

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

(Draft) Meeting Minutes
Tuesday, November 19, 2024
9:00 a.m.

1. CALL TO ORDER

In the absence of Chairman Rascio, Vice-Chairman Hershenson called the meeting to order at 9:00 a.m., and he presided over the meeting.

2. PLEDGE OF ALLEGIANCE

Board Member Gambrell led the Pledge of Allegiance.

3. ROLL CALL

The City Clerk called the roll:

Present – Hershenson, Waterhouse, Gambrell, Benson, and Galloway

Absent – Rascio and Winn (both informed the City Clerk in advance asked to be excused).

4. PUBLIC HEARINGS

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

A. CASE NAME: LAWHON RESIDENTIAL PLANNED DEVELOPMENT (PD23-109082-BOS)

A REQUEST TO REZONE 2 (+/-) ACRES FROM THE RESIDENTIAL PLANNED DEVELOPMENT (RPD) ZONING DESIGNATION TO A RESIDENTIAL PLANNED DEVELOPMENT (RPD), TO ALLOW SIX (6) SINGLE FAMILY UNITS AND TO REQUEST A DEVIATION.

City Attorney Derek Rooney swore in all those who intended to speak. Vice Chairman Hershenson announced that there will be a public comment period for each case after the applicant and staff presentations. Mike Fiigon, Senior Planner with Community Development, introduced the item.

Mr. Aaron Spence of Maastricht Engineering, presented on behalf of the applicant. His presentation included an overview of the proposed Residential Planned Development (RPD), schedule of uses, and requested deviation for side setbacks. He also answered questions from the Board. (Applicant presentation on file in the City Clerk's office).

Next, Mr. Fiigon presented the staff report which including background information, schedule of uses, revised development regulations and a deviation requested by the applicant to waive the traffic flow/impact study. He answered questions from the Board and stated that staff recommends approval with conditions, which he reviewed. (Staff report on file in the City Clerk's office).

Vice-Chairman Hershenson called for public comments:

Rick Steinmeyer commented in favor of the project.

*Vice-Chairman Hershenson made a motion to approve the rezone request with the conditions proposed by staff; Board Member Waterhouse seconded. The Clerk recorded the vote by roll call. **The motion carried 5-0, as follows:***

Gambrell	Waterhouse	Benson	Hershenson	Galloway	Winn	Rascio
Yes	Yes	Yes	Yes	Yes	Absent	Absent

B. Case Name: 11035 DEAN STREET RESIDENTIAL PLANNED DEVELOPMENT (PD23-103517-BOS)

A REQUEST TO REZONE 4.6 (+/-) ACRES FROM TWO-FAMILY CONSERVATION (TFC-2) TO RESIDENTIAL PLANNED DEVELOPMENT (RPD) TO ALLOW UP TO FORTY-EIGHT (48) RESIDENTIAL DWELLING UNITS.

Mary Zizzo, Senior Planner with Community Development, distributed additional written public comments received after the agenda packet was published. She provided a brief introduction of the project, stating that staff is recommending approval, and the applicant agrees with the staff conditions outlined.

Wayne Arnold, Q. Grady Minor & Associates, presented on behalf of the applicant. After introducing the project team, his presentation included an overview of the proposed Residential Planned Development (RPD), location of the subject property, rezone request, proposed master concept plan, proposed deviation of a 10 ft separation between buildings, and the installation of a landscape buffer that is not required. He also answered questions from the Board. (Applicant presentation on file in the City Clerk's office).

Mike Delate, professional engineer with Q. Grady Minor & Associates, presented an overview of the conceptual storm water drainage management plan.

Jim Banks, professional engineer and President of JB Engineering, informed the board of his qualifications, experience, and credentials. He reviewed the key points of the Traffic Analyses that he prepared, and answered questions from Board members.

Next, Ms. Zizzo presented the staff report which including background information, project location, traffic and housing elements, parking requirements within the project, schedule of uses, and the applicants request for one deviation for the 10ft separation between buildings. She answered questions from the Board. (Staff report on file in the City Clerk's office).

Vice-Chairman Hershenson called for public comments:

Jackie Columbo has concerns relating to traffic, not only cars but e-bikes, density and drainage.

Diedra Flint, lives on Harold Street, is concerned with density and flooding.

Al Barrack is concerned with traffic and parking and feels the density is too high for the property.

Sam Columbo stated he is concerned with traffic, density, flooding, and parking.

Zach Smith, lives directly across from subject property, is concerned about traffic, parking, and neighborhood compatibility.

Frederic Leleu lives on Matheson Ave, is concerned with the entrance and exit locations, stormwater drainage, and traffic.

Rick Steinmeyer stated that the limited space between the buildings leaves little room for meters or air-conditioning units.

Vice Chairman Hershenson announced time for applicant rebuttal. Mr. Arnold requested a short recess to prepare rebuttal.

10:53 am., Vice Chair Hershenson recessed the meeting for ten minutes.

11:05 am, Vice Chairman Hershenson reconvened the meeting.

Ms. Neale Montgomery began the applicant's rebuttal by asking Mr. Banks to address traffic concerns expressed by public speakers. Next, Mr. Delate addressed drainage concerns. Mr. Arnold then addressed public concerns including density, building separation, and parking.

*Board Member Galloway made a motion to deny the rezone request; Board Member Gambrell seconded. The Clerk recorded the vote by roll call. **The motion carried 4-1, as follows:***

Waterhouse	Benson	Hershenson	Galloway	Gambrell	Winn	Rascio
Yes	Yes	Nay	Yes	Yes	Absent	Absent

City Attorney Rooney stated the application will proceed to City Council with Zoning Board's recommendation to deny.

Board Member Waterhouse left the meeting at 11:31a.m.

C. Case Name: DORSET HARBOR RESIDENTIAL PLANNED DEVELOPMENT
(PD23-106253-BOS)

A REQUEST TO REZONE 6 (+/-) ACRES FROM RESIDENTIAL PLANNED DEVELOPMENT (RPD) TO RESIDENTIAL PLANNED DEVELOPMENT (RPD), TO ALLOW UP TO TEN (10) SINGLE FAMILY DWELLING UNITS.

Dan DeLisi, AICP, presented on behalf of the applicant. After introducing the project team, Mr. DeLisi's presentation included an overview of the proposed Residential Planned Development (RPD), location of the subject property and went over the transportation study. He stated the original master concept plan expired, the new plan is for 6 single family units and has more open space. He also answered questions from the Board. (Applicant presentation on file in the City Clerk's office).

Chris Mitchell with JR Evans Engineering, went over the stormwater plan and the deviations requested. He stated the applicant is requesting for dry utilities be in the ROW, emergency access entry, side lot lines near preserve area and setback for an access easement for lot 6.

Neale Montgomery had questions for staff related to existing rule conditions and state permit requirements. Ms. Zizzo addressed Ms. Montgomery's questions and answered questions from the Board.

Vice-Chairman Hershenson called for public comments:

Carlene Young spoke in support of the project.

Rick Steinmeyer questioned who will maintain the drainage canal, and spoke in favor of the project.

Vice-Chairman Hershenson made a motion to approve the rezone request with the conditions proposed by staff; Board Member Benson seconded. The Clerk recorded the vote by roll call. **The motion carried 4-0, as follows:**

Benson	Hershenson	Galloway	Gambrell	Waterhouse	Winn	Rascio
Aye	Aye	Aye	Aye	Absent	Absent	Absent

5. APPROVAL OF MINUTES: Meeting of September 17, 2024

Board Member Benson motioned to approve the minutes, Seconded by Board Member Gambrell. **The motion carried 4-0.**

6. PUBLIC COMMENT

Vice-Chairman Hershenson called for any additional public comment. There were none.

7. NEXT MEETING: The next meeting is scheduled for December 17, 2024 at 9:00 am.

8. ADJOURNMENT: As there was no further business, Vice-Chairman Hershenson adjourned the meeting at 12:01 p.m.

Prepared by:

Teresa C. Grimes, Senior Records & Compliance Clerk

APPROVED:

BONITA SPRINGS ZONING BOARD:

Date: _____

AUTHENTICATED:

Ben Hershenson, Vice-Chairman