



# City of Sanibel

800 Dunlop Road  
Sanibel, FL 33957

## Meeting Minutes - Draft Planning Commission

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Tuesday, July 22, 2025

9:00 AM

BIG ARTS - 900 Dunlop Road

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### 1. Call To Order

The meeting convened at 9:01 A.M.

### 2. Pledge of Allegiance (Chair Nichols)

Chair Nichols led the Pledge of Allegiance.

### 3. Roll Call

**Present:** 7 - Chair Paul Nichols, Vice Chair Erika Steiner, Commissioner Tiffany Burns, Commissioner Ken Colter, Commissioner Larry Schopp, Commissioner Kate Sergeant, and Commissioner Lyman Welch

### 4. Public Comments on Items Not Appearing on the Agenda

None at this time

### 5. Consent Agenda

#### a. Adoption of Minutes: July 8, 2025

Commissioner Schopp moved, seconded by Commissioner Colter, to adopt the minutes of the July 8, 2025, meeting. The motion carried.

### 8. Report from Commission Members

The time had not come for hearings to be considered yet. Mr. Agnew suggested taking up later agenda items to make the meeting more efficient. Chair Nicols asked for Commissioner comments. Commissioner Welch spoke to the discussion at the Council meeting related to density transfers. Further inquiring how the Sanibel Plan sets forth the amount of density and the potential to bring about changes to these figures to allow more density on properties with need; for example Below Market Rate Housing. Commissioners spoke to the transfer of density units, stating it was unclear in the Charter whether this type of transfer would require a referendum. How the language includes rounding figures, and Mr. Schopp clarified this rounding provision relates to how to count the votes within the referendum.

Commissioners inquired how owners would go about transferring density units. Deputy Planning Director Chandler spoke to the transfers of density units prior to the adoption of the land development code, the historical maps and their

amenability. Further noting that it might be possible with an attorney's interpretation. Mr. Schopp spoke about his historical knowledge of the subject. The intention in 2004 being to snapshot the residential density on Sanibel, not to increase or change the intensity of use or residential density. Attorney Agnew spoke to there not presently being a mechanism in the code that would allow the transfer of density credits. Discussion ensued regarding the intention of the provision. Mr. Agnew stated how this was looked at globally in 2004, not looking at it parcel by parcel but rather via a formula, not to be any more intensive use than the density described in the 2004 Sanibel Plan. He further noted the direction of Council for the Planning Commission to consider.

Commissioners noted that it is common in other areas to have the ability to transfer density with the idea that it minimizes impacts to certain ecological zones or otherwise protected areas of a City.

## 6. 9:05 - Public Hearings:

- a. Consideration of an application filed pursuant to Land Development Code Chapter 82, Article III, Division 3, Subdivision II. - Variances, Section 82-138. - Application and hearing, to request a variance from Sec. 126-876. - Relation to mean low water level, to allow for a dock limited to non-motorized vessels and observational purposes on a natural water body with a mean low water level less than three feet above the bottom surface located at 5809 Sanibel Captiva Road - tax parcel (STRAP) no. 11-46-21-T3-00012.0070. The application is submitted by Submerged Consultants, LLC on behalf of Grace Amplatz, the property owner. **Application Nos. VAR-2025-000264 and DKSL-2024-016699.**

Deputy Planning Director, Craig Chandler, read into record the description of the hearing for Application Nos. VAR-2025-000264 and DKSL-2024-016699

Deputy City Clerk, Anna Hicks, swore in the following:

- Kim Ruiz, Principal Planner
- Kodi Collie, Submerged Consultants
- Dana Dettmar, Environmental Biologist

Deputy City Clerk, Anna Hicks, polled the Commission for site visits, ex-parte communications, and conflict:

- Chair Nichols	Site Visit	No Ex-parte	No Conflict
- Vice Chair Steiner	Site Visit	No Ex-parte	No Conflict
- Commissioner Burns	Site Visit	No Ex-parte	No Conflict
- Commissioner Colter	Site Visit	No Ex-parte	No Conflict
- Commissioner Schopp	No Site Visit	No Ex-parte	No Conflict
- Commissioner Sergeant	No Site Visit	No Ex-parte	No Conflict
- Commissioner Welch	No Site Visit	No Ex-parte	No Conflict

Principal Planner Ruiz detailed her staff report into the record. Emphasizing the 7 conditions listed in her report. Mr. Collie accepted all the conditions listed in the report.

Commissioners thanked staff for their work with the applicant. Commissioners inquired what would trigger the requirement for applicants to apply for a Department of Environmental Protection (DEP) Permit. Staff noted this was because the bottom of this particular canal is part of the State's sovereign submerged lands. She additionally added that the Army Corps of Engineers (ACOE) might require a permit in the interest of protecting the population of Small Tooth Sawfish in the area. Also, that moving sediment would require a DEP permit.

Commissioners concluded with comments noting this was a good project and a great use of the waterway, further emphasizing how if the applicant were to request a lift for a motorized vessel, the application may not have been approved today.

**Commissioner Schopp moved, seconded by Vice Chair Steiner to adopt Resolution 25-28, approving applications VAR-2025-000264 and DKSL-2024-016699, to allow a dock limited to non-motorized vessels, at observational purposes on a natural body of water, with a mean low water level less than 3 feet at the bottom surface at the property located at 5809 Sanibel Captiva Road subject to conditions set forth in the staff report. The motion carried by unanimous vote.**

- b.** Consideration of an application for a Development Permit filed pursuant to Land Development Code Chapter 82, Article IV, Division 2, Subdivision III - Long Form, Section 82-421(1) and Section 82-422 - Scheduling and notice, for dredging of a human-made body of water for motorized boat access adjacent to the subject property located at 634 North Yachtsman Drive - tax parcel No. 20-46-23-T2-01500.0420. The application is submitted by Kevin Davis, Bayside Dredging LLC (the applicant), on behalf of Acme Sanibel FL LLC (the property owner).

**Application No. DPLF-2025-000267.**

Deputy Planning Director, Craig Chandler, read into record the description of the hearing for Application No. DPLF-2025-000267.

Deputy City Clerk, Anna Hicks, swore in the following:

- Craig Chandler, Deputy Planning Director
- Dana Dettmar, Environmental Biologist
- Kevin Davis, Bayside Dredging

Deputy City Clerk, Anna Hicks, polled the Commission for site visits, ex-parte communications, and conflict:

- Chair Nichols	Site Visit	No Ex-parte	No Conflict
- Vice Chair Steiner	Site Visit	No Ex-parte	No Conflict
- Commissioner Burns	Site Visit	No Ex-parte	No Conflict
- Commissioner Colter	Site Visit	No Ex-parte	No Conflict
- Commissioner Schopp	Site Visit	No Ex-parte	No Conflict
- Commissioner Sergeant	Site Visit	No Ex-parte	No Conflict
- Commissioner Welch	Site Visit	No Ex-parte	No Conflict

Deputy City Clerk, Anna Hicks, swore in the following:

- Kim Ruiz, Principal Planner
- Dana Dettmar, Environmental Biologist
- Oisin Dolley, City Engineer
- Jordan Varble, Johnson Engineering

Mr. Chandler detailed his attached staff report. The applicant, Mr. Davis, accepted all conditions listed in the staff report.

The commission inquired about the docks pilings. Mr. Chandler noted this application was only for the dredging and that a supplemental permit was submitted for the dock itself. Commissioners expressed concerns for a Army Corps of Engineers (ACOE) or the Department of Environmental Protection (DEP) permit. Mr. Chandler noted this could be added as part of the motion for condition 4.

Discussion ensued regarding the boat length provision, that the vessel has to be under 65 feet, and if the owner had agreed. Mr. Chandler spoke to the owner, agreeing.

Commissioners further inquired how the 65 feet was determined. Discussion ensued regarding the maximum boat length allowed at the Sanibel Marina. Commissioners inquired about how to go about amending the allowable boat length. Mr. Chandler spoke to the ordinance currently in place and noted that a Plan Amendment Application would need to be submitted for review.

**Commissioner Schopp moved, seconded by Commissioner Colter, to adopt Resolution 25-19 approving Application No. DPLF-2025-000267 to allow for dredging of a human-made body of water for motorized boat access adjacent to the subject property located at 634 North Yachtsman Drive, subject to the application and attachments included, to the conditions contained in the attached staff report, and add compliance with the requirements of government agencies consulted and authorizing the Chair to execute the resolution without bringing it back for further consideration. The motion carried by unanimous vote.**

- c. Consideration of an application for a Development Permit filed pursuant to Land Development Code Chapter 82, Article IV, Division 2, Subdivision III - Long Form, Section 82-421(1) and Section 82-422 - Scheduling and notice, to request a maintenance dredge of the Sanibel River from Junonia Street east to the Beach Road Weir. The application is submitted by Dana Dettmar, Natural Resources Department, on behalf of the City of Sanibel. **Application No. DP-2025-020806.**

Commissioner Colter stepped out of the meeting at 9:55 AM.

Deputy Planning Director, Craig Chandler, read into record the description of the hearing for Application No. DP-2025-020806.

Deputy City Clerk, Anna Hicks, swore in the following:

- Kim Ruiz, Principle Planner

- Dana Dettmar, Environmental Biologist
- Jordan Varble, Johnson Engineering, Consultant
- Oisin Dolley, City of Sanibel Engineer

Deputy City Clerk, Anna Hicks, polled the Commission for site visits, ex-parte communications, and conflict:

- Chair Nichols	Site Visit	No Ex-parte	No Conflict
- Vice Chair Steiner	Site Visit	No Ex-parte	No Conflict
- Commissioner Burns	No Site Visit	No Ex-parte	No Conflict
- Commissioner Schopp	No Site Visit	No Ex-parte	No Conflict
- Commissioner Sergeant	No Site Visit	No Ex-parte	No Conflict
- Commissioner Welch	No Site Visit	No Ex-parte	No Conflict

Commissioner Colter returned at 9:58 AM.

Deputy City Clerk, Anna Hicks, polled Commissioner Colter upon his return:

- Commissioner Colter	Site Visit	No Ex-parte	No Conflict
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Principal Planner Ruiz detailed her staff report into the record.

Commissioners expressed concerns regarding the lack of conditions in comparisons to other dredge permits the Commission has seen. Ms. Ruiz spoke to being consistent with other conditions set forth in previous applications. Staff gave some background to the project, noting the many stakeholders involved, and the grant funding secured for the project.

Commissioners discussed how this was a good area to have dredged and cleaned up, spoke positively about being able to hold more storm water not on private property.

Dana Dettmar, Environmental Biologist, spoke to the requirements of the grant, requiring the City to mitigate any damage done to the shoreline in the areas of the project. Finally noting that the Army Corps Permit is still under review by the organization.

Commissioners inquired about the use of mechanical vs. hydraulic dredging. Staff spoke to the hydraulic being a less invasive, more ecologically beneficial technique. Discussion ensued regarding the benefits of holding more stormwater. Ms. Dettmar spoke to the unadopted 2018 Storm Water Master Plan Update and how this was suggested then to be implemented to have beneficial impacts on the area.

Jordan Varble from Johnson Engineering gave a detailed explanation of the rainfall and how this project will benefit by moving the water out quickly.

Oisin Dolley, the City's Engineer, reminded the group that the Sanibel River is a

closed system, the goal being to hold more water for a longer period of time to reduce the number of releases to the bay waters. Discussion ensued regarding rainfall vs. storm surge. Commissioners inquired about Tarpon Bay dredging. Staff noted not at this time, how that slough is much larger and can hold a lot more with less development around.

Discussion continued regarding the wildlife impacts, the permit not including best practices. Ms. Dettmar spoke to the seasonality of animals in the area, and assured the Commission that Natural Resources would ensure the contractors would be complying with all regulations related to wildlife protection.

A comment regarding the Commission reviewing this application prior to the ACOE permit being secured was brought forward. Mr. Chandler noted the state statutes requiring the City to accept a permit application despite the lack of other agencies permitting. Commissioners inquired about vegetation trimming in this area, Ms. Dettmar addressed the concern, stating there is a bi-annual river clearing project that takes place and addresses the issue.

**Commissioner Schopp moved, seconded by Commissioner Sergeant to adopt Resolution 20-25, approving Application No. DP-2025-020806 allowing the maintenance dredge of the Sanibel River from Junonia Street east to the Beach Road Weir, subject to the conditions listed in the staff report, and allowing the Chair to execute the resolution without bringing it to the Commission for further consideration. The motion carried by unanimous vote.**

## **7. Report from Planning Department**

- a.** Upcoming meeting dates:
  - i. Planning Commission - Tuesday, August 12, 2025
  - ii. Land Development Code Review Subcommittee - Tuesday, September 30, 2025 -  
Following Planning Commission
  - iii. Report to City Council - Tuesday, August 19, 2025 - Commissioner Sergeant
- b.** Report on Pending CUP Application

Deputy Planning Director detailed the next meetings of the commission; no hearing is scheduled for the next meeting as of today. Waiting on an acceptance of conditions before brining this new conditional use permit forward regarding a seawall.

## **9. Public Comment**

None at this time

## **10. Adjournment**

There being no further business, the meeting adjourned at 10:30.