

**GPI Land Use Plan Implementation Committee Meeting Minutes  
June 11, 2003**

The meeting was called to order by Chairperson Barbara Dubin at 7:05 P.M. at St. John's Episcopal Church in St. James City. The meeting was immediately turned over to Bill Spikowsky, our Principal Planner.

On May 27, 2003, the Lee County Board of County Commissioners unanimously approved a county grant of \$20,000 to be used for implementation of the newly approved GPI Land Use Plan.

A legal challenge by Russell Setti, concerning our newly approved Land Use Plan, has been filed against the FL Dept. of Community Affairs (DCA). Lee County is presently negotiating with Mr. Setti. An Administrative Hearing, which was set for June 10, 11 and 12, has been postponed. The new Administrative Hearing date will be picked by a judge and the hearing will be very legalistic. Setti must prove that he is correct. ~~The DCA must also prove that they were correct in approving the plan.~~ The Plan will not be in effect until the legal challenge is resolved.

As long as you comply with the previous plan, you can get a permit. However, in matters of rezoning the Commissioners can use the fact that there is a new plan. The County refused to renew Village Link's development order. However, Villages of Pine Island was approved before there were time limits put on development orders. At the June 10 BOCC meeting, the Commissioners stated that a Hearing Examiner must take public input. After it is heard by the Hearing Examiner, can it be appealed to BOCC? That decision will be made shortly.

There is now a move not to change Land Development codes so often. They want to change them every 1½ years. However, an exception is being made for our community plan.

Policy 14.3.3 Building Heights. There should be a format for changing policy. Changes should be cross-referenced to make sure rules are understood. They must be clear and concise. Some previous loopholes no longer apply. Do we want communication towers included in height limitations? Our plan presently states that heights pertain to industrial as well as residential development. Recent County tower regulations gave the barrier islands a 25' height limitation for towers. P.I. was not included. We need to work on the issue of communication tower heights. Put PI's tower regulations in Sect. 34-1441 et seq.

Policy 14.3.5 Neighborhood Connectivity (Walled Developments). Must connect roads, but not create a raceway through the neighborhood next door.

The only reason for roads not connecting is where there are physical barriers such as canals or wetlands. There should be special rules in the codes for PI Developments. There should be no high walls or gates between developments or along the road. Kim Trebatowski says there may be a problem in some instances (such as next to or behind commercial development which presently require walls). There should be no gates or walls which interfere with movement of cars between developments/neighborhoods. This issue needs work. A solution could be the number of residences or blocks.

The topics for the next meeting will be Directional Signs and the "Coastal Rural" land use category.

We must come up with the best possible solution for directional signs, or Lee County DOT will throw this section of the plan out. They are not happy to have to mow around the signs and are worried about liability.

Coastal Rural needs a great deal of work. We must consider design standards for roads (county road regulations recently increased width of all roads). Restoration is an issue. People are concerned about the cost. The solutions need to work and be reasonable. We shall get biological and other special help. We need to define what we mean by restoration. The standards should not be punitive or else we will be faced with a Bert Harris suit. We need a standard to work from. What does this plan for restoration mean? Who owns the preserved land? All homeowners within the development with a conservation easement? Who will monitor the conservation easement? Phil Buchanan says the county is not monitoring conservation easements. Bill Spikowski intends to confer with Mr. Anderson, Kevin Erwin and Dick Workman for help. Conservation easements will need constant monitoring.

The new 810-910 rule cuts density to 1/3 rather than the old rule's no new developments at all when traffic reaches 910. People are assuming the worst.

The Bert Harris suit by the mining industry was discussed. Did they ever get permission for the mine in the first place? They can presently mine to a lesser depth than the 90 foot depth that they want. Courts won't probably enforce in the most punitive way. If it is punitively enforced, the laws will probably be changed.

It was decided to hold the next GPI Land Use Implementation Committee meeting at 7:00 P.M. on Wed., August 13, 2003 at St. John's Episcopal Church.

The meeting was adjourned at 8:30 P.M.

The attached material was given all in attendance.

*MINUTES PREPARED BY BARBARA DUBIN*

*MINUTES APPROVED AS SHOWN ON OCTOBER 9, 2003*