



**BOCA GRANDE HISTORIC PRESERVATION BOARD
WOMAN'S CLUB ROOM
BOCA GRANDE COMMUNITY CENTER
131 FIRST STREET WEST, BOCA GRANDE, FL 33921**

**WEDNESDAY, APRIL 10, 2013
10:00 AM**

AGENDA

- 1. Call to Order/Roll Call/Review of Affidavit of Publication**
- 2. Approval of 3-13-2013 Minutes**
- 3. Public Hearing on Special Certificates of Appropriateness (COA) Cases**
(For public review, plans for the COA cases are available at the Reference Library, Boca Grande Community Center, 131 First Street West, Boca Grande, starting April 3, 2013)
 - A. COA2012-00135 851 Palm Avenue, 851 Palm Ave, Boca Grande, FL 33921 (continued from March 13, 2013)**
The proposed project entails the construction of a new residence on the subject parcel.

****NOTE: CASE WITHDRAWN The applicant has withdrawn this case; it will not be heard on April 10, 2013.*
 - B. COA2013-00026 Sodel Gates and Fence Wall, 1000 East Railroad Ave. Boca Grande, FL 33921**
The proposed project entails the installation of gates and a fence wall on the front of the property by E. Railroad Avenue.
- 4. Presentation on the update to the Lee Plan (the Lee Plan is the Lee County Comprehensive Plan)**
- 5. Items by the Public; Committee Members; Staff**
- 6. Adjournment – Next Meeting Date: May 8, 2013**

Any person appealing a decision made at this hearing must ensure a record of the proceedings is made. In accordance with the Americans with Disabilities Act, Reasonable Accommodations will be made upon request. If you are in need of a Reasonable Accommodation or would like additional information, please contact Janet Miller at 533-8583.

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MINUTES REPORT
BOCA GRANDE HISTORIC PRESERVATION BOARD
MARCH 13, 2013

MEMBERS PRESENT:

Paul Eddy
Richard Robb
Tim Seibert
William Winterer

STAFF PRESENT:

Janet Miller, Recording Secretary
Gloria Sajgo, Principal Planner, Planning

MEMBERS ABSENT:

Bill Caldwell III, Chair
Rebecca Paterson, Vice Chair
Dana Robinette

Agenda Item 1 - Call to Order – 10:00 a.m./Review of Affidavit of Publication

Ms. Sajgo announced that, due to staff shortages, a representative from the Lee County Attorney's office would no longer be attending the Boca Grande Historic Preservation Board meetings. However, she noted the Attorney's office had reviewed the Affidavit of Publication for today's meeting and stated it was sufficient.

Since the Chair and Vice Chair were absent from today's proceeding, the Board unanimously agreed that Paul Eddy would serve as Acting Chair.

A roll call was taken showing that Paul Eddy, William Winterer, Richard Robb, and Edward (Tim) Seibert were present. Bill Caldwell, Becky Paterson, and Dana Robinette were absent.

Agenda Item 2 – Approval of 1-31-13 and 2-13-13 Minutes

Mr. Winterer made a motion to approve both the 1-31-13 and 2-13-13 meeting minutes, seconded by Mr. Seibert. The motion was called and passed 4-0.

Agenda Item 3 – March is Archaeology Month

Ms. Sajgo distributed archaeology posters to the Board and the public.

Agenda Item 4 – Public Hearing on Special Certificates of Appropriateness (COA)

A. COA2013-00011 – Gasparilla Inn, 851 Palm Avenue, Boca Grande, FL 33921

Ms. Sajgo reviewed the staff report and recommendations (attached).

Mr. Dan Mattingly from All Phase Homes explained they plan to remove the existing windows and sashes, but would leave the frames. The new windows slide into the existing opening so no interior or exterior trims will be removed. In addition, some of the better windows being removed will be kept and stored for future use in order to maintain the existing windows in the rest of the Inn. Regarding the third floor, Mr. Mattingly explained they were rehabbing what is currently there and would not be adding or removing any square footage. They will keep the same trims, color, and hardware.

Mr. Eddy opened this item for public comment. No public input was received.

Mr. Winterer noted he was once an innkeeper and understood the difficulty in maintaining these old wooden buildings. He felt the Gasparilla Inn was the jewel of the area and that we were fortunate the owners and manager maintain it in such superb condition.

Mr. Robb stated he was in support of this project and felt the Gasparilla Inn has always exercised good judgment and has been sensitive to the community.

Mr. Seibert stated that in looking at the drawings and window schedule, he recommended approval. **He made a motion to approve the project as presented by the applicant and make a finding that the proposed project has been designated under Chapter 22 of the LDC and on the basis of staff analysis, the proposed project as approved is in compliance with the Secretary of Interior's Standards for Rehabilitation and Chapter 22 of the LDC, seconded by Mr. Winterer. The motion was called and passed 4-0.**

B. COA2012-00135, 851 Palm Avenue, 851 Palm Avenue, Boca Grande, FL 33921

Ms. Sajgo reviewed the staff report and recommendations (attached).

Mr. Eddy asked for specifics on the revisions to the guttering, swaling, and water runoff, which is a concern to the abutters of the property.

Mr. Dave Kondroski, contractor for the applicant (Ian Rogerson), stated he had worked with Lloyd Nixon (Lee County Engineer) by having him look at the proposed plans for drainage issues. On the latest proposal, there is a swale along the south side of the property. In addition to that, the paver patio was pulled by 5-ft. from the rear lot line. A swale was added across the back that leads to a swale along the north side of the property. A retention area was added along the northwest corner of the property. Mr. Kondroski felt that all of this, along with the guttering at the rear of the property, should lead the water to the front.

Mr. Eddy opened this item for public comment.

Ms. Beverly Grady from the law firm of Roetzel and Andress stated she was representing Scott and Susan Brown, adjacent property owners to the west of the subject property. She reviewed Section 22-103, subparagraphs (a) and (b) of the Lee Plan where she felt this application was not in compliance. She also felt it did not comply with Administrative Code 2-10 or the Boca Grande Design Guidelines which set forth the criteria for the Boca Grande Historic District. She noted her clients cared about Boca Grande, the neighborhood, and about being part of this historic district. Due to this, they hired Mike Flanders, an architect in SW FL, to represent them at today's proceedings. He has significant experience in historic districts and historic structures. She asked that the Board recognize him as an expert in architecture with significant experience with historic districts and historic preservation. She referred the Board to correspondence they received from Mr. Flanders in their meeting packets.

Mr. Mike Flanders reviewed his credentials with the Board and distributed a handout entitled, "House Size Comparison" and reviewed it with the Board (attached). Discussion included: 1) the size/scale of the proposed project versus the existing homes in the neighborhood; 2) a comparison on the number of bedrooms; 3) the location of the two car garage; 4) proposed elevations for the project; 5) the location of the pool; and, 6) the roof line/peak. Mr. Flanders referred to Page 5 of the staff report where staff

states that the proposal is harmonious in form, material, and scale with the character of the block and the district. He did not agree with this statement and felt he had outlined several things that were not in harmony stating the homes in that area are all low profile, horizontal character houses. He felt the applicant was trying to maximize the most buildable area on the lot to get the largest house they can build. In summary, he stated it was his professional opinion as a Florida Architect experienced in the field of historic preservation that this project for 851 Palm Avenue is not harmonious in the scale and size of the existing structures present on this block or within the Boca Grande Historic District. Due to concerns he expressed in his correspondence that the Board received as well as concerns raised today, it was his opinion that this project does not have enough compliance with the Boca Grande Design Guidelines for the Boca Grande Historic District to warrant its approval. In addition he stated it was his opinion that the project has no simple predominant style. Instead, he felt it portrayed a complicated look which will accentuate its large mass and tall height. Mr. Flanders stated this 4,300 square foot size project along with the 29 foot height is not characteristic of the neighborhood especially with the two story double car garage wall nearest the enclosed part of the project to the street. He asked that the Board deny the project and ask the applicant to revise the design.

Mr. Winterer asked what Mr. Flanders estimated the square footage to be under air conditioning. He stated the figure would be less than the 4,000 square feet mentioned in the handout.

Mr. Flanders noted that the front sheet of the handout states that the square footage figures include enclosed interiors, enclosed garages, covered porches and verandas. These were included because they have a visual impact to the neighborhood. The square footages were taken from the Property Appraiser's website. He stated the numbers would be 15%-20% less if we only consider the enclosed space.

Mr. Eddy noted that in looking at photographs, it appears the raw land of the subject property is substantially more than that of the surrounding houses. He asked if the representatives had some numbers on how this raw land compares with the rest of the neighborhood.

Ms. Grady stated she did not have that information. She noted that to the north there are other lots that are larger, but the idea is to use the horizontal development so you do not have the appearance of mass and you do not have the height. She noted that if you have a larger lot you would still be able to have square footage with a one-story design as opposed to a house next door that is on a smaller lot. Ms. Grady stated this subject parcel is large enough for a horizontal design that would be low profile so that it is more compatible with the neighborhood.

Ms. Corinna Hammond, resident of Boca Grande, wanted to suggest the applicant install a cistern. She noted more people are moving to the Island and there could be climate changes which might cause less water for the Island. She noted her water bill dropped significantly since she had a cistern installed on her property. On a separate issue, she did not feel owners should build out so much of their property because wildlife and vegetation are one of the key attractants for living in Florida. These large buildouts affect neighbors, views, and the water. She felt we should respect the land by having less "hardscapes" around. She applauded Ms. Grady and Mr. Fletcher for their presentations. She felt this was becoming an issue as more people with money are coming to the Island and wanting to build a new home. She wanted to see the area stay as a nice beachfront community.

Ms. Virginia Fortney, resident of 831 Palm Avenue (neighbor south of the subject property), stated she and her husband had lived in the area for twenty years. Ms. Fortney stated she would describe her home as a cottage and noted she did not have a garage. She views the house being proposed as a

mansion to be located next to her cottage. She stated the homes on her end of Palm Avenue were low profile. She did feel the proposed home would fit better on the south end of Palm Avenue where the homes are large and expensive. It seemed to her that people are voting for “big” instead of “better.” Ms. Fortney stated she was aware that a home of some type would be built on this lot and that there is no way to prevent it, but she was hoping for something that was more in harmony with the rest of the neighbors on that street.

Mr. Ian Rogerson, applicant for the subject property, distributed a handout that had an aerial on the top sheet and photographs on the subsequent pages. He reviewed the handout with the Board (attached). The comments are as follows:

- **Aerial Photograph** – The top sheet outlines the last three projects that were built in the area. These three projects are within 200 feet of the proposed property. He reviewed how these three properties are similar to what he is proposing. He also felt the landscaping for his project was attractive.
- **Photo 1 & 1A** – These photographs indicate what the house looks like from the south. He noted there was a swimming pool that was hardly visible and the veranda faces south. He noted they were proposing to screen the pool and use some palm trees, which he felt looked attractive.
- **Photo 2 & 2A** – These photographs depict the most recent house built in the area, which is 200 feet from the proposed property. The house is located at 760 East Railroad Avenue. Its total square footage is 4,309 square feet as opposed to the proposed project which is 4,316 square feet. Under air, he noted that 760 East Railroad Avenue is 3,200 square feet versus the proposed project which is 3,900 square feet. Mr. Rogerson noted his lot size was 102 x 110 as opposed to the house at 760 East Railroad Avenue, built in 2012, with a lot size of 76 x 110 which is considerably smaller than the property in question yet their house is the same size as the one being proposed. These photographs depict a home with a two car garage situated close to the road. The home also has a high roof. These photographs show the height of the roof for 760 East Railroad Avenue in relation to a little courtyard house that was built next to it.
- **Photo 3** – This photograph shows property located at 870 East Railroad Avenue (neighbor to the rear of the property). Photograph 6 shows they have a two car garage with a dormer window on top. It is also a two story home.
- **Photo on Page 3A** – This photograph shows the rear view of property located at 817 East Railroad Avenue, which is a two story home which stretches from the north to south on the property.
- **Photo on Page 3B** – The last photograph shows Mr. Rogerson’s neighbor to the rear.

In closing, Mr. Rogerson stated he was a homeowner with a mission to build an attractive home in the neighborhood that will not only be attractive, but will uplift the neighborhood. He noted his proposal was within the setbacks, which is uncommon with new homes being built. He noted it was a three bedroom, three bathroom home with a bonus room above the garage with a dormer window which will make it more attractive.

Mr. Kondroski felt Mr. Rogerson covered the points well. He noted that although others may have only be listed as a three bedroom home they might still have living rooms, family rooms, studies, etc. He noted they were within the lot setbacks, which has prevented them from seeking setback reliefs due to concerns from neighbors regarding roof height. He noted they kept the roof line down as much as possible. He explained that all new homes will have higher roof heights due to FEMA requirements put in place over the last couple of years. In addition there are new NAVD floor elevations required, which raises all properties up. This will affect all new homes being built.

Mr. Eddy felt there was clearly contention about this project and that more review was needed. He noted that in an effort to promote harmony in the neighborhood, the Board takes into account comments made by the public.

Mr. Robb complimented Mr. Flanders for doing his homework and bringing a number of things to the Board's attention. Looking at the photographs presented by Mr. Rogerson reminded him of mistakes made in the past showing we have moved away from our architectural heritage. He felt this proposal was out of scale and that we should return to the roots of the Island. He encouraged the applicant to consider modifications that would reduce the scope of the project which would afford more space in the neighborhood. He stated both sides had presented compelling arguments, but it was his preference that the proposal be modified.

Mr. Seibert stated he had driven to this site and looked at the house on East Railroad Avenue. This home seemed to be the same scale as the house being proposed today. He stated they were both too large for the neighborhood. He also did not feel it was a brilliant design and that many of the homes presented to the Board have not been brilliant designs yet they have been approved.

Mr. Eddy made a motion to continue COA2012-00135 (851 Palm Avenue) to the April 10, 2013 Boca Grande Historic Preservation Board meeting, seconded by Mr. Winterer.

Mr. Eddy hoped certain modifications would be made to encourage some enlightenment from both sides. He also referred to the cistern comment by Ms. Hammond and thought it would be nice to see that incorporated as part of the proposal.

Mr. Seibert asked that the property owners at 760 East Railroad Avenue converse with Mr. Rogerson to see if they could work something out by the next meeting.

The motion was called and passed 4-0.

Agenda Item 5 – Discussion about the Boca Grande Historic District

Mr. Seibert reviewed a position paper he prepared on this subject (attached).

Mr. Bob Fletcher agreed with a comment by Mr. Seibert that the Boca Grande Historic Preservation Board should look into broader items than just “hammer and nails.” The parking issue on Gilchrist is one item, but there are other problem areas as well.

Mr. Winterer stated he had attended an event the other evening and noted that Gilchrist Avenue was full of cars. He saw several people nearly hit with people backing up. He felt this parking problem needed to be addressed.

Mr. Seibert stated the Board had the authority to designate streets as historic resources and noted Banyan Street has been suggested as a historic resource. He stated that Boca Grande will change enormously over the next 10 years and that we need to keep ahead of it especially with the new bridge being built.

Mr. Winterer referred to a letter in the Boca Beacon regarding the parking on Gilchrist. According to the writer, it is illegal to park angular on Gilchrist instead of parallel. He was not certain whether this was enforceable or who would be responsible for enforcing it. The cars need to be diverted somewhere if they can no longer park on Gilchrist. He made note of the planner hired for this project which cost approximately \$20,000.00.

Mr. Fletcher stated it was his understanding that Jack Damioli has a plan that has the churches approval. Although this is a huge step, the churches are not the only stakeholders. He did not believe we could ever restore Gilchrist to what it once was, but felt we were moving in the right direction. The Boca Grande Community Planning Panel initiated this effort five years ago, but the County has to approve the plans. The community is unable to plant things on the medium without paying attention to county ordinances.

Mr. Robb asked staff for input on the Board's charge. He noted there were limitations, but did not feel it was outlined clearly.

Ms. Sajgo stated the Board's main charge is implementing Chapter 22 of the Land Development Code which regulates the rehabilitation of historic buildings and new construction, rehabilitation of non historic buildings. The Secretary of Interior's Standards for Rehabilitation and the Boca Grande Design Guidelines were adopted to regulate these types of issues. The issues being brought forth today were Island wide issues meaning they deal with things on the public rights-of-way. These types of issues are not required to come before the Boca Grande Historic Preservation Board. However, she noted the Board does have the authority to make recommendations and could participate in the planning aspects in that way. The Board may make recommendations in reviewing specific proposals or to the various entities that are getting together to solve these issues. Ms. Sajgo stated that the biggest issue is a lack of consensus in the neighborhood on how to address the Gilchrist parking issue. Since discussion on this issue is evolving, it is possible that some agreement may surface. She reiterated that the signage, parking, and landscaping issues on public rights-of-ways is not directly in the Boca Grande Historic Preservation Board's purview. However, the Board can make recommendations and evaluate existing proposals or recommend new proposals be done.

Mr. Seibert was in favor of considering Gilchrist as a historic resource and designate it as such. He mentioned planting as was done by Mrs. Crowinshield and parking parallel on both sides of the street, which would help the situation. He felt something should be done due to the new bridge being constructed and future bus tours that will take place on the Island. In addition, when the economy improves, he anticipated investors purchasing condominiums on the Island. The area will become busier than currently seen.

Ms. Elsie Bracken stated she had been coming to the Boca Grande area since the 1960s. She believed the County would agree to help, but the community must come to a consensus. She agreed with comments by Mr. Seibert that something must be done. She also agreed that the community needed to come together so these issues could be resolved.

Ms. Corinna Hammond stated that if the residents who live on Gilchrist wanted to live in a parking lot, they would have built their homes next to Wal-Mart. She felt it was time for the community to come

together since Gilchrist is a historic part of Boca Grande and can be seen when going north or south. She suggested possibly having restricted parking or designated parking on the street. She agreed with comments by Mr. Seibert regarding increased parking that will be coming to the Island once the new bridge is constructed. She also discussed the Methodist Church Function Hall. She noted it would soon be the VFW hall for the Island where it will be used for various events which will bring a lot of cars to the area. These events will not only take place on Sunday. Ms. Hammond stated there needed to be some type of agreement between those who live on Gilchrist and those who use it as a parking garage.

Mr. Eddy stated he had an occasion to be on Tarpon, which is a narrow street with cars parked on both sides of the street. For the first time, he saw an 18 wheeler truck driving down the middle of the road which was disconcerting. With the new bridge coming, he felt the residents would be seeing more of that type of activity.

Mr. Seibert was in favor of investigating further as to what powers/authority this Board has so that they could begin doing more for the island than approving plans.

Ms. Helen Fraser agreed with comments by Mr. Seibert that the Island is faced with acute situations that will only get worse once the bridge opens. Regarding signage, she was in favor of less signs as she felt it destroyed the “small town” and “close community” feel to the Island. She was in favor of having some of the signs removed. Regarding parking signage, she stated public parking is available and that the current signage has not helped in any way. Regarding all of the visitors that come to the beach, she felt that public restrooms were needed. The residents near the beach area have had unpleasant consequences to the public not having any bathroom facilities because they have been unwilling to come back to town to find a restroom. Efforts must be made to keep the town lovely, which means less signage and help in guiding the public to the five different areas that the County provides to park which have amenities for bathroom use. These spots are not being utilized and are usually empty.

Mr. Len Tatko stated that, due to all the discussion that takes place about parking on Gilchrist, he suggested a committee be formed whose sole purpose is to correct the Gilchrist parking problem. Various input is given, but it is not organized, focused, or channeled. The committee could have representatives from different groups, such as a member from GICIA, and a member from the Boca Grande Historic Preservation Board.

Mrs. Misty Nichols stated that if the Board decides to discuss this further at the next meeting she suggested the subject be stated differently on the agenda. She did not believe most of the public understood that “Boca Grande Historic District” meant parking on Gilchrist and bathrooms on the accesses, etc.

Ms. Sajgo stated she would look into this further, but that in general the discussion today was on planning issues. This is not under the purview of Chapter 22. She stated planning is something that is ongoing. She encouraged the community to continue planning.

Agenda Item 6 – Items by the Public; Committee Members; Staff

Public - None

Committee Members - None

Staff - None

Agenda Item 7 – Adjournment – Next Meeting Date: April 10, 2013

Mr. Winterer made a motion to adjourn, seconded by Mr. Seibert. The motion was called and passed 4-0. The meeting adjourned at 11:47 a.m.

The next meeting is scheduled for Wednesday, April 10, 2013, at 10:00 a.m. in the Boca Grande Community Center.

**BOCA GRANDE HISTORIC PRESERVATION BOARD
STAFF REPORT**

TYPE OF CASE: Special Certificate of Appropriateness

CASE NUMBER: COA 2013 00011—Gasparilla Inn Rehab 500 Palm Ave. Boca Grande Fl 33921

HEARING DATE: March 13, 2013

SUMMARY

The proposal is part of the ongoing rehabilitation and maintenance of the Gasparilla Inn., which is a contributing property in the Boca Grande Historic District HD 90-05-01. Staff analyzed the project for compliance with the Secretary of the Interior’s Standards for Rehabilitation. The STRAP number is 14 43 20 00 00002.0000; the address is 500 Palm Ave. in Boca Grande.

STAFF ANALYSIS

Background:

In addition to being a contributing resource in the locally designated Boca Grande Historic District, The Gasparilla Inn was listed on the National Register of Historic Places in March 2008. The National Register listing states:

The Gasparilla Inn ... is locally significant under Criterion A in the area of Recreation and Culture and for the association of the hotel and its recreational facilities with the development of recreation and tourism in Florida and the town of Boca Grande beginning in 1911. The Inn itself is also significant under Criterion C in the area of Architecture as a large wood frame hotel building that was expanded between 1911 and 1948. Originally constructed as a 20-room Frame Vernacular style building, the owners decided to enlarge the hotel and make it a world-class resort. In 1912 they hired Tampa architect Francis J. Kennard, the designer of the Belleview-Biltmore Hotel (N.R. listed 1979) near Clearwater, Florida, to draw plans for the hotel expansion which was completed between 1912 and 1915. The Gasparilla Inn is an excellent surviving example of an early Florida winter resort hotel and is the largest historic wood frame hotel in Florida after the Belleview-Biltmore.

It is important to note that the Belleview-Biltmore Hotel was closed in 2009 and its fate continues to be uncertain. (See <http://www.spiritsofbelleviewbiltmore.com>). This fact makes the Gasparilla Inn the largest historic wood frame hotel in Florida that is still in use.

According to the National Register listing: “*The Gasparilla Inn & Club is a member of Historic Hotels of America (HHA) and the National Trust for Historic Preservation (NTHP). As a member The Gasparilla Inn & Club is one of the more than 200 significant properties in the U. S. recognized by the NTHP for preserving and maintaining their historic integrity, unique architecture and ambiance. Member hotels must be at least 50 years old, and either listed in, or eligible for listing in the National Register of Historic Places, or recognized locally as having historic significance.*”

The Proposal:

The proposal calls for the implementation of two rehabilitation projects: the rehabilitation of rooms on the 3rd story of the north wing and the replacement of windows in guest rooms.

The rehabilitation of rooms on the 3rd story of the north wing: The 3rd story of the north wing was originally set aside as sleeping quarters for hotel employees. Subsequently these sleeping areas were vacated and the resulting empty spaces used for storage. In 2006 the partition walls were removed leaving only the original structural framing in place.

The existing floor plan of the 3rd story of the north wing shows 6 bedrooms, 2 bathrooms, and 2 storage areas. The proposal calls for consolidating and re-configuring the area in the 3rd story of the north wing to accommodate 4 guest suites each with its private bath. There would be no visible changes to the exterior of the building. The original windows would be replaced with new windows custom made to match the original window openings. (See discussion below)

The replacement of windows in guest rooms: The proposal calls for the replacement of windows in the guest rooms and the 3rd story of the north wing. Except for 3 casement windows, all the windows are 6/1 double hung windows. The proposal calls for the replacement of a total of 229 windows: 56 on the first floor, 104 on the second floor and 69 on the third floor. It should be emphasized that the proposal is for the replacement of windows in the guest rooms and that windows in the common areas will remain and continue to be maintained. The common areas include the main lobby, the shops, the restaurant, offices, stairways, Pelican Room and the southern entrance.

All windows will be replaced with the same type of window as the existing window. The replacement windows will be custom made windows and will be built to fit into the existing window openings – no existing interior or exterior window trim will be removed; the original wood trim materials will be preserved. The muntins of the replacement windows will be placed between the glass panes. The replacement window will be produced with clear impact glass so there will be no tint to change the appearance of the building. The frames will match the color of the existing windows which is important because the new windows will not contrast in color with the remaining windows. Additionally the replacement windows are guaranteed not to crack or yellow.

As the aerial view of the Gasparilla Inn illustrates, the building is located by itself on a large, open tract of land. As a result the windows – especially on the upper floors – are quite exposed to the elements and subject to wind and other weather damage. Additionally, because the building is a hotel, the windows are subjected to heavy use by a constant stream of guests.

While the Inn has repaired existing windows for years, repairs are no longer feasible or practical. For instance: Some of the lower sashes do not open because they have broken counter balances and recovering the counterbalances would require cutting into the walls to access them. Some windows after years of repairs cannot be made fully operable or weather tight. Additionally, the exterior of the windows can only be cleaned using stairs and scaffolding which for the windows in the upper floors is a dangerous and time consuming task. Finally the Inn operates as a hotel and its guests expect that windows will meet their contemporary lifestyles needs – some of the existing windows do not meet these expectations.

Staff believes this is a well thought out project allowing for the preservation of the building's character.

The Secretary of the Interior's Standards for Rehabilitation

In evaluating the Secretary of the Interior's Standards also refer to the discussion above.

1. *A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.*

The proposed rehabilitation of the rooms on the third floor will allow the continued use of that space as a residential space. The proposed replacement of the windows will allow the Inn to be continued to be used as a hotel. Both of these changes require minimal changes to the defining characteristics of the building, site and environment.

2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

As noted above the character of the property is being retained and preserved. Windows in the guest rooms will be replaced with the same type of window as the existing window. The replacement windows will be custom made and will be built to fit into the existing window openings – no existing interior or exterior window trim will be removed; the original wood trim materials will be preserved. Windows in the common areas will remain and continue to be maintained. The common areas include the main lobby, the shops, the restaurant, offices, stairways, Pelican Room and the southern entrance.

3. Each property shall be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken. N/A
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved. N/A
5. Distinctive features, finishes and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved. N/A
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical or pictorial evidence.
The proposal calls for removing the existing windows and replacing them with custom made windows that will match the design and visual qualities of the existing windows.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible. N/A
8. Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken. N/A
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale and architectural features to protect the historic integrity of the property and its environment. N/A
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired. N/A

STAFF RECOMMENDATION

Staff recommends that the Historic Preservation Board:

- Approve the project as presented by the applicant
- Make a finding that the proposed project has been designated under Chapter 22 of the LDC and on the basis of staff analysis, the proposed project that as approved is in compliance with the Secretary of the Interior Standards for Rehabilitation and Chapter 22 of the LDC.

BOCA GRANDE HISTORIC PRESERVATION BOARD**STAFF REPORT****TYPE OF CASE:** Special Certificate of Appropriateness**CASE NUMBER:** COA 2012 - 00135 851 Palm Avenue, 851 Palm Ave., Boca Grande Fl**HEARING DATE:** March 13, 2013**SUMMARY:**

The proposed project entails new construction of a single family residence in the Boca Grande Historic District HD (District) 90-05-01. The STRAP number is 14 43 20 01 00056 0190; the address is 851 Palm Avenue, Boca Grande, Florida, 33921. The subject lot is located at the west side of Palm Ave. Staff analyzed the proposed project for compliance with Chapter 22 of the Lee County Land Development Code and the Boca Grande Design Guidelines.

STAFF ANALYSIS:

The subject parcel is parallelogram shaped and roughly 110-ft by 102-ft. -- with 102-ft frontage on Palm Ave. The proposal calls for building a new single story house with a bedroom/study above the garage. The house has roughly 2,923 sq ft of A/C area (2,522 sq ft on the main floor and 401 sq ft in the upper living area over the garage), 541 sq ft of garage area, 800 sq ft porches and verandas and 52 sq ft of balconies (master balcony and balcony for upper living area).

The proposed house includes the following square footages:

Sq Footage	Location
	<i>Ground Floor</i>
2,522	Main living area under A/C
541	Garage
468	Veranda on the south side
145	Front Porch
187	Rear Screen porch
22	Master Bedroom Balcony
3,885	<i>Total</i>
	<i>Upper Living Area</i>
401	Upper living area under A/C for bedroom #4/study over the garage
30	Balcony for the upper living area
431	<i>Total</i>
4,316	Grand Total

The proposed house is a contemporary cottage featuring metal roofs with exposed, decorative rafter tails on the front (east) and side (south) elevations. The wall covering is synthetic (hardiplank) horizontal siding. Generally the main roof is a side gable roof with secondary gable, shed and partial hip roofs. This roof style breaks up the building mass by providing variable roof heights while allowing for a vaulted ceiling in the interior.

Generally the windows will be single and paired multi-light windows with transoms; the front elevation will feature a ribbon of 4 windows with transoms.

The main side gable roof has the highest ridge; it is roughly 28-ft from grade (roughly 29-ft from mean grade of the road) or from the finished first floor to roof ridge the height is roughly 22-ft 7-in. On the front elevation shed roof is at roughly 13-ft from finished first floor to peak. (Note: The house has to be elevated to meet FEMA regulations; the finished first floor is roughly 5-ft 6-in above the lot grade)

The house will conform to the required setbacks; the front setback will be 25-ft from the front property line. The house will feature a pool and pool deck on the south side. The pool will be setback roughly 40ft from the front property line. The aluminum bronze fence around the pool deck will be setback roughly 31ft 6-in from the front property line.

Front (East) elevation on Palm Ave. – The main façade on Palm Ave. maintains the required 25-ft setback from the front property line.

The house’s roughly 69-ft 4-in frontage on Palm Ave. is broken up by recessed and protruding areas and variable roofs. The main façade is roughly at the center of the front elevation and extends for 44-ft along Palm Ave. It is under the main side gable roof which is broken up with two gable roofed dormers:

- The south gable roofed dormer is centered over the front porch and features a ribbon of small windows providing light into the great room.
- The north gable roofed dormer is centered over the two-car garage and features a pair of French doors opening from the upper living area to a small balcony facing Palm Ave.

The main side gable roof features a “break” or lesser pitch on the lower part of the eave and creates the appearance of a shed roof which is over two distinct areas (each roughly 22-ft long): a roughly 6 ½ ft wide front porch accessed by steps on the south side and featuring railings and columns supporting the porch roof and the two paneled garage doors with ribbons of lights at the top.

Extending roughly 14-ft to the south of the main façade and recessed roughly 6-ft 6-in behind the main façade is the privacy wall to the veranda that faces the pool.

Extending roughly 11-ft 4-in to the north of the main façade are a series of staggered roofs accommodating various rooms within the slanted setback line of the parallelogram shaped lot.

Side (south) elevation – On this elevation the gable end of the main side gable roof is clearly visible as it extends beyond the partial hip roof that is over the veranda and master suite. The veranda is roughly 37-ft 6-in long and 14-ft at the widest. It features railings and columns supporting the roof. The veranda also incorporates an outdoor fireplace. Pairs of sliding glass doors with transoms provide access from the house to the veranda. Beyond the veranda is the master suite with clipped corner walls. At the center facing south, it features a pair of French doors opening to a small balcony. There are single windows on the east and west clipped corner walls.

The south elevation is oriented towards a pool which is rectangular (roughly 22ft 8-in by 12-ft 4-in) and is bordered by a paved area. The pool is raised roughly 40-in above the road grade has a bronze aluminum railing fence and gate on the east side. At the rear will be small patio with access to the pool area; it will feature fence and gate with bronze aluminum railing limiting access to the pool area.

Rear (west) elevation– This elevation features the roof eave of the main side gable roof with a break creating a lower pitch roof at the bottom of the eave which wraps into the partial hip roof on the south side. This elevation features a series double and single windows with transoms and a small incised rear screen porch (roughly 13-ft 8-in by 13-ft 8-in).

Side (north) elevation: The mass of this elevation is broken by a series of small gable and hip roofs staggered along the slanted side setback line of the parallelogram.

In general staff believes this is a well thought out project and the applicant has designed it in a way that is in keeping with the design guidelines of the historic district. Staff has worked with the applicant for several months during which time the proposed plans have changed and evolved. For instance the original proposal would have required relief from the setback requirements; the proposal submitted complies with all setback requirements. The adjoining property owner to the west at 870 East Railroad Ave. is represented by architect Mike Flanders and his comments on the subject proposal are attached.

It should be noted that in order to obtain a building permit the Building Department will have to approve the applicant's proposed drainage plan.

Design Guidelines for the Boca Grande Historic District

In evaluating the design guidelines also refer to the discussion above.

1.0 Streetscape

1.1 Building heights should be similar to the range of heights already found in the district and on the particular block of the subject structure.

This is a single story house (with a living area above the garage) and it is located in an area that has many single story houses. The proposal minimizes the roof height by using a variety of roofs that break up the mass and scale of the building.

In evaluating building height it is important to note that the house had to be elevated to meet FEMA flood regulations; the finished floor is 5-ft 6-in above grade. The main side gable roof has the highest ridge; it is roughly 28-ft from grade (roughly 29-ft from mean grade of the road) or from the finished first floor to roof ridge the height is roughly 22-ft 7-in. On the front elevation the break in the roof pitch creates the impression of a shed roof which is at roughly 13-ft from finished first floor to peak.

By comparison the adjoining house to the north is roughly 25-ft from grade to ridge or from finished first floor to roof ridge the height is roughly 21 ft 8 in. (Due to FEMA flood regulations that house is elevated 3ft 4in above grade.) (COA 2010 00070 Rogerson 890 Palm Ave)

1.2 The pattern of spaces between buildings should be maintained. Additions to existing buildings should be set back from the front façade so the visual quality of spacing is preserved. Maintain traditional pattern setbacks, entrances and alignment of facades. Maintain traditional yard spaces and sense of openness, especially at the front and sides of buildings.

The proposed house is located in an eclectic part of the Boca Grande Historic District. Some houses have their setbacks behind tall fences. Houses on the north corners of Palm Ave and 9th St feature tall fences that obscure the front elevation of the houses. The house immediately south of the proposed house has a roughly 5-ft high wall fence which partially shields the house from the road.

The proposed project meets the required setbacks for the front (25-ft) sides (7-ft) and rear (20ft) elevations. The proposed setbacks are in some cases broader than the existing setbacks found in some of the existing properties. However they are in keeping with the sense of openness of some of the houses in the area. For instance the adjoining house to the north has a front setback of roughly 24-ft for the house and roughly 21-ft for the front steps to the front property line.

1.3 Additions should attempt to maintain the overall sense of size of the building. N/A

1.4 Buildings at the ends of a block should be similar in height to the buildings, or provide a visual transition to the next block. N/A

1.5 The traditional alignment of horizontal and vertical elements of buildings along a block should be maintained. The alignment of first and second story windows should respect traditional patterns of the block.

The house maintains the traditional alignment of horizontal and vertical elements.

1.6 Maintain the traditional proportions of glass in building facades.

The house maintains the traditional proportions of glass in the building facades.

1.7 Maintain the traditional alignment between rooflines, porch protrusions and entrances.

The traditional alignment between rooflines, porch protrusions and entrances is maintained. This contemporary cottage features a traditional style.

2.0 Building Site

2.1 Identify, retain and preserve features that are important in defining the overall historical character of the site, including driveways, walkways, lighting, fencing, signage, benches, fountains, terraces, water features, vegetation and potential archaeological features.

This is a parallelogram shaped parcel. On the north elevation the applicant has taken care to build in a staggered manner so that the building is within the slanted lot line. Existing native vegetation has been identified and is retained on the property.

2.2 Maintain the traditional orientation patterns of building facades to the street or water. The front of the building should present a façade that is parallel to the street on which it faces.

The building maintains the traditional orientation; the proposed building has a façade that is parallel to the street on which it faces.

2.3 The vertical and horizontal proportions of building mass should be maintained. Additions should preserve or maintain the traditional symmetry of the buildings front façade.

The building maintains the vertical and horizontal proportions of the building.

2.4 Maintain traditional setback patterns. Porches, decks, solid fences or other additions should be located to respect traditional patterns or visually preserve the traditional front setback. Additions or screened service areas should be located to the side or rear of the front setback.

While the house features a variety of setbacks, the house maintains the required setbacks for the front (25-ft) sides (7-ft) and rear (20ft):

2.5 Alleys, where part of the historical plat, should be used to provide access to the rear of properties for parking and service. Parking and access to parking should relate to alley systems, where present, and should be limited to the rear of structures where this pattern is traditional.

N/A

2.6 Accessory buildings such as garages or carports should be located according to the traditional development patterns of such buildings and should relate to the existing building on the site. Service areas and trash containers should be screened from view using fences, lattice screens or hedges.

The proposed garage is located according to the traditional development pattern. It is located on the front elevation of the house – as other garages in the area are. The impact of the garage on the façade is minimized by the complexity of the design especially the gable dormer accommodating a living area over the garage. The pool equipment has been located to the crawlspace below the house with access via decorative lattice enclosure. The A/C condenser has decorative lattice screening to hide it from view. The trash and recycling bins are located near the side garage access door and have decorative lattice screening to hide them from view.

2.7 Decks should be as unobtrusive as possible. Railing should express a line and spacing similar to existing balustrades. The duplication of historic styles such as widow's walks should be encouraged only where this type of architecture was traditionally found.

The pool deck on the south side is unobtrusive. Porch railings are similar to existing balustrades. The design of the bronze aluminum fence includes railings that are similar to those in the district; the proposed bronze color was chosen to understate the presence of the fence.

2.8 Paving materials and patterns should respect traditional patterns on the block. N/A

2.9 Landscaping should respect traditional planting patterns and maintain the alignment, spacing, and type where possible.

The preliminary landscape plan provided is designed to retain the existing native vegetation on the property. The plan is designed to provide landscape screening around the perimeter of the pool, screening it from the road and surrounding neighbors. It also provides landscape screening along the rear of the subject property.

3.0 Additions to Existing Buildings

3.1 Additions should be compatible with the size, scale, color, material and character of the building and its environment. Additions may include porches and bay windows as well as entire wings and rooms. N/A

3.2 Additions should be positioned so they do not alter the historic rhythm of building fronts. N/A

4.0 New Construction

4.1 Contemporary styles should be harmonious in form, material, and scale with the character of the block or district.

The proposed contemporary cottage is harmonious in form, material and scale with the character of the block and the district. The house echoes the design of the contemporary cottage built to the north of it.

The form of the proposed building is such that it has a complexity of design which is harmonious with the block and district. It blends in with the streetscape by minimizing its impact on the streetscape. For instance while the building has roughly 69-ft of frontage on Palm Ave., the principal façade has only 44ft of frontage on Palm Ave. Additionally this frontage is broken up into two areas; the front porch and the two garages. (There is additional frontage both to the south and north of the main façade which is recessed behind the main façade limiting its impact on the streetscape.)

The proposed material is hardiplank horizontal siding and metal roofs – both of these materials are found throughout the district and the block.

The height of the house is variable due to its varied roof lines. The mass of building is broken up by a complexity of design which includes projections and recessions and architectural features such as porches and secondary roofs. The main side gable roof has the highest ridge; it is roughly 28-ft from grade (roughly 29-ft from mean grade of the road) or from the finished first floor to roof ridge the height is roughly 22-ft 7-in. Viewed from the street, this highest side gable is over the principal façade which has only 44ft frontage on Palm Ave. Additionally this frontage is broken up into two areas; the front porch and the two garages.

4.2 Align the façade of the building with the historic setbacks of the block or district.

The façade of the proposed building aligns with the historic setbacks of the block or district.

4.3 New buildings should appear similar in mass and scale with historic structures in the block or surrounding area.

The mass and scale of the building is similar to the structures in the block and surrounding area. As already noted the building features a complexity of design that minimizes its impact and increases its harmony with its surroundings.

While the subject parcel has 102-ft frontage on Palm Ave., the principal façade of the proposed building has only 44-ft frontage along Palm Ave. Including the recessed areas to the south and north of the principal façade, the proposed building has a total of 69-ft frontage along Palm Ave. This relatively narrow façade minimizes the impact of the house on the streetscape and is in keeping with the facades of the adjoining house to the north and adjoining houses to the south.

The frontage along Palm Ave of the proposed house is small in relation to its lot size and this is accomplished by placing the pool on the south side of the subject lot, (which is the same location as the pool in the adjoining house to the north of the subject property). As a result of the location of the pool, the subject house does not have sprawling horizontal presence across the lot's 102-ft frontage on Palm Ave. Instead the impact on of the house on Palm Ave is contained and minimized and is more in keeping with the narrower facades of the houses adjoining the proposed house.

4.4 Building and roof forms should match those used historically.

As discussed the building and roof forms match those used historically.

4.5 Use similar building materials to those used historically for all major surfaces.

The roof material is metal and the wall material is horizontal siding. The windows are multiple light windows. These are very similar to those used historically.

4.6 Use window sizes and proportions similar to those used historically. To create larger surfaces of glass, consider combining several standard windows in a row.

The window sizes and proportions are similar to those used historically. To create larger surfaces of glass, the proposal combines several standard windows in a row.

5.0 Relocating Buildings in a Historic District

5.1 Relocate the structure in a context similar to its historic location, if relocating a historic building. N/A

5.2 Align the building within the historic patterns of setbacks and open space ratios. N/A

5.3 Orient the building according to the traditional pattern of the block or district. N/A

STAFF RECOMMENDATION:

Staff recommends that the Historic Preservation Board:

- 1) On the basis of staff analysis approve the project as presented by the applicant.
- 2) Make a finding that the proposed project has been designated under Chapter 22 of the LDC and on the basis of staff analysis, the proposed project as approved is in compliance with Chapter 22 of the LDC and the design guidelines for new construction.

DISTRIBUTED AT THE 3/13/13 BGHPB MEETING

FOR COA2012-00135 (851 PALM AVE.)

DISTRIBUTED BY:

ARCHITECT MICHAEL FLANDERS

REPRESENTING 870 EAST RAILROAD LLC

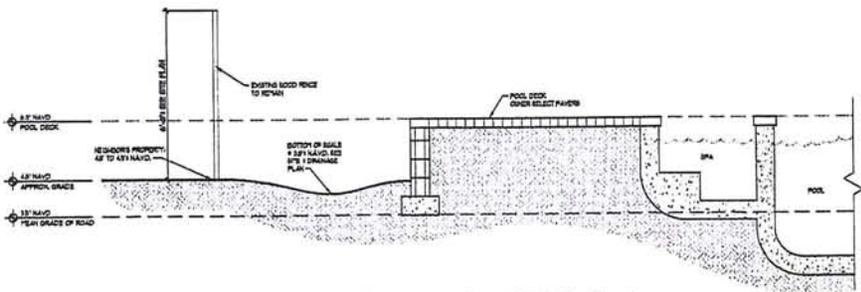
HOUSE SIZE COMPARISON

Immediate Neighborhood homes surrounding 851 Palm Ave.
located between 7th St. E. and 9th St. E.

Sq. Ft. size includes enclosed interiors, enclosed garages, covered porches / verandas

<u>Address</u>	<u>Strap#</u>	<u>Sq. Ft.</u>	<u>Year</u>	<u>Bedrooms</u>
710 Palm Av	14-43-20-01-00057.0010	2,097	1967	3
750 Palm Av	14-43-20-01-00057.0020	3,442	1969	3
861 8 th St. E.	14-43-20-01-00058.0010	3,412	1999	3
890 Palm Av	14-43-20-01-00058.0020	2,571	1968	3
891 Palm Av	14-43-20-01-00056.0210	3,258	2010	3
851 Palm Av	14-43-20-01-00056.0190	4,316	Proposed	4
831 Palm Av	14-43-20-01-00056.0180	2,424	1994	3
801 Palm Av	14-43-20-01-00056.0170	2,690	2000	2
751 Palm Av	14-43-20-01-00056.0160	2,400	1964	3
731 Palm Av	14-43-20-01-00056.0140	1,784	1963	3
711 Palm Av	14-43-20-01-00056.0120	2,673	1963	2
740 E. RailRd	14-43-20-01-00056.0090	2,001	1969	2
760 E. RailRd	14-43-20-01-00056.0080	4,266	2012	3
830 E. RailRd	14-43-20-01-00056.0050	1,877	1997	3
870 E. RailRd	14-43-20-01-00056.0030	3,814	1930 / 2006	3
890 E. RailRd	14-43-20-01-00056.0010	2,602	1969	3

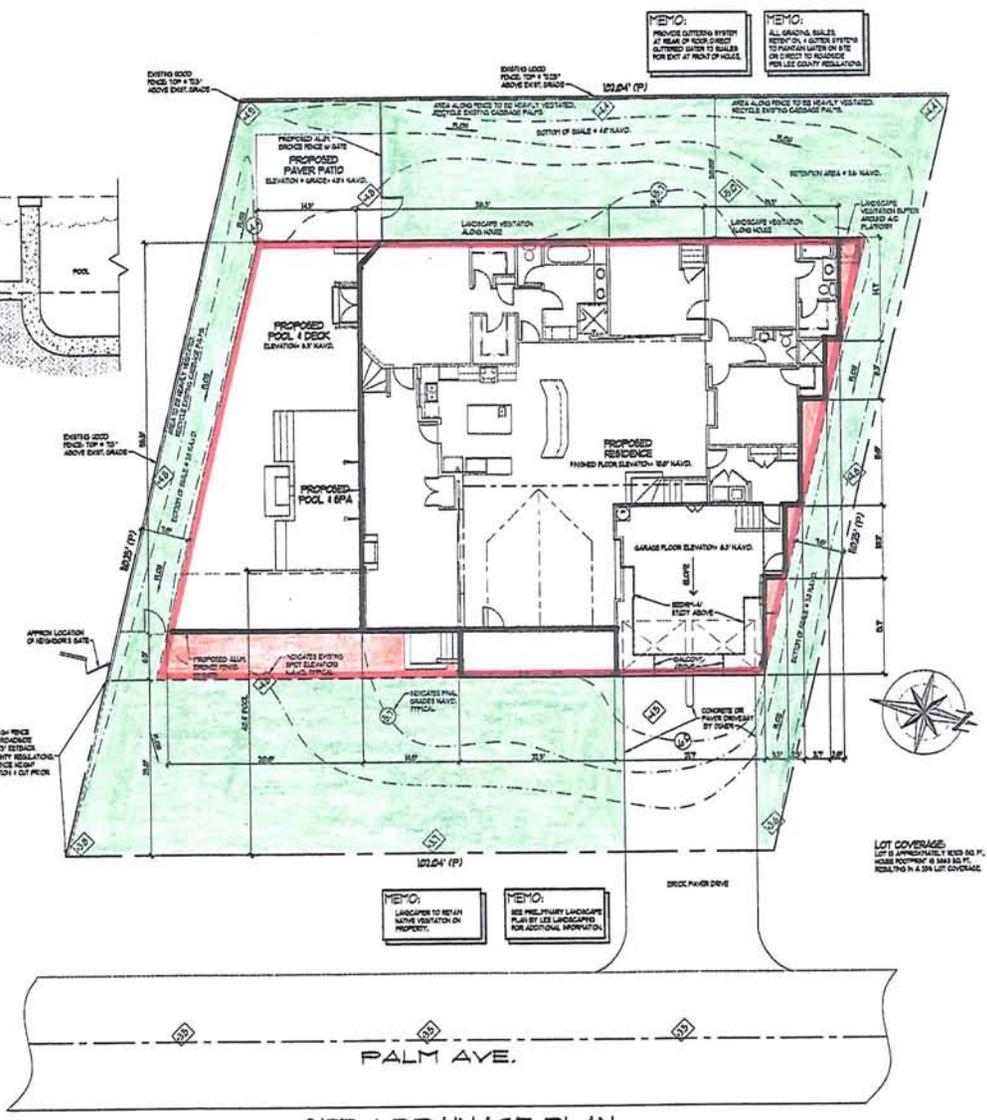
W:\projects\1010101\1010101.dwg 1/11/10 10:10:10 AM



SECTION @ POOL DECK A-A
SCALE = 1/2"=1'-0"

-  Setback Area
-  Setback Line
-  Structures
-  No Structures

NOTE: 92 % of Buildable Area is covered with house & pool/deck



SITE & DRAINAGE PLAN
SCALE = 1/8"=1'-0"

LOT IN 1/2 AC BLOCK IS
RECORDED PLAN OF BOCA GRANDE
PLAT BOOK 1 PAGES 1 & 2
SEE COUNTY PLAT BOOK
ADDRESS: 851 PALM AVE

MEMO:
PROVIDE GUTTERS EVERY
AT REAR OF ROOF OR
GUTTERS UNDER TI BALLES
FOR EXT AT FRONT OF HOUSE

MEMO:
ALL GRADING, BASEL
RETENTION, & GUTTER SYSTEMS
TO MATCH WITH ON SITE
OR PROJECT TO ROADSIDE
FOR LEE COUNTY REGULATIONS.

DATE REVISED:
NOVEMBER 04, 2012
JANUARY 2, 2013
JANUARY 11, 2013
JANUARY 24, 2013
FEBRUARY 05, 2013
MARCH 01, 2013

DRAWN BY:
D. KONDROGLO

VELOCITY
coastal home planning
P.O. Box 2703
Punta Gorda, FL 33950
941-335-7777
www.velocityplanning.com

DATE DRAWN:
NOVEMBER 4, 2012

A REFERENCE FOR:
MR. IAN ROGERSON
851 PALM AVE., BOCA GRANDE, FLORIDA

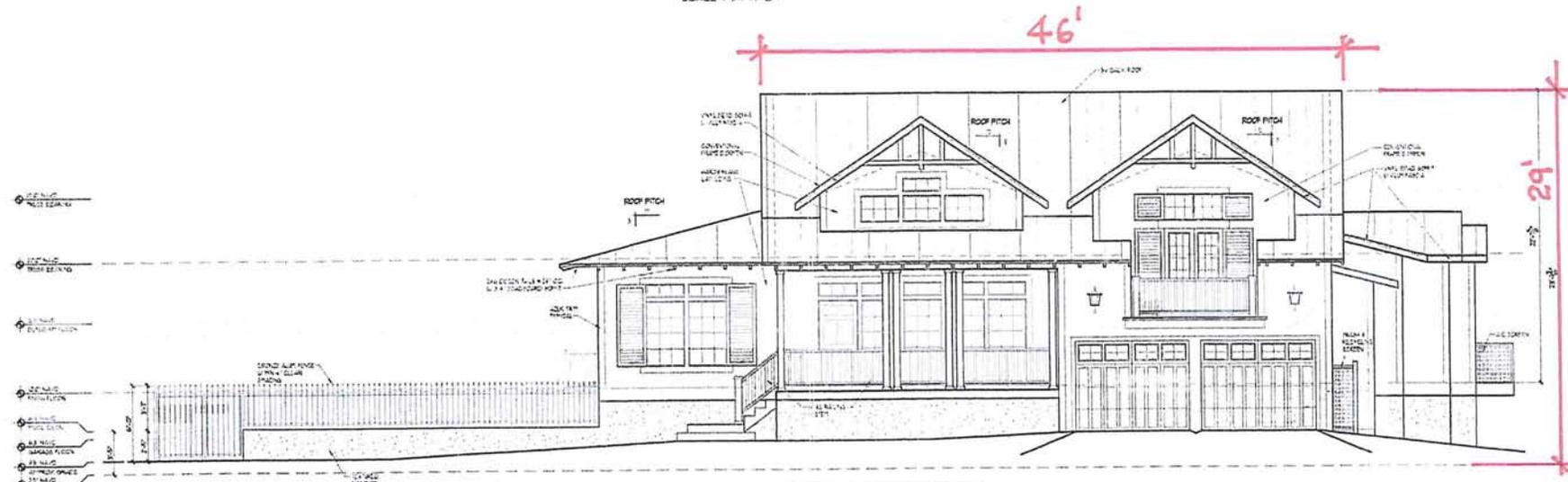
SHEET:
1 OF 5

JOB NUMBER:
V12-000

B



SOUTH ELEVATION
SCALE = 1/4" = 1'-0"



EAST ELEVATION
SCALE = 1/4" = 1'-0"

MEMO
1. SEE DRAWING FOR ALL
NOTES REGARDING THE
FINISHES AND MATERIALS
AND THE FINISHES AND
MATERIALS.

DATE REVISED:
NOVEMBER 6, 2012
JANUARY 2, 2013
JANUARY 15, 2013
JANUARY 24, 2013
FEBRUARY 18, 2013

DRAWN BY:
G. KOSKINEN

DATE DRAWN:
NOVEMBER 6, 2012

VELOCITY
coastal home planning
851 PALM AVE., BOCCA GRANDE, FLORIDA
P.O. BOX 2073
BOCCA GRANDE, FLORIDA 33433
407-240-9999

A REFERENCE FOR
MR. IAN ROGERSON

851 PALM AVE., BOCCA GRANDE, FLORIDA

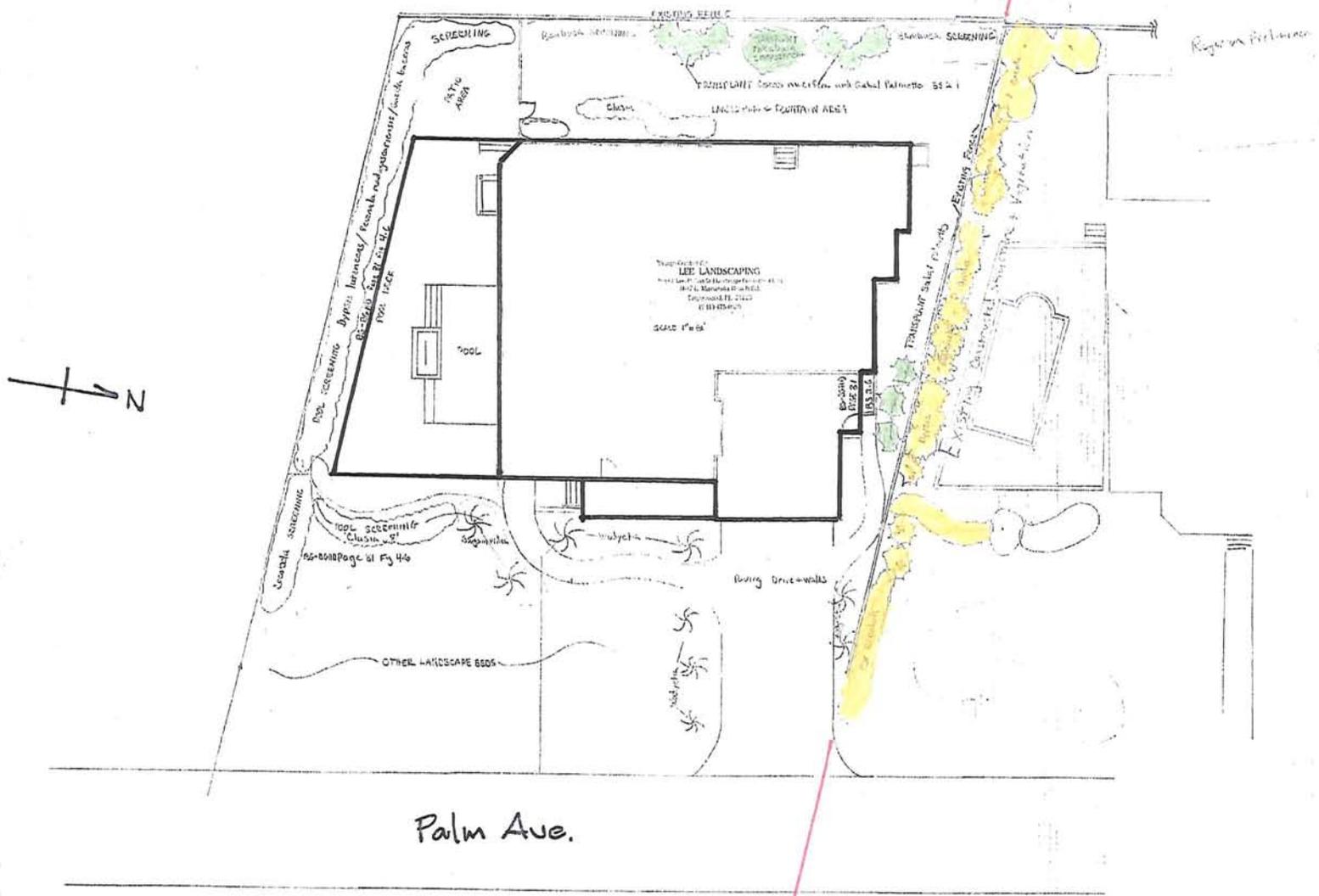
SHEET:
4 OF 5

JOB NUMBER:
V12-009

C

PRELIMINARY LANDSCAPE PLAN 851 Palm Ave. Boca Raton, Florida

100% Complete plan to be displayed during construction



E

DISTRIBUTED AT THE 3/13/13 BGHPB MEETING

FOR COA2012-00135 (851 PALM AVE.)

DISTRIBUTED BY:

IAN ROGERSON

REPRESENTING 851 PALM AVE.

Photo 2 & 2A
760 East Railroad

Lot is 76x110
Sq. foot under air -
3,247
Total - 4,309

Photo 3, 3A & 3B
870 East Railroad



Homes near 851 Palm with rooflines/heights similar to proposed residence.

Photo 1 & 1A
891 Palm

851 Palm
Lot is 102x110
Sq. foot under air - 2,923
Total - 4,316



Photo 1 - 891 Palm Ave.



Photo 1A - 891 Palm Ave.



Photo 2 - 760 East Railroad Ave.



photo 2A - 760 East Railroad Ave.



Photo 3 - 870 East Railroad Ave.



photo 3A - 890 East Rail road (view of back of home from 851 Palm Ave.)



Photo 3 B - 870 East Railroad (view of back of home from 851 Palm Ave.)

**LATEST CORRESPONDENCE
REGARDING COA2012-00135
851 PALM AVENUE**

Sajgo, Gloria

From: Grady, Beverly [BGrady@ralaw.com]
Sent: Monday, April 01, 2013 3:18 PM
To: Sajgo, Gloria
Subject: FW: neighbor communication
Attachments: [Untitled].pdf

Good Afternoon Gloria,

We heard the BGHP Board comments at the last hearing regarding neighbors working together. So I wanted you to have a copy of the correspondence from last week to Ian Rogerson with positive design ideas for compliance with the Boca Grande Design Guidelines. I hope you will provide encouragement for modifications. Thank so much.

Beverly

-----Original Message-----

From: Grady, Beverly [mailto:BGrady@ralaw.com]
Sent: Monday, April 01, 2013 3:08 PM
To: Grady, Beverly
Subject: neighbor communication

Please open the attached document. This document was digitally sent to you using an HP Digital Sending device.

To view this document you need to use the Adobe Acrobat Reader. For more information on the HP MFP Digital Sending Software or a free copy of the Acrobat reader please visit:

http://www.hp.com/go/HP_Digital_Sender_Module.com

Any federal tax advice contained herein or in any attachment hereto is not intended to be used, and cannot be used, to (1) avoid penalties imposed under the Internal Revenue Code or (2) support the promotion or marketing of any transaction or matter. This legend has been affixed to comply with U.S. Treasury Regulations governing tax practice.

870 EAST RAILROAD, LLC

March 29, 2013

Mr. Ian B. Rogerson
P. O. Box 1240
Boca Grande, FL 33921

Dear Mr. Rogerson:

At the Boca Grande Historic Preservation Board meeting a few weeks ago, we understood the Board expressed a desire that there be sharing between neighbors as to the modifications to your existing design that would move this project in the direction of being consistent with the Design Guidelines for the Boca Grande Historic District.

Since you own the property on one side, it is the Fortney's and us that are most directly affected by this application. In the spirit of that cooperation request from the Board, we have had our architect expend substantial time to develop the enclosed Design Points that, if implemented, would render the design more consistent with the Boca Grande Design Guidelines as they exist. Maintaining the character of the neighborhood is our desire and we hope that you find this assistance helpful and acceptable so that we can move forward in a cooperative spirit at the April hearing of the BGHP Board.

We look forward to your response as to your plans regarding revisions to the existing design as contemplated below. It would be in the best interests of the neighborhood to work together

Yours very truly,

870 East Railroad, LLC

Scott F. Brown
President, Carroll County Coal Company,
Managing Member

Enclosures

Cc: Virginia & Kenneth Fortney
Ian Rogerson via email

9717 CHILLICOTHE ROAD
KIRTLAND, OHIO 44094

Scott Brown

Monday, April 1, 2013 7:08:12 AM ET

Subject: March 28, 2013 Recommended Design Revisions to 851 Palm Ave. project

Date: Thursday, March 28, 2013 2:33:21 PM ET

From: FLANDERSARCH@aol.com <FLANDERSARCH@aol.com>

To: bgrady@ralaw.com <bgrady@ralaw.com>

CC: Scott Brown <Scott.Brown@pmcoal.com>, susanbbrown@gmail.com
<susanbbrown@gmail.com>

March 28, 2013

For compliance with the Lee County adopted **Design Guidelines for the Boca Grande Historic District**, I recommend the submitted house proposed for 851 Palm Avenue make design revisions.

In order of priority, the recommended revisions are as follows:

- 1) Reduced the proposed 4,316 sq. ft. roofed area of the house to a size compatible with the neighboring homes, and complement traditional yard spaces, courtyards, and sense of openness. The Lee County Property Appraiser website lists the average size of the eleven houses on the same block at 2,708 sq. ft.
- 2) Reduce the main north-south gable roof from a pitch of 7:12 to a pitch of 3:12 to match the lower roof pitches on the project. This reduces the project height by about five feet.
- 3) In the interior, if the great vaulted ceiling space is retained, then reduce its truss bearing to an eight feet high wall verses a ten feet high wall. Also reduce the interior vaulted ceiling pitch. This combination reduces the project height by about three to four feet.
- 4) Retain and preserve all existing palms currently located within the twenty feet (20') rear setback on the west side of the site. These existing palms are mature and native. They already provide a beautiful buffer for any future house and the neighborhood.
- 5) Interrupt the continuous seventy feet (70') long roof fascia of the west elevation so there is a break in this massive length. This can easily be accomplished by removing the roof over the small enclosed screen porch, transforming the porch into an open patio.
- 6) Eliminate the exterior Paver Patio in the very southwest corner of the site. The proposed patio will not allow enough area for installation and growth of adequate landscape buffering. This patio, very close to the property lines, is not a common design found in the historic district.
- 7) Submit a site landscape plan indicating type of vegetation, spacing of vegetation, and height of vegetation to be planted so Lee County and the neighbors will have a definite plan of what will be constructed. A plan utilizing the neighbors landscape buffering is irrelevant.
- 8) Shift the floor plan so the 2-car garage is set back from the front setback line and the porch. The front porch is the main historic facade feature which should be the closest part of the house to the public street.

Sincerely,

Michael Flanders, Architect AIA
FL # AR0010,519

FLANDERS ARCHITECTURE, INC.
FL # AAC002014

Flanders Architecture
INCORPORATED

AA - C002014

1412 DEAN STREET, SUITE 200
FORT MYERS, FLORIDA 33901

cell 239/691-2915
flandersarch@aol.com

March 28, 2013

Mr. Shawn Lamey
Lee County
Dept. of Community Development
P.O. Box 398
Ft. Myers, FL 33902

Ms. Gloria Sajgo
Lee County
Division of Planning
P.O. Box 398
Ft. Myers, FL 33902

**RE: 851 Palm Ave., Boca Grande, FL
Strap # 14-43-20-01-00056.0190**

Dear Mr. Lamey and Ms. Sajgo,

Again, I am writing to inform Lee County that I represent 870 East Railroad, LLC which is the adjacent neighbor to the west of the above listed subject parcel.

I have reviewed the drawings submitted by the applicant for the vacant lot on Palm Avenue and have attended the March 13, 2013 Boca Grande Historic Preservation Board. During the board meeting I listened to the applicant and lot owner present their proposed house design. I heard very few facts as to how the project complies with specific sections of the Design Guidelines for the Boca Grande Historic District. Lee County government adopted the design guidelines and an applicant must illustrate how his project complies with the government articles to preserve the historic district.

It is still unclear in the submitted drawings and board presentation how this project complies with the following chapters of the **Design Guidelines for the Boca Grande Historic District (DG-BGHD)**.

Here are the specific chapters where this project fails to comply:

DG-BGHD, page 58, Streetscape, 1.2

“Maintain traditional yard spaces and sense of openness, especially at the front and sides of buildings.” There is no traditional yard space or sense of openness.

DG-BGHD, page 58, Building Site, 2.1

“Identify, retain and preserve features that are important in defining the overall historical character of the site, including vegetation.” The project proposes to strip the site of all items, with no sensitivity to the historical character and vegetation.

DG-BGHD, page 59, Building Site, 2.6

“Service areas and trash containers should be screened from view using fences, lattice screens or hedges.” Service areas along with trash container locations are not mentioned.

DG-BGHD, page 60, New Construction, 4.3

“Buildings should appear similar in mass and scale with historic structures in the block or surrounding area.”

Where is comparison of proposed project to surrounding area? This project shows the highest peak of the roof at 29'-1" above the grade of the street, which is not similar to historic structures in the area. This project proposes a 4,316 sq. ft. structure under roof, whereas the average size of the existing eleven homes on the same block is 2,708 sq. ft.

DG-BGHD, page 61, Scale – General

“The scale (height/width ratio) of the front façade should be compatible with and maintain the proportions established by the neighboring structures.” The overwhelming majority of the neighbor structures have a low profile height and very long horizontal width to their front facades. This project proposes the opposite; a high two story height on top of a double car garage all sitting on the front setback line to Palm Avenue.

DG-BGHD, page 66, Orientation, Setbacks, Site Coverage

“In general, lot coverage should be of similar proportion to the site coverage of adjacent lots. It is very important to maintain the building-to-lot proportions present on adjacent properties.”

Approx. 95% of the area within the setbacks is covered with building or pool deck. This exceeds what is similar to the site coverage of adjacent lots.

DG-BGHD, page 68, Roofs, figure 37

“Roofs having a height from spring line to peak, that do not exceed 80% of the average height of the supporting walls, are acceptable.”

The highest peak appears to exceed this requirement. The applicant has never submitted calculations showing compliance to this mathematical guideline.

DG-BGHD, page 15, Frame Vernacular, figure 2

“In this style, porches have stairs in the middle bay.”

There is no stair in the middle bay. The double garage is the closest enclosed house wall to Palm Avenue, and it protrudes as far as the front porch.

DG-BGHD, page 17, Colonial Revival, figure 3

“In this style, porches on street façade usually stretch the length of building.” The proposed porch cannot stretch the length of the street façade because the double garage protrudes to the front setback line and obstructs the porch.

DG-BGHD, page 20, Type IV Bungalow, figure 7

“In this style, the front porch should be inset under the main roof, with stairs leading to the porch in the center bay.” The main roof is broken and does not cover the front porch, and the stairs are not in the center bay.

Mr. Shawn Lamey
Ms. Gloria Sajgo
March 28, 2013
Page 4

DG-BGHD, page 68, Roofs

***“Vernacular style roofs should have a pitch less than 4 in 12.
Bungalow style roofs should have a pitch greater than 3 in 12.”***

This project is a complicated design with both pitched roof styles. Different roof pitches create a confused appearance to the project. Non-compliance with the three residential styles referenced in the guidelines illustrates how this project is irrespective of a style and is visually complicated.

DG-BGHD, page 76, Fences and Walls

“Fences and screen walls should complement the building and should relate closely to the materials, finishes, and colors utilized on the building.” How does the house railing relate closely to the ornamental site fence? The heights, materials, and elevation drawings of all existing and proposed fences and gates are not submitted.

In conclusion:

It is my professional opinion the proposed project for 851 Palm Avenue does not comply with the above referenced chapters of the adopted **Design Guidelines for the Boca Grande Historic District (DG-BGHD)**.

Thank you for consideration of this objection to the revised drawings proposed for the described subject parcel.

Sincerely,



Michael Flanders, Architect AIA
FL # AR0010,519

FLANDERS ARCHITECTURE, INC.
cell: 239-691-2915

Copy: Beverly Grady, Attorney

Mr. Scott Brown
9717 Chillicothe Road
Kirtland, Ohio 44094

April 1, 2013

Dear Mr. Brown,

Thank you for your letter dated March 29, 2013. Your comments and those of your architect have been shared with the Lee County divisions of planning and community development and all persons directly involved with 851 Palm Avenue.

Your letter does provide an opportunity to review the relevant events of our new, year-round home project, which started in September 2012.

The plans, which have now been recommended for approval by Lee County, have been revised five times since September. As part of the process and in the spirit of neighborly cooperation, the four letters of legal and architectural opinion sent to Lee County by your representatives and forwarded to me were noted and plans changed where practicable.

We worked extensively with Lee County to achieve some revisions. Letters from your architect, Mr. Flanders, prompted other significant changes. With all the revisions, we are pleased to say that the proposed home now fits within the required setbacks and meets other relevant criteria.

The recommendation for approval of the submitted plan for 851 Palm Avenue comes from the Lee County staff which has been involved in this area for some 20 years. They have dealt with hundreds of applications for new construction, alterations or additions in the historic district of Boca Grande. Notwithstanding comments from other experts, few know this area and the rules, regulations and guidelines governing it better than the Lee County staff.

Still, we intend to carefully review the recommendations from Mr. Flanders – as we have in the past. And I am confident we will be able to incorporate some of his suggestions in our plans. We will be working with our team of consultants and the Lee County staff on any further developments, and you can be assured those will be communicated to you and your representatives.

Sincerely,

Ian B. Rogerson
P. O. Box 1240
Boca Grande, FL 33921

DISTRIBUTED AT THE 3/13/13 BGHPB MEETING

FOR COA2012-00135 (851 PALM AVE.)

DISTRIBUTED BY:

ARCHITECT MICHAEL FLANDERS

REPRESENTING 870 EAST RAILROAD LLC

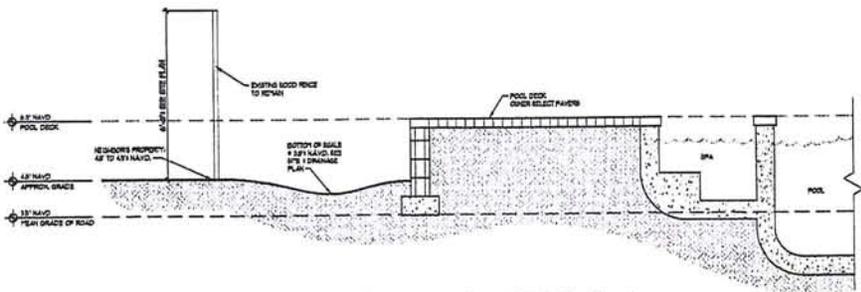
HOUSE SIZE COMPARISON

Immediate Neighborhood homes surrounding 851 Palm Ave.
located between 7th St. E. and 9th St. E.

Sq. Ft. size includes enclosed interiors, enclosed garages, covered porches / verandas

<u>Address</u>	<u>Strap#</u>	<u>Sq. Ft.</u>	<u>Year</u>	<u>Bedrooms</u>
710 Palm Av	14-43-20-01-00057.0010	2,097	1967	3
750 Palm Av	14-43-20-01-00057.0020	3,442	1969	3
861 8 th St. E.	14-43-20-01-00058.0010	3,412	1999	3
890 Palm Av	14-43-20-01-00058.0020	2,571	1968	3
891 Palm Av	14-43-20-01-00056.0210	3,258	2010	3
851 Palm Av	14-43-20-01-00056.0190	4,316	Proposed	4
831 Palm Av	14-43-20-01-00056.0180	2,424	1994	3
801 Palm Av	14-43-20-01-00056.0170	2,690	2000	2
751 Palm Av	14-43-20-01-00056.0160	2,400	1964	3
731 Palm Av	14-43-20-01-00056.0140	1,784	1963	3
711 Palm Av	14-43-20-01-00056.0120	2,673	1963	2
740 E. RailRd	14-43-20-01-00056.0090	2,001	1969	2
760 E. RailRd	14-43-20-01-00056.0080	4,266	2012	3
830 E. RailRd	14-43-20-01-00056.0050	1,877	1997	3
870 E. RailRd	14-43-20-01-00056.0030	3,814	1930 / 2006	3
890 E. RailRd	14-43-20-01-00056.0010	2,602	1969	3

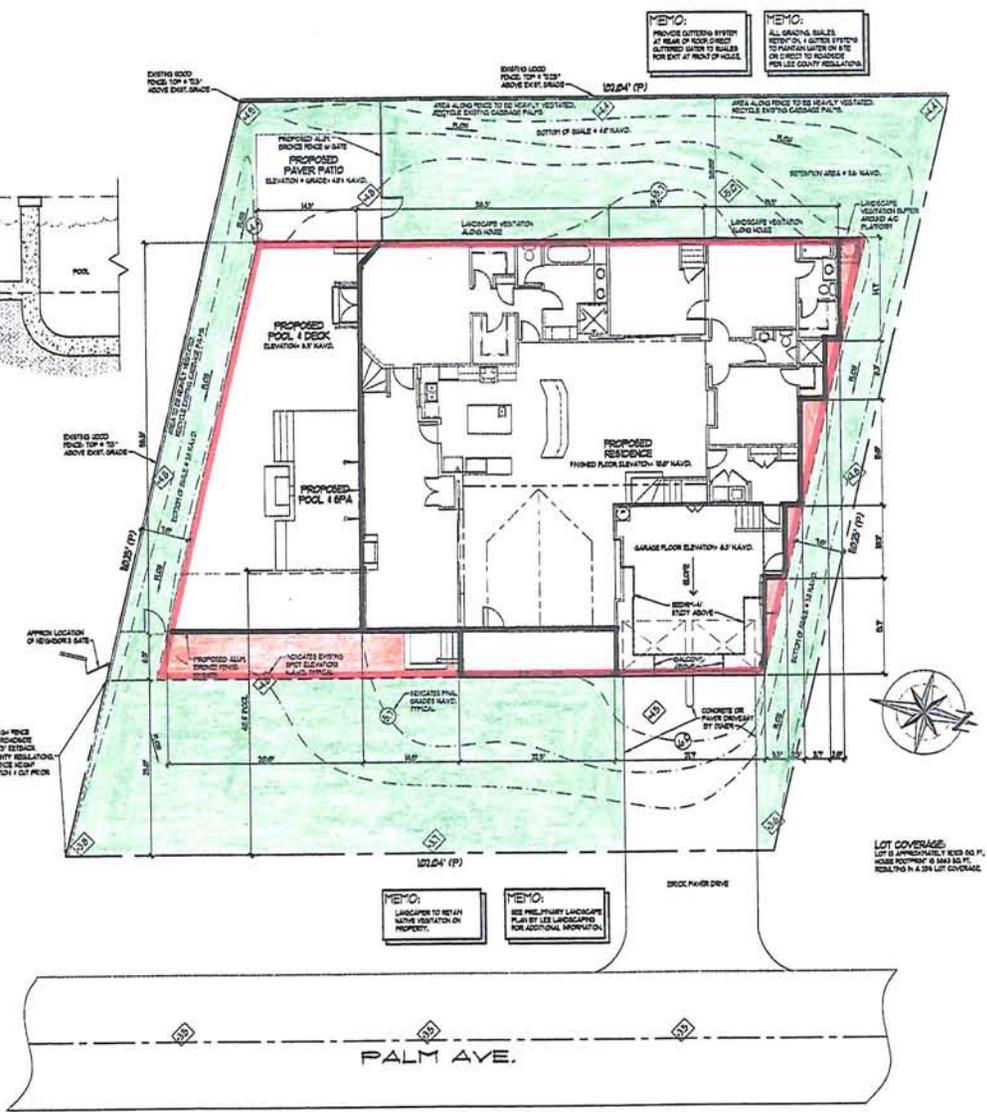
W:\projects\1010101\1010101.dwg 1/11/10 10:10:10 AM



SECTION @ POOL DECK A-A
SCALE = 1/2"=1'-0"

-  Setback Area
-  Setback Line
-  Structures
-  No Structures

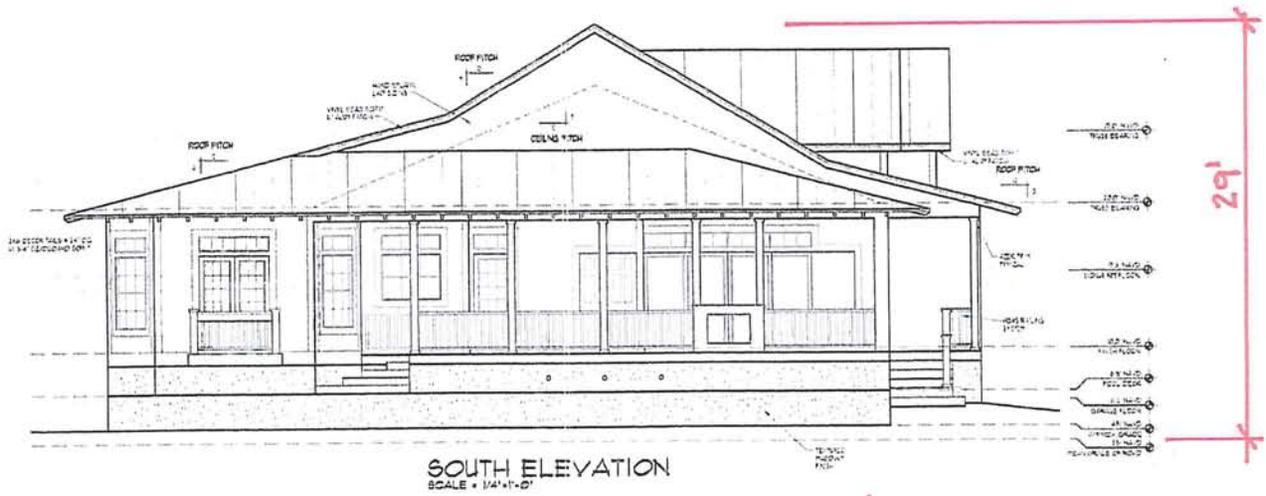
NOTE: 92 % of Buildable Area is covered with house & pool/deck



SITE & DRAINAGE PLAN
SCALE = 1/8"=1'-0"

DATE REVISED: NOVEMBER 08, 2012 JANUARY 2, 2013 JANUARY 11, 2013 JANUARY 24, 2013 FEBRUARY 05, 2013 MARCH 05, 2013
DRAWN BY: D. KONDROGLO
VELOCITY coastal home planning <small> 9401 W. BOCA BLVD., SUITE 200 BOCA RATON, FL 33434 TEL: 561-993-9999 WWW.VELCITYPLANNING.COM </small>
DATE DRAWN: NOVEMBER 8, 2012
A REFERENCE FOR: MR. IAN ROGERSON 851 PALM AVE., BOCA GRANDE, FLORIDA
SHEET: 1 OF 5
JOB NUMBER: V12-000

B



SOUTH ELEVATION
SCALE = 1/4" = 1'-0"



EAST ELEVATION
SCALE = 1/4" = 1'-0"

MEMO
1. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
2. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
3. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.

DATE REVISED:
NOVEMBER 6, 2012
JANUARY 2, 2013
JANUARY 15, 2013
JANUARY 24, 2013
FEBRUARY 18, 2013

DRAWN BY:
G. KOSKINEN

DATE DRAWN:
NOVEMBER 6, 2012

VELOCITY
coastal home planning
851 PALM AVE., BOCCA GRANDE, FLORIDA
P.O. BOX 2073
BOCCA GRANDE, FLORIDA 33433
407-240-9999

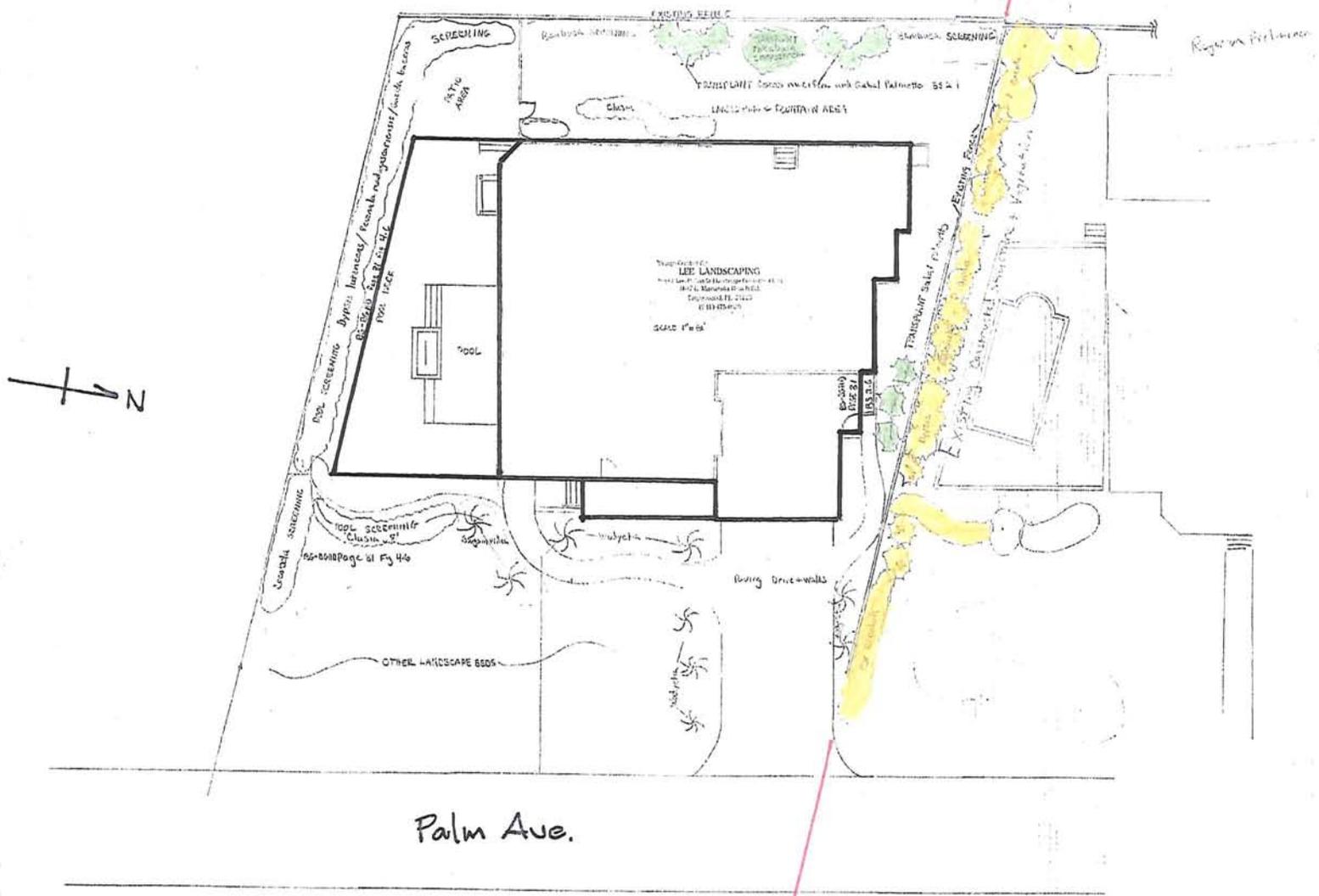
A REFERENCE FOR
MR. IAN ROGERSON
851 PALM AVE., BOCCA GRANDE, FLORIDA

SHEET:
4 OF 5
JOB NUMBER:
V12-009

C

PRELIMINARY LANDSCAPE PLAN 851 Palm Ave. Boca Raton, Florida

100% Complete plan to be displayed during construction



E

DISTRIBUTED AT THE 3/13/13 BGHPB MEETING

FOR COA2012-00135 (851 PALM AVE.)

DISTRIBUTED BY:

IAN ROGERSON

REPRESENTING 851 PALM AVE.

Photo 2 & 2A
760 East Railroad

Lot is 76x110
Sq. foot under air -
3,247
Total - 4,309

Photo 3, 3A & 3B
870 East Railroad



Homes near 851 Palm with rooflines/heights
similar to proposed residence.

Photo 1 & 1A
891 Palm

851 Palm
Lot is 102x110
Sq. foot under air - 2,923
Total - 4,316



Photo 1 - 891 Palm Ave.



Photo 1A - 891 Palm Ave.



Photo 2 - 760 East Railroad Ave.



photo 2A - 760 East Railroad Ave.



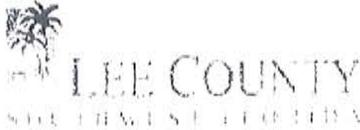
Photo 3 - 870 East Railroad Ave.



photo 3A - 890 East Rail road (view of back of home from 851 Palm Ave.)



Photo 3 B - 870 East Railroad (view of back of home from 851 Palm Ave.)



HISTORIC PRESERVATION PROGRAM SPECIAL CERTIFICATE OF APPROPRIATENESS

Lee County Planning Division, PO Box 398, Fort Myers, FL 33902
Phone: (239) 533-8585 / FAX: (239) 485-8344

COA No.	Designation No. <u>HD90 05 01</u>	Date Filed: <u>3-20-2013</u>
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<input type="checkbox"/> Contributing	<input checked="" type="checkbox"/> Non-Contributing	<input type="checkbox"/> Individual Designation	<input type="checkbox"/> Not Historical
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Name of Project: SODEL WALL & GATE

Location: 1000 EAST RAILROAD AVE. BOCA GRANDE, 33921

STRAP No.: 14-43-20-01-00061.0010

Name of Applicant or Agent*: CHARLES WITTMARK

(*All correspondence with regards to the Certificate of Appropriateness will be sent to the party identified above)

Address: PO BOX 1408

City, State, Zip: BOCA GRANDE FL 33921

Phone Number: 941.524.6374 Fax Number: _____

Email Address: CHARLES DESIGN FOR LIFE @ GMAIL.COM

Name of Historic District (if applicable): BOCA GRANDE

Check all that apply: Building Archaeological Site Object Landscape Feature

Project Description (describe all work proposed):

Alteration Demolition New Construction Reconstruction Rehabilitation Relocation

Narrative: COMPLETION OF AN EXISTING WALL W/ NEW GATES.
6' HIGH WALL & 7' HIGH COLUMN EA. END (CONCRETE W/ STUCCO)
LOCATED ON N. EAST & SOUTH CORNER OF LOT. (0' FROM RIGHT OF WAY.)

Change in Use: No Yes

If yes, explain. _____

Does this use require a variance, special permit, or special exception under the Zoning Ordinance? No Yes

If yes, explain. VARIANCE APPROVED

Has a development order or exemption been applied for prior to or concurrent with this application? No Yes

If yes, explain. _____

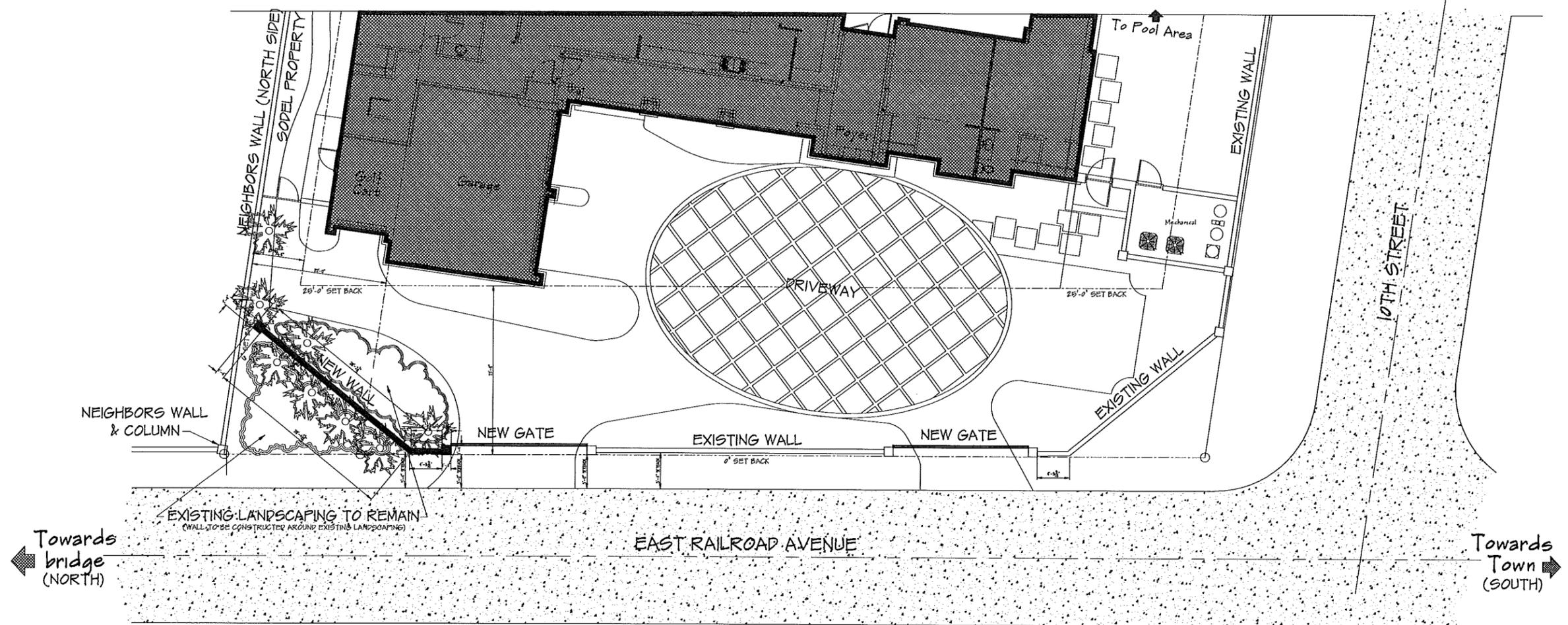
***** FOR STAFF USE ONLY *****	
Date Issued:	<input type="checkbox"/> APPROVED <input type="checkbox"/> DENIED*
Certified by:	
*Explanation attached	

#	DATE:	REVISIONS	BY:	DATE:
1.				
2.				
3.				
4.				
5.				
6.				

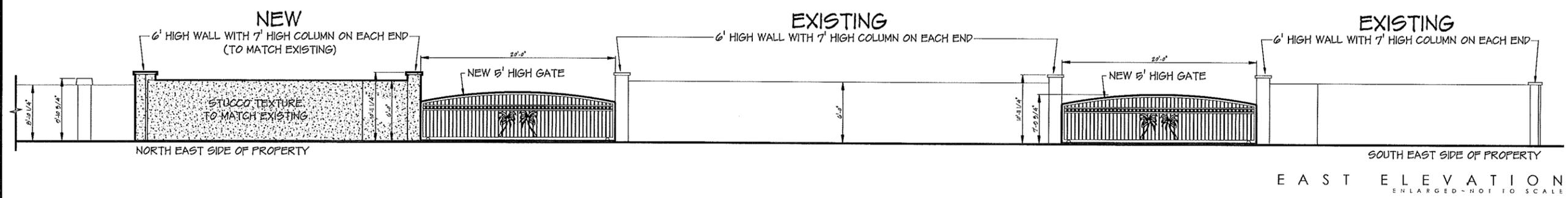
DATE: JUNE 23, 2012
 SHEET: 1 OF 2
 DESIGN BY: CTW
 DRAWN BY: CTW
 APPROVED BY: TAK

SODEL WALL & GATE DETAIL

DESIGN FOR:
 SODEL
 BOCA GRANDE
 FLORIDA 33921



S I T E P L A N
 SCALE: 1/4" = 1'-0"



S O D E L W A L L & G A T E D E T A I L

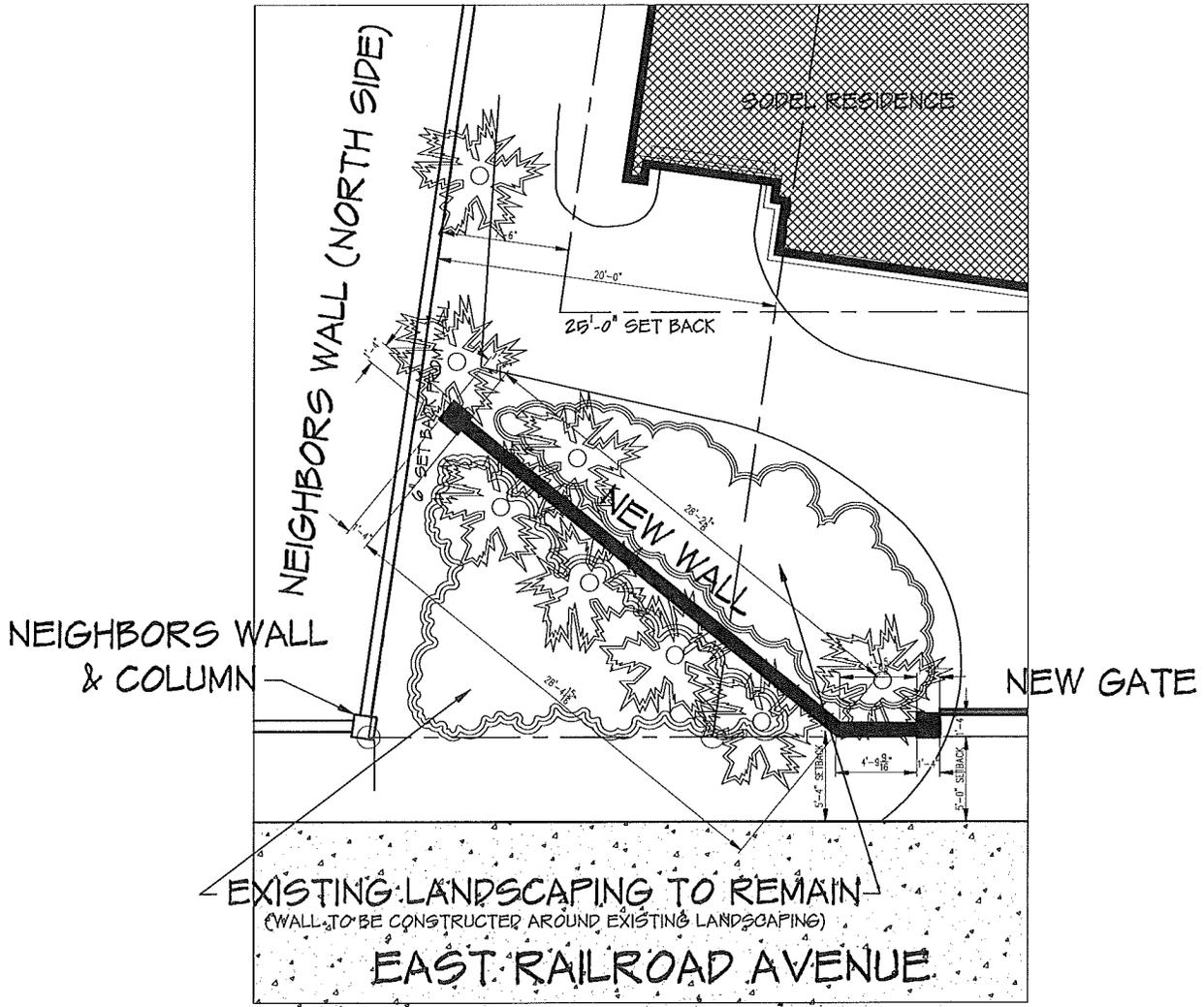
1000 RAILROAD AVENUE, BOCA GRANDE
 FLORIDA 33921

~ E L E V A T I O N P L A N ~

SCALE: 1/8" = 1'-0"



S O D E L W A L L



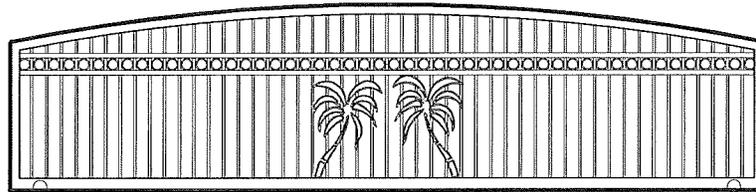
1000 EAST RAILROAD AVE.



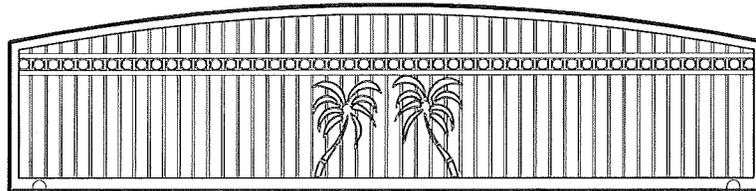
W A L L & G A T E S

(T O M A T C H E X I S T I N G)

5' X 20' GATE



5' X 20' GATE

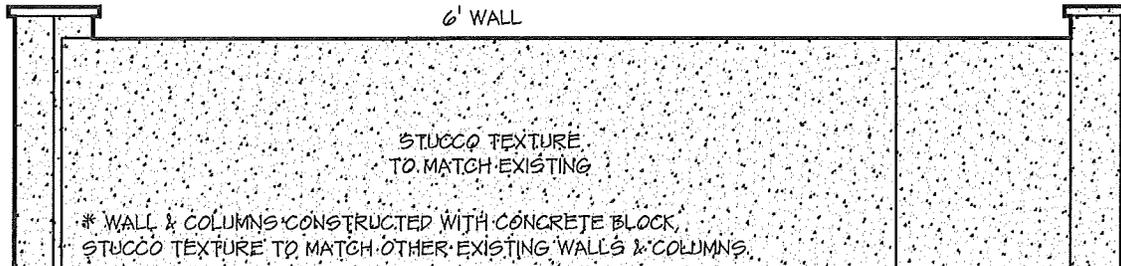


* GATES ARE TO MATCH EXISTING PROPERTY GATES IN COLOR & STYLE WITH A WROUGHT IRON LOOK.

7' COLUMN

6' WALL

7' COLUMN



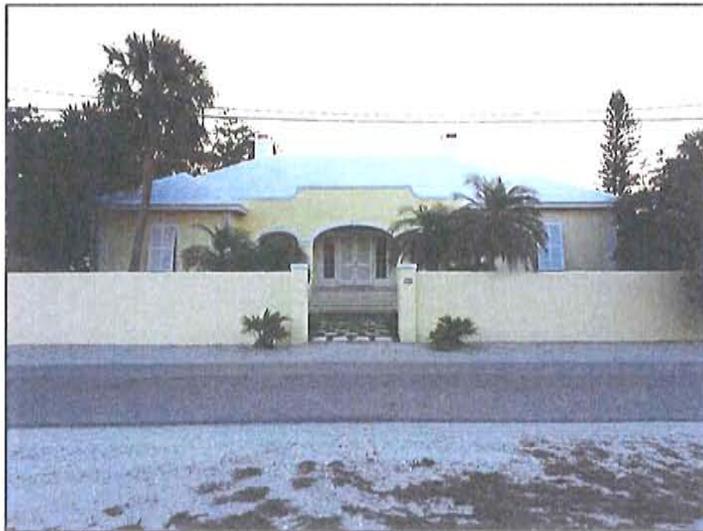
STUCCO TEXTURE
TO MATCH EXISTING

* WALL & COLUMNS CONSTRUCTED WITH CONCRETE BLOCK,
STUCCO TEXTURE TO MATCH OTHER EXISTING WALLS & COLUMNS.

NEIGHBOR NORTH OF PROPERTY



W A L L & G A T E S
S O D E L



1050 EAST RAILROAD AVE.
(NORTH NEIGHBOR)

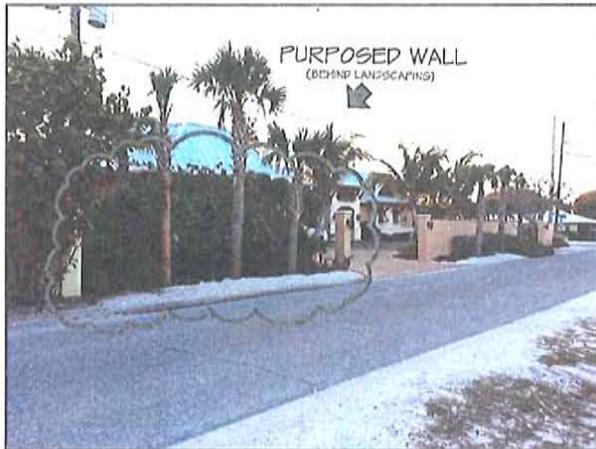
OWNER OF RESIDENCE



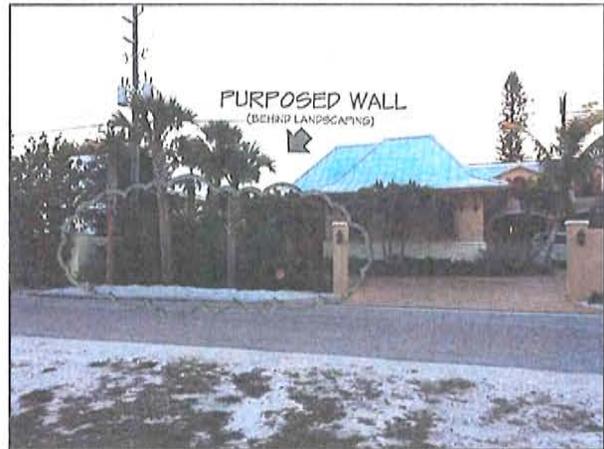
S O D E L

W A L L & G A T E S

(T O M A T C H E X I S T I N G)



NORTH WEST SIDE OF PROPERTY



NORTH WEST SIDE OF PROPERTY



SOUTH WEST SIDE OF PROPERTY



CORNER OF 19TH STREET & EAST RAILROAD

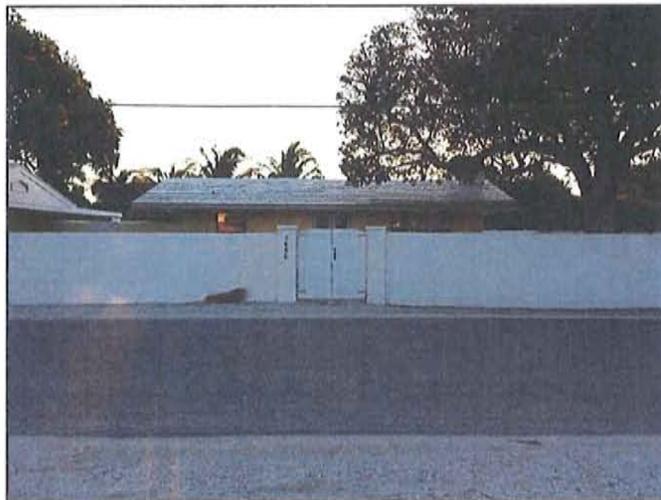
SOUTH WEST SIDE OF PROPERTY

1000 EAST RAILROAD AVE.
(THE SODELS ~ OWNER)

NEIGHBOR SOUTH OF PROPERTY



S O D E L
W A L L & G A T E S



1060 EAST RAILROAD AVE.
(SOUTH NEIGHBOR)

THE HISTORICAL LIBRARY



S O D E L
W A L L & G A T E S



CORNER OF 10TH STREET
& GASPARILLA ROAD

S O D E L W A L L & G A T E D E T A I L

1000 RAILROAD AVENUE, BOCA GRANDE
FLORIDA 33921

EXAMPLES OF THE WALLS & GATES ON RAILROAD AVENUE:

A



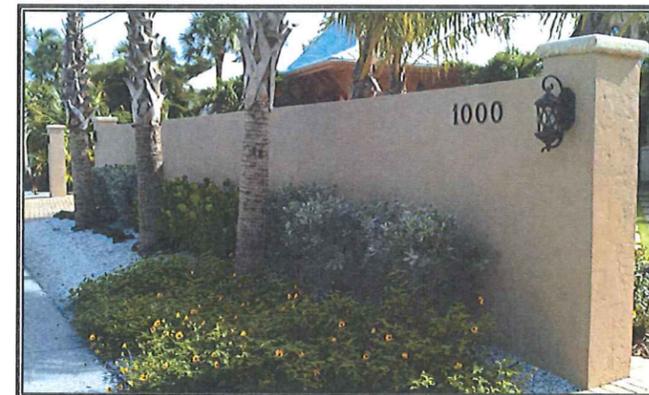
THE INLETS
(NORTH OF THE SODELS)

B



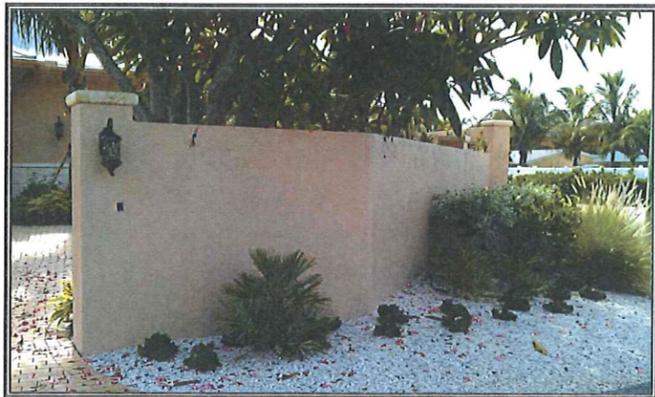
1050 EAST RAILROAD AVE.
(NORTH NEIGHBOR)

C



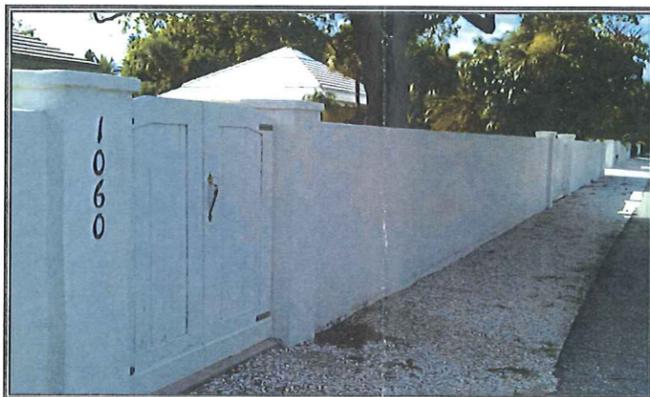
1000 EAST RAILROAD AVE.
(THE SODELS ~ OWNER)

D



CORNER OF 1000 EAST RAILROAD
AVE. & 10TH STREET
(THE SODELS ~ OWNER)

E



1060 EAST RAILROAD AVE.
(SOUTH NEIGHBOR)

F



1060 EAST RAILROAD AVE.
(SOUTH NEIGHBOR)

1



2



3



4



5



6



OTHER WALLS & GATES ON EAST RAILROAD AVENUE:

DATE:	JUNE 23, 2012
SHEET:	2
OF:	2
DESIGN BY:	CTW
DRAWN BY:	CTW
APPROVED BY:	TAK

#	DATE	REVISIONS
1		
2		
3		
4		
5		
6		

S O D E L W A L L &
G A T E D E T A I L

DESIGN FOR:
S O D E L
BOCA GRANDE
FLORIDA 33921



**BOCA GRANDE HISTORIC PRESERVATION BOARD
STAFF REPORT**

TYPE OF CASE: Special Certificate of Appropriateness

CASE NUMBER: COA 2012 – 00026 Sodel Gates & Fence Wall, 1000 East Railroad Ave Boca Grande Fl 33921

HEARING DATE: April 10, 2013

SUMMARY

The subject property is a non-contributing property in the Boca Grande Historic District HD 90-05-01. Staff analyzed the proposed project for compliance with the Boca Grande Design Guidelines. The STRAP is: 14-43-20-01-00061.0010; the address is: 1000 E. Railroad Ave, Boca Grande, Fl. The proposed project entails the construction of a new 6-ft high fence wall with 7-ft high columns in the front northwest area of the subject lot and the installation of 5-ft high rolling open, metal gates between the existing fence walls on the front elevation.

STAFF ANALYSIS

Existing Conditions

The subject property is a corner lot located at the intersection of East Railroad Ave and 10th St consisting of roughly 21,674 sq ft. It has roughly 122 ft frontage on E. Railroad Ave and 151 ft frontage along 10th St. Wall fences are on the perimeter of most of the property as well as in the interior of the property creating various spaces for different uses.

On August 11, 2009 the Boca Grande Historic Preservation Board approved COA 2010 - 00069 for a major rehabilitation of the subject house. See Attachment #1. In association with COA2010-00069 the Zoning Director issued ADD2010-00040, an administrative variance to bringing into compliance the nonconforming setbacks for the residence, the pool and the fence walls. Subsequently another administrative variance ADD2011-00012 was issued because a pool and spa had to be relocated due to structural damage during the removal of Royal Palms on the site. See attachment #2.

The project as approved includes the existing wall fences on the front elevation and a landscaped area (with no fences) on the northwest area by the adjoining property owner on to the north. In 2012 the owner of the subject property requested an administrative variance to construct a 6-ft high fence in this northwest landscaped area and to install gates between the existing fence walls. The Zoning Director considers administrative variances when the applicant is able to provide letters of no objection from adjacent property owners. In this instance the adjacent property owner to the north objected and as a result the Zoning Director would not consider the request. As a result the applicant filed for a variance before the Lee County Hearing Examiner. On March 15, 2013 the Hearing Examiner rendered a decision granting the applicant's request for a zoning variance. See attachment #3 VAR2012 00024 Charles Wittmark in reference to SODEL.

Since the Hearing Examiner has provided the zoning approval for the subject project the applicant is now requesting approval from the Boca Grande Historic Preservation Board for the design of the project. The request entails the construction of a new 6-ft high fence wall with 7-ft high columns in the front northwest area of the subject lot and the installation of 5-ft high open, metal gates between the existing fence walls on the front elevation. The fence gates would be rolling gates with a curved top (5-ft at the highest point) and would feature an open railing with the silhouettes of two palm trees.

The proposed fence wall for the north west area is designed to match the existing fence wall at the south west corner --which is set at a diagonal: Therefore proposed fence wall would be set at a diagonal on the north west corner and would be roughly 28-ft long and 6-ft high. It would be bookended by roughly 7-ft high columns to match those existing. The finish would match that of the

existing walls. The diagonal design of the proposed fence wall would allow the preservation of the vegetation on this northwest area of the subject parcel.

Overall staff believes this is a well thought out project that is in keeping with the design guidelines of the Boca Grande Historic District.

Design Guidelines for the Boca Grande Historic District.

In evaluating the project also refer to the discussion above.

1.0 Streetscape

1.1 Building heights should be similar to the range of heights already found in the district and on the particular block of the subject structure. N/A

1.2 The pattern of spaces between buildings should be maintained. Additions to existing buildings should be set back from the front façade so the visual quality of spacing is preserved. Maintain traditional pattern setbacks, entrances and alignment of facades. Maintain traditional yard spaces and sense of openness, especially at the front and sides of buildings. N/A

1.3 Additions should attempt to maintain the overall sense of size of the building. N/A

1.4 Buildings at the ends of a block should be similar in height to the buildings, or provide a visual transition to the next block. N/A

1.5 The traditional alignment of horizontal and vertical elements of buildings along a block should be maintained. The alignment of first and second story windows should respect traditional patterns of the block. N/A

1.6 Maintain the traditional proportions of glass in building facades. N/A

1.7 Maintain the traditional alignment between rooflines, porch protrusions and entrances. N/A

2.0 Building Site

2.1 Identify, retain and preserve features that are important in defining the overall historical character of the site, including driveways, walkways, lighting, fencing, signage, benches, fountains, terraces, water features, vegetation and potential archaeological features.

Currently there are two 6-ft high wall fences across the front of the subject parcel. The proposal calls for installing a 5-ft high roughly 20 -ft long rolling gate to secure the openings between the existing fence walls.

Additionally the northwest area which is now open would have a 6-ft high wall fence installed at a diagonal – to match the design of the wall fence on the southwest corner and to preserve the existing vegetative look of this corner. The adjoining properties in the area have wall fences – wall fences are very common along East Railroad Ave. The addition of a wall fence on the proposed location would be in keeping with the fences in the area and would also preserve the existing vegetation on this area of the subject parcel.

2.2 Maintain the traditional orientation patterns of building facades to the street or water. The front of the building should present a façade that is parallel to the street on which it faces.

2.3 The vertical and horizontal proportions of building mass should be maintained. Additions should preserve or maintain the traditional symmetry of the buildings front façade. N/A

2.4 Maintain traditional setback patterns. Porches, decks, solid fences or other additions should be located to respect traditional patterns or visually preserve the traditional front setback. Additions or screened service areas should be located to the side or rear of the front setback.

This corner property has high fences at the perimeter. The proposal calls for fencing in the northwest corner with fencing that resembles the existing fencing and locating it at a diagonal (to match the existing fence on the southwest corner) and to provide two 5-ft high and 20-ft long rolling gates to provide controlled access to the driveway. This proposal is in keeping with the traditional and established look of this property and this area of the historic district.

2.5 Alleys, where part of the historical plat, should be used to provide access to the rear of properties for parking and service. Parking and access to parking should relate to alley systems,

where present, and should be limited to the rear of structures where this pattern is traditional.

N/A

2.6 Accessory buildings such as garages or carports should be located according to the traditional development patterns of such buildings and should relate to the existing building on the site. Service areas and trash containers should be screened from view using fences, lattice screens or hedges. N/A

2.7 Decks should be as unobtrusive as possible. Railing should express a line and spacing similar to existing balustrades. The duplication of historic styles such as widow's walks should be encouraged only where this type of architecture was traditionally found. N/A

2.8 Paving materials and patterns should respect traditional patterns on the block. N/A

2.9 Landscaping should respect traditional planting patterns and maintain the alignment, spacing, and type where possible. N/A

3.0 Additions to Existing Buildings

3.1 Additions should be compatible with the size, scale, color, material and character of the building and its environment. Additions may include porches and bay windows as well as entire wings and rooms.

The additions of the fence and the gates are compatible with the existing fences. As described above the fence will be set at a diagonal to match the existing fence on the other corner; by setting the fence at a diagonal the existing vegetation will be preserved. The rolling gates will be roughly 5-ft high and but with metal with railings that will preserve the sense of openness between the existing fences while still providing the needed secure access.

In general high fences are relatively common on E Railroad Ave and the proposal is in keeping with the area.

3.2 Additions should be positioned so they do not alter the historic rhythm of building fronts.

N/A

4.0 New Construction

4.1 Contemporary styles should be harmonious in form, material, and scale with the character of the block or district. N/A

4.2 Align the façade of the building with the historic setbacks of the block or district. N/A

4.3 New buildings should appear similar in mass and scale with historic structures in the block or surrounding area. N/A

4.4 Building and roof forms should match those used historically. N/A

4.5 Use similar building materials to those used historically for all major surfaces. N/A

4.6 Use window sizes and proportions similar to those used historically. To create larger surfaces of glass, consider combining several standard windows in a row. N/A

5.0 Relocating Buildings in a Historic District

5.1 Relocate the structure in a context similar to its historic location, if relocating a historic building. N/A

5.2 Align the building within the historic patterns of setbacks and open space ratios. N/A

5.3 Orient the building according to the traditional pattern of the block or district. N/A

STAFF RECOMMENDATION:

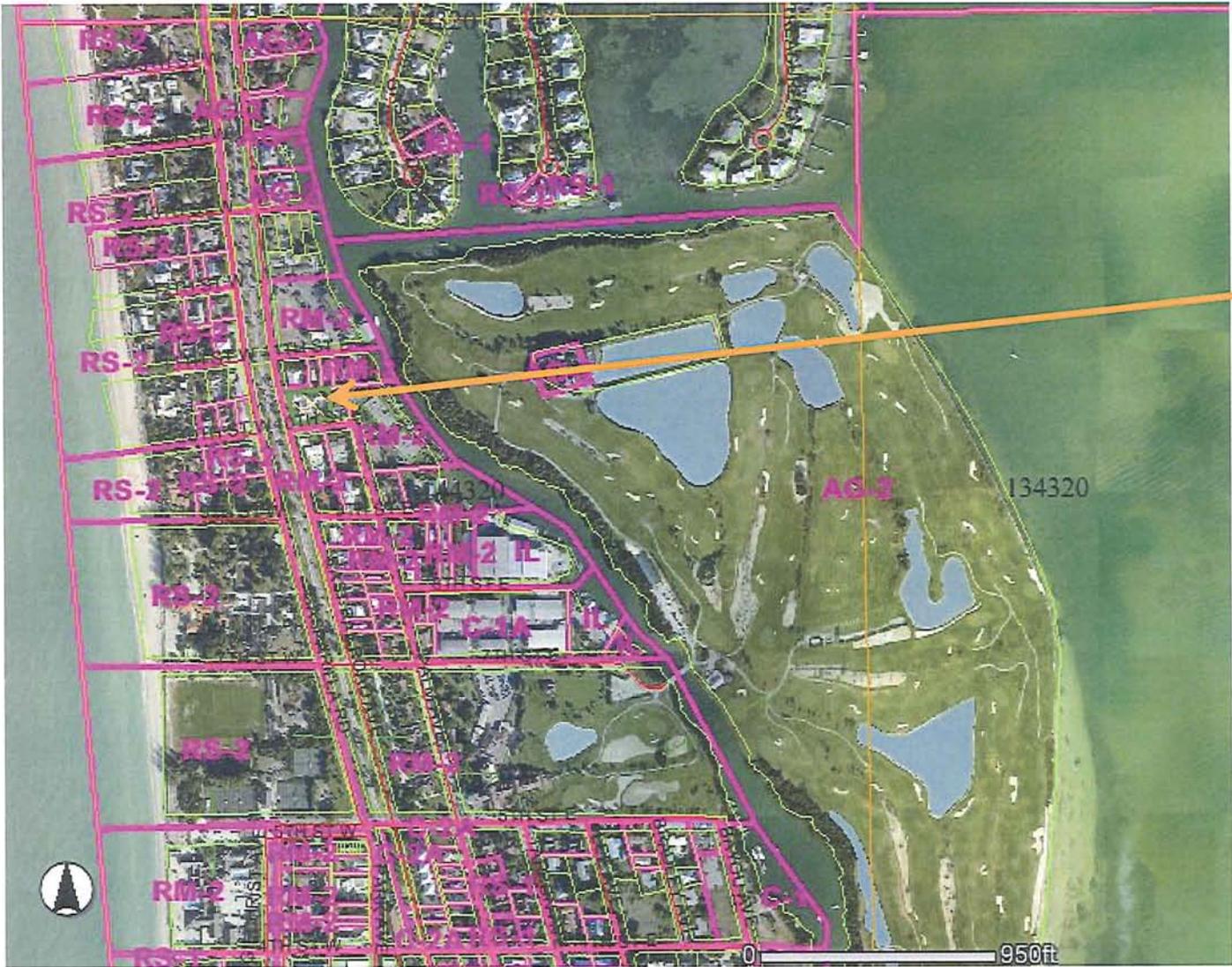
Staff recommends that the Boca Grande Historic Preservation Board:

- Approve the project as presented by the applicant.
- Make a finding that the proposed project has been designated under Chapter 22 of the Land Development Code and on the basis of staff analysis, the project is in compliance with Chapter 22, and the design guidelines of the Boca Grande Historic District.

COA2013-00026 – 1000 East Railroad Ave. Boca Grande



COA2013-00026 – 1000 East Railroad Ave. Boca Grande



Subject Property
1000 East Railroad Ave

ATTACHMENT #1

- 1) COA2010-00069**
- 2) COA2011-00036**

LEE COUNTY
SPECIAL CERTIFICATE OF APPROPRIATENESS NO. COA2010-00069

SODEL RESIDENCE

1000 EAST RAILROAD AVE BOCA GRANDE 33921

Contributing

Non-Contributing

Individual Designation

Not Historical

YOU ARE HEREBY NOTIFIED that the Boca Grande Historic Preservation Board voted to:

- Approve
 Approve with Conditions
 Deny
 Continued

Date of Decision: 08/11/2010

Make a finding that the proposed project has been designated under Chapter 22 of the Land Development Code and on the basis of staff analysis, the project is in compliance with Chapter 22 of the design guidelines of the Boca Grande Historic District.

A copy of this notice, the Special Certificate of Appropriateness (and other documents if appropriate as noted below) have been furnished to the following persons:

SODEL HERBERT A +

Property Owner ___ with without Plans

Pam Houck/ ~~Shawn Lamey~~ *Nettie Richardson*

Director, Zoning Division with *1 set* ___ without plans

Bob Stewart

Building Official ___ with without plans

WILLIAMSON HINKLE ARCHITECTS

Applicant *4 sets* with ___ without plans



A



B



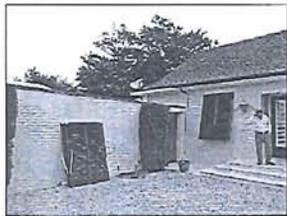
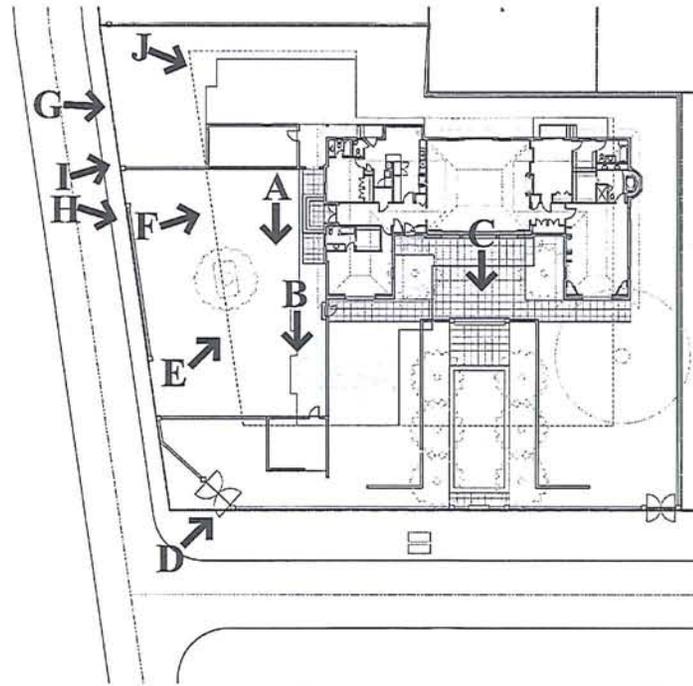
C



D



E



F



G



H



I



J

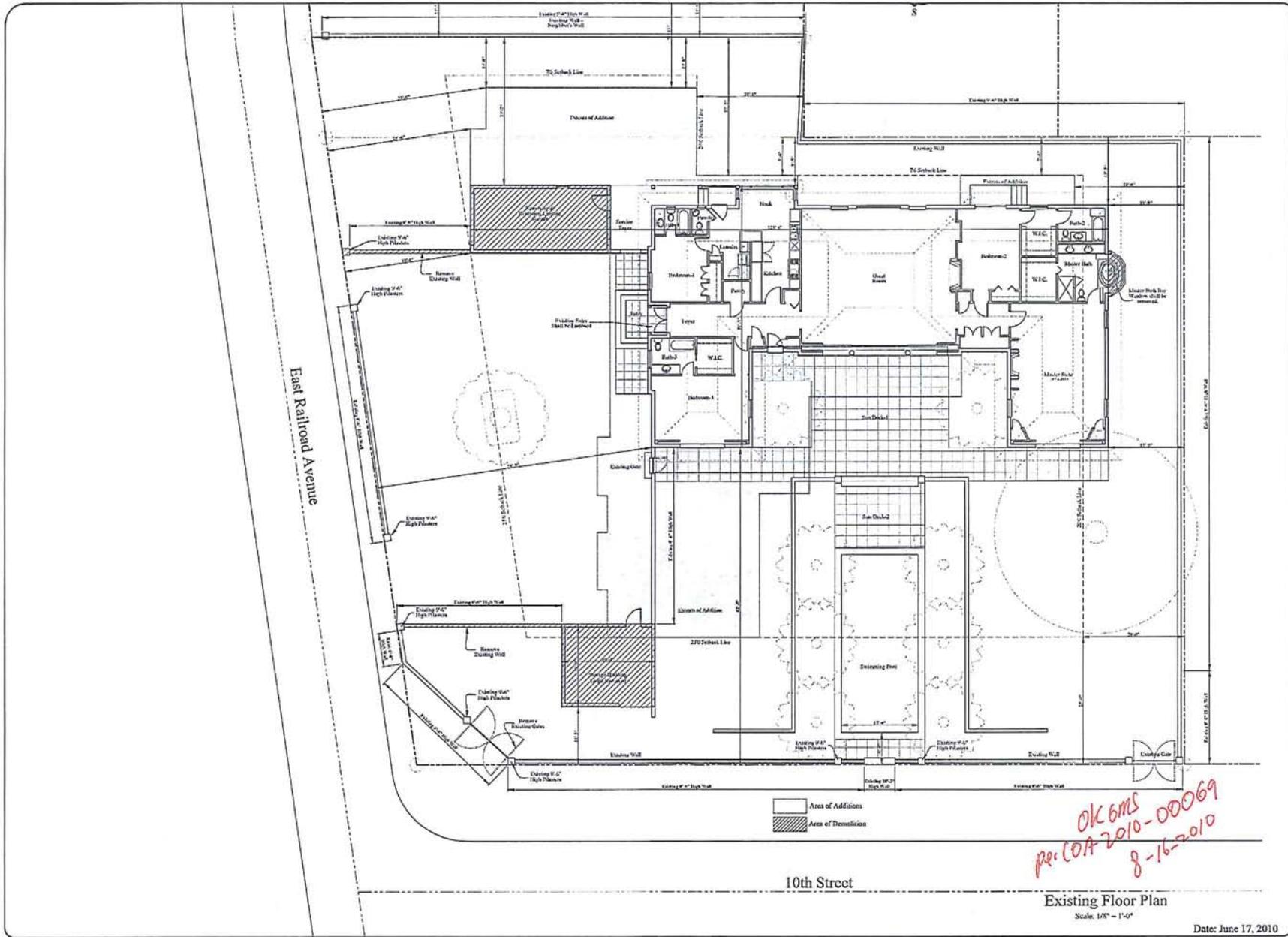
CDR#	NO.	18-011
DRWN	T.W.K.	
CHKD	T.W.K.	
DATE	4/23/10	
REVISIONS		
DATE	BY	
01/10	PRESENTATION	
01/10	LETTER OF NO RESPONSE	
02/09	COUNTY REVISIONS FOR VETERA SUBJECT	

As-Addition & Renovation for
Herbert & Nancy Sodel
 1000 East Railroad Avenue
 Lots 1, 3, 5 & 1/2 Lot 7
 Boca Grande, Gasparilla Island, Lee County, Florida

WILLIAMSON-HINKLE
 architects LLC
PA. ARCHITECT LICENSE NO. 2014 • FL ARCHITECT LICENSE NO. 2010 • ILLINOIS ARCHITECT LICENSE NO. 010100

Sheet
1
 of 1

COMMENTS: ALL DIMENSIONS TO FACE UNLESS NOTED OTHERWISE



COORDINATOR	10-001
DRAWN	T.W.J.L.
CHECKED	T.W.J.L.
DATE	4/27/10
REVISIONS	
DATE	BY
01/10	PREPARATION
01/10	LETTER OF NO OBJECTION
02/10	FACILITY REVIEWS FOR DETAILED REVIEW

As Addition & Removing for:
Herbert & Nancy Sodel
 1000 East Railroad Avenue
 Lots 1, 3, 5 & 1/2 Lot 7
 Boca Grande, Gasparilla Island, Lee County, Florida

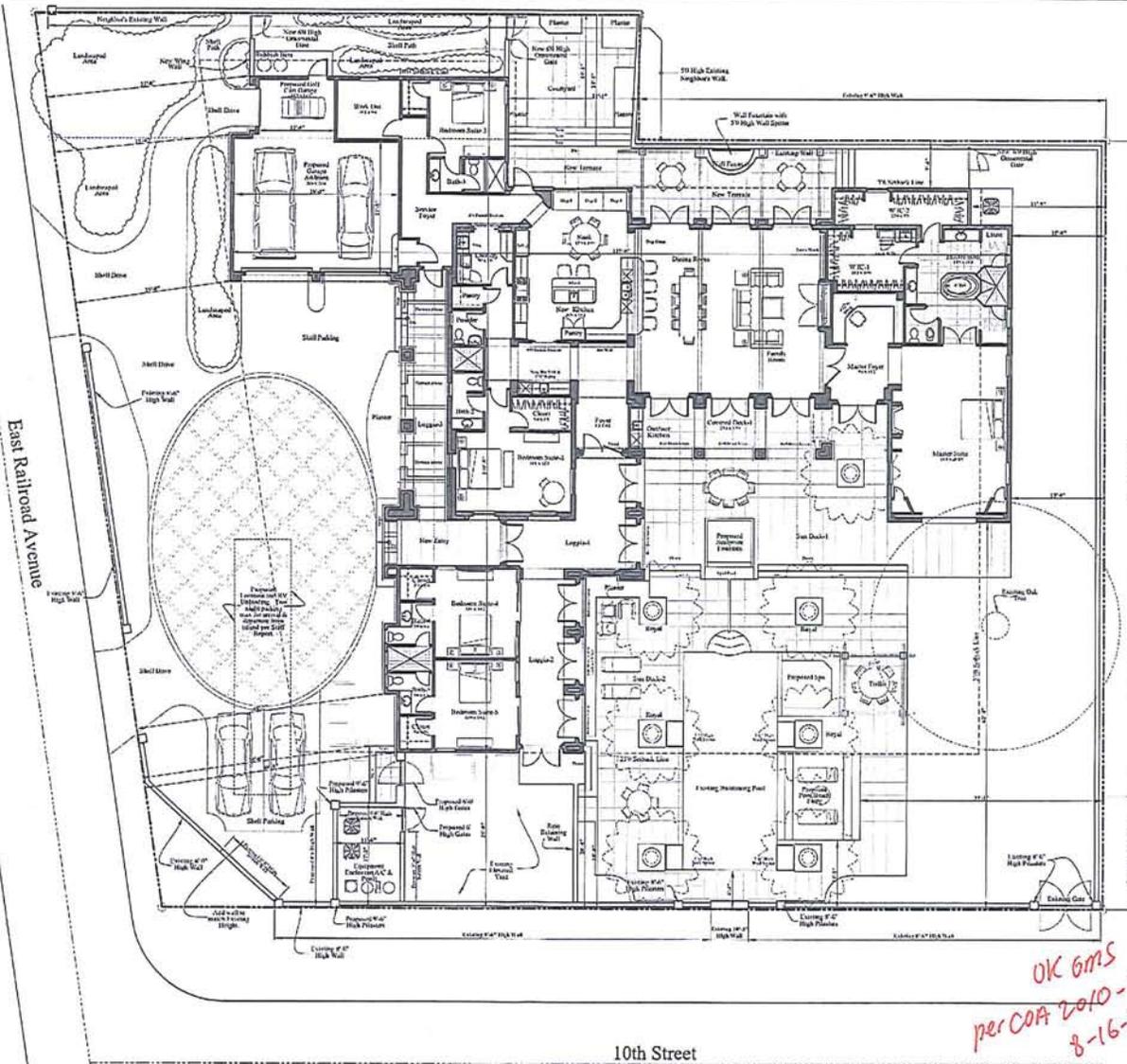
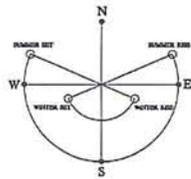
WILLIAMSON-HINKLE architects LLC
 P.A. REGISTERED ARCHITECTS, 2014 • FT. WORTH, TEXAS 76102 (817) 464-5110 • CARY, NORTH CAROLINA 27513 (919) 333-1111
 FAX: 817-464-5111

Sheet
2
 of x

*OK CMS
 PR: COA 2010-00069
 8-16-2010*

Existing Floor Plan
 Scale: 1/8" = 1'-0"

Date: June 17, 2010



BUILDING AREA TABULATION

First Floor Existing Area:	3,352 S.F.
Bedroom Suite 4 & 5:	614 S.F.
Loggia-1 & Loggia-2 Area:	585 S.F.
New Master Walk in Closet Area:	133 S.F.
Work Out and Bedroom-3 Area:	571 S.F.
New Foyer Area:	87 S.F.
Total Conditioned Area:	5,342 S.F.
New Covered Entry	150 S.F.
New Loggia-3	283 S.F.
New Garage	795 S.F.
New Covered Lanai	297 S.F.
Covered Non-Conditioned Total:	1,525 S.F.
Sundeck-1	858 S.F.
Sundeck-2	1970 S.F.
Open Deck Total	2,828 S.F.
Total Building Area:	9,695 S.F.

SITE AREA ANALYSIS

Total Site Area	21,674 S.F.
Building Footprint	6,867 S.F.
Footprint Coverage:	31.6%

Floor Plan - Scheme (Bermuda Final)
Scale: 1/8" = 1'-0"

*OK GMS
per COA 2010-00069
8-16-2010*

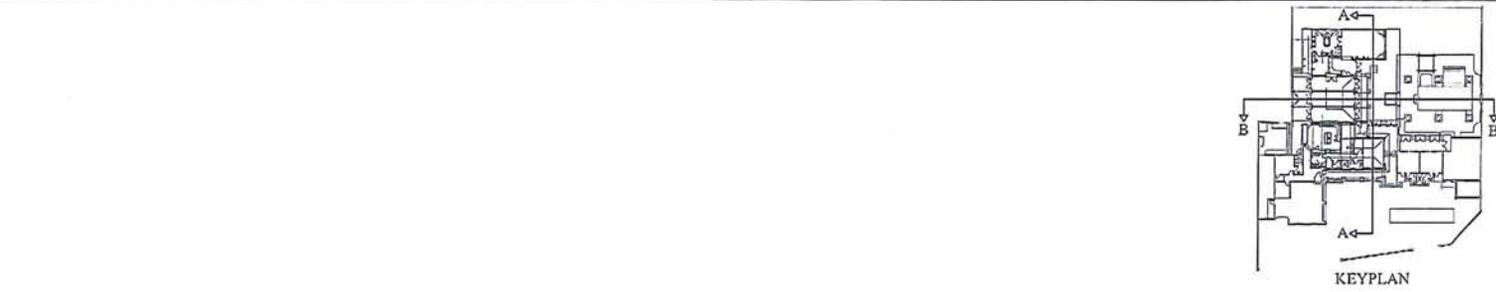
DESIGNER	WJH
REVISION	TWJ
CHECKED	TWJ
DATE	4/2/10
BY	
DATE	
BY	
DATE	
BY	
DATE	
BY	

An Addition & Renovation for:
Herbert & Nancy Sodel
1000 East Railroad Avenue
Lots 1, 3, 5 & 1/2 Lot 7
Boca Grande, Gasparilla Island, Lee County, Florida

WILLIAMSON-HINKLE
architects LLC
1000 EAST RAILROAD AVENUE, LOT 1, 3, 5 & 1/2 LOT 7
BOCA GRANDE, FLORIDA 33909

Sheet
4
of 4

Exhibit C
Date: June 17, 2010

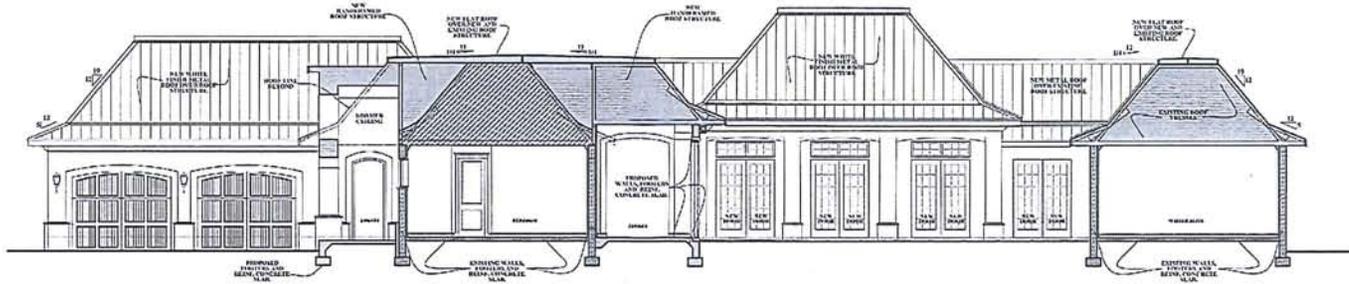


CONVNO.	19-01
DRWNO.	1-01
CHECKED	L.M.H.
DATE	02/10
REVISIONS	
NO.	BY
01	PRELIMINARY
02	FOR PERMITS
03	FOR CONSTRUCTION



SECTION-B
3/16" = 1'-0"

*OK GMS
Per Co A 2010-00069
8-16-2010*



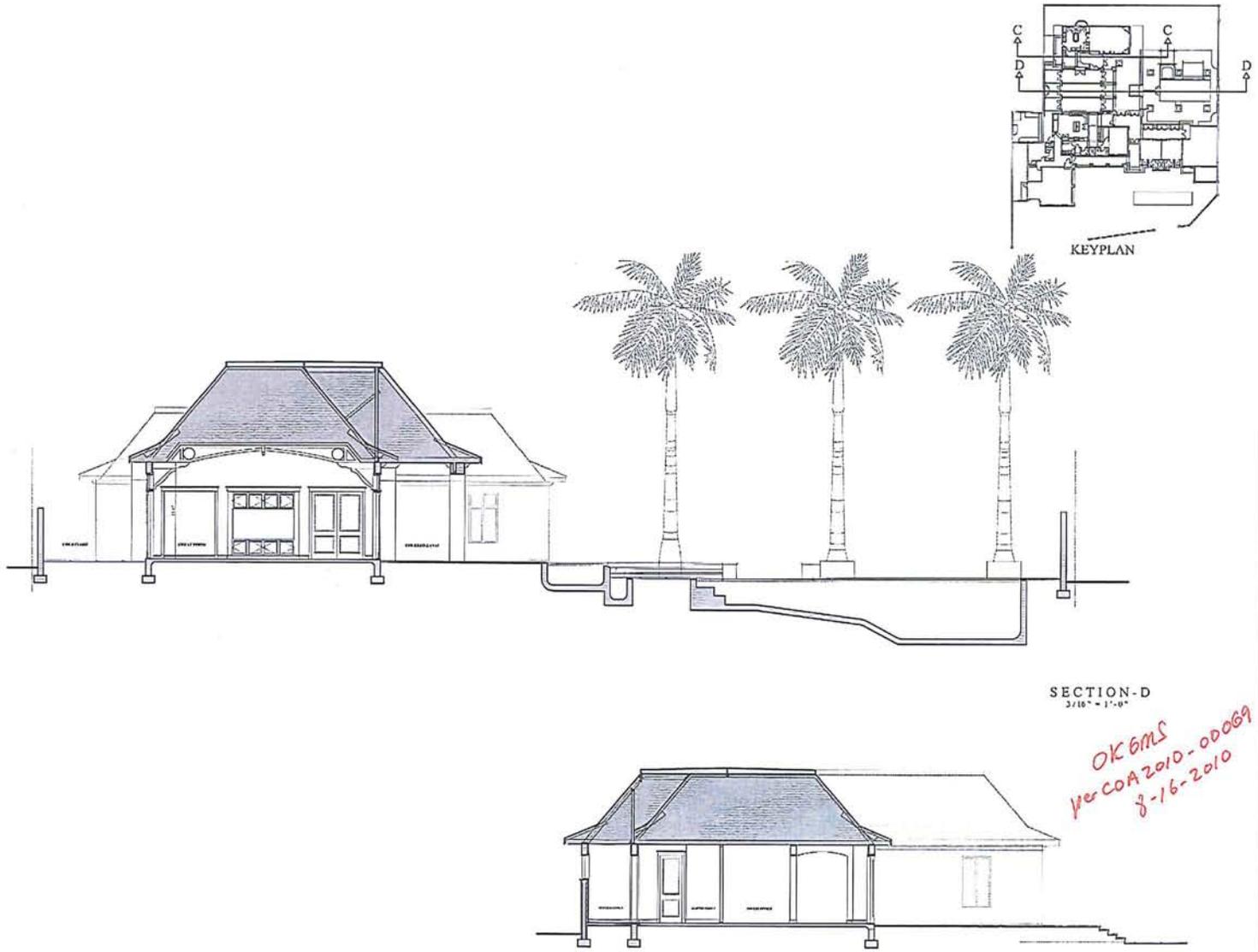
SECTION-A
3/16" = 1'-0"

Exhibit C
Date: June 17, 2010

An Addition & Renovation for
Herbert & Nancy Sodel
 1000 East Railroad Avenue
 Lots 1, 3, 5 & 1/2 Lot 7
 Boca Grande, Gasparilla Island, Lee County, Florida

WILLIAMSON-HINKLE
architects LLC
 3000 UNIVERSITY AVENUE, SUITE 100 • BOCA RATON, FLORIDA 33433
 TEL: 561-993-1100 • FAX: 561-993-1101 • WWW.WHARCHITECTS.COM

Sheet
5
 OF 5



DESIGNED	DATE
DRAWN	E.W.L.
CHECKED	E.W.L.
BEST	4/20/10
REVISIONS	
DATE	BY
REVISION	PRESENTATION
DATE	LETTER COPY
REVISION	CONSTRUCTION
DATE	POST CONSTRUCTION
REVISION	FINAL

An Addition & Renovation for:
Herbert & Nancy Sodel
 1000 East Railroad Avenue
 Lots 1, 3, 5 & 1/2 Lot 7
 Boca Grande, Gasparilla Island, Lee County, Florida

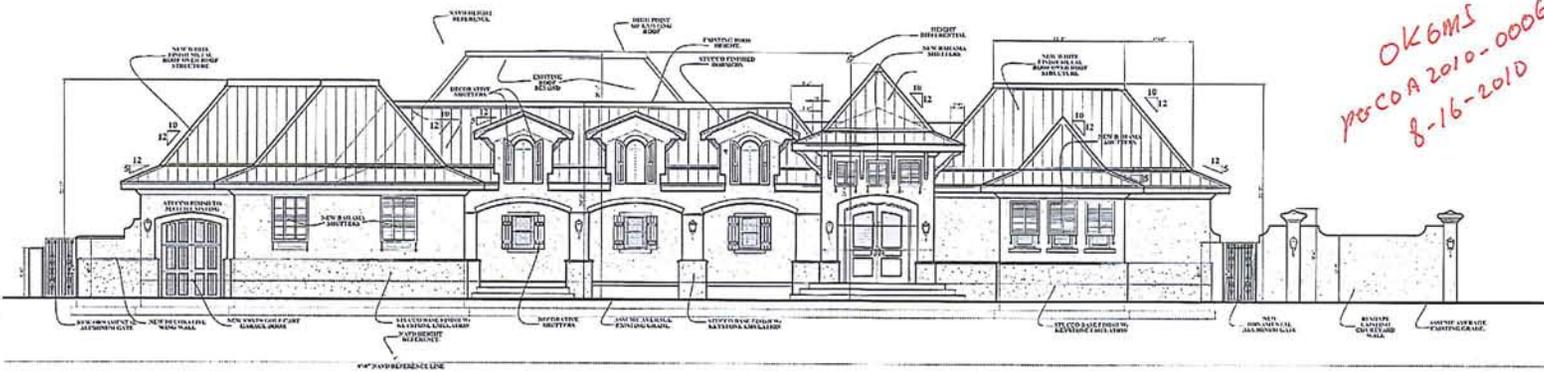
WILLIAMSON-HINKLE
architects LLC
1400 W. UNIVERSITY BLVD., SUITE 200 • BOCA RATON, FL 33432 • TEL: 561-993-1100 • FAX: 561-993-1101

Sheet
6
 of 8

SECTION-C Exhibit C
 3/16" = 1'-0" Date: June 17, 2010



SOUTH ELEVATION
3/16" = 1'-0"



WEST ELEVATION
3/16" = 1'-0"

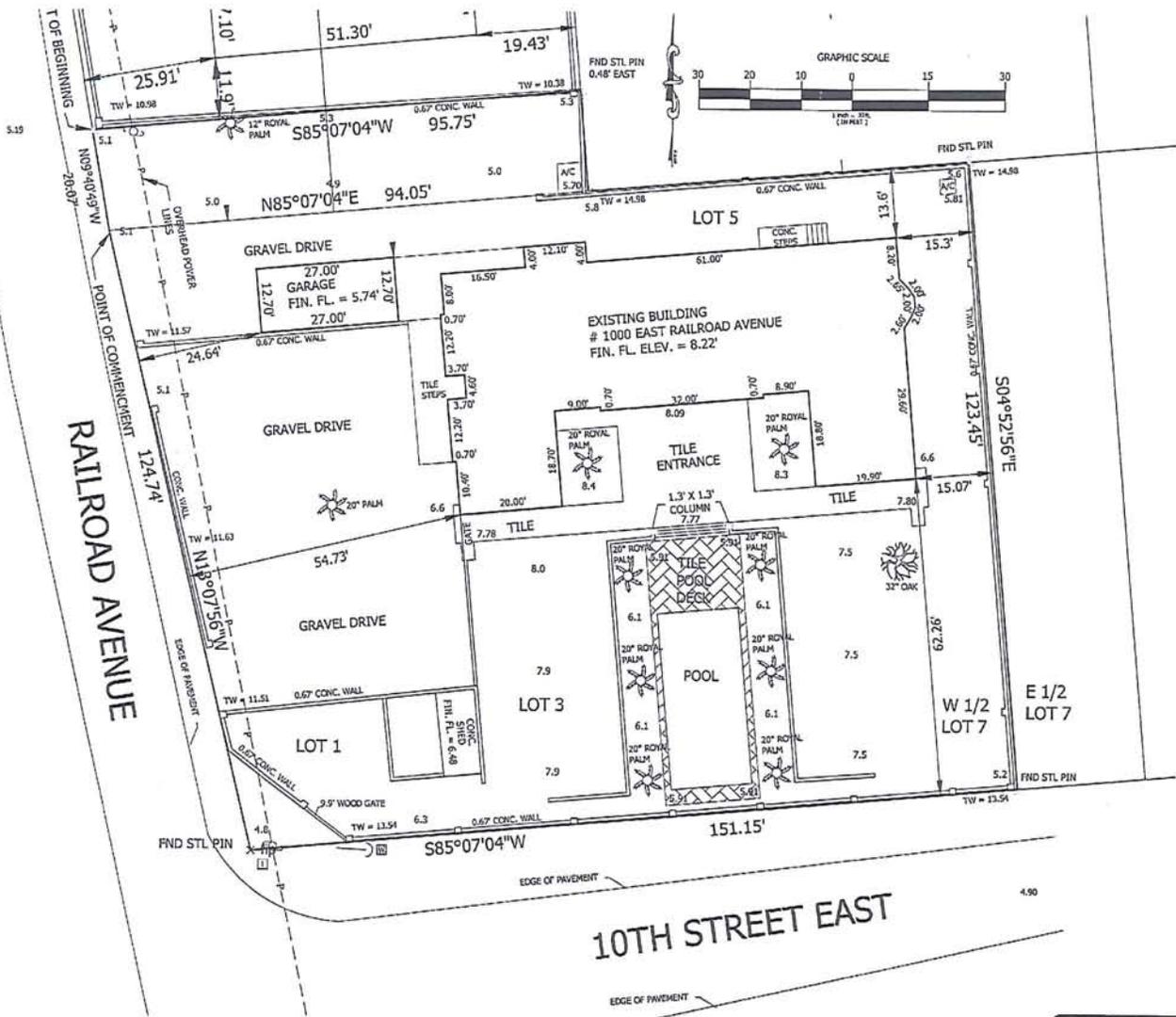
*OK 6MS
PER COA 2010-00069
8-16-2010*

DESIGNED	W.H.
DRAWN	T.W.H.
CHECKED	T.W.H.
DATE	4/2/09
REVISIONS	
DATE	BY
07/10	PRESENTATION
07/10	REVISION NO. 001
07/10	DELTA OUTDOOR FINISHES

As Addition & Renovation for:
Herbert & Nancy Sodel
1000 East Railroad Avenue
Lots 1, 3, 5 & 1/2 Lot 7
Booca Grande, Gasparilla Island, Lee County, Florida

WILLIAMSON-HINKLE
architects LLC
1000 EAST RAILROAD AVENUE
BOOCA GRANDE, FL 33909

*DK GMS
 Mar 20A 2010-00069
 8-16-2010*



DESCRIPTION

LOTS 1, 3, 5 & W 1/2 OF LOT 7, BLOCK 61 REVISED PLAT OF BOCA GRANDE, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR LEE COUNTY, FLORIDA RECORDED IN PLAT BOOK 7, PAGE 1 AND 1A.

ALSO

THE SOUTH 20 FEET OF LOT 2 AND LOT 4, BLOCK 61 REVISED PLAT OF BOCA GRANDE, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR LEE COUNTY, FLORIDA RECORDED IN PLAT BOOK 7, PAGE 1 AND 1A MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 1, BLOCK 61 OF THE REVISED PLAT OF BOCA GRANDE, SAID CORNER LYING ON THE EAST RIGHT-OF-WAY LINE OF RAILROAD AVENUE RUN ALONG SAID RIGHT-OF-WAY AND THE WEST LINE OF LOT 2, BLOCK 61, $N09^{\circ}40'49''W$ FOR 20.07 FEET; THENCE RUN PARALLEL TO AND 20.00 FEET NORTH OF THE SOUTH LINE OF LOTS 2 AND 4, BLOCK 61, $N85^{\circ}07'04''E$ FOR 95.75 FEET TO AN INTERSECTION WITH THE EAST LINE OF LOT 4, BLOCK 61; THENCE RUN ALONG SAID EAST LINE OF LOT 4, $S04^{\circ}52'56''E$ FOR 20.00 FEET TO THE SOUTHEAST CORNER OF LOT 4, BLOCK 61; THENCE RUN ALONG THE SOUTH LINE OF LOT 2 AND 4, BLOCK 61, $S85^{\circ}07'04''E$ FOR 94.08 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 21,666.3 SQUARE FEET MORE OR LESS.

LEGEND		

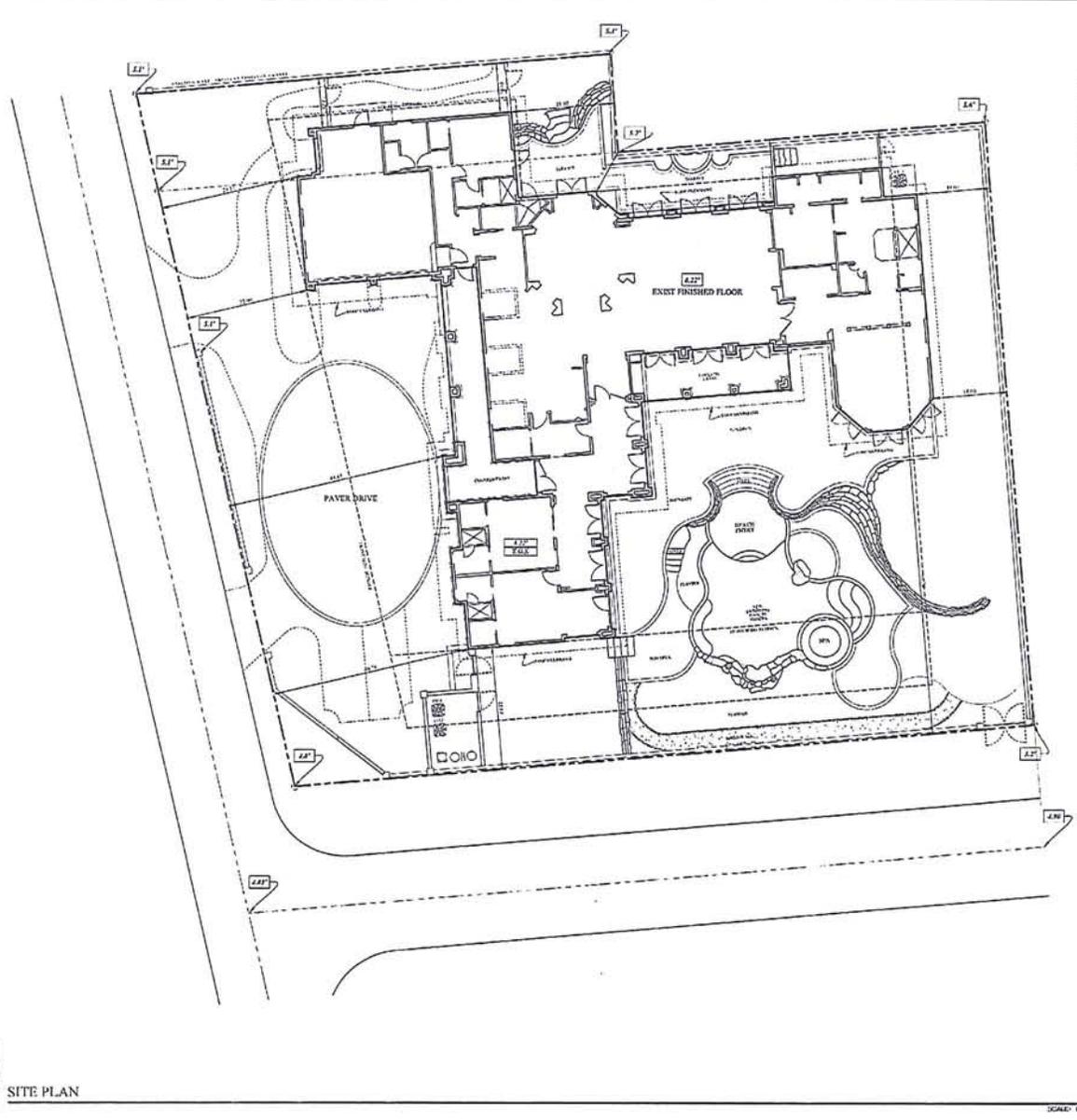
NOTE:

1. BEARING BASIS ON THE NORTH LINE OF TENTH STREET EAST AS $S85^{\circ}07'4''$ (PLAT).
2. UNDERGROUND STRUCTURES, IF ANY, NOT INCLUDED.
3. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.
4. ELEVATIONS ARE BASED ON NATIONAL GEODETIC VERTICAL DATUM 1929.
5. PARCEL APPEARS TO FALL WITHIN FLOOD ZONE AE-EL10 (MAVD88) ACCORDING TO FLOOD INSURANCE RATE MAP COMMUNITY PANEL NUMBER 125055 0019 F DATED 8-29-08.
6. THIS CERTIFICATION IS ONLY FOR LAND DESCRIBED HEREON.
7. MEAN ANNUAL FLOOD LINE WAS FIELD LOCATED AS DEFINED IN CHAPTER 381 F.S. AND IS NOT A DETERMINATION OF MEAN HIGH WATER LINE ACCORDING TO CHAPTER 177 F.S. OR SEASONAL HIGH WATER ACCORDING TO CHAPTER 373 F.S.
8. TREES AS SHOWN ARE APPROXIMATE IN LOCATION.

THIS BOUNDARY SURVEY PREPARED FOR: THOMAS HINKLE
 I HEREBY CERTIFY THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE SURVEY REPRESENTED HEREIN, MADE UNDER MY DIRECTION ON 05-20-10 IS IN ACCORDANCE WITH MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF LAND SURVEYORS, PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

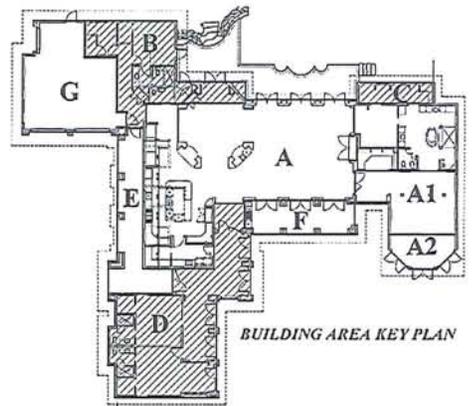
DATE: 01-08-10	ADDRESS: 234 Nicholas Parkway West, Suite C, Cape Coral, FL 33991	DATE: 05-20-10	STOUTEN & ASSOCIATES, INC. SURVEYING & MAPPING	BOBBI H. STOUTEN, P.E. & S.
C.L.O.:				
D.B.S.:				

P:\PROJECTS\10000\10000-0000\10000-0000-0000.dwg (1/20/11) 11:11:11 AM



SITE PLAN

SCALE: 1" = 10'-0"



BUILDING AREA KEY PLAN

Tag	Area Description	Area S/F
A	Living Area Renovated:	2632 S.F.
A1	Living Area Not Renovated:	508 S.F.
A2	Living Area Renovated:	115 S.F.
B	New Living Area:	656 S.F.
C	New Living Area:	133 S.F.
D	New Living Area:	1275 S.F.
Total Living Area:		5350 S.F.
E	New Covered Entry & Loggia	174 S.F.
F	New Covered Lanai	300 S.F.
G	New Garage	108 S.F.
Total Non-Living Area:		582 S.F.
H	Second Floor	442 S.F.
Affected Building Area:		4366 S.F.

*OK GMS
March 9, 2011*

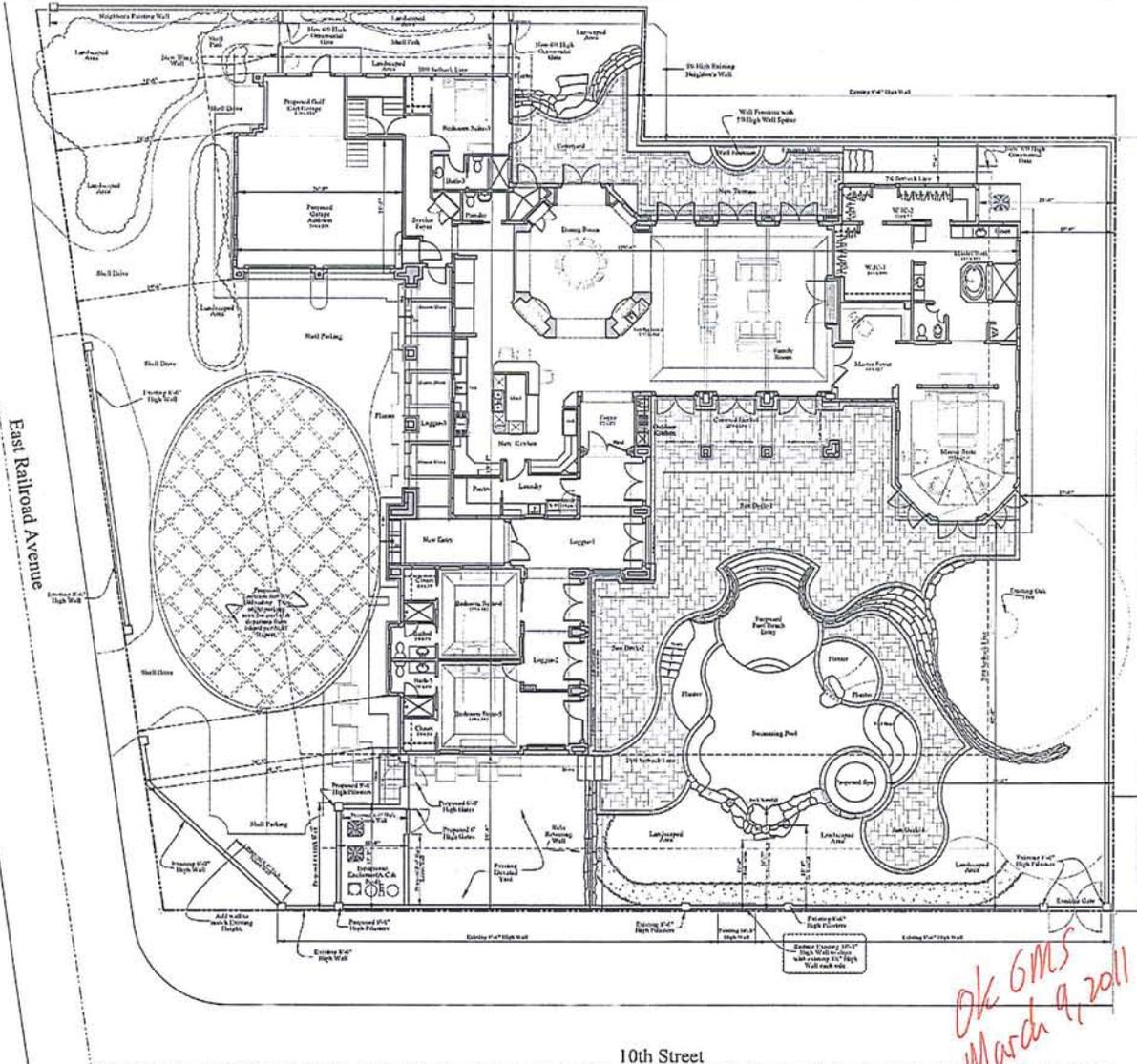
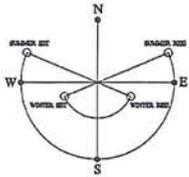
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DRAWN BY	T.W.J.
CHECKED BY	T.W.J.
DATE	4/23/10
REVISIONS	
DATE	BY
01/10	PRESENTATION
03/10	LETTER OF NO OBJECTION
05/10	DEVELOPMENT PERMITS

An Addition & Renovation for
Herbert & Nancy Sodel
 1000 East Railroad Avenue
 Lots 1, 3, 4 & 1/2 Lot 7
 Boca Grande, Gasparilla Island, Lee County, Florida

WILLIAMSON-HINKLE
architects LLC
 1111 W. WASHINGTON STREET, SUITE 100
 TAMPA, FLORIDA 33606
 TEL: 813.288.1111 FAX: 813.288.1112
 WWW.WHARCHITECTS.COM

Sheet
3
 of 2

Exhibit F2.C
 Date: January 20, 2011



*Ok GMS
March 9, 2011*

Floor Plan - Scheme (Bermuda Final)

Scale: 1/8" = 1'-0"

Exhibit F2.C
Date: January 20, 2011

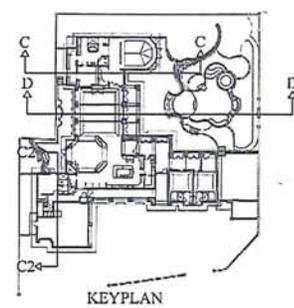
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DRAWN	T.W.J.
CHECKED	T.W.J.
DATE	4/1/10
REVISIONS	
DATE	BY
01/10	PRESENTATION
01/10	LAYOUT OF PG. STRUCTURE
01/10	REV WITH OUTDOOR FLOORPLAN

As an Addition & Renovation for:
Herbert & Nancy Sodel
 1000 East Railroad Avenue
 Lots 1, 3, 5 & 1/2 Lot 7
 Boca Grande, Gasparilla Island, Lee County, Florida

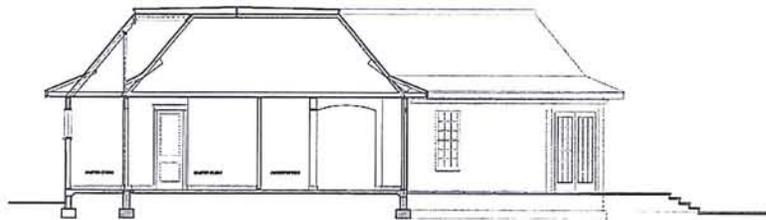
WILLIAMSON-HINKLE
architects LLC
 14 MILITARY CIRCLE, SUITE 100 • FT. MYERS BEACH, FLORIDA 34914 • PHONE: 888-447-4478
 1400 EAST RAILROAD AVENUE, SUITE 100 • BOCA GRANDE, FLORIDA 34108 • PHONE: 813-837-1137

Sheet
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 OF 4

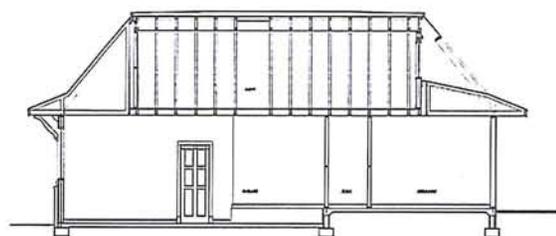
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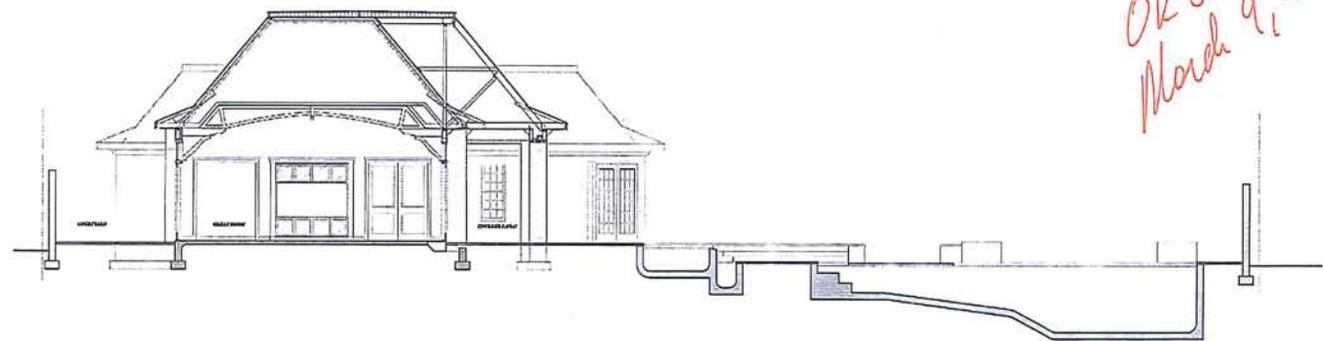
KEYPLAN



SECTION-C
3/16" = 1'-0"



SECTION-C2
3/16" = 1'-0"



SECTION-D
3/16" = 1'-0"

*OK GMS
March 9, 2011*

PROJECT NO.	38091
DRAWN	T.W.J.
CHECKED	T.W.J.
DATE	4/2/10
REVISIONS	
DATE	BY
01/10	PREPARATION
01/10	LETTER SET AND PLOTTING
01/10	FINAL CHECK AND PLOTTING

An Addition & Renovation for:
Herbert & Nancy Sodel
 1000 East Railroad Avenue
 Lots 1, 3, 5 & 1/2 Lot 7
 Boca Grande, Gasparilla Island, Lee County, Florida

WILLIAMSON-HINKLE
architects LLC
 700 WEST PALM BEACH BLVD. SUITE 1000 WEST PALM BEACH, FL 33411
 TEL: 561.833.1100 FAX: 561.833.1101
 WWW.WHARCHITECTS.COM

Sheet
6
 OF 8

Exhibit F2.C
 Date: January 20, 2011



EAST/WEST SECTION
1/16" = 1'-0"



EAST ELEVATION
3/16" = 1'-0"



NORTH ELEVATION
3/16" = 1'-0"

*OK BMS
March 9, 2011*

COMM NO.	18466
DRAWN	T.W.J.
CHECKED	T.W.J.
DATE	4/2/10
REVISIONS	
DATE	BY
01/10	PRELIMINARY
01/10	LETTER OF NO OBJECTION
01/10	PER CITY RECORDS DEPT.

An Addition & Renovation for:
Herbert & Nancy Sodel
 1000 East Railroad Avenue
 Lots 1, 3, 5 & 1/2 Lot 7
 Boca Grande, Gasparilla Island, Lee County, Florida

WILLIAMSON-HINKLE
architects LLC
 14 ANGLICAN LANE, SUITE 11 • FT. WESSINGTON (239) 664-4411 • OFFICE (239) 524-2822
 1400 W. 10TH AVENUE, SUITE 100 • TAMPA (813) 288-1100

Sheet
8
 of 8

Exhibit F2.C
 Date: January 20, 2011

1. THESE DRAWINGS ARE THE PROPERTY OF WILLIAMSON-HINKLE ARCHITECTS, LLC. NO PART OF THESE DRAWINGS MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF WILLIAMSON-HINKLE ARCHITECTS, LLC.

ATTACHMENT #2

- 1) ADD2010-00040**
- 2) ADD2011-00012**

MEMORANDUM
FROM THE
DEPARTMENT OF
COMMUNITY DEVELOPMENT
ZONING DIVISION

DATE: September 1, 2010

TO: WHOM IT MAY CONCERN

FROM: Debbie Carpenter
Administrative Assistant

RE: ADMINISTRATIVE AMENDMENT

Case Number	Case Name
ADD2010-00040	Sodel Residence

cc: Herbert Sodel & Nancy Raffa-Sodel, Applicant / R. D. Williamson & Assoc., attn:
R. Williamson, Agent
Gloria Sajgo, Principal Planner
Chick Jakacki, Zoning Planner
File

ADMINISTRATIVE APPROVAL
HISTORIC DISTRICT
LEE COUNTY, FLORIDA

WHEREAS, Herbert a. Sodel & Nancy L. Raffa-Sodel filed an application for administrative approval for proposed additions and bring the existing single-family residence and wall into compliance with street and side setback requirements on a project known as Sodel Residence; and

WHEREAS, the subject property is located at 1000 East Railroad Avenue, described more particularly as:

LEGAL DESCRIPTION: In Section 14, Township 43 South, Range 20 East, Lee County, Florida:

See Exhibit "A"

WHEREAS, the applicant has indicated the property's current STRAP number is 14-43-20-01-00061.0010; and

WHEREAS, the property is zoned Residential Multi-family (RM-2) ; and

WHEREAS, the property is located in the Boca Grande Historic District as designated by Resolution HD-90-05-01; and

WHEREAS, the subject property is developed with a non-contributing one-story single-family residence constructed in 1975; and

WHEREAS, the subject property is 21,665± square feet in lot area, 144± feet in width and 151± feet in depth; and

WHEREAS, the subject property is consistent with the permitted five dwelling units per acre as required under the Gasparilla Act of 1980; and

WHEREAS, the Lee County Comprehensive Plan limits density to 3 du/acre in the Urban Community Land Use category on Gasparilla Island; and

WHEREAS, the lot area is consistent with the Urban Community density requirements of the Lee Plan; and

WHEREAS, the applicant proposes additions (garage, foyers, covered entry and lanai, and bedrooms) to the existing single-family residence and bring the walls, gates and the rear setback of the existing single-family residence into compliance as shown on the attached site plan shown as Attachment "A"; and

WHEREAS, the existing walls and gate, encroach into the street setbacks (East Railway Avenue) along the west property line, (Tenth Street) along the south property line and the single-family residence into the rear setback along the east property line; and

WHEREAS, the additions to the single-family residence was reviewed and approved by the Historic Preservation Board on August 11, 2010 under COA2010-00069 as outlined in Attachment "B"; and

WHEREAS, adjacent property owners have signed a letters of no objection, provided concerns were addressed through conditions and landscaping, shown as Attachment "C"; and

WHEREAS, due to concerns of adjacent property owners, the northwest area of the lot will no longer be a parking area providing boat and RV storage by conditions #4 and #5 and will be buffered with landscaping as shown in Attachment "D"; and

WHEREAS, an application for administrative relief for designated historic resources has been filed pursuant to the Lee County Land Development Code Section 22-174; and

WHEREAS, the Lee County Land Development Code provides for administrative relief from the Zoning Regulations for matters involving setbacks, lot width, depth, area requirements, land development regulations, height limitations, open space requirements, parking requirements, and other similar zoning relief not related to a change in use of the property in question
; and

WHEREAS, relief is requested in the RM-2 zoning district, as provided by the Lee County Land Development Code, as follows:

- a) Relief from LDC Section 34-1744 (b)(2)a.i. which requires all fencing located between a street right-of-way or easement and the minimum 25 foot street setback line not to exceed a height of 3 feet, to permit existing and infill walls with gates and columns and decorate elements ranging from 8 feet 6 inches to 10 feet 3 inches between a street right-of-way or easement and the minimum street setback, 0 feet from the street right-of-way (East Railway Avenue and 10th Street East).
- b) Relief from LDC Section 34-715 which requires the minimum required rear setback of 20 feet on the east property line, to 15 feet to bring the existing single-family residence into compliance.
- c) Relief from LDC Section 34-1174(b)(2) for an existing accessory structure (Pool) with a proposed spa with a setback of 6 feet 4 inches, where 25 feet is the minimum setback requirement from the street right of way (10th Street East).

WHEREAS, the subject application and plans have been reviewed by the Lee County Department of Community Development in accordance with applicable regulations for compliance with all terms of the administrative approval; and

WHEREAS, the following findings of fact are offered:

- A. The relief will be in harmony with the general appearance and character of the community.
- B. The relief will not be injurious to the area involved or otherwise detrimental to the public health, safety or welfare.
- C. The proposed work is designed and arranged on the site in a manner that minimizes aural and visual impact on the adjacent properties while affording the owner(s) a reasonable use of their land.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for Administrative Approval for relief in the RM-2 zoning district from the Lee County Land Development Code, from:

- a) LDC Section 34-1744 (b)(2)a.i. which requires all fencing located between a street right-of-way or easement and the minimum 25 foot street setback line not to exceed a height of 3 feet, to permit existing and infill walls with gates and columns and decorative elements ranging from 8 feet 6 inches to 10 feet 3 inches between a street right-of-way or easement and the minimum street setback, 0 feet from the street right-of-way (East Railway Avenue and 10th Street East).
- b) LDC Section 34-715 which requires the minimum required rear setback of 20 feet on the east property line, to 15 feet to bring the existing single-family residence into compliance.
- c) LDC Section 34-1174(b)(2) for an existing accessory structure (Pool) with a proposed spa with a setback of 6 feet 4 inches, where 25 feet is the minimum setback requirement from the street right of way (10th Street East).

is **APPROVED**. Site Plan ADD2010-00040, attached hereto as Attachment "A", is hereby APPROVED and adopted. A reduced copy is attached hereto.

is **APPROVED** subject to the following conditions:

1. **Prior to CO (Certificate of Occupancy), a letter of transmittal must be submitted verifying the landscape plantings are in substantial compliance with the attached landscape plan dated revised August 16, 2010, attached hereto as Attachment "D".**
2. **The outdoor fire place must be "gas" only.**
3. **The utility area (containing the AC units and pool equipment) in the south west corner of the property is prohibited from having a roof.**
4. **On-site boat storage is prohibited.**

5. The RV must be parked at the location that is identified on Attachment "A". Overnight use is prohibited. The RV is permitted on-site no more than 4 times a year with a maximum stay of two nights per instance.

DULY SIGNED this 31st day of August, A.D., 2010.

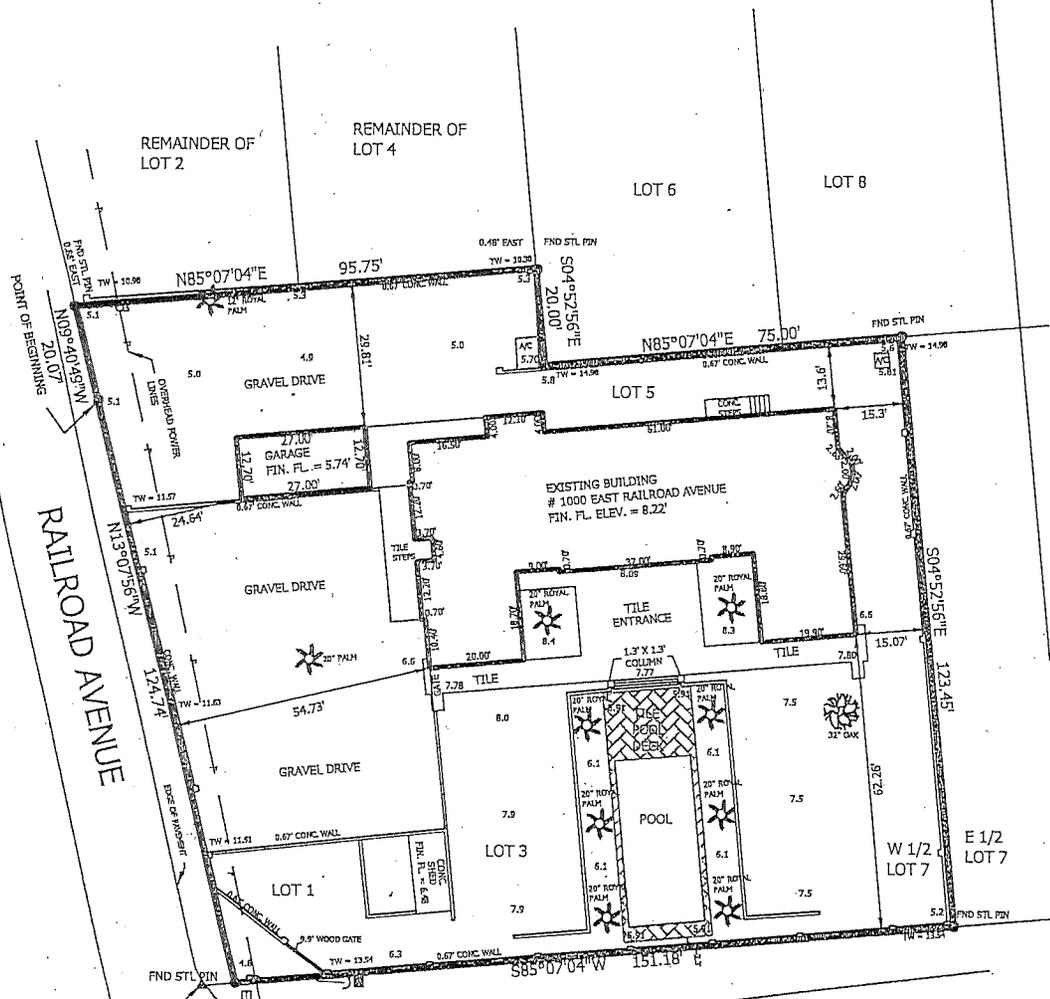
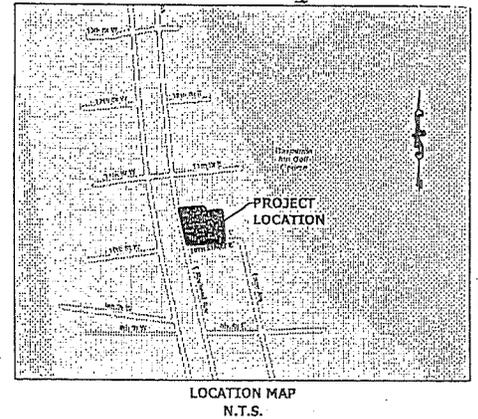
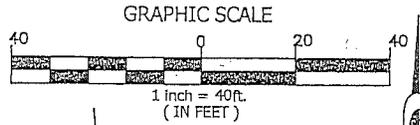
BY: _____



Pam Houck, Director
Division of Zoning
Department of Community Development

ATTACHMENTS:

- A - Site plan dated August 11, 2010.
- B - COA2010-00069
- C - Letters of No Objection
- D - Landscape Plan



DESCRIPTION

LOTS 1, 3, 5 & W 1/2 OF LOT 7, BLOCK 61 REVISED PLAT OF BOCA GRANDE, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR LEE COUNTY, FLORIDA RECORDED IN PLAT BOOK 7, PAGE 1 AND 1A.

ALSO THE SOUTH 20 FEET OF LOT 2 AND LOT 4, BLOCK 61 REVISED PLAT OF BOCA GRANDE, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR LEE COUNTY, FLORIDA RECORDED IN PLAT BOOK 7, PAGE 1 AND 1A MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 1, BLOCK 61 OF THE REVISED PLAT OF BOCA GRANDE, SAID CORNER LYING ON THE EAST RIGHT-OF-WAY LINE OF RAILROAD AVENUE RUN ALONG SAID RIGHT-OF-WAY AND THE WEST LINE OF LOT 2, BLOCK 61, N09°40'49"W FOR 20.07 FEET; THENCE RUN PARALLEL TO AND 20.00 FEET NORTH OF THE SOUTH LINE OF LOTS 2 AND 4, BLOCK 61, N85°07'04"E FOR 95.75 FEET TO AN INTERSECTION WITH THE EAST LINE OF LOT 4, BLOCK 61; THENCE RUN ALONG SAID EAST LINE OF LOT 4, S04°52'56"E FOR 20.00 FEET TO THE SOUTHEAST CORNER OF LOT 4; THENCE RUN ALONG THE NORTH LINE OF LOTS 5 AND 7, BLOCK 61, N85°07'04"E FOR 75.00 FEET TO A POINT LYING 25.00 FEET WEST OF THE NORTHEAST CORNER OF LOT 7, BLOCK 61; THENCE RUN PARALLEL WITH THE EAST LINE OF LOT 7 S04°52'56"E FOR 123.45 FEET TO AN INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF 10TH STREET EAST; THENCE RUN ALONG SAID NORTH RIGHT-OF-WAY LINE S85°07'04"W FOR 151.18 FEET TO AN INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF RAILROAD AVENUE AND THE SOUTHWEST CORNER OF LOT 1, BLOCK 61; THENCE RUN ALONG SAID EAST RIGHT-OF-WAY LINE N13°07'56"W FOR 124.74 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 21,666.3 SQUARE FEET MORE OR LESS.

LEGEND		
⊕ FOUND NAIL AND TAG	⊙ WELL	▨ CONCRETE
▲ SET NAIL AND TAG	⊖ WATER METER	▩ FILL
⊙ FOUND METAL PIN	⊖ SEWER CLEANOUT	▩ ELEV. ELEVATION
⊙ SET 1/2" INCH AND PIN	⊖ CHARLIE TV METER	▩ SQ. FT. SQUARE FEET
⊖ TELE. POWER POLE	⊖ WATER VALVE	
⊖ WATER TELEPHONE METER	⊖ METERHOUSE	
⊖ METERHOUSE	⊖ TRANSDUCER METER	
⊖ PLAT	⊖ ELECTRIC METER	
⊖ SECOND	⊖ FENCE LINE	
⊖ INSURAGED	⊖ POWERLINE	

- NOTE:
1. BEARING BASIS ON THE NORTH LINE OF TENTH STREET EAST AS S85°07'4" (PLAT).
 2. UNDERGROUND STRUCTURES, IF ANY, NOT INCLUDED.
 3. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.
 4. ELEVATIONS ARE BASED ON NATIONAL GEODETIC VERTICAL DATUM 1929.
 5. PARCEL APPEARS TO FALL WITHIN FLOOD ZONE AE-EL10 (NAVD88) ACCORDING TO FLOOD INSURANCE RATE MAP COMMUNITY PANEL NUMBER 125124 0019 DATED 8-28-08.
 6. THIS CERTIFICATION IS ONLY FOR LAND DESCRIBED HEREON.
 7. TREES AS SHOWN ARE APPROXIMATE IN LOCATION.

THIS BOUNDARY SURVEY PREPARED FOR: THOMAS HINKLE
 I HEREBY CERTIFY THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE SURVEY REPRESENTED HEREON, MADE UNDER MY DIRECTION ON APRIL 25, 2010 IS IN ACCORDANCE WITH MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF LAND SURVEYORS, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

DATE	REVISION	BY
05-28-10	REVISED SURVEY	
06-29-10	ADD METERS AND BOUNDS DESCRIPTION	

STOUTEN SURVEYING & ASSOCIATES
 MAPPING

324 Nicholas Parkway West, Suite G, Cape Coral, FL 33991
 Phone: (239) 349-7459 Fax: (239) 945-0254
 www.stoutensurveying.com

Division of Development Services
APPROVED
 By MXH Date 7/9/2010
 For RES LOT SPLIT
LDO 2010-00151
 Approval based on site information supplied by licant.

APPROVED LEGAL
 2010-00040

SOUTH PARCEL

LEGAL DESCRIPTION

DESCRIPTION

LOTS 1, 3, 5 & W 1/2 OF LOT 7, BLOCK 61 REVISED PLAT OF BOCA GRANDE, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR LEE COUNTY, FLORIDA RECORDED IN PLAT BOOK 7, PAGE 1 AND 1A.

ALSO

THE SOUTH 20 FEET OF LOT 2 AND LOT 4, BLOCK 61 REVISED PLAT OF BOCA GRANDE, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR LEE COUNTY, FLORIDA RECORDED IN PLAT BOOK 7, PAGE 1 AND 1A MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 1, BLOCK 61 OF THE REVISED PLAT OF BOCA GRANDE, SAID CORNER LYING ON THE EAST RIGHT-OF-WAY LINE OF RAILROAD AVENUE RUN ALONG SAID RIGHT-OF-WAY AND THE WEST LINE OF LOT 2, BLOCK 61, N09°40'49"W FOR 20.07 FEET; THENCE RUN PARALLEL TO AND 20.00 FEET NORTH OF THE SOUTH LINE OF LOTS 2 AND 4, BLOCK 61, N85°07'04"E FOR 95.75 FEET TO AN INTERSECTION WITH THE EAST LINE OF LOT 4, BLOCK 61; THENCE RUN ALONG SAID EAST LINE OF LOT 4, S04°52'56"E FOR 20.00 FEET TO THE SOUTHEAST CORNER OF LOT 4; THENCE RUN ALONG THE NORTH LINE OF LOTS 5 AND 7, BLOCK 61 N85°07'04"E FOR 75.00 FEET TO A POINT LYING 25.00 FEET WEST OF THE NORTHEAST CORNER OF LOT 7, BLOCK 61; THENCE RUN PARALLEL WITH THE EAST LINE OF LOT 7 S04°52'56"E FOR 123.45 FEET TO AN INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF 10TH STREET EAST; THENCE RUN ALONG SAID NORTH RIGHT-OF-WAY LINE S85°07'04"W FOR 151.18 FEET TO AN INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF RAILROAD AVENUE AND THE SOUTHWEST CORNER OF LOT 1, BLOCK 61; THENCE RUN ALONG SAID EAST RIGHT-OF-WAY LINE N13°07'56"W FOR 124.74 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 21,666.3 SQUARE FEET MORE OR LESS.

APPROVED
LEGAL

CJ
2-1-10

LDC

ADD 2010-00040 JUL 09 2010

APPROVED

CORRECT DESCRIPTION 08-04-10

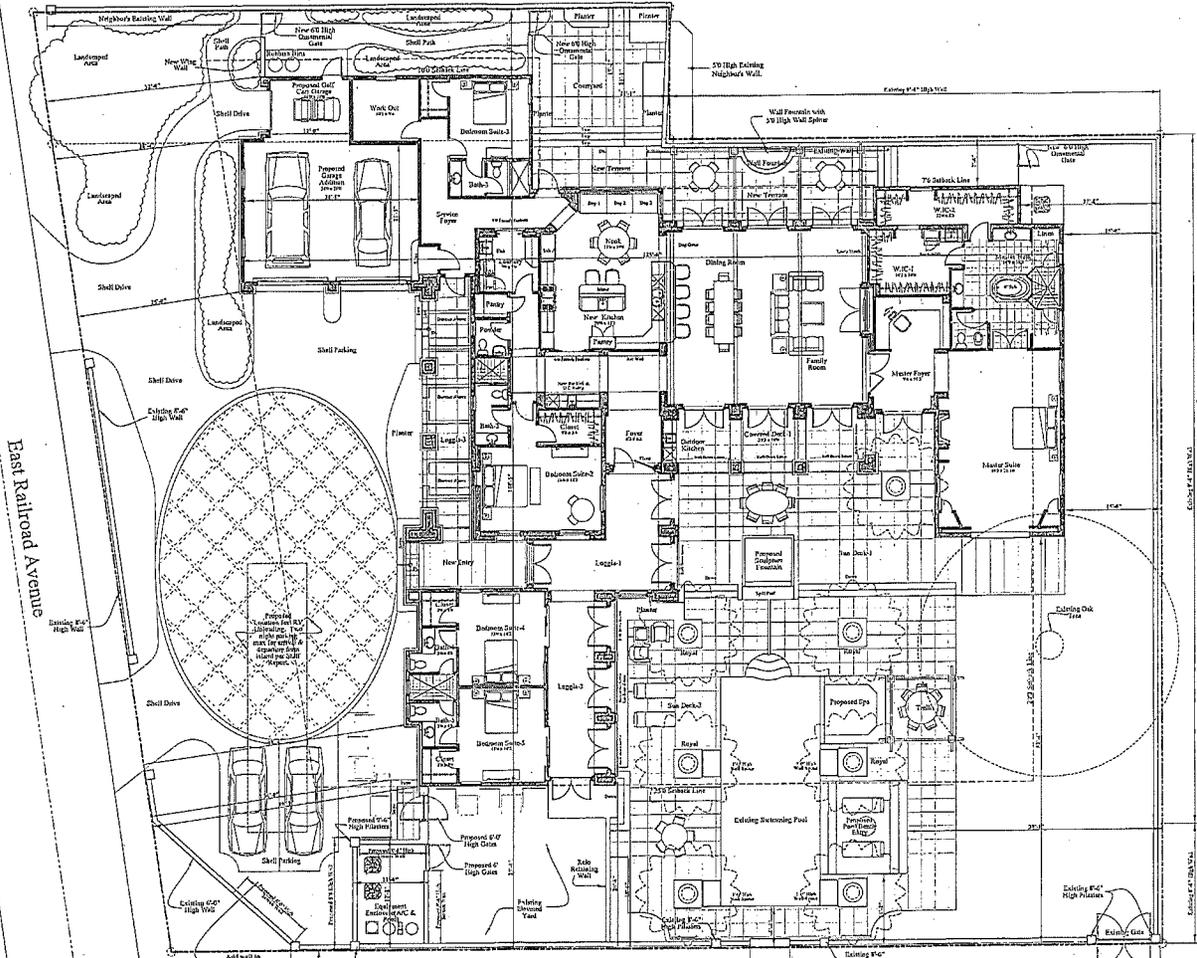
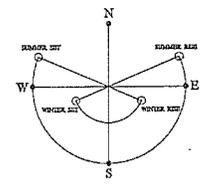
STOUTEN SURVEYING	ASSOCIATES, INC. MAPPING	DONALD B. STOUTEN, P.S. Professional Seal
324 Nicholas Parkway West, Suite E, Cape Coral, FL 33991 Phone: (239) 542-7499 Fax: (239) 945-0244 www.stoutenassociates.com		

COVER NO.	10-60
DRAWN	TJWL
CHECKED	TJWL
DATE	4/27/10
REVISIONS	
DATE	BY
01/10	PRESENTATION
01/10	LITTER CH-NO
01/10	CONSTRUCTION
01/10	DELETE OUTDOOR
	FULL-PLACE

An Addition & Renovation for
Herbert & Nancy Sodel
 1000 East Railroad Avenue
 Lots 1, 3, 5 & 1/2 Lot 7
 Boca Grande, Gasparilla Island, Lee County, Florida



Sheet
4
 OF 4



BUILDING AREA TABULATION

First Floor Existing Area:	3,352 S.F.
Bedroom Suite 4 & 5:	614 S.F.
Loggia-1 & Loggia-2 Area:	585 S.F.
New Master Walk in Closet Area:	133 S.F.
Work Out and Bedroom-3 Area:	571 S.F.
New Foyer Area:	87 S.F.
Total Conditioned Area:	5,342 S.F.
<hr/>	
New Covered Entry	150 S.F.
New Loggia-3	283 S.F.
New Garage	795 S.F.
New Covered Lanai	297 S.F.
Covered Non-Conditioned Total:	1,525 S.F.
<hr/>	
Sundeck-1	858 S.F.
Sundeck-2	1970 S.F.
Open Deck Total	2,828 S.F.
Total Building Area:	9,695 S.F.

SITE AREA ANALYSIS

Total Site Area	21,674 S.F.
Building Footprint	6,867 S.F.
Footprint Coverage:	31.6%

APPROVED
Plan

Subject to Case # **ADD 2010-00046**
 Date **8/31/10**

10th Street

Floor Plan - Scheme (Bermuda Final)
 Scale: 1/8" = 1'-0"

OK GMS
PARCOA 2010-00069
8-16-2010

Exhibit C
 Date: June 17, 2010

LEE COUNTY
SPECIAL CERTIFICATE OF APPROPRIATENESS NO. COA2010-00069

SODEL RESIDENCE

1000 EAST RAILROAD AVE BOCA GRANDE 33921

Contributing

Non-Contributing

Individual Designation

Not Historical

YOU ARE HEREBY NOTIFIED that the Boca Grande Historic Preservation Board voted to:

- Approve
- Approve with Conditions
- Deny
- Continued

Date of Decision: 08/11/2010

Make a finding that the proposed project has been designated under Chapter 22 of the Land Development Code and on the basis of staff analysis, the project is in compliance with Chapter 22 of the design guidelines of the Boca Grande Historic District.

A copy of this notice, the Special Certificate of Appropriateness (and other documents if appropriate as noted below) have been furnished to the following persons:

SODEL HERBERT A +

Property Owner ___ with without Plans

Pam Houck/^{Nettie Richardson}~~Shawn Lamey~~

Director, Zoning Division ^{1 Set} with ___ without plans

Bob Stewart

Building Official ___ with without plans

WILLIAMSON HINKLE ARCHITECTS

Applicant ^{4 Sets} with ___ without plans

LEE COUNTY
SPECIAL CERTIFICATE OF APPROPRIATENESS NO. COA2010-00069

Contributing Non-Contributing Individual Designation Not Historical

Designation No.: HD90-05-01
Name of Project: SODEL RESIDENCE
Location: 1000 EAST RAILROAD AVE BOCA GRANDE 33921
STRAP No.: 14-43-20-01-00061.0010
Name of Applicant: WILLIAMSON HINKLE ARCHITECTS LLC
Address: 18276 DEEP PASSAGE LANE
FORT MYERS BEACH, FL 33931

YOUR APPLICATION FOR A SPECIAL CERTIFICATE OF APPROPRIATENESS HAS BEEN

- APPROVED** Certified by: Gloria Sajgo
Date Certified by Staff: 08/16/2010
- APPROVED WITH CONDITIONS** For the reason outlined below
- DENIED** For the reason outlined below
- CONTINUED**

COMMENTS:

NOTICE OF APPEAL RIGHTS

Pursuant to LDC § 22-42, any owner of a building, structure or site affected by the operation of this chapter may appeal a decision of the Historic Preservation Board by filing a written notice of appeal within 15 days of the date of this decision. The notice of appeal must state the decision being appealed, the grounds for the appeal, and a summary of the relief sought. The notice must be filed with the Lee County Hearing Examiner and a copy provided to Historic Preservation Board staff, and must otherwise comply with LDC § 34-145(a), pertaining to appeals from administrative matters, and any county administrative codes adopted to implement the provisions of LDC Chapter 34. Notwithstanding the foregoing, except as may be required by F.S. § 163.3215, and then only pursuant to that statute, a third party does not have standing to appeal a decision rendered under the provisions of LDC Chapter 22.

Boca Grande Inn

ATTACHMENT C

Sarah & William Farish
17th Street - Casparilla
Bougainville on Wall.

June 13, 2010

Dennis & Mary Johnston
1060 10th Street East
Boca Grande, Florida 33921
Strap: 14-43-20-01-00059.0010

Re: *1000 East Railroad Avenue Remodel & Addition Plans.
Boca Grande, Florida 33921*

Dear Lorraine,

As a neighbor and adjacent property owner at *1000 East Railroad Avenue*, we are notifying you of the proposed building project at *1000 East Railroad Avenue* before we present to the *Boca Grande Preservation Board*.

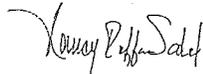
Attached is a copy of the Floor plan, Site Plan and Exterior Elevations dated *June 17, 2010*. Also listed are the various zoning relief items dated June 17. If you should have any questions please contact Randy of Williamson Hinkle Architects LLC at 239-466-9612 or Email at RDWilliamsonArchitect@gmail.com. You may also contact Tom of Williamson Hinkle LLC at 239-542-7686 or Email at Thinkle64@Comcast.net.

These drawings were prepared by Williamson Hinkle Architects LLC. The zoning relief documents were prepared by Lee County Department of Community Development's Zoning Division.

Please review and if you have no objections to the proposed project and various zoning relief items², please sign below and return this letter in the self addressed stamped envelope to:

Williamson Hinkle Architects LLC
Attn: Randy Williamson
18276 Deep Passage Lane
Ft. Myers Beach, FL 33931

Thank you very much,



Herb and Nancy Sodel
Owner of 1000 East Railroad Avenue

I received the proposed documents for, *1000 East Railroad Avenue, Boca Grande, Florida* – as an adjacent property owner I have no objections of the plans and zoning relief items as submitted.

Site Plan, Floor Plan and Elevations dated June 17, 2010.

Zoning Relief Items dated June 17

Dennis Johnston Date

Sarah Farish
Mary Johnston Date

if there

² The various existing zoning infractions, as listed, were done legally in the past on this property but now do not meet the current zoning code. The County is requesting that we identify all of these issues and "grandfather" them in to the historical permit to avoid any issues pertaining to these infractions in the future.

LEE COUNTY PROPERTY APPRAISER

PROPERTY DATA FOR PARCEL 14-43-20-01-00059.0010
TAX YEAR 2009

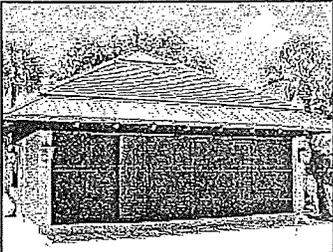
OK
Dennis &
Mary Johnston
941-964-2397

Parcel data is available for the following tax years:
[[2001](#) | [2002](#) | [2003](#) | [2004](#) | [2005](#) | [2006](#) | [2007](#) | [2008](#) | [2009](#)]

[[Next Lower Parcel Number](#) | [Next Higher Parcel Number](#) | [Display Building Permits on this Parcel](#) | [Display Tax Bills on this Parcel](#) | [Tax Estimator](#)]

OWNERSHIP, LEGAL, SALES AND DISTRICT DATA ARE FROM THE CURRENT DATABASE. LAND, BUILDING, VALUE AND EXEMPTION DATA ARE FROM THE 2009 ROLL.

PROPERTY DETAILS

<p>OWNER OF RECORD BEE ZEE LLC PO BOX 3779 GREENVILLE DE 19807</p> <p>SITE ADDRESS 1060 10TH ST E BOCA GRANDE FL 33921</p> <p>LEGAL DESCRIPTION BOCA GRANDE BLK 59 PB 7 P1A LTS 1 2 3 +PT 4 DESC OR 213 PG 7</p>	<p>[VIEWER] TAX MAP [PRINT]</p>  <p>[PICTOMETRY AERIAL VIEWER]</p>	<p>IMAGE OF STRUCTURE</p>  <p>Photo Date: June of 2003</p>
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TAXING DISTRICT	DOR CODE
005 - BOCA GRANDE FIRE / ISLAND SOLID WASTE / LIGHTS	01 - SINGLE FAMILY RESIDENTIAL

PROPERTY VALUES (TAX ROLL 2009)	EXEMPTIONS	ATTRIBUTES
[HISTORY CHART] JUST 1,338,590	HOMESTEAD WIDOW	0 LAND UNITS OF 0 MEASURE UT

June 13, 2010

Charles Lunsford
1070 10th Street East
Boca Grande, Florida 33921
Strap: 14-43-20-01-00059.0010

Mailing Address:
Charles Lunsford
4769 Plank Road
North Garden, VA 22959

Re: 1000 East Railroad Avenue Remodel & Addition Plans.
Boca Grande, Florida 33921

Dear Charles,

As your neighbor and adjacent property owner, we are notifying you of the proposed building project at 1000 East Railroad Avenue before we present to the Boca Grande Preservation Board.

Attached is a copy of the proposed Floor plan, Site Plan and Exterior Elevations dated June 17, 2010 (Exhibit C). Also listed are the various zoning relief items dated June 17, 2010 (Exhibit A). Exhibit B indicates the location of the zoning relief items. If you should have any questions please contact Randy of Williamson Hinkle Architects LLC at 239-466-9612 or Email at RDWilliamsonArchitect@gmail.com. You may also contact Tom of Williamson Hinkle LLC at 239-542-7686 or Email at Thinkle64@Comcast.net.

These drawings were prepared by Williamson Hinkle Architects LLC. The zoning relief documents were prepared by Lee County Department of Community Development's Zoning Division.

Please review and if you have no objections to the proposed project and various zoning relief items⁶, please sign below and return this letter in the self addressed stamped envelope provided.

Thank you very much,



Nancy & Herb Sodel
Owner of 1000 East Railroad Avenue

I received the proposed documents for, 1000 East Railroad Avenue, Boca Grande, Florida. As an adjacent property owner I have no objections to the plans (Exhibit C) or zoning relief items (Exhibit A) as submitted.

Site Plan, Floor Plan and Elevations dated June 17, 2010.
Zoning Relief Items dated. June 17, 2010


Charles Lunsford Date 6-21-10

If there are issues of concern, please list these in area provided below.

As time is of great importance for this submittal, please respond and return this letter with either a signature for "No Objection" or by listing the issues of concern above within 14 days upon receipt.

⁶ The various existing zoning infractions, as listed, were done legally in the past on this property but now do not meet the current zoning code. The County is requesting that we identify all of these issues and "grandfather" them in to the historical permit to avoid any issues pertaining to these infractions in the future. See Exhibit A for description and Exhibit B for location.

June 13, 2010

Ellen Wilcox
1071 10th Street
Boca Grande, Florida 33921
Strap: 14-43-20-01-00061.0090

Mailing Address:
PO Box 1800 *69 Caldwell Farm*
Boca Grande, Florida 33921 *Byfield, Ma 01922*

113
Summer

**Re: 1000 East Railroad Avenue Remodel & Addition Plans.
Boca Grande, Florida 33921**

Dear Ellen,

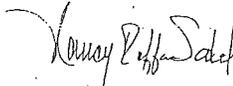
As your neighbor and adjacent property owner, we are notifying you of the proposed building project at *1000 East Railroad Avenue* before we present to the *Boca Grande Preservation Board*.

Attached is a copy of the proposed Floor plan, Site Plan and Exterior Elevations dated *June 17, 2010 (Exhibit C)*. Also listed are the *various zoning relief items* dated June 17, 2010 (*Exhibit A*). *Exhibit B* indicates the location of the zoning relief items. If you should have any questions please contact Randy of Williamson Hinkle Architects LLC at 239-466-9612 or Email at RDWilliamsonArchitect@Gmail.com. You may also contact Tom of Williamson Hinkle LLC at 239-542-7686 or Email at Thinkle64@Comcast.net.

These drawings were prepared by Williamson Hinkle Architects LLC. The zoning relief documents were prepared by Lee County Department of Community Development's Zoning Division.

Please review and if you have no objections to the proposed project and various zoning relief items⁵, please sign below and return this letter in the self addressed stamped envelope provided.

Thank you very much,



Nancy & Herb Sodel
Owner of 1000 East Railroad Avenue

I received the proposed documents for, *1000 East Railroad Avenue, Boca Grande, Florida*. As an adjacent property owner I have ~~no objections to~~ ^{reviewed} the plans (Exhibit C) or zoning relief items (Exhibit A) as submitted *and have reported the following areas of concern*

Site Plan, Floor Plan and Elevations dated June 17, 2010, *plus changes made in 7/12/10*
Zoning Relief Items dated June 17, 2010 *sent on 7/13/10*

Ellen Wilcox 7/13/10

Ellen Wilcox Date

If there are issues of concern, please list these in area provided below.

- 1. Roof - will it reflect light into my home or my yard - if so must change*
- 2. Height - does it fit in with neighborhood*
- 3. Parking/storing RV - will be limited / Boat Parking same*
- 4. Dog Barking*
- 5. Fireplace - reported as being gas*

As time is of great importance for this submittal, please respond and return this letter with either a signature for "No Objection" or by listing the issues of concern above within 14 days upon receipt.

- 6. Continue to receive ongoing communication and ability to review + report concerns as project proceeds.*

⁵ The various existing zoning infractions, as listed, were done legally in the past on this property but now do not meet the current zoning code. The County is requesting that we identify all of these issues and "grandfather" them in to the historical permit to avoid any issues pertaining to these infractions in the future. See Exhibit A for description and Exhibit B for location.

June 13, 2010

Lewis & Gayle Dolan
1160 11th Street
Boca Grande, Florida 33921
Strap: 14-43-20-01-00061.0060

Mailing Address:
PO Box 182
Boca Grande, Florida 33921

**Re: 1000 East Railroad Avenue Remodel & Addition Plans.
Boca Grande, Florida 33921**

Dear Lewis & Gayle,

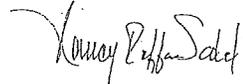
As your neighbor and adjacent property owner, we are notifying you of the proposed building project at 1000 East Railroad Avenue before we present to the Boca Grande Preservation Board.

Attached is a copy of the proposed Floor plan, Site Plan and Exterior Elevations dated **June 17, 2010 (Exhibit C)**. Also listed are the *various zoning relief items* dated June 17, 2010 (**Exhibit A**). **Exhibit B** indicates the location of the zoning relief items. If you should have any questions please contact Randy of Williamson Hinkle Architects LLC at 239-466-9612 or Email at RDWilliamsonArchitect@gmail.com. You may also contact Tom of Williamson Hinkle LLC at 239-542-7686 or Email at Thinkle64@Comcast.net.

These drawings were prepared by Williamson Hinkle Architects LLC. The zoning relief documents were prepared by Lee County Department of Community Development's Zoning Division.

Please review and if you have no objections to the proposed project and various zoning relief items³, please sign below and return this letter in the self addressed stamped envelope provided.

Thank you very much,



Nancy & Herb Sodel
Owner of 1000 East Railroad Avenue

I received the proposed documents for, 1000 East Railroad Avenue, Boca Grande, Florida. As an adjacent property owner I have no objections to the plans (Exhibit C) or zoning relief items (Exhibit A) as submitted.

Site Plan, Floor Plan and Elevations dated June 17, 2010.
Zoning Relief Items dated. June 17, 2010

Lewis Dolan 7-3-10
Lewis Dolan Date and/or

Gayle Dolan 7-3-10
Gayle Dolan Date

If there are issues of concern, please list these in area provided below.

As time is of great importance for this submittal, please respond and return this letter with either a signature for "No Objection" or by listing the issues of concern above within 14 days upon receipt.

³ The various existing zoning infractions, as listed, were done legally in the past on this property but now do not meet the current zoning code. The County is requesting that we identify all of these issues and "grandfather" them in to the historical permit to avoid any issues pertaining to these infractions in the future. See Exhibit A for description and Exhibit B for location.

June 13, 2010

Peter & Barbara Regnery
1170 11th Street
Boca Grande, Florida 33921
Strap: 14-43-20-01-00061.0080

Mailing Address:
PO Box 392
Boca Grande, Florida 33921

Re: *1000 East Railroad Avenue Remodel & Addition Plans.
Boca Grande, Florida 33921*

Dear Peter & Barbara,

As your neighbor and adjacent property owner, we are notifying you of the proposed building project at *1000 East Railroad Avenue* before we present to the *Boca Grande Preservation Board*.

Attached is a copy of the proposed Floor plan, Site Plan and Exterior Elevations dated *June 17, 2010 (Exhibit C)*. Also listed are the *various zoning relief items* dated June 17, 2010 (*Exhibit A*). *Exhibit B* indicates the location of the zoning relief items. If you should have any questions please contact Randy of Williamson Hinkle Architects LLC at 239-466-9612 or Email at RDWilliamsonArchitect@Gmail.com. You may also contact Tom of Williamson Hinkle LLC at 239-542-7686 or Email at Thinkle64@Comcast.net.

These drawings were prepared by Williamson Hinkle Architects LLC. The zoning relief documents were prepared by Lee County Department of Community Development's Zoning Division.

Please review and if you have no objections to the proposed project and various zoning relief items⁴, please sign below and return this letter in the self addressed stamped envelope provided.

Thank you very much,



Nancy & Herb Sodel
Owner of 1000 East Railroad Avenue

I received the proposed documents for, *1000 East Railroad Avenue, Boca Grande, Florida*. As an adjacent property owner I have no objections to the plans (*Exhibit C*) or zoning relief items (*Exhibit A*) as submitted.

Site Plan, Floor Plan and Elevations dated June 17, 2010.
Zoning Relief Items dated. June 17, 2010

 7-2-10
Peter Regnery Date and/or

 7-2-10
Barbara Regnery Date

If there are issues of concern, please list these in area provided below.

As time is of great importance for this submittal, please respond and return this letter with either a signature for "No Objection" or by listing the issues of concern above within 14 days upon receipt.

⁴ The various existing zoning infractions, as listed, were done legally in the past on this property but now do not meet the current zoning code. The County is requesting that we identify all of these issues and "grandfather" them in to the historical permit to avoid any issues pertaining to these infractions in the future. See Exhibit A for description and Exhibit B for location.

June 13, 2010

Lorraine Williams
1050 East Railroad Avenue
Boca Grande, Florida 33921
Strap: 14-43-20-01-00061.0020

Mailing Address:
PO Box 786
Boca Grande, Florida 33921

Re: *1000 East Railroad Avenue Remodel & Addition Plans.
Boca Grande, Florida 33921*

Dear Lorraine,

As your neighbor and adjacent property owner, we are notifying you of the proposed building project at *1000 East Railroad Avenue* before we present to the *Boca Grande Preservation Board*.

Attached is a copy of the proposed Floor plan, Site Plan and Exterior Elevations dated *June 17, 2010 (Exhibit C)*. Also listed are the *various zoning relief items* dated June 17, 2010 (*Exhibit A*). *Exhibit B* indicates the location of the zoning relief items. If you should have any questions please contact Randy of Williamson Hinkle Architects LLC at 239-466-9612 or Email at RDWilliamsonArchitect@gmail.com. You may also contact Tom of Williamson Hinkle LLC at 239-542-7686 or Email at Thinkle64@Comcast.net.

These drawings were prepared by Williamson Hinkle Architects LLC. The zoning relief documents were prepared by Lee County Department of Community Development's Zoning Division.

Please review and if you have no objections to the proposed project and various zoning relief items¹, please sign below and return this letter in the self addressed stamped envelope provided.

Thank you very much,



Nancy & Herb Sodel
Owner of 1000 East Railroad Avenue

I received the proposed documents for, *1000 East Railroad Avenue, Boca Grande, Florida* – as an adjacent property owner I have no objections to the plans or zoning relief items (Exhibit A) as submitted.

Site Plan, Floor Plan and Elevations dated June 17, 2010.
Zoning Relief Items dated. June 17, 2010

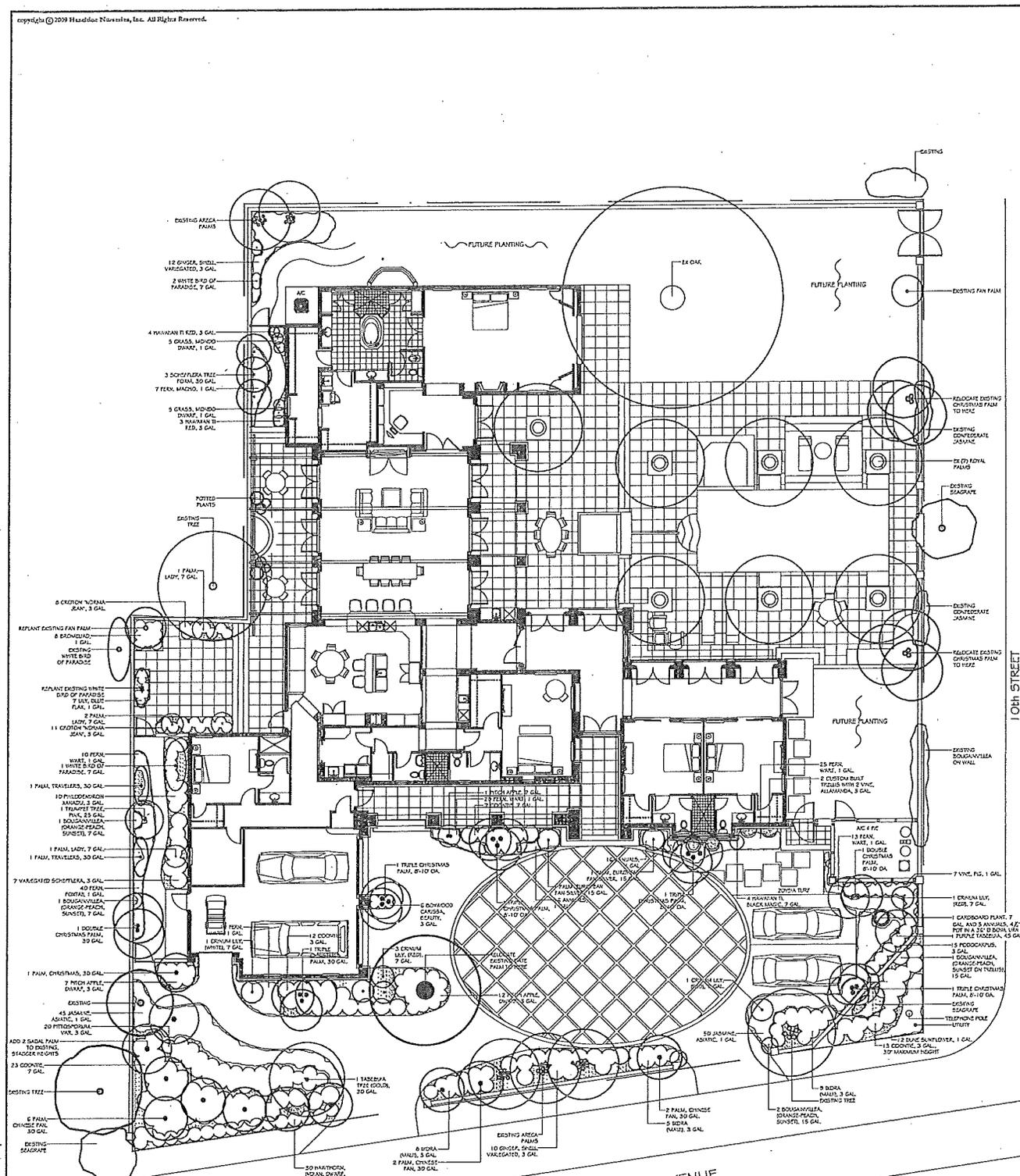
Lorraine P. Williams *July 13, 2010*
Lorraine Williams Date

If there are issues of concern, please list these in area provided below.

Plans of 7-12-2010 submitted to me are acceptable PROVIDED
that: ① a 10-foot setback is observed on north side of
property; and
② open space on Northwest corner of lot is respected; and
③ plantings as indicated are installed and maintained
copy of partial drawing submitted to me via email
7-12-2010 is attached

As time is of great importance for this submittal, please respond and return this letter with either a signature for "No Objection" or by listing the issues of concern above within 14 days upon receipt.

¹ The various existing zoning infractions, as listed, were done legally in the past on this property but now do not meet the current zoning code. The County is requesting that we identify all of these issues and "grandfather" them in to the historical permit to avoid any issues pertaining to these infractions in the future. See Exhibit A for description and Exhibit B for location.



APPROVED Plan

Subject to Case # ADD2010-00040

Date 8/31/10



2401 North River Road
Venice, Florida 34292
Phone 941.484.1272
Fax 941.484.2316
www.havelinenurseries.com
info@havelinenurseries.com

A Proposed Landscape Plan for
THE SODEL RESIDENCE
1000 east railroad avenue
boca grande, florida 33921

site information taken from
boundary and location
survey provided by:
Wickman Hill, LLC
P.O. Box 103378
Cape Coral, Florida 33910
335.542.7153
427.10

design: d. mcgovern
drawn: jw
date: 7.16.10
revised: 7.22.10
8.2.10
8.16.10
job#: 041022
review:



sheet number
LS-1
of
1

MEMORANDUM
FROM THE
DEPARTMENT OF
COMMUNITY DEVELOPMENT
ZONING DIVISION

DATE: March 18, 2011

TO: WHOM IT MAY CONCERN

FROM: Debbie Carpenter
Administrative Assistant

RE: ADMINISTRATIVE AMENDMENT

<u>Case Number</u>	<u>Case Name</u>
ADD2011-00012	Sodel Residence

cc: Herbert & Nancy Sodel Applicant (c/o Williamson Hinkle Architects, attn: Tom Hinkle, Agent)
Gloria Sajgo, Principal Planner
Chick Jakacki, Zoning Planner
File

ADMINISTRATIVE APPROVAL
HISTORIC DISTRICT
LEE COUNTY, FLORIDA

WHEREAS, Herbert & Nancy Sodel filed an application for administrative approval for administrative relief for proposed pool and spa on a project known as Sodel Residence; and

WHEREAS, the subject property is located at 1000 East Railroad Ave, described more particularly as:

LEGAL DESCRIPTION: In Section 14, Township 43 South, Range 20 East, Lee County, Florida:

See Exhibit "A"

WHEREAS, the applicant has indicated the property's current STRAP number is 14-43-20-01-00061.0010; and

WHEREAS, the property is zoned Residential Multi-family (RM-2) ; and

WHEREAS, the property is located in the Boca Grande Historic District as designated by Resolution HD-90-05-01; and

WHEREAS, the subject property is developed with a non-contributing one-story single-family residence constructed in 1975; and

WHEREAS, landscaping will be installed along the north property providing a buffer to the adjacent property owner; and

WHEREAS, the subject property is 21,665± square feet in lot area, 144± feet in width and 151± feet in depth; and

WHEREAS, the subject property is consistent with the permitted five dwelling units per acre as required under the Gasparilla Act of 1980; and

WHEREAS, the Lee County Comprehensive Plan limits density to 3 du/acre in the Urban Community Land Use category on Gasparilla Island; and

WHEREAS, the lot area is consistent with the Urban Community density requirements of the Lee Plan; and

WHEREAS, the existing pool was structural damaged during the removal and relocation of the pool side Royal Palms, and now zoning relief for the construction of a new pool and spa, as shown on the attached site plan shown as Attachment "A"; and

WHEREAS, the pool location was reviewed and approved under COA2011-00036 as outlined in Attachment "B"; and

WHEREAS, adjacent property owners have signed a letters of no objection, shown as Attachment "C"; and

WHEREAS, an application for administrative relief for designated historic resources has been filed pursuant to the Lee County Land Development Code Section 22-174; and

WHEREAS, the Lee County Land Development Code provides for administrative relief from the Zoning Regulations for matters involving setbacks, lot width, depth, area requirements, land development regulations, height limitations, open space requirements, parking requirements, and other similar zoning relief not related to a change in use of the property in question; and

WHEREAS, relief is requested in the RM-2 zoning district, as provided by the Lee County Land Development Code, as follows:

- a) Relief from LDC Section 34-1174(b)(2) for an existing accessory structure (Pool) with a proposed spa with a setback of 11 feet 4 inches, where 25 feet is the minimum setback requirement from the street right of way (10th Street East).

WHEREAS, the subject application and plans have been reviewed by the Lee County Department of Community Development in accordance with applicable regulations for compliance with all terms of the administrative approval; and

WHEREAS, the following findings of fact are offered:

- A. The relief will be in harmony with the general appearance and character of the community.
- B. The relief will not be injurious to the area involved or otherwise detrimental to the public health, safety or welfare.
- C. The proposed work is designed and arranged on the site in a manner that minimizes aural and visual impact on the adjacent properties while affording the owner(s) a reasonable use of their land.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for Administrative Approval for relief in the RM-2 zoning district from the Lee County Land Development Code, from:

- a) LDC Section 34-1174(b)(2) for an existing accessory structure (Pool) with a proposed spa with a setback of 11 feet 4 inches, where 25 feet is the minimum setback requirement from the street right of way (10th Street East).

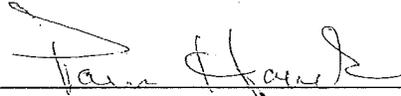
is **APPROVED**. Site Plan ADD2011-00012, attached hereto as Attachment "A", is hereby APPROVED and adopted. A reduced copy is attached hereto.

APPROVED is subject to the following conditions:

1. Prior to CO (Certificate of Occupancy), a letter of transmittal must be submitted verifying the landscape plantings, (from the driveway entrance running along north property line, with 5 additional sabal palms planted at southwest corner of the property behind the wall), are in substantial compliance with the attached landscape plan dated received February 15, 2011, attached hereto as Attachment "D".
2. The trees and shrubs must be maintained in perpetuity.
3. The terms and conditions of the original ADD2010-00040, remain in full force and effect, except as specifically amended herein.

DULY SIGNED this 17th day of March, A.D., 2011.

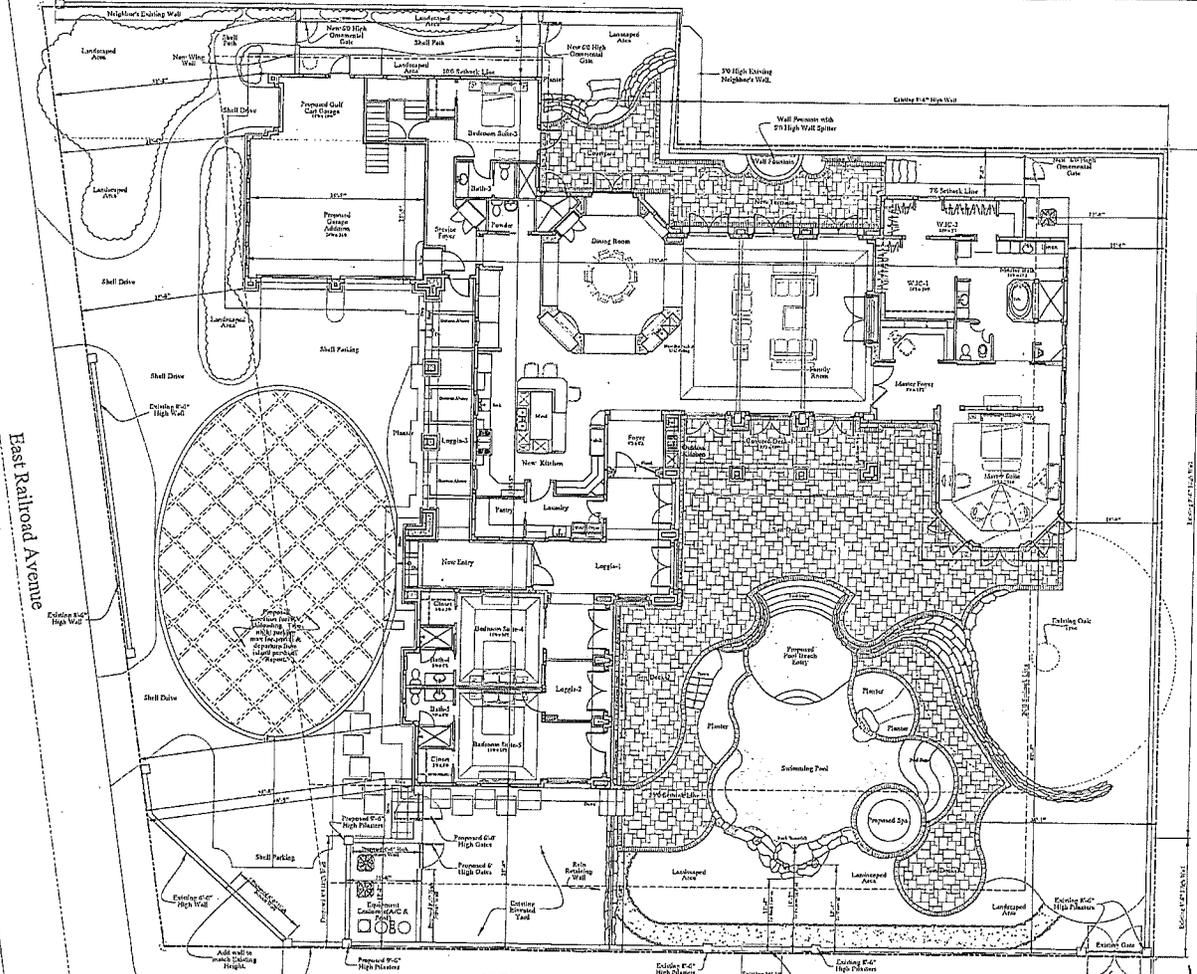
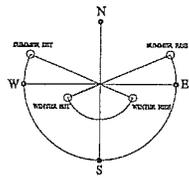
BY: _____


Pam Houck, Director
Division of Zoning
Department of Community Development

ATTACHMENTS:

- A - Site plan dated January 20, 2011.
- B - COA2011-00036
- C - Letters of No Objection
- D - Landscape Plan

COMB. NO.	18-001
ISSUED BY	SWAL
CHECKED BY	WJZ
DATE	4/27/09
REVISION	
DATE	BY
01/01	PRELIMINATION
01/04	LETTER TO THE COMMISSION
01/09	THE NEW OUTDOOR FISHING PIER



APPROVED
Plan

Subject to Case # ADD2011-00012

Date 3/17/2011

Floor Plan - Scheme (Bermuda Final)

Scale: 1/8" = 1'-0"

*OK GWS
March 9, 2011*

An Addition & Renovation for
Herbert & Nancy Sodel
1000 East Railroad Avenue
Lots 1, 3, 5 & 1/2 Lot 7
Boca Grande, Gasparilla Island, Lee County, Florida

WILLIAMSON-HINKLE
architects LLC
114 EAST BAYVIEW BLVD., SUITE 200, BOCA GRANDE, FLORIDA 33921
TEL: 813-993-1111 FAX: 813-993-1111

Sheet
4
OF 4

Exhibit F2.C
Date: January 20, 2011

DATE PLOTTED: 11/14/11 11:41 AM

LEE COUNTY HISTORIC PRESERVATION
 REGULAR CERTIFICATE OF APPROPRIATENESS
 COA2011-00036

Lee County Planning Division, P.O. Box 398, Fort Myers, FL 33902-0398
 Telephone (239) 533-8585 FAX (239) 485-8319

NOTE: This application is only for work classified as "ordinary maintenance and repair," or for any work that will result, to the satisfaction of the county staff, in the close resemblance in appearance of the building, architectural feature, or landscape feature to its appearance when it was built or was likely to have been built, or to its appearance as it presently exists so long as the proposed appearance is appropriate to the style and materials.

Contributing Non-Contributing Individual Designation Not Historical

Name of Project: SODEL RESIDENCE
 Location: 1000 EAST RAILROAD AVE BOCA GRANDE 33921
 STRAP No.: 14-43-20-01-00061.0010 DH#: HD90-05-01
 Name of Applicant: THOMAS HINKLE
 Address: 5703 ROSE GARDEN ROAD
 CAPE CORAL, FL 33914
 Phone: 239-542-7686

Name of Historic District, if applicable: BGHD
 Project Description: New Pool and Amendment to COA2010-00069 Sodel

Change in Use: No

If yes, explain:

Does this use require a variance, special permit, or special exception under the Zoning Ordinance? Yes

If yes, explain:

Has a development order or exemption been applied for prior to or concurrent with this application? No

If yes, explain:

If you wish to appeal this decision, you may apply for a Special Certificate of Appropriateness within 30 days of this decision. This will enable you to make your request to the Historic Preservation Board for this work. You may obtain a Special Certificate of Appropriateness form by contacting the historic preservation planner at the Lee County Division of Planning. Specific details describing the Special Certificate of Appropriateness process are found in Chapter 22, Historic Preservation, of the Lee County Land Development Code (LDC).

***** FOR STAFF USE ONLY *****		
Date Filed:	Date Issued: 03/09/2011	APPROVED
Filed By:	Gloria Sajgo	
* Explanation Attached		

Lamey, Shawn

From: Loraine Williams [lpw3200@mindspring.com]
Sent: Wednesday, February 23, 2011 10:05 AM
To: Lamey, Shawn
Subject: North property line landscaping

I approve the latest draft of the property known as Sodel residence in regard to trees and shrubs to be planted and maintained in perpetuity on the north property line. Loraine Williams Sent from my iPad

November 15, 2010

Priscilla & Bill Wilcox – cc: Ellen Wilcox
Foxhall Village 10
Longwood Drive Apt 470
Westwood, MA 02090
Strap: 14-43-20-01-00061.0090

Mailing Address:
PO Box 1800
Boca Grande, Florida 33921

**Re: 1000 East Railroad Avenue – Pool Change.
Boca Grande, Florida 33921**

Dear Ellen,

As your neighbor and adjacent property owner, we are notifying you of the proposed pool change at 1000 East Railroad Avenue before we present to the Boca Grande Preservation Board.

Attached is a copy of the proposed pool plan and Site Plan dated November 12, 2010 (Exhibit A).

Zoning Relief:

Relief from LDC Section 34-1174(b) for a proposed accessory structure (Pool and Spa) with a setback of 11 feet 6 inches, where 100 feet is the minimum setback requirement from the street right of way (10th Street East & East Railroad Avenue).

The zoning relief for the pool is sought due to structural damage incurred during the removal and relocation of the mature Royal Palms. The previously approved pool was 6' from the property line while the new pool will be 11' from the property line. We will also reduce the 10'0 section of wall at the property line to align with the existing property line wall. These changes, according to the Zoning Department, bring the project more in line with existing zoning regulations.

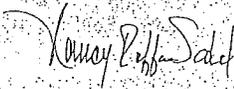
Also, I have elected to eliminate the outdoor fireplace and trellis structure in the courtyard.

If you should have any questions please contact Tom of Williamson Hinkle Architects LLC at 239-542-7686 or Email at Thinkle64@Comcast.net. Dick Yusk, our Contractor, will also be available on site to answer any questions or concerns. Dick can be reached at 941-964-0078.

The drawing was prepared by Williamson Hinkle Architects LLC. The zoning relief statement was prepared by Lee County Department of Community Development's Zoning Division.

Please review and if you have no objections to the proposed pool change and zoning relief, please sign below and return this letter in the self addressed stamped envelope provided.

Thank you very much,



Nancy & Herb Sadel
Owner of 1000 East Railroad Avenue

I received the proposed documents for, 1000 East Railroad Avenue, Boca Grande, Florida. As an adjacent property owner I have no objections to the plans (Exhibit A) or zoning relief item listed above as submitted.

Site Plan dated: November 12, 2010.

Ellen Wilcox 12/11/10
Priscilla Wilcox Date
Ellen Wilcox

Bill Wilcox Date

If there are issues of concern, please list these in area provided below.

November 15, 2010

Lewis & Gayle Dolan
1160 11th Street
Boca Grande, Florida 33921
Strap: 14-43-20-01-00061.0060

Mailing Address:
PO Box 182
Boca Grande, Florida 33921

Re: 1000 East Railroad Avenue - Pool Change.
Boca Grande, Florida 33921

Dear Lewis & Gayle,

As your neighbor and adjacent property owner, we are notifying you of the proposed pool change at 1000 East Railroad Avenue before we present to the Boca Grande Preservation Board.

Attached is a copy of the proposed pool plan and Site Plan dated November 12, 2010 (Exhibit A).

Zoning Relief:

Relief from LDC Section 34-1174(b) for a proposed accessory structure (Pool and Spa) with a setback of 11 feet 6 inches, where 100 feet is the minimum setback requirement from the street right of way (10th Street East & East Railroad Avenue).

The zoning relief for the pool is sought due to structural damage incurred during the removal and relocation of the mature Royal Palms. The previously approved pool was 6' from the property line while the new pool will be 11' from the property line. We will also reduce the 10'0 section of wall at the property line to align with the existing property line wall. These changes, according to the Zoning Department, bring the project more in line with existing zoning regulations.

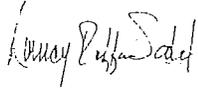
Also, I have elected to eliminate the outdoor fireplace and trellis structure in the courtyard.

If you should have any questions please contact Tom of Williamson Hinkle Architects LLC at 239-542-7686 or Email at Thinkle64@Comcast.net. Dick Yusk, our Contractor, will also be available on site to answer any questions or concerns. Dick can be reached at 941-964-0078.

The drawing was prepared by Williamson Hinkle Architects LLC. The zoning relief statement was prepared by Lee County Department of Community Development's Zoning Division.

Please review and if you have no objections to the proposed pool change and zoning relief, please sign below and return this letter in the self addressed stamped envelope provided.

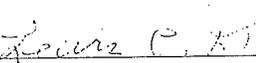
Thank you very much,

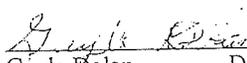


Nancy & Herb Sodel
Owner of 1000 East Railroad Avenue

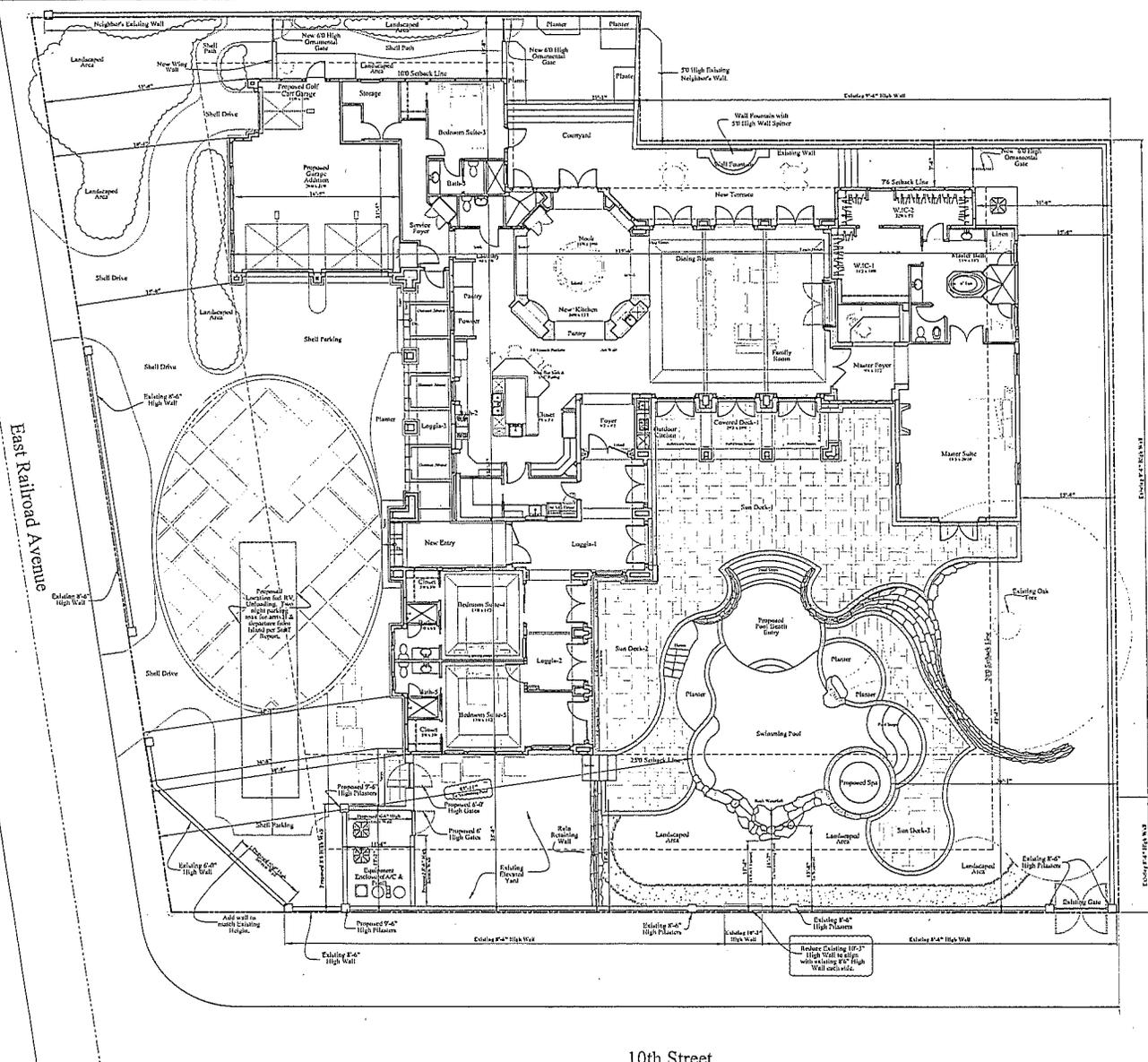
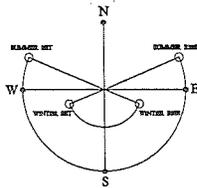
I received the proposed documents for, 1000 East Railroad Avenue, Boca Grande, Florida. As an adjacent property owner I have no objections to the plans (Exhibit A) or zoning relief item listed above as submitted.

Site Plan dated: November 12, 2010.

 12-6-10
Lewis Dolan Date and/or

 12-6-10
Gayle Dolan Date

If there are issues of concern, please list these in area provided below.



Floor Plan - Scheme (Bermuda Final)
Scale: 1/8" = 1'-0"

CONTRACT NO.	19-001
DRAWN	T.W.H.
CHECKED	T.W.H.
DATE	4/21/10
REVISIONS	
DATE	BY
4/1/10	PRESENTATION
4/1/10	LITTLE OF NO CONSTRUCTION
4/1/10	DELETE OUTDOOR FIREPLACE

An Addition & Renovation for
Herbert & Nancy Sodel
1000 East Railroad Avenue
Lots 1, 3, 5 & 1/2 Lot 7

Boca Grande, Casparilla Island, Lee County, Florida

WILLIAMSON-HINKLE
architects LLC
10 W. UNIVERSITY BLVD., SUITE 200 • FT. WORTH, TEXAS 76102 • TEL: 817.339.4400 • FAX: 817.339.4400

Exhibit A
Date: November 12, 2010

CHARLES LUNSFORD

Mailing Address:
PO Box 1800
Boca Grande, Florida 33921

Re: 1000 East Railroad Avenue - Pool Change.
Boca Grande, Florida 33921

Dear **CHARLES,**

As your neighbor and adjacent property owner, we are notifying you of the proposed pool change at 1000 East Railroad Avenue before we present to the Boca Grande Preservation Board.

Attached is a copy of the proposed pool plan and Site Plan dated November 12, 2010 (Exhibit A).

Zoning Relief:

Relief from LDC Section 34-1174(b) for a proposed accessory structure (Pool and Spa) with a setback of 11 feet 6 inches, where 100 feet is the minimum setback requirement from the street right of way (10th Street East & East Railroad Avenue).

The zoning relief for the pool is sought due to structural damage incurred during the removal and relocation of the mature Royal Palms. The previously approved pool was 6' from the property line while the new pool will be 11' from the property line. We will also reduce the 10'0 section of wall at the property line to align with the existing property line wall. These changes, according to the Zoning Department, bring the project more in line with existing zoning regulations.

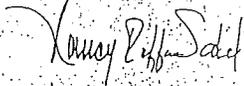
Also, I have elected to eliminate the outdoor fireplace and trellis structure in the courtyard.

If you should have any questions please contact Tom of Williamson Hinkle Architects LLC at 239-542-7686 or Email at Thinkle64@Comcast.net. Dick Yusk, our Contractor, will also be available on site to answer any questions or concerns. Dick can be reached at 941-964-0078.

The drawing was prepared by Williamson Hinkle Architects LLC. The zoning relief statement was prepared by Lee County Department of Community Development's Zoning Division.

Please review and if you have no objections to the proposed pool change and zoning relief, please sign below and return this letter in the self addressed stamped envelope provided.

Thank you very much,



Nancy & Herb Sodel
Owner of 1000 East Railroad Avenue

I received the proposed documents for, 1000 East Railroad Avenue, Boca Grande, Florida. As an adjacent property owner I have no objections to the plans (Exhibit A) or zoning relief item listed above as submitted.

Site Plan dated: November 12, 2010



CHARLES LUNSFORD

If there are issues of concern, please list these in area provided below.

November 15, 2010

Peter & Barbara Regnery
1170 11th Street
Boca Grande, Florida 33921
Strap: 14-43-20-01-00061.0080

Mailing Address:
PO Box 392
Boca Grande, Florida 33921

Re: 1000 East Railroad Avenue – Pool Change.
Boca Grande, Florida 33921

Dear Peter & Barbara,

As your neighbor and adjacent property owner, we are notifying you of the proposed pool change at 1000 East Railroad Avenue before we present to the Boca Grande Preservation Board.

Attached is a copy of the proposed pool plan and Site Plan dated November 12, 2010 (Exhibit A).

Zoning Relief:

Relief from LDC Section 34-1174(b) for a proposed accessory structure (Pool and Spa) with a setback of 11 feet 6 inches, where 100 feet is the minimum setback requirement from the street right of way (10th Street East & East Railroad Avenue).

The zoning relief for the pool is sought due to structural damage incurred during the removal and relocation of the mature Royal Palms. The previously approved pool was 6' from the property line while the new pool will be 11' from the property line. We will also reduce the 10'0 section of wall at the property line to align with the existing property line wall. These changes, according to the Zoning Department, bring the project more in line with existing zoning regulations.

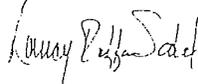
Also, I have elected to eliminate the outdoor fireplace and trellis structure in the courtyard.

If you should have any questions please contact Tom of Williamson Hinkle Architects LLC at 239-542-7686 or Email at Thinkle64@Comcast.net. Dick Yusk, our Contractor, will also be available on site to answer any questions or concerns. Dick can be reached at 941-964-0078.

The drawing was prepared by Williamson Hinkle Architects LLC. The zoning relief statement was prepared by Lee County Department of Community Development's Zoning Division.

Please review and if you have no objections to the proposed pool change and zoning relief, please sign below and return this letter in the self addressed stamped envelope provided.

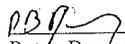
Thank you very much,



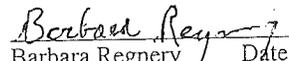
Nancy & Herb Sodel
Owner of 1000 East Railroad Avenue

I received the proposed documents for, 1000 East Railroad Avenue, Boca Grande, Florida. As an adjacent property owner I have no objections to the plans (Exhibit A) or zoning relief item listed above as submitted.

Site Plan dated: November 12, 2010.

 11-15-10
Peter Regnery Date

and/or


Barbara Regnery Date

If there are issues of concern, please list these in area provided below.

November 15, 2010

Lorraine Williams
1050 East Railroad Avenue
Boca Grande, Florida 33921
Strap: 14-43-20-01-00061.0020

Mailing Address-1
PO Box 786
Boca Grande, Florida 33921

Mailing Address-2
3200 Arden Road NW
Atlanta, GA 30305

**Re: 1000 East Railroad Avenue - Pool Change.
Boca Grande, Florida 33921**

Dear Lorraine,

As your neighbor and adjacent property owner, we are notifying you of the proposed pool change at 1000 East Railroad Avenue before we present to the Boca Grande Preservation Board.

Attached is a copy of the proposed pool plan and Site Plan dated *November 12, 2010 (Exhibit A)*.

Zoning Relief:

Relief from LDC Section 34-1174(b) for a proposed accessory structure (Pool and Spa) with a setback of 11 feet 6 inches, where 100 feet is the minimum setback requirement from the street right of way (10th Street East & East Railroad Avenue).

The zoning relief for the pool is sought due to structural damage incurred during the removal and relocation of the mature Royal Palms. The previously approved pool was 6' from the property line while the new pool will be 11' from the property line. We will also reduce the 10'0 section of wall at the property line to align with the existing property line wall. These changes, according to the Zoning Department, bring the project more in line with existing zoning regulations.

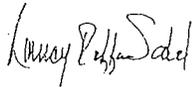
Also, I have elected to eliminate the outdoor fireplace and trellis structure in the courtyard.

If you should have any questions please contact Tom of Williamson Hinkle Architects LLC at 239-542-7686 or Email at Thinkle64@Comcast.net.

These drawings were prepared by Williamson Hinkle Architects LLC. The zoning relief statement was prepared by Lee County Department of Community Development's Zoning Division.

Please review and if you have no objections to the proposed pool change and zoning relief, please sign below and return this letter in the self addressed stamped envelope provided.

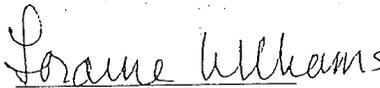
Thank you very much,



Nancy & Herb Sodel
Owner of 1000 East Railroad Avenue

I received the proposed documents for, 1000 East Railroad Avenue, Boca Grande, Florida. As an adjacent property owner I have no objections to the plans (Exhibit A) or zoning relief item listed above as submitted.

Site Plan dated: November 12, 2010.

 Nov. 17
Lorraine Williams Date

If there are issues of concern, please list these in area provided below.

November 15, 2010

Dennis & Mary Johnston
1060 10th Street East
Boca Grande, Florida 33921
Strap: 14-43-20-01-00059.0010

Bee Zee LLC
PO Box 3779
Greenville, DE 13807

*Re: 1000 East Railroad Avenue - Pool Change.
Boca Grande, Florida 33921*

Dear Dennis & Mary,

As your neighbor and adjacent property owner, we are notifying you of the proposed pool change at 1000 East Railroad Avenue before we present to the Boca Grande Preservation Board.

Attached is a copy of the proposed pool plan and Site Plan dated November 12, 2010 (Exhibit A).

Zoning Relief:

Relief from LDC Section 34-1174(b) for a proposed accessory structure (Pool and Spa) with a setback of 11 feet 6 inches, where 100 feet is the minimum setback requirement from the street right of way (10th Street East & East Railroad Avenue).

The zoning relief for the pool is sought due to structural damage incurred during the removal and relocation of the mature Royal Palms. The previously approved pool was 6' from the property line while the new pool will be 11' from the property line. We will also reduce the 10'0 section of wall at the property line to align with the existing property line wall. These changes, according to the Zoning Department, bring the project more in line with existing zoning regulations.

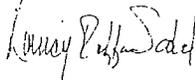
Also, I have elected to eliminate the outdoor fireplace and trellis structure in the courtyard.

If you should have any questions please contact Tom of Williamson Hinkle Architects LLC at 239-542-7686 or Email at Thinkle64@Comcast.net. Dick Yusk, our Contractor, will also be available on site to answer any questions or concerns. Dick can be reached at 941-964-0078.

These drawings were prepared by Williamson Hinkle Architects LLC. The zoning relief statement was prepared by Lee County Department of Community Development's Zoning Division.

Please review and if you have no objections to the proposed pool change and zoning relief, please sign below and return this letter in the self addressed stamped envelope provided.

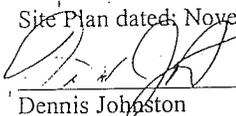
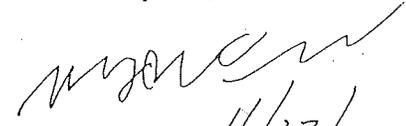
Thank you very much,



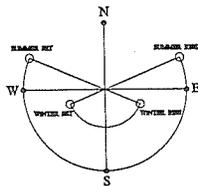
Nancy & Herb Sodel
Owner of 1000 East Railroad Avenue

I received the proposed documents for, 1000 East Railroad Avenue, Boca Grande, Florida. As an adjacent property owner I have no objections to the plans (Exhibit A) or zoning relief item listed above as submitted.

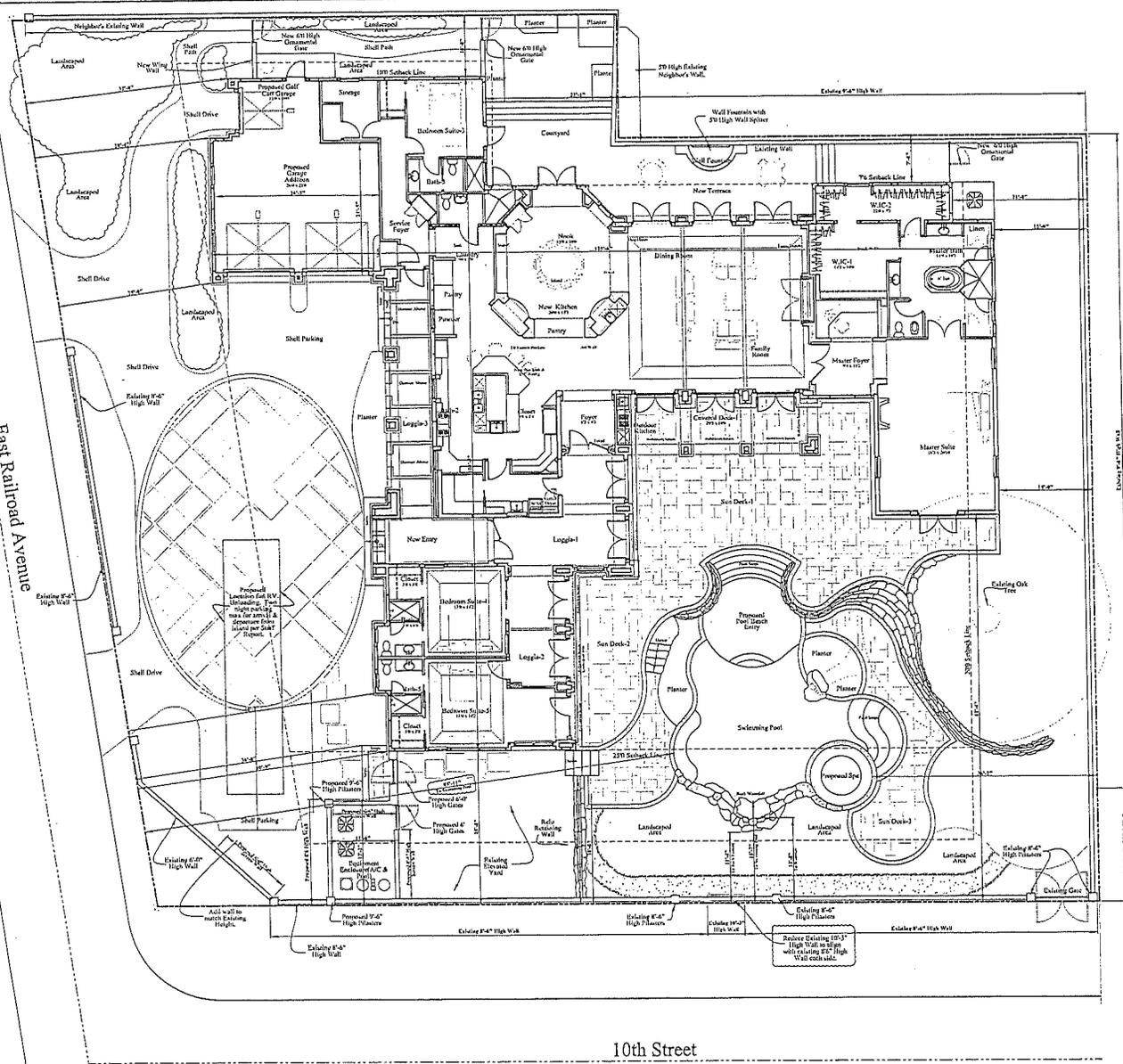
Site Plan dated: November 12, 2010.

	11/26/10	or		11/27/10
Dennis Johnston	Date		Mary Johnston	Date

If there are issues of concern, please list these in area provided below.



East Railroad Avenue



10th Street

Floor Plan - Scheme (Bermuda Final)
Scale: 1/8" = 1'-0"

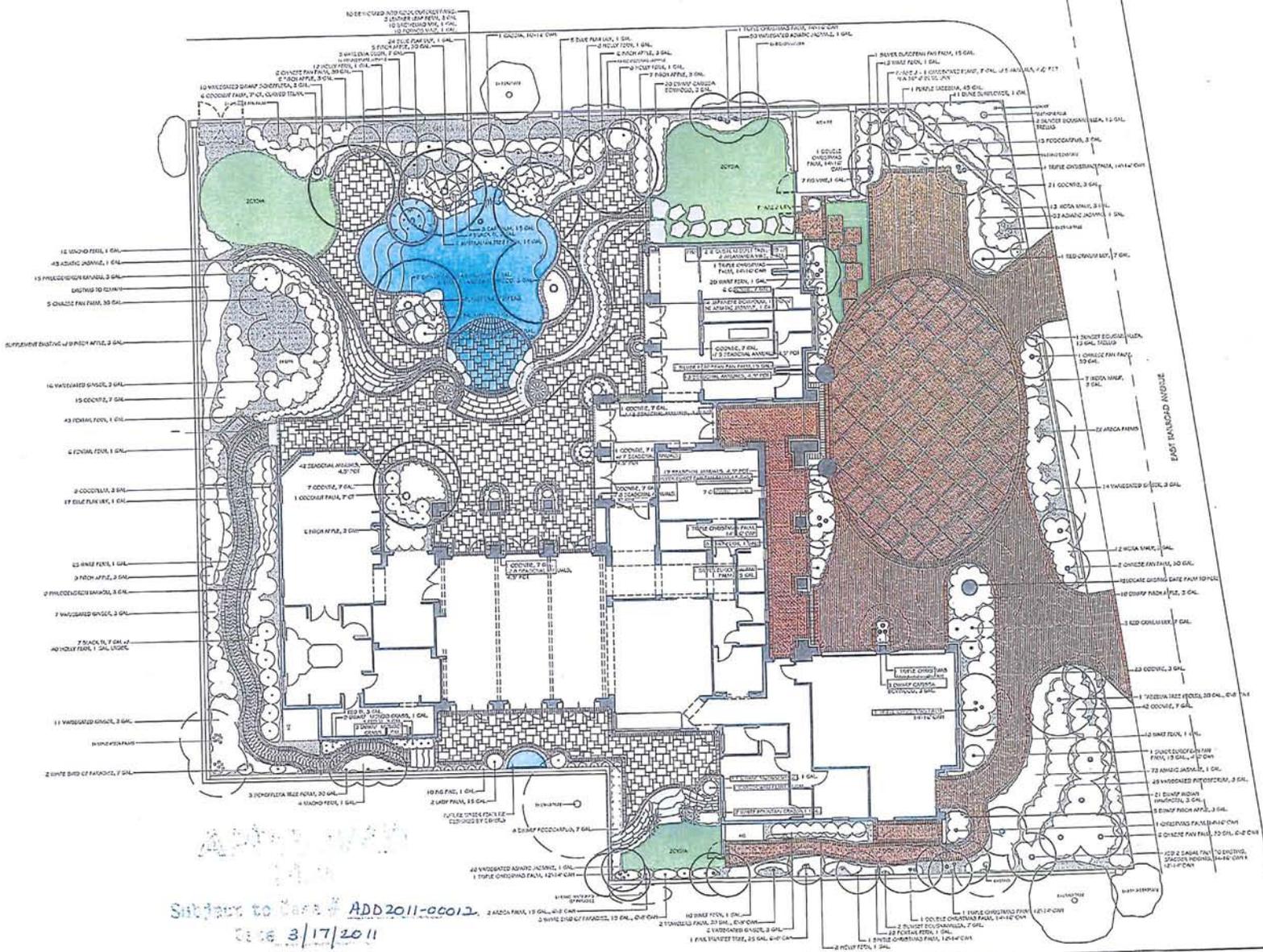
Exhibit A
Date: November 12, 2010

COORD. NO.	10-001
DRAWN	T.W.J.L.
CHECKED	T.W.J.L.
DATE	02/10/10
REVISIONS	
DATE	BY
01/11/10	PRESENTATION
01/14/10	OWNER ON-SITE COLLECTION
01/15/10	PHILIPPE OUTDOOR POOL/DECK

An Addition & Renovation for:
Herbert & Nancy Sodel
1000 East Railroad Avenue
Lots 1, 3, 5 & 1/2 Lot 7
Boca Grande, Casparilla Island, Lee County, Florida

WILLIAMSON-HINKLE architects LLC
AN ARCHITECTURE FIRM INCORPORATED IN FLORIDA
FL. LICENSE NO. 14017

10th STREET



Submitted to City of ADD 2011-00012
 Date 3/17/2011

sheet number
LS-1
 of
1



Design: J. [Name]
 Date: 3/15/10
 Project: [Name]
 Scale: 1/8" = 1'-0"

Site information and other survey provided by:
 [Name]
 [Address]
 [City, State, Zip]

A Proposed Landscape Plan for:
THE SODEL RESIDENCE
 1000 East railroad avenue
 boca grande, florida, 33921

200 North First Road
 Venice, Florida 33592
 Telephone: P.O. Box 230
 Venice, Florida 33592-0236
 Fax: 781-862-1122
 E-mail: [Email]
 Website: [Website]



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ATTACHMENT #3

1) HEARING EXAMINER DECISION

**MEMORANDUM
FROM
THE OFFICE OF THE
LEE COUNTY HEARING EXAMINER**

DATE: March 15, 2013
TO: Board of County Commissioners **FROM:** Diana M. Parker
Lee County Chief Hearing Examiner
RE: Hearing Examiner Decision

Enclosed you will find the following Hearing Examiner Decision:

HEARING DATE: MARCH 6, 2013

VAR2012-00024 **CHARLES WITTMAAK, in reference to SODEL**

A Decision becomes final on the date rendered by the Hearing Examiner. A Hearing Examiner Decision may be appealed, by Writ of Certiorari, to the Circuit Court in Lee County. Appeals must be filed within thirty (30) days of the date the Hearing Examiner Decision is rendered.

If you have any questions concerning this or any other procedure, or need additional information, please let our office know.

cc: Donna Marie Collins / CAO
Jamie Prancing / Community Development
Pam Houck / Division of Zoning
Shawn Lamey / Community Development
Andy Getch / LCDOT
Sue Noe / Economic Development

OFFICE OF THE HEARING EXAMINER, LEE COUNTY, FLORIDA

HEARING EXAMINER DECISION

VARIANCE: VAR2012-00024
APPLICANT: CHARLES WITTMAAK, in reference to SODEL
HEARING DATE: MARCH 6, 2013

I. APPLICATION:

Filed by CHARLES WITTMAAK, P.O. Box 1408, Boca Grande, Florida 33921 (Applicant); DESIGN FOR LIFE c/o CHARLES WITTMAAK, P.O. Box 1408, Boca Grande, Florida 33921 (Agent); and HERBERT and NANCY SODEL, 1000 East Railroad Avenue, Boca Grande, Florida 33921 (Owners).

Request is for a Variance in the Multiple-Family Residential (RM-2) zoning district, to allow a six-foot-high wall with gates, and a seven-foot-high column, to be located 0 feet from the street right of way (East Railroad Avenue), where Section 34-1744 of the Lee County Land Development Code requires a 25-foot street setback.

The subject property is located at 1000 East Railroad Ave., Boca Grande Planning Community, Lee County, FL. (District #1)

The Strap # as furnished by the Applicant is: 14-43-20-01-00061.0010

II. STAFF RECOMMENDATION: APPROVE WITH CONDITIONS

The Department of Community Development Staff Report was prepared by Shawn Lamey, Senior Planner. The Staff Report is incorporated herein by this reference.

III. HEARING EXAMINER DECISION:

The undersigned Lee County Hearing Examiner **APPROVES** the Applicant's request for a Variance in the Multiple-Family Residential (RM-2) zoning district, to allow a six-foot high wall with gates, and a seven-foot high column, 0 feet from the street right-of-way, for the real estate described in Section IX. Legal Description WITH THE FOLLOWING CONDITIONS(S):

A. CONDITIONS:

1. The variance is limited to the site plan, as shown on Exhibit "B" stamped received by Community Development FEB 25, 2013.

2. The walls, columns and gates must be in substantial compliance with the front elevation, as shown Exhibit C stamped received by Community Development DEC 21, 2012.

3. The landscape plantings must be in substantial compliance with the landscape plans approved in ADD2010-00040 and ADD2011-00012, attached hereto as Exhibits D and E.

IV. HEARING EXAMINER DISCUSSION:

This is a request for a variance to allow a 6-foot-high concrete block wall, and 7-foot-high concrete columns to be located zero feet from the right-of-way of East Railroad Avenue, which lies on the east side of Gasparilla Road in Boca Grande. The subject property is comprised of lots 1, 3, 5 and one-half of lot 7. It was platted in 1925, and is a rectangularly shaped 21,666-square-foot lot which contains a large single-family. It is abutted on the north, east and south by single-family homes on RM – 2 zoned lots, and the lands on the west side of Gasparilla Road are zoned RS-2, developed with a variety of uses. It is designated Urban Community in the Lee Plan, and is in the Boca Grande Historic District.

The single-family home was constructed on the subject property in 1975, where the house was found to encroach into the rear setback (along the east property line) at a later date. The property is abutted on the south and west by roadways (10 Street East on the south and East Railroad Avenue on the west), which, under today's regulations, requires a 25-foot setback from each roadway. At some point in time, concrete perimeter walls were constructed along 10th Street East, and on the south portion of the frontage on East Railroad Avenue, but those walls, columns, and gates did not comply with the required setbacks, being located instead right on the property line/right-of-way line – a zero foot setback.

Applicant recently purchased the subject property, with the intent of enlarging and renovating the existing house. However, they were required to obtain an Administrative Approval to legitimize the existing encroachments, before they could do the expansion and renovations. Applicant was also required to obtain approval of their plans from the Boca Grande Historic Board, since the property is located in the historic district. Both approvals were obtained in the summer of 2010.

Applicant now desires to construct a concrete wall along the northwest portion of the subject property, and to install gates across the two driveways that open out onto East Railroad Avenue. They want the new wall to match the setbacks and design of the existing wall in the southwest portion of the property - along East Railroad Avenue. There is a landscaped area in the northwest corner of the property, and the wall will be placed – on a diagonal – through that area. Applicant advised that none of the established trees in the landscape will be harmed; only the ground cover will be affected by the location of the wall.

Applicant asserted that the proposed wall, its location and design are consistent with other perimeter walls encompassing residential properties along East Railroad Avenue.

They did not believe the wall and gates would be detrimental to the neighborhood or the public health, safety and welfare. The wall and gates will be contained completely on their property and will not impair roadway visibility or create any other unsafe condition for the drivers on East Railroad Avenue, or the abutting properties. The wall would allow them to completely enclose their property, thereby providing protection to their family, visitors and pets.

Staff recommended approval of the variance, with three conditions, finding that the request, as conditioned, met the criteria for approval set out in LDC Section 34-145, and was consistent with the intent of the Lee Plan and the Land Development Code. They also found that the location of the property on the corner of two streets created the need for privacy and security on the site, and that the wall would provide such privacy and security. They also found that the requested wall - and location - was consistent with other walls in this historic community, and would not be detrimental or injurious to other persons or properties in the area or to the public health, safety and welfare. Staff found that the requested variance was the minimum variance that would give Applicant the ability to provide for the safety and security of his family, and to match the other walls already existing on the property.

There were no members of the public in attendance at the hearing.

The undersigned Hearing Examiner concurs with Staff's analysis, findings and recommendation of approval, as conditioned, finding that the request meets the criteria for approval set out in LDC Section 34-145, and is consistent with the intent of the Lee Plan and the Land Development Code. She finds that the need for the request results from the 1925 platting of the subject property on intersecting roadways, and from the location of the house, and the other walls, by a previous homeowner in or around 1975. She also finds that the requested walls and gates will not adversely impact Applicant's neighbors or the public health, safety and welfare.

It is the opinion of the Hearing Examiner that the requested variance is the minimum variance that will allow Applicant to construct a wall that matches the existing wall in the southwest corner of the property. As this property is located in the historic district of Boca Grande, it is important that new construction (even of walls) matches, as much as possible, the existing architecture and designs of structures in that area. It is her opinion that the conditions imposed herein are rationally related to the impacts anticipated from the proposed wall and gates.

V. FINDINGS AND CONCLUSIONS:

Based upon the Staff Report, the testimony and exhibits presented in connection with this matter, the undersigned Hearing Examiner makes the following findings and conclusions:

A. That there are exceptional or extraordinary conditions or circumstances inherent in the subject property.

B. That the exceptional or extraordinary conditions or circumstances are not the result of actions of the Applicant taken subsequent to the adoption of the ordinance, but result from the 1925 platting date of the property, its location on intersecting streets and in the historic district, and its development with a single-family structure and perimeter walls before the property was purchased by the current owner.

C. That the application of the street setback regulation to this property creates an unreasonable burden on the Applicant, and the Variance, as conditioned, is the minimum variance that will relieve the Applicant of that burden, and will allow the construction of the wall in accordance with the intent/goal of the historic district.

D. That the granting of the Variance, as conditioned, will not be injurious to the neighborhood or otherwise detrimental to the public welfare, as the wall and gates, as conditioned, will be contained completely on the subject property, and will not interfere with use of the abutting properties or the visibility on East Railroad Avenue.

E. That the situation of the subject property is not of a general or recurrent nature so as to make it more reasonable and practical to amend the ordinance.

F. That the recommended conditions are rationally related to the impacts anticipated from the proposed development, and, with other regulations, will provide sufficient safeguard to the public interest.

VI. LIST OF EXHIBITS:

STAFF'S EXHIBITS

1. A 2012 aerial photograph prepared by Lee County DCD, mapped February 2013, depicting the subject property, surrounding area and zoning designations (1 page – 24"x36")[color]
2. Four photographs of the subject property (8.5"x11")[color]

Résumés of Lee County Staff are on file with the Hearing Examiner's Office and are incorporated herein.

APPLICANT'S EXHIBITS

1. Résumé for Charles Turner Wittmaak (1 page – 8.5"x11")
2. Photographs depicting the subject property and surrounding sites, gates and walls, proposed wall and gate design, elevation plan & property layout for the subject property (2 boards, double sided & 1 board, single sided – 20"x30")

Résumés of Applicant's consultants are on file with the Hearing Examiner's Office and are incorporated herein.

VII. PRESENTATION SUMMARY:

The Hearing Examiner introduced herself and the case, and asked the participants to state their names for the record. The County was presented by Shawn Lamey, Senior Planner, with Lee County Zoning, and the Applicant was represented by Charles Wittmaak, an Architectural Designer. The Hearing Examiner asked Mr. Wittmaak to confirm that he was the representative for the property owners, the Sodels, and he replied that was correct. She placed everyone who would speak at the hearing under oath.

The Hearing Examiner asked if Mr. Wittmaak had previously been to a hearing and Mr. Wittmaak replied that he had not been at a hearing in that room. The Hearing Examiner explained she needed him to go through what the request is, where the property is located, what is around it, and what he feels any impacts would be from the request. She asked Mr. Wittmaak to tell her anything that he thought she needed to know to approve the request. She noted that Staff has recommended approval of the request with conditions, and asked that Mr. Wittmaak to tell her anything he thinks she should know to follow Staff's recommendation.

Mr. Lamey added that Mr. Wittmaak had a résumé and said he thought Mr. Wittmaak would like to be qualified as an expert witness in architectural design. Mr. Wittmaak presented his résumé and said that it was a résumé from years ago before he began working with his current employer. He noted that he had worked for two different architects as their residential designer about nine years ago. He has since moved on to other companies, although he is still present with those companies. CW Drafting & Building has been basically turned into Design for Life; it is the same company with a different name.

The Hearing Examiner inquired how long he has been an architect, and Mr. Wittmaak replied that he has been doing architecture work, under three different employers, since he was 18 years old. He also worked with this family business, Island Design and Building Company, on Boca Grande Island. He has worked with them since his professional career started.

The Hearing Examiner wanted to know when he received his architectural degree, and Mr. Wittmaak advised that he works with three main architects, as their assistant. The Hearing Examiner inquired if he had a formal degree in architecture, and he replied he did not have such a degree. Basically, he works with the architects to get their design work done and those architects have to approve everything he does.

The Hearing Examiner asked if he did the design work and the architects then have the final sign-off, and Mr. Wittmaak stated that was correct; they do approve everything he does. Many of the architects he works for are older and he does a lot of the legwork in getting the jobs done. He is an assistant to architects, and has done that type of work since he was 23 years old. When the Hearing Examiner surmised that he has been doing the designs for the past 12 years, Mr. Wittmaak said that he has actually built about 20 large waterfront upscale multi-million dollar homes. He has done entire plans,

set design and everything any architect would do, and it was all approved by his employer and then built.

The Hearing Examiner asked in what area did Mr. Wittmaak wanted to be accepted as an expert, and he said in architectural design. He said he mainly does residential design, and that is his expertise. He offered to send to the Hearing Examiner letters of recommendations, but she said that was fine and she would accept him as an expert in residential design for the purposes of the hearing. Since his work is signed off by somebody else, she did not want to qualify him as an architect.

He did say that he was not an architect, but that he was an architectural designer. He does engineer his own plans because of the knowledge gained over the years, structurally and everything. He added that he has just finished two jobs through Sarasota that are built on Siesta Keys and he had not received any kickbacks from the County on anything they had reviewed. She then said she would accept him as a residential designer for the purposes of the hearing.

The Hearing Examiner asked him for details of the project and what is around it. Mr. Wittmaak replied that the project location is 1000 East Railroad Avenue. The problem they were facing was that there was not a completion of the privacy wall/security wall, which is a historical feature that has been in place since anyone can remember. The Hearing Examiner asked whether the existing wall has been there, and Mr. Wittmaak said it was the wall that runs along East Railroad Avenue. He pointed to it on the board he provided.

He showed all sorts of walls of the same design and some that were different, but noted that they were all basically the same design. He showed walls that go down both sides of the street as you come into Boca Grande, but especially along Railroad Avenue from the inlets all the way down into town. He took this job because he saw this as a request to protect this property owner's security against trespassers, and to protect their pets and grandchildren by preventing them from getting into the streets. East Railroad Avenue is a two-way street, which is a plus for both sides. He felt that it needed to be complete, because the wall exists all the way down the street. You can see the wall behind the landscaping, and there are gates into the properties. Having the wall complete for the entire length of the street provides security all the way down that road.

The Hearing Examiner asked him to explain what he meant by the statement about the wall being all the way down the road. Mr. Wittmaak explained that the wall goes all the way around the subject property and down the street. When the Hearing Examiner asked if he was referring to East Railroad Avenue, Mr. Wittmaak said that was correct. He added that the gates were proposed to be placed across the two open areas (breaks in the wall), and then indicated the area where the wall was already in, where it went around the other sides of the property and the area in which the wall was never completed.

He went on to say that the column that was built on one side of the driveway was never permitted and was now being included in this request. He pointed out the two columns, the existing wall and the openings where the gates will be placed, and how the new

portion of the wall will angle away from the roadway. There is an existing approved landscaping plan that he did not want to disrupt, the wall would be located in the middle of the landscaping. He mentioned there had been an issue with an adjacent property owner about the buffer/landscaping, which was why he ran the wall through the existing landscaping, rather than remove the landscaping. The Hearing Examiner commented that the angle on the wall mirrored the angle on the existing portion of the wall, and Mr. Wittmaak agreed. He added that it is the exact same size and shape as the other corner of the property.

When the Hearing Examiner asked if it was going to connect into the wall behind the subject property, Mr. Wittmaak said no. The Hearing Examiner recalled having seen a 1.6-foot setback between the new wall and the wall on the adjacent property, and he agreed to that, as well. He believed that landscaping could be placed there to fill in that narrow gap, but did not want to connect the new wall to the neighbor's wall. He confirmed that the other wall belonged to the property north of/behind the subject property. He concluded his presentation by saying that the Applicant was just completing the construction that was already started. When the Hearing Examiner conducts her site visit, she will see that the existing wall on the subject property looks incomplete.

In response to the Hearing Examiner's inquiries, Mr. Wittmaak stated that the new wall will be constructed out of concrete block with a stucco exterior, to match what is already there. When she inquired about the footers, Mr. Wittmaak believed that the footers will be between 16 to 32 inches wide, and they were going to have to figure out what they had to work with. The house and existing wall had been constructed by another developer, and he was uncertain about the construction of the other walls.

The Hearing Examiner explained that her question about the footers related to the potential impacts the wall/footers will have on the existing landscaping. In response, Mr. Wittmaak explained that the palm trees will not be disturbed; only the ground cover will be disturbed.

Next, the Hearing Examiner inquired about Ms. Williams, the neighbor to the north who, at one point, had objected to the request, noting that there was a letter included with the Staff Report, which indicated Ms. Williams no longer objected. She was unsure of the status of the request with that adjacent property owner. Mr. Wittmaak explained that the Applicant wanted to have a wrought iron fence at one time, but he believed that would look like an afterthought. He mentioned that there were some issues when they were building, but he was not involved at that time.

Mr. Lamey was not sure that this issue was clear in the Staff Report, but, at one point, approximately one year ago, the property owner attempted to install a wrought iron fence with a metal gate. Because this property is in the historic district, Staff could do an administrative relief - under the signature of the zoning director. Typically, in these types of request, the County requires all the neighboring property owners to sign off on the request. In this case, the attempt to get that signed off could not be achieved because Ms. Williams did not approve it. That left the only way to get the fence/wall approved, was to go through the public hearing process. The Applicant re-filed the request, notified

everyone legally, placed signs on the subject property and then attended the public hearing.

The Hearing Examiner asked if Ms. Williams had contacted Staff or the Applicant, but she had not. Mr. Wittmaak mentioned that, before the landscaping had been put in along the neighbor's fence, an RV was parked in that area, and its generator was used a lot. The Hearing Examiner indicated her understanding of Ms. Williams' concern, considering how close Ms. Williams' house was to the property line. Mr. Wittmaak advised that he held a public meeting about the request, but nobody came to the meeting and he did not receive any objections to the subject request. He did receive some phone calls, but nobody objected to it.

The Hearing Examiner asked if the existing wall along the East Railroad Avenue were at the same setback being requested for this wall, and Mr. Wittmaak said yes.

At this point, the Hearing Examiner asked Staff if they were just legitimizing the rest of the wall or just the new section, to which Mr. Lamey indicated that the rest of the wall had been legitimized in the previous administrative action. When the Hearing Examiner asked if the new section and gates are being legitimized at this time, and Mr. Lamey said that was correct, and indicated the section that was being legitimize. She asked if the gates will be setback 1.4 feet, and Mr. Wittmaak said yes.

Then, the Hearing Examiner stated that she did not see a particular problem with approving this request since the setback for the one portion of the new wall is the same as the setback on the rest of the street, and the other part is also angled backwards. Mr. Wittmaak then mentioned that everyone he has spoken to did not know why this was an issue. The Hearing Examiner then asked Staff to proceed with their presentation.

Shawn Lamey, with Lee County Division of Zoning, introduced himself for the record. Then he requested to be accepted as an expert witness in planning, zoning, and land use matters, as he had been in the past. Hearing no objections, he was accepted as such by the Hearing Examiner.

Mr. Lamey began his presentation by saying that the Staff Report for this case is numbered VAR2012-00024 and is dated February 26, 2013. At this time, he wanted the report incorporated into the record, and the Hearing Examiner accepted it. He went on to say that the Applicant has requested a street setback variance of zero feet, for the addition of a six-foot-high wall with five-foot-high gates and seven-foot-high columns for a single family residence located 1000 East Railway [sic – Railroad] Avenue.

The variance request, if granted, will enable the Applicant to place the proposed wall, with gate and columns, on the northwest side of the property, as depicted on the site plan – Attachment B of the Staff Report. The property is a rectangularly shaped lot and has 125 feet of road frontage on East Railway [sic – Railroad] Avenue, which is a County maintained local road, with a 50-foot right-of-way, and 125 feet of road frontage on 10th Street East, a local maintained road, with a 50-foot right-of-way.

The existing 6,867 square-foot, single-family residence was renovated and enlarged in 2011 by the Applicant. An accessory swimming pool with spa is located on the east side of the property. The subject property is located within the Boca Grande Historic District, as designated by Resolution HD-90-05-01.

He explained that the project was reviewed by the Historic Preservation Board and was issued a Certificate of Appropriateness numbered COA2010-00069 – which is Attachment C of the Staff Report – and issued zoning relief pursuant to ADD2010-00040. Those approvals would bring the existing single-family residence and walls into compliance with street and side setbacks and height requirements, which would then allow for the rehabilitation and remodel of the existing single-family residence – Attachment D of the Staff Report.

The project, as it is at this time, complies with the historic architectural standards and guidelines. He then referred to an aerial photograph of the site and noted that it illustrated the nature of the surrounding area. He pointed out that the area denoted in red, which was to mark the property location, was actually incorrect; it was missing a piece of property to the north side. However, the property was correctly depicted on the legal description included in the Staff Report.

The subject property is zoned Multiple-Family Residential (RM-2) and is developed with a single-family home. Single-family dwellings dominate the local streetscape. The variance will allow for a 33-foot-long wall and two sliding gates, which are 20 linear feet each, to be constructed along East Railway [sic - Railroad] Avenue, to match the existing walls at the entrance to two driveways, to secure the property. He mentioned that the elevations on the drawings are shown on Attachment E of the Staff Report. As shown on the site plan, the security gates will be located on the property line and be constructed with metal materials, with two decorative palm trees centered on the gates.

He explained that these gates will be connected to existing and proposed walls, consisting of stucco exterior. The proposed wall connects to an existing, unpermitted 7-foot-high column that will extend 4 feet 9 inches along East Railway [sic - Railroad] Avenue, parallel to the property, and then turn on a 45-degree angle, for 28 feet 2 inches, in a northeasterly direction toward the north property line. The wall will end at a proposed 7-foot-high column and will be setback 6 inches from the north property line. This will result in a setback at that end of about 20 feet from East Railway [sic - Railroad] Avenue. The proposed wall will run through the existing landscaped area at an angle and no trees will be removed. The intent is to match the proposed wall to the angled wall found on the southwest corner of the property, without any reduction in the landscaped area.

Staff evaluated the proposed in the context of the Applicant's written narrative, proposal, and impacts on the surrounding development pattern and zoning designation. Staff now must ensure the request in fact qualifies for the variance. Staff has concluded the following: The requested variance, as conditioned, creates no adverse impact to the surrounding land uses. The proposed variance on the subject property has been found to be consistent with the Policies and Objectives of the Lee County Comprehensive

Plan. In particular, residential uses are appropriate within the Urban Community land use category.

The variance, as conditioned, will facilitate the development of the site in a manner that is consistent with the intent of the Urban Community land use category. This request will not impair the development of the adjacent properties; nor will its unique natural habitat be impacted. Furthermore, the request is not expected to adversely affect the health, safety or welfare of the neighborhood. He concluded by saying that, based on the findings and conclusions outlined in the Staff Report, Staff recommends approval of the requested variance, as conditioned in Section II(A) of the Staff Report.

At this time, the Hearing Examiner asked if the Applicant had any questions, but he did not. Then, the Hearing Examiner referred to page 2 of the Staff Report, and mentioned that Staff has recommended three conditions in the approval. She asked if the Applicant had any objections, questions or concerns regarding these conditions, and Mr. Wittmaak said no. She then asked Gloria Sajgo and Carol Lis if they had a presentation to make, but they did not.

The Hearing Examiner explained that she did not see any particular problem with this request, given the development in the neighborhood and the existing conditions, but she wanted to let them know that she is working on a major mining case so it will be approximately three weeks before she renders a decision on this case, after she does a site visit to the property. The hearing was then closed.

VIII. OTHER PARTICIPANTS AND SUBMITTALS:

ADDITIONAL APPLICANT'S REPRESENTATIVES:

ADDITIONAL COUNTY STAFF:

NONE

PUBLIC PARTICIPATION:

A. THE FOLLOWING PERSONS TESTIFIED OR SUBMITTED EVIDENCE FOR THE RECORD AT THE HEARING (SEE SECTION VI.):

For: NONE

Against: NONE

General: NONE

B. THE FOLLOWING PERSONS SUBMITTED A LETTER/COMMENT CARD, OR OTHERWISE REQUESTED A COPY OF THE HEARING EXAMINER DECISION:

For: NONE

Against: NONE

General: NONE

IX. LEGAL DESCRIPTION:

See Exhibit A (scanned legal description).

X. UNAUTHORIZED COMMUNICATIONS:

Unauthorized communication (Hearing Examiner) means communication in any form, whether written, verbal, or graphic, with the Hearing Examiner or the Hearing Examiner's staff, by any person outside of a public hearing and not on the record, concerning substantive issues in any proposed, anticipated, or pending matter relating to appeals, variances, special permits, rezonings, special exceptions or any other matter assigned by statute, ordinance or administrative code to the Hearing Examiner for discussion or recommendation, except as permitted in the County Administrative Code. Communications regarding procedural aspects of a proceeding are not deemed unauthorized.....[LDC Section 2-191(a)]

No person may communicate with a Hearing Examiner or the Hearing Examiner's staff regarding the substance (non-procedural aspects) of a pending rezoning action or appeal to be considered by the Hearing Examiner under Sections 2-420 through 2-429, or 34-145.....[LDC Section 2-191(b)(2)]

Penalties. Any person who intentionally makes or attempts to initiate an unauthorized communication to or with a Hearing Examiner, a member of the Hearing Examiner's staff, a County Commissioner or an Assistant to a County Commissioner, or any Hearing Examiner or County Commissioner who fails to publicly disclose and report an unauthorized communication or an attempt to initiate an unauthorized communication, may be subject to the following penalties: [LDC Section 2-291(c)]

Revocation, suspension or amendment of any permit, variance, special exception or rezoning granted as a result of the Hearing Examiner action that is the subject of the unauthorized communication.....[LDC Section 2-191(c)(2)] or

A fine not exceeding \$500.00 per offense, by imprisonment in the County jail for a term not exceeding 60 days, or by both such fine and imprisonment.....[LDC Section 1-5(c)]

XI. APPEALS:

This Decision becomes final on the date rendered. A Hearing Examiner Decision may be appealed to the Circuit Court in Lee County. Appeals must be filed within thirty (30) days of the date the Hearing Examiner Decision is rendered. Appeal is by Petition for Writ of Certiorari in accordance with the Lee County Land Development Code Section 34-146.

XII. COPIES OF TESTIMONY AND TRANSCRIPTS:

A. A complete verbatim transcript of the testimony presented at the hearing can be purchased from the court reporting service under contract to the Hearing Examiner's Office. The original documents and file in connection with this matter are located at the Lee County Department of Community Development, 1500 Monroe Street, Fort Myers, Florida.

B. The original file and documents used at the hearing will remain in the care and custody of the Department of Community Development. The documents are available for examination and copying by all interested parties during normal business hours.

This Decision is rendered this 15th day of March, 2013. Notice or copies of this decision will be delivered to the offices of the Lee County Board of County Commissioners.



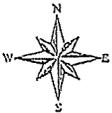
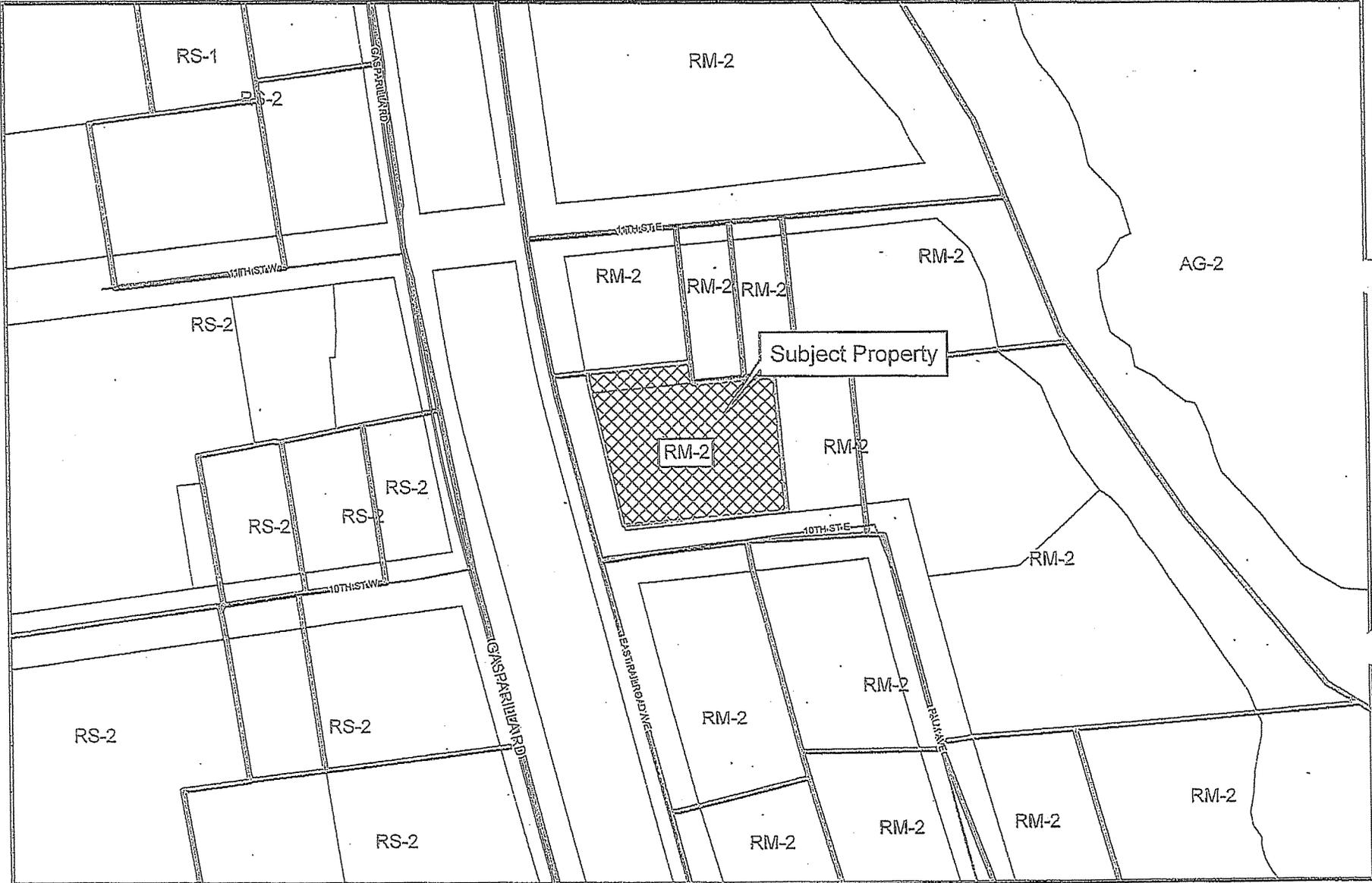
DIANA M. PARKER
LEE COUNTY CHIEF HEARING EXAMINER
1500 Monroe Street, Suite 218
Post Office Box 398
Fort Myers, FL 33902-0398
Telephone: 239/533-8100
Facsimile: 239/485-8406

ATTACH MAP A
ATTACH SITE PLAN (if approved)

Attachment "A" Zoning Map

VAR2012-00024

1/30/2013



LEGAL DESCRIPTION

LOTS 1, 3, 5 & W 1/2 OF LOT 7, BLOCK 61 REVISED PLAT OF BOCA GRANDE, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR LEE COUNTY, FLORIDA RECORDED IN PLAT BOOK 7, PAGE 1 AND 1A.

ALSO

THE SOUTH 20 FEET OF LOT 2 AND LOT 4, BLOCK 61 REVISED PLAT OF BOCA GRANDE, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR LEE COUNTY, FLORIDA RECORDED IN PLAT BOOK 7, PAGE 1 AND 1A MORE PARTICULARY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 1, BLOCK 61 OF THE REVISED PLAT OF BOCA GRANDE, SAID CORNER LYING ON THE EAST RIGHT-OF-WAY LINE OF RAILROAD AVENUE RUN ALONG SAID RIGHT-OF-WAY AND THE WEST LINE OF LOT 2, BLOCK 61, N09°40'49"W FOR 20.07 FEET; THENCE RUN PARALLEL TO AND 20.00 FEET NORTH OF THE SOUTH LINE OF LOTS 2 AND 4, BLOCK 61, N85°07'04"E FOR 95.75 FEET TO AN INTERSECTION WITH THE EAST LINE OF LOT 4, BLOCK 61; THENCE RUN ALONG SAID EAST LINE OF LOT 4, S04°52'56"E FOR 20.00 FEET TO THE SOUTHEAST CORNER OF LOT 4, BLOCK 61; THENCE RUN ALONG THE SOUTH LINE OF LOT 2 AND 4, BLOCK 61, S85°07'04"E FOR 94.08 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 21,666.3 SQUARE FEET MORE OR LESS.

EXHIBIT A

1.17.13

APPROVED
LEGAL

WMA

LDC
10.09.2010

APPROVED

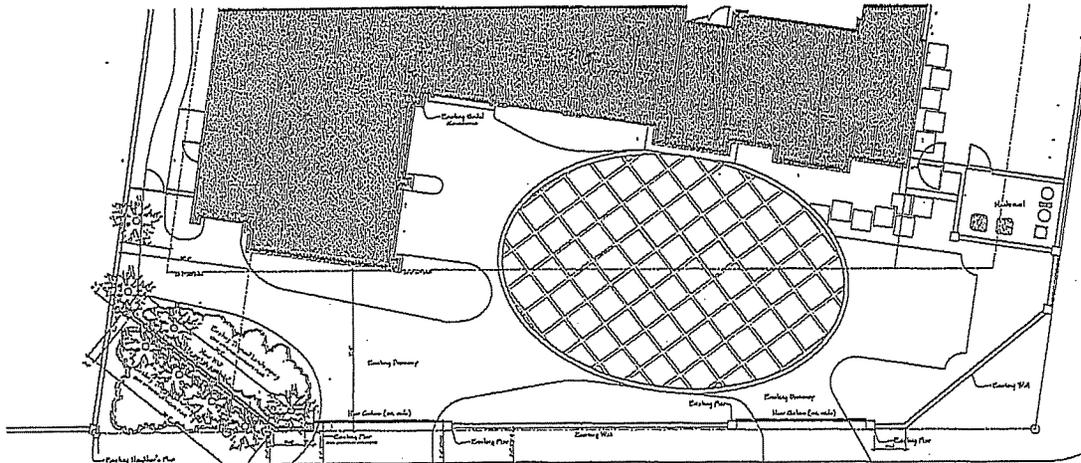


<p>STOUTEN & ASSOCIATES, INC. SURVEYING & MAPPING 11000 A Street, Suite 100, Fort Lauderdale, FL 33324 Phone: 954-331-1111 Fax: 954-331-1111</p>	<p>10/17/13 <i>[Signature]</i></p>
--	--

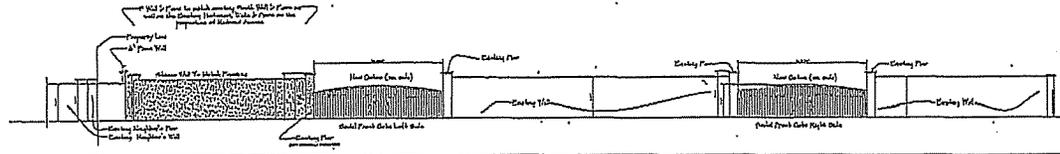
EXHIBIT B

RECEIVED
FEB 25 2013

COMMUNITY DEVELOPMENT



SODEL WALL & GATE DETAIL
1000 RAILROAD AVENUE, SOCA GRANDE
FLORIDA 33921
- SITE PLAN -
SCALE: 1/8" = 1'-0"



SODEL WALL & GATE DETAIL
1000 RAILROAD AVENUE, SOCA GRANDE
FLORIDA 33921
- ELEVATION PLAN -
SCALE: 1/8" = 1'-0"

NO.	DATE	DESCRIPTION
1	02/25/13	ISSUED FOR PERMITS
2		
3		
4		
5		
6		

SODEL WALL & GATE DETAIL

DESIGN FOR:
SODEL
1000 RAILROAD AVENUE
SOCA GRANDE, FLORIDA 33921

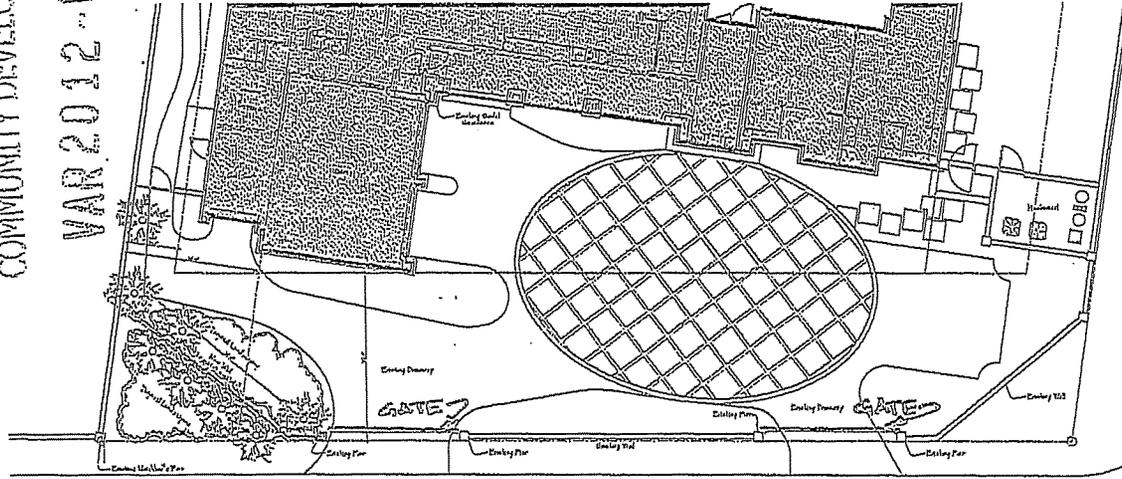


EXHIBIT C

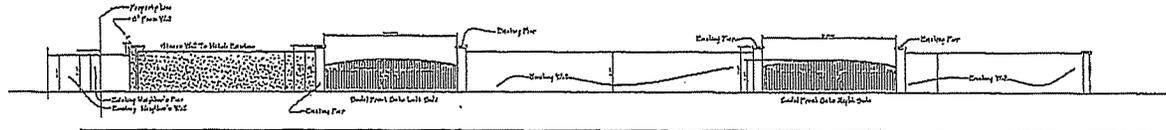
W. B. BERRY & SONS
 DEC 21 2012

COMMUNITY DEVELOPMENT

VAR 2012-00024



SODEL WALL & GATE DETAIL
 1000 RAILROAD AVENUE, BOCA RATON
 FLORIDA 33421
 - SITE PLAN -
 SCALE: 1/8" = 1'-0"



SODEL WALL & GATE DETAIL
 1000 RAILROAD AVENUE, BOCA RATON
 FLORIDA 33421
 - ELEVATION PLAN -
 SCALE: 1/8" = 1'-0"

NO.	DATE	REVISIONS	BY	DATE
1	12/21/12			
2				
3				
4				
5				

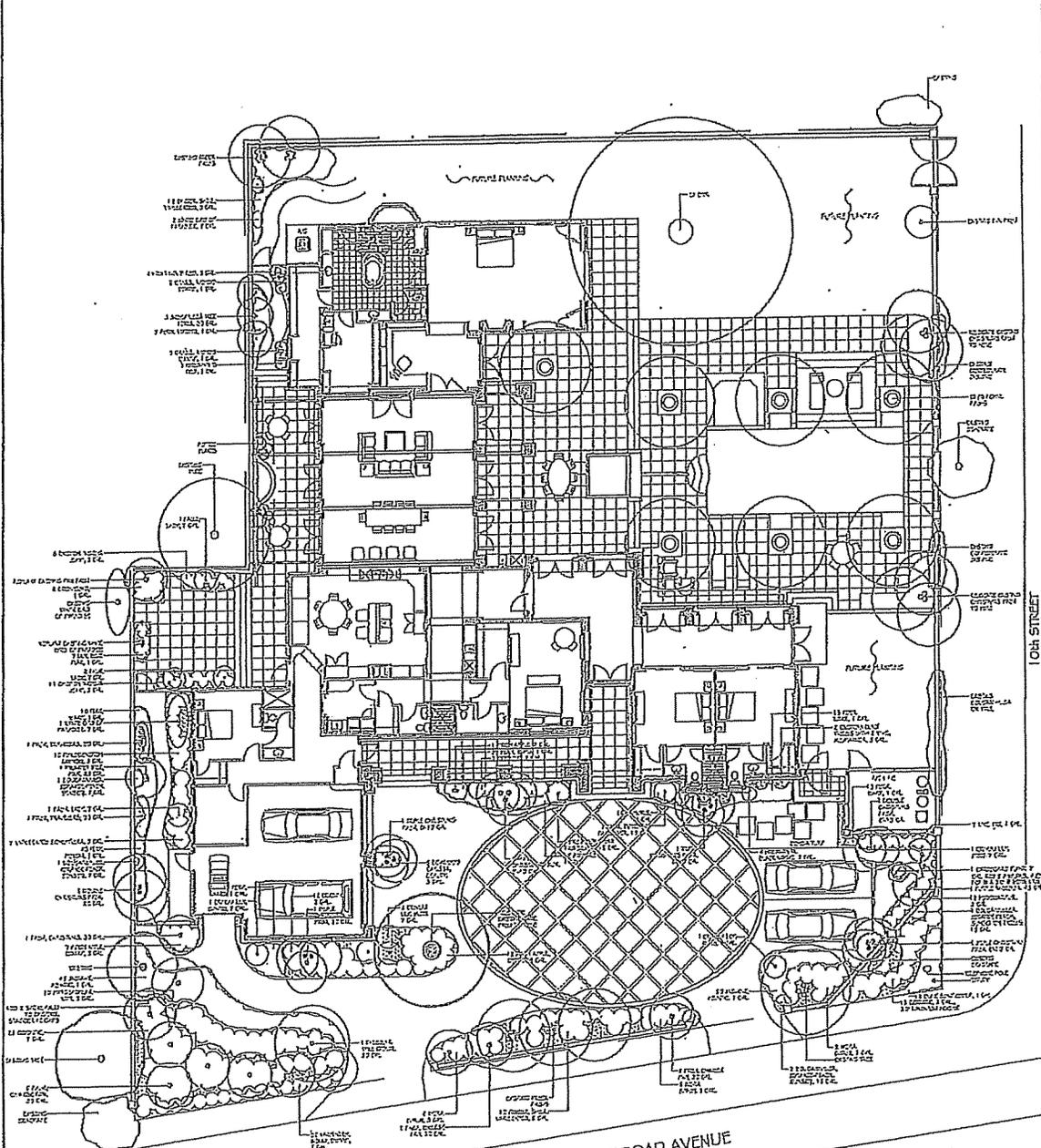
SODEL WALL &
 GATE DETAIL

DESIGN FOR:
 SODEL
 1000 RAILROAD AVENUE
 BOCA RATON, FLORIDA 33421

W. B. BERRY & SONS
 ARCHITECTS
 1000 RAILROAD AVENUE
 BOCA RATON, FLORIDA 33421
 TEL: 561-363-1111
 FAX: 561-363-1112

EXHIBIT D

10/10/10 11:28:00 AM 10/10/10 11:28:00 AM
 Copyright © 2010 Autodesk, Inc. All Rights Reserved.



EAST RAILROAD AVENUE

APPROVED
 Plan

Subject to Case # ADD2010-00040

Date 8/31/10



1641 North Dixie Road
 Vero Beach, Florida 32982
 Telephone: 781-233-2331
 Facsimile: 781-233-2332
 Email: jwsodel@verobeach.com
 www.verobeach.com

A Proposed Landscape Plan for
THE SODEL RESIDENCE
 1000 east railroad avenue
 boca grande, florida 33921

City of Boca Grande
 Planning and Zoning
 Department
 1000 East Railroad Avenue
 Boca Grande, Florida 33921
 813-937-1234

City of Boca Grande
 Planning and Zoning
 Department
 1000 East Railroad Avenue
 Boca Grande, Florida 33921
 813-937-1234

sheet number
LS-1
 of
 1

EXHIBIT E

ADMINISTRATIVE APPROVAL (HD) ADD2011-00012

ADMINISTRATIVE APPROVAL
HISTORIC DISTRICT
LEE COUNTY, FLORIDA

WHEREAS, Herbert & Nancy Sodel filed an application for administrative approval for administrative relief for proposed pool and spa on a project known as Sodel Residence; and

WHEREAS, the subject property is located at 1000 East Railroad Ave, described more particularly as:

LEGAL DESCRIPTION: In Section 14, Township 43 South, Range 20 East, Lee County, Florida:

See Exhibit "A"

WHEREAS, the applicant has indicated the property's current STRAP number is 14-43-20-01-00061.0010; and

WHEREAS, the property is zoned Residential Multi-family (RM-2) ; and

WHEREAS, the property is located in the Boca Grande Historic District as designated by Resolution HD-90-05-01; and

WHEREAS, the subject property is developed with a non-contributing one-story single-family residence constructed in 1975; and

WHEREAS, landscaping will be installed along the north property providing a buffer to the adjacent property owner; and

WHEREAS, the subject property is 21,665± square feet in lot area, 144± feet in width and 151± feet in depth; and

WHEREAS, the subject property is consistent with the permitted five dwelling units per acre as required under the Gasparilla Act of 1980; and

WHEREAS, the Lee County Comprehensive Plan limits density to 3 du/acre in the Urban Community Land Use category on Gasparilla Island; and

WHEREAS, the lot area is consistent with the Urban Community density requirements of the Lee Plan; and

WHEREAS, the existing pool was structural damaged during the removal and relocation of the pool side Royal Palms, and now zoning relief for the construction of a new pool and spa, as shown on the attached site plan shown as Attachment "A"; and

WHEREAS, the pool location was reviewed and approved under COA2011-00036 as outlined in Attachment "B"; and

WHEREAS, adjacent property owners have signed a letters of no objection, shown as Attachment "C"; and

WHEREAS, an application for administrative relief for designated historic resources has been filed pursuant to the Lee County Land Development Code Section 22-174; and

WHEREAS, the Lee County Land Development Code provides for administrative relief from the Zoning Regulations for matters involving setbacks, lot width, depth, area requirements, land development regulations, height limitations, open space requirements, parking requirements, and other similar zoning relief not related to a change in use of the property in question; and

WHEREAS, relief is requested in the RM-2 zoning district, as provided by the Lee County Land Development Code, as follows:

- a) Relief from LDC Section 34-1174(b)(2) for an existing accessory structure (Pool) with a proposed spa with a setback of 11 feet 4 inches, where 25 feet is the minimum setback requirement from the street right of way (10th Street East).

WHEREAS, the subject application and plans have been reviewed by the Lee County Department of Community Development in accordance with applicable regulations for compliance with all terms of the administrative approval; and

WHEREAS, the following findings of fact are offered:

- A. The relief will be in harmony with the general appearance and character of the community.
- B. The relief will not be injurious to the area involved or otherwise detrimental to the public health, safety or welfare.
- C. The proposed work is designed and arranged on the site in a manner that minimizes aural and visual impact on the adjacent properties while affording the owner(s) a reasonable use of their land.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for Administrative Approval for relief in the RM-2 zoning district from the Lee County Land Development Code, from:

- a) LDC Section 34-1174(b)(2) for an existing accessory structure (Pool) with a proposed spa with a setback of 11 feet 4 inches, where 25 feet is the minimum setback requirement from the street right of way (10th Street East).

is APPROVED. Site Plan ADD2011-00012, attached hereto as Attachment "A", is hereby APPROVED and adopted. A reduced copy is attached hereto.

APPROVED is subject to the following conditions:

1. Prior to CO (Certificate of Occupancy), a letter of transmittal must be submitted verifying the landscape plantings, (from the driveway entrance running along north property line, with 5 additional sabal palms planted at southwest corner of the property behind the wall), are in substantial compliance with the attached landscape plan dated received February 15, 2011, attached hereto as Attachment "D".
2. The trees and shrubs must be maintained in perpetuity.
3. The terms and conditions of the original ADD2010-00040, remain in full force and effect, except as specifically amended herein.

DULY SIGNED this 17th day of March, A.D., 2011.

BY: 
Pam Houck, Director
Division of Zoning
Department of Community Development

ATTACHMENTS:

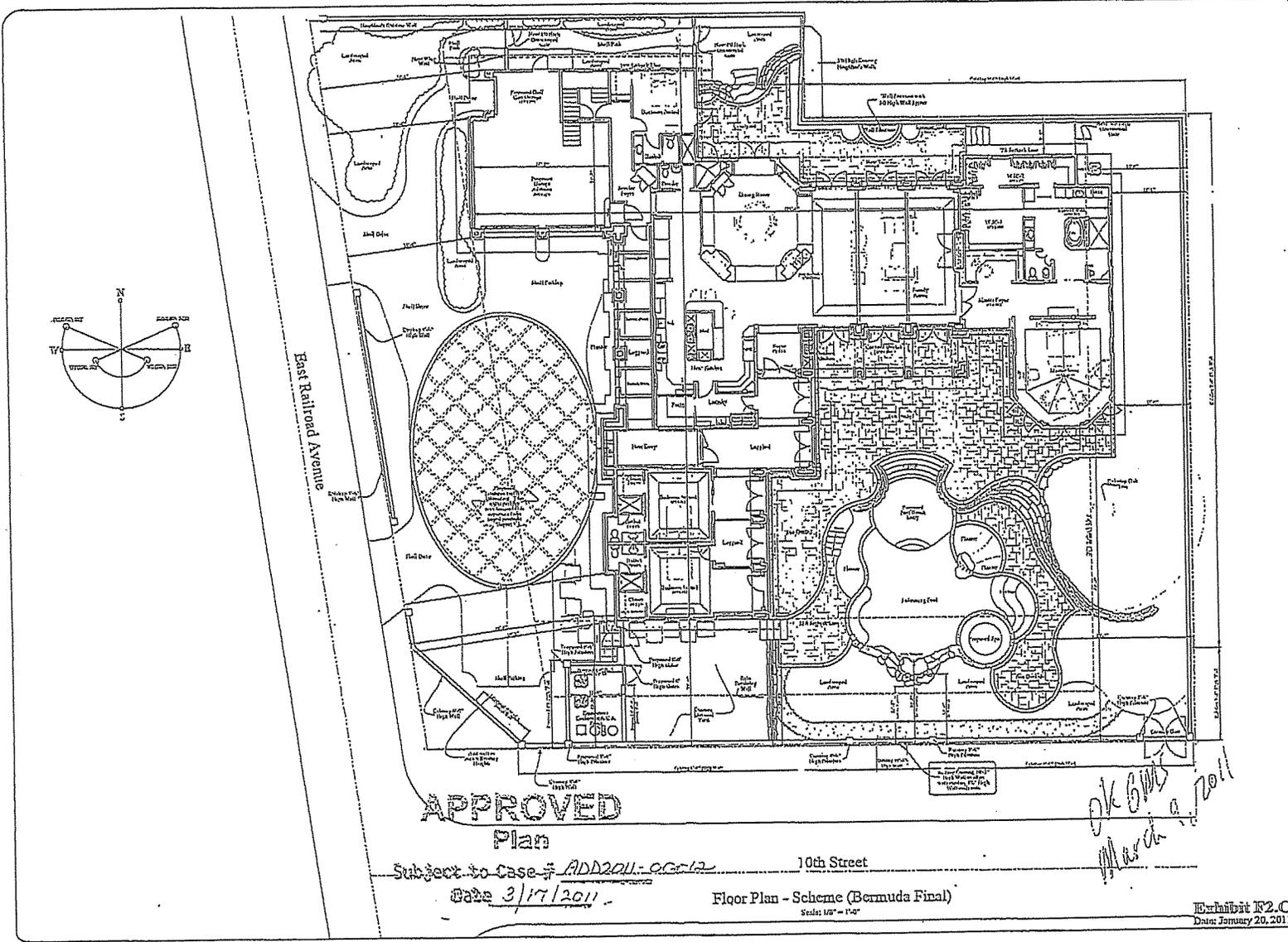
- A - Site plan dated January 20, 2011.
- B - COA2011-00036
- C - Letters of No Objection
- D - Landscape Plan

DATE	BY

As Lessor & Recipient for
Herbert & Nancy Sodel
 1000 East Railroad Avenue
 Lots 1, 3 & 1A 1 & 7
 Boca Grande, Gasparilla Island, Lee County, Florida

WILLIAMSON-WANKLE
 architects LLC
 1000 East Railroad Avenue
 Boca Grande, Gasparilla Island, Lee County, Florida

Sheet
4
 of 4



1000 EAST RAILROAD AVENUE, BOCA GRANDE, GASPARILLA ISLAND, LEE COUNTY, FLORIDA

LEE COUNTY HISTORIC PRESERVATION
 REGULAR CERTIFICATE OF APPROPRIATENESS

COA2011-00036

Lee County Planning Division, P.O. Box 398, Fort Myers, FL 33902-0398
 Telephone (239) 533-8585 FAX (239) 485-8319

NOTE: This application is only for work classified as "ordinary maintenance and repair," or for any work that will result, to the satisfaction of the county staff, in the close resemblance in appearance of the building, architectural feature, or landscape feature to its appearance when it was built or was likely to have been built, or to its appearance as it presently exists so long as the proposed appearance is appropriate to the style and materials.

Contributing Non-Contributing Individual Designation Not Historical

Name of Project: SODEL RESIDENCE
 Location: 1000 EAST RAILROAD AVE BOCA GRANDE 33921
 STRAP No.: 14-43-20-01-00061.0010 DH#: HD90-05-01
 Name of Applicant: THOMAS HINKLE
 Address: 5703 ROSE GARDEN ROAD
 CAPE CORAL, FL 33914
 Phone: 239-542-7686

Name of Historic District, if applicable: BGHD
 Project Description: New Pool and Amendment to COA2010-00069 Sodel

Change in Use: No

If yes, explain:

Does this use require a variance, special permit, or special exception under the Zoning Ordinance? Yes

If yes, explain:

Has a development order or exemption been applied for prior to or concurrent with this application? No

If yes, explain:

If you wish to appeal this decision, you may apply for a Special Certificate of Appropriateness within 30 days of this decision. This will enable you to make your request to the Historic Preservation Board for this work. You may obtain a Special Certificate of Appropriateness form by contacting the historic preservation planner at the Lee County Division of Planning. Specific details describing the Special Certificate of Appropriateness process are found in Chapter 22, Historic Preservation, of the Lee County Land Development Code (LDC).

***** FOR STAFF USE ONLY *****		
Date Filed:	Date issued: 03/09/2011	APPROVED
Certified By: Gloria Sajgo		
* Explanation Attached		

Lamey, Shawn

From: Loraine Williams [pw3200@mindspring.com]
Sent: Wednesday, February 23, 2011 10:05 AM
To: Lamey, Shawn
Subject: North property line landscaping

I approve the latest draft of the property known as Sodel residence in regard to trees and shrubs to be planted and maintained in perpetuity on the north property line. Loraine Williams Sent from my iPad

November 15, 2010

Priscilla & Bill Wilcox - cc: Ellen Wilcox
Foxhall Village 10
Longwood Drive Apt 470
Westwood, MA 02090
Strap: 14-43-20-01-00061.0090

Mailing Address:
PO Box 1800
Boca Grande, Florida 33921

Re: 1000 East Railroad Avenue - Pool Change,
Boca Grande, Florida 33921

Dear Ellen,

As your neighbor and adjacent property owner, we are notifying you of the proposed pool change at 1000 East Railroad Avenue before we present to the Boca Grande Preservation Board.

Attached is a copy of the proposed pool plan and Site Plan dated November 12, 2010 (Exhibit A).

Zoning Relief:

Relief from LDC Section 34-1174(b) for a proposed accessory structure (Pool and Spa) with a setback of 11 feet 6 inches, where 100 feet is the minimum setback requirement from the street right of way (10th Street East & East Railroad Avenue).

The zoning relief for the pool is sought due to structural damage incurred during the removal and relocation of the mature Royal Palms. The previously approved pool was 6' from the property line while the new pool will be 11' from the property line. We will also reduce the 10'0 section of wall at the property line to align with the existing property line wall. These changes, according to the Zoning Department, bring the project more in line with existing zoning regulations.

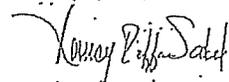
Also, I have elected to eliminate the outdoor fireplace and trellis structure in the courtyard.

If you should have any questions please contact Tom of Williamson Hinkle Architects LLC at 239-542-7686 or Email at Thinkle64@Comcast.net. Dick Yusk, our Contractor, will also be available on site to answer any questions or concerns. Dick can be reached at 941-964-0078.

The drawing was prepared by Williamson Hinkle Architects, LLC. The zoning relief statement was prepared by Lee County Department of Community Development's Zoning Division.

Please review and if you have no objections to the proposed pool change and zoning relief, please sign below and return this letter in the self addressed stamped envelope provided.

Thank you very much,



Nancy & Herb Sodel
Owner of 1000 East Railroad Avenue

I received the proposed documents for, 1000 East Railroad Avenue, Boca Grande, Florida. As an adjacent property owner I have no objections to the plans (Exhibit A) or zoning relief item listed above as submitted.

Site Plan dated: November 12, 2010.

Ellen Wilcox 12/1/10
Priscilla Wilcox Date Bill Wilcox Date
Ellen Wilcox

If there are issues of concern, please list these in area provided below.

November 15, 2010

Lewis & Gayle Dolan
1160 11th Street
Boca Grande, Florida 33921
Strap: 14-43-20-01-00061.0060

Mailing Address:
PO Box 182
Boca Grande, Florida 33921

Re: 1000 East Railroad Avenue - Pool Change.
Boca Grande, Florida 33921

Dear Lewis & Gayle,

As your neighbor and adjacent property owner, we are notifying you of the proposed pool change at 1000 East Railroad Avenue before we present to the Boca Grande Preservation Board.

Attached is a copy of the proposed pool plan and Site Plan dated November 12, 2010 (Exhibit A).

Zoning Relief:
Relief from LDC Section 34-1174(b) for a proposed accessory structure (Pool and Spa) with a setback of 11 feet 6 inches, where 100 feet is the minimum setback requirement from the street right of way (10th Street East & East Railroad Avenue).

The zoning relief for the pool is sought due to structural damage incurred during the removal and relocation of the mature Royal Palms. The previously approved pool was 6' from the property line while the new pool will be 11' from the property line. We will also reduce the 10'0" section of wall at the property line to align with the existing property line wall. These changes, according to the Zoning Department, bring the project more in line with existing zoning regulations.

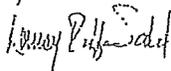
Also, I have elected to eliminate the outdoor fireplace and trellis structure in the courtyard.

If you should have any questions please contact Tom of Williamson Hinkle Architects LLC at 239-542-7686 or Email at Thinkle64@Comcast.net. Dick Yusk, our Contractor, will also be available on site to answer any questions or concerns. Dick can be reached at 941-964-0078.

The drawing was prepared by Williamson Hinkle Architects LLC. The zoning relief statement was prepared by Lee County Department of Community Development's Zoning Division.

Please review and if you have no objections to the proposed pool change and zoning relief, please sign below and return this letter in the self addressed stamped envelope provided.

Thank you very much,



Nancy & Herb Sodel
Owner of 1000 East Railroad Avenue

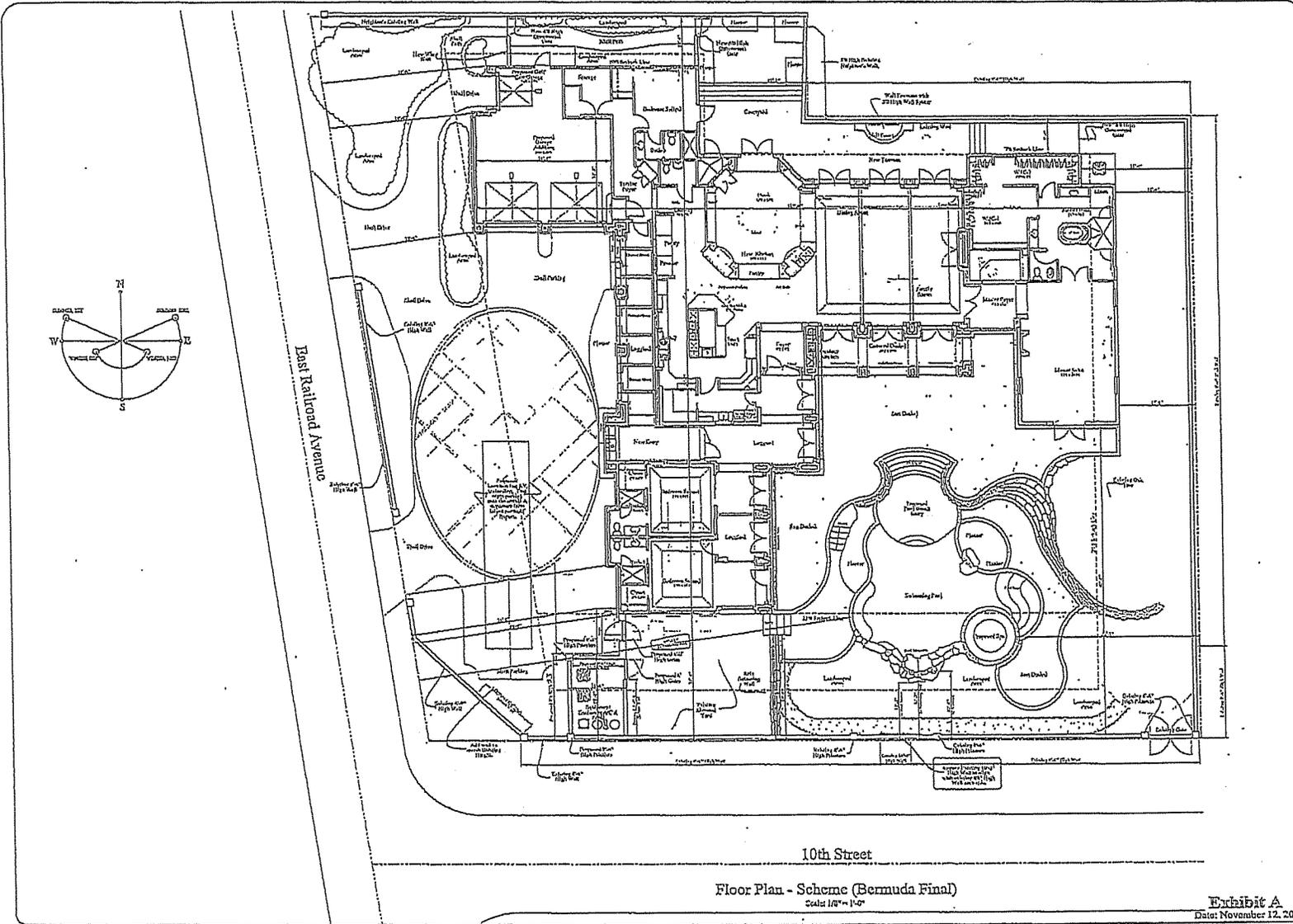
I received the proposed documents for, 1000 East Railroad Avenue, Boca Grande, Florida. As an adjacent property owner I have no objections to the plans (Exhibit A) or zoning relief item listed above as submitted.

Site Plan dated: November 12, 2010.

Herb Sodel 12-6-10
Date and/or

Gayle Dolan 12-6-10
Date

If there are issues of concern, please list these in area provided below.



OWNER	NAME
DESIGNER	NAME
DATE	DATE
PROJECT	PROJECT
DATE	DATE

An Address & Revoked for
Herbert & Nancy Sodel
 1600 East Railroad Avenue
 LOTS 1, 3, 5 & 17, Lot 7
 Boca Grande, Gasparilla Island, Lee County, Florida

WILLIAMSON-WINKLE
architects LLC
 10000 W. ...
 ...

Sheet
4
 of 4

Floor Plan - Scheme (Bermuda Final)
 Scale: 1/8" = 1'-0"

Exhibit A
 Date: November 12, 2010

CHARLES LUNSFORD

Mailing Address:
PO Box 1800
Boca Grande, Florida 33921

Re: 1000 East Railroad Avenue - Pool Change.
Boca Grande, Florida 33921

Dear CHARLES,

As your neighbor and adjacent property owner, we are notifying you of the proposed pool change at 1000 East Railroad Avenue before we present to the Boca Grande Preservation Board.

Attached is a copy of the proposed pool plan and Site Plan dated November 12, 2010 (Exhibit A).

Zoning Relief:
Relief from LDC Section 34-1174(b) for a proposed accessory structure (Pool and Spa) with a setback of 11 feet 6 inches, where 100 feet is the minimum setback requirement from the street right of way (10th Street East & East Railroad Avenue).

The zoning relief for the pool is sought due to structural damage incurred during the removal and relocation of the mature Royal Palms. The previously approved pool was 6' from the property line while the new pool will be 11' from the property line. We will also reduce the 10'0 section of wall at the property line to align with the existing property line wall. These changes, according to the Zoning Department, bring the project more in line with existing zoning regulations.

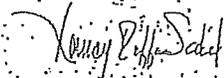
Also, I have elected to eliminate the outdoor fireplace and trellis structure in the courtyard.

If you should have any questions please contact Tom of Williamson Hinkle Architects LLC at 239-542-7686 or Email at Thinkle64@Comcast.net. Dick Yusk, our Contractor, will also be available on site to answer any questions or concerns. Dick can be reached at 941-964-0078.

The drawing was prepared by Williamson Hinkle Architects LLC. The zoning relief statement was prepared by Lee County Department of Community Development's Zoning Division.

Please review and if you have no objections to the proposed pool change and zoning relief, please sign below and return this letter in the self addressed stamped envelope provided.

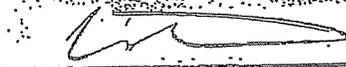
Thank you very much,



Nancy & Herb Sodel
Owner of 1000 East Railroad Avenue

I received the proposed documents for 1000 East Railroad Avenue, Boca Grande, Florida. As an adjacent property owner I have no objections to the plans (Exhibit A) or zoning relief item listed above as submitted.

Site Plan dated: November 12, 2010



CHARLES LUNSFORD

If there are issues of concern, please list these in area provided below.

November 15, 2010

Peter & Barbara Regnery
1170 11th Street
Boca Grande, Florida 33921
Strap: 14-43-20-01-00061.0080

Mailing Address:
PO Box 392
Boca Grande, Florida 33921

Re: 1000 East Railroad Avenue - Pool Change.
Boca Grande, Florida 33921

Dear Peter & Barbara,

As your neighbor and adjacent property owner, we are notifying you of the proposed pool change at 1000 East Railroad Avenue before we present to the Boca Grande Preservation Board.

Attached is a copy of the proposed pool plan and Site Plan dated November 12, 2010 (Exhibit A).

Zoning Relief:
Relief from LDC Section 34-1174(b) for a proposed accessory structure (Pool and Spa) with a setback of 11 feet 6 inches, where 100 feet is the minimum setback requirement from the street right of way (10th Street East & East Railroad Avenue).

The zoning relief for the pool is sought due to structural damage incurred during the removal and relocation of the mature Royal Palms. The previously approved pool was 6' from the property line while the new pool will be 11' from the property line. We will also reduce the 10'0 section of wall at the property line to align with the existing property line wall. These changes, according to the Zoning Department, bring the project more in line with existing zoning regulations.

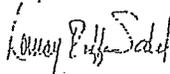
Also, I have elected to eliminate the outdoor fireplace and trellis structure in the courtyard.

If you should have any questions please contact Tom of Williamson Hinkle Architects LLC at 239-542-7686 or Email at Thinkle64@Comcast.net. Dick Yusk, our Contractor, will also be available on site to answer any questions or concerns. Dick can be reached at 941-964-0078.

The drawing was prepared by Williamson Hinkle Architects LLC. The zoning relief statement was prepared by Lee County Department of Community Development's Zoning Division.

Please review and if you have no objections to the proposed pool change and zoning relief, please sign below and return this letter in the self addressed stamped envelope provided.

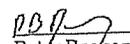
Thank you very much,

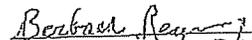


Nancy & Herb Sodel
Owner of 1000 East Railroad Avenue

I received the proposed documents for, 1000 East Railroad Avenue, Boca Grande, Florida. As an adjacent property owner I have no objections to the plans (Exhibit A) or zoning relief item listed above as submitted.

Site Plan dated: November 12, 2010.

 11.15.10
Peter Regnery Date and/or


Barbara Regnery Date

If there are issues of concern, please list these in area provided below.

November 15, 2010

Lorraine Williams
1050 East Railroad Avenue
Boca Grande, Florida 33921
Strap: 14-43-20-01-00061.0020

Mailing Address-1
PO Box 786
Boca Grande, Florida 33921

Mailing Address-2
3200 Arden Road NW
Atlanta, GA 30305

Re: *1000 East Railroad Avenue - Pool Change.
Boca Grande, Florida 33921*

Dear Lorraine,

As your neighbor and adjacent property owner, we are notifying you of the proposed pool change at *1000 East Railroad Avenue* before we present to the *Boca Grande Preservation Board*.

Attached is a copy of the proposed pool plan and Site Plan dated *November 12, 2010 (Exhibit A)*.

Zoning Relief:
Relief from LDC Section 34-1174(b) for a proposed accessory structure (Pool and Spa) with a setback of 11 feet 6 inches, where 100 feet is the minimum setback requirement from the street right of way (10th Street East & East Railroad Avenue).

The zoning relief for the pool is sought due to structural damage incurred during the removal and relocation of the mature Royal Palms. The previously approved pool was 6' from the property line while the new pool will be 11' from the property line. We will also reduce the 10'0 section of wall at the property line to align with the existing property line wall. These changes, according to the Zoning Department, bring the project more in line with existing zoning regulations.

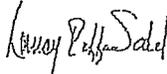
Also, I have elected to eliminate the outdoor fireplace and trellis structure in the courtyard.

If you should have any questions please contact Tom of Williamson Hinkle Architects LLC at 239-542-7686 or Email at Thinkle64@Comcast.net.

These drawings were prepared by Williamson Hinkle Architects LLC. The zoning relief statement was prepared by Lee County Department of Community Development's Zoning Division.

Please review and if you have no objections to the proposed pool change and zoning relief, please sign below and return this letter in the self addressed stamped envelope provided.

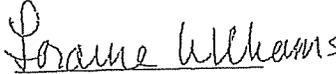
Thank you very much,



Nancy & Herb Sodel
Owner of 1000 East Railroad Avenue

I received the proposed documents for, *1000 East Railroad Avenue, Boca Grande, Florida*. As an adjacent property owner I have no objections to the plans (Exhibit A) or zoning relief item listed above as submitted.

Site Plan dated: November 12, 2010.

 Nov. 17
Lorraine Williams Date

If there are issues of concern, please list these in area provided below.

November 15, 2010

Dennis & Mary Johnston
1060 10th Street East
Boca Grande, Florida 33921
Strap: 14-43-20-01-00059.0010

Bee Zee LLC
PO Box 3779
Greenville, DE 13807

Re: 1000 East Railroad Avenue - Pool Change.
Boca Grande, Florida 33921

Dear Dennis & Mary,

As your neighbor and adjacent property owner, we are notifying you of the proposed pool change at 1000 East Railroad Avenue before we present to the Boca Grande Preservation Board.

Attached is a copy of the proposed pool plan and Site Plan dated November 12, 2010 (Exhibit A).

Zoning Relief:
Relief from LDC Section 34-117A(b) for a proposed accessory structure (Pool and Spa) with a setback of 11 feet 6 inches, where 100 feet is the minimum setback requirement from the street right of way (10th Street East & East Railroad Avenue).

The zoning relief for the pool is sought due to structural damage incurred during the removal and relocation of the mature Royal Palms. The previously approved pool was 6' from the property line while the new pool will be 11' from the property line. We will also reduce the 10'0 section of wall at the property line to align with the existing property line wall. These changes, according to the Zoning Department, bring the project more in line with existing zoning regulations.

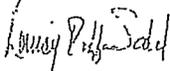
Also, I have elected to eliminate the outdoor fireplace and trellis structure in the courtyard.

If you should have any questions please contact Tom of Williamson Hinkle Architects LLC at 239-542-7686 or Email at Thinkle64@Comcast.net. Dick Yusk, our Contractor, will also be available on site to answer any questions or concerns. Dick can be reached at 941-964-0078.

These drawings were prepared by Williamson Hinkle Architects LLC. The zoning relief statement was prepared by Lee County Department of Community Development's Zoning Division.

Please review and if you have no objections to the proposed pool change and zoning relief, please sign below and return this letter in the self addressed stamped envelope provided.

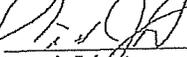
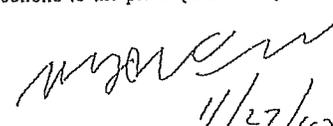
Thank you very much,



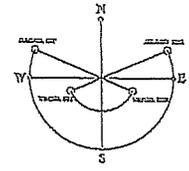
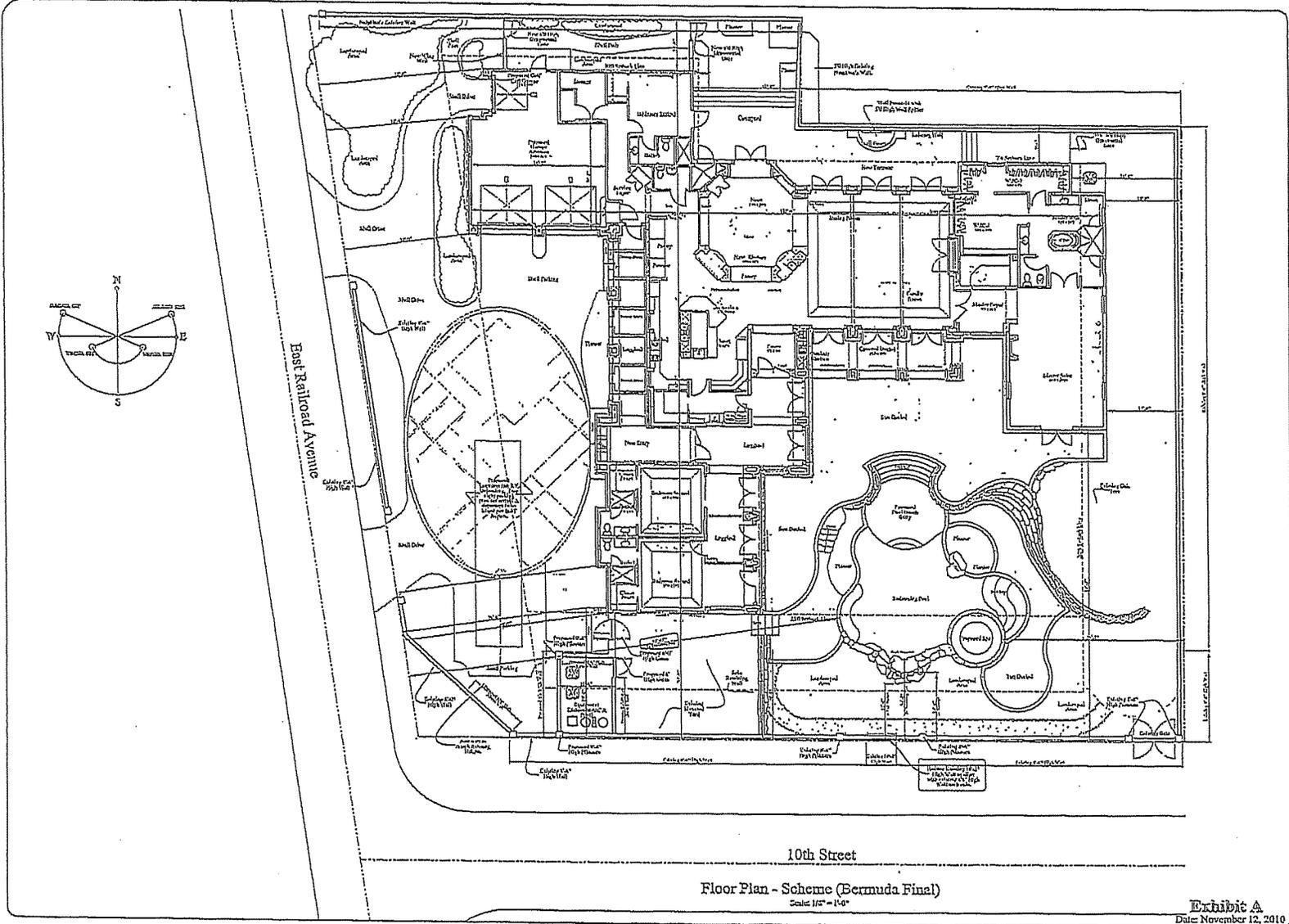
Nancy & Herb Sedel
Owner of 1000 East Railroad Avenue

I received the proposed documents for, 1000 East Railroad Avenue, Boca Grande, Florida. As an adjacent property owner I have no objections to the plans (Exhibit A) or zoning-relief item listed above as submitted.

Site Plan dated November 12, 2010.

	11/26/10	or		11/27/10
Dennis Johnston	Date		Mary Johnston	Date

If there are issues of concern, please list these in area provided below.



East Railroad Avenue

10th Street

Floor Plan - Scheme (Bermuda Final)
Scale 1/8" = 1'-0"

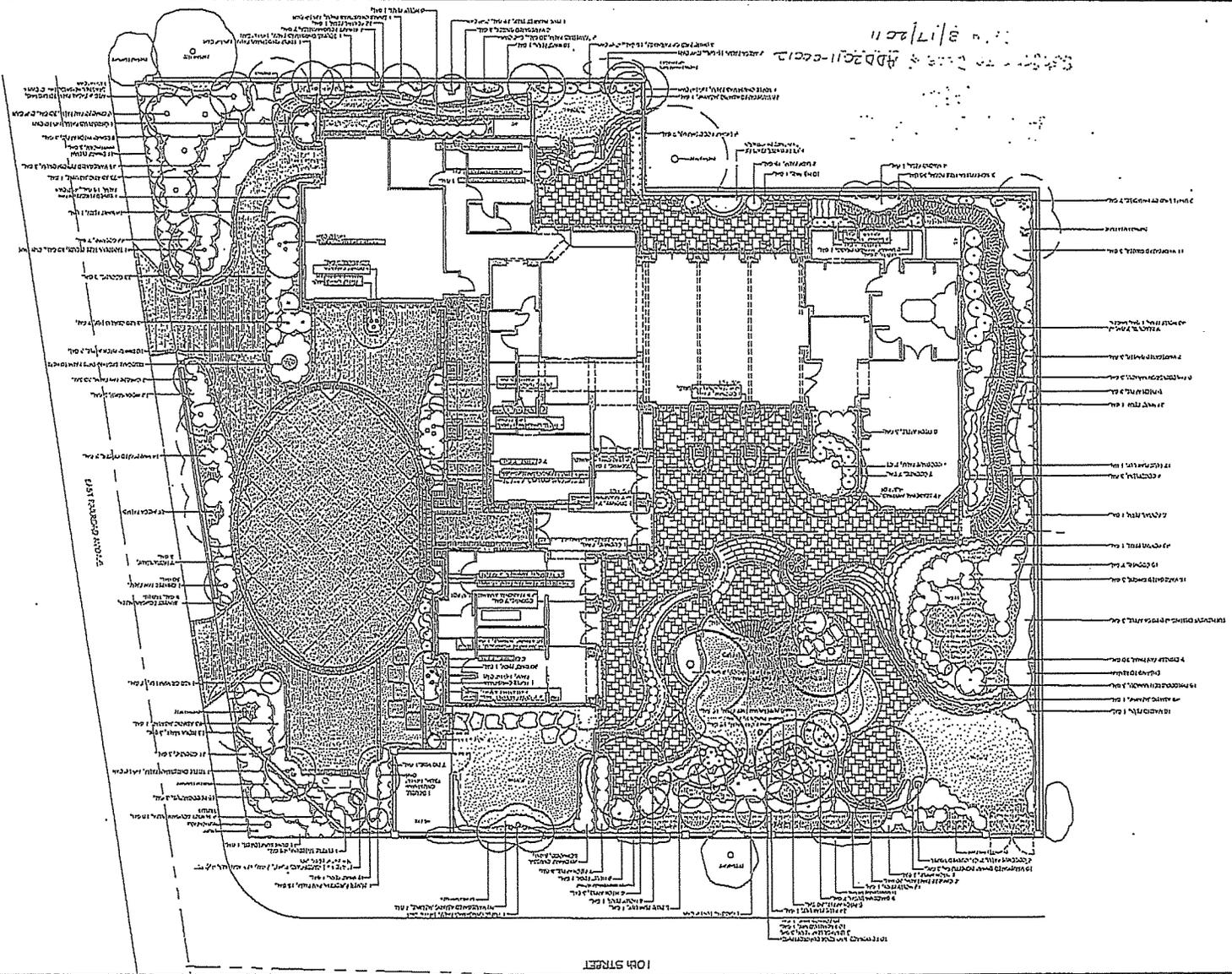
Exhibit A
Date November 12, 2010

OWNER	10044
DATE	11/11/10
DESIGNER	WJL
DATE	11/11/10
REVISIONS	
DATE	01/11
BY	REVISION
DATE	01/11/10
BY	REVISION

As Architect & Designer for
Herbert & Nancy Sodel
 1000 East Railroad Avenue
 Lots 1, 3, 5 & 1/2 Lot 7
 Boca Grande, Gasparilla Island, Lee County, Florida

WILLIAMSON-HINKLE
architects llc
 1000 East Railroad Avenue
 Boca Grande, Florida 33909

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4
 OF 4

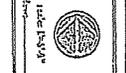


Multi-Use Development
 1000 East Palmdale Avenue
 Boca Grande, Florida 33921

THE SODEL RESIDENCE
 1000 east palmdale avenue
 boca grande, florida 33921

Architectural Firm
 12345 Main Street
 Boca Grande, FL 33921
 Phone: (813) 123-4567

Engineer & Surveyor
 License No. 12345
 State of Florida
 Date of Issue: 12/31/2011



Sheet No. **TS-1**
 of **1**