



# City of Sanibel

## Planning Commission

### COMMUNITY SERVICES DEPARTMENT SUPPLEMENTAL STAFF REPORT

**Planning Commission Meeting:** April 27, 2021  
**Planning Commission Agenda Item No.:** 6 a.  
**Application No.:** 21-12538V / 21-12550DP  
**Applicant:** DeCorte Four Custom Home Builders

**RE:** Consideration of an application filed pursuant to Land Development Code Section 82-138, Application and hearing, for a **Variance** to Land Development Code Section 126-454(b) – Required conditions, Height (G – Altered Land Zone), to allow for construction of a single-family residence that exceeds applicable angle-of-light height limitations.

Consideration of an application for **Development Permit**, filed pursuant to Land Development Code Section 82-421, Application, to implement the proposed development of a single-family residence with swimming pool and associated improvements at 1226 Isabel Drive (tax parcel No. 18-46-23-T3-00300.0280).

The subject applications are submitted by DeCorte Four Home Builders, Inc. and Jeffery S. Gustafson (the applicant) on behalf of Kristin Bluvus (property owner). Application Nos. **21-12538V** and **21-12550DP**

#### ISSUES

In considering the subject applications, the following issues should be addressed:

- Does the applicant's request for a Variance comply with each of the seven variance standards set forth in Land Development Code Section 82-140 as required to be considered for the approval of a variance?
- Does the applicant's request for a Development Permit, to construct a new single-family residence with swimming pool, otherwise comply with the standards of Land Development Code Section 126-454, Required conditions (G – Altered Land Zone)?
- If the Planning Commission approves these requests, what additional conditions should be placed on the proposed development?

## BACKGROUND

At the February 23, 2021 Planning Commission hearing, a motion to approve application no. 21-12538V failed to pass a majority vote (3-3). The applicant was subsequently granted a request for continuation of the public hearing to a date uncertain to address comments provided by Planning Commissioners for reconsideration.

## PROPOSAL

The applicant proposes development of a principal structure that will penetrate the plane established by a primary and secondary angle-of-light (front and rear).

The previously rejected building elevation plans showed that, out of 64 horizontal feet of total building frontage, 36 feet will project above the plane of primary angle of light (56 percent). The revised building elevation plans provide that a maximum of 18 horizontal feet of the building frontage will project above the primary angle-of-light (28 percent), decreasing as the gabled end tapers to a point.

The points of conflict with the primary and secondary angle-of-light on the rear side of the proposed residence remain at two gabled ends, albeit significantly reduced in volume when compared with the previously rejected elevation plans. Approximately 24 horizontal feet (out of 64 total feet) project above the primary angle-of-light, a reduction of 24 percent from the prior design; and approximately 6 horizontal feet project above the secondary of light, a reduction of 33 percent.

A copy of the application for variance and narrative response to seven standards for variance is provided with this report as **Attachment A**. A copy of the site plan, dated April 8, 2021, is provided with this report as **Attachment B**. A copy of the building elevation plans are provided with this report as **Attachment C**. A copy of the vegetation/landscape plan is provided with this report as **Attachment D**. A copy of the boundary survey for 1226 Isabel Drive is provided with this report as **Attachment E**. Information demonstrating compliance with Land Development Code 86-43, Appearance of structures; size and mass of structures, is provided with this report as **Attachment F**. A copy of the staff report, dated February 23, 2021, is provided with this report as **Attachment G**. All public correspondence relating to the subject permit application, provided since the February 23, 2021 public hearing, is included as **Attachment H**.

## ANALYSIS

Pursuant to Land Development Code Section 82-140, Planning Commission may grant variances upon finding compliance with seven standards. Staff made the following findings:

### Generally:

- The site plan, dated April 8, 2021, demonstrates compliance with front yard setbacks, side yard setbacks, rear yard setbacks (Bay Beach zone), developed area, and coverage standards.
- The proposed residence complies with the maximum height limit of 35 feet measured from pre-development grade, as well as the angle-of-light plane on the east and west sides of the property.
- Additionally, Public Works staff has determined that on-site retention for the purpose of stormwater management will not be required, as Sanibel Harbours provides subdivision drainage.

### Variance Standard #1:

- The subject parcel is subject to two 50-foot setbacks; from the north (Bay beach setback) and south (front yard setback).
- Additional setback of the structure to achieve compliance with angle-of-light limitations presents a significant challenge due to the limited depth of the subject parcel. Further reduction of living area may deprive the owner of reasonable use and enjoyment of the parcel in the same manner as others similarly situated.

### Variance Standard #2:

- The hardship demonstrated is particular to buildable lots adjacent to the Bay Beach zone, where the development pattern of its established neighborhood presents a challenge to achieve size, appearance, and mass compatibility and comply with increased setback requirements. Other properties situated predominately in the G – Altered Lands zone are not subject to this constraint.

### Variance Standard #3:

- Special conditions of the subject property did not result from actions taken by the applicant and are not self-imposed.

### Variance Standard #4:

- Staff concludes that alternate siting of the principal structure as designed will not achieve full compliance to LDC Section 126-454(b).
- The applicant provided a revised design, which incorporates two hipped roof articulations, rather than gabled ends, to reduce the volume in which the proposed building penetrates the primary angle-of-light.

- There remains a single gabled end (on both front and rear), which penetrates the primary and secondary angle-of-light. The applicant provides these features cannot be reduced without impacting accessibility to the second living level.

Variance Standard #5:

- Relief from the angle-of-light height standard will not result in use of the subject parcel other than the proposed single-family residence.

Variance Standard #6:

- Staff determined that the proposed single-family residence is consistent in scale with an average-sized single-family residence in the Sanibel Harbours established neighborhood.
- Staff does not anticipate any adverse impacts to neighboring properties, because of the proposed development.

Variance Standard #7:

- The requested variance is considered minimum necessary to mitigate the hardship recognized by staff. The applicant has effectively reduced the total penetration of the front and rear angle-of-light.

## **PUBLIC COMMENT**

Following the public hearing on February 23, 2021, City Council received a letter, dated March 31, 2021, from Sanibel Harbour HOA President Marty Harritty expressing HOA support for the original proposal, which was denied approval, and their continued support of the revised proposal under consideration at this hearing.

## **CONCLUSION**

Planning Staff concludes that application 21-12538V complies with all seven variance standards, as provided in Land Development Code Section 82-140.

If the Planning Commission finds that the proposed plans are in conformance with all applicable Sanibel Code requirements for variance, staff recommends that approval is subject to the following conditions:

1. All construction shall be in conformance with the scope of work as provided in **Attachment A**, the site plan (dated April 8, 2021) as provided in **Attachment B**, and building elevation plans as provided in **Attachment C** (dated April 7, 2021) of this Supplemental Staff Report.
2. The applicant shall obtain all applicable Building permits prior to commencement of construction.
3. The applicant shall comply with all other applicable development



standards of Land Development Code Section 126-454, as well as Article XIII – Environmental performance standards, Division 6 – Bay beach zone and Division 7 – Altered Land zone.

4. No development activity is permitted in the B – Bay beach zone, including but not limited to placement of fill, excavation of fill, and/or coverage of shell, stone, sand, or mulch in lieu of vegetation. Maintain a “no fertilizer” buffer zone of at least 25 feet from the Mean High Water Line of San Carlos Bay, which shall remain free of non-native vegetation, including non-native sod or grasses such as St. Augustine, Bahia, Bermuda or Zoysia.
5. Obtain a vegetation permit prior to removal or relocation of native vegetation.
6. Exotic species of plants which out compete or otherwise displace native plants, including Brazilian pepper *Schinus terebinthifolius*, the Cajeput or Punk tree *Melaleuca quinquenervia*, Earleaf Acacia *Acacia auriculiformis*, Lead tree *Leucaena leucocephala*, Java Plum *Syzygium cumini*, Air Potato *Dioscorea bulbifera*, Exotic Inkberry *Scaevola frutescens*, *Scaevola sericea* and Mother-in-law's Tongue/Bowstring Hemp *Sansevieria hyacinthoides* shall be removed from within the boundaries of the parcel proposed for development or site alteration. The parcel shall be kept permanently free of such exotics.
7. Comply with applicable flood and storm-proofing requirements of Sanibel Code Chapter 94, Floods.
8. Maintenance of existing site drainage patterns and stormwater management is required (Sanibel Harbours subdivision drainage).
9. All exterior lighting shall be designed and installed to prevent glare and light trespass. Light shall not be allowed to cause glare affecting motorists, bicyclists, or other users of roads, driveways, and bicycle paths. Full cutoff fixtures must be used. Uplighting is prohibited. All outdoor lighting, including building, parking and aesthetic lighting, must use full cutoff fixtures. Lights that are properly installed in an architectural space (such as under a porch roof or roof overhang) which provides the functional equivalent of a full cutoff fixture, need not use full cutoff fixtures. Full cutoff fixtures are luminaires that do not emit any light, either directly or by reflection or diffusion, above a horizontal plane running through the lowest part of the fixture. Mercury vapor lighting is prohibited. High pressure sodium lighting is permitted and encouraged. Motion detector security lighting is permitted and encouraged in order to maximize safety, minimize overall illumination, and conserve energy.
10. Newly installed artificial light sources shall comply with Land Development Code Section 126-1000 – Beachfront lighting for marine turtle protection. Tinted glass shall be installed on all windows and glass doors of single-story or multistory structures within line of sight of the beach.
11. Many of the conditions contained herein are for information purposes to assist the applicant and are requirements of the Land Development 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.

**INDEX TO STAFF REPORT ATTACHMENTS**

<b>Attachment</b>	<b>A</b>	-	Application for variance and narrative response to seven standards for variance
<b>Attachment</b>	<b>B</b>	-	Site plan
<b>Attachment</b>	<b>C</b>	-	Building elevation plans
<b>Attachment</b>	<b>D</b>	-	Vegetation/Landscape plan
<b>Attachment</b>	<b>E</b>	-	Boundary survey
<b>Attachment</b>	<b>F</b>	-	Information demonstrating compliance with LDC Section 86-43
<b>Attachment</b>	<b>G</b>	-	Staff Report dated 2-23-21
<b>Attachment</b>	<b>H</b>	-	Sanibel Harbours HOA Letters to Mayor Smith et. al dated 3-31-21



CITY OF SANIBEL  
Planning Department  
**APPLICATION FOR VARIANCE**  
(WITH APPLICATION INFORMATION)

**STAFF USE ONLY**

APPLICATION No: \_\_\_\_\_ FILING DATE: \_\_\_\_\_ ACCEPTED BY: \_\_\_\_\_ FEE: \_\_\_\_\_

**PART I. PARCEL IDENTIFICATION**

TAX STRAP NUMBER: 1 8 - 46 - 2 3 - T 3 - 0 0 3 0 0 0 0 2 8 0

STREET ADDRESS OF PROPERTY: 1226 Isabel Dr

**PART II. OWNER & APPLICANT INFORMATION**

**NAME OF OWNER:** Jeffery S. Gustafson

Owner's Mailing Address: 153 Lake St East, Wayzata MN 55391

Owner's Phone No: 612-267-2670 Business 612-462-4000 Fax \_\_\_\_\_

Owner's Email Address: sven@stonewood.com

**NAME OF APPLICANT:** DeCorte Four Custom Home Builders, Inc.

Applicant's Address: PO Box 922 Sanibel Fl. 33957

Applicant's Phone No: 239-472-8446 Business 239-472-8446 Fax \_\_\_\_\_

Applicant's Email Address: ron.decortefour@gmail.com

Applicant's Interest in Property: Contractor

**PART III. PROVIDE A BRIEF DESCRIPTION OF THE PROPOSED DEVELOPMENT**

Construct a new single family home with a pool

IDENTIFY THE LAND DEVELOPMENT CODE SECTION(S) FROM WHICH VARIANCE IS REQUESTED:

LDC Sec. 126-454(b) Height

**APPLICATION FOR VARIANCE**  
(WITH APPLICATION INFORMATION)

**PART IV. ATTACHMENTS CHECKLIST**

The information and attachments requested as part of this application are the minimum necessary to determine compliance with the requirements of the Sanibel Plan and the Land Development Code (LDC). The city may require additional information, or waive certain requirements, at any time during the application process depending upon the nature of the variance request. (Ref. Land Development Code Section 82-138). For a complete explanation of each item, refer to the Planning Department handout entitled "Instructions for Permits and Other Applications of the Sanibel Island Development Code".

\_\_\_\_ DESCRIBE HOW THIS APPLICATION MEETS THE SEVEN (7) VARIANCE STANDARDS  
\_\_\_\_ VERIFICATION OF PERMITTED RESIDENTIAL DENSITY (See LDC Section 86-91 and 86-92)  
\_\_\_\_ DEED OR LEE COUNTY OWNER OF RECORD  
\_\_\_\_ OWNER'S AUTHORIZATION (Certified Form Available in the Planning Department)  
\_\_\_\_ OTHER AGENCY PERMITS (Certified Statement - Required permits - Copy of Application/Form)  
\_\_\_\_ LOCATION MAP  
\_\_\_\_ SITE DEVELOPMENT PLAN (1" = 20')  
\_\_\_\_ DRAINAGE PLAN OR VERIFICATION OF EXISTING DRAINAGE IMPROVEMENTS  
\_\_\_\_ EXTERIOR LIGHTING PLAN  
\_\_\_\_ VEGETATION PLAN  
\_\_\_\_ WILDLIFE HABITAT IDENTIFICATION AND PLAN FOR PRESERVATION  
\_\_\_\_ VERIFY GOPHER TORTOISES ARE PROTECTED ON SITE OR HAVE BEEN REMOVED  
\_\_\_\_ IWA - WATER AVAILABILITY LETTER  
\_\_\_\_ BUILDING PERMIT APPLICATION  
\_\_\_\_ FLOOR PLANS (1/4" = 1')  
\_\_\_\_ TYPICAL WALL SECTION (1/4" = 1')  
\_\_\_\_ BUILDING ELEVATIONS (Front, Back, and Side; Showing Height And Setback Compliance)  
\_\_\_\_ FLOODPROOFING CERTIFICATION (For Coast High Hazard Areas)  
\_\_\_\_ OTHER INFORMATION REQUIRED FOR COMPLIANCE WITH THE LAND DEVELOPMENT CODE:

**PART V. PUBLIC HEARING NOTIFICATION REQUIREMENT**

\_\_\_\_ PROVIDE NAME AND ADDRESS LABELS FOR ALL PROPERTY OWNERS WITHIN A RADIUS OF 300 FEET OF THE EXTREME LIMITS TO THE PARCEL PROPOSED FOR DEVELOPMENT (to be obtained from Lee County Geographic Information System Department). REFER TO THE "Adjacent Property Owners" SECTION OF THE "Instructions for Permits and Other Applications of the Sanibel Land Development Code" FOR DETAILS ON OBTAINING THIS INFORMATION.

\*\*\*\*\* **CERTIFICATION** \*\*\*\*\*

I hereby certify that the information contained in this application and the attachments hereto are true and correct to the best of my knowledge and belief. Furthermore, I acknowledge that the City has the right to inspect the subject property in conjunction with this development permit application. (Please advise the City of any restrictions or limitations on the inspections.)

  
Ron DeCorte

1-14-2021

**SIGNATURE OF OWNER / OWNER'S AUTHORIZED REPRESENTATIVE**

**DATE**

**NOTE TO THE OWNER/APPLICANT:** A development permit is required in addition to this variance request in order to implement the use and may be filed concurrently or subsequently to this application. If filed subsequently to this application, the development permit must be obtained within a period of twelve (12) months after variance approval. The proposed development may be subject to private deed restrictions or covenants. It is the applicant's responsibility to verify with the appropriate property owners association whether the proposed development complies with the applicable deed restrictions or covenants. **The City does not enforce deed restrictions or act as an arbitrator between the applicant and the association.**

**APPLICATION FOR VARIANCE**  
(WITH APPLICATION INFORMATION)

**The Planning Commission may grant variances only upon finding that the request meets the seven standards set forth in Land Development Code Section 82-140. Describe how your request meets each requirement:**

1. A literal enforcement of the particular regulation would result in undue and unnecessary hardship to a property owner because the particular shape, size, location, or topography of a lot or parcel, or of a structure thereon, would cause practical difficulties that would deprive the owner of reasonable use and enjoyment of said lot or parcel in the same manner as other properties similarly situated:

The size of the lot in conjunction with the required setbacks in this location do not allow for a house and pool to be constructed similar to the properties adjacent.

The home conforms to the angle of light requirements on the left and right side, as well as the west side of the rear of the structure. We are requesting relief from the angle of light solely on the street and bay sides of the home.

2. That the special conditions relate to unusual conditions peculiar to the specific lot or parcel or relate to special conditions of the structure involved, and are not generally applicable to other lands or structures similarly situated:

The shallow lot and large setbacks required for this lot (Bay Beach Zone) do not allow enough space to construct a home of similar properties as adjacent homes to be constructed without encroaching the angle of light (primary and secondary)

3. That the special conditions and circumstances do not result from actions taken by the applicant or proposed by the applicant, and are not otherwise self-imposed:

Applicant has made every effort to place the home and pool in such a way as to not need the requested variance, but can not avoid requesting the variance to construct a home similar to the properties adjacent

4. That the applicant has taken all reasonable steps to mitigate or eliminate the requested variance by the acquisition of adjacent lands or the relocation or redesign of the structure involved:

No adjacent land is available to increase the lot depth

5. That the development or use of the subject parcel in some other manner than that proposed, in accordance with the applicable requirements, is not feasible:

The construction of a home and pool similar to adjacent properties would not be feasible without this variance

6. That the requested variance will not be adverse to the developed neighborhood scheme and will not adversely affect the plan and scheme set forth in this land development code, and will not cause the proposed development to be inconsistent with the Sanibel Plan nor adverse to the health, safety, and general welfare of the community:

The granted requested variance would allow the applicant to construct a home similar in size and shape to the adjacent properties. A living area square footage study was completed and attached to this application to show that the subject home is in fact below average to the adjacent homes in size, therefore it can not be defined as adverse to the neighborhood scheme, and will not adversely effect the plan and scheme set forth in the land development code.

7. That the variance granted is the minimum necessary to mitigate the hardship demonstrated:

We feel that we have compressed the pool area as well as designed the home in such a manner the would minimize the the impact and the necessity of a variance. The home and pool are smaller than the average adjacent home and can not be constructed on this lot, without the granting of this requested variance.

Living Area Square Footage Study fo 1226 Isabel Dr

Address	Street	Square Footage Living Within 300' and Bay Front on Isabel Dr	Within 300' of Subject Parcel	Bay Front Within 300' of Subject Parcel
1	1208 Bay Dr	1694	1694	
2	1230 Bay Dr	2500	2500	
3	1245 Isabel Dr	2504	2504	
4	1237 Isabel Dr	4407	4407	
5	1231 Isabel Dr	1564	1564	
6	1219 Isabel Dr	4034	4034	
7	1209 Isabel Dr	3823	3823	
8	1203 Isabel Dr	1680	1680	
9	1204 Isabel Dr	3167	3167	3167
10	1212 Isabel Dr	2138	2138	2138
11	1218 Isabel Dr	2654	2654	2654
12	1232 Isabel Dr	2499	2499	2499
13	1238 Isabel Dr	5127	5127	5127
14	1246 Isabel Dr	3241	3241	3241
15	1266 Isabel Dr	1982		
16	1272 Isabel Dr	4514		
17	1280 Isabel Dr	1949		
18	1298 Isabel Dr	4488		
19	1314 Isabel Dr	4021		
20	1307 Isabel Dr	1750		
21	1297 Isabel Dr	2577		
		62313 Total Sq. Ft. 21 Parcels 2968 Average Sq. Ft.	41032 Total Sq Ft 14 Parcels 2931 Average Sq. Ft.	18826 Total Sq. Ft. 6 Parcels 3138 Average Sq. Ft.



TOTAL ALLOWED:	= 4,457.9 S.
PROPOSED	= 3,086 S.F.

8. ANGLE OF LIGHT REQUIREMENTS ARE NOT ADDRESSED ON THIS PLAN.

PRIOR TO ANY WORK, CONTRACTOR SHALL CONTACT "SUNSHINE STATE ONE CALL OF FLORIDA" AT 1-800-432-4770 TO LOCATE ALL EXISTING UTILITY LINES WITHIN THE LIMITS OF CONSTRUCTION TO AVOID ANY CONFLICT OR INTERRUPTION OF SERVICE.

COORDINATION NOTE:

CONTRACTOR TO REVIEW ARCHITECTURAL AND STRUCTURAL DRAWINGS FOR FINAL FINISHED FLOOR ELEVATIONS. THE ENGINEER OF RECORD SHALL BE NOTIFIED REGARDING ANY DISCREPANCIES BETWEEN THE STRUCTURAL, ARCHITECTURAL, OR CIVIL PLANS BEFORE CONSTRUCTION BEGINS.

SPECIAL NOTES:

- EXISTING VEGETATION TO REMAIN WHEREVER POSSIBLE.
- PRESERVE EXISTING TREES WHEREVER POSSIBLE.

FENCE NOTE:

PROPOSED 4' MINIMUM HIGH FENCE TO BE INSTALLED BY OTHERS AROUND POOL DECK AS REQUIRED PER CODE.

811 Know what's below. Call before you dig.

EXCAVATION NOTE:

PRIOR TO ANY WORK, CONTRACTOR SHALL CONTACT "SUNSHINE STATE ONE CALL OF FLORIDA" AT 1-800-432-4770 TO LOCATE ALL EXISTING UTILITY LINES WITHIN THE LIMITS OF CONSTRUCTION TO AVOID ANY CONFLICT OR INTERRUPTION OF SERVICE.

LOT 29 (OCCUPIED)

LOT 28

LOT 27 (OCCUPIED)

SAN CARLOS BAY

ISABEL DRIVE

PROPOSED THREE (3) STORY RESIDENCE  
F.F. EL. = 15.50 (11.00 MIN.) N.A.V.D.  
GARAGE EL. = 5.50 N.A.V.D.

1.3' WIDE CONCRETE SEAWALL CAP

MEAN HIGH WATER LINE (FACE OF SEAWALL)

LEGEND:

- RIGHT-OF-WAY LINE
- CENTER LINE
- EXISTING EASEMENT LINE
- PROPERTY LINE
- EXISTING RIP-RAP LINE
- ECOZONE LINE
- EXISTING CONCRETE LINE
- EXISTING EDGE OF PAVEMENT
- PROPOSED BUILDING LINE
- PROPOSED BUILDING OVERHANG LINE
- PROPOSED ROOF OVERHANG LINE
- PROPOSED EDGE OF PAVEMENT
- PROPOSED CONCRETE PAD
- PROPOSED PERVIOUS BRICK PAVERS
- TELEPHONE BOX
- ELECTRIC TRANSFORMER
- WATER METER
- CABLE TV BOX
- SANITARY SEWER MANHOLE
- SEWER STUBOUT
- R.O.W.
- E.O.P.
- RIGHT-OF-WAY
- EDGE OF PAVEMENT
- CENTER LINE

FEDERAL EMERGENCY MANAGEMENT AGENCY

PROJECT LOCATION

J. SVEN GUSTAFSON  
153 LAKE STREET EAST  
WAYZATA, MN 55391  
PHONE: (612) 267-2670

HALEY WARD, INC.

# VARIANCE SITE PLAN

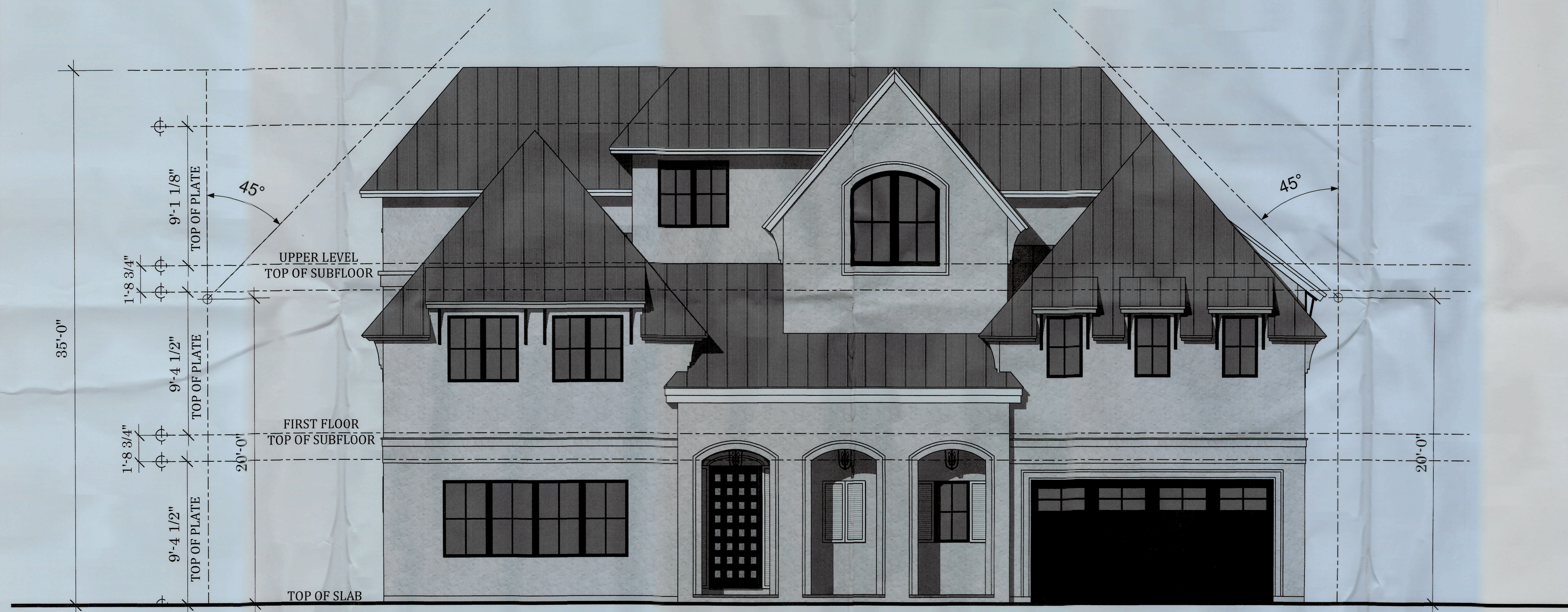
SHEET  
1 OF 1

FILE: 18-46-23

PROJECT NO.: 2010960.001	DATE: DECEMBER 4, 2020	SCALE: 1" = 10'	SECTION 10, T 40S, R 20E, E 10N
--------------------------	------------------------	-----------------	---------------------------------

**ATTACHMENT B**  
**Apps 21-12538V and 21-12550DP**  
**Kristin Bluvas**  
**1226 Isabel Drive**





# FRONT ELEVATION

1/8" = 1'-0"

**ALEXANDER**  
DESIGN GROUP  
architecture

**ATTACHMENT C**  
Apps 21-12538V and 21-12550DP  
Kristin Bluvas  
1226 Isabel Drive

**Isabel**  
3D Conceptual Illustration  
Copyright 2021 ~ Alexander Design Group Inc.

04-07-21





RIGHT SIDE ELEVATION

$1/8" = 1'-0"$





REAR ELEVATION  
 1/8" = 1'-0"





LEFT SIDE ELEVATION  
 $1/8" = 1'-0"$



# LANDSCAPE IMPACT PLAN

---

## GUSTAFSON RESIDENCE

1226 ISABEL DR  
SANIBEL, FL

### SHEET INDEX:

- C. Cover
- L-1. Vegetation Inventory and Impact Plan
- L-2. Proposed Vegetation for Variance
- L-3. Front Buffer Elevation from Isabel Drive



COVER



**Call Before You Dig**

Call Sunshine State One Call, at 811 or 800-432-4770, two full days before digging in any easement, right-of-way or permitted use area.

ALL NATIVES TO BE MITIGATED OR RELOCATED TO VEGETATION RECEPTOR AREA

FINAL VEGETATION COUNTS TO BE DETERMINED FOLLOWING EXOTIC REMOVAL. FINAL PLAN SHALL BE MINIMUM 75% NATIVE/25% NONINVASIVE EXOTIC

**INVASIVE EXOTIC REMOVAL:**

- REMOVAL OF ALL INVASIVE EXOTICS AS PER STATE OF FLORIDA AND CITY OF SANIBEL VEGETATION CODE, SEC. 122-123 OF THE SANIBEL, FL CODE OF ORDINANCES.
- SITE IS REQUIRED TO BE FREE OF ALL INVASIVE EXOTICS FOR FINAL INSPECTION. SITE SHALL BE MAINTAINED FREE OF INVASIVE EXOTICS INDEFINITELY.
- FOR A COMPLETE LIST OF INVASIVE PLANT SPECIES, VISIT:  
FLEPPC. 2007. List of Florida's Invasive Plant Species. Florida Exotic Pest Plant Council. Internet: <http://www.fleppc.org/071list.htm> or Wildland Weeds Vol. 10(4), Fall 2007.
- INVASIVE EXOTICS INCLUDE ALL BRAZILIAN PEPPER (*Schinus terebinthifolius*), ALL MELALEUCA (*Melaleuca quinquenervia*), EARLEAF ACACIA (*Acacia auriculiformis*), LEAD TREE (*Leucaena leucocephala*), JAVA PLUM (*Syzygium cumini*), AIR POTATO (*Dioscorea bulbifera*), EXOTIC INKBERRY (*Scaevola frutescens*, *Scaevola sericea*) AND MOTHER-IN-LAW'S TONGUE/BOWSTRING HEMP (*Sansevieria hyacinthoides*)

**PRESERVATION OF NATIVES ON SITE:**

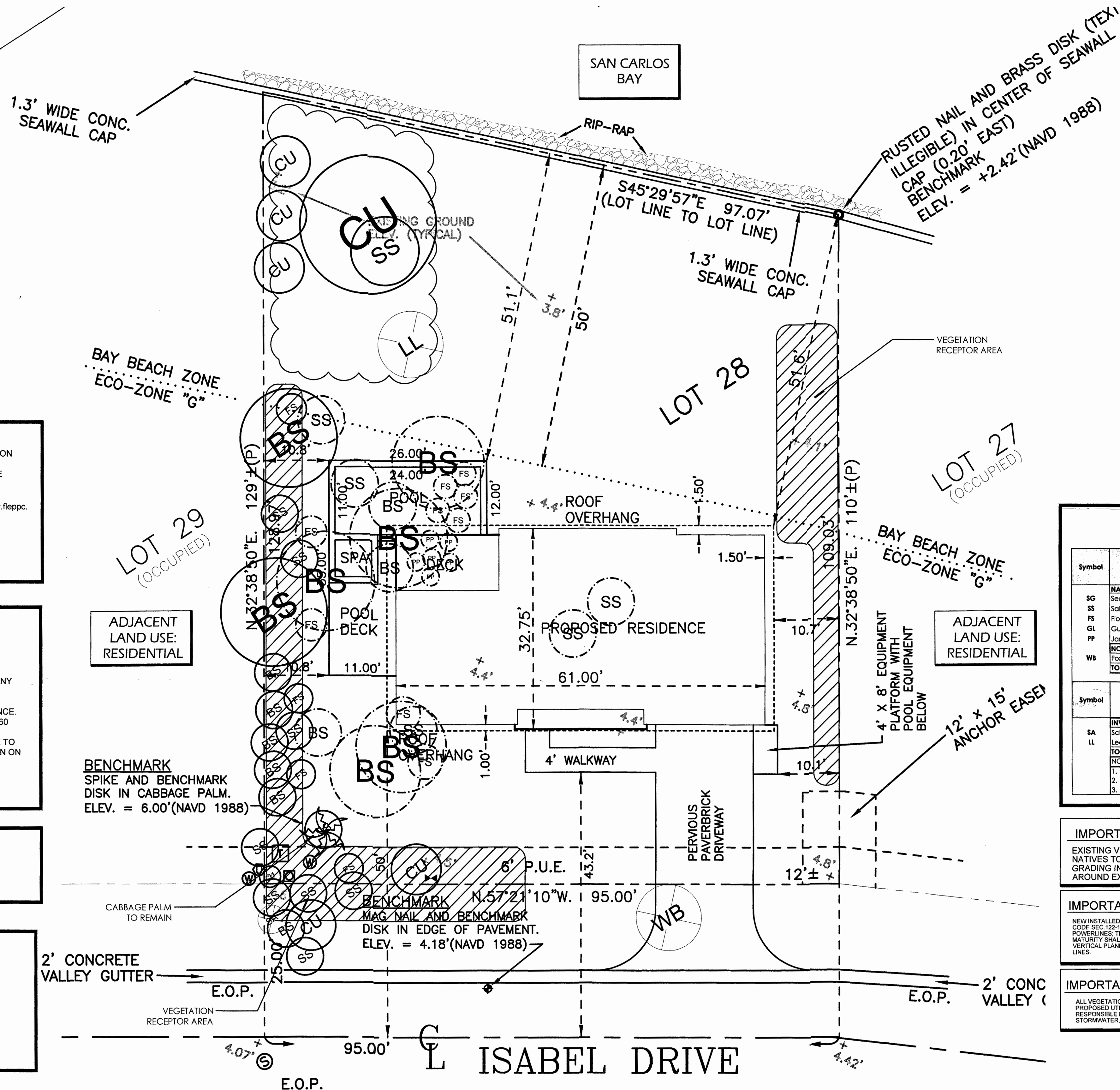
- ALL NATIVES TO REMAIN IN PLACE ON SITE SHALL BE PROTECTED BY SITE CONSTRUCTION ACTIVITIES BY ORANGE CONSTRUCTION FENCE.
- ANY NATIVES SHOWN TO REMAIN IN PLACE, BUT DETERMINED TO BE IMPACTED BY SITE CONSTRUCTION ACTIVITIES SHALL BE RELOCATED TO THE VEGETATION RECEPTOR AREA.
- A CITY OF SANIBEL VEGETATION PERMIT IS REQUIRED FOR RELOCATION AND REMOVAL OF ANY NATIVE VEGETATION ON SITE.
- A VEGETATION RECEPTOR AREA IS REQUIRED FOR RELOCATED NATIVE VEGETATION. THE RECEPTOR AREA MUST BE PROTECTED BY ORANGE CONSTRUCTION FENCE AND BY SILT FENCE. TEMPORARY IRRIGATION IN VEGETATION RECEPTOR AREA IS REQUIRED FOR A MINIMUM OF 60 DAYS FOR ESTABLISHMENT OF RELOCATED VEGETATION.
- ALL NATIVES TO BE RELOCATED ON SITE SHALL BE MARKED WITH COLORED ENGINEER TAPE TO BE DISTINGUISHED FROM OTHER NON-TRANSPLANTED VEGETATION. THE TAPE MUST REMAIN ON THE TRANSPLANTED VEGETATION UNTIL THE TREES ARE TRANSPLANTED TO FINAL SITE LOCATIONS AND INSPECTION IS COMPLETED BY STATE OF FL. DEP AND BY CITY OF SANIBEL PLANNING AND NATURAL RESOURCES DEPARTMENTS.

**TEMPORARY IRRIGATION:**

- TEMPORARY IRRIGATION SHALL BE INSTALLED TO PROVIDE WATER TO THE VEGETATION RELOCATION RECEPTOR AREAS TO ENSURE SURVIVAL OF TEMPORARILY RELOCATED PROTECTED TREES, PALMS AND SHRUBS ON SITE.

**NOTE:**

- BASE / SURVEY / INFORMATION PROVIDED BY CES
- CORNERS WERE STAKED AT TIME OF VEGETATION INVENTORY. TREE LOCATIONS APPROXIMATE PER SURVEY INFORMATION PROVIDED.
- HOUSE PERIMETER AND DRIVEWAY WERE NOT STAKED AT TIME OF VEGETATION INVENTORY.
- VEGETATION IMPACTS TO BE VERIFIED ONCE BUILDING PERIMETER / POOL AND DRIVEWAY ARE STAKED ON SITE.

**BUFFER VEGETATION NOTES:****IMPORTANT**

1. IMPROVEMENTS ON SITE DO NOT EXCEED MORE THAN 50% OR GREATER OF THE TOTAL PROPERTY VALUE. THEREFORE PROPERTY BUFFERS ARE NOT REQUIRED TO BE BROUGHT INTO FULL BUFFER COMPLIANCE WITH CITY BUFFER CODES.

**SEC. 122-72. LOCATION AND SIZE OF VEGETATION BUFFERS**

- A VEGETATION BUFFER AT LEAST 20 FEET IN DEPTH SHALL BE LOCATED ADJACENT TO THE RIGHT-OF-WAY OF WEST GULF DRIVE (A RURAL COLLECTOR ROAD).
- THE MINIMUM DEPTHS FOR VEGETATION BUFFERS REQUIRED BY SUBSECTION (1) OF THIS SECTION MAY BE INCREASED BY THE PLANNING COMMISSION WHEN NECESSARY TO ACCOMMODATE DRAINAGE EASEMENTS AND FACILITIES, OVERHEAD POWER LINES, AND OTHER NATURAL OR MAN-MADE FEATURES LOCATED ALONG THE BOUNDARIES OF THE PARCEL IN QUESTION WHICH CONSTRAIN THE ESTABLISHMENT OF REQUIRED VEGETATION BUFFERS.
- REQUIRED VEGETATION BUFFERS MUST BE ENTIRELY LOCATED BETWEEN THE PROPERTY LINES OF A LOT OR PARCEL AND ALL STRUCTURAL DEVELOPMENT AND DRIVEWAYS AND PARKING AREAS LOCATED ON SUCH LOT OR PARCEL.

**SEC. 122-73. TYPES, VARIETIES, AND NUMBERS OF PLANTS REQUIRED**

- EACH REQUIRED VEGETATION BUFFER SHALL INCLUDE AT LEAST ONE (1) LARGE OR MEDIUM TREE FOR EACH 75 SQUARE FEET OF THE REQUIRED BUFFER AREA, WITH A MINIMUM OF SIX (6) DIFFERENT SPECIES OF NATIVE PLANTS INCLUDED.
- EACH REQUIRED VEGETATION BUFFER SHALL INCLUDE AT LEAST ONE (1) SMALL TREE OR SHRUB FOR EACH 30 SQUARE FEET OF THE REQUIRED BUFFER AREA, (AT LEAST 5 PERCENT OF WHICH MUST BE SMALL TREES) WITH A MINIMUM OF SIX (6) DIFFERENT SPECIES OF NATIVE PLANTS INCLUDED.
- EACH REQUIRED VEGETATION BUFFER SHALL INCLUDE AT LEAST ONE (1) LOW GROWING (SMALL) SHRUB OR GROUND COVER PLANT FOR EACH 25 SQUARE FEET OF THE REQUIRED BUFFER AREA, WITH A MINIMUM OF THREE (3) DIFFERENT SPECIES OF NATIVE PLANTS INCLUDED. NO GRASSES OR VINES SHALL BE USED TO SATISFY THIS REQUIREMENT.
- A MINIMUM OF 75% BY COUNT, OF THE IN-GROUND TREES AND SHRUBS REQUIRED BY EACH OF THE SUBSECTIONS (1) THROUGH (3) OF THIS SECTION SHALL BE NATIVE SPECIES. THE REMAINDER MAY BE EITHER NATIVE OR NON-COMPETING EXOTIC SPECIES. THE CATEGORY FOR NATIVE SPECIES AS LARGE OR MEDIUM TREES, SMALL TREES OR SHRUBS, OR LOW GROWING (SMALL) SHRUBS OR GROUND COVER PLANTS, IS SPECIFIED ON THE CITY'S HORTICULTURALLY AVAILABLE NATIVE PLANTS LIST. EXISTING, PRESERVED PLANTS SHALL BE COUNTED TOWARD MEETING THE REQUIREMENTS OF THIS DIVISION.

**SEC. 122-74. INSTALLATION STANDARDS.**

- PLANT MATERIAL USED TO MEET THE REQUIREMENT OF THIS DIVISION MUST MEET THE STANDARDS FOR FLORIDA, NO. 1 OR BETTER, AS SET OUT IN GRADES AND STANDARDS FOR NURSERY PLANTS, PARTS I & II DEPARTMENT OF AGRICULTURAL, STATE OF FLORIDA. ROOTBALL SIZES ON ALL TRANSPLANTED PLANT MATERIALS MUST ALSO MEET THE STANDARDS.
- ALL VEGETATION SHALL BE INSTALLED IN A SOUND WORKMAN LIKE MANNER AND ACCORDING TO GOOD PLANTING PROCEDURES WITH THE QUALITY OF PLANT MATERIALS AS DESCRIBED IN THE CODE.

**EXISTING VEGETATION IMPACT PLAN**

1226 Isabel Dr, Sanibel, FL

Symbol	Category: Large/Medium Trees	Specification / Description	Native Y/N	Total	Impacted / Relocated	Impacted / Mitigated	Total Site
SG	NATIVE	Coccoloba uvifera	Y	7	0	0	7
SS	Sea Grape	Sabal palmetto	Y	15	5	0	15
FS	Sabal Palm	Forsteria segregata	Y	13	9	0	13
GL	Florida Privet	Bursaria sinaruba	Y	16	5	2 (6)	20
PP	Gumbo Limbo	Picidaria pasciputa	Y	6	6	0	6
WB	Jamaican Dodwood	Wodyetia bifurcata	N				0
	NON-NATIVE, NON-INVASIVE						
	Fox Tail Palm						
	TOTAL						

Symbol	Category: Medium Tree / Shrub	Specification / Description	Native Y/N	Existing	Impacted / Relocated	Impacted / Mitigated	Total Site
SA	INVASIVE / EXOTIC	Schefflera arboricola	N				0
LL	Lead Tree	Leucaena leucocephala	N				0
	TOTAL						

NOTES:  
1. Core shall be taken to preserve all native vegetation on site. Any impacted natives shall be tagged and remain tagged until final inspection.  
2. All invasive exotics shall be removed from site.  
3. Contractor to stabilize all disturbed areas on site with landscape plantings and mulch or sod.

**IMPORTANT: EXISTING VEGETATION**

EXISTING VEGETATION ON SITE TO REMAIN. NATIVES TO BE PRESERVED IN PLACE. PROPOSED GRADING IN RETENTION AREAS TO MEANDER AROUND EXISTING NATIVES.

**IMPORTANT: OVERHEAD POWERLINES**

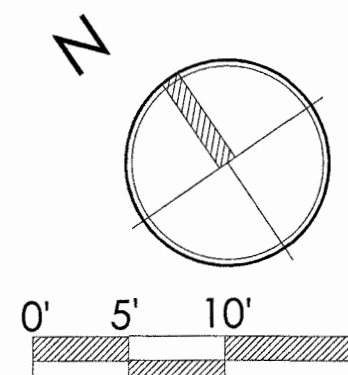
NEW INSTALLED VEGETATION SHALL BE INSTALLED PER CITY OF SANIBEL CODE SEC 122-188 - PLANTING LIMITATIONS UNDER OVERHEAD POWERLINES. TREES OR SHRUBS THAT EXCEED 20' IN HEIGHT AT MATURITY SHALL NOT BE PLANTED WITHIN TEN FEET EITHER SIDE OF THE VERTICAL PLANE OF THE CENTERLINE OF EXISTING OVERHEAD POWER LINES.

**IMPORTANT: UNDERGROUND UTILITIES**

ALL VEGETATION TO BE INSTALLED SHALL AVOID ALL EXISTING AND PROPOSED UTILITIES. CONTRACTOR AND LANDSCAPE CONTRACTOR RESPONSIBLE FOR LOCATING AND MARKING ALL UTILITIES INCLUDING STORMWATER, CABLE AND SEWER UTILITIES.

**LEGEND:**

- XX NATIVE TREE / SHRUB / PALM - TO REMAIN IN EXISTING LOCATION ON SITE  
NOTE: LARGE DIAMETER GUMBO LIMBO (BS) SYMBOLS REPRESENT LARGE DBH TREES ON SITE
- XX NATIVE TREE / SHRUB / PALM - TO BE RELOCATED ON SITE
- XX TREE / SHRUB / PALM - TO BE REMOVED FROM SITE
- VEGETATION RECEPTOR AREA



**COASTAL VISTA**  
DESIGN

2410 PALM RIDGE ROAD  
SANIBEL, FL 33957  
TEL: 239-558-4610  
INFO@COASTALVISTADESIGN.COM

**VEGETATION INVENTORY AND IMPACT PLAN**

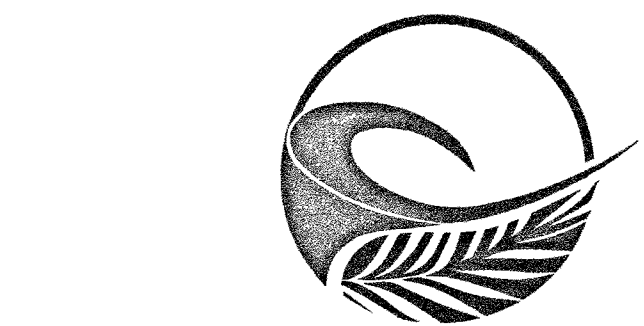
December 2, 2020

REV January 13, 2021

**gustafson**

1226 ISABEL Dr  
SANIBEL, FLORIDA





COASTAL VISTA  
DESIGN

2410 PALM RIDGE ROAD  
SANIBEL, FL 33957  
TEL: 239-558-4610  
INFO@COASTALVISTADESIGN.COM

PROPOSED VEGETATION FOR VARIANCE

December 2, 2020  
REV January 13, 2021

1226 ISABEL Dr  
SANIBEL, FLORIDA

Call Before You Dig

Call Sunshine State One Call, at 811 or  
800-432-4770, two full days before  
digging in any easement, right-of-way or  
permitted use area.

IMPORTANT: CONTRACTOR

- LANDSCAPE CONTRACTOR RESPONSIBLE FOR CALLING SUNSHINE 811 NO CUTS 811 or (800) 432-4770 PRIOR TO BEGINNING WORK. ALL MARKINGS MUST BE COMPLETE AND VISIBLE ON GROUND PRIOR TO ANY EXCAVATION WORK.
- LANDSCAPE CONTRACTOR RESPONSIBLE FOR VERIFYING ALL QUANTITIES OF NATIVES TO BE PRESERVED ON SITE AND FOR VERIFYING THE QUANTITY AND EXTENT OF EXOTICS TO BE REMOVED FROM SITE PRIOR TO BEGINNING OR BEGINNING SITE WORK.
- LANDSCAPE CONTRACTOR RESPONSIBLE FOR VERIFYING LOCATION OF EXISTING NATIVE/PROTECTED SPECIES ON SITE AND TAKING NECESSARY MEASURES TO PROTECT OR RELOCATE AND PRESERVE EXISTING NATIVES.
- LANDSCAPE CONTRACTOR RESPONSIBLE FOR VERIFYING SCALE AND ACCURACY EXISTING VEGETATION PLANS AND FOR NOTIFYING GENERAL CONTRACTOR, OWNER OR OWNERS AGENT OF ANY CONFLICTS.
- ALL EXISTING NATIVE VEGETATION ON SITE IS TO REMAIN IN EXISTING LOCATION UNLESS OTHERWISE SPECIFIED ON PLANS.

IMPORTANT: EXISTING VEGETATION

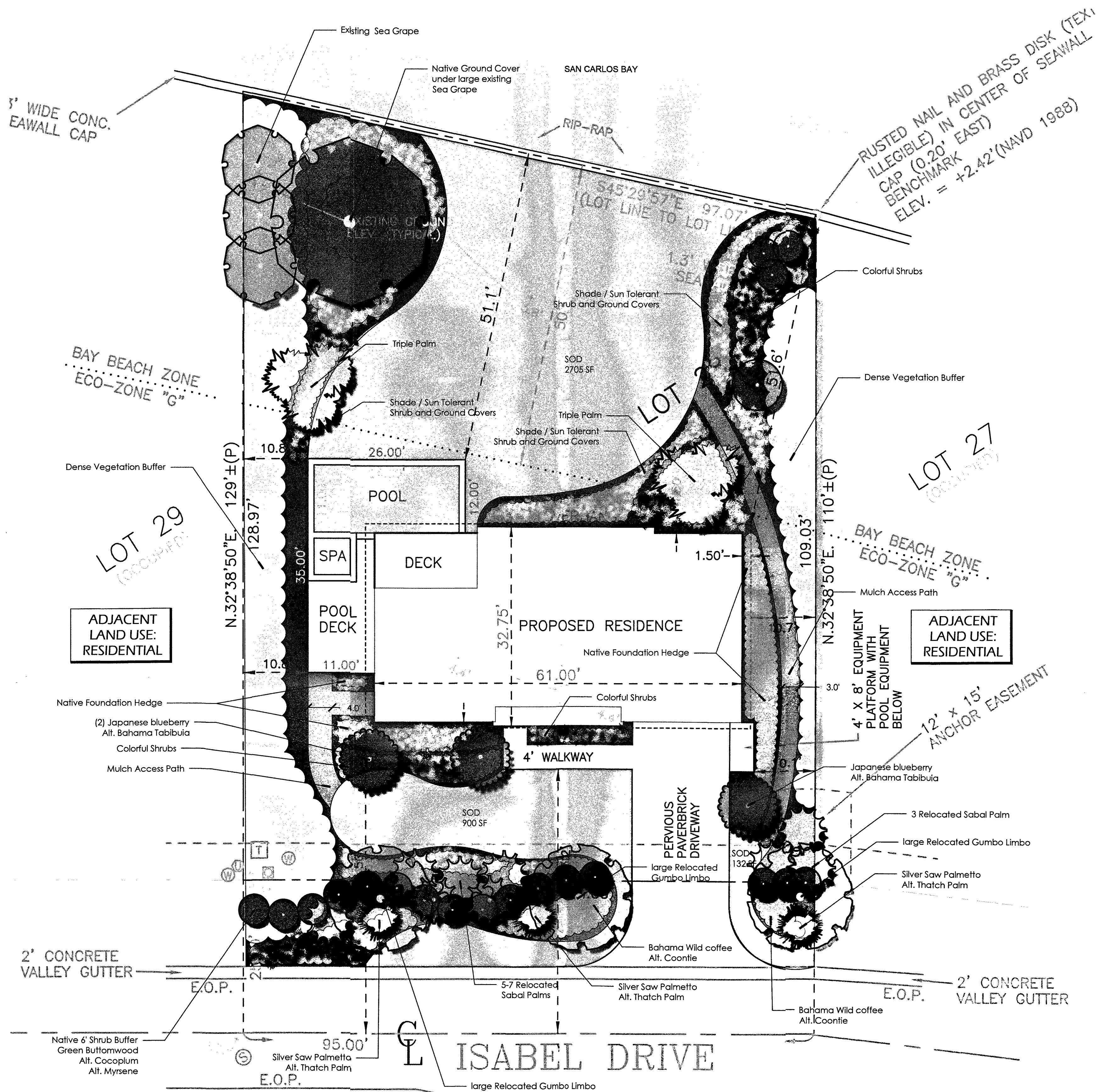
EXISTING VEGETATION ON SITE TO REMAIN.  
NATIVES TO BE PRESERVED IN PLACE. PROPOSED  
GRADING IN RETENTION AREAS TO MEANDER  
AROUND EXISTING NATIVES.

IMPORTANT: OVERHEAD POWERLINES

NEW INSTALLED VEGETATION SHALL BE INSTALLED PER CITY OF SANIBEL  
CODE SEC 122-168 - PLANTING LIMITATIONS UNDER OVERHEAD  
POWERLINES. TREES OR SHRUBS THAT EXCEED 20' IN HEIGHT AT  
MATURITY SHALL NOT BE PLANTED WITHIN TEN FEET EITHER SIDE OF THE  
VERTICAL PLANE OF THE CENTERLINE OF EXISTING OVERHEAD POWER  
LINES.

IMPORTANT: UNDERGROUND UTILITIES

ALL VEGETATION TO BE INSTALLED SHALL AVOID ALL EXISTING AND  
PROPOSED UTILITIES. CONTRACTOR AND LANDSCAPE CONTRACTOR  
RESPONSIBLE FOR LOCATING AND MARKING ALL UTILITIES INCLUDING  
STORMWATER, CABLE AND SEWER UTILITIES.



PRESERVATION OF NATIVES ON SITE:

- ALL NATIVES TO REMAIN IN PLACE ON SITE SHALL BE PROTECTED BY SITE CONSTRUCTION ACTIVITIES BY ORANGE CONSTRUCTION FENCE.
- ANY NATIVES SHOWN TO REMAIN IN PLACE, BUT DETERMINED TO BE IMPACTED BY SITE CONSTRUCTION ACTIVITIES SHALL BE RELOCATED TO THE VEGETATION RECEPTOR AREA.
- A CITY OF SANIBEL VEGETATION PERMIT IS REQUIRED FOR RELOCATION AND REMOVAL OF ANY NATIVE VEGETATION ON SITE.
- A VEGETATION RECEPTOR AREA IS REQUIRED FOR RELOCATED NATIVE VEGETATION. THE RECEPTOR AREA MUST BE PROTECTED BY ORANGE CONSTRUCTION FENCE AND BY SILT FENCE. TEMPORARY IRRIGATION IN VEGETATION RECEPTOR AREA IS REQUIRED FOR A MINIMUM OF 60 DAYS FOR ESTABLISHMENT OF RELOCATED VEGETATION.
- ALL NATIVES TO BE RELOCATED ON SITE SHALL BE MARKED WITH COLORED ENGINEER TAPE TO BE DISTINGUISHED FROM OTHER NON-TRANSPLANTED VEGETATION. THE TAPE MUST REMAIN ON THE TRANSPLANTED VEGETATION UNTIL THE TREES ARE TRANSPLANTED TO FINAL SITE LOCATIONS AND INSPECTION IS COMPLETED BY STATE OF FL. DEP AND BY CITY OF SANIBEL PLANNING AND NATURAL RESOURCES DEPARTMENTS.

IMPORTANT

- REFER TO ENGINEERING PLANS FOR SITE AND DRAINAGE & GRADING INFORMATION.
- PLANTING WITH THE DETENTION AREA SHALL BE APPROPRIATE FOR PERIODS OF INUNDATION.

TOTAL SOD: 3737 SF

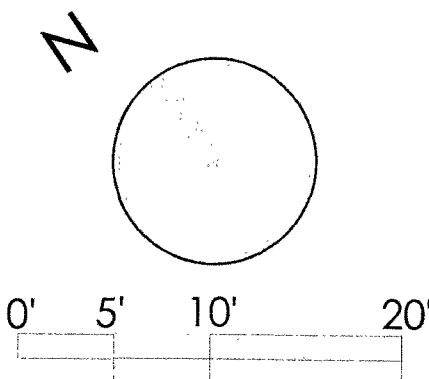
NOT TO EXCEED 20% OR 4000 SF

IMPORTANT: VEGETATION IMPACTS

- VEGETATION IMPACTS SHOWN DO NOT ACCOUNT FOR POSSIBLE FUTURE GRADING AND DRAINAGE IMPACTS ON SITE OR FOR ANY UNDERGROUND UTILITY WORK.
- ALL SITE GRADING & DRAINAGE SHALL MEANDER AROUND EXISTING AND RELOCATED VEGETATION.

ALL NATIVES TO BE MITIGATED  
OR RELOCATED TO VEGETATION  
RECEPTOR AREA

FINAL VEGETATION COUNTS TO  
BE DETERMINED FOLLOWING  
EXOTIC REMOVAL. FINAL PLAN  
SHALL BE MINIMUM 75%  
NATIVE/25% NONINVASIVE  
EXOTIC







12/3/2020 10:48 AM



**COASTAL VISTA**  
DESIGN

2410 PALM RIDGE ROAD  
SANIBEL, FL 33957  
TEL: 239-558-4610  
INFO@COASTALVISTADESIGN.COM

DEPICTS: 2-3 YEARS GROW IN

L-3 FRONT BUFFER ELEVATION -FROM ISABEL DR

December 3, 2020

**gustafson**

1226 ISABEL Dr  
SANIBEL, FLORIDA



# NOTES:

SURVEY AND BEARINGS ARE BASED ON THE PLAT OF RECORD AND EXISTING MONUMENTATION.

DIMENSIONS ARE IN FEET AND DECIMAL PARTS THEREOF.

THIS SURVEY MAY NOT CONTAIN SUFFICIENT DATA FOR DESIGN PURPOSES.

PARCEL SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY (RECORDED AND UNRECORDED, WRITTEN AND UNWRITTEN).

ELEVATIONS ARE BASED ON N.A.S.D. OF 1988 AND U.S.S. BENCHMARK 2-241.

THE F.E.M.A. FLOOD ZONE INFORMATION INDICATED HEREON IS BASED ON MAPS SUPPLIED BY THE FEDERAL GOVERNMENT. THIS FLOOD INFORMATION MUST BE VERIFIED WITH ALL PERTINENT REGULATORY AGENCIES PRIOR TO COMMENCING ANY WORK OR APPLICATION DEPENDENT ON SAID FLOOD INFORMATION.

IRON RODS "REI" ARE 5/8" X 16" REBAR WITH YELLOW CAP BEARING CORPORATION NO. 188287.

UNDERGROUND IMPROVEMENTS, UTILITIES AND/OR FOUNDATIONS WERE NOT LOCATED UNLESS OTHERWISE NOTED.

WETLANDS AND MATTERS OF ENVIRONMENTAL CONCERN, IF ANY, WERE NOT LOCATED.

THIS PLAT PREPARED AS A BOUNDARY SURVEY AND IS NOT INTENDED TO DEMONSTRATE THE JURISDICTION OR JURISDICTIONAL AREAS OF ANY FEDERAL, STATE, REGIONAL OR LOCAL AGENCY, BOARD, COMMISSION OR OTHER ENTITY.

THE PROPERTY IS SUBJECT TO ANY CLAIM THAT ANY PART OF SAID LAND IS OWNED BY THE STATE OF FLORIDA BY RIGHT OF SOVEREIGNTY, REPARATION RIGHTS AND THE TITLE TO FILLED-IN LANDS, IF ANY.

SITE GEOGRAPHIC LOCATION: LATITUDE 28°27'37.5" NORTH LONGITUDE 82°42'1" WEST.

DATE OF LAST FIELD WORK: 10/13/2020.

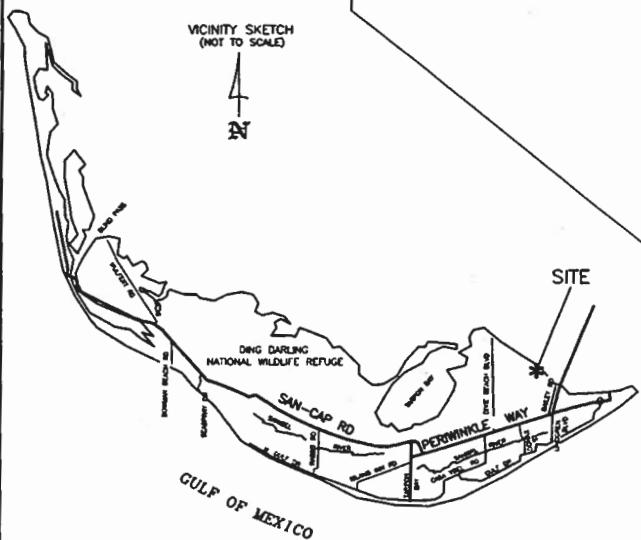
## ABBREVIATIONS

C = CENTERLINE  
ELEV. = ELEVATION  
FND. = FOUND.  
N.D. = NAIL AND DISK  
I.R. = IRON ROD  
I.P. = IRON PIPE  
C.M. = CONCRETE MONUMENT  
CONC. = CONCRETE  
E.O.P. = EDGE OF PAVEMENT  
D. = DRAINAGE LINE  
M.D. = MEASURED  
CALC. = CALCULATED  
P. = PLAT CALL  
P.U.E. = PUBLIC UTILITY EASEMENT  
D.E. = DRAINAGE EASEMENT

## SYMBOLS

⊕ = FIRE HYDRANT  
⊙ = SANITARY SEWER MANHOLE  
⊠ = CABLE TV BOX  
⊗ = WATER METER  
—+—+—+— = CONCRETE PAV.  
===== = STONE  
----- = DRAINAGE PIPE  
---x---x---x--- = FENCE

VICINITY SKETCH  
(NOT TO SCALE)



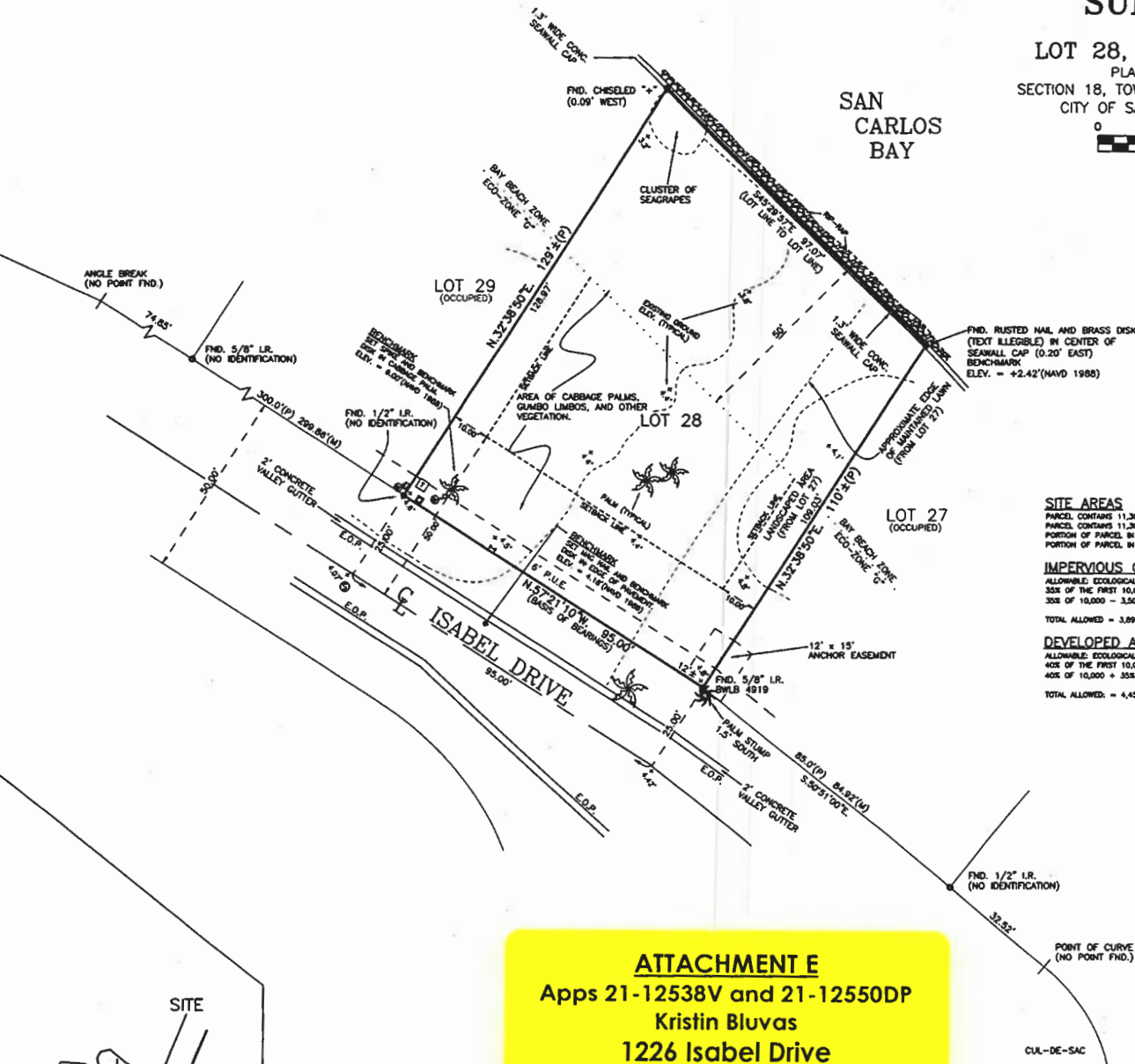
# SURVEY PLAT

OF  
LOT 28, SANIBEL HARBOURS  
PLAT BOOK 25, PAGE 123  
SECTION 18, TOWNSHIP 46 SOUTH, RANGE 23 EAST  
CITY OF SANIBEL, LEE COUNTY, FLORIDA

0 20 40 60



SAN  
CARLOS  
BAY



## SITE AREAS

PARCEL CONTAINS 11,300 SQUARE FEET AS PLATTED.  
PORTION OF PARCEL IN ECOLOGICAL ZONE 0 = 8,448.8 SQUARE FEET  
PORTION OF PARCEL IN BAY BEACH ZONE = 4,850.5 SQUARE FEET

## IMPERVIOUS COVERAGE CALCULATIONS

ALLOWABLE ECOLOGICAL ZONE "0"  
35% OF THE FIRST 10,000 SQUARE FEET AND 30% OF THE BALANCE  
35% OF 10,000 = 3,500 + 30% OF (11,300.3 - 10,000) = 3,500 + 392.5  
TOTAL ALLOWED = 3,892.5 SQUARE FEET

## DEVELOPED AREA CALCULATIONS

ALLOWABLE ECOLOGICAL ZONE "0"  
40% OF THE FIRST 10,000 SQUARE FEET AND 30% OF THE BALANCE  
40% OF 10,000 = 4,000 + 35% OF (11,300.3 - 10,000) = 4,000 + 457.8  
TOTAL ALLOWED = 4,457.8 SQUARE FEET

NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL PAPER COPY OF A FLORIDA LICENSED SURVEYOR AND MAPPER.  
CES, INC.

JAMES ANTHONY HESSLER  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA CERTIFICATION LS 8410

(FOR THE FIRM)  
- THIS CERTIFICATION IS ONLY FOR THE LANDS DESCRIBED HEREON.  
- IT IS NOT A CERTIFICATION OF TITLE, ZONING, SETBACKS, OR FREEDOM OF ENCUMBRANCES.  
- THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF ABSTRACT OF TITLE AND ALL MATTERS OF TITLE SHOULD BE REFERRED TO AN ATTORNEY AT LAW.

1226 ISABEL DRIVE

**ATTACHMENT E**  
Apps 21-12538V and 21-12550DP  
Kristin Bluvas  
1226 Isabel Drive

FEDERAL EMERGENCY  
MANAGEMENT AGENCY  
NATIONAL FLOOD INSURANCE PROGRAM  
FLOOD INSURANCE RATE MAP INFORMATION  
COMMUNITY NUMBER 120402  
PANEL NUMBER 12071C0533F  
DATE OF FIRM PANEL 06/28/2008  
FIRM ZONE AE  
BASE FLOOD ELEVATION 10

1	CITY OF SANIBEL SETBACK LINES ADDED/10-15-2020
2	
3	
4	
5	
6	
7	
8	
9	

2010960.001SR.DWG  
DATE 10/13/2020 PROJECT NO. 960.001  
DRAWN BY J.A.H. SCALE 1"= 20'  
SHEET 1 OF 1  
FILE NO. (S-T-R) 18-46-23

**CESinc**

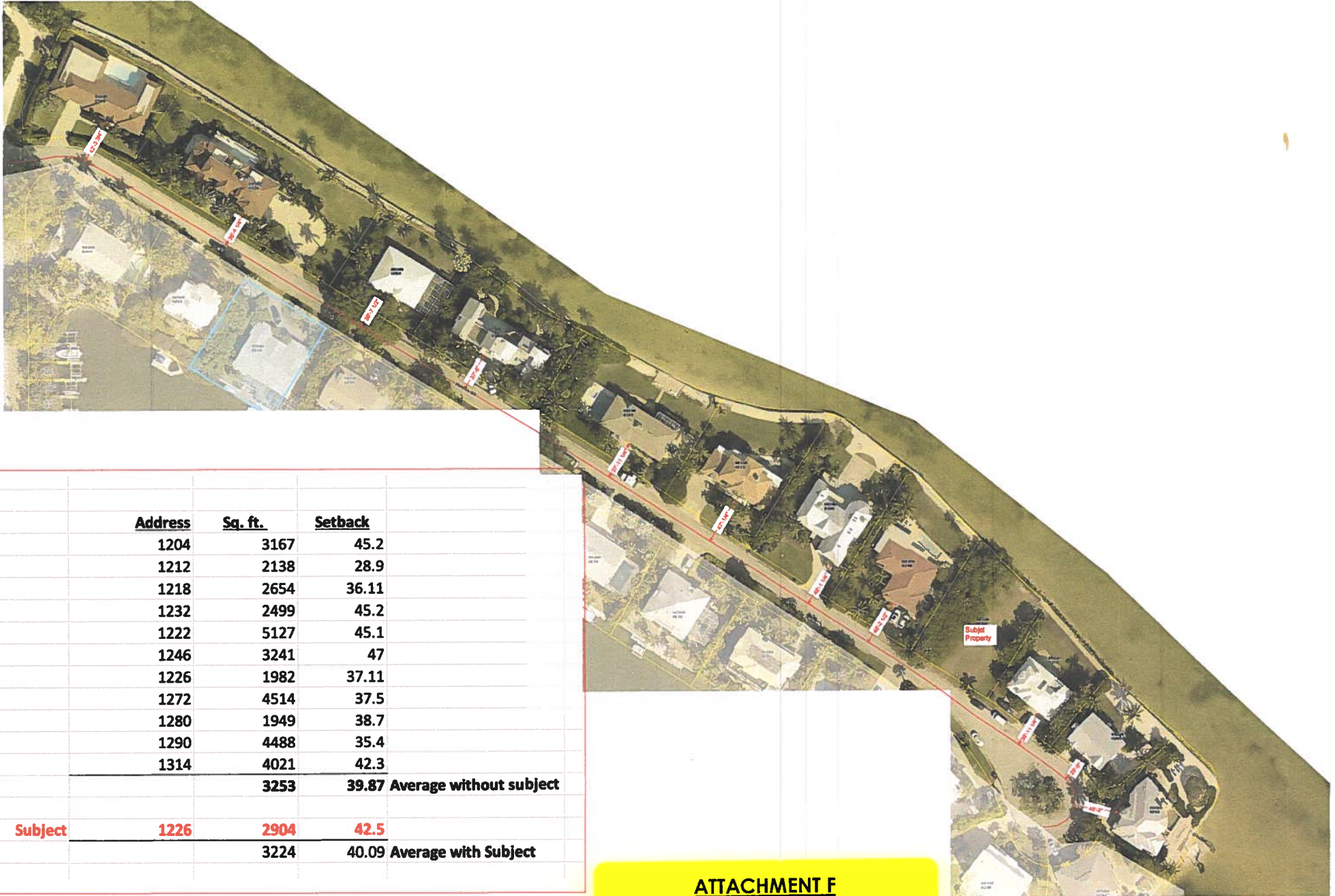
Engineers • Environmental Scientists • Surveyors  
13041 MCGREGOR BOULEVARD, FORT MYERS, FLORIDA 33919 PH (239) 481-1331

FLORIDA CERTIFICATE OF AUTHORIZATION NO. 0832484/LIBRE27

LOT 28, SANIBEL HARBOURS/1226 ISABEL DRIVE



Street Setback Study  
Based on Leepa



	Address	Sq. ft.	Setback	
	1204	3167	45.2	
	1212	2138	28.9	
	1218	2654	36.11	
	1232	2499	45.2	
	1222	5127	45.1	
	1246	3241	47	
	1226	1982	37.11	
	1272	4514	37.5	
	1280	1949	38.7	
	1290	4488	35.4	
	1314	4021	42.3	
		3253	39.87	Average without subject
Subject	1226	2904	42.5	
		3224	40.09	Average with Subject

**ATTACHMENT F**  
Apps 21-12538V and 21-12550DP  
Kristin Bluvas  
1226 Isabel Drive



CBC #058483  
P.O. Box 922  
Sanibel, FL 33957  
Email: [ron@decortefour.com](mailto:ron@decortefour.com)

DeCorte Four  
Custom Home Builders, Inc.

Phone: (239) 472-8446  
Fax: (239) 472-8449  
Web site: [www.decortefour.com](http://www.decortefour.com)

---

**Date:** 12-6-2020  
**To:** SANIBEL DEVELOPMENT REVIEW  
**From:** RON DECORTE  
**Re:** GUSTAFSON SINGLE FAMILY RESIDENCE

---

To whom it may concern,

I have reviewed the design for the above referenced project compared to other houses in the area relating to Sanibel Development Standards Sec. 86-43. Appearance of structures; size and mass of structures. In my professional opinion, I feel that this design complies with this standard in that it is very similar to numerous houses in the immediate area that have been constructed in a very similar manner.

If I can be of further assistance, please don't hesitate to contact me.

Regards,

Ron DeCorte



# City of Sanibel

## Planning Commission

### COMMUNITY SERVICES DEPARTMENT STAFF REPORT

**Planning Commission Meeting:** February 23, 2021  
**Planning Commission Agenda Item No.:** 7 b.  
**Application No.:** 21-12538V / 21-12550DP  
**Applicant:** DeCorte Four Custom Home Builders

**RE:** Consideration of an application filed pursuant to Land Development Code Section 82-138, Application and hearing, for a **Variance** to Land Development Code Section 126-454(b) – Required conditions, Height (G – Altered Land Zone), to allow for construction of a single-family residence that exceed applicable angle-of-light height limitations.

Consideration of an application for **Development Permit**, filed pursuant to Land Development Code Section 82-421, Application, to implement the proposed development of a single-family residence with swimming pool and associated improvements at 1226 Isabel Drive (tax parcel No. 18-46-23-T3-00300.0280).

The subject applications are submitted by DeCorte Four Home Builders, Inc. and Jeffery S. Gustafson (the applicant) on behalf of Kristin Bluvás (property owner). Application Nos. **21-12538V** and **21-12550DP**

## ISSUES

In considering the subject applications, the following issues should be addressed:

- Does the applicant's request for a Variance comply with each of the seven variance standards set forth in Land Development Code Section 82-140 as required to be considered for the approval of a variance?
- Does the applicant's request for a Development Permit, to construct a new single-family residence with swimming pool, otherwise comply with the standards of Land Development Code Section 126-454, Required conditions (G – Altered Land Zone)?
- If the Planning Commission approves these requests, what additional conditions should be placed on the proposed development?

## **BACKGROUND**

Pre-application consultation with staff began in August 2020. The applicant provided staff with a site plan overlay that proposed a principal structure footprint of 2,246 square feet with a 462 square foot swimming pool. The proposed footprint of the pool encroached within the B - Bay beach zone by 17.3 feet.

Land Development Code Section 82-136 – Authorization provides that variances may be granted for accessory structures landward of mean high water in the bay beach zone and for principal residential uses in a contiguous zone. However, staff did not find the proposed site plan would comply with the seven variance standards and would be directly in conflict with the Sanibel Plan and other areas of the Land Development Code, which identifies the Bay beach and Gulf beach zones as preservation districts. The applicant was informed that staff would not support a variance request in the B – Bay beach zone and advised the applicant to reduce the number and scope of variance to the minimum necessary request.

The applicant provided staff with a revised site plan, dated 11-20-20, which proposed a principal structure footprint of 1,969 square feet and 582 square foot swimming pool. The revisions effectively eliminated encroachment of the B – Bay beach zone. However, staff determined that multiple variances would be necessary to approve the site plan, due to a 9 foot encroachment of the front setback (50 feet from centerline of Isabel Drive) and associated noncompliance to applicable angle-of-light limitations.

Staff informed the applicant via email, dated January 8, 2021, that a variance to front yard setback requirements would not be supported by staff, as several inconsistencies were identified relative to variance standards #1, #3 and # 4. Staff did indicate preliminary support for a variance to applicable angle-of-light limitations, pending staff review of additional revisions to the site plan.

On January 14, 2021, staff received an application for variance with revised materials. The new site plan demonstrated a reduction in necessary variance applications from two to one.

## **PROPOSAL**

The applicant seeks to obtain approval for a Variance from Land Development Code Section 126-454 – Required conditions, (b) height. Specifically, the applicant proposes development of a principal structure that will penetrate the plane established by a primary angle of light. The primary angle of light is established at all applicable setback lines, at an angle of 45 degrees measured at twenty (20) feet above predevelopment grade, projected toward the center of the subject parcel.

The subject parcel, a vacant lot, is located at 1226 Isabel Drive in the Sanibel Harbours established neighborhood adjacent to San Carlos Bay. The property exists within two ecological zones – G – Altered Land zone (residential district) and B – Bay beach zone (preservation district). The property, less than two acres in size, is predominately located within G – Altered Land zone, therefore Land Development Code Section 126-454 – Required conditions are applicable development standards.

A copy of the application for variance and narrative response to seven standards for variance is provided with this report as **Attachment A**. A copy of the site plan, dated January 13, 2021, is provided with this report as **Attachment B**. A copy of the building elevation and floor plans are provided with this report as **Attachment C**. A copy of the vegetation/landscape plan is provided with this report as **Attachment D**. A copy of the boundary survey for 1226 Isabel Drive is provided with this report as **Attachment E**. Information demonstrating compliance with Land Development Code 86-43, Appearance of structures; size and mass of structures, is provided with this report as **Attachment F**.

## **ANALYSIS**

Pursuant to Land Development Code Section 82-140, Planning Commission may grant variances upon finding compliance with seven standards. Staff made the following findings relative to the seven variance standards:

- The subject parcel, as is the case with all residential properties on the north side of Isabel Drive (within Sanibel Harbours established neighborhood), is subject to two 50-foot setbacks; from the north (Bay beach setback) and south (front yard setback).
- While compliance to setback requirements is achieved by the proposed site plan, additional setback of the structure to achieve compliance with angle-of-light limitations presents a significant challenge due to the limited depth of the subject parcel. Further reduction of living area may deprive the owner of reasonable use and enjoyment of the parcel in the same manner as others similarly situated.
- Special conditions of the subject property are not self-imposed.
- The applicant successfully reduced the number of requested variances from two to one during a lengthy pre-application process. Staff acknowledges that alternate siting of the principal structure as designed will not reduce penetration of the primary (and secondary) angle-of-light. Staff finds the proposed structure cannot be reduced in depth in a reasonable manner to achieve full compliance with Land Development Code Section 126-454(b) height.

- Staff determined that the proposed single-family residence is consistent in scale with an average-sized single-family residence in the Sanibel Harbours established neighborhood and the requested variance is considered minimum necessary to mitigate the hardship demonstrated.
- The proposed residence will otherwise comply with the maximum height limit of 35 feet measured from pre-development grade, as well as the angle-of-light plane on the east and west sides of the property. Staff does not anticipate any adverse impacts to neighboring properties, as a result of the proposed development.
- Additionally, Public Works staff has determined that on-site retention for the purpose of stormwater management will not be required, as Sanibel Harbours provides subdivision drainage.

## **PUBLIC COMMENT**

Staff received one phone call from an adjacent property owner with general questions about the nature of the variance request. There was no additional public comment provided regarding the subject application at the time of this staff report.

## **CONCLUSION**

Planning Staff finds support for compliance with all seven variance standards as provided in Land Development Code Section 82-140.

If the Planning Commission finds that the proposed plans are in conformance with all applicable Sanibel Code requirements for variance, then staff recommends that approval be subject to the following conditions:

1. All improvements shall be in conformance with the scope of work, as provided in **Attachment A**, and the site plan (dated January 13, 2021) as provided in **Attachment B**, of this Staff Report.
2. The applicant shall obtain all applicable Building permits prior to commencement of construction.
3. The applicant shall comply with all other applicable development standards of Land Development Code Section 126-454, as well as Article XIII – Environmental performance standards, Division 6 – Bay beach zone and Division 7 – Altered Land zone.
4. No development activity is permitted in the B – Bay beach zone, including but not limited to placement of fill, excavation of fill, and/or coverage of shell, stone, sand, or mulch in lieu of vegetation. All vegetation installed within the Bay beach zone shall be native to the State of Florida, as approved by City of Sanibel Natural Resources Department.
5. Obtain a vegetation permit prior to removal or relocation of native vegetation.

6. Exotic species of plants which out compete or otherwise displace native plants, including Brazilian pepper *Schinus terebinthifolius*, the Cajeput or Punk tree *Melaleuca quinquenervia*, Earleaf Acacia *Acacia auriculiformis*, Lead tree *Leucaena leucocephala*, Java Plum *Syzygium cumini*, Air Potato *Dioscorea bulbifera*, Exotic Inkberry *Scaevola frutescens*, *Scaevola sericea* and Mother-in-law's Tongue/Bowstring Hemp *Sansevieria hyacinthoides* shall be removed from within the boundaries of the parcel proposed for development or site alteration. The parcel shall be kept permanently free of such exotics.
7. Comply with applicable flood and storm-proofing requirements of Sanibel Code Chapter 94, Floods.
8. Maintenance of existing site drainage patterns and stormwater management is required (Sanibel Harbours subdivision drainage).
9. All exterior lighting shall be designed and installed to prevent glare and light trespass. Light shall not be allowed to cause glare affecting motorists, bicyclists, or other users of roads, driveways, and bicycle paths. Full cutoff fixtures must be used. Uplighting is prohibited. All outdoor lighting, including building, parking and aesthetic lighting, must use full cutoff fixtures. Lights that are properly installed in an architectural space (such as under a porch roof or roof overhang) which provides the functional equivalent of a full cutoff fixture, need not use full cutoff fixtures. Full cutoff fixtures are luminaires that do not emit any light, either directly or by reflection or diffusion, above a horizontal plane running through the lowest part of the fixture. Mercury vapor lighting is prohibited. High pressure sodium lighting is permitted and encouraged. Motion detector security lighting is permitted and encouraged in order to maximize safety, minimize overall illumination, and conserve energy.
10. Newly installed artificial light sources shall comply with Land Development Code Section 126-1000 – Beachfront lighting for marine turtle protection. Tinted glass shall be installed on all windows and glass doors of single-story or multistory structures within line of sight of the beach.
11. Many of the conditions contained herein are for information purposes to assist the applicant and are requirements of the Land Development 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.

#### INDEX TO STAFF REPORT ATTACHMENTS

<b>Attachment</b>	<b>A</b>	-	Application for variance and narrative response to seven standards for variance
<b>Attachment</b>	<b>B</b>	-	Site plan
<b>Attachment</b>	<b>C</b>	-	Building elevation and floor plans
<b>Attachment</b>	<b>D</b>	-	Vegetation/Landscape plan
<b>Attachment</b>	<b>E</b>	-	Boundary survey
<b>Attachment</b>	<b>F</b>	-	Information demonstrating compliance with LDC Section 86-43



Sanibel Harbour HOA  
Marty Harrity  
1263 Isabel Drive  
Sanibel, Florida 33957  
(239) 691-6970

RECEIVED BY  
2021 APR -2 PM 1:18  
CITY OF SANIBEL  
ADMIN./LEGIS.

March 31, 2021

Mr. Roger Grogman  
Chair Sanibel Planning Commission

Re: Variance request Lot 28, 1226 Isabel Drive

Dear Roger:

Our neighborhood was disappointed that the variance request was not approved. We all feel that the seven (7) criteria for a variance have been met. We are asking that you reconsider and approve the most recent request for a simple variance on the above referenced property.

I have attached a copy of the letter and a list of the neighbors that are requesting the planning commission approve the variance. There is no neighborhood opposition to the variance. In fact, over 70% of our neighbors are in favor. I have not received one neighbor opposing this variance. We all feel that the house is consistent with the size, appearance and scheme of our Sanibel Harbour neighborhood.

Please feel free to contact me with any further questions.

All the Best,



Marty Harrity

Attachments: 2

CC: Judy Zamomra, City Manager  
Holly Smith, Mayor

P.S. Please see that all commissioners are copied on this request.

**ATTACHMENT H**  
Apps 21-12538V and 21-12550DP  
Kristin Blugas  
1226 Isabel Drive



Attachment 1

Neighbors,

After some 30 years, the empty lot on the bay side of Isabel Dr. (Lot#28) may bring us new neighbors! Unfortunately, their building variance request, which was very minor, was denied at the recent Planning Commission meeting. The participants voted 3-3, with one member recusing himself. As a result, the request was not approved.

It is my firm belief that the revised variance request, which involves only a small change to the "angle of light" requirements, is very minor and does not adversely affect any of the houses in the neighborhood. The structure proposed is a total of 2900 square feet and looks like it would be a nice addition to our neighborhood. It is consistent with the general size, feel, and scheme of Sanibel Harbours.

The specific plans and variance information are available online, or I can provide PDF versions, if you would like to know more.

If you agree, I would like to compile a neighborhood "consent" for approving this variance. If you agree, please just reply "I agree" to this email and I will forward this to the Committee.

All the best,

Marty

Neighborhood Consent List

Anna & Tom Tanblyn  
Denise & Jim Conlon  
Maria & Fred Fielding  
Allison & Todd Smith  
Kappy & Duane Ackerman  
Jan & Lu Barbuto  
Frank Fernandez  
Veronica & Jeff Powers  
Dot Valhouli & Bob DeVore  
Sandy Stillwell Youngquist  
Jenny & Dave Jones  
Jan Giessman  
Erika & Greg Steiner  
Denise & John Thurling  
Linda & Dave Essig  
Brenda & Marty Harrity  
Christine & Jim Herrick  
Jeannie Buckner  
Ellen & Dave Raisbeck  
Lisa & Chris Heidrick  
Gene Comella  
Angie & Juergen Ebenoh  
Pete Bender  
Sally & Andy Shott



17100 Safety Street #201  
Fort Myers, Florida 33908

Holly Smith  
Mayor

Sanibel Harbour HOA  
Marty Harrity  
1263 Isabel Drive  
Sanibel, Florida 33957  
(239) 691-6970

RECEIVED BY  
2021 APR -2 PM 1:18  
CITY OF SANIBEL  
ADMIN./LEGIS.

March 31, 2021

Mr. Roger Grogman  
Chair Sanibel Planning Commission

Re: Variance request Lot 28, 1226 Isabel Drive

Dear Roger:

Our neighborhood was disappointed that the variance request was not approved. We all feel that the seven (7) criteria for a variance have been met. We are asking that you reconsider and approve the most recent request for a simple variance on the above referenced property.

I have attached a copy of the letter and a list of the neighbors that are requesting the planning commission approve the variance. There is no neighborhood opposition to the variance. In fact, over 70% of our neighbors are in favor. I have not received one neighbor opposing this variance. We all feel that the house is consistent with the size, appearance and scheme of our Sanibel Harbour neighborhood.

Please feel free to contact me with any further questions.

All the Best,



Marty Harrity

Attachments: 2

CC: Judy Zamomra, City Manager  
Holly Smith, Mayor

P.S. Please see that all commissioners are copied on this request.

Attachment 1

Neighbors,

After some 30 years, the empty lot on the bay side of Isabel Dr. (Lot#28) may bring us new neighbors! Unfortunately, their building variance request, which was very minor, was denied at the recent Planning Commission meeting. The participants voted 3-3, with one member recusing himself. As a result, the request was not approved.

It is my firm belief that the revised variance request, which involves only a small change to the "angle of light" requirements, is very minor and does not adversely affect any of the houses in the neighborhood. The structure proposed is a total of 2900 square feet and looks like it would be a nice addition to our neighborhood. It is consistent with the general size, feel, and scheme of Sanibel Harbours.

The specific plans and variance information are available online, or I can provide PDF versions, if you would like to know more.

If you agree, I would like to compile a neighborhood "consent" for approving this variance. If you agree, please just reply "I agree" to this email and I will forward this to the Committee.

All the best,

Marty

Neighborhood Consent List

Anna & Tom Tanblyn  
Denise & Jim Conlon  
Maria & Fred Fielding  
Allison & Todd Smith  
Kappy & Duane Ackerman  
Jan & Lu Barbuto  
Frank Fernandez  
Veronica & Jeff Powers  
Dot Valhouli & Bob DeVore  
Sandy Stillwell Youngquist  
Jenny & Dave Jones  
Jan Giessman  
Erika & Greg Steiner  
Denise & John Thurling  
Linda & Dave Essig  
Brenda & Marty Harrity  
Christine & Jim Herrick  
Jeannie Buckner  
Ellen & Dave Raisbeck  
Lisa & Chris Heidrick  
Gene Comella  
Angie & Juergen Ebenoh  
Pete Bender  
Sally & Andy Shott



street #201  
orida 33908

Jody Zamora  
City Manager

Sanibel Harbour HOA  
Marty Harrity  
1263 Isabel Drive  
Sanibel, Florida 33957  
(239) 691-6970

RECEIVED BY  
2021 APR -2 PM 1:18  
CITY OF SANIBEL  
ADMIN./LEGIS.

March 31, 2021

Mr. Roger Grogman  
Chair Sanibel Planning Commission

Re: Variance request Lot 28, 1226 Isabel Drive

Dear Roger:

Our neighborhood was disappointed that the variance request was not approved. We all feel that the seven (7) criteria for a variance have been met. We are asking that you reconsider and approve the most recent request for a simple variance on the above referenced property.

I have attached a copy of the letter and a list of the neighbors that are requesting the planning commission approve the variance. There is no neighborhood opposition to the variance. In fact, over 70% of our neighbors are in favor. I have not received one neighbor opposing this variance. We all feel that the house is consistent with the size, appearance and scheme of our Sanibel Harbour neighborhood.

Please feel free to contact me with any further questions.

All the Best,



Marty Harrity

Attachments: 2

CC: Judy Zamomra, City Manager  
Holly Smith, Mayor

P.S. Please see that all commissioners are copied on this request.



Attachment 1

Neighbors,

After some 30 years, the empty lot on the bay side of Isabel Dr. (Lot#28) may bring us new neighbors! Unfortunately, their building variance request, which was very minor, was denied at the recent Planning Commission meeting. The participants voted 3-3, with one member recusing himself. As a result, the request was not approved.

It is my firm belief that the revised variance request, which involves only a small change to the "angle of light" requirements, is very minor and does not adversely affect any of the houses in the neighborhood. The structure proposed is a total of 2900 square feet and looks like it would be a nice addition to our neighborhood. It is consistent with the general size, feel, and scheme of Sanibel Harbours.

The specific plans and variance information are available online, or I can provide PDF versions, if you would like to know more.

If you agree, I would like to compile a neighborhood "consent" for approving this variance. If you agree, please just reply "I agree" to this email and I will forward this to the Committee.

All the best,

Marty

Neighborhood Consent List

Anna & Tom Tanblyn  
Denise & Jim Conlon  
Maria & Fred Fielding  
Allison & Todd Smith  
Kappy & Duane Ackerman  
Jan & Lu Barbuto  
Frank Fernandez  
Veronica & Jeff Powers  
Dot Valhouli & Bob DeVore  
Sandy Stillwell Youngquist  
Jenny & Dave Jones  
Jan Giessman  
Erika & Greg Steiner  
Denise & John Thurling  
Linda & Dave Essig  
Brenda & Marty Harrity  
Christine & Jim Herrick  
Jeannie Buckner  
Ellen & Dave Raisbeck  
Lisa & Chris Heidrick  
Gene Comella  
Angie & Juergen Ebenoh  
Pete Bender  
Sally & Andy Shott



17100 Safety Street #201  
Fort Myers, Florida 33908

Roger Grogman  
Planning Commission Chair