



City of Sanibel

Planning Commission

Planning Department Staff Report

Planning Commission Meeting: May 12, 2026

Application Number: PL20260019

Applicant: Rachel Bielert (RLBCM, LLC)

Address: 1517 Periwinkle Way

PUBLIC HEARING DESCRIPTION

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, and Section 82-144 – Below market rate housing, to request a variance from Section 86-164 – Limitations on principal buildings, to allow for a multifamily building to be constructed so that there are more than two dwelling units, vertically, in the building, for the redevelopment of multifamily housing (15 units) dedicated to the Below Market Rate Housing Rental Program located at 1517 Periwinkle Way – tax parcel (STRAP) no. 30-46-23-T1-00004.0080. The application is submitted by Rachel Lee Bielert, RLBCM (the applicant) on behalf of Community Housing & Resources, Inc., (the property owner). **Application No. PL20260019.**

ISSUES

Pursuant to Sanibel Code Section 82-136. – Authorization. and Section 82-137 – Conditions., the subject application has been referred to the Planning Commission to address the following issues:

1. Does the subject application comply with Sanibel Code Section 82-144. – Below market rate housing, which allows the planning commission to grant variances necessary to accommodate below market rate housing developments?
2. If the Planning Commission approves the application, what additional conditions should be required?

ATTACHMENTS

A	Applicant’s narrative response to variance standards (Sec. 82-140)
B	Ordinance 25-008 – City Council approval of application CUP-2025-000255 - Conditional Use for Increased Density for Below Market Rate Housing
C	Resolution 25-09 – Planning Commission approval of application VAR-2025-000256 per Sec. 82-144
Exhibits as approved:	
D	Site Plan
E	Elevation Drawings
F	Angle of Light Exhibit
G	Landscape Plans

BACKGROUND

The subject property is located at 1517 Periwinkle Way, however without roadway frontage to Periwinkle Way. The lot is surrounded on three sides by commercial developments – 7 Eleven (north), Fish House (west), VCA Animal Hospital (east), and the Sanibel River to the south. The property consists of approx. 0.95 acre.

Lands within four hundred (400) feet of Periwinkle Way are in the GC – General Commercial District. On the subject property approximately the northern 260 feet of the subject property is within the GC district. The remaining area of the property to the south is outside the commercial district and is in the D-2 Upland Wetlands ecological zone/residential district. All lands within two hundred (200) feet of the Sanibel River are also located within the Interior Wetlands Conservation District.

Access to the property is provided via a twenty (20) foot wide easement through 1521 Periwinkle Way (7 Eleven) to Periwinkle Way. The property was developed pre-city incorporation to a lawfully nonconforming residential density of 10 dwelling units (four efficiency and six one-bedroom apartments) in a single multi-family structure located in the northern portion of the site. The units were dedicated to the Below Market Rate Housing rental program starting in 1982. The subject property otherwise is permitted up to three (3) dwelling units based on the development intensity map of the Sanibel Plan.

The principal structure was destroyed by Hurricane Ian, and, in 2023, the building was demolished with intent to redevelop for Below Market Rate Housing units.

In 2025, city council approved the request by the applicant to redevelop Riverview Apartments and increase the density for below market rate housing (a conditional use) from three units (allowed) to fifteen (15) units in a single multi-family structure and associated facilities including twenty off-street parking spaces, mailboxes, trash and recycling (Ordinance 25-008).

To allow the proposed plans for redevelopment, the planning commission approved six variances from requirements of the Land Development Code (Resolution 25-09):

- Sec. 86-163. – Maximum number of dwelling units, to allow 15 units in one building instead of 12 units in one building.
- Sec. 86-165. – Limitation on side yard setbacks and height of structures, to allow an angle of light encroachment on the west side of the property adjacent to the parking lot behind Fish House Restaurant, as illustrated in Attachment E.
- Sec. 122-48. – Location and size of required vegetation buffers, to accept buffer widths less than the required 15 feet, proportional to variance requests from minimum setbacks.
- Sec. 122-49. – Types, varieties and numbers of plants required, to accept fewer than the required plants proportional to the requested variance for reduced buffer width.
- Sec. 126-494. – Required conditions; to allow a side setback of 4.7 feet from the east property line for ten (10) 90-degree off-street parking spaces instead of 15 feet, a side setback of 1.6 feet from the north property line to accommodate shared trash and recycling facilities with 7 Eleven, and a side setback of 6.7 feet from the west property line for balconies that serve both as ancillary habitable floor space and a serviceable location for condensing units, all as illustrated in Attachment C.
- Sec. 126-1404. – Driveways and service aisles, to allow a minimum entrance driveway width of 20 feet instead of 22 feet.

PROPOSAL

In reviewing the application for Riverview II, a 39-unit below market rate housing development adjacent to this property, staff became aware that one additional variance should have been included, to allow the multi-family building to be constructed with three habitable stories over parking.

- *Sec. 86-164. – Limitations on principal buildings*, to allow a building designed and constructed with three units vertically.

A copy of the applicant’s responses to variance standards is included as **Attachment A**. A copy of the ordinance approving the conditional use permit for increased density for below market rate housing is included as **Attachment B**. A copy of the planning commission resolution approving the six variances associated with development of the multifamily building is included as **Attachment C**. The approved site plan is **Attachment D**, elevation drawings are in **Attachment E** with additional angle-of-light exhibit as **Attachment F**. The landscape plans are included as **Attachment G**.

ANALYSIS

The table, below, provides a summary of analysis relative to each condition or standard in review of the variance necessary.

Analysis of variance request to Sec. 86-164. – Limitation on principal buildings		
Sanibel Code Requirement	Staff Comments	Requirement met?
Sec. 82-144. – Below market rate housing.	Please reference Attachment A alongside the corresponding staff comments below.	
The Planning Commission may grant variances necessary to accommodate below market rate housing developments which are in compliance with all other requirements of this Land Development Code.	<p><i>Sec. 86-164. Except in the resort housing district, no building shall be designed and constructed so that there are more than two dwelling units, vertically, at any point in the building.</i></p> <p>In the context of Sanibel Plan goals for housing to expand the number below market rate housing units, it is reasonably necessary to maximize the number of units in a single structure, so long as the appearance, size, and massing of the proposed structure and parking areas is consistent with the character of the surrounding area. In this case, the property is surrounded by commercial development. The allowed height within the commercial district is 45 feet, and the building complies with this limitation. Therefore, the building with more than two dwelling units, vertically, does not conflict with compatibility standards.</p>	Yes. The building was previously approved for the number of units and building height in this location.

PUBLIC COMMENT

Staff have not received any public comment on this item.

RECOMMENDATIONS AND CONDITIONS

Staff have made the following findings in support of its recommendations:

- Staff find the proposed variance to accommodate below market rate housing is reasonably necessary and will not have an adverse effect on surrounding uses.
- Staff find that no additional conditions are necessary related to the additional variance requested.
- The six (6) conditions related to the variance petition approved via Planning Commission Resolution 25-09, for the redevelopment of multifamily housing (15 units) dedicated to the Below Market Rate Housing Rental Program, remain in full force and effect:
 1. The proposed scope of work is contingent upon City Council approval of an application to increase density for below market rate housing (CUP-2025-000255).
 2. An as-built survey is required to verify conformance with the approved site plan.
 3. Pursuant to Section 126-651. – Preservation and enhancement of resources, development shall not take place within the Interior Wetlands Conservation District. The portion of the property within the Interior Wetlands Conservation District shall be preserved by means of a conservation easement or through dedication of such land areas to the city or to a nonprofit conservation entity to manage, or other means, to provide the continued maintenance of conservation lands. Any easement shall be recorded in the official records of the Lee County Clerk of Courts.
 4. A signed agreement for the use of shared trash and recycling facilities located on the subject property to the property owner of 1521 Periwinkle Way (Southland Corporation) shall be recorded in the official records of the Lee County Clerk of Courts prior to issuance of a Certificate of Occupancy. The City of Sanibel shall be notified no less than sixty (60) days prior to termination of this agreement.
 5. Bike parking facilities for no less than 15 bikes shall be installed and maintained in conformance with all applicable development standards (i.e. setbacks, developed area, coverage).
 6. Obtain all necessary building, development, and vegetation permits prior to commencement and within twelve (12) months from the effective date of this resolution.

Staff, therefore, recommend approval of variance application PL20260019.