

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

**Meeting Minutes**

Tuesday, April 16, 2024  
9:00 a.m.

**I. CALL TO ORDER**

*Chairman Rascio called the meeting to order at 9:00 am.*

**II. INVOCATION**

*Chairman Rascio gave the invocation.*

**III. PLEDGE OF ALLEGIANCE**

*Chairman Rascio asked Board Member Gambrell to lead the Pledge of Allegiance.*

**IV. ROLL CALL**

*City Clerk Sheffield called the roll:*

*Present – Rascio, Waterhouse, Galloway, Winn, Gambrell, Benson, and Hershenson*

*Absent – Russ Winn (excused)*

**V. APPROVAL OF MINUTES:** Meeting of October 17, 2023

*Board Member Hershenson motioned to approve the minutes, Seconded by Board Member Waterhouse; the motion carried 6-0.*

**VI. PUBLIC COMMENT**

*Chairman Rascio announced that public comments will be heard at the conclusion of the presentations.*

**VII. PUBLIC HEARINGS**

EACH CASE WILL INCLUDE A PUBLIC COMMENT PERIOD AT THE CONCLUSION OF THE APPLICANT AND STAFF PRESENTATION

*Chairman Rascio swore in all those who intended to speak and/or give testimony.*

**A. CASE NAME: RIVERBEND RESIDENTIAL PLANNED DEVELOPMENT (PD22-95976-BOS)**

AN AMENDMENT TO A RESIDENTIAL PLANNED DEVELOPMENT (RPD) TO DEVELOP UP TO TEN (10) DETACHED VILLAS, BOAT DOCKS AND OTHER ACCESSORY USES, AND TO ADD FIVE (5) DEVIATIONS.

*Mike Fiigon, Senior Planner with Community Development, introduced the item.*

*Noel Davies of Davies Duke Law Firm opened the applicant's presentation by introducing the team members present. He stated the nature of the request is "down zoning" - to reduce the number of units and boat slips from 16 to 10.*

*Next, Wayne Arnold with Q. Grady Minor provided a presentation of the project which included the proposed conceptual rendering, proposed schedule of uses, and proposed deviations. Next, Michael Herrera with Q. Grady Minor provided a brief overview of stormwater management on the site and answered questions from board members regarding flooding issues.*

*Mr. Fiigon provided the staff presentation which included schedule of uses, deviations requested, staff findings, and proposed conditions of approval. (Staff analysis on file in the Clerk's Office). He also responded to questions asked by board members.*

*Chairman Rascio called for public comments; the following individuals came forth:*

*Mayor Rick Steinmeyer - asked what the City's responsibilities are regarding drainage improvements.*

*Kathryn McLukas – stated that she lives close to the proposed project and questions the buffer wall preventing water flow.*

*Doreen Wayling- stated she is not opposed to the project but has flooding concerns.*

*Wolfgang Oster - ceded time to his attorney, Douglas Lewis.*

*Douglas Lewis, Attorney for Wolfgang Oster, provided a binder handout to board members (copy on file in the clerk's office). City Attorney Rooney stated that Mr. Lewis reached out to him regarding presenting at today's meeting on his client's behalf; City Attorney Rooney recommended that the Board allow Mr. Lewis additional time to speak. The Clerk set the clock for 20 minutes. Mr. Lewis then proceeded to speak, requesting that the board deny the application and stating the reasons for the denial request. He also replied to board member questions.*

*Noel Davies provided a rebuttal to Mr. Lewis' presentation.*

*Seeing no additional public comments, Chairman Rascio asked for a motion. Board Member Hershenson motioned to approve the applicant's request; Chairman Rascio seconded. The Clerk recorded the vote by roll call. **The motion carried 5-1, as follows:***

| <b>Gambrell</b> | <b>Waterhouse</b> | <b>Benson</b> | <b>Winn</b> | <b>Galloway</b> | <b>Hershenson</b> | <b>Rascio</b> |
|-----------------|-------------------|---------------|-------------|-----------------|-------------------|---------------|
| Aye             | Aye               | Aye           | Absent      | Nay             | Aye               | Aye           |

**VIII. CASE UPDATE: Tidal Wave Rezone & Special Exception, Lake Michigan Credit Union  
Special Exception**

*Mike Fiigon provided the update, stating both the Rezone and Special Exception were approved by City Council.*

**IX. NEXT MEETING:** *The next meeting is scheduled for April 30, 2024 at 9:00 am.*

**Additional Board Action**

*Board member Gambrell recommended that the Zoning Board take up the task of enhancing and clarifying the definition of a detached villa, and then provide LDC amendment recommendations to City Council. He then made such a motion; Seconded by Chairman Rascio. **The motion carried 6-0.***

**X. ADJOURNMENT**

*As there was no further business, Chairman Rascio adjourned the meeting at 10:57 a.m.*

Respectfully submitted,

\_\_\_\_\_  
Mike Sheffield, City Clerk

APPROVED:  
BONITA SPRINGS ZONING BOARD:

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

AUTHENTICATED:

\_\_\_\_\_  
Anthony Rascio, Chairman