

Cape Coral Planning & Zoning Commission/Local Planning

Agency



AGENDA

Wednesday, May 2, 2018

9:00 AM

Council Chambers

1. CALL TO ORDER

A. Chair Read

2. MOMENT OF SILENCE

3. PLEDGE OF ALLEGIANCE

4. ROLL CALL

A. Bennie, Marmo, Peterson, Ranfranz, Read, Schneider, Slapper and Alternate Stevens

5. APPROVAL OF MINUTES

A. March 07, 2018 regular meeting minutes

6. CITIZENS INPUT

7. BUSINESS

A. Applicant Interviews

8. PLANNING AND ZONING COMMISSION / LOCAL PLANNING AGENCY PUBLIC HEARING

9. STAFF UPDATES

10. OTHER BUSINESS

11. LPA MEMBER COMMENTS

12. DATE AND TIME OF NEXT MEETING

- A. Special Meeting May 16, 2018 at 9:00 a.m. in Council Chambers
- B. Regular Meeting June 6, 2018 at 9:00 a.m. in Council Chambers

13. ADJOURNMENT

In accordance with the Americans with Disabilities Act and Florida Statutes 286.26, 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: 1.A.
Meeting Date: 5/2/2018
Item Type: CALL TO ORDER

AGENDA REQUEST FORM
CITY OF CAPE CORAL



TITLE:

Chair Read

REQUESTED ACTION:

STRATEGIC PLAN INFO:

1. Will this action result in a Budget Amendment?
2. Is this a Strategic Decision?
 - 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:
WHAT THE ORDINANCE ACCOMPLISHES:

LEGAL REVIEW:

EXHIBITS:

PREPARED BY:

Division- Department-

SOURCE OF ADDITIONAL INFORMATION:

Item Number:	4.A.
Meeting Date:	5/2/2018
Item Type:	ROLL CALL

AGENDA REQUEST FORM
CITY OF CAPE CORAL



TITLE:

Bennie, Marmo, Peterson, Ranfranz, Read, Schneider, Slapper and Alternate Stevens

REQUESTED ACTION:

STRATEGIC PLAN INFO:

1. Will this action result in a Budget Amendment?
2. Is this a Strategic Decision?
 - 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:

WHAT THE ORDINANCE ACCOMPLISHES:

LEGAL REVIEW:

EXHIBITS:

PREPARED BY:

Division- Department-

SOURCE OF ADDITIONAL INFORMATION:

Item Number:	5.A.
Meeting Date:	5/2/2018
Item Type:	APPROVAL OF MINUTES

**AGENDA REQUEST
FORM**
CITY OF CAPE CORAL



TITLE:

March 07, 2018 regular meeting minutes

REQUESTED ACTION:

STRATEGIC PLAN INFO:

1. Will this action result in a Budget Amendment?
2. Is this a Strategic Decision?
 - 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:
WHAT THE ORDINANCE ACCOMPLISHES:

LEGAL REVIEW:

EXHIBITS:

PREPARED BY:

Division- Department-

SOURCE OF ADDITIONAL INFORMATION:

ATTACHMENTS:

Description	Type
<input type="checkbox"/> March 7, 2018 regular meeting minutes	Backup Material

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

WEDNESDAY, March 7, 2018

COUNCIL CHAMBERS

9:00 A.M.

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

A moment of silence was observed.

Pledge of Allegiance.

ROLL CALL: Marmo, Peterson, Read, Slapper, Ranfranz, and Alternate Stevens were present. Schneider was excused. Bennie arrived at 9:05 a.m.

ALSO PRESENT: Brian Bartos, Assistant City Attorney
John Naclerio, Assistant City Attorney
Chad Boyko, Principal Planner
Robert Pederson, Planning Manager

APPROVAL OF MINUTES

February 7, 2018 Regular Meeting Minutes

Commissioner Slapper moved, seconded by Vice Chair Peterson to approve the minutes of the regular meeting held on February 7, 2018 as presented.

Commission polled as follows: Marmo, Peterson, Ranfranz, Read, Slapper and Alternate Stevens voted "aye." All "ayes." Motion carried 6-0.

BUSINESS

Election of Chair and Vice Chair

Chair Read opened the floor for nominations for Chair.

Commissioner Ranfranz moved, seconded by Commissioner Marmo, to nominate Dan Read as Chair.

Commissioner Ranfranz nominated Dan Read as Chair.

Commissioner Marmo seconded Dan Read as Chair.

There were no other nominations.

Commission polled as follows: Marmo, Peterson, Ranfranz, Read, Slapper and alternate Stevens voted “aye.” All “ayes.” Motion carried 6-0.

Chair Read opened the floor for nominations for Vice Chair.

Commissioner Slapper moved, seconded by Commissioner Marmo, to nominate Ryan Peterson as Vice Chair.

Commissioner Slapper nominated Ryan Peterson as Vice Chair.

Commissioner Marmo seconded Ryan Peterson Vice Chair.

There were no other nominations.

Commission polled as follows: Marmo, Peterson, Ranfranz, Read, Slapper, and Alternate Stevens voted “aye.” All “ayes.” Motion carried 6-0.

Commissioner Bennie arrived at 9:05 a.m.

OTHER BUSINESS

Ordinance 19-18(LU 17 – 0009)

WHAT THE ORDINANCE ACCOMPLISHES:

An ordinance amending the Future Land Use Map from Mixed Use (MX) to Low Density Residential II (LDRII) land use for property located at 3321 & 3305 Old Burnt Store Road and Sand Road. (Applicants: Kevin, Gayle, Michael & Karen McGrath)

Principal Planner Boyko presented a power point titled Ordinance 19-18 (LU17-0009):

- Ordinance 19-18
- Aerial View
- Current Flu- Mixed Use Proposed Flu – Low Density Residential II
- Findings of Fact
- Analysis Policies 1.13, 1.14, 3.1.
- Summary and Recommendation approval.

Veronica Martin, TDM Consulting Inc., representing the applicant, explained the subdivision was to be divided into three separate lots. The owners have two sons with families. She explained the history of the property and the difficulty the owners had with getting the surveys done. Initially, this was zoned for agriculture. She noted there is a pond on this property, and the environmental report states there are wetlands along the right of way. She contacted the Army Corps of Engineers and they are currently waiting

for that permit. She stated she had been working on this property for over two years.

Public hearing opened.

No Speakers.

Public hearing closed.

Vice Chair Peterson moved, seconded by Commissioner Marmo, to recommend approval of Ordinance 19-18.

Commission polled as follows: Bennie, Marmo, Peterson, Ranfranz, Read, Slapper, and Alternate Stevens voted "aye." Seven "ayes." Motion carried 7-0.

STAFF UPDATES

Mr. Pederson stated Kathy Eastley, the Senior Planner, has left the City and we currently have an opening for this position.

DATE AND TIME OF NEXT MEETING

The next regular meeting was scheduled for Wednesday, April 4, 2018, at 9:00 a.m. in Council Chambers.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:19 a.m.

Submitted by,

Patricia Sorrels
Recording Secretary

Item Number:	7.A.
Meeting Date:	5/2/2018
Item Type:	BUSINESS

AGENDA REQUEST FORM
CITY OF CAPE CORAL



TITLE:

Applicant Interviews

REQUESTED ACTION:

STRATEGIC PLAN INFO:

1. Will this action result in a Budget Amendment?
2. Is this a Strategic Decision?
 - 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:

Vacancy: One Alternate vacancy.

Expiration: Alternate will expire 2/28/2019

Advertisement: The Vacancy was advertised on January 19, 2018 and March 26, 2018 in the Breeze and was posted on the City website and Facebook page.

LEGAL REVIEW:

EXHIBITS:

Board Sheet

Applicant: Robert Maurice O'Connor

PREPARED BY:

Division- Department-

SOURCE OF ADDITIONAL INFORMATION:

Patricia Sorrels 239 574-0415

ATTACHMENTS:

Description	Type
<div data-bbox="152 153 185 189">  </div> <div data-bbox="224 153 386 189">Board Sheet</div>	Backup Material
<div data-bbox="152 195 185 231">  </div> <div data-bbox="224 195 699 231">Applicant - Robert Maurice O'Connor</div>	Backup Material

PLANNING & ZONING COMMISSION

BOARD INFO	MEMBERS	PHONE NUMBER	INITIAL APPOINT	LAST	TERM
<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 and Land Use and Development Regulations and provide recommendations to City Council concerning land use matters.</p> <p>Meeting: 1st Wednesday of every month</p> <p>Liaison: Council Member John Gunter jgunter@capecoral.net</p> <p>Board Secretary: Patricia Sorrels 239 574-4415 psorrels@capecoral.net</p>	Daniel D. Read, CHAIR 112 SW 59th Terrace Cape Coral, FL 33914 landbrokers@comcast.net	542-0002 (W) 225-3182 (C)	3/1/2002 (alt.) 8/4/2003 (reg.)	2/22/2016	2/28/2019
	James Ranfranz 4929 SW 17th Ave Cape Coral, FL 33914 elscientifico@yahoo.com	542-0194 (h) 699-5762 (c)	10/18/2004 (alt) 10/23/2006 (reg.)	2/22/2016	2/28/2019
	Ryan Peterson, VICE CHAIR 527 NW 37th Avenue Cape Coral, FL 33993 rlpete119@gmail.com	935-7073 (o) 904 838-7020 (c)	2/9/2015	2/13/2017	2/28/2020
	Anthony Bennie 4612 SW 3RD Ave Cape Coral, FL 33914 anthony@clearconsciencepet.com	239-984-2711 239-984-2705	12/11/2017 (reg)	2/12/2018	2/28/2021
	John Stevens (alternate) EXEMPT jstevens.ccac@gmail.com		2/12/2018 (alt.)		2/28/2019
	Ron Marmo 140 SW 12th Street Cape Coral, FL 33991 ronmarmo@juno.com	612 245-9013	10/26/2015 (alt.)	2/13/17 (reg.)	2/28/2020
	Jeffrey Slapper 5117 York Court Cape Coral, FI 33904 Jeffery.Slapper@gmail.com	303 881-0871	5/15/2017 (alt.) 12/11/2017(reg)	2/12/2018	2/28/2021
	VACANT (alternate)				
	James Schneider 1834 SE 5th Street Cape Coral, FL 33990 Jaime@HomesInTheSunshine.com	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

FEB 7 2018

Initials: RO

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: _____

Name: O'Connor Robert (Bob) Maurice
(Last) (First) (Middle)

E-mail address: bob.oconnor@svn.com

Address: (H) 4015 PALM TREE BLVD Zip Code 33904

(O) 3033 Winkler Ave Ft. Myers Zip Code 33916

Phone: (H) _____ (O) _____ (C) 239-410-7183

Occupation: Commercial Real Estate Advisor

Employer: SVN-KOVA Ft. Myers Position: Advisor How Long: 1 yr

Education: Highest education level achieved and institutions attended:

Name & Location	Dates Attended	Degrees Earned
<u>N Ft. Myers High School</u>	<u>1974-78</u>	<u>Diploma</u>
<u>U.S. Army</u>	<u>1980-82</u>	<u>Honorable Discharge</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.

License/Certificate Title	Issue Date	Issuing Authority
<u>Real Estate</u>	<u>June 2005</u>	<u>State of FLA</u>
<u>Appraiser Trainee</u>	<u>2009</u>	<u>State of FLA</u>
<u>Life, Health & Annuities</u>	<u>1995</u>	<u>State of FLA</u>
<u>Series 6</u>	<u>1996</u>	<u>State of FLA</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 _____ No X

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

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

If yes, which Board(s) and when?

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:

U.S. Army 1980-82
Federal Express Corp. 1986-2015
Reactor 2005-present

Community Involvement:

Youth sports coaching & involvement 1995-2005

Interests/Activities:

Dining with Friends & Family in Cape Coral
Golfing
Reading

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

To provide public service and community involvement
for the betterment of Cape Coral

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

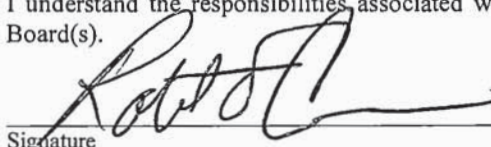
A resume or separate sheet with additional information may be included.

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

2-7-18
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: _____

CITY OF CAPE CORAL
REQUEST FOR CONFIDENTIALITY OF PERSONAL INFORMATION FROM PUBLIC RECORD

Name (as it appears on City badge): Bob O'Connor

Employee #: _____

Pursuant to Florida Statutes §119.071, I request that my/my spouse/my children's home address, telephone numbers, social security number, date of birth, photographs, places of employment of my spouse and children, name and location of schools/day care centers attended by my children, be exempt from disclosure from public records during my employment with the City of Cape Coral and thereafter.

Check one: I am ☐, I am the Spouse of ☐, I am the child of ☐

Check one below:

☐ **Abuse investigators for Department of Children and Families and Department of Health**

Scope of exemption: Active or former personnel of the Department of Children and Families whose duties include the investigation of abuse, neglect, exploitation, fraud, theft or other criminal activities; and active or former personnel of the Department of Health whose duties are to support the investigation of child abuse or neglect

☐ **Audit Department personnel**

Scope of exemption: The home addresses, telephone numbers, dates of birth, and photographs of current or former personnel employed in an agency's office of inspector general or internal audit department whose duties include auditing or investigating waste, fraud, abuse, theft, exploitation, or other activities that could lead to criminal prosecution or administrative discipline; the names, home addresses, telephone numbers, dates of birth, and places of employment of spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution if the personnel have made reasonable efforts to protect such information from being accessible through other means available to the public.

☐ **Code enforcement officers**

Scope of exemption: Current or former code enforcement officers

City Ord. 55-07, Sec. 2-82.1

Code enforcement officers, building official, deputy building officials, chief inspectors, building inspectors (regardless of designations), engineering inspectors, city ordinance inspectors, and landscape inspectors of the city's Department of Community Development, law enforcement officers and Public Service Aides of the City Police Department, licensing investigators of the City Clerk's Office, zoning inspectors, building officials, deputy building officials, chief inspectors, lead structural inspectors, lead roofing inspectors, lead plumbing/mechanical inspectors, lead electrical inspectors, lead combination inspectors and landscape inspectors of the City's Department of Community Development, Financial Services Director, customer billing services manager(s), business systems analyst(s), customer billing services research specialist(s), and field service representatives of the City's Financial Services Department are hereby designated to be code enforcement officers and are authorized to issue notices of violation as code inspectors and to request the City's special magistrate (s) to hear cases in which there has been non-compliance. Other employees or agents of the city may, by resolution of the city council, be designated as code enforcement officers.

☐ **County tax collectors**

Scope of exemption: County tax collectors, if the tax collector has made reasonable efforts to protect such information from being accessible through other means available to the public

☐ **Firefighters**

Scope of exemption: Firefighters certified in compliance with s. 633.408, F.S.

☐ **Guardian ad litem**

Scope of exemption: Current or former guardians ad litem, as defined in s. 39.820, F.S., if the guardian ad litem provides a written statement that the guardian ad litem has made reasonable efforts to protect such information from being accessible through other means available to the public

☐ **Human resource managers for local governments**

Scope of exemption: Current or former human resource, labor relations, or employee relations directors, assistant directors, managers, or assistant managers of any local government agency or water management district whose duties include hiring and firing employees, labor contract negotiation, administration, or other personnel-related duties

☐ **Impaired practitioner consultants**

Scope of exemption: Current or former impaired practitioner consultants retained by an agency or current or former employees of an impaired practitioner consultant whose duties result in a determination of a person's skill and safety to practice a licensed profession

☐**Investigators and inspectors of the Department of Business and Professional Regulation**

Scope of exemption: Current or former investigators or inspectors of the Department of Business and Professional Regulation if the individual has made reasonable efforts to protect such information from being accessible through other means available to the public

Judges, magistrates, and hearing officers☐**State administrative law judges, magistrates, and child support hearing officers**

Scope of exemption: General magistrates, special magistrates, judges of compensation claims, administrative law judges of the Division of Administrative Hearings, and child support enforcement hearing officers, if the individual provides a written statement that he or she has made reasonable efforts to protect such information from being accessible through other means available to the public

☐**State court justices and judges**

Scope of exemption: Current or former Justices of the Supreme Court, district court of appeal judges, circuit court judges, and county court judges

☐**Juvenile Justice juvenile probation and detention officers and counselors**

Scope of exemption: Current or former juvenile probation officers and supervisors, detention superintendents and assistant superintendents, juvenile justice detention officers and supervisors, juvenile justice residential officers and supervisors, juvenile justice counselors, supervisors, and administrators, human services counselor administrators, rehabilitation therapists and social services counselors of the Department of Juvenile Justice

☐**Law enforcement and correctional personnel**

Scope of exemption: Active or former sworn or civilian law enforcement personnel, including correctional and correctional probation officers

☐**Personnel of the Department of Health with specified duties**

Scope of exemption: Current or former personnel of the Department of Health whose duties include, or result in, the determination or adjudication of eligibility for social security disability benefits, the investigation or prosecution of complaints filed against health care practitioners, or the inspection of health care practitioners or health care facilities licensed by the Department of Health, if the personnel have made reasonable efforts to protect such information from being accessible through other means available to the public.

☐**Prosecutors**

Scope of exemption: Current or former state attorneys, assistant state attorneys, statewide prosecutors, or assistant statewide prosecutors

☐**Public defenders and other specified counsel**

Scope of exemption: Current or former public defenders, assistant public defenders, criminal conflict and civil regional counsel, and assistant criminal conflict and civil regional counsel

☐**Revenue collection and enforcement or child support enforcement**

Scope of exemption: Active or former personnel of the Department of Revenue or local governments whose duties include revenue collection and enforcement or child support enforcement

☐**U.S. military service members**

Scope of exemption: Current or former members of the Armed Forces of the United States, a reserve component of the Armed Forces of the United States, or the National Guard who served after September 11, 2001.

☐

Other Applicable Exemption: Please cite exemption _____

☐

Under penalty of perjury, I hereby affirm that I have made reasonable efforts to protect the information for which I am requesting protection from being accessible through other means available to the public. **(Must be checked)**

Type/Print your name to confirm your request for exemption: Robert O'Connor

SUBMIT FORM

Item Number:	12.A.
Meeting Date:	5/2/2018
Item Type:	DATE AND TIME OF NEXT MEETING

**AGENDA REQUEST
FORM**
CITY OF CAPE CORAL



TITLE:

Special Meeting May 16, 2018 at 9:00 a.m. in Council Chambers

REQUESTED ACTION:

STRATEGIC PLAN INFO:

1. Will this action result in a Budget Amendment?
2. Is this a Strategic Decision?

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:

WHAT THE ORDINANCE ACCOMPLISHES:

LEGAL REVIEW:

EXHIBITS:

PREPARED BY:

Division- Department-

SOURCE OF ADDITIONAL INFORMATION:

Item Number:	12.B.
Meeting Date:	5/2/2018
Item Type:	DATE AND TIME OF NEXT MEETING

**AGENDA REQUEST
FORM**
CITY OF CAPE CORAL



TITLE:

Regular Meeting June 6, 2018 at 9:00 a.m. in Council Chambers

REQUESTED ACTION:

STRATEGIC PLAN INFO:

1. Will this action result in a Budget Amendment?
2. Is this a Strategic Decision?

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:

WHAT THE ORDINANCE ACCOMPLISHES:

LEGAL REVIEW:

EXHIBITS:

PREPARED BY:

Division- Department-

SOURCE OF ADDITIONAL INFORMATION: