



City of Sanibel

800 Dunlop Road
Sanibel, FL 33957

Meeting Agenda - Final Revised Planning Commission

*The times are estimated, but public hearings will not commence prior to
the time stated*

Tuesday, March 22, 2022

9:00 AM

City Hall

**AS OF 03/18/22 ADDED INFORMATION TO CONSENT AGENDA ITEM 6(a). AS OF 03/21/22
ADDED PUBLIC COMMENT TO ITEMS 7(a) AND 7(b). ADDED ATTACHMENTS FOR
ITEMS 7(a); 8(c)(i), AND 8(c)(ii).**

1. Call To Order
2. Pledge of Allegiance (Commissioner Kirchner)
3. Roll Call
4. Public Comments for Items Not Appearing on the Agenda
5. City Council Liaison Report
6. Consent Agenda

- a. Adoption of the March 8, 2022 Minutes

Attachments: [March 8, 2022 Minutes](#)

7. Public Hearings:

- a. Consideration of an application filed pursuant to Land Development Code Section 82-138, Application and hearing, for a **Variance** to Land Development Code Chapter 126, Article VII, Division 7 - D-2 Upland Wetlands Zone, Section 126-394 - Required conditions, (f) Setback from open bodies of water, to allow for the encroachment of the required minimum 20-foot setback to construct a single-family residence with driveway and swimming pool, at a setback of 0.0 feet measured from Mean High Water Line, located at 4586 Buck Key Road - tax parcel No. 13-46-21-T2-00100.1360). The application is submitted by Steven Hartsell, Esq. (Pavese Law Firm), on behalf of Keith & Leslie Castleberry (the property owners). **Application No. VAR-2021-31**

Attachments: [Castleberry Staff Report and Attachments](#)
[Castleberry Staff Report Addendum](#)
[Public Comment](#)

- b. Consideration of an application filed pursuant to Land Development Code Section 82-138, Application and hearing, for a **Variance** to Land Development Code Chapter 126, Article VIII, Division 2 - GC General Commercial District, Section 126-494(d) Required conditions, to allow for the placement and installation of an emergency electrical power generator atop an elevated platform at less than the minimum required side yard setback (25 feet) as measured from the side property line, accessory to an existing 162-seat restaurant (Cielo) located at 1244 Periwinkle Way - tax parcel No. 19-46-23-T3-00017.0000). The application is submitted by Marcus Preece, General Manager, for Cielo Restaurant, on behalf of Shoreline Finance, LLC (the property owner).

Application No. VAR-2022-35

Attachments: [Cielo Restaurant Staff Report and Attachments](#)
[Public Comment](#)

- c. The City of Sanibel proposes to adopt the following Planning Commission Resolution: A Resolution recommending the adoption of an ordinance amending the Sanibel Plan (comprehensive land use plan of the City of Sanibel) as necessary to comply with Section 163.7138(2)(f)1-6, Florida Statutes, "Peril of Flood" Community Planning Requirements. A public hearing on the resolution will be held on March 22, 2022 at 800 Dunlop Road, Sanibel, FL 33957.

Attachments: [Peril of Flood Staff Report and Attachments](#)

- d. The City of Sanibel proposes to adopt the following Planning Commission Resolution: A Resolution recommending the adoption of an ordinance amending the Sanibel Plan (comprehensive land use plan of the City of Sanibel) as necessary to comply with Section 163.3177, Florida Statutes, Private Property Rights Requirements. A public hearing on the resolution will be held on March 22, 2022 at 800 Dunlop Road, Sanibel, FL 33957.

Attachments: [Property Rights Element Staff Report and Attachments](#)

8. Report from Director of Community Services

- a. Upcoming meeting dates:
- i. Planning Commission - Tuesday, April 12, 2022
 - ii. Report to City Council - Tuesday, April 5, 2022 - Commissioner Symroski
 - iii. Permitting Process Review Subcommittee - Tuesday, April 12, 2022

Attachments: [2022 Planning Commission Meeting Schedule](#)

Attachments: [2022 PC Liaison to Council Calendar](#)

Attachments: [Subcommittees 2022 Workplan Calendar & Committee Assignments](#)

- b. Planning Priority Task and Project Matrix 2017-22

Attachments: [Planning Priority Matrix](#)

c. Planning Reports

i. Planning Permit Review Report

Attachments: [Completed Permit Review Report](#)
 [Permit Review Report](#)

ii. Plan Review Report

Attachments: [Completed Reviews Report](#)
 [Incomplete Reviews Report](#)

9. Report from Commission Members

10. Report from Commission Chair

11. Public Comment

12. Adjournment

“RULES OF CIVILITY FOR PUBLIC PARTICIPATION”

Therefore, Sanibel City Council sanctioned these rules for public participation while conducting meetings and workshops:

1. Speakers are permitted to deliver his or her comments without interruption.
2. Speakers and debates should focus on issues, not on persons or personalities.
3. Persons are encouraged to participate in the governmental process.
4. Sidebar discussions while others are speaking are not permitted in Council Chambers. These discussions are to be removed from the chamber so as not to be disruptive to those conducting and following Council business.
5. Only the speaker recognized by the Chairperson has the floor. Speakers should raise their hand to be recognized. Speakers should identify themselves for the record. Speakers should utilize the microphone so that their comments can be recorded.
6. Anyone wishing to speak on an issue is given an opportunity to speak before speakers are recognized for an opportunity to speak a second time on an issue.
7. We seek to understand one another's points of view.
8. Anger, rudeness, ridicule, impatience and lack of respect for others are not acceptable behavior. Demonstrations in support or opposition to a speaker or idea such as clapping, cheering, booing or hissing or intimidating body language are not permitted in Council Chambers or workshop facilities.
9. We should all take initiative to make things better. Our goal is to foster an environment, which encourages a fair discussion and exchange of ideas without fear of personal attacks.

As modified on January 18, 2019

ALL IN THE CITY OF SANIBEL, LEE COUNTY, FLORIDA

If a person decides to appeal a decision made by the Planning Commission on any matter considered at this meeting/hearing, such person may need to ensure that a verbatim record of the proceedings is made, to include the testimony and evidence upon which any such appeal is to be based.

In accordance with the Americans With Disabilities Act, persons needing a special accommodation to participate in this proceeding, to include hearing impairment, should contact Scotty Lynn Kelly, City Clerk, no later than one day prior to the proceedings at (239) 472-3700. For additional assistance if hearing impaired, telephone the Florida Relay Service at 711.

Citizens may request to receive Sanibel City Council and Planning Commission meeting agenda directly via e-mail. Citizens wishing to receive a copy of the agenda via e-mail may do so by visiting the City's website at www.mysanibel.com. Additionally, citizens may register to receive City announcements such as press releases.