



# Fort Myers Beach Town Council

## Work Session

**Council Chambers  
2525 Estero Blvd.  
Fort Myers Beach, FL 33931**

**Minutes**

**Tuesday, February 21, 2017**

**2:00 PM**

## FINAL

### I. CALL TO ORDER

The meeting was called to order at 2:00 PM by Mayor Dennis Boback

#### 1. Roll Call

### II. PLEDGE OF ALLEGIANCE

### III. PUBLIC COMMENT ON ADGENDA ITEMS

•Carolyn Kaney commented that increasing side setbacks would create long, skinny unattractive homes. She did not see any justification for the change and felt it would adversely affect the tax base.

•Joe Stockton, resident, suggested adding a second public comment section at the end of the work sessions.

### IV. ITEMS FOR DISCUSSION

#### A. Lovers Key State Park Visitors Information Center Presentation

#### **Lovers Key State Park Visitors Information Center Presentation**

Mark Generales stated he was speaking as an individual, and not a representative of any organization. He utilized PowerPoint to make a presentation. Slides included the location of the Visitors' Center, aerial of the park, 2015 attendance and revenues, volunteers, jobs, estimated revenues for 2016, staff, 2015 economic impact, wildlife and rendering of the visitors' center. Mr. Generales asked that Council include Lovers Key as part of the legislative agenda priority list. He indicated they were attempting to obtain funds from private sources. He emphasized how important it was to receive support from the Town and he thanked Council for what they did last year.

B. Accessory Structure Set-Back & Overall Development Regulations

**Discuss Accessory Structure Set-Back and Overall Development Regulations of the LDC.**

Matt Noble, Community Development Principle Planner, noted that accessory structures were treated differently than principal structures. Mr. Noble stated that the issues were complicated and if Council wanted to take up the issue of unintended consequences, staff recommended that Council put out an RFP during the next budget cycle to get help.

Council Member Gore did not want to change the setbacks.

Vice Mayor Hosafros was disappointed there was not more information provided. The current setbacks did not allow enough room for construction equipment. Close air conditioners, pool pumps, heaters and exhaust fans created loud noises. She indicated Sanibel has a 10-foot setback, Bonita Springs has an additional height ability for increased side setbacks and Sanibel also has a lot coverage or footprint size.

Council Member Shamp agreed with staff regarding accessory structure setback. She disagreed with giving additional height for increasing the setback. She mentioned the 40% coverage but she preferred to de-incentivize increasing pervious surface coverage by a multiplier within the stormwater ordinance. If a home owner wanted to pave their property, they would be charged a multiplier on their stormwater.

Council Member Cereceda stated the greatest change the community will see will be on the Gulf front. She did not want Estero Blvd. to look like Hickory Blvd. She wanted to preserve the view corridors and character of the community. She agreed with giving incentives for building up and she brought up enforcing illegally-enclosed bottom floors. Council Member Cereceda felt that the discussion belonged with the Local Planning Agency (LPA).

Mayor Boback felt that construction issues should be addressed under staging areas and air conditioners and pool pumps should be looked at separately. He was fine with the current setbacks and felt there were too many regulations on properties. The view corridor was currently non-existent due to landscape.

Council Member Shamp noted that a change in the 50% rule and encouraging builders to design structures wherever a purchaser was willing, in the cottage character design, was the best way to deal with it.

Council Member Cereceda discussed the changing character of the Island and the big picture of the community. Council Member Shamp agreed that the change was unfortunate, but she did not think that one should control how people landscape their property just to provide a view. Council Member Cereceda expressed concern over how to preserve the character so it does not become a homogenous wall.

Vice Mayor Hosafros agreed with sending it to the LPA for them to bring back recommendations.

C. Surplus Parking

**Review the proposed amendment to Division 26 of the Land Development Code to provide adequate regulations for the renting of "excess" parking spaces during peak periods.**

Planner Matt Noble stated that the LPA recommended that Council adopt the amendment included in the packet. The LPA did not see a need for a survey of the property or to designate the surplus spaces in the field.

Council Member Hosafros agreed with moving forward with changes.

Council Member Shamp questioned how the amendment helped with keeping vehicles off the road. She discussed letting businesses manage parking instead of staff. She did

not have a problem with adopting the amendment, but she questioned if it served the public good.

Kara Stewart, Director of Community Development, explained how they attempted to deal with existing code without having to reinvent the wheel.

Council Member Cereceda summarized that it was to create a use permit for properties that have excess parking to rent. Mr. Noble agreed.

Mayor Boback had an issue with telling people how to use their property. Businesses should be able to rent out their parking regardless of how many spaces they had, but a parking lot at a closed business was a different story. If the business remained closed, they would have to obtain the required permits to turn it into a parking lot. If a business did not have enough parking to meet the requirement for their business they should not be able to rent at all.

Council Member Gore favored removing 34-2019(a); she felt it was an overregulation.

Mrs. Stewart indicated that they only made sure that location X could offer the service at their location. She explained how it all came down to the signage.

Council Member Gore remarked that parking plans were necessary to avoid chaos.

Mrs. Stewart clarified that the intention was to establish designated parking spaces, not to control or monitor who pays. Vice Mayor Hosafros asked whether the amendment helped her solve a problem, to which she replied in the affirmative.

Vice Mayor Hosafros and Council Member Cereceda favored moving it on to a hearing.

Council Member Shamp supported moving it on.

Council Member Gore did not see how it would take cars off the road and she did not want to see parking signs all over the Island. She did not support it.

Mayor Boback agreed with moving it to a first hearing.

D. Inclement Weather Policy- P&R Dept. Wide

**The purpose of this policy is to guide the use of Town outdoor facility and athletic fields, to prevent injuries and damage to the usage areas and playing surface brought upon by inclement weather and/or unsafe playing conditions.**

Sean DePalma, Parks & Recreation Director, introduced the policy.

Council Member Shamp commented that staff should be fully trained. Mr. DePalma explained that procedures were in place.

Council Member Cereceda questioned what happened when cell service was interrupted. He replied that there was an NOAA 800 number to call.

**V. ADJOURNMENT THE MEETING WAS CLOSED AT 3:21 PM**

Minutes adopted as presented March 6, 2017; Motion by Council Member Cereceda, second by Vice Mayor Hosafros; Passed 5-0.



Michelle D. Mayher CMC  
Town Clerk