident of Bonita Springs, discussed Lots 9 and 18. He also asked about lot space that may be made into a neighborhood park.

10:04:31 AM Alex Grantt, resident of Bonita Springs, discussed the property and a monument adjacent to the property.

10:07:14 AM City Attorney Vance addressed Mr. Grantt's concerns.

10:09:15 AM Darren Robertshaw requested for Council to support the development and the request.

10:10:08 AM Noemi Miranda, resident of Bonita Springs, expressed her reservations and support for the project.

10:11:49 AM Jesus Abrigo, resident of Bonita Springs, expressed his support for the project.

10:12:20 AM Tom Lammert, resident of Bonita Springs, stated that he was a volunteer for Habitat for Humanity and expressed his support for the project. He stated that he felt that the land would run out in Bonita Springs to build affordable houses.

10:16:12 AM Councilman Forbes, Gibson, O'Flinn and Mayor Simmons disclosed their ex parte communication.

Councilman O'Flinn entered a motion for approval with the conditions mentioned; Councilman Gibson seconded the motion.

10:17:55 AM Mr. Fiigon reviewed the conditions that staff recommended.

10:19:14 AM City Attorney Vance stated that she would send a letter to the special counsel for BSU regarding Mr. Grantt's concern regarding the encroachment.

10:19:51 AM Mr. Fiigon addressed Councilman Forbes' question and discussed the shape of the lots.

10:20:09 AM Councilwoman Quaremba asked about the elevation of the step.

The motion carried unanimously.

10:24:33 AM Councilman O'Flinn requested staff to have more balance to future meetings regarding the presentations. He requested for staff to input the standards for what was being discussed. Mayor Simmons suggested to include what the Zoning Board recommended in the presentation. Councilman Forbes suggested including similar cases or situations in the staff report as well.

V. APPROVAL OF THE MINUTES: February 13 and March 13, 2017

Councilman Slachta entered a motion to approve the minutes as presented; Councilman O'Flinn seconded; the motion carried unanimously.

VI. NEXT MEETING MAY 15, 2017

VII. ADJOURNMENT

There being no further items to discuss, the meeting adjourned at 10:27 AM

Respectfully submitted,

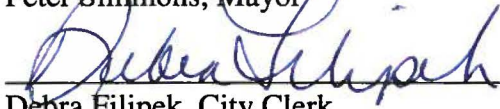
  
\_\_\_\_\_  
Charlen Wade, Deputy City Clerk

APPROVED:  
CITY COUNCIL ZONING BOARD

Date: 5/18/2017

AUTHENTICATED:

  
\_\_\_\_\_  
Peter Simmons, Mayor

  
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Debra Filipek, City Clerk