



**Fort Myers Beach Town Council
Joint Session with Local Planning Agency**

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

Minutes

Monday, November 1, 2021

1:00 PM

ORDER OF BUSINESS

FINAL

I. CALL TO ORDER

Members present: Mayor Murphy, Vice Mayor Hosafros, Council Member Allers, Council Member Atterholt and Council Member Veatch.

LPA Members present: Chair Heil, Anita Cereceda, Forrest Critser, Jane Plummer, Scott Safford and Karen Woodson.

II. PLEDGE OF ALLEGIANCE

III. ITEMS FOR DISCUSSION

A. Additional Setbacks on Consolidated Lots

Discussion of proposed regulatory modification(s) regarding consolidated lot setbacks.

Chair Heil stated that they came up with four options to discuss. Community Development Planner Sarah Propst displayed and explained Option 1: Adding Up the Setbacks; Option 2: Lot Percentages and Option 2: Lot Percentages Additional Examples.

Vice Mayor Hosafros liked the flexibility and Council Member Veatch liked the percentages. Planner Propst commented that the percentage could apply to all consolidated lots. She noted that many communities used a percentage. Town Attorney Herin, Jr. agreed that a percentage was typical in his experience.

The placement of mechanical equipment was discussed.

Council Member Allers supported the percentage but was unsure of the specific number. He was comfortable with doubling the setback but not tripling. Planner Propst explained that no one could go over the 40% buildable area of the lot. She discussed incentivizing people to keep an open

view at the lower level. LPA Member Plummer agreed that people building large houses would not be inclined to leave the lower level open because they had items that needed protection. LPA Member Cereceda questioned what they hoped to accomplish. She discussed their mistake 25 years ago because they did not anticipate how the rules would affect the community 25 years later. She noted that the Comprehensive Plan talked about open space and view corridors. She stated that if they wanted to preserve the view corridors, setbacks alone would not accomplish that. Mayor Murphy questioned whether everyone felt the same way and whether it was relevant today. Vice Mayor Hosafros stated that it wasn't just about the view corridor but about light and air. She remarked that houses with three and a half stories blocked the sunlight from their neighbor's house. She felt that they had to make sure that people had a livable community.

Council Member Veach stated that people walked through view corridors even though a beach access was next door to his house. He discussed lights on the beach with view corridors during turtle season. Council LPA Member Safford indicated that they had to develop a plan for the entire island, not just the beach.

Mayor Murphy confirmed that the majority supported a percentage basis with minimum side setbacks.

Planner Propst displayed a map of a slab as-built in Glenview subdivision on Randy Lane with a 26-foot setback on one side and 12 feet on the other side. She felt it was a good example of visibility on the side, even though it was not 15% on both sides.

Council Member Veach brought up duplexes. Chair Heil commented that they were single lots and fell under the regular setbacks. Town Manager Hernstadt brought up the 80/20 rule and stated that if they took care of 80%, 20% of property owners could request a variance.

Discussion was held concerning the house on Randy Lane and the view corridor. Chair Heil brought up stilt homes on Pensacola Beach. Planner Propst noted that people would be more likely to build their homes on stilts if they disallowed fill. Chair Heil commented that fill caused drainage issues on the island. Council Member Veach stated that FEMA and economics forced the island to change. Council Member Atterholt questioned whether a tax credit could be offered as a carrot to help offset taxes for those who decided to maintain the view corridor. Vice Mayor Hosafros countered that the Fort Myers Beach tax benefit was minimal. Council Member Atterholt suggested packaging more than one incentive. Mayor Murphy did not think a tax credit would work. Council Member Veach mentioned charging an affordability fee to owners who decided to close in the lower level. The fee would go towards workforce housing.

Town Manager Hernstadt indicated that the house on Randy Lane was a good example, but some homes should be looked at. He stated that people who were building those homes were not worried about money. Council Member Atterholt questioned whether height was an issue for new owners and whether it could be a trading tool. Planner Propst replied that it might be effective with smaller lots.

Vice Mayor Hosafros commented that many people could afford to store their toys off the island and she did not see that as a disincentive for them to fight for open space under the buildings. LPA Member Cereceda stated that she was fighting for open space and Vice Mayor Hosafros agreed.

Mayor Murphy suggested polling the community regarding whether the view corridor on Estero Blvd. was important to them. Vice Mayor Hosafros remarked that they received emails regarding the large homes. Mayor Murphy felt the majority of the community wanted to preserve the views and he encouraged feedback from residents.

Council Member Allers verified that the modifications would apply across the board. LPA Member Cereceda brought up the new stilted homes on Delmar and noted the houses kept the character of the neighborhood. Chair Heil described her street and stated that if she had to put her home on stilts, her pool would not get as much sun, and she would not be able to enjoy her backyard.

Planner Propst will look at percentage options. Council Member Allers suggested that if an owner wanted to build their home on stilts and left the bottom level open, they could have a 7.5-foot setback. Council Member Veach thought the same rules should apply to every lot, not just consolidated lots.

B. Front setbacks and façade length for large residential structures.

Discussion of regulatory modification(s) regarding massing of large homes (exceeding 65 feet in length) and setback requirements.

Planner Propst displayed Building Massing Examples and noted the house on Randy Lane was a good example. She explained that the 65' front facade would provide enough width for the first floor. Town Manager Hernstadt noted the house on Randy Lane had different depths and heights, which made it look and feel better. LPA Member Cereceda suggested providing bad examples of massing.

Chair Heil questioned whether they could use percentages. Town Manager Hernstadt replied that they had to create a threshold. Vice Mayor Hosafros asked whether the modifications could be expanded to include large homes on single lots. Planner Propst replied affirmatively but added they would have to use different numbers. LPA Member Safford questioned what other communities were doing. Planner Propst replied that not a lot of communities had architectural requirements across the board.

Consensus was reached to go with 65'. Planner Propst will look at additional options and examples.

Council Member Atterholt discussed creating a fast-track designation for certain LPA decisions. Town Attorney Herin, Jr. commented that items approved by a resolution could be added to a quasi-judicial consent agenda and voted up or down. Items that required a public hearing like ordinances or rezoning had to go through the public hearing process. He added that

roughly 40-50% of jurisdictions had a similar approach. Town Manager Hernstadt indicated that very few cases would qualify for a fast-track designation. He stated that if an example came up in the next month or so, he would bring it forward.

IV. ADJOURNMENT

Vice Mayor Hosafros moved to adjourn; second by Council Member Veach. Motion carried unanimously.

The meeting was adjourned at 3:09 p.m.

Minutes adopted as amended, November 15, 2021; Motion by Vice Mayor Hosafros and seconded by Council Member Veach. Adopted 5-0.



Amy Baker, Town Clerk