



City of Bonita Springs Community Development
Manatee Conference Room
9101 BONITA BEACH ROAD, STE 118
BONITA SPRINGS, FLORIDA 34135

DISASTER RELIEF REVIEW BOARD MEETING AGENDA

Wednesday, October 2, 2024
3:00p.m.

- I. Call to Order
- II. Roll Call
- III. Public Comment
- IV. Disaster Relief Request
 - a. Seascape East Campus Shade Structure: ADD24-115851-BOS
 - b. Seascape East Campus Sport Courts: ADD24-115598-BOS
- V. Board Member Items
- VI. Public Comment
- VII. Approval of Meeting Minutes
 - a. July 29, 2024
- VIII. Establish next meeting: (As needed)
- IX. Adjournment

ANY PERSON REQUIRING SPECIAL ACCOMMODATIONS AT ANY OF THE MEETINGS BECAUSE OF A DISABILITY OR PHYSICAL IMPAIRMENT SHOULD CONTACT MIKE SHEFFIELD, CITY CLERK 239-949-6262, AT LEAST 48 HOURS PRIOR TO THE MEETING.

TWO OR MORE MEMBERS OF THE BONITA SPRINGS CITY COUNCIL MAY BE PRESENT AND MAY PARTICIPATE AT THE MEETING. THE SUBJECT MATTER OF THIS MEETING MAY BE AN ITEM FOR DISCUSSION AND ACTION AT A FUTURE BONITA SPRINGS CITY COUNCIL MEETING.

**POST DISASTER EMERGENCY REVIEW BOARD
BONITA SPRINGS, FLORIDA
COMMUNITY DEVELOPMENT DEPARTMENT
ZONING DIVISION
STAFF REPORT**

PROJECT NAME: SEASCAPE EAST CAMPUS SHADE STRUCTURE—HURRICANE IAN

TYPE OF CASE: POST DISASTER RECOVERY ADMINISTRATIVE MODIFICATION

CASE NUMBER: ADD24-115851-BOS

BOARD MEETING DATE: OCTOBER 2, 2024

PLANNER: MIKE FIIGON II

REQUEST AND STAFF RECOMMENDATION

A request to replace shade structures destroyed Hurricane Ian.

Staff recommends **APPROVAL** of the request.

APPLICATION SUMMARY:

Applicant: Elizabeth Fountain, P.E./J.R. Evans Engineering P.A.

Location: STRAP: 24-47-24-B4-03400.00CE, Bonita Springs, Florida 34134

Request: To replace shade structures destroyed by Hurricane Ian.

BACKGROUND AND INFORMATIONAL ANALYSIS

Pursuant to City of Bonita Springs Land Development Code Section 4-1894(c)(3)(c)(2), roofed accessory structures shall be placed at least 25 feet from a natural body of water.

Prior to Hurricane Ian, there were two shade structures along the bayside of sport courts/recreational area of Seascape Condominium (See Attachment “A”—aerial). Each structure was approximately 115sf-120sf in size and they were located approximately five (5) feet from the seawall and 10.8 feet from the bayside property line. Both structures were completely destroyed due to Hurricane Ian. The structures are clearly visible in aerials dating back to 1998, which pre-dates the incorporation of the City of Bonita Springs.

The request itself is to replace the two shade structures into one pavilion structure, proposed to be approximately 240sf in size and would be built in substantially the same location on the bayside

(Attachment "B"). If approved, the pavilion would need to be built in compliance with floodplain, zoning, building, fire, and environmental specifications and regulations.

Section 14-55 of the Bonita Springs City Code adopts the Lee County Code Chapter 10, Article IV, by reference for standards for post-disaster recovery. The code allows for the reconstruction or replacement of structures damaged by less than 50% or more than 50% of value. Structures may be reconstructed at (but not to exceed) the legally documented actual use, density and intensity existing at the time of destruction, thereby allowing those structures to be rebuilt or replaced to the size, style, and type of their original construction, including original square-footage; provided however, that the affected structure, as rebuilt or replaced, complies with all federal and state regulations, local building and life safety regulations, and other local regulations, which do not preclude reconstruction otherwise intended by Future Land Use Element Policy 1.5.1 as set forth in Section 14-55 of the Bonita Springs City Code.

It is the Staff opinion the proposal to replace the two previous shade structures into one pavilion structure does not constitute an increase in intensity and would therefore not violate the disaster build-back provisions that the City has adopted.

CONCLUSIONS AND RECOMMENDATIONS

Staff recommends **APPROVAL** of the request to replace the two previous shade structures into one pavilion structure, as conditioned below:

CONDITIONS

1. The approval is valid for one shade structure on the bayside of the Seascape Condominium sport courts/recreational area, approximately 240sf in area, in the location shown on the site plan (Attachment "B"), approximately five (5) feet from the seawall and 10.8 feet from the bayside property line. All other code regulations remain in full force and effect.
2. Approval of this action does not guarantee approval of a building permit.

ATTACHMENTS

- A. 1998 Aerial (Two Shade Structures)
- B. Proposed Site Plan (One Shade Structure)

ATTACHMENT "A"

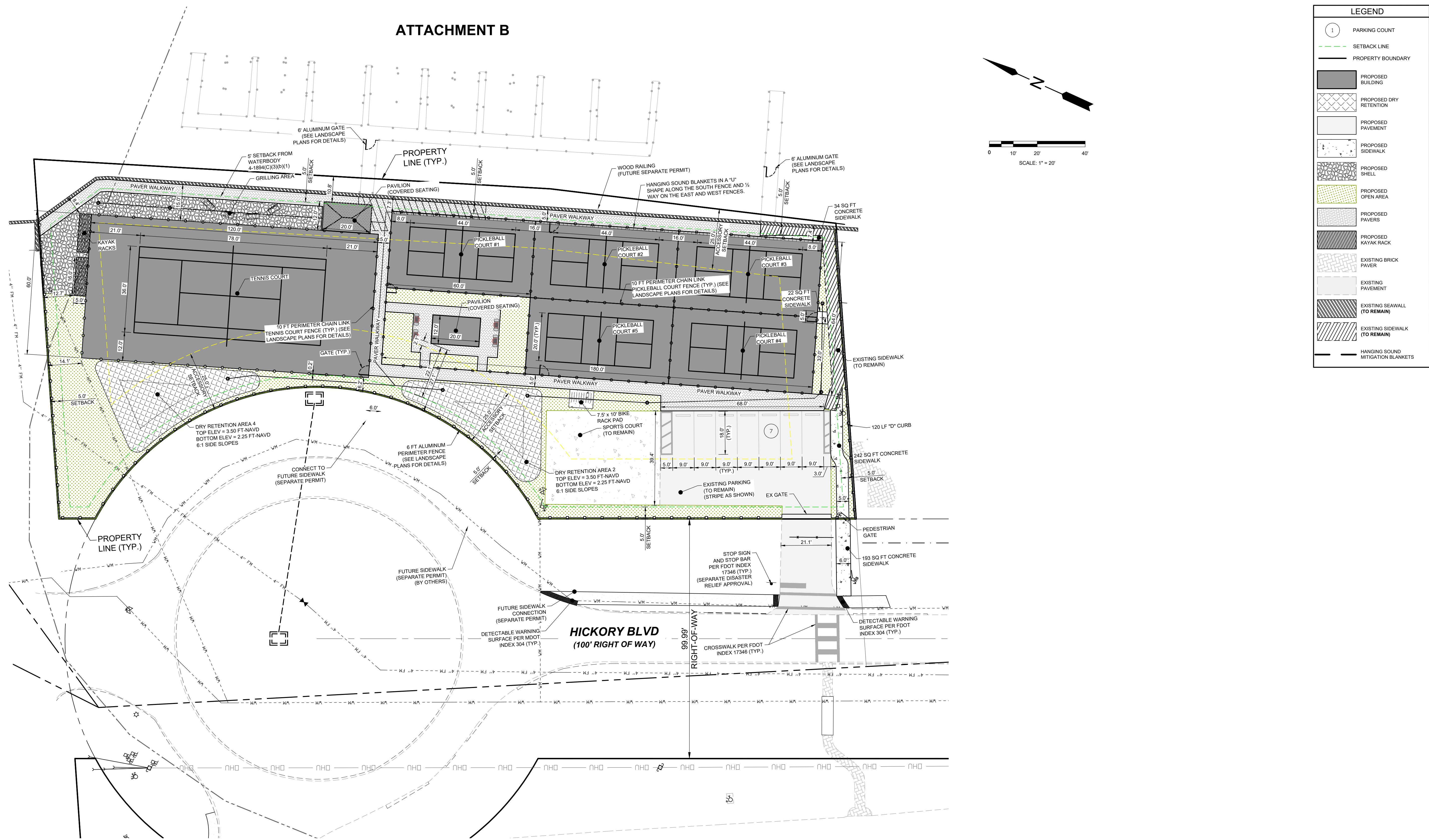
Shade
structures as
seen on a 1998
aerial

CAPE CONDO PH III
CONDOMINIUM

BAYSCAPE CONDO
CONDOMINIUM



ATTACHMENT B



**POST DISASTER EMERGENCY REVIEW BOARD
BONITA SPRINGS, FLORIDA
COMMUNITY DEVELOPMENT DEPARTMENT
ZONING DIVISION
STAFF REPORT**

PROJECT NAME: SEASCAPE EAST CAMPUS SPORT COURTS—HURRICANE IAN

TYPE OF CASE: POST DISASTER RECOVERY ADMINISTRATIVE MODIFICATION

CASE NUMBER: ADD24-115598-BOS

BOARD MEETING DATE: OCTOBER 2, 2024

PLANNER: MIKE FIIGON II

REQUEST AND STAFF RECOMMENDATION

A request to replace sport courts destroyed Hurricane Ian.

Staff recommends **APPROVAL** of the request.

APPLICATION SUMMARY:

Applicant: Elizabeth Fountain, P.E./J.R. Evans Engineering P.A.

Location: STRAP: 24-47-24-B4-03400.00CE, Bonita Springs, Florida 34134

Request: To replace sport courts destroyed by Hurricane Ian.

BACKGROUND AND INFORMATIONAL ANALYSIS

The subject property contains the recreational facilities (sport courts) associated with the Seascape Condominium. These facilities are permitted as on-site and off-site facilities in the zoning district (C-1). The required setbacks of the facilities should be a minimum of 25 feet from the edge of the right-of-way, pursuant to LDC 4-928, and a minimum of ten (10) feet from a side property line, pursuant to LDC 4-926.

Prior to Hurricane Ian, there were pickleball and tennis courts on the subject property (See Attachment "A"—aerial). The northernmost tennis court was not meeting the required street setback of 25 feet and the southernmost set of pickleball courts appeared to be encroaching into the side setback of 10 feet. The property as a whole was significantly damaged/destroyed due to the winds and flooding associated with Hurricane Ian.

The request itself is to replace the sport courts in largely the same footprint as what existed pre-storm. An additional pickleball court is proposed but will be in compliance with the required setbacks and would not be affected by this request.

Section 14-55 of the Bonita Springs City Code adopts the Lee County Code Chapter 10, Article IV, by reference for standards for post-disaster recovery. The code allows for the reconstruction or replacement of structures damaged by less than 50% or more than 50% of value. Structures may be reconstructed at (but not to exceed) the legally documented actual use, density and intensity existing at the time of destruction, thereby allowing those structures to be rebuilt or replaced to the size, style, and type of their original construction, including original square-footage; provided however, that the affected structure, as rebuilt or replaced, complies with all federal and state regulations, local building and life safety regulations, and other local regulations, which do not preclude reconstruction otherwise intended by Future Land Use Element Policy 1.5.1 as set forth in Section 14-55 of the Bonita Springs City Code.

It is the Staff opinion the proposal to replace the sport courts would not be considered an increase in intensity and would therefore not violate the disaster build-back provisions that the City has adopted.

CONCLUSIONS AND RECOMMENDATIONS

Staff recommends **APPROVAL** of the request to replace the sport courts as conditioned below:

CONDITIONS

1. The approval shall be in compliance with the locations and setbacks shown on the attached site plan (Attachment "B"), and will require the approval of a limited development order (LDO) and building permits prior to construction. All other code regulations remain in full force and effect.
2. Approval of this action does not guarantee approval of a building permit.

ATTACHMENTS

- A. 1998 Aerial (Two Shade Structures)
- B. Proposed Site Plan

Seascape Sport
Courts (1998)



0 10' 20' 40'

SCALE: 1" = 20'

