

## **Cape Coral Planning & Zoning Commission/Local Planning**

### **Agency**



### **AGENDA**

Wednesday, February 1, 2017

9:00 AM

Council Chambers

- 1. CALL TO ORDER**
- 2. MOMENT OF SILENCE**
- 3. PLEDGE OF ALLEGIANCE TO THE FLAG**
- 4. ROLL CALL**
  - A. Hewitt, Kibitlewski, Morris, Peterson, Ranfranz, Read, Schneider, Alternates Koskinos and Marmo
- 5. APPROVAL OF MINUTES**
  - A. January 4, 2017 Meeting Minutes
- 6. BUSINESS**
  - A. Planning & Zoning Commission - Applicant Interviews
- 7. PLANNING AND ZONING COMMISSION / LOCAL PLANNING AGENCY PUBLIC HEARING**
  - A. Ordinance 1-17 Case #LU16-0008; Address: 409 Hancock Bridge Parkway; Applicant: G & I Management Services, LLC  
**WHAT THE ORDINANCE ACCOMPLISHES:**  
**An ordinance amending the Future Land Use Map from Pine Island Road District (PIRD) to Multi-Family Residential (MF) land use for property located at 409-411 Hancock Bridge Parkway.**

**8. STAFF UPDATES**

**9. OTHER BUSINESS**

**10. LPA MEMBER COMMENTS**

**11. DATE AND TIME OF NEXT HEARING**

A. Wednesday, March 1, 2017, at 9:00 a.m. in Council Chambers

**12. ADJOURNMENT**

In accordance with the Americans with Disabilities Act and Florida Statutes 2.86.26, persons needing a special accommodation to participate in this proceeding should contact the City Clerk's Department whose office is located at Cape Coral City Hall, 1015 Cultural Park Boulevard, Cape Coral, Florida; telephone 1-239-574-0530 for assistance, if hearing impaired, telephone the Florida Relay Service Numbers, 1-800-955-8771 (TDD) or 1-800-955-8700 (v) for assistance.

If a person decides to appeal any decision made by the Board/Commission/Committee with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings, and for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

**Item Number: 5.A.**

**Meeting Date:** 2/1/2017

**Item Type:** APPROVAL OF MINUTES

**AGENDA REQUEST  
FORM**  
CITY OF CAPE CORAL



**TITLE:**

January 4, 2017 Meeting Minutes

**REQUESTED ACTION:**

**STRATEGIC PLAN INFO:**

1. Will this action result in a Budget Amendment? No

2. Is this a Strategic Decision? No

If Yes, Priority Goals Supported are listed below.

If No, will it harm the intent or success of the Strategic Plan?

**Planning & Zoning Recommendations:**

**SUMMARY EXPLANATION AND BACKGROUND:**

**LEGAL REVIEW:**

**EXHIBITS:**

**PREPARED BY:**

Elisabeth  
Delgado

Division- Administrative

Department- City Clerk's  
Office

**SOURCE OF ADDITIONAL INFORMATION:**

Elisabeth Delgado, Sr. Recording Secretary  
239-574-0415, Ext. 4415, edelgado@capecoral.net

**ATTACHMENTS:**

**Description**

□ January 4, 2017 Meeting Minutes

**Type**

Backup Material

**MINUTES OF THE REGULAR MEETING OF  
THE CITY OF CAPE CORAL  
PLANNING & ZONING COMMISSION/LOCAL PLANNING AGENCY**

**WEDNESDAY, JANUARY 4, 2017**

**COUNCIL CHAMBERS**

**9:00 A.M.**

Chair Read called the meeting to order at 9:00 a.m.

A moment of silence was observed.

Chair Read led the Pledge of Allegiance.

ROLL CALL: Kibitlewski, Morris, Peterson, Ranfranz, Read, Schneider, and Alternate Marmo were present. Hewitt and Alternate Koskinas were excused.

ALSO PRESENT: Bob Pederson, Planning Manager  
Wyatt Daltry, Planning Team Coordinator  
Amy Yearsley, Housing Coordinator  
Chad Boyko, Principal Planner  
Brian Bartos, Assistant City Attorney  
John Naclerio, Assistant City Attorney

**APPROVAL OF MINUTES**

October 5, 2016 Regular Meeting Minutes

***Commissioner Morris moved, seconded by Commissioner Schneider to approve the minutes of the regular meeting held on October 5, 2016 as presented.***

***Commission polled as follows: Kibitlewski, Morris, Peterson, Ranfranz, Read, Schneider, and Marmo voted "aye." All "ayes." Motion carried 7-0.***

**BUSINESS**

**PLANNING AND ZONING COMMISSION/LOCAL PLANNING AGENCY  
PUBLIC HEARING**

Ordinance 1-17 - Withdrawn

**WHAT THE ORDINANCE ACCOMPLISHES:**

**An ordinance amending the Future Land Use Map from Pine Island Road District (PIRD) to Multi-Family Residential (MF) land use for property located at 409-411 Hancock Bridge Parkway.**

Chair Read stated Ordinance 1-17 has been withdrawn.

Ordinance 2-17

**WHAT THE ORDINANCE ACCOMPLISHES:**

**An ordinance amending Article VIII, Administration, of the City of Cape Coral Land Use and Development Regulations, creating Section 8.14, Reasonable Accommodation Procedures, to implement a procedure for reasonable accommodation with respect to Zoning and Land Use Regulations, Ordinances, rules and policies for persons with disabilities; providing severability and an effective date.**

Assistant City Attorney Bartos read the title of the Ordinance.

Housing Coordinator Yearsley stated her credentials can be obtained from the City Clerk's office, and presented a power point titled Ordinance 2-17, with the following slides:

- Ordinance 2-17 Purpose and Background
- Summary and Recommendation

Public hearing opened.

No speakers.

Public hearing closed.

***Commissioner Kibitlewski moved, seconded by Commissioner Peterson, to recommend approval of Ordinance 2-17.***

Commissioner Morris inquired if within the Ordinance, the disabled person – the applicant or the representative – has the opportunity for a face to face meeting. Housing Coordinator Yearsley replied in the affirmative, and stated the Ordinance also provides for assistance with completing the application. Assistant City Attorney Naclerio explained the process and ability for everyone that is disabled as defined by the Act to go before the City Manager or designee to work out something that is acceptable to all parties.

Commissioner Morris inquired if that was specifically stated in the Ordinance. Assistant City Attorney Naclerio stated in subsection 4 there is a determination process, after the application is completed, where the City Manager or designee can approve the application and the applicant would not have to appear. He stated the City Manager could also request additional information and the applicant would come in, or they could request a hearing.

***Commission polled as follows: Kibitlewski, Morris, Peterson, Ranfranz, Read, Schneider, and Marmo voted “aye.” All “ayes.” Motion carried 7-0.***

Ordinance 3-17

**WHAT THE ORDINANCE ACCOMPLISHES:**

**An ordinance amending the City of Cape Coral Comprehensive Plan by Amending the Future Land Use element; providing for severability and an effective date.**

Assistant City Attorney Bartos read the title of the Ordinance.

Planning Team Coordinator Daltry presented a power point titled Ordinance 3-17 TXT16-0001, with the following slides:

- Purpose
- Background
- Examples
- Proposed Change: Detached Properties
- Proposed Change: Removal of PDP
- Proposed Change: Development Parameters
- Table of CAC Development Parameters reflecting proposed changes
- Conclusion

Public hearing opened.

Albert Baeza, licensed real estate agent and representing KKS Real Investments, discussed the surrounding properties owned by KKS Real Investments and the proposed Ordinance.

Public hearing closed.

Commissioner Schneider inquired about the property to the left on the examples slide and whether it was previously denied. Planning Team Coordinator Daltry discussed the history of the two properties before both the Commission and Council.

Commissioner Morris inquired how many Commercial Activity Center properties there are overall in the City. Planning Team Coordinator Daltry stated by area, Commercial Activity Center makes up about 3 percent of the City's land area.

Discussion held regarding the process for amending the Comprehensive Plan and enacting the proposed Ordinance.

Discussion held regarding the classifications of detached and free-standing and their differences.

Commissioner Morris stated he could support the Ordinance but was interested to hear other thoughts.

Commissioner Marmo stated the process of creating definitions will follow in due course. Planning Team Coordinator Daltry stated if this Ordinance passes and goes through the proper process, they will not move forward until the Code is ready for the adoption for the Comp Plan language.

Commissioner Morris inquired if the lack of definition would cause a problem when transmitted to the State. Planning Team Coordinator Daltry replied in the negative.

Chair Read stated he was in support of the proposed Ordinance but would abstain from the vote because he has properties that will be affected by it.

Assistant City Attorney Bartos discussed reasons for not including the specific definitions in the Comp Plan.

***Commissioner Peterson moved, seconded by Vice Chair Ranfranz, to recommend approval of Ordinance 3-17.***

***Commission polled as follows: Kibitlewski, Peterson, Ranfranz, Schneider, and Marmo voted "aye." Morris voted "nay." Motion carried 5-1, with 1 abstention.***

#### **STAFF UPDATES**

Planning Manager Pederson gave the following updates:

1. The City is negotiating a potential project manager for Bimini Basin.
2. Council adopted the Vision Plan for the Seven Islands project.
3. Staff meeting with the consultants for the Code re-write on January 5, 2017 and will be working on the schedule for getting it to the Commission.

Chair Read inquired about the tasks for the Bimini Basin project manager. Planning Manager Pederson discussed the items addressed in the RFP that was published.

**OTHER BUSINESS**

**2017 Meeting Calendar**

***Commissioner Morris moved, seconded by Vice Chair Ranfranz, to recommend approval of the 2017 Meeting Calendar.***

***Commission polled as follows: Kibitlewski, Morris, Peterson, Ranfranz, Read, Schneider, and Marmo voted "aye." All "ayes." Motion carried 7-0.***

**LPA MEMBER COMMENTS**

None.

**DATE AND TIME OF NEXT MEETING**

The next regular meeting was scheduled for Wednesday, February 1, 2017, at 9:00 a.m. in Council Chambers.

Chair Read stated he would probably not be at the next meeting and would advise.

**ADJOURNMENT**

There being no further business, the meeting adjourned at 9:33 a.m.

Submitted by,

Elisabeth Delgado  
Senior Recording Secretary



<b>Item Number:</b>	<b>6.A.</b>
<b>Meeting Date:</b>	<b>2/1/2017</b>
<b>Item Type:</b>	<b>HEARINGS</b>

**AGENDA REQUEST FORM**  
CITY OF CAPE CORAL



**TITLE:**

Planning & Zoning Commission - Applicant Interviews

**REQUESTED ACTION:**

Appoint

**STRATEGIC PLAN INFO:**

1. Will this action result in a Budget Amendment? No
2. Is this a Strategic Decision? No

If Yes, Priority Goals Supported are listed below.

If No, will it harm the intent or success of the Strategic Plan?

**Planning & Zoning Recommendations:**

Four vacancies were created by term expirations of two members and two alternates. Four applications were received. The terms will expire for the full members and for the alternates in 2017.

Applicants:

Raymond Dezendorf, Jr.

Ronald Marmo

Ryan Peterson

Giovanni Robinson

Vacancies were advertised in the Breeze on 12/9/16 and 12/23/16, and they were posted on the City's web site and Facebook page. An alternate can be chosen from the same pool of applicants.

**SUMMARY EXPLANATION AND BACKGROUND:**

**LEGAL REVIEW:**

**EXHIBITS:**

1. Board Sheet
2. Raymond Dezendorf, Jr.
3. Ronald Marmo
4. Ryan Peterson
5. Giovanni Robinson

**PREPARED BY:**

Elisabeth  
Delgado

Division- Administrative

Department- City  
Clerk

**SOURCE OF ADDITIONAL INFORMATION:**

Elisabeth Delgado, City Clerk's Office  
239-574-0415, edelgado@capecoral.net

**ATTACHMENTS:**

<b>Description</b>	<b>Type</b>
▣ Board Sheet	Backup Material
▣ Application - Raymond Dezendorf, Jr.	Backup Material
▣ Application - Ronald Marmo	Backup Material
▣ Application - Ryan Peterson	Backup Material
▣ Application - Giovanni Robinson	Backup Material

**PLANNING & ZONING COMMISSION**

<b>BOARD INFO</b>	<b>MEMBERS</b>	<b>PHONE NUMBER</b>	<b>INITIAL APPOINT</b>	<b>LAST</b>	<b>TERM</b>
<p>Established by Ordinance 4-72 Alternate Positions Established By Ordinance 56-99, 48-01, 67-01 and 173-06. Seven Members Two Alternates Quorum - 4 Members Regular Members - Three year terms Alternate Members - One year terms Terms effective March 1st</p> <p>Qualifications: All members shall be citizens of the United States and residents of the City of Cape Coral.</p> <p>Financial Disclosure required: Yes</p> <p>Reviews all changes in Land Use, Zoning, and Land Use and Development Regulations and provide recommendations to City Council concerning land use matters. They also review and grant all requests for variances and special exceptions in accordance with the Cape Coral Land Use Code of Ordinances.</p> <p>Meeting: 1st Wednesday of every month</p> <p>Liaison: Council Member Rana Erbrick <a href="mailto:rerbrick@capecoral.net">rerbrick@capecoral.net</a> (paper copy)</p> <p><b>Board Secretary:</b> Elisabeth Delgado (239) 574-4415 <a href="mailto:edelgado@capecoral.net">edelgado@capecoral.net</a></p>	<b>Daniel D. Read, CHAIR</b> 112 SW 59th Terrace Cape Coral, FL 33914 <a href="mailto:landbrokers@comcast.net">landbrokers@comcast.net</a>	542-0002 (W) 225-3182 ( C )	3/1/2002 (alt.) 8/4/2003 (reg.)	2/22/2016	2/28/2019
	<b>James Ranfranz, VICE CHAIR</b> 4929 SW 17th Ave Cape Coral, FL 33914 <a href="mailto:elscientifico@yahoo.com">elscientifico@yahoo.com</a>	542-0194 (h) 699-5762 (c)	10/18/2004 (alt) 10/23/2006 (reg.)	2/22/2016	2/28/2019
	<b>Ryan Peterson</b> 527 NW 37th Avenue Cape Coral, FL 33993 <a href="mailto:rlpete119@gmail.com">rlpete119@gmail.com</a>	433-3030 (o) 904 838-7020 ( c )	2/9/2015		2/28/2017
	<b>Glenn Hewitt</b> 224 SE 27th Terrace Cape Coral, FL 33904 <a href="mailto:HEWITTGB@GMAIL.COM">HEWITTGB@GMAIL.COM</a>	458-7438 989 297-0699	2/11/2013 (alt.) 7/22/2013(reg.)	2/9/2015	2/28/2018
	<b>Joseph Kibitlewski, Ph.D.</b> <b>EXEMPT</b> (Paper copy) <a href="mailto:jkibitle@yahoo.com">jkibitle@yahoo.com</a>		2/11/2013 (alt.) 7/22/2013 (reg.)	2/9/2015	2/28/2018
	<b>Ron Marmo (alternate)</b> 140 SW 12th Street Cape Coral, FL 33991 <a href="mailto:ronmarmo@juno.com">ronmarmo@juno.com</a>	612 245-9013	10/26/2015 (alt.)	2/22/2016	2/28/2017
	<b>Graham Madison Morris</b> 5205 Calusa Court Cape Coral, FL 33904 <a href="mailto:GmorrisPZ@outlook.com">GmorrisPZ@outlook.com</a>	501 499-3251 (h)	2/10/2014		2/28/2017
	<b>Todd Koskinas (alternate)</b> 1310 SW 43rd Terrace Cape Coral, FL 33914 <a href="mailto:Toddhk@comcast.net">Toddhk@comcast.net</a>	738-3123 (h) 673-8311 (o) 738-3123 (cell)	2/9/2015 (alt.)	2/22/2016	2/28/2017
	<b>James Schneider</b> 1834 SE 5th Street Cape Coral, FL 33990 <a href="mailto:Jaime@HomesInTheSunshine.com">Jaime@HomesInTheSunshine.com</a>	829-4579 (o) 410 218-7377 (cell)	2/9/2015 (alt.)	2/22/2016	2/28/2019

RECEIVED

CITY OF CAPE CORAL  
APPOINTMENT INFORMATION  
FORM

JAN 5 2017

CITY OF CAPE CORAL  
CITY CLERKS OFFICE

This Appointment Information Form, when completed, signed and filed with the City Clerk's Office,

is a PUBLIC RECORD under Chapter 119, Florida Statutes, and, therefore, is open to public inspection by any person.

YOU ARE RESPONSIBLE TO KEEP THE INFORMATION ON THIS FORM CURRENT. APPLICATIONS WILL BE RETAINED IN THE CLERK'S OFFICE IN ACCORDANCE WITH STATE RECORDS RETENTION LAWS.

Please Type, if possible (or print clearly)

Date: 01/03/17

Name: RAYMOND C DEZEN DORF JR  
(Last) (Middle) (First)

E-mail address: YELLOWDOG@COMCAST.NET

Address: (H) 5316 CORAL AVE Zip Code 33904  
(O) Zip Code

Phone: (H) 239-471-7736 (O) (C) 845-222-5284

Occupation: RETIRED

Employer Position: How Long:

Education: Highest education level achieved and institutions attended:

Name & Location	Dates Attended	Degrees Earned
MASTER PLUMBER	1980	POTSDAM COUNTY, N.Y.
MASTER PLUMBER	1988	TOWN OF Poughkeepsie N.Y.
MASTER PLUMBER	1998	CITY OF Poughkeepsie N.Y.

Have you ever held a professional or business license or certificate? Yes No

If "Yes", please provide the title, issue date and issuing authority.

License/Certificate Title	Issue Date	Issuing Authority
MASTER PLUMBER	1980	POTSDAM COUNTY, N.Y.
MASTER PLUMBER	1988	TOWN OF Poughkeepsie N.Y.
MASTER PLUMBER	1998	CITY OF Poughkeepsie N.Y.

Board(s) /Commission(s) for which you are applying:

PLANNING & ZONING /LOCAL PLANNING AGENCY

1. Are you a U.S. Citizen? Yes  
2. Are you a Cape Coral Resident? Yes  
3. Are you currently serving on a City Board(s)? NO

Yes N/A If yes, No  
which Board(s) and since when? No  
No \_\_\_\_\_

4. Have you ever served on a City Board(s)?

Yes

No

If yes, which Board(s) and when?

SEE BELOW

5. Are you currently serving on a Board, Authority, or Commission for another governmental agency?  
Yes \_\_\_\_\_ No If yes, what Board, etc. and since when?

NO

#4: City Boards Service:

Planning Board, Town of Union Vale, N.Y.

Town Board, Councilman Town of Union Vale N.Y.  
2000 - 2010

Dutchess County Planning Federation  
2001 - 2010

Work Experience:

FIRE CAPTAIN - CITY OF YONKERS NEW YORK 1979-2011  
PLUMBING CONTRACTOR - PUTNAM/DUTCHESS COUNTY N.Y.  
COUNCILMAN - TOWN OF UNION VALLEY, NEW YORK 1980-2010  
Community Involvement:  
MEMBER: EAGLES, ELKS, MOOSE CLUBS 2010-2010  
ELECTIONS INSPECTOR LEE COUNTY  
CERT TRAINING

Interests/Activities:

PLANNING & ZONING  
LANDSCAPING/GARDENING

Why do you desire to serve on this/these Board(s)?

How did you learn about the vacancy? ☒ Cape Coral Website ☐ Newspaper ☐ Facebook ☐ Word of Mouth

A resume or separate sheet with additional information may be included.

Florida law requires that members of certain Boards file a financial disclosure form. Would you be willing to file a financial disclosure form? Yes ☒ No ☐

The City of Cape Coral Code of Ordinances, Section 2-60 has a limitation on offices held; however, this can be waived by a two-thirds (2/3) vote of City Council. If you are already serving on a Board, Authority, or Commission for the City of Cape Coral or for another governmental agency, you would have to be approved by a two-thirds (2/3) vote.

The City of Cape Coral Code of Ordinances, Section 2-57 states that an applicant for membership on a board, committee, or commission or a sitting member of those bodies shall not have any delinquent accounts with the City of Cape Coral at the time of appointment.

I understand the responsibilities associated with being a Board member, and I have adequate time to serve on the above Board(s).

Signature



Date

01/03/17

If you have any questions, please call the office of the City Clerk at (239) 574-0411. Return this form to:

City of Cape Coral, City Clerk's Office, P.O. Box 150027, Cape Coral, Florida 33915-0027

FOR OFFICIAL USE ONLY

Yes ☐ No ☐

Interviewed: Date: \_\_\_\_\_

Council Action: Date: \_\_\_\_\_

**CITY OF CAPE CORAL  
APPOINTMENT INFORMATION FORM**

**RECEIVED**

JAN 3 2017

This Appointment Information Form, when completed, signed and filed with the City Clerk's Office, is a PUBLIC RECORD under Chapter 119, Florida Statutes, and, therefore, is open to public inspection by any person.

**CITY OF CAPE CORAL  
CITY CLERK'S OFFICE**

**YOU ARE RESPONSIBLE TO KEEP THE INFORMATION ON THIS FORM CURRENT. APPLICANTS WILL BE RETAINED IN THE CLERK'S OFFICE IN ACCORDANCE WITH STATE RECORDS RETENTION LAWS.**

Please Type, if possible (or print clearly)

Date: 12/31/16

Name: Marmo Ronald Philip  
(Last) (First) (Middle)

E-mail address: ronmarmo@juno.com

Address: (H) 140 SW 12 St. Zip Code 33991  
(O) \_\_\_\_\_ Zip Code \_\_\_\_\_

Phone: (H) \_\_\_\_\_ (O) \_\_\_\_\_ (C) 6122459013

Occupation: Retired Attorney

Employer: \_\_\_\_\_ Position: \_\_\_\_\_ How Long: \_\_\_\_\_

Education: Highest education level achieved and institutions attended:

<u>Name &amp; Location</u>	<u>Dates Attended</u>	<u>Degrees Earned</u>
William Mitchell College of Law	1986 to 1990	Juris Doctor
University of east Anglia Norwich England	1972 to 1975	BA

Have you ever held a professional or business license or certificate?  
If "Yes", please provide the title, issue date and issuing authority.

Yes ☒ No ☐

<u>License/Certificate Title</u>	<u>Issue Date</u>	<u>Issuing Authority</u>
License to Practice Law	June 1990	Minnesota supreme Court

Board(s) /Commission(s) for which you are applying:  
Planning and Zoning

1. Are you a U.S. Citizen? Yes ☒ No ☐
2. Are you a Cape Coral Resident? Yes ☒ No ☐
3. Are you currently serving on a City Board(s)? Yes ☒ No ☐

If yes, which Board(s) and since when?  
Planning and Zoning

4. Have you ever served on a City Board(s)? Yes ☒ No ☐

If yes, which Board(s) and when?

I served on Planning and zoning commissions for 15 years in Inver grove Heights and White Bear

5. Are you currently serving on a Board, Authority, or Commission for another governmental agency?

Yes ☐ No ☒ If yes, what Board, etc. and since when?

Work Experience:

Responsible for technology licensing, contract negotiation and compliance, dispute resolution, acquisition of technology and vendor management. Adjunct lecturer in Business Law at University of Phoenix Minneapolis campus. see Resume.

Community Involvement:

I served as a planning commissioner in two separate cities in Minnesota for a total of 15 years. My wife and I moved to Cape Coral as permanent residents in September of 2013 and we were wintering here since 2010. I enjoy the contact with community affairs and would like to serve where I am most useful. I believe that would be on the Planning and zoning commission.

Interests/Activities:

We love to kayak, fish, boat. We are members of a number of clubs. Attend various plays and other social events. I also cut and polish semi-precious stones.

Why do you desire to serve on this/these Board(s)?

As I mentioned above, I miss the contact with community affairs. I have a good understanding of land use planning and enjoy getting involved in shaping the future our city. I have the desire, experience and education to serve on this commission and want to serve where I can do the most good.

**A resume or separate sheet with additional information may be included.**

Florida law requires that members of certain Boards file a financial disclosure form. Would you be willing to file a financial disclosure form? Yes ☒ No ☐

The City of Cape Coral Code of Ordinances, Section 2-60 has a limitation on offices held; however, this can be waived by a two-thirds (2/3) vote of City Council. If you are already serving on a Board, Authority, or Commission for the City of Cape Coral or for another governmental agency, you would have to be approved by a two-thirds (2/3) vote.

The City of Cape Coral Code of Ordinances, Section 2-57 states that an applicant for membership on a board, committee, or commission or a sitting member of those bodies shall not have any delinquent accounts with the City of Cape Coral at the time of appointment.

I understand the responsibilities associated with being a Board member, and I have adequate time to serve on the above Board(s).

  
Signature

12/31/16  
Date

If you have any questions, please call the office of the City Clerk at (239) 574-0411. Return this form to:

**City of Cape Coral, City Clerk's Office, P.O. Box 150027, Cape Coral, Florida 33915-0027**

FOR OFFICIAL USE ONLY

Interviewed: Date: \_\_\_\_\_

Yes \_\_\_\_\_ No \_\_\_\_\_

Council Action: Date: \_\_\_\_\_



**Ronald P Marmo**  
**140 SW 12<sup>th</sup> Street**  
**Cape Coral FL 33991**

**ronmarmo@juno.com**  
**Cell (612) 245-9013**  
**Home (651) 762-5652**

## **EDUCATION**

University East Anglia, England, B.A., Social Sciences. 1972-1975  
(Sociology of Work and Business Interaction, minor in Philosophy)  
William Mitchell College of Law, St. Paul, Juris Doctor. 1986-1989

## **OBJECTIVE**

To contribute to the growth of a progressive organization.

## **EMPLOYMENT HISTORY**

### **University of Phoenix, (Adjunct Business Law Lecturer, Minneapolis Campus ground school) June 2009 to June 2014**

Facilitate classes and lecture to graduate and undergraduate level business law, employment law and ethics students. Provide real world business insights and encourage team and individual participation. Teach and encourage the use of accepted methodologies used in the analysis of issues students face in their daily work lives as business managers.

### **Ecolab Inc., IT Procurement. June 2009 to June 2012 (Retired)**

Responsible for contract negotiation, dispute resolution, technology licensing, license compliance, acquisition of Technology, software products, software hosting, outsourcing, consulting and development agreements and related professional services. Provide vendor management and guidance to business users in vendor selection. Identify opportunities to reduce cost and contractual risk. Lead supplier selection, e-sourcing, (RFP/RFI) process, contract negotiation and execution, contract/program implementation, and high-level supplier/contract management. Accountable for results of contract negotiations involving complex business and legal objectives and on-going legal interpretation of contract language. Serve as a vital interface to internal and external customers, including senior management, as a recognized source of expertise for all contract activities. Working knowledge of Ariba Buyer, and other tools and process.

### **American Express Global Procurement (Technology Products and Services) May 2005 to June 2009. (Contract Negotiator/ Purchasing Manager)**

Responsible for contract negotiation and administration of Distributed Technology, software products, software hosting, outsourcing (BPO) and related professional services. Identify opportunities to reduce cost and contractual risk. Lead supplier selection, e-sourcing, (RFP/RFI) process, contract negotiation and execution, contract/program implementation, and high-level supplier/contract management for assigned commodities. Provide vendor management and guidance to business users in vendor selection. Accountable for results of contract negotiations involving complex business and legal objectives. Serve as a vital interface to internal and external customers, including senior management, as a recognized source of expertise for all

contract activities. Working knowledge of Ariba Buyer, Global Contract Database, Document Express, and other tools and process.

**HIPAAAnswers Vice President of Business Development Feb 2005 to May 2005** full time and continue as an advisor and seminar and Webex presenter for HIPAA and Cal GLBA to large and small groups.

Short-term position. Responsible for the business development and contract negotiation of the 50 state preemption product, a HIPAA compliance database. Also responsible for planning and implementation of other compliance software products, interaction with potential clients, HIPAA compliance presentations, writing articles for trade and legal publications, researching and developing legal content for compliance products including the California Financial Information Privacy Act (Cal. GLBA) and assisting clients with compliance issues.

**Legal Research Center Inc., Senior Vice-President, Feb 2004 to Oct 2004**

Short-term position. Responsible for the development of a sales solution for a new search engine specifically designed for the legal community and large corporate law departments. Duties include: analysis of product features, presentation of product, (on-line and in person) strategic process development, outreach, proposal development, negotiation of contracts and close. Objective of position completed. Process is developed and has been successfully used to create awareness of and generate interest in the search engine.

**Quality Business Solutions, Vice President of Sales & General Counsel, Dec 2001 to Jan 2004**

Legal duties included, but were not limited to: negotiating and drafting software development contracts, software license and maintenance agreements, independent contractor, non-compete, non-disclosure, and various other agreements. Dealing with all transactional matters. Creating strategic plan and implementing tactical functions. Providing legal counsel to management and generally advising on transactional and other IP issues. Instructing outside counsel for selected issues (Immigration, stock transfer, M&A, Litigation, and others). Assisting management with long-term planning. Creating outreach for initial contact of M&A targets and channel partners. Negotiating details with partners and acquisition targets. Managing new client, employee, contractor, and infrastructure issues, and negotiating new product issues with partners and strategic alliances.

Sales duties included, but were not limited to: responsible for sales of software and consulting services, hired and managed software sales team, initial contact to new clients, presented company services and products, recruited development teams, generally provided a company wide sales direction and marketing plan.

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**Ronald P Marmo**  
**140 SW 12<sup>th</sup> Street**  
**Cape Coral FL 33991**

**ronmarmo@juno.com**  
**Cell (612) 245-9013**  
**Home (651) 762-5652**

## **EDUCATION**

University East Anglia, England, B.A., Social Sciences. 1972-1975  
(Sociology of Work and Business Interaction, minor in Philosophy)  
William Mitchell College of Law, St. Paul, Juris Doctor. 1986-1989

## **OBJECTIVE**

To contribute to the growth of a progressive organization.

## **EMPLOYMENT HISTORY**

### **University of Phoenix, (Adjunct Business Law Lecturer, Minneapolis Campus ground school) June 2009 to June 2014**

Facilitate classes and lecture to graduate and undergraduate level business law, employment law and ethics students. Provide real world business insights and encourage team and individual participation. Teach and encourage the use of accepted methodologies used in the analysis of issues students face in their daily work lives as business managers.

### **Ecolab Inc., IT Procurement. June 2009 to June 2012 (Retired)**

Responsible for contract negotiation, dispute resolution, technology licensing, license compliance, acquisition of Technology, software products, software hosting, outsourcing, consulting and development agreements and related professional services. Provide vendor management and guidance to business users in vendor selection. Identify opportunities to reduce cost and contractual risk. Lead supplier selection, e-sourcing, (RFP/RFI) process, contract negotiation and execution, contract/program implementation, and high-level supplier/contract management. Accountable for results of contract negotiations involving complex business and legal objectives and on-going legal interpretation of contract language. Serve as a vital interface to internal and external customers, including senior management, as a recognized source of expertise for all contract activities. Working knowledge of Ariba Buyer, and other tools and process.

### **American Express Global Procurement (Technology Products and Services) May 2005 to June 2009. (Contract Negotiator/ Purchasing Manager)**

Responsible for contract negotiation and administration of Distributed Technology, software products, software hosting, outsourcing (BPO) and related professional services. Identify opportunities to reduce cost and contractual risk. Lead supplier selection, e-sourcing, (RFP/RFI) process, contract negotiation and execution, contract/program implementation, and high-level supplier/contract management for assigned commodities. Provide vendor management and guidance to business users in vendor selection. Accountable for results of contract negotiations involving complex business and legal objectives. Serve as a vital interface to internal and external customers, including senior management, as a recognized source of expertise for all

contract activities. Working knowledge of Ariba Buyer, Global Contract Database, Document Express, and other tools and process.

**HIPAAAnswers Vice President of Business Development Feb 2005 to May 2005** full time and continue as an advisor and seminar and Webex presenter for HIPAA and Cal GLBA to large and small groups.

Short-term position. Responsible for the business development and contract negotiation of the 50 state preemption product, a HIPAA compliance database. Also responsible for planning and implementation of other compliance software products, interaction with potential clients, HIPAA compliance presentations, writing articles for trade and legal publications, researching and developing legal content for compliance products including the California Financial Information Privacy Act (Cal. GLBA) and assisting clients with compliance issues.

**Legal Research Center Inc., Senior Vice-President, Feb 2004 to Oct 2004**

Short-term position. Responsible for the development of a sales solution for a new search engine specifically designed for the legal community and large corporate law departments. Duties include: analysis of product features, presentation of product, (on-line and in person) strategic process development, outreach, proposal development, negotiation of contracts and close. Objective of position completed. Process is developed and has been successfully used to create awareness of and generate interest in the search engine.

**Quality Business Solutions, Vice President of Sales & General Counsel, Dec 2001 to Jan 2004**

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**CITY OF CAPE CORAL  
APPOINTMENT INFORMATION FORM**

**This Appointment Information Form, when completed, signed and filed with the City Clerk's Office,  
is a PUBLIC RECORD under Chapter 119, Florida Statutes, and, therefore, is open to public inspection by any  
person.**

**YOU ARE RESPONSIBLE TO KEEP THE INFORMATION ON THIS FORM CURRENT. APPLICATIONS WILL  
BE RETAINED IN THE CLERK'S OFFICE IN ACCORDANCE WITH STATE RECORDS RETENTION LAWS.**

**Please Type**, if possible (or print clearly) Date: 12/20/2016

Name: Peterson Ryan Lee  
(Last) (First) (Middle)

E-mail address: rlpetell19@gmail.com

Address: (H) 527 NW 37th Avenue Zip Code 33993  
(O) 4683 Laredo Avenue Zip Code 33905

Phone: (H) \_\_\_\_\_ (O) 239-935-7073 (C) \_\_\_\_\_

Occupation: Branch Manager

Employer: Wayne Automatic Position: Branch Manager How Long: 20 yrs  
Fire Sprinklers

Education: Highest education level achieved and institutions attended:

<u>Name &amp; Location</u>	<u>Dates Attended</u>	<u>Degrees Earned</u>
<u>St. Johns River; Orange Park, Fl.</u>	<u>2004-05</u>	
<u>Valencia; Orlando, Fl.</u>	<u>2006-07</u>	<u>Associate Degree</u>

Have you ever held a professional or business license or certificate? Yes X No \_\_\_\_\_

If "Yes", please provide the title, issue date and issuing authority.

<u>License/Certificate Title</u>	<u>Issue Date</u>	<u>Issuing Authority</u>
<u>Florida Fire Sprinkler Contractor</u>	<u>2014</u>	<u>State of Florida</u>
<u>Florida Fire Alarm Contractor</u>	<u>2016</u>	<u>State of Florida</u>
<u>Mississippi Fire Sprinkler Contractor</u>	<u>2014</u>	<u>State of Mississippi</u>

Board(s) /Commission(s) for which you are applying:

Planning and Zoning Commission

1. Are you a U.S. Citizen? Yes X No \_\_\_\_\_
2. Are you a Cape Coral Resident? Yes X No \_\_\_\_\_
3. Are you currently serving on a City Board(s)? Yes X No \_\_\_\_\_

If yes, which Board(s) and since when?

Planning and Zoning Commission

4. Have you ever served on a City Board(s)? Yes X No \_\_\_\_\_

If yes, which Board(s) and when?

Planning and Zoning Commission Currently

5. Are you currently serving on a Board, Authority, or Commission for another governmental agency?

Yes \_\_\_\_\_ No X If yes, what Board, etc. and since when?

Work Experience:

US Navy Veteran, 20 years experience in fire/life safety in several different capacities: Fitter, Foreman, Designer, Design Manager, Development Coordinator, and Branch Manager

Community Involvement:

Member of the Lee County Fire Marshal and Inspectors Association  
Board of Directors of Tri-County Apprenticeship Academy  
Board of Directors of Florida Fire Sprinkler Association

Interests/Activities:

Fishing, paddle boarding, running, biking

Why do you desire to serve on this/these Board(s)?

I believe it is important to be actively involved in community  
I live in and to share what ever expertise and experience might be beneficial to our community.

How did you learn about the vacancy? ☐ Cape Coral Website ☐ Newspaper ☐ Facebook ☒ Word of Mouth

**A resume or separate sheet with additional information may be included.**

Florida law requires that members of certain Boards file a financial disclosure form. Would you be willing to file a financial disclosure form? Yes ☒ No ☐

The City of Cape Coral Code of Ordinances, Section 2-60 has a limitation on offices held; however, this can be waived by a two-thirds (2/3) vote of City Council. If you are already serving on a Board, Authority, or Commission for the City of Cape Coral or for another governmental agency, you would have to be approved by a two-thirds (2/3) vote.

The City of Cape Coral Code of Ordinances, Section 2-57 states that an applicant for membership on a board, committee, or commission or a sitting member of those bodies shall not have any delinquent accounts with the City of Cape Coral at the time of appointment.

I understand the responsibilities associated with being a Board member, and I have adequate time to serve on the above Board(s).

Signature

12/20/2016

Date

If you have any questions, please call the office of the City Clerk at (239) 574-0411. Return this form to:

**City of Cape Coral, City Clerk's Office, P.O. Box 150027, Cape Coral, Florida 33915-0027**

FOR OFFICIAL USE ONLY

Interviewed:

Date: \_\_\_\_\_

Yes ☐

No ☐

Council Action:

Date: \_\_\_\_\_

# **EXEMPT**

Per Section 119.07(3)(i) of the State Statutes, the home address and telephone numbers of this applicant must be redacted.

**CITY OF CAPE CORAL  
APPOINTMENT INFORMATION FORM**

**RECEIVED**

JAN 6 2017

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Please Type, if possible (or print clearly)

Date: 3 January 2017

Name: Robinson Giovanni  
(Last) (First) (Middle)

E-mail address: giovanni.robinson@icloud.com

Address: (H) [REDACTED] Zip Code [REDACTED]

(O) [REDACTED] Zip Code [REDACTED]

Phone: (H) [REDACTED] (O) [REDACTED] (C) [REDACTED]

Occupation: US Army Instructor

Employer: \_\_\_\_\_ Position: Dunbar High School How Long: \_\_\_\_\_

Education: Highest education level achieved and institutions attended:

<u>Name &amp; Location</u>	<u>Dates Attended</u>	<u>Degrees Earned</u>
<u>Columbia Southern University</u>	<u>May 2013</u>	<u>Associates Degree</u>

Have you ever held a professional or business license or certificate? Yes \_\_\_\_\_ No X

If "Yes", please provide the title, issue date and issuing authority.

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Board(s) /Commission(s) for which you are applying:

Charter Review Commission and or Planning & Zoning/Local Planning Agency

1. Are you a U.S. Citizen? Yes X No \_\_\_\_\_

2. Are you a Cape Coral Resident? Yes X No \_\_\_\_\_

3. Are you currently serving on a City Board(s)? Yes \_\_\_\_\_ No X

If yes, which Board(s) and since when?

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Yes \_\_\_\_\_ No X If yes, what Board, etc. and since when?



**Work Experience:**

US Army (ret) Senior Military Police Leader

**Community Involvement:**

Ex- volunteer Firefighter (Hampton, VA for 6 years). Currently applying for volunteer status with the City of Cape Coral

Police department.

**Interests/Activities:**

Making the City of Cape Coral better and ministering to troubled youth.

**Why do you desire to serve on this/these Board(s)?**

To assist in making the life and experiences of the citizens and visitors of Cape Coral better, through public service.

**How did you learn about the vacancy?** ☒ Cape Coral Website ☐ Newspaper ☐ Facebook ☐ Word of Mouth

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Yes ☐ No ☐

Council Action: Date: \_\_\_\_\_

<b>Item Number:</b>	7.A.
<b>Meeting Date:</b>	2/1/2017
<b>Item Type:</b>	PLANNING AND ZONING COMMISSION / LOCAL PLANNING AGENCY PUBLIC HEARING

**AGENDA  
REQUEST  
FORM**  
CITY OF CAPE  
CORAL



**TITLE:**

Ordinance 1-17 Case #LU16-0008; Address: 409 Hancock Bridge Parkway; Applicant: G & I Management Services, LLC

**REQUESTED ACTION:**

Approve or Deny

**STRATEGIC PLAN INFO:**

1. Will this action result in a Budget Amendment? No
2. Is this a Strategic Decision? No
  - If Yes, Priority Goals Supported are listed below.
  - If No, will it harm the intent or success of the Strategic Plan? No

**Planning & Zoning Recommendations:**

**SUMMARY EXPLANATION AND BACKGROUND:**

**WHAT THE ORDINANCE ACCOMPLISHES:**

An ordinance amending the Future Land Use Map from Pine Island Road District (PIRD) to Multi-Family Residential (MF) land use for property located at 409-411 Hancock Bridge Parkway.

**LEGAL REVIEW:**

Brian R. Bartos, Assistant City Attorney

**EXHIBITS:**

Backup Material  
Ordinance 1-17 LU16-0008

**PREPARED BY:**

Kristin Kantarze      Division- Planning      Department- Community Development

**SOURCE OF ADDITIONAL INFORMATION:**

Chad Boyko, AICP, Principal Planner  
(239) 573-3162  
cboyko@capecoral.net

**ATTACHMENTS:**

<b>Description</b>	<b>Type</b>
▣ Backup Material	Backup Material
▣ Draft Ordinance	Backup Material



DEPARTMENT OF COMMUNITY DEVELOPMENT  
REQUEST TO PLANNING & ZONING COMMISSION/LOCAL PLANNING AGENCY AND COUNCIL  
FOR A LARGE SCALE COMPREHENSIVE LAND USE MAP AMENDMENT

FEE \$1,225.00 first 3 acres plus \$220.00 each additional acre over 3 up to 20 acres; \$22.00 per acre over the first 20 acres. In addition to the application fee, all required advertising costs are to be paid by the applicant (ORD 39-03, Sec. 5.4). Advertising costs will be billed and must be paid prior to hearing.

CASE # LU16-0008

OWNER OF PROPERTY

G & I MANAGEMENT SERVICES LLC

Email: netmdiaz@hotmail.com

Address: 314 SE 19 TER  
City: CAPE CORAL State: FL Zip: 33990  
Phone: 239 464 3310

AUTHORIZED REPRESENTATIVE

MIGUEL DIAZ

Email: netmdiaz@hotmail.com

Address: 314 SE 19 TER  
City: CAPE CORAL State: FL Zip: 33990  
Phone: 239 464 3310

Unit 23 Block 1095 Lot(s) 44/45/46/47 Subdivision CAPE CORAL  
Legal Description 409 - 411 HANCOCK BRIDGE PKWY N, CAPE CORAL, FL 33990

Address of Property 409 - 411 HANCOCK BRIDGE PKWY N, CAPE CORAL, FL 33990

Current Zoning CORR Plat \_\_\_\_\_ Page \_\_\_\_\_  
Current Land Use PIRD Strap Number 134423C2010950440/134423C2010950460  
Proposed Land Use MF

Parcel Size: Width 80 Depth 132.34/132.49 Sq. Ft. 10,688 Acreage \_\_\_\_\_  
Soil Type: \_\_\_\_\_  
132.49/132.63

Urban Services Area: (check one) ☐ Infill ☐ Transition ☐ Reserve

Natural Resources: (state habitat type, e.g. high lands, wetlands, upland forest, oak hammocks, etc.):

Animal Species: (list any endangered, threatened, or species of special concern on-site)

Estimated Development:

Estimate total lot coverage: \_\_\_\_\_ %  
Estimate total building floor area \_\_\_\_\_ sq. ft.  
Estimate type of future development and percentages (e.g. business offices, commercial retail, automotive repair, etc.)

# ACKNOWLEDGEMENT FORM

I have read and understand the above instructions. Hearing date(s) will be confirmed when I receive a copy of the Notice of Public Hearing stipulating the day and time of any applicable hearings.

I acknowledge that I, or my representative, must attend any applicable meetings scheduled for the Planning & Zoning Commission/Local Planning Agency, Board of Zoning Adjustments and Appeals, and Council.

I will have the opportunity, at the hearing, to present verbal information pertaining to my request that may not be included in my application.

I understand any decision rendered by the CITY shall be subject to a thirty (30) day appeal period. Any work performed within the thirty (30) day time frame or during the APPEAL process will be completed at the applicant's risk.

I understand I am responsible for all fees, including advertising costs. All fees are to be submitted to the City of Cape Coral with the application or the item may be pulled from the agenda and continued to future date after fees are paid.

Please obtain all necessary permits prior to commencing any phase of construction.

Please indicate on a separate sheet those persons to whom you wish a copy of the Public Hearing Notice sent.

By submitting this application, I acknowledge and agree that I am authorizing the City of Cape Coral to inspect the subject property and to gain access to the subject property for inspection purposes reasonably related to this application and/or the permit for which I am applying.

I hereby acknowledge that I have read and understood the above affidavit on the

31 day of May, 2014

MIGUEL DIAZ  
NAME (PLEASE TYPE OR PRINT)

[Signature]  
APPLICANT'S SIGNATURE

STATE OF Fl., COUNTY OF Lee

Subscribed and sworn to (or affirmed) before me this 31 day of May, 2014 by Miguel Diaz who is personally known or produced as identification.

Exp. Date: 11/30/17 Commission Number: FF060852

Signature of Notary Public:

Printed name of Notary Public:

[Signature]  
Michelle A. Miller



Estimated peak hour trip ends:

If 300 or less peak hour trip ends are projected, the applicant must provide the source of the traffic projection. If more than 300 peak hour trip ends are projected, a traffic impact study must be completed and submitted as part of the application (see attachments).

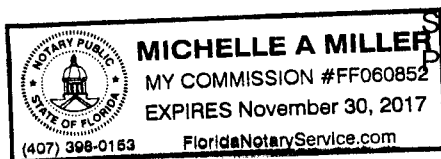
City Sewer: Yes ☒ No ☐  
City Water: Yes ☒ No ☐

THIS APPLICATION SHALL ALSO HAVE ANY ADDITIONAL REQUIRED SUPPORTING DOCUMENTS

The owner of this property, or the applicant agrees to conform to all applicable laws of the City of Cape Coral and to all applicable Federal, State, and County laws and certifies that all information supplied is correct to the best of their knowledge.

MIGUEL DIAZ  
NAME (PLEASE TYPE OR PRINT) AUTHORIZED SIGNATURE [Signature]  
STATE OF FL COUNTY OF Lee (SIGNATURE MUST BE NOTARIZED)  
Sworn to (or affirmed) and subscribed before me this 31 day of May, 2014, by Miguel Diaz who is personally known or produced as identification.

Exp. Date: 11/30/17 Commission Number: FF060852



Signature of Notary Public: [Signature]  
Printed name of Notary Public: MICHELLE A MILLER

## Letter of Intent

**Date:** 05/31/2016

**To:** City of Cape Coral

**From:** Miguel Diaz, Owner  
G & I Management Services, LLC  
314 SE 19 Ter, Cape Coral, FL 33990

**RE: Rezoning and Future Land Use Amendment Request for the following property locations:**

- **409 Hancock Bridge Parkway North, Cape Coral, FL 33990 (Lots 44/45, Block 1095, Unit 23) Strap # 134423C2010950440**
- **411 Hancock Bridge Parkway North, Cape Coral, FL 33990 (Lots 46/47, Block 1095, Unit 23) Strap # 134423C2010950460**

I, Miguel Diaz sincerely request a Rezoning of the properties mentioned above from actual zoning (CORR) to (R3-Multifamily) and also request Future Land Use amendment from (PIRD) to (MF-Multifamily)

The granting of this Amendment will not be injurious to the area and as you can see the Land lots are surrounded (side by side) by other multifamily properties and the adjacent property located at **415 Hancock Bridge Parkway North, Cape Coral, FL 33990** is actually classified as (Zoning **R3-Multifamily**) and (**MF- Multifamily Future Land Use**)

I purchased the properties stated above in May 2016 and my intention is to build a multifamily building as per Cape Coral Building and Zoning regulations. We respectfully request the amendment to be approved.

Thank you for considering our request.

Sincerely,

Miguel Diaz

A handwritten signature in black ink, appearing to be 'Miguel Diaz', written over the printed name.

## Planning Division Case Report

**Case No:** LU16-0008

**Applicant:** G & I Management Services, LLC

**Request:** Approval of a Future Land Use Amendment from Pine Island Road District (PIRD) to Multi-Family Residential (MF).

**Staff  
Recommendation:**

---

### Location Information:

The site is two undeveloped properties totaling 20,000 sq. ft. along Hancock Bridge Parkway. The surrounding area is commercial development to the north and combination of undeveloped properties and residential dwelling units<sup>1</sup> to the east, west and south. The site is in the Urban Service Transition area and centralized utilities are available.

<b><i>Subject Property:</i></b>	<b><i>Future Land Use</i></b>	<b><i>Zoning</i></b>
<b><i>Current:</i></b>	Pine Island Road District (PIRD)	Corridor (CORR)
<b><i>Proposed:</i></b>	Multi-Family Residential (MF)	N/A
<b><i>Surrounding Future Land Use</i></b>		<b><i>Surrounding Zoning</i></b>
<b><i>North:</i></b>	PIRD	CORR
<b><i>South:</i></b>	Multi-Family Residential (MF)	R-3
<b><i>East:</i></b>	MF	R-3
<b><i>West:</i></b>	PIRD	CORR

### Summary:

The site has a Pine Island Road District (PIRD) Future Land Use designation and is zoned Corridor (CORR). Previously, the site had a Multi-Family Residential (MF) Future Land Use designation and a Multi-Family Residential (R-3) zoning designation. The Future Land Use and the zoning were amended in 2002 and 2004, respectively. The site is two lots within Block 1095. Duplexes are directly adjacent on the left and right sides of the site. The site is developed with a multi-family residence that has was built in 1973. The request is to amend the Future Land Use to Multi-Family Residential (MF) in order to allow the applicant to build residential dwelling units on the site. The applicant has also filed a rezoning application to amend the zoning from CORR to Multi-Family Residential (R-3).

---

<sup>1</sup> A mixture of single-family homes and duplexes.



The property has access from Hancock Bridge Parkway and is adjacent to properties with a PIRD Future Land Use to the north and south, however, properties with an MF Future Land Use designation are adjacent to the east. The proposed Future Land Use amendment would decrease the amount of land available for commercial development, however, the site is boxed in by existing duplexes that could make commercial development challenging. The proposed amendment would allow the property to develop with up to six residential dwelling units.

The request is consistent with Comprehensive Plan Policies 8.4 and 8.5 of the Future Land Use Element that state multi-family is encouraged as a buffer between commercial and single-family residential uses. Further review indicates that the property is not entirely consistent with Comprehensive Policy 1.15 of the Future Land Use Element regarding commercial siting guidelines and is appropriate for multi-family development.

Staff recommends approval of the requested amendment.

<b>Positive Aspects of Application:</b>	<ul style="list-style-type: none"><li>• Allow for development of duplex or multi-family residential units.</li><li>• Allows development of a challenging site.</li><li>• Maintains buffer for single-family residences to the east.</li></ul>
<b>Negative Aspects of Application:</b>	<ul style="list-style-type: none"><li>• Reduces commercial land along a corridor.</li></ul>



## NOTICE TO SURROUNDING PROPERTY OWNERS

**CASE NUMBER:** LU16-0008

**REQUEST:** AN ORDINANCE AMENDING THE CITY OF CAPE CORAL COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP FROM PINE ISLAND ROAD DISTRICT (PIRD) TO MULTI-FAMILY RESIDENTIAL (MF) LAND USE FOR PROPERTY DESCRIBED AS LOTS 44-47, BLOCK 1095, UNIT 23, CAPE CORAL SUBDIVISION; PROPERTY LOCATED AT 409-411 HANCOCK BRIDGE PARKWAY.

**LOCATION:** 409-411 Hancock Bridge Parkway.

**CAPE CORAL STAFF CONTACT:** Chad Boyko, 239-573-3162, cboyko@capecoral.net

**PROPERTY OWNER(S):** G & I Management Services LLC

**AUTHORIZED REPRESENTATIVE:** Miguel Diaz, G & I Management Services LLC

**UPCOMING PUBLIC HEARING:** Notice is hereby given that the City of Cape Coral Local Planning Agency will hold a public hearing on Ordinance 1-17 at 9:00am on January 4, 2017 on the above mentioned case. The public hearing will be held in the City of Cape Coral Council Chambers, 1015 Cultural Park Boulevard, Cape Coral, FL.

The City Council will hear Ordinance 1-17 on February 6, 2017 in the Council Chambers at City Hall.

**DETAILED INFORMATION:** The case report and colored maps for this application are available at the City of Cape Coral website, [www.capecoral.net/publichearing](http://www.capecoral.net/publichearing) (Click on 'Public Hearing Information', use the case number referenced above to access the information); or, at the Planning Division counter at City Hall, between the hours of 7:30 AM and 4:30 PM. The public hearing may be continued to a time and date certain by announcement at this public hearing without any further published notice.

**HOW TO CONTACT:** Any person may appear at the public hearing and be heard, subject to proper rules of conduct. You are allowed sufficient time to write or appear at the public hearing to voice your objections or approval. Written comments filed with the Director will be entered into the record. Please reference the case number above within your correspondence and mail to: Department of Community Development, Planning Division, P.O. Box 150027, Cape Coral, FL 33915-0027. The hearings may be continued from time to time as necessary.

**ADA PROVISIONS:** In accordance with the Americans With Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Human Resources Department whose office is located at Cape Coral City Hall, 1015 Cultural Park Boulevard, Cape Coral, Florida; telephone 1-239-574-0530 for assistance; if hearing impaired, telephone the Florida Relay Service Numbers, 1-800-955-8771 (TDD) or 1-800-955-8770 (v) for assistance.

**APPEALS:** If a person decides to appeal any decision made by the City Council with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

ORDINANCE 1 - 17

AN ORDINANCE AMENDING THE CITY OF CAPE CORAL COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP FROM PINE ISLAND ROAD DISTRICT (PIRD) TO MULTI-FAMILY RESIDENTIAL (MF) LAND USE FOR PROPERTY DESCRIBED AS LOTS 44-47, BLOCK 1095, UNIT 23, CAPE CORAL SUBDIVISION; PROPERTY LOCATED AT 409-411 HANCOCK BRIDGE PARKWAY; PROVIDING SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City of Cape Coral on February 13, 1989, adopted a Comprehensive Plan pursuant to the Comprehensive Planning Act; and

WHEREAS, as part of the Comprehensive Plan the City of Cape Coral adopted therewith a future land use map designating land uses and proposed land uses throughout the City of Cape Coral consistent with the Comprehensive Plan and Comprehensive Planning Act; and

WHEREAS, the City of Cape Coral City Council has considered the testimony, evidence, and documentation for the Land Use Amendment initiated by G & I MANAGEMENT SERVICES, LLC, regarding the below described property, and considered the recommendation of the Planning & Zoning Commission/Local Planning Agency and City staff.

NOW, THEREFORE, THE CITY OF CAPE CORAL, FLORIDA, HEREBY ORDAINS PURSUANT TO THE LAWS OF FLORIDA, AND OTHER APPLICABLE LAWS, THIS ORDINANCE:

SECTION 1. That the below described real property located within the City of Cape Coral, Florida, is hereby amended consistent with the City of Cape Coral Comprehensive Plan as follows:

FROM PINE ISLAND ROAD DISTRICT (PIRD) TO MULTI-FAMILY RESIDENTIAL (MF)

LOTS 44, 45, 46, AND 47, BLOCK 1095, CAPE CORAL SUBDIVISION UNIT 23, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 14, PAGES 39-52, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

PROPERTY LOCATED AT: 409-411 HANCOCK BRIDGE PARKWAY

SECTION 2. Severability. In the event that any portion or section of this ordinance is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this ordinance which shall remain in full force and effect.

SECTION 3. Effective Date. The effective date of this small scale development amendment to the Comprehensive Plan shall be thirty-one (31) days after the adoption of this ordinance. Alternatively, if the small scale development amendment adopted by this ordinance is challenged by an "affected person" within thirty (30) days after adoption, then the effective date of this amendment shall be the date upon which either the state land planning agency or the Administration Commission issues a "final order" determining that this small scale development amendment is "in compliance" as provided in Section 163.3187(5), Florida Statutes.

ADOPTED BY THE COUNCIL OF THE CITY OF CAPE CORAL AT ITS REGULAR SESSION THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.

---

MARNI L. SAWICKI, MAYOR

VOTE OF MAYOR AND COUNCILMEMBERS:

SAWICKI \_\_\_\_\_  
BURCH \_\_\_\_\_  
CARIOSCIA \_\_\_\_\_  
STOUT \_\_\_\_\_

LEON \_\_\_\_\_  
ERBRICK \_\_\_\_\_  
WILLIAMS \_\_\_\_\_  
COSDEN \_\_\_\_\_

ATTESTED TO AND FILED IN MY OFFICE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_,  
2017.

\_\_\_\_\_  
REBECCA VAN DEUTEKOM  
CITY CLERK

APPROVED AS TO FORM:



BRIAN R. BARTOS  
ASSISTANT CITY ATTORNEY  
ord/lu16-0008

# NOTICE OF CHANGE OF LAND USE

The City of Cape Coral proposes to adopt AN ORDINANCE AMENDING THE CITY OF CAPE CORAL COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP FROM PINE ISLAND ROAD DISTRICT (PIRD) TO MULTI-FAMILY RESIDENTIAL (MF) LAND USE FOR PROPERTY DESCRIBED AS LOTS 44-47, BLOCK 1095, UNIT 23, CAPE CORAL SUBDIVISION; PROPERTY LOCATED AT 409-411 HANCOCK BRIDGE PARKWAY; PROVIDING SEVERABILITY AND AN EFFECTIVE DATE.

A public hearing on the ordinance will be held Wednesday, February 1, 2017 at 9:00 a.m. at the City of Cape Coral, City Hall Chambers, 1015 Cultural Park Blvd., Cape Coral, Florida 33990. At this public hearing, the Planning and Zoning Commission will consider a recommendation to change the City's future land use map amendment request. Accordingly, members of the general public and real property owners in the community are invited to appear and speak at the public hearing. Written comments filed with the Director will also be entered into the record. A copy of the map and the proposed amendment under consideration will be available for inspection and will be provided to the public at cost at the City Clerk's office between 7:30 a.m. and 4:30 p.m., Monday through Friday excluding holidays. Any person who decides to appeal any decision made by the City Council at that meeting will need a record of proceedings, and that subject person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. In accordance with Section 286.26, Florida Statutes, persons with disabilities needing special accommodations to participate in this meeting should contact the City Clerk no later than 4:00 p.m. on the day prior to the meeting.

Rebecca Van Deutekom, CMC  
City Clerk



NP-0000923179

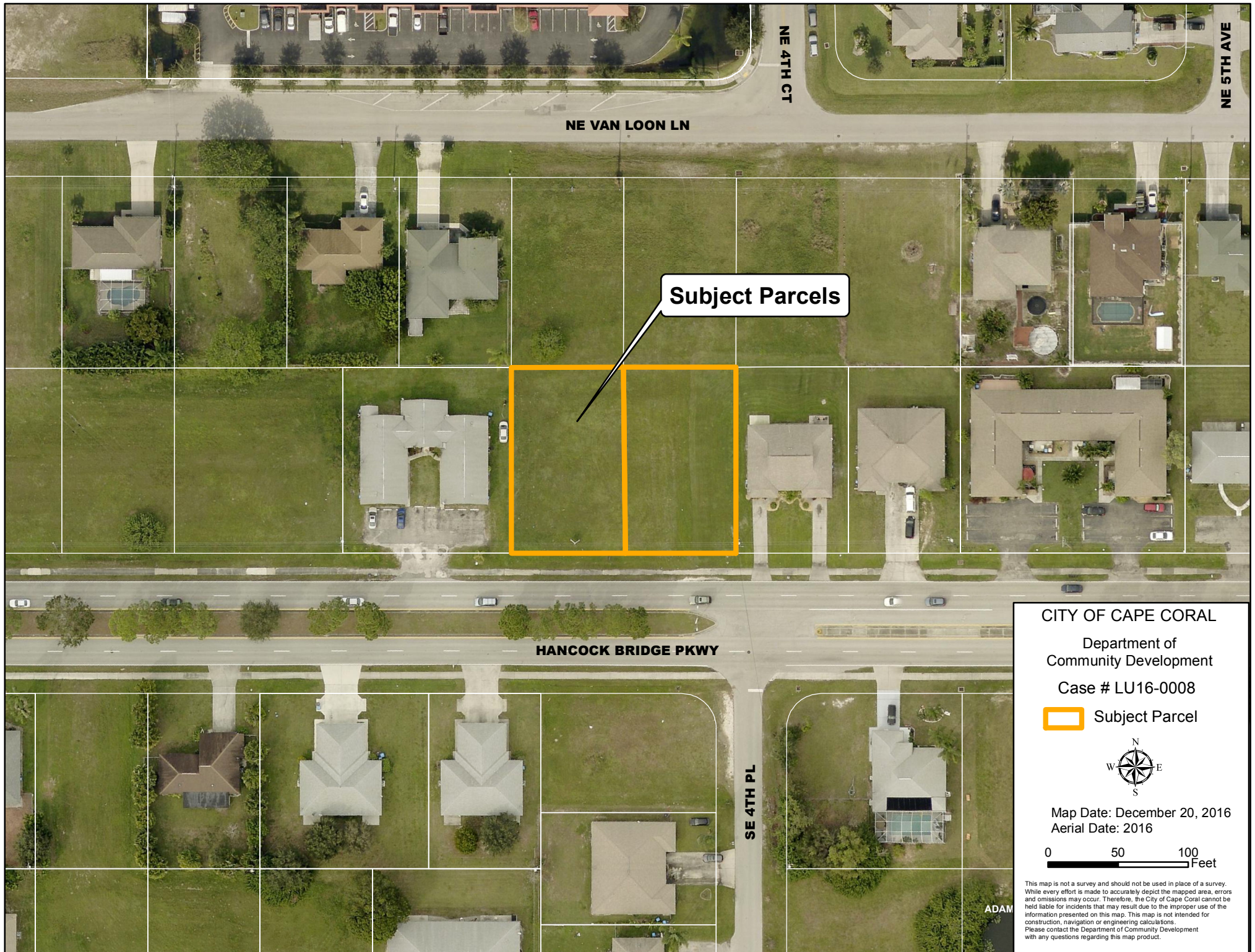
☐ PROOF O.K. BY: \_\_\_\_\_ ☐ O.K. WITH CORRECTIONS BY: \_\_\_\_\_

PLEASE READ CAREFULLY • SUBMIT CORRECTIONS ONLINE

ADVERTISER: CITY OF CAPE CORAL\_DEPT  
SALES PERSON: Legal Display  
PUBLICATION: NP-CAPE SUN PRESS  
SIZE: 3 col X 9.25 in  
PROOF CREATED AT: 1/18/2017 12:52 PM  
PROOF DUE: -  
NEXT RUN DATE: 01/22/17

NP-0000923179.INDD






Subject Parcels

CITY OF CAPE CORAL

Department of  
Community Development

Case # LU16-0008

 Subject Parcel



Map Date: December 20, 2016  
Aerial Date: 2016

0 50 100  
Feet

This map is not a survey and should not be used in place of a survey. While every effort is made to accurately depict the mapped area, errors and omissions may occur. Therefore, the City of Cape Coral cannot be held liable for incidents that may result due to the improper use of the information presented on this map. This map is not intended for construction, navigation or engineering calculations. Please contact the Department of Community Development with any questions regarding this map product.

ADAM








# CITY OF CAPE CORAL

Department of  
Community Development  
Planning Division

CURRENT ZONING MAP  
500 Proximity Boundary

Case No. LU16-0008  
Lot: 44-47

## Legend

-  Subject Parcels
-  500' Boundary
-  CORR
-  R-1B
-  R-3

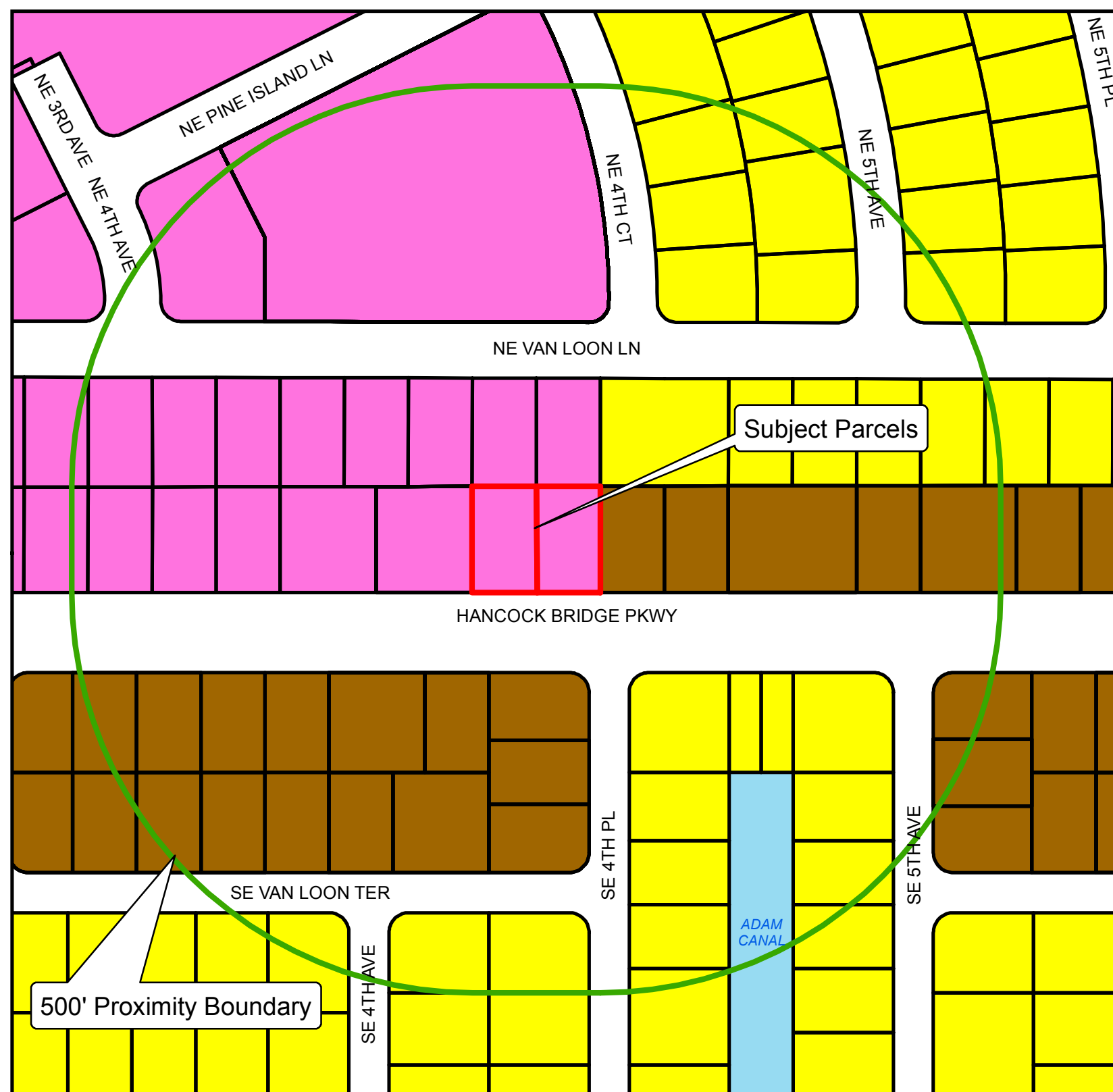


DECEMBER 9, 2016

0 60 120 180 240  
Feet

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KRKA



# CITY OF CAPE CORAL

Department of  
Community Development  
Planning Division



## FUTURE LAND USE MAP

500 Proximity Boundary

Case No. LU16-0008

Lot: 44-47

### Legend

-  Subject Parcels
-  500' Boundary

### Future Land Use

-  SF
-  MF
-  PIRD

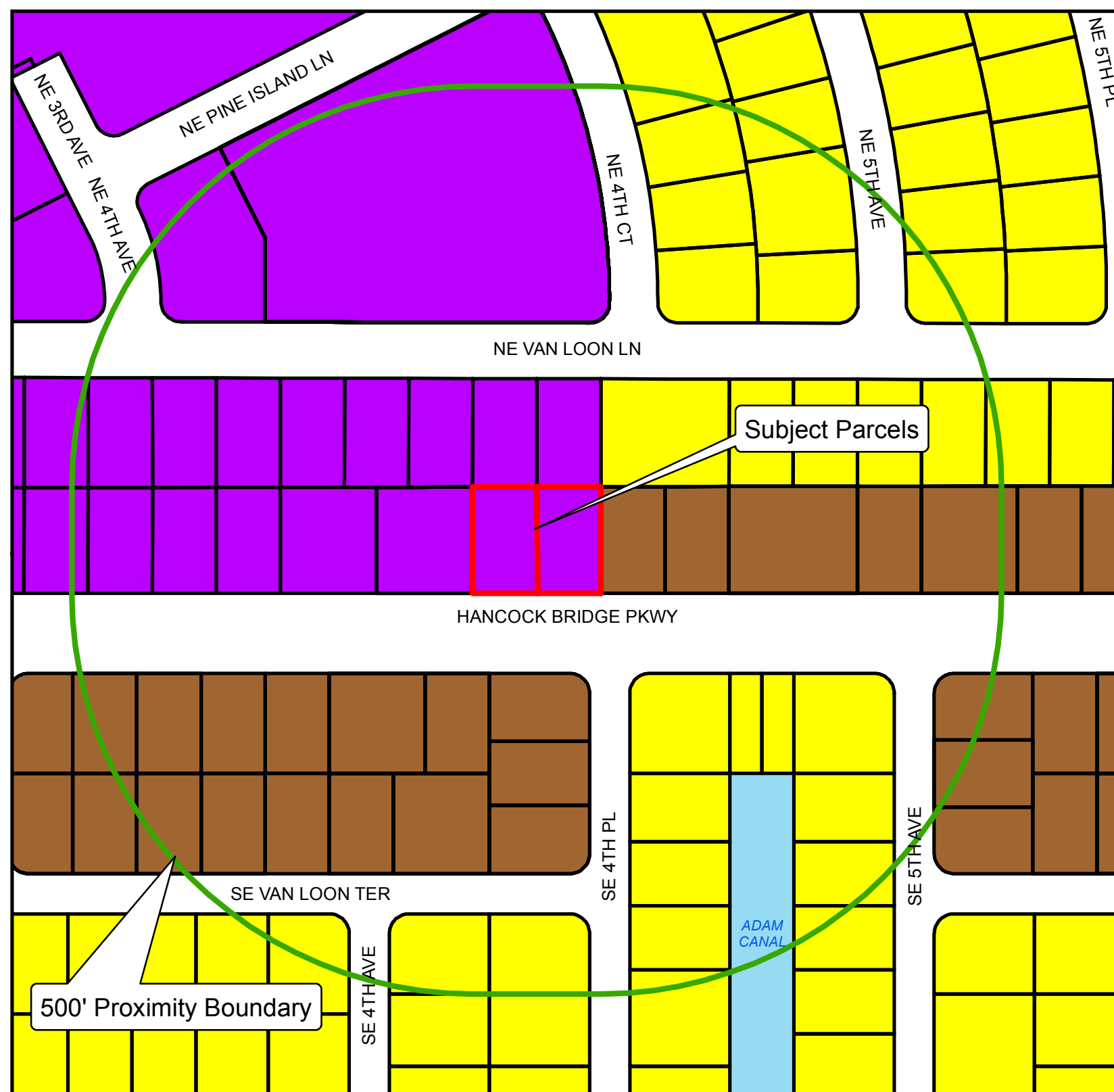


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KRKA





# CITY OF CAPE CORAL

Department of  
Community Development  
Planning Division

## PROPOSED LAND USE MAP


500 Proximity Boundary

Case No. LU16-0008

Lot: 44-47

### Legend

 Subject Parcels

 500' Boundary

### Future Land Use

 SF

 MF

 PIRD

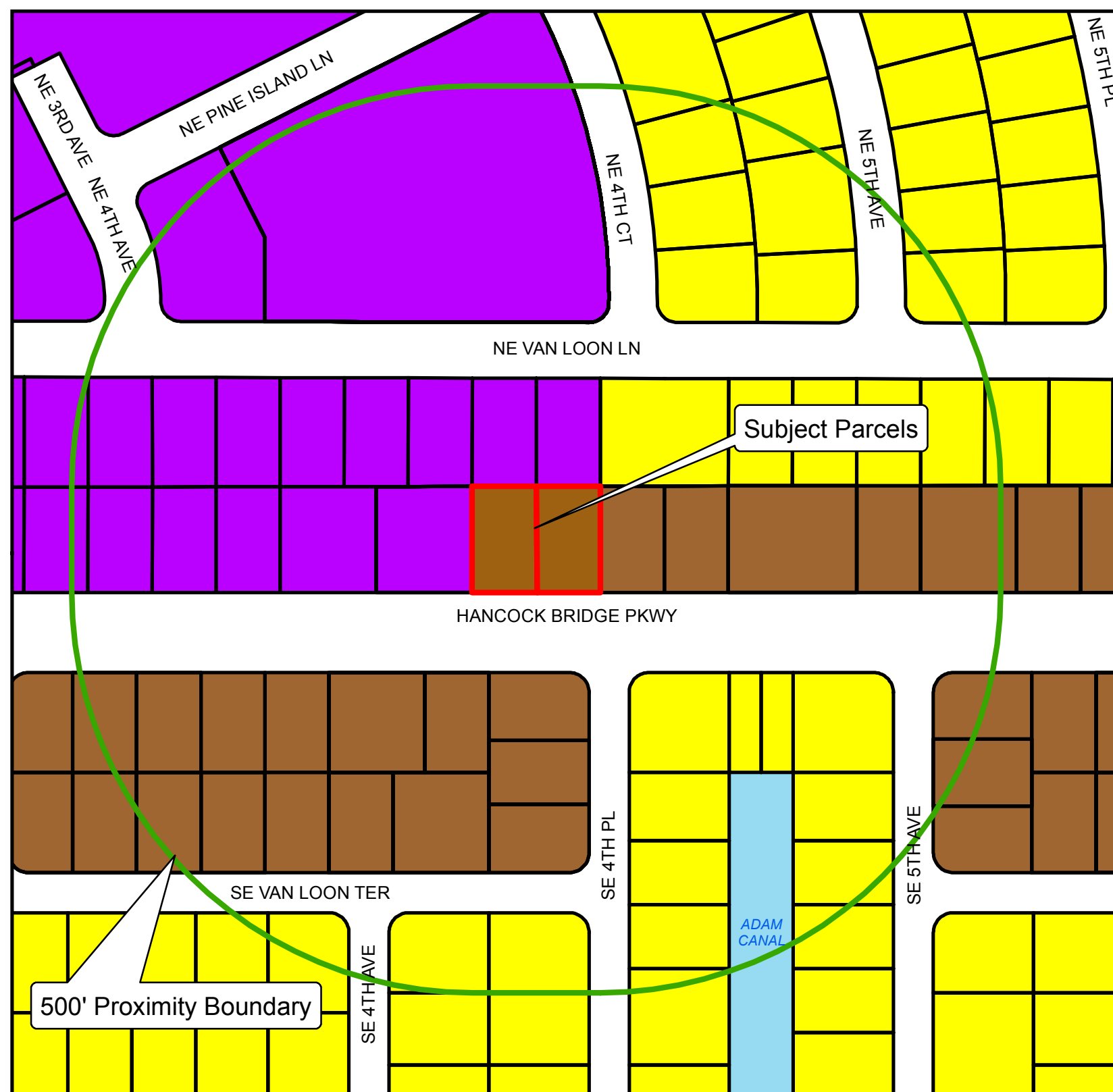


DECEMBER 9, 2016

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KRKA



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ADOPTED BY THE COUNCIL OF THE CITY OF CAPE CORAL AT ITS REGULAR SESSION THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.

---

MARNI L. SAWICKI, MAYOR

VOTE OF MAYOR AND COUNCILMEMBERS:

SAWICKI \_\_\_\_\_  
BURCH \_\_\_\_\_  
CARIOSCIA \_\_\_\_\_  
STOUT \_\_\_\_\_

LEON \_\_\_\_\_  
ERBRICK \_\_\_\_\_  
WILLIAMS \_\_\_\_\_  
COSDEN \_\_\_\_\_

ATTESTED TO AND FILED IN MY OFFICE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_,  
2017.

\_\_\_\_\_  
REBECCA VAN DEUTEKOM  
CITY CLERK

APPROVED AS TO FORM:



BRIAN R. BARTOS  
ASSISTANT CITY ATTORNEY  
ord/lu16-0008