

**City of Bonita Springs
Board for Land Use Hearings & Adjustments
and Zoning Board of Appeals**

Meeting Minutes

Tuesday, August 15, 2023
9 a.m.

I. CALL TO ORDER

In the absence of the Chair and Vice Chair, City Clerk Mike Sheffield called the meeting to order at 9 a.m. Clerk Sheffield noted that the following members were present at the dais: Gary Gambrell, Lynda Waterhouse, Gerald Benson, Bruce Galloway, and Russ Winn. Member Ben Hershenson was standing-by remotely awaiting board approval to participate via zoom.

Clerk Sheffield announced that the first order of business is to select an acting chair to preside over the meeting and he called for nominations.

Member Winn nominated Member Benson to preside over the meeting; seconded by Member Waterhouse. The motion failed by a vote of 2-3 (Gambrell, Galloway, Benson in opposition).

Member Winn motioned to nominate Member Waterhouse to preside, seconded by Member Benson. The motion failed by a vote of 2-3 (Gambrell, Galloway, Waterhouse in opposition).

City Attorney Rooney suggested that the board consider allowing Member Hershenson to participate in the meeting remotely via zoom. Member Winn motioned to allow Hershenson to participate via zoom; second by Member Waterhouse. The motion carried 5-0.

Member Winn nominated Member Gambrell to preside. Gambrell declined the nomination.

Member Benson nominated Member Winn to preside over the meeting; seconded by Member Waterhouse. The motion carried 4-2 (Gambrell and Galloway opposed).

II. INVOCATION

Acting Chairman Winn gave the invocation.

III. PLEDGE OF ALLEGIANCE

Acting Chairman Winn asked Board Member Gambrell to lead the Pledge of Allegiance

IV. ROLL CALL

City Clerk Sheffield called the roll:

Present – Galloway, Winn, Gambrell, Benson, Waterhouse and Hershenson (via Zoom)

Absent – Chairman Rascio (excused)

V. APPROVAL OF MINUTES: Meeting of June 13, 2023

Board Member Winn motioned to approve the minutes, Seconded by Member Benson; the motion carried 6-0.

VI. PUBLIC COMMENT

Acting Chairman Winn announced that public comments will be heard during the public hearing.

VII. PUBLIC HEARINGS

A. CASE NAME: Bayview on Estero Bay Residential Planned Development/Commercial Planned Development (RPD/CPD)

A request to amend the Bayview on Estero Bay Residential Planned Development/Commercial Planned Development (RPO/CPD) to:

1. Increase the RPO boundary by 5.3 ± acres;
2. Remove the northeastern preserve consisting of 0.62± acres and increase the mangrove preserve area from 3.51 acres to 3.64 acres;
3. Remove the ALF/ILF/CCRC development option (Option 1);
4. Add Townhomes and Two-Family Attached Homes to the Schedule of Uses within the RPO;
5. Add RPO development regulations for townhomes and two-family attached homes;
6. Add a trip conversion matrix to allow the multi-family units to be converted to other residential types with no increase to PM peak hour trip generation;
7. Modify Deviation 8 and Deviation 13 to address changes in building layout and removal of preserve acreage;
8. Add six new deviations; and
9. Modify the Master Concept Plan to provide for these changes.

City Attorney Rooney swore in all those who intended to speak and/or give testimony. Rich Yovanovich, attorney for the applicant, provided a brief overview of the project, followed by a full presentation of the proposed amendments by Alexis Crespo of RVI Planning and Landscape Architecture. Ms. Crespo also responded to questions asked by board members.

Jacqueline Genson, Manager, Community Development Planning and Zoning, provided the staff presentation which included background, application and review process/procedures, and staff analysis. Manager Genson stated that in the interest of interagency community coordination, the staff review team staff included staff members from the Village of Estero and Lee County Community Development.

10:25 a.m. - Acting Chair Winn recessed the meeting for a 10-minute break.

10:35 a.m. - Acting Chair Winn reconvened the meeting.

Laura Gibson, Environmentalist with Community Development, presented on environmental considerations and responded to board questions. Manager Genson stated that the staff recommends approval of the applicant's request with conditions of approval, which she read aloud (staff presentation on file in the Clerk's Office).

Acting Chair Winn called for public comments; however, seeing none, he asked for a motion.

*Member Hershenson motioned to **approve** the applicant's request to amend the Bayview on Estero Bay Residential Planned Development/Commercial Planned Development, with the required deviations as approved by staff; Board Member Benson seconded. Acting Chairman Winn asked the Clerk to record the vote by roll call. **The motion carried by a vote of 4-2, as follows:***

Gambrell	Waterhouse	Benson	Winn	Galloway	Hershenson	Rascio
No	Aye	Aye	Aye	No	Aye	Absent

VIII. CASE UPDATE: 26659 HICKORY BLVD. VARIANCE (VAR22-9762I-BOS)

Jackie Genson provided the update, stating the variance was approved by City Council.

IX. NEXT MEETING: September 19, 2023 at 9:00am (Tentative)

X. ADJOURNMENT

Mr. Winn adjourned the meeting at 11:00 a.m.

Respectfully submitted,

Mike Sheffield, City Clerk

APPROVED:
BONITA SPRINGS ZONING BOARD:

Date: _____

AUTHENTICATED:

Russ Winn, Acting Chairman