

CITY OF SANIBEL
DRAFT PLANNING COMMISSION RESOLUTION 26-02

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANIBEL DETERMINING APPLICATION NO. PL20260005, FILED PURSUANT TO SECTION 82-421, APPLICATION, SECTION 82-422, SCHEDULING AND NOTICE, SECTION 82-423, HEARING, AND SECTION 86-44, PUBLIC FACILITIES, TO ALLOW DEVIATIONS FROM REQUIRED CONDITIONS OF THE LAND DEVELOPMENT CODE RELATED TO FLOOR AREA RATIO IN THE TOWN CENTER LIMITED COMMERCIAL DISTRICT FOR AN APPLICATION TO REDEVELOP FIRE DISTRICT STATION 171 ON PROPERTY OWNED BY SANIBEL FIRE AND RESCUE DISTRICT AND LOCATED AT 2351 PALM RIDGE ROAD, TAX PARCEL (STRAP) NO. 26-46-22-T2-0030B.0020; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 82-421 provides for the submittal of long-form applications, Sections 82-422 and 82-423, provide for the scheduling and notice, and hearing , respectively, of those applications, and Section 86-44, public facilities, allows for deviations from the required conditions, limitations, and restrictions of the Land Development Code which would otherwise be applicable, as long as the development approved is not inconsistent with the intent and purpose of the Sanibel Plan; and

WHEREAS, Sanibel Fire and Rescue District is the owner of the property located at 2351 Palm Ridge Road, has authorized Lisa Giordano and John Wojdak, RESPEC Company, LLC, to submit Application No. PL20260005 to allow deviations from required conditions of the Land Development Code related to floor area ratio (FAR) in the Town Center Limited Commercial District for an application to redevelop Fire District Station 171; and

WHEREAS, the applicant has requested approval of Application No. PL20260005 for the property located at 2351 Palm Ridge Road; and

WHEREAS, a duly noticed public hearing of the application was held on February 24, 2026; and

WHEREAS, after providing the applicant, staff, and the public an opportunity to present testimony and evidence, the Planning Commission finds that the requirements of Section 86-44 of the Code of Ordinances have / have not been met and that the application should therefore be approved / denied.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SANIBEL, FLORIDA hereby approves / denies Application No. PL20260005 to allow deviations from required conditions of the Land Development Code related to floor area ratio in the Town Center Limited Commercial District for an application to redevelop Fire District Station 171, located at 2351 Palm Ridge Road (tax parcel No. 26-46-22-T2-0030B.0020) and owned by Sanibel Fire and Rescue District.

Approval of this Petition is pursuant to the application and attachments included with the item, and subject to the following condition(s) contained in the February 24, 2026, staff report:

1. The conditions set forth in Planning Commission Resolutions Nos. 04-04 and 04-05.
2. A maximum floor area ratio (FAR) of 29%.

3. Development generally consistent with the building and site layout indicated in the architectural plans and civil plans (Attachments C & D to the staff report).
4. An as-built survey is required to verify compliance prior to issuance of a completion certificate.

Conditions contained herein are in addition to the requirements of the Sanibel Code. The applicant is required to comply with all regulations of the City of Sanibel. Some conditions stated herein reflect the current code requirements applicable at the time of approval of this permit. After the issuance of the completion certificate for this development or upon expiration of the development permit, any subsequent development or change of use for the parcel must comply with the regulations in effect at that time.

EXPIRATION OF PLANNING COMMISSION ACTION: In accordance with Land Development Code Section 82-424(f) Action on Application. When a development order is approved with conditions imposed thereon, such conditions shall be satisfied within the time limit specified in the development order issued by the Planning Commission. When such conditions specify requirements to be completed before a development permit is issued, and no particular time limit is specified for satisfaction of the conditions, such conditions must be satisfied within six months after issuance of the development order. Failure to satisfy a condition imposed upon the approval of a development permit, within the time limit specified therefor, or such extended time period as the Planning Commission may approve upon timely application of the permittee, shall cause the development order approving the development permit to be null and void and of no further force or effect.

EFFECTIVE DATE OF PLANNING COMMISSION ACTION: In accordance with Land Development Code Section 82-97. All actions of the Planning Commission, including those which constitute final decisions, shall be effective upon the date of filing of the adopted Resolution with the City Manager, or at a later date if provided in the Resolution. However, permits authorized by final decisions shall not be issued until one of the following has occurred: 1) The time for filing an appeal to City Council has elapsed; 2) The applicant and all other persons having appeal rights have filed a written waiver of appeal rights; or 3) If an appeal has been timely filed, the City Council has finally disposed of the matter.

RIGHT TO APPEAL PLANNING COMMISSION ACTION: In accordance with Land Development Code Section 82-98. Appeals. The applicant is hereby advised that the following persons have the right to appeal a final decision of the Planning Commission adverse to their interests: 1) The applicant; 2) The owner of the property proposed for development; 3) The developer of the property proposed for development; and 4) Any other person residing upon, or owning property within the City, or owning or operating a business within the City, who participated by written comment before or at the Planning Commission hearing or who participated in person or through an authorized agent at the Planning Commission hearing. The appeal shall be filed within 15 days after the date that the Planning Commission decision was filed. The appeal shall be filed with the City manager, and the filing fee shall be paid as a prerequisite to filing.

DISCLAIMER & PERMIT CONDITION (APPLICABLE ONLY IF FEDERAL OR STATE PERMITS ARE REQUIRED): Issuance of a development permit by the City does not create any right to obtain a permit from a State or Federal agency and does not create any liability on the part of the City for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a State or Federal agency or undertakes actions that result in a violation of State or Federal law. If applicable, all other State or Federal permits must be obtained before commencement of the project.

PASSED IN OPEN AND REGULAR SESSION OF THE PLANNING COMMISSION OF THE CITY OF SANIBEL, FLORIDA, THIS 24TH DAY OF FEBRUARY 2026.

Attest:

Scotty Lynn Kelly, City Clerk

Paul Nichols, Chair

Approved as to form and legality:

John D. Agnew, City Attorney

Date filed with City Clerk: _____

Vote of Commission Members:

Nichols	_____
Steiner	_____
Burns	_____
Colter	_____
Schopp	_____
Sergeant	_____
Welch	_____