



**FORT MYERS BEACH
LOCAL PLANNING AGENCY (LPA)
MINUTES
Town Hall
2525 Estero Boulevard
Fort Myers Beach, Florida 33931
Tuesday, April 18, 2017**

I. CALL TO ORDER

Meeting was called to order at 9:00 a.m. by Chair Zuba. Members present: Dan Hendrickson, Megan Heil, Jane Plummer, Scott Safford, Lorrie Wolf and Hank Zuba.

Excused: Suzanne Katt

Town Attorney: Peterson Law Group

Staff: Matt Noble and Kara Stewart.

II. PLEDGE OF ALLEGIANCE

III. INVOCATION

New member Lorrie Wolf introduced herself.

IV. MINUTES - March 14, 2017

Correction: Ms. Katt thanked Mr. Noble for his help on the committee and she thanked Mr. Hendrickson for sending the HAC ~~meeting~~ minutes to her.

MOTION: Ms. Plummer moved to approve the minutes as amended, second by Mr. Safford.

VOTE: Motion approved; 7-0.

V. HAC MEMBERSHIP - DISSEMINATE MEMEBERSHIP ROSTER

Mr. Hendrickson indicated that their package consisted of a current listing of members for reference. He stated they were going to re-invite people to be a part of the Historic Recognition Program and clear up any misconceptions of the program. Mr. Noble identified qualifying properties and a letter of invitation will be sent to them.

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VI. LDC AMENDMENT TO ADD PERMITTING SURVEY REQUIREMENTS IN CHAPTER 34

Town Attorney Peterson summarized language changes.

Ms. Plummer questioned the effective date if Town Council approved it. Town Attorney Peterson stated that it would be effective immediately.

Mr. Hendrickson questioned whether an accessory structure built after the home was considered new construction. Kara Stewart, Director of Community Development, replied that it would be considered an addition to the structure. She indicated that a very small number of permits were pulled for accessory structures other than sheds, but she could add a survey requirement since most sheds were under \$10,000.00. Mr. Hendrickson felt that new accessory structures over \$50,000.00 should require a survey.

Ms. Plummer thought that most accessory structures would be detached garages or attached living spaces on ground-level houses. Ms. Stewart stated that pools were considered accessory structures but as-built surveys were not required. She indicated that they have not had any pool issues and did not recommend adding a survey requirement.

Chair Zuba questioned whether the 1978 CCCL in Exhibit A was a point of contention. Ms. Stewart replied that they had one instance so far. She stated that they would need the 1991 CCCL in addition to the 1978 CCCL and she agreed that the language should be added to the amendment.

MOTION: Ms. Plummer moved to approve Exhibit A and the attachment of the survey boundaries, change line 5 to add the 1991 CCCL and send to Town Council; second by Ms. Heil.

VOTE: Motion approved; 6-0 with Ms. Katt excused.

VII. LDC AMENDMENT 50% FLOODPLAIN REGULATIONS IN CHAPTER 6

Ms. Stewart reported that changing from five years to one year would not be a problem. She discussed going to a permit-to-permit system. She provided a chart and a map for illustration purposes. Ms. Stewart explained the Community Rating System (CRS) in relation to insurance. The Town has a rating of 1771, which gave them a 15% reduction in insurance. The new CRS reviewer stated that they would lose 29 points for the reduction in a higher regulatory standard, but the reduction would not affect the current CRS rating. She stated there was no difference between zero and one year and the threshold between each level was a 500 point increment. She described opportunities to accrue additional points.

Ms. Plummer commented that if they wanted to keep the cottages and character, they had to make it possible for homeowners to have a strong house and live in them. She was 100% behind going to permit-to-permit if there was not any risk.

Mr. Safford questioned whether Community Development could handle a permit-to-permit system and Ms. Stewart replied that it would make their jobs easier. She recommended going to permit-to-permit and she included the language to add. She commented that if they promote permit-to-permit, they had to reveal the possibility of a higher insurance rate and the owner would be encouraged to provide an elevation certificate. Ms. Plummer stated that her insurance will be reduced when she replaces her roof.

Mr. Hendrickson questioned whether there was a downside. Ms. Stewart replied the only difference was that five years was a higher regulatory standard, but that was not a downside for the Town.

Ms. Stewart commented that adding 20% to the property appraiser's figure seemed to be the most common.

Ms. Plummer distributed a handout comparing assessed values of homes. She stated there were no apple to apple comparisons on the Island and using the assessed value was not fair. Chair Zuba commented the argument was with the assessor. Ms. Stewart indicated that the market value was whatever a buyer and seller agreed on. She did not have enough information on how the property appraisers were doing their job, but they needed a mechanism for a baseline. Ms. Plummer questioned why they could not use a figure based on the square footage. Chair Zuba stated that they were taking incremental steps. Mr. Hendrickson questioned whether Ms. Plummer's point would matter if they went to a permit-to-permit system. She explained how it would matter. Ms. Stewart thought they needed to have a baseline and she did not know if they wanted to be the first jurisdiction to change across the board. Chair Zuba reviewed changes in the document.

MOTION: Ms. Heil moved to adopt the language in Exhibit A into the proposed ordinance 17-XX; second by Mr. Safford.

VOTE: Motion passed; 6-0 with Ms. Katt excused.

VIII. LPA MEMBER ITEMS AND REPORTS

Ms. Wolf requested a roster of LPA members. Mr. Noble will provide one.

Ms. Heil stated she was attending the master bike/pedestrian plan meeting next Wednesday. Discussion was held regarding safety issues.

MOTION: Chair Zuba moved to nominate Ms. Katt as Vice Chair to the LPA; second by Mr. Hendrickson.

VOTE: Motion passed; 6-0 with Ms. Katt excused.

Chair Zuba objected to what was being done at Seafarer's. It was zoned commercial with many restrictions on proposed uses. The County proposed to store and put equipment on the property but they have not applied for a special use permit. Ms. Plummer stated that they were using Lover's Key now, but the Seafarer's site had not been cleaned or emptied out. She reported that Commission Kiker told her he did not have plans for the Seafarer's site. Chair Zuba stated that they should not be giving permission for material storage and other things that violate zoning.

IX. LPA ATTORNEY ITEMS - no items

X. COMMUNITY DEVELOPMENT ITEMS - no items

XI. ITEMS FOR NEXT MONTH'S AGENDA

XII PUBLIC COMMENT - no public comment

XIII. ADJOURNMENT

MOTION: Mr. Hendrickson moved to adjourn the meeting; second by Ms. Plummer.

VOTE: Motion approved; 6-0 with Ms. Katt excused.

Meeting adjourned at 10:07 a.m.

Adopted ✓ With/Without changes. Motion by Jane Plummer / Torrie Wolf

Vote: 5

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Suzanne Katt