

THE VILLAGE OF ESTERO  
PLANNING AND ZONING BOARD MEETING  
TUESDAY, AUGUST 20, 2019, 5:30 P.M.

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THIS FILE REPRESENTS AN UNEDITED VERSION OF REALTIME  
CAPTIONING WHICH SHOULD NEITHER BE RELIED UPON FOR COMPLETE  
ACCURACY NOR USED AS A VERBATIM TRANSCRIPT.  
ANY PERSON WHO NEEDS A VERBATIM TRANSCRIPT OF THE  
PROCEEDINGS MAY NEED TO HIRE A COURT REPORTER.

05:32:42 >> WELCOME, EVERYONE, TO THE AUGUST 20th MEETING OF THE  
05:32:47 VILLAGE OF ESTERO PLANNING AND ZONING BOARD.  
05:32:51 WE WILL RISE FOR THE PLEDGE OF ALLEGIANCE, BUT PLEASE REMAIN  
05:32:53 STANDING AFTERWARDS.  
05:32:55 [PLEDGE OF ALLEGIANCE]  
05:33:13 >>Scotty Wood: I WOULD LIKE TO OFFER A MOMENT OF SILENCE FOR  
05:33:21 BOB KING, A VERY HIGHLY REGARDED MEMBER OF THIS BOARD WHO  
05:33:25 PASSED AWAY SUDDENLY LAST WEEK.  
05:33:27 PLEASE OBSERVE A MOMENT OF SILENCE IN BOB'S MEMORY.  
05:33:31 [MOMENT OF SILENCE]  
05:33:38 BOB, WE MISS YOU.  
05:33:39 MAY GOD BLESS YOU AND MAY GOD BLESS YOUR FAMILY.  
05:33:43 THANK YOU.  
05:33:43 PLEASE BE SEATED.  
05:33:45 WOULD YOU CALL THE ROLL, PLEASE.  
05:33:55 >> BOARD MEMBER ALLEN?  
05:33:57 BOARD MEMBER GARGANO.

05:33:57 >>Anthony Gargano: HERE.  
05:33:59 >> BOARD MEMBER NARATIL?  
05:34:02 >>Marlene Naratil: HERE.  
05:34:06 >> BOARD MEMBER TATOOLLES.  
05:34:08 >>James Tatooles: HERE.  
05:34:09 >>John Yarbrough: HERE.  
05:34:11 >> CHAIRMAN WOOD.  
05:34:12 >>Scotty Wood: HERE.  
05:34:13 DR. ALLEN IS NOW HERE.  
05:34:25 >>Dr. Tim Allen: SORRY ABOUT THAT.  
05:34:26 I STILL HAVE TO WORK FOR A LIVING.  
05:34:28 >>Scotty Wood: YEAH, THERE YOU GO.  
05:34:30 MAY I HAVE A MOTION TO APPROVE THE AGENDA?  
05:34:33 >> SO MOVED.  
05:34:34 >> SECOND.  
05:34:34 >>Scotty Wood: ALL IN FAVOR?  
05:34:35 ANY OPPOSED?  
05:34:37 THE AGENDA IS APPROVED.

05:34:40 LADIES AND GENTLEMEN, THIS EVENING'S AGENDA INCLUDES VARIOUS  
05:34:48 ZONING APPLICATIONS, AND IN THIS MATTER, THE BOARD SITS IN A  
05:34:51 QUASI-JUDICIAL CAPACITY.  
05:34:53 IF YOU INTEND TO PROVIDE TESTIMONY ON ANY OF THESE  
05:34:57 APPLICATIONS, YOU MUST BE SWORN IN BY THE BOARD ATTORNEY IN  
05:35:00 A MOMENT, AND YOU SHOULD ALSO FILL OUT A PUBLIC SPEAKER'S  
05:35:04 CARD AND GIVE IT TO THE DEPUTY VILLAGE CLERK WHO IS ON YOUR  
  
05:35:09 LEFT.  
05:35:10 IN GENERAL, WE WILL FIRST HEAR AN INTRODUCTION FROM THE  
05:35:12 VILLAGE COMMUNITY DEVELOPMENT DIRECTOR OR HER REPRESENTATIVE  
05:35:17 AND THEN A PRESENTATION FROM THE APPLICANT.  
05:35:20 THE DIRECTOR MAY THEN MAKE AN ADDITIONAL PRESENTATION.  
05:35:24 AFTER THIS I WILL ALLOW ANYONE FROM THE AUDIENCE WHO'S BEEN  
05:35:27 SWORN IN TO PROVIDE TESTIMONY.  
05:35:29 PLEASE MAKE YOUR COMMENTS CONCISELY, NOT EXCEEDING FIVE  
05:35:33 MINUTES.  
05:35:33 THE APPLICANT HAS THE RIGHT TO CROSS-EXAMINE ANY WITNESS AND  
05:35:38 FOR REBUTTAL.  
05:35:39 ABOUT CROSS-EXAMINATION, WITNESSES, INCLUDING THE PUBLIC,  
05:35:42 MAY BE SUBJECT TO CROSS-EXAMINATION.  
05:35:44 THE GENERAL PUBLIC WILL NOT BE PERMITTED TO CROSS-EXAMINE  
05:35:48 WITNESSES, BUT THE PUBLIC MAY REQUEST THE BOARD TO DIRECT  
05:35:51 QUESTIONS ON THEIR BEHALF TO EITHER STAFF OR THE APPLICANT.  
05:35:55 PERSONS WHO HAVE BEEN DETERMINED BY THE BOARD TO BE  
05:35:58 INTERESTED PARTIES MAY CROSS-EXAMINE WITNESSES.  
05:36:01 IF A PERSON REPRESENTS AN ORGANIZATION, EVIDENCE OF THEIR  
05:36:04 AUTHORITY TO SPEAK FOR THE ORGANIZATION MUST BE PROVIDED.  
05:36:07 IN ADDITION, BEFORE THE PRESENTATION ON THE APPLICATION  
05:36:12 BEGINS, ANY WRITTEN COMMUNICATIONS THAT HAVE BEEN RECEIVED  
05:36:15 ON THE QUASI-JUDICIAL MATTERS WILL BE PLACED INTO THE PUBLIC  
05:36:19 RECORD.  
05:36:19 I WILL ALSO ASK EACH BOARD MEMBER TO DISCLOSE ANY EX PARTE  
  
05:36:24 COMMUNICATIONS REGARDING THE PARTICULAR APPLICATION BEFORE  
05:36:26 IT IS HEARD.  
05:36:27 ANY BOARD MEMBER THAT HAS A CONFLICT REGARDING A PARTICULAR  
05:36:32 APPLICATION MUST DECLARE THAT CONFLICT AND WILL NOT BE  
05:36:35 ALLOWED TO PARTICIPATE IN THE DISCUSSION OR VOTE ON THE  
05:36:38 APPLICATION.  
05:36:38 SO NOW, WILL ALL THOSE WHO INTEND TO TESTIFY PLEASE STAND?  
05:36:46 I WILL ASK THE VILLAGE LAND USE ATTORNEY TO ADMINISTER THE  
05:36:50 OATH.  
05:36:51 >>Nancy Stroud: DO YOU SWEAR OR AFFIRM THAT THE TESTIMONY  
05:36:54 THAT YOU ARE ABOUT TO GIVE WILL BE THE TRUTH, THE WHOLE  
05:36:56 TRUTH AND NOTHING BUT THE TRUTH?  
05:36:57 THANK YOU.  
05:37:00 >>Scotty Wood: OKAY.

05:37:00 OUR FIRST ITEM IS THE MICCI VARIANCE, IF I PRONOUNCED THAT  
05:37:09 CORRECTLY.  
05:37:10 BEFORE WE START, ARE THERE ANY EX PARTE COMMUNICATIONS ON  
05:37:18 THIS?  
05:37:18 ANY CONFLICTS?  
05:37:20 >> NO.  
05:37:21 >>Scotty Wood: OKAY.  
05:37:23 GO AHEAD.  
05:37:25 >> THANK YOU, MR. CHAIRMAN.  
05:37:26 STEVE CRAMER WITH THE DEPARTMENT OF COMMUNITY DEVELOPMENT.  
05:37:28 THIS AGENDA ITEM IS A VARIANCE APPLICATIONS FROM ANNA MICCI.

05:37:31 SHE'S REQUESTING A SIDE SETBACK REDUCTION FROM FIVE FEET TO  
05:37:35 4.91 FEET FOR AN EXISTING SINGLE-FAMILY DWELLING.  
05:37:39 THE PROPERTY ADDRESS IS 10124 NORTH SILVER PALM DRIVE IN  
05:37:45 COPPER OAKS.  
05:37:46 THE DWELLING WAS CONSTRUCTED 14 YEARS AGO IN 2005.  
05:37:49 MS. MICCI SOLD THE PROPERTY THIS PAST MAY TO THE SHAFERS.  
05:37:54 AS PART OF THE SALE, THEY DID A BOUNDARY SURVEY.  
05:37:57 THE SURVEY DISCOVERED THE SIDE SETBACK OF 4.91 WHICH IS LESS  
05:37:59 THAN THE REQUIRED 5 FEET.  
05:38:01 MS. MICCI IS REQUESTING A VARIANCE TO MAKE THAT CONFORMING.  
05:38:07 IF THIS VARIANCE IS APPROVED, IT WILL BE CONSIDERED A LEGAL  
05:38:10 NON-CONFORMING STRUCTURE.  
05:38:12 THE LAND CODE REQUIRES THE VARIANCE TO MEET THREE CRITERIA.  
05:38:15 STAFF BELIEVES THE CRITERIA HAVE BEEN MET.  
05:38:17 THEREFORE, STAFF IS RECOMMENDING APPROVAL WITH CONDITIONS.  
05:38:20 ONE CONDITION IS THE VARIANCE APPLIES TO THE EXISTING  
05:38:22 STRUCTURE, NOT TO ANY SUBSEQUENT STRUCTURES.  
05:38:25 ALSO, THERE'S BEEN SOME CONFUSION ABOUT APPLYING  
05:38:28 COMMUNITYWIDE.  
05:38:30 IT'S JUST FOR THIS ONE PROPERTY.  
05:38:31 IT'S NOT FOR THE ENTIRE COMMUNITY.  
05:38:33 THOSE ARE MY COMMENTS, MR. CHAIRMAN.  
05:38:36 >>Scotty Wood: IS THE APPLICANT --  
05:38:40 >> MRS. SHAFER IS HERE.  
05:38:42 SHE IS THE CURRENT OWNER OF THE PROPERTY.

05:38:43 >>Scotty Wood: DO YOU WISH TO SAY ANYTHING?  
05:38:45 >> [NOT SPEAKING AT A MICROPHONE]  
05:38:48 >>Mary Gibbs: SHE DIDN'T SWEAR IN.  
05:38:50 THEY ARE THE NEW OWNERS, AND THEY ARE IN FAVOR OF IT.  
05:38:54 >>Scotty Wood: OKAY.  
05:38:55 BEFORE GOING BACK -- TAKING IT BACK TO THE BOARD, ANYONE  
05:39:02 FROM THE PUBLIC WHO WISHES TO SPEAK ON THIS?  
05:39:04 THIS IS AN OPPORTUNITY TO DO SO.  
05:39:06 I WILL OPEN THE PUBLIC HEARING.  
05:39:08 NOT SEEING ANYBODY INTERESTED IN SPEAKING, I'LL CLOSE THE

05:39:10 PUBLIC HEARING.  
05:39:10 I WOULD LIKE A MOTION FROM ANY MEMBER OF THE BOARD TO  
05:39:19 APPROVE THIS VARIANCE.  
05:39:20 >> I'LL MAKE A MOTION THAT WE APPROVE THE VARIANCE AS  
05:39:24 REQUESTED ON THE BASIS THAT THE VARIANCE, BY MY  
05:39:31 CALCULATIONS, IS 1.08 INCHES, IS WHAT WE'RE GRANTING.  
05:39:39 THIS ISN'T THE FIRST TIME THAT WE'VE HAD THIS KIND OF  
05:39:42 SITUATION.  
05:39:42 AND I THINK THE ACCURACY TODAY OF SURVEYING WITH REGARD TO  
05:39:50 USE OF LASERS AND GPS, COMPARED TO WHAT WAS DONE YEARS AGO,  
05:39:56 AN INCH OFF BY THAT ANALOG TECHNOLOGY WAS PROBABLY NOT THAT  
05:40:01 BIG OF A DEAL.  
05:40:02 I'D MOVE THAT WE GRANT THE REQUESTED RELIEF.  
05:40:06 >> WITH THE CONDITION?  
05:40:08 >> WITH THE CONDITIONS AS RECOMMENDED BY STAFF.

05:40:11 >> I'LL SECOND THAT.  
05:40:13 >>Scotty Wood: DISCUSSION?  
05:40:15 >> ARE THERE ANY STRUCTURES IN THAT ONE INCH?  
05:40:18 IS THERE A FENCE, ANYTHING LIKE THAT?  
05:40:20 WATER LINE.  
05:40:22 SPRINKLER SYSTEM?  
05:40:22 IS IT IN THE AREA OF THE VARIANCE.  
05:40:28 >> MAY I ASK IF THE APPLICANT IS GOING TO SPEAK, YOU COME TO  
05:40:31 THE PODIUM AND STATE YOUR NAME SO THE RECORD IS VERY CLEAR.  
05:40:34 THANK YOU.  
05:40:38 >>Dr. Tim Allen: THOSE ARE ALL MY QUESTIONS.  
05:40:40 YOU MAY HAVE STOOD UP FOR NOTHING.  
05:40:42 >> JAMIE SHAFER.  
05:40:42 >>Scotty Wood: ANYONE ELSE?  
05:40:47 >> IS THE NEIGHBOR AWARE OF THE ISSUE?  
05:40:49 >> NO.  
05:40:50 I THINK THIS IS RATHER NEW SINCE ESTERO GOT INCORPORATED AND  
05:40:54 SOME OF THE NEW SALES IS WHAT OUR CLOSING AGENT SAID IS NOW  
05:40:57 BECAUSE OF THE LASERS AND ALL OF THAT, WHAT OUR SURVEYOR  
05:41:00 SAID WAS THAT IT'S LIKELY THE STUCCO ON THE OUTSIDE OF THE  
05:41:05 BUILDING BECAUSE IT'S LESS THAN AN INCH.  
05:41:07 HE SAID I COULD COME AND DRILL OUT THE STUCCO, BUT THEN  
05:41:12 WOULD HAVE TO RESTUCCO THE HOUSE.  
05:41:14 >>Mary Gibbs: IN THESE CASES, WE DON'T SEND AN OFFICIAL  
05:41:19 NOTICE TO THE NEIGHBOR, BUT WE HAD SOME INFORMATION POSTED

05:41:22 ON OUR WEBSITE, AND THEN IT WENT TO THE COPPER OAKS PEOPLE,  
05:41:27 AND THEY THOUGHT IT WAS THE WHOLE COMMUNITY HAVING, REDUCING  
05:41:32 SETBACKS.  
05:41:33 WE GOT A LOT OF CALLS.  
05:41:34 WE DO KNOW THAT THE PEOPLE IN COPPER OAKS WERE AWARE OF IT  
05:41:37 BECAUSE THEY THOUGHT IT WAS SOME GLOBAL SETBACK REDUCTION.

05:41:41 WE HAD TO EXPLAIN IT WAS JUST FOR THIS ONE UNIT.  
05:41:45 >> HAVE WE MADE PROGRESS FROM THE SUGGESTION ON THE PRIOR  
05:41:49 MEETING --  
05:41:50 >>Mary Gibbs: I WOULD LOVE TO SIGN THEM AS SOON AS WE GET  
05:41:52 THAT NEW LAND DEVELOPMENT CODE ADOPTED, YOU WON'T SEE THEM  
05:41:57 ANYMORE.  
05:41:59 >> THANK YOU.  
05:42:00 >>Scotty Wood: ANYONE ELSE?  
05:42:01 OKAY.  
05:42:06 PLEASE CALL THE ROLL.  
05:42:08 >>Dr. Tim Allen: YES.  
05:42:10 >>Anthony Gargano: YES.  
05:42:11 >>Marlene Naratil: YES.  
05:42:12 >>James Tatoes: YES.  
05:42:15 >>John Yarbrough: YES.  
05:42:16 >>Scotty Wood: YES.  
05:42:17 OKAY.  
05:42:20 YOU'RE ALL SET.  
05:42:23 >> I JUST WANT TO MAKE A COMMENT.

05:42:26 YEARS AGO, WHEN I TOOK SURVEYING, OUR SURVEYING INSTRUCTOR,  
05:42:30 AN OLD GENTLEMAN, SAID THAT AFTER YOU DO ALL YOUR CLOSINGS  
05:42:34 AND YOU GET TO THE END, TRY TO MEET EVERYTHING TOGETHER, IF  
05:42:39 YOU CAN COVER IT WITH YOUR HAT, IT'S OKAY.  
05:42:41 >> I PUT MYSELF THROUGH COLLEGE AS A LAND SURVEYOR.  
05:42:44 I RESENT THAT COMMENT.  
05:42:45 [ LAUGHTER ]  
05:42:46 NO.  
05:42:49 I WOULD ONLY ADD THAT SURVEYS ARE TAKEN OFF OF REFERENCE  
05:42:52 POINTS, WHICH ARE OFTEN REFERRED TO AS MONUMENTS.  
05:42:55 AND OVER TIME, THE SHIFTING OF THE GROUND CAN MOVE THE  
05:43:01 MONUMENT, IT CAN MOVE THE PROPERTY CORNER, AND THESE ARE WHY  
05:43:04 THESE THINGS OCCUR.  
05:43:06 IT'S A NORMAL COURSE OF LIFE ON THIS EARTH.  
05:43:10 I LOOK FORWARD TO THE TIME WHEN WE CAN ADMINISTRATIVELY  
05:43:15 APPROVE THESE.  
05:43:17 ANYWAY, THANK YOU.  
05:43:17 THE NEXT ITEM IS COCONUT POINT FARMERS MARKET.  
05:43:22 FIRST OF ALL, ARE THERE ANY EX PARTE COMMUNICATIONS?  
05:43:27 ANY CONFLICTS?  
05:43:28 OKAY, MARY.  
05:43:30 >>Mary Gibbs: ALL RIGHT.  
05:43:31 THIS IS A TEMPORARY USE PERMIT FOR THE SEASONAL FARMERS  
05:43:34 MARKET AT COCONUT POINT MALL.  
05:43:37 YOU'VE SEEN IT HERE A FEW TIMES.

05:43:39 IT'S BEEN GOING ON FOR SEVERAL YEARS.  
05:43:44 THIS IS THE SAME EXACT APPLICATION THAT YOU'VE SEEN BEFORE.

05:43:48 IT'S SEASONAL.  
05:43:50 IT'S FROM OCTOBER TO APRIL -- OCTOBER 3rd TO APRIL 30th.  
05:43:54 IT'S ON THURSDAYS FROM 9 A.M. TO 1 P.M.  
05:43:59 WE'VE REVIEWED IT.  
05:44:00 IT MEETS THE CODES.  
05:44:01 IT'S GOT SIMON'S APPROVAL.  
05:44:04 AGAIN, IT'S LOCATED IN THE SAME PART OF THE PARKING LOT  
05:44:07 NORTH OF PANERA BREAD.  
05:44:10 JEAN BAER IS THE APPLICANT.  
05:44:12 SHE COULDN'T BE HERE TONIGHT.  
05:44:13 I THINK THE LAST TIME YOU ASKED HER IF SHE HAD ANY SAMPLES  
05:44:17 OF THE JAMS AND THINGS.  
05:44:18 BUT THE STAFF IS RECOMMENDING APPROVAL WITH THE CONDITIONS  
05:44:20 THAT LIMIT THE OPERATION AS THEY'VE REQUESTED, THURSDAYS  
05:44:25 FROM 9 TO 1 FROM OCTOBER 3rd TO APRIL 30th.  
05:44:28 WE'VE NOT HAD ANY ISSUES IN THE PAST, SO IT'S FAIRLY CUT AND  
05:44:33 DRY, UNLESS YOU HAVE ANY QUESTIONS.  
05:44:36 >>Scotty Wood: AND THE APPLICANT IS NOT HERE.  
05:44:38 ANY COMMENTS FROM THE BOARD?  
05:44:42 >>Marlene Naratil: THEY'VE BEEN BEFORE US, AS MARY SAID,  
05:44:44 SEVERAL TIMES.  
05:44:45 I THINK THEY'VE MADE GOOD PRESENTATIONS.  
05:44:47 I THINK EVERYONE THAT I KNOW WHO ATTENDS THIS MARKET HAS NO  
  
05:44:52 COMPLAINTS ABOUT IT.  
05:44:53 IT'S VERY WELL RUN.  
05:44:55 I THINK IT'S A GOOD FOCAL POINT FOR PEOPLE TO SHOP LOCALLY  
05:45:02 WITH THE LOCAL PRODUCE AND ALL THAT.  
05:45:03 SO I HAVE NO PROBLEM WITH IT.  
05:45:06 >>Scotty Wood: ANYONE FROM THE PUBLIC WISHING TO SPEAK ON  
05:45:08 THIS?  
05:45:09 I CAN OPEN THE PUBLIC HEARING AND CLOSE IT.  
05:45:13 OKAY.  
05:45:14 ANYONE ELSE FROM THE BOARD?  
05:45:15 CAN I HAVE A MOTION TO APPROVE IT WITH CONDITIONS?  
05:45:20 >> I'LL MAKE A MOTION.  
05:45:21 >> SECOND.  
05:45:23 >>Scotty Wood: CALL THE ROLL, PLEASE.  
05:45:27 >>Dr. Tim Allen: YES.  
05:45:28 >>Anthony Gargano: YES.  
05:45:30 >>Marlene Naratil: YES.  
05:45:32 >>James Tatoes: YES.  
05:45:33 >>John Yarbrough: YES.  
05:45:34 >>Scotty Wood: YES.  
05:45:35 OKAY.  
05:45:39 ITEM 3, FBC HOME CONCEPT SALES AND DISPLAY.  
05:45:45 FIRST OF ALL, ARE THERE ANY EX PARTE COMMUNICATIONS?  
05:45:50 ANY CONFLICTS?

05:45:52 ANYTHING IN THE WRITTEN RECORD OR DO YOU WANT TO TAKE IT  
05:45:58 FROM HERE?  
05:45:59 >>Mary Gibbs: NO.  
05:46:00 WE HAVE NOTHING IN THE WRITTEN.  
05:46:01 NO E-MAILS OR CALLS.  
05:46:03 >>Scotty Wood: OKAY.  
05:46:05 GO AHEAD THEN.  
05:46:06 >>Mary Gibbs: ALL RIGHT.  
05:46:07 THIS IS A REQUEST FOR VARIANCES FOR SMALL SITE THAT'S  
05:46:11 LOCATED ON THE WEST SIDE OF 41 AND IT'S WHERE TRAILSIDE  
05:46:16 DRIVE BRANCHES OFF JUST NORTH OF THE GREENWAYS NURSERY.  
05:46:21 IF YOU'RE FAMILIAR WITH THE AREA, YOU MAY HAVE SEEN IT  
05:46:23 BEFORE.  
05:46:24 THERE IS A GRANITE SALES OPERATION CURRENTLY ON THE PROPERTY  
05:46:27 NOW.  
05:46:28 IT'S OPERATING UNDER A CODE VIOLATION.  
05:46:32 I'LL JUST GIVE YOU A LITTLE BIT OF BACKGROUND ABOUT THAT.  
05:46:34 THERE ARE SOME PHOTOS IN THE STAFF REPORT, TOO, IF YOU'RE  
05:46:37 NOT FAMILIAR WITH THE LOCATION OF THE PROPERTY.  
05:46:40 THE APPLICANT HAS A CODE VIOLATION FOR NOT HAVING A USE  
05:46:45 PERMIT.  
05:46:45 AND A USE PERMIT IS WHAT YOU GET WHEN YOU GO TO OPEN A  
05:46:49 BUSINESS ON A PROPERTY.  
05:46:50 WE CHECK THE ZONING.  
05:46:51 WE CHECK TO MAKE SURE IT MEETS THE CODES.  
05:46:53 SO THEY DON'T HAVE THE USE PERMIT, BUT THE USE OF THE  
  
05:46:58 GRANITE SALES IS ALLOWED UNDER THE ZONING.  
05:47:00 THE ZONING IS COMMERCIAL.  
05:47:02 IT'S CALLED C-1.  
05:47:03 AND THAT ALLOWS A BROAD RANGE OF COMMERCIAL USES, INCLUDING  
05:47:07 THE GRANITE, BUT NOT MANUFACTURING, JUST GRANITE.  
05:47:10 IT'S CALLED HOUSEHOLD FURNISHINGS.  
05:47:13 SO THE USE IS ALLOWED, BUT THE SITE NEEDS TO BE BROUGHT INTO  
05:47:17 CONFORMANCE BECAUSE IT HAS NO BUFFERS AT ALL ON THE SITE,  
05:47:21 AND THE BUILDING IS TOO CLOSE TO THE ROAD IN TERMS OF THE  
05:47:25 SETBACKS.  
05:47:25 THOSE ARE LIKE THE TWO MAIN THINGS THEY HAVE REQUESTED IN  
05:47:28 THE VARIANCES.  
05:47:30 THE CODE ENFORCEMENT CASE HAS BEEN -- WELL, THIS HAS BEEN  
05:47:34 ONGOING FOR A -- A LONG, LONG TIME AGO, YES.  
05:47:42 >> 2017.  
05:47:43 >>Mary Gibbs: THIS MIGHT SET A RECORD FOR ONE OF OUR LONGEST  
05:47:46 CODE ENFORCEMENT CASES.  
05:47:47 I KNOW THEY DON'T WANT TO CONTINUE TO SET THAT RECORD, SO  
05:47:49 THAT'S WHY WE'RE HERE TODAY. YES, IT'S BEEN GOING ON A  
05:47:54 REALLY LONG TIME.

05:47:54 IN ORDER TO GET A USE PERMIT, THEY HAVE TO GET THE ZONING  
05:47:57 VARIANCES AND THEN THEY HAVE TO GET A LIMITED DEVELOPMENT  
05:47:59 ORDER SITE PLAN APPROVAL.  
05:48:00 THEN THEY CAN GET THE USE PERMIT.  
05:48:02 AND THEN RESOLVE THE CODE VIOLATION.

05:48:05 BUT IT HAS BEEN GOING ON FOR A LONG TIME.  
05:48:11 WE WENT BACK TO THE SPECIAL MAGISTRATE RECENTLY BECAUSE WE  
05:48:15 REALLY HADN'T BEEN MAKING MUCH PROGRESS.  
05:48:17 THE SPECIAL MAGISTRATE REVIEWED IT AND SAID I'M GIVING YOU  
05:48:21 BASICALLY 90 DAYS TO GET THIS RESOLVED.  
05:48:23 SO THAT'S WHY WE'RE HERE TODAY.  
05:48:25 IN THE STAFF REPORT, I'M GOING TO LET THE APPLICANT EXPLAIN.  
05:48:29 THEY ARE GOING TO EXPLAIN IN MORE DETAIL THE VARIANCES THEY  
05:48:32 NEED FOR THE BUILDING SETBACK, THE BUFFERS, AND THEN THE  
05:48:37 SETBACK FOR THE OUTDOOR DISPLAY OF THE GRANITE.  
05:48:40 I WILL LET THEM GET INTO DETAIL.  
05:48:43 WE ARE NOT RECOMMENDING APPROVAL OF THE VARIANCES, BUT THE  
05:48:47 REASONS, THERE'S A COMBINATION OF THE VARIANCES THAT THEY  
05:48:50 ARE REQUESTING TO US INDICATES THAT THE LOT IS REALLY TOO  
05:48:54 SMALL FOR THIS TYPE OF USE.  
05:48:56 THERE IS A BILLBOARD ON THE PROPERTY ALREADY, SO THEY DO  
05:48:59 HAVE A USE FOR THE PROPERTY.  
05:49:02 THEN WHEN YOU ACTUALLY LOOK AT THE SPECIFIC FINDINGS THAT  
05:49:06 YOU NEED TO MAKE IN THE CODE, WHICH WE PUT ON PAGE 5 OF YOUR  
05:49:10 STAFF REPORT, WE DON'T FEEL THAT THEY MEET THE VARIANCE  
05:49:13 CRITERIA OUTLINED IN THE CODE.  
05:49:16 SO THOSE ARE THE REASONS THAT WE'RE RECOMMENDING DENIAL, BUT  
05:49:20 IF YOU DON'T HAVE ANY QUESTIONS FOR ME RIGHT NOW, I'D LIKE  
05:49:22 TO TURN IT OVER TO THE APPLICANT AND HAVE THEM EXPLAIN IN  
05:49:26 MORE DETAIL.

05:49:27 >>Scotty Wood: OKAY WITH THAT, EVERYBODY?

05:49:28 >> YES.

05:49:29 >>Scotty Wood: OKAY.

05:49:32 >>Mary Gibbs: RUSSELL SCHROPP IS HERE FOR THE APPLICANT.

05:49:38 >>Russell Schropp: GOOD EVENING.

05:49:38 FOR THE RECORD, I'M RUSSELL SCHROPP WITH THE HENDERSON,  
05:49:41 FRANKLIN LAW FIRM HERE TODAY ON BEHALF OF THE OWNER OF THE  
05:49:45 PROPERTY AND THE APPLICANT, WHICH IS CHHLCA INVESTMENTS,  
05:49:50 LLC.

05:49:51 MY CLIENT, HERNAN CAMPERO IS HERE WITH ME TODAY AS WELL AND  
05:49:55 SEATED BEHIND ME.

05:49:56 AND MAY ADDRESS YOU LATER.

05:49:57 BEFORE I GET STARTED, MR. CHAIRMAN, IF IT WOULD BE  
05:50:00 ACCEPTABLE, COULD I APPROACH AND JUST PASS OUT ONE  
05:50:04 ADDITIONAL DRAWING THAT I WOULD LIKE TO WORK FROM?

05:50:07 >>Scotty Wood: SURE.

05:50:08 >>Russell Schropp: THANK YOU VERY MUCH.  
05:50:39 >>Scotty Wood: I'LL JUST MAKE A NOTE THAT THE FBC HOME  
05:50:43 CONCEPT SALES AND DISPLAY VARIANCE SITE PLAN DATED 09  
05:50:46 MAY 2019 IS NOW PART OF THE RECORD.  
05:50:50 >>Russell Schropp: THANK YOU, MR. CHAIRMAN.  
05:50:51 I APPRECIATE THAT.  
05:50:52 IF I COULD, I'M GOING TO --  
05:50:54 >>Mary Gibbs: IF I COULD SAY SOMETHING, TOO, IT'S ACTUALLY  
05:50:57 IN THE STAFF REPORT, BUT I THINK IT'S A SMALL VERSION.

05:51:01 IT'S HARD TO READ.  
05:51:03 >>Russell Schropp: THIS ONE I PASSED OUT IS A LITTLE  
05:51:06 DOCTORED UP.  
05:51:06 I'LL WORK OFF THAT.  
05:51:07 IT'S ALSO ON THE SCREEN IN FRONT OF YOU.  
05:51:09 THAT'S THE SITE PLAN THAT'S BEEN SUBMITTED TO SUPPORT THE  
05:51:12 VARIANCE REQUEST.  
05:51:13 I'LL GET INTO THE DOCTORED VERSION OF THE SITE PLAN AS I GO  
05:51:20 ALONG HERE SO BEAR WITH ME.  
05:51:21 THE PROPERTY AT ISSUE HERE TODAY IS LOCATED, AS MARY SAID,  
05:51:25 ON THE WEST SIDE OF 41, EAST SIDE OF TRAILSIDE DRIVE.  
05:51:30 IT'S A TRIANGULAR SHAPED PARCEL OF LAND WITH THOSE TWO  
05:51:35 STREETS, U.S. 41 AND TRAILSIDE BASICALLY FORMING TWO OF THE  
05:51:40 SIDES OF THE TRIANGLE.  
05:51:42 THE THIRD SIDE BEING FORMED BY SOME ADJOINING PROPERTY TO  
05:51:46 THE SOUTH, WHICH IS PRESENTLY USED FOR ANOTHER COMMERCIAL  
05:51:49 USE, A NURSERY.  
05:51:50 THE SITE IS ZONED C-1, AND IT'S DESIGNATED AS SUBURBAN ON  
05:51:54 THE LAND USE MAP.  
05:51:55 BOTH OF WHICH ACCOMMODATE A VARIETY OF COMMERCIAL USES.  
05:52:00 I THINK MARY INDICATED THAT AS WELL.  
05:52:01 THE PROPERTY WAS ACQUIRED BY MY CLIENT IN 2014.  
05:52:08 AT THAT TIME, IT WAS BEING USED AS A USED CAR SALES LOT, CAR  
05:52:13 REPAIR AND BOAT SALES HAVE ALSO BEEN APPROVED BY LEE COUNTY  
05:52:19 PRIOR TO INCORPORATION BY THE VILLAGE.

05:52:21 ALSO APPROVED BY LEE COUNTY DURING THE COURSE OF RECENT  
05:52:24 HISTORY WITH THE USE OF THE PROPERTY.  
05:52:27 BASED ON MY RESEARCH, THIS IS A LEGAL LOT OF RECORD.  
05:52:32 THIS LOT IN THIS CONFIGURATION HAS EXISTED SINCE AT LEAST  
05:52:36 1980, WHICH PREDATES ALL OF THE MODERN ZONING AND LAND  
05:52:42 DEVELOPMENT REGULATIONS THAT LEE COUNTY ADOPTED IN THE  
05:52:48 '80s.  
05:52:48 IN 2016 -- WELL, THE OTHER THING I'LL MENTION IS THAT THE  
05:52:57 STRUCTURES HAVE BEEN LOCATED, THE STRUCTURE THAT EXISTS ON  
05:52:59 THIS SITE, AS SHOWN ON THE SITE PLAN, HAS EXISTED FOR SOME  
05:53:02 TIME, ALTHOUGH, QUITE FRANKLY, I HAVE NOT BEEN ABLE TO TRACE  
05:53:06 BACK EXACTLY WHEN IT WAS CONSTRUCTED.

05:53:07 IN 2016, THE LEASE FOR THE USED CAR OPERATION TERMINATED,  
05:53:12 AND A NEW LEASE WAS ENTERED INTO SHORTLY THEREAFTER WITHIN A  
05:53:15 COUPLE OF MONTHS WITH AN ENTITY KNOWN AS NAP EQUITY, LLC,  
05:53:21 AND IT WAS FOR THE OPERATION OF A GRANITE AND MARBLE  
05:53:26 RETAILING BUSINESS AT THE SITE TO BE CONDUCTED BY A BUSINESS  
05:53:31 KNOWN AS FBC HOME CONCEPT.  
05:53:34 I THINK THAT'S THE NAME YOU'LL SEE ON THE SITE PLAN.  
05:53:38 THIS WAS ORIGINALLY SUBMITTED -- THIS SITE PLAN WAS  
05:53:41 ORIGINALLY SUBMITTED BY THE TENANT.  
05:53:42 FBC HAS OTHER BUSINESS LOCATIONS THROUGHOUT LEE AND I  
05:53:47 BELIEVE COLLIER COUNTY AS WELL.  
05:53:48 THE TENANT PROCEEDED TO OPEN THE BUSINESS AND, AS MARY  
05:53:54 INDICATED, WAS CITED WITH A NOTICE OF VIOLATION FOR FAILING

05:53:56 TO OBTAIN A USE PERMIT AND ALSO FAILING TO HAVE THE REQUIRED  
05:54:03 BUFFERS UNDER THE CODE.  
05:54:03 THE TENANT APPLIED FOR A USE PERMIT AND WAS TOLD THAT IT  
05:54:06 WOULD NEED A DEVELOPMENT ORDER AND VARIANCES IN ORDER TO GET  
05:54:10 THE USE PERMIT.  
05:54:11 THE VARIANCES AND D.O. HAVE BEEN APPLIED FOR, AND THIS  
05:54:14 HEARING IS HERE TO DEAL WITH THE VARIANCE REQUEST THAT WERE  
05:54:18 ASKED FOR.  
05:54:19 THERE ARE FOUR VARIANCES REQUESTED, AS INDICATED IN THE  
05:54:21 STAFF REPORT.  
05:54:24 THREE OF THEM DEAL WITH SETBACKS AND BUFFERS ALONG THE TWO  
05:54:28 ROADS THAT FORM TWO OF THE SIDES OF THE PROPERTY.  
05:54:31 AND THE FOURTH VARIANCE DEALS WITH THE OUTDOOR DISPLAY OF  
05:54:36 MATERIALS.  
05:54:36 IN SUPPORT OF THE VARIANCES, I WOULD NOTE INITIALLY THAT THE  
05:54:44 SITE IS A FAIRLY UNUSUAL CONFIGURATION THAT DOES NOT LEND  
05:54:48 ITSELF TO THE NORMAL APPLICATION OF SETBACK REQUIREMENTS AND  
05:54:52 BUFFERING REQUIREMENTS THAT A REGULAR RECTANGULAR PARCEL  
05:54:57 WOULD LEND ITSELF TO.  
05:55:00 THE SITE IS TRIANGULAR.  
05:55:05 IT HAS MAJOR ARTERIAL FRONTAGE OF ABOUT 200 FEET ALONG  
05:55:07 U.S. 41.  
05:55:07 AND ADDITIONAL STREET FRONTAGE OF ABOUT 240 FEET -- EXCUSE  
05:55:11 ME, 200 FEET ALONG U.S. 41 AND 240 FEET ALONG TRAILSIDE  
05:55:15 DRIVE.

05:55:16 THE THIRD SIDE ABUTS ANOTHER BUSINESS TO THE SOUTH, BUT  
05:55:21 TOTAL SITE AREA, AND THE SOUTHERN DIMENSION IS ABOUT  
05:55:24 104 FEET COMPARED TO THE OTHER TWO.  
05:55:26 SO THE SITE IN TOTAL AREA IS ABOUT .4 ACRES.  
05:55:31 RELATIVELY SMALL COMMERCIAL SITE, AS COMMERCIAL SITES GO.  
05:55:37 AND IT'S TRIANGULAR IN SHAPE WITH ROAD FRONTAGE ALONG THE  
05:55:42 TWO LARGEST DIMENSIONS OF THE PARCEL ITSELF WHICH  
05:55:46 EXACERBATES THE SETBACKS.

05:55:48 SETBACKS ARE GREATER FROM ROADWAYS THAN THEY ARE FROM  
05:55:50 ADJOINING PROPERTY LINE DIMENSIONS.  
05:55:52 THE CONFIGURATION, AND I'LL FLIP NOW TO THE DRAWING THAT I  
05:56:00 PASSED OUT EARLIER HERE, THAT DRAWING SHOWS THE SETBACKS  
05:56:05 FROM THE CODE AS APPLIED TO THIS PARCEL OF LAND.  
05:56:10 BASICALLY 25 FEET FROM BOTH ROADWAYS IN BOTH DIRECTIONS, AND  
05:56:14 I BELIEVE IT'S TEN FEET FROM THE SOUTH, ADJACENT TO THE  
05:56:18 PROPERTY LINE, AND THOSE SETBACKS HAVE BEEN DRAWN IN ON THE  
05:56:24 SITE PLAN THAT'S BEEN PRESENTED.  
05:56:26 THE AREA IN YELLOW IS ESSENTIALLY THE AREA THAT REMAINS  
05:56:30 BUILDABLE, DEVELOPABLE UNDER THE APPLICABLE SETBACKS.  
05:56:34 THE EXISTING STRUCTURE THAT'S ON THERE -- AND YOU CAN SEE  
05:56:37 THE SETBACK LINE CUTS THROUGH THE EXISTING STRUCTURE ON BOTH  
05:56:41 THE WEST SIDE AND THE EAST SIDE -- THE EXISTING STRUCTURE  
05:56:46 HAS, TO THE BEST OF MY KNOWLEDGE, BEEN LAWFULLY PERMITTED  
05:56:51 AND HAS BEEN CONTINUOUSLY USED A NUMBER OF YEARS, ALTHOUGH I  
05:56:55 CANNOT TELL YOU AT THIS POINT HOW LONG.

05:56:57 PRIOR TO INCORPORATION I CAN TELL YOU.  
05:56:58 AT LEE COUNTY PROCESSED A NUMBER OF USE PERMITS, LIMITED  
05:57:04 DEVELOPMENT ORDERS AND OTHER PERMITS FOR VARIOUS USES ON THE  
05:57:09 SITE.  
05:57:10 ESSENTIALLY TREATING THE BUILDING AS A LEGAL NONCONFORMING  
05:57:14 USE.  
05:57:14 IN OTHER WORDS, IT MAY NOT MEET SETBACKS, BUT IT'S BEEN  
05:57:18 AROUND SO LONG IT'S BEING TREATED AS A LEGAL NONCONFORMING  
05:57:22 USE.  
05:57:22 THE POINT I'D LIKE TO MAKE WITH REGARD TO THIS DRAWING IS  
05:57:26 UNDER THE CIRCUMSTANCES, IF THE CODE SETBACKS AND BUFFER  
05:57:29 REQUIREMENTS ARE APPLIED WITHOUT RELIEF THAT'S BEING  
05:57:33 REQUESTED, THE BUILDING WOULD NEED TO ESSENTIALLY BE TORN  
05:57:37 DOWN AND THE LARGEST FOOTPRINT AVAILABLE FOR DEVELOPMENT  
05:57:40 WOULD BE A TRIANGLE OF ABOUT 4,000 SQUARE FEET OUT OF A  
05:57:43 TOTAL OF ABOUT 17,000 SQUARE FOOT OF LAND AREA AVAILABLE ON  
05:57:48 THE PROPERTY.  
05:57:49 I WOULD SUBMIT TO YOU THAT THAT CREATES SOME UNUSUAL  
05:57:54 CIRCUMSTANCES AND SOME HARDSHIP HERE FOR THE OWNER, IF HE  
05:57:57 CANNOT USE AN EXISTING BUILDING THAT HAS BEEN THERE FOR A  
05:58:00 NUMBER OF YEARS UNDER CURRENT SETBACKS.  
05:58:02 I RESPECTFULLY SUBMIT THAT THIS IS EXACTLY THE TYPE OF  
05:58:09 CIRCUMSTANCE THAT VARIANCE RELIEF WAS CREATED IN THE CODE TO  
05:58:13 ADDRESS.  
05:58:14 SO WITH THAT, THE PRESENT -- THE FOUR VARIANCES PRESENTLY

05:58:19 REQUESTED ARE AS FOLLOWS: THE FIRST IS A VARIANCE FROM THE  
05:58:24 REQUIRED 20-FOOT-WIDE TYPE D BUFFER TO ALLOW A TYPE D BUFFER  
05:58:31 WITHIN 10 FEET INSTEAD OF 20 FEET.  
05:58:34 IN OTHER WORDS -- AND I'M GOING TO GO TO ANOTHER SITE PLAN

05:58:37           HERE, IF I CAN -- IN OTHER WORDS, THE BUFFER WOULD HAVE THE  
05:58:48           REQUIRED PLANTINGS OF A TYPE D BUFFER BUT INSTEAD OF IN A  
05:58:52           20-FOOT WIDE AREA, IT WOULD BE IN A 10-FOOT WIDE AREA.  
05:58:56           THERE WOULD ALSO BE A DECORATIVE SIX-FOOT-HIGH ALUMINUM  
05:59:01           FENCE THAT CLEARLY WITH THE VEGETATION AND THE BUFFER BEING  
05:59:04           PROVIDED, CLEARLY WOULD BE AN IMPROVEMENT OVER WHAT IS THERE  
05:59:07           NOW, AS MARY INDICATED, THERE IS NO BUFFER AT ALL PRESENTLY  
05:59:11           ON THE SITE.  
05:59:11           SO THIS WOULD BE A SIGNIFICANT IMPROVEMENT IN THE APPEARANCE  
05:59:15           OF THE SITE.  
05:59:15           THE SECOND AND THIRD VARIANCE REQUESTS ARE TO REDUCE THE  
05:59:20           REQUIRED 25-FOOT SETBACK FROM THE TWO ROADWAYS SO AS TO  
05:59:25           ALLOW A 15.5-FOOT SETBACK FROM TRAILSIDE AND A 14.4-FOOT  
05:59:31           SETBACK ALONG U.S. 41.  
05:59:34           AND THOSE NUMBERS WERE PICKED SIMPLY TO CONFORM TO THE  
05:59:37           EXISTING BUILDING THAT'S PRESENTLY LOCATED ON THE SITE.  
05:59:40           THOSE ARE THE EXISTING SETBACKS FOR THE EXISTING STRUCTURE.  
05:59:44           AND THE FOURTH VARIANCE WOULD BE TO ALLOW A REDUCTION IN THE  
05:59:48           BUFFERS FROM OUTDOOR -- FOR OUTDOOR STORAGE FROM THE  
05:59:51           REQUIRED 25 FEET TO ALLOW 10-FOOT SETBACKS ALONG TRAILSIDE  
05:59:58           AND U.S. 41 IN ACCORDANCE WITH THE SITE PLAN PRESENTED HERE.

06:00:04           OUTSIDE STORAGE HAS BEEN A PART AND A VERY IMPORTANT PART OF  
06:00:07           THE PARCEL FOR A NUMBER OF YEARS, PRIMARILY IN CONJUNCTION  
06:00:09           WITH THE USED AUTO SALES DEALERSHIP, BUT IN THIS CASE, COULD  
06:00:16           ALSO BE USED AS PART OF THE GRANITE RETAILING BUSINESS.  
06:00:21           MARY TOUCHED ON THE FINDINGS THAT NEED TO BE MADE FOR  
06:00:27           VARIANCE -- GRANTING A VARIANCE IN THE CODE AND INDICATED  
06:00:29           THAT SHE DID NOT FEEL THAT THE REQUESTED VARIANCES MET THE  
06:00:34           CODE CRITERIA, BUT I WOULD RESPECTFULLY DISAGREE AND SUGGEST  
06:00:38           THAT THE CRITERIA CONTAINED IN THE CODE HAVE BEEN MET FOR  
06:00:43           THE GRANTING OF THE VARIANCES AS HAVE BEEN REQUESTED.  
06:00:47           FIRST OF ALL, I WOULD SUBMIT THAT THERE ARE EXCEPTIONAL AND  
06:00:51           EXTRAORDINARY CIRCUMSTANCES INHERENT IN THE PROPERTY ITSELF  
06:00:56           THAT WORK A HARDSHIP ON THE OWNER.  
06:01:00           I'VE GONE THROUGH THESE EARLIER IN MY PRESENTATION, BUT THE  
06:01:03           PROPERTY IS A UNIQUE TRIANGULAR SHAPED PARCEL WITH ROAD  
06:01:06           FRONTAGE, SIGNIFICANT ROAD FRONTAGE ALONG TWO ROADWAYS WHICH  
06:01:11           GREATLY INCREASES THE SETBACKS THAT ARE REQUIRED UNDER THE  
06:01:14           CODE.  
06:01:15           AS I INDICATED EARLIER, A STRICT APPLICATION OF THESE  
06:01:18           REGULATIONS IS GOING TO RENDER ABOUT 77% OF THE PROPERTY  
06:01:22           SUBJECT TO SETBACKS UNDER THE CODE, WHICH I THINK IS AN  
06:01:28           EXTRAORDINARY HARDSHIP IN THIS CASE.  
06:01:30           SECONDLY, THE EXTRAORDINARY CIRCUMSTANCES ARE NOT THE RESULT  
06:01:35           OF THE OWNER.  
06:01:36           RESPECTFULLY, THIS PARCEL HAS EXISTED IN THIS CONFIGURATION

06:01:40 SINCE AT LEAST 1980.

06:01:42 I WAS ABLE TO TRACE IT BACK THAT FAR, THAT PREDATES NOT ONLY

06:01:46 MY CLIENT'S INVOLVEMENT WITH THE PROPERTY, BUT ALSO, AS I

06:01:50 SAID EARLIER, BOTH THE COUNTY'S AND THE VILLAGE'S MODERN-DAY

06:01:54 REQUIREMENTS IN SUBDIVISION AND LAND DEVELOPMENT CODE

06:01:57 REQUIREMENTS APPLICABLE TO THE PROPERTY.

06:02:00 THE STAFF REPORT INDICATES THAT -- THEIR FEELING THAT THE

06:02:06 HARDSHIP IS SELF-INDUCED, THAT WE ARE TRYING TO MAXIMIZE OR

06:02:10 PERHAPS OVER MAXIMIZE THE USE OF THE PARCEL.

06:02:13 I WOULD SUBMIT TO YOU THAT RESPECTFULLY THE APPLICANT IS

06:02:16 MERELY TRYING TO USE THE PROPERTY IN THE SAME MANNER AND TO

06:02:19 THE SAME DEGREE AND INTENSITY THAT IT HAS BEEN USED FOR MANY

06:02:23 YEARS PRIOR TO INCORPORATION BY THE VILLAGE.

06:02:26 I RESPECTFULLY SUBMIT THAT THE THIRD CRITERIA IS ALSO MET

06:02:31 AND THAT IS THAT THE VARIANCES BEING REQUESTED ARE THE

06:02:34 MINIMUM REQUIRED TO MAKE REASONABLE USE OF THE STRUCTURE AND

06:02:39 PROPERTY.

06:02:40 THE SETBACK VARIANCE REQUESTED TO BASICALLY CONFORM TO THE

06:02:44 EXISTING SETBACKS FOR THE EXISTING STRUCTURE.

06:02:48 I BELIEVE THAT'S THE MINIMUM REQUIRED THAT WILL RELIEVE THE

06:02:50 APPLICANT OF THE BURDEN IMPOSED BY THE REGULATIONS.

06:02:53 I RESPECTFULLY SUBMIT THAT THE FOURTH CRITERIA THAT THERE BE

06:02:56 NO INJURY TO THE NEIGHBORHOOD OR GENERAL PUBLIC IS ALSO MET.

06:03:00 IN FACT, IF THE VARIANCE, IF APPROVED AND MADE SUBJECT TO

06:03:04 THE LANDSCAPING BETTERMENT PLAN THERE THAT'S ON THE SCREEN,

06:03:09 THE RESULT WILL BE AN IMPROVEMENT TO THE NEIGHBORHOOD AND

06:03:12 NOT A PUBLIC DETRIMENT OR INJURY.

06:03:15 FINALLY, THE FIFTH CRITERIA IS THAT THE CIRCUMSTANCES THAT

06:03:20 YOU'RE REVIEWING HERE TODAY ARE NOT SO GENERAL IN NATURE

06:03:24 THAT YOU SHOULD ADDRESS THIS THROUGH AN AMENDMENT TO THE

06:03:26 CODE.

06:03:27 IN FACT, THIS IS A FAIRLY UNIQUE SITUATION THAT IS

06:03:30 APPLICABLE ONLY TO THIS PARCEL AS FAR AS I KNOW, AND I THINK

06:03:34 IT'S ACCORDINGLY MORE APPROPRIATE TO ADDRESS THIS THROUGH

06:03:38 INDIVIDUAL RELIEF FOR THIS PARCEL RATHER THAN TRY AND AMEND

06:03:42 THE CODE.

06:03:42 AS I INDICATED EARLIER, MY CLIENT IS HERE WITH ME TODAY IF

06:03:47 YOU HAVE QUESTIONS AS TO THE HISTORY OF THE PROJECT THAT I

06:03:50 MAY NOT BE AVAILABLE OR I MIGHT NOT BE FAMILIAR WITH, BUT

06:03:54 WITH THAT PRESENTATION, I'LL SIMPLY CONCLUDE AT THIS POINT

06:03:57 AND ASK YOU TO APPROVE.

06:03:59 THANK YOU.

06:04:01 >>Marlene Naratil: QUESTION ABOUT NEIGHBORS.

06:04:02 I SORT OF DROVE AROUND THAT TRAILSIDE, AND THERE ARE SOME

06:04:08 HOUSES NOT FAR FROM THE SIDE OF THIS.

06:04:12 AS I UNDERSTAND IT, THERE IS A FABRICATING PROCESS THAT GOES

06:04:17 ON THERE WITH THE CUTTING DOWN OF THE STONE, WHEN YOU SELL A

06:04:21           PIECE OF GRANITE.  
06:04:22           >>Russell Schropp: TO MY KNOWLEDGE --  
06:04:25           >>Mary Gibbs: FABRICATING IS NOT ALLOWED.

06:04:28           THERE WAS SOME FABRICATING OCCURRING UNDER THAT LITTLE SHED  
06:04:32           AT ONE TIME AND CODE ENFORCEMENT WENT OUT AND TOLD THE  
06:04:34           TENANTS THAT THEY ARE NOT ALLOWED TO FABRICATE.  
06:04:37           SO THE FABRICATING IS NOT ALLOWED UNDER THE CODE.  
06:04:42           IT'S JUST THE SELLING.  
06:04:44           >>Marlene Naratil: I WAS WONDERING -- BECAUSE USUALLY THAT  
06:04:46           IS PART OF GRANITE SALES.  
06:04:48           SO THERE WOULD BE NO NOISE COMING FROM --  
06:04:52           >>Russell Schropp: THERE WOULD BE NO FABRICATING.  
06:04:56           >>Marlene Naratil: HOW DO THE NEIGHBORS GENERALLY RESPOND TO  
06:05:00           THE EXISTENCE SO FAR OF THIS PROPERTY?  
06:05:03           >>Russell Schropp: I'VE NOT HAD ANY CONTACT WITH THE  
06:05:05           NEIGHBORS SO I CAN'T ANSWER YOUR QUESTION, AND I DON'T SEE  
06:05:07           ANYBODY HERE.  
06:05:08           >>Mary Gibbs: WELL, WE DON'T NOTIFY.  
06:05:10           AGAIN, WE DON'T NOTIFY ALL THE NEIGHBORS WITHIN A CERTAIN  
06:05:15           DISTANCE, BUT THE COMPLAINTS -- THE ONLY COMPLAINTS THAT I  
06:05:20           HAVE HEARD FROM CODE ENFORCEMENT HAS BEEN WITH SOME TRUCKS  
06:05:26           -- BIG TRUCKS COME DOWN TRAILSIDE SOMETIMES AND PARK ON THE  
06:05:29           GRASS RIGHT-OF-WAY.  
06:05:36           BUT I DON'T THINK THEY ARE TRUCKS FOR THE GRANITE.  
06:05:37           I THINK THERE'S A NURSERY NEXT DOOR.  
06:05:39           WE'VE HAD COMPLAINTS ABOUT THAT.  
06:05:40           THE ONLY COMPLAINTS ON TRAILSIDE I KNOW OF ARE ABOUT THE  
06:05:46           TRUCKS PARKING.

06:05:47           I KNOW THEY DO PARK ON THE SIDE OF THE ROAD ON TRAILSIDE.  
06:05:52           >> I HAVE A QUESTION.  
06:05:53           STAFF MENTIONED THAT THE TENANT DID NOT OBTAIN A USE PERMIT,  
06:05:57           BUT WENT AHEAD AND USED IT FOR THEIR OWN PURPOSES.  
06:06:04           AND THEN THERE'S THE ISSUE ABOUT FABRICATING ON-SITE.  
06:06:10           TELL ME -- WHAT CAN YOU TELL ME ABOUT THIS TENANT?  
06:06:14           BECAUSE IT SOUNDS LIKE THERE ARE SOME PROBLEMS WITH THIS  
06:06:16           TENANT.  
06:06:17           >>Russell Schropp: THERE'S A HISTORY TO THIS, AND,  
06:06:19           MR. CHAIRMAN, I GOT INVOLVED IN THIS CASE PROBABLY LESS THAN  
06:06:22           A MONTH AGO.  
06:06:23           SO I DON'T HAVE THE HISTORY GOING BACK TO 2016 WHEN THE CODE  
06:06:26           VIOLATION OCCURRED AND WAS CITED AND ALL THE OTHER STUFF  
06:06:31           THAT HAS GONE ON.  
06:06:32           MY CLIENT IS HERE AND CAN MAYBE FILL IN THE GAPS.  
06:06:34           I'LL MAKE AN EFFORT.  
06:06:36           IT'S MY UNDERSTANDING THAT THE TENANT DID GO INITIALLY TO  
06:06:40           THE VILLAGE AND THEN TO LEE COUNTY TO TRY AND OBTAIN A USE

06:06:45 PERMIT AND WAS TOLD BY LEE COUNTY THAT EVERYTHING WAS OKAY,  
06:06:49 TO GO AHEAD AND PROCEED.  
06:06:50 AND THAT'S WHAT THE TENANT RELIED UPON IN ORDER TO OPEN THE  
06:06:55 BUSINESS.  
06:06:55 BUT SHORTLY THEREAFTER, SHORTLY AFTER OPENING --  
06:06:58 >>Scotty Wood: RECEIVED AN ACTUAL PERMIT.  
06:07:00 >>Russell Schropp: I DON'T BELIEVE SO.

06:07:01 I DON'T BELIEVE THERE'S EVER BEEN A USE PERMIT.  
06:07:03 AND SHORTLY THEREAFTER THE VILLAGE CITED THEM FOR NOT HAVING  
06:07:06 A USE PERMIT.  
06:07:08 THAT'S THE EXTENT OF WHAT I KNOW.  
06:07:14 I THINK THAT'S WHAT I'VE HEARD.  
06:07:16 >>Scotty Wood: JIM.  
06:07:20 >>James Tatoes: IN REGARD TO THE TENANT RELATIONSHIP, IF  
06:07:21 THE VARIANCES ARE NOT GRANTED, WILL THE TENANT GO AWAY AND  
06:07:26 HAVE A CONFLICT BETWEEN THE OWNERS AND THE TENANTS?  
06:07:30 >>Russell Schropp: YOU KNOW, I APPRECIATE THE QUESTION.  
06:07:32 I THINK THAT'S PROBABLY A QUESTION BETWEEN MY CLIENT AND THE  
06:07:35 TENANT.  
06:07:35 I'M NOT SURE IF THE VARIANCES, IF THEY ARE NOT GRANTED, WHAT  
06:07:39 THE RELATIONSHIP WILL END UP -- WHAT EFFECT THAT WILL HAVE  
06:07:44 ON THE LANDLORD-TENANT RELATIONSHIP AT THIS POINT.  
06:07:50 >>Anthony Gargano: I HAVE A QUESTION FOR STAFF.  
06:07:51 IN THE JUSTIFICATION, THE APPLICANT IS -- CITED THE LAND  
06:08:00 DEVELOPMENT CODE.  
06:08:01 IN THE STAFF ANALYSIS, YOU MAKE MENTION OF -- THAT THE  
06:08:06 PORTION THAT THEY ARE CITING REALLY DOES NOT APPLY TO U.S.  
06:08:09 41.  
06:08:12 I'D JUST LIKE SOME CLARIFICATION.  
06:08:17 >>Mary Gibbs: I'M NOT SURE --  
06:08:19 >>Anthony Gargano: PAGE 4, PARAGRAPH 2 -- OR NUMBER 2.  
06:08:23 >>Mary Gibbs: OH, OKAY.

06:08:29 I KNOW WHAT THAT IS.  
06:08:31 THE JUSTIFICATION THAT WE'RE HEARING TONIGHT FROM THE  
06:08:34 ATTORNEY IS DIFFERENT JUSTIFICATION THAN WAS INCLUDED IN THE  
06:08:37 PACKET AND THE PRIOR JUSTIFICATION, IT BASICALLY SAID THAT  
06:08:44 -- IT SAID IT WAS AN EXISTING NONCONFORMING LOT AND IT  
06:08:52 ACTUALLY CITED A SECTION OF THE CODE THAT DIDN'T APPLY TO  
06:08:55 THAT SECTION.  
06:08:55 WHAT I WAS BASICALLY SAYING IS THAT ALL THE JUSTIFICATION  
06:08:59 THEY CITED IN THEIR ORIGINAL JUSTIFICATION WAS NOT CORRECT.  
06:09:05 BUT THE JUSTIFICATION THAT YOU'RE HEARING FROM RUSSELL  
06:09:07 SCHROPP TONIGHT I THINK IS DIFFERENT FROM WHAT YOU'VE GOT IN  
06:09:10 YOUR PACKET.  
06:09:13 >>Anthony Gargano: IS THIS SOMETHING THAT YOU'RE HEARING FOR  
06:09:15 THE FIRST TIME AS WELL?

06:09:17 >>Mary Gibbs: YEAH.  
06:09:19 I MEAN -- WELL, OTHER THAN A COUPLE OF PHONE CONVERSATIONS  
06:09:21 OVER THE PAST FEW DAYS, I'VE HEARD SOME.  
06:09:24 BUT, YES, THIS IS DIFFERENT THAN WHAT YOU HAVE IN THE PACKET  
06:09:27 AND WHAT WE BASED THE STAFF REPORT ON, ALTHOUGH THERE ARE A  
06:09:31 FEW THINGS THAT WE PROBABLY DISAGREE ON.  
06:09:34 >>Anthony Gargano: DO YOU NEED SOME TIME TO ANALYZE THAT?  
06:09:37 OR IS THERE SOME STAFF COMMENT --  
06:09:40 >>Mary Gibbs: WELL, I THINK THE STAFF COMMENT -- AND THERE  
06:09:43 IS ONE THING I JUST WANTED TO CLARIFY.  
06:09:45 WHEN RUSSELL SAID THAT THE COUNTY ISSUED THESE DEVELOPMENT  
  
06:09:51 ORDERS, I WENT BACK AND LOOKED AT ONE OF THE LIMITED  
06:09:54 DEVELOPMENT ORDERS THAT THE COUNTY DID WHEN IT WAS THE CAR  
06:09:56 SALES OR ONE OF THE CAR BUSINESSES, AND THE SITE PLAN THAT  
06:09:59 WAS PRESENTED TO THE COUNTY AT THE TIME, IT WAS NOT A  
06:10:05 SURVEY.  
06:10:06 BACK THEN, YOU DID LIKE A SKETCH.  
06:10:08 SO ON THE SKETCH, IT ACTUALLY SHOWED THAT IT MET THE  
06:10:11 SETBACKS, BUT I THINK THE SKETCH WAS INCORRECT.  
06:10:13 SO I THINK THE COUNTY, ONE OF THOSE SIGNED OFF THINKING IT  
06:10:17 MET THE SETBACKS.  
06:10:18 HOWEVER, JUST TO BE, YOU KNOW, FOR FULL DISCLOSURE, MEANT  
06:10:22 THE SETBACKS FOR THE BUILDINGS, BUT IT DID SHOW THAT IT  
06:10:25 DIDN'T MEET THE SETBACK FOR THAT CARPORT, WHICH IS ATTACHED  
06:10:28 TO THE BUILDING.  
06:10:29 THE COUNTY, I THINK THEY APPROVED IT THINKING IT MET THE  
06:10:34 SETBACKS BUT THEY DIDN'T CATCH THAT THE CARPORT DIDN'T MEET  
06:10:36 THE SETBACK.  
06:10:37 AGAIN, THIS IS VERY CONFUSING.  
06:10:40 THAT WAS THE CAR LOT, THAT WASN'T THIS APPLICANT.  
06:10:44 RUSSELL SCHROPP IS RIGHT, THIS BUILDING, WE WENT BACK TO TRY  
06:10:47 TO FIGURE OUT WHEN THE BUILDING WAS CONSTRUCTED.  
06:10:49 IT'S REALLY OLD.  
06:10:50 I DON'T KNOW.  
06:10:51 I COULDN'T FIND THE RECORDS ON IT EITHER.  
06:10:53 BUT I THINK THE MAIN PREMISE OF MY REASON THAT IT DOESN'T  
  
06:11:00 MEET THAT WE FEEL LIKE THERE IS A USE ON THE PROPERTY, WHICH  
06:11:02 IS THE BILLBOARD.  
06:11:03 SO THAT CRITERIA I THINK I DISAGREE WITH.  
06:11:11 >>Russell Schropp: IF I MAY ADDRESS THAT I PROBABLY SHOULD  
06:11:13 HAVE AS PART OF MY PRESENTATION.  
06:11:14 THE BILLBOARD, YES, THERE IS A BILLBOARD ON-SITE.  
06:11:16 IT IS A USE, BUT IN TERMS OF BEING A REASONABLE ECONOMIC USE  
06:11:22 FOR THE PROPERTY, I WOULD RESPECTFULLY SUBMIT THAT IT FALLS  
06:11:26 FAR SHORT, RENT OBTAINED FROM THE LEASE OF THE BILLBOARD  
06:11:31 PROBABLY BARELY COVERS THE TAXES ON THE PROPERTY AND RENDERS

06:11:35 THE REST OF THE SITE VIRTUALLY WITH NO REASONABLE ECONOMIC  
06:11:40 USE THAT I CAN ASCERTAIN IF WE CANNOT USE THE EXISTING  
06:11:45 BUILDING WITH RELIEF FROM THE SETBACKS -- WITHOUT RELIEF  
06:11:49 FROM THE SETBACKS.

06:11:54 >> THERE HAS BEEN SOME HISTORY OF ON-SITE ADVERTISING  
06:11:58 INVOLVING THAT BILLBOARD.

06:12:00 >>Russell Schropp: VAGUELY FAMILIAR WITH THAT.

06:12:02 >>Scotty Wood: CAN YOU COMMENT ON THAT?

06:12:04 >>Russell Schropp: I CAN TO THE EXTENT I KNOW.

06:12:05 >>Scotty Wood: BECAUSE THAT IS A NO-NO.

06:12:07 >>Russell Schropp: I THINK IT'S BEEN DISCONTINUED, BUT, YES,  
06:12:11 MY UNDERSTANDING IS AT SOME POINT, THE TENANT DID USE THE  
06:12:16 BILLBOARD TO ADVERTISE THE PRODUCT BEING SOLD ON THE  
06:12:19 PREMISES, WHICH IS NOT WHAT A BILLBOARD IS FOR.

06:12:22 I THINK THAT'S BEEN DISCONTINUED.

06:12:24 >>Mary Gibbs: YEAH, WE NOTIFIED THEM AND THEY STOPPED THAT.  
06:12:29 WE DID HAVE A CONVERSATION WITH THE APPLICANT AT ONE POINT  
06:12:32 ABOUT THEY WOULD BE ALLOWED TO DO SOME WALL SIGNAGE IF  
06:12:36 EVERYTHING GETS APPROVED.

06:12:37 BUT WE TOLD HIM, DON'T COME IN FOR ANY WALL SIGN PERMITS  
06:12:41 UNTIL THIS IS ALL TAKEN CARE OF.

06:12:44 SO THEY WOULD BE ALLOWED TO HAVE, MAYBE EVEN A MONUMENT  
06:12:50 SIGN.

06:12:51 >>Russell Schropp: I PRESUME WHATEVER IS ALLOWED UNDER THE  
06:12:54 CODE.

06:12:54 MR. CHAIRMAN, IF I MAY MAKE ONE ADDITIONAL COMMENT.

06:12:57 THAT IS, I UNDERSTAND THE CONCERN ABOUT OR THE QUESTIONS

06:12:59 ABOUT THE CURRENT TENANT, BUT I ALSO NEED YOU ALL TO

06:13:03 UNDERSTAND THAT THESE VARIANCES ARE GOING TO BE REQUIRED OR  
06:13:06 NEEDED REGARDLESS OF WHETHER WE'RE DEALING WITH THE GRANITE  
06:13:08 BUSINESS OR ANOTHER USED CAR LOT OR AN OFFICE EVEN.

06:13:13 IF THE BUILDING WAS CONVERTED TO OFFICE, THE BUILDING  
06:13:15 DOESN'T COMPLY.

06:13:17 AND SO THE VARIANCE REQUEST, THE VARIANCES THAT ARE ASKED

06:13:19 FOR TODAY ARE GOING TO BE NEEDED AT LEAST FOR THE SETBACKS

06:13:23 AND THE LANDSCAPING PURPOSES, I WOULD RESPECTFULLY SUBMIT.

06:13:28 I GUESS WHAT I'M CAUTIONING IS TRY NOT TO GET TOO HUNG UP ON

06:13:33 WHAT THE TENANT IS CURRENTLY BECAUSE REGARDLESS OF WHAT

06:13:35 HAPPENS TO THE TENANT, THE VARIANCES ARE GOING TO BE A

06:13:38 NECESSARY PART.

06:13:42 >> IT'S BEEN QUITE SOME TIME THAT THIS HAS BEEN GOING ON,  
06:13:45 SPECIAL MAGISTRATE INVOLVED.

06:13:46 NO EFFORT APPEARS TO HAVE BEEN MADE TO COMPLY.

06:13:51 CAN YOU TALK ABOUT THE RATIONALE BEHIND THAT?

06:13:54 >>Russell Schropp: YOU KNOW, AS I INDICATED, I'VE BEEN

06:13:56 INVOLVED IN THIS CASE FOR PROBABLY LESS THAN A MONTH.

06:13:58 I TOOK OVER FOR ANOTHER ATTORNEY WHO WAS CONFLICTED OUT.  
06:14:02 AND STEVE REFERRED IT OVER TO ME.  
06:14:08 >>Mary Gibbs: I CAN ADDRESS THAT, THOUGH.  
06:14:10 I CAN ADDRESS THAT FROM OUR PERSPECTIVE.  
06:14:14 >> RATIONALE ISSUE.  
06:14:16 >>Mary Gibbs: WELL, IN TERMS OF, IT SEEMS LIKE IT'S BEEN  
06:14:19 GOING ON FOR A LONG TIME, BUT THEY DID FILE -- YOU KNOW, AS  
06:14:23 SOON AS THEY WERE CITED, THEY DID COME IN AND THEY DID FILE  
06:14:26 ALL THE PAPERWORK, BUT THE VARIANCE, THE LIMITED DEVELOPMENT  
06:14:31 ORDER, AND THE USE PERMIT WAS FILED BUT WE DIDN'T DO  
06:14:34 ANYTHING WITH IT BECAUSE WE HAD TO GET -- SO THERE WERE  
06:14:36 EFFORTS, WHEN I DEALT WITH STEVE HARTZELL ON THAT, THERE  
06:14:40 WERE EFFORTS MADE.  
06:14:42 THEY HAD TO GET A CONSULTANT.  
06:14:44 THEY HAD TO GET AN ENGINEERING FIRM TO DO THE LANDSCAPE  
06:14:48 PLAN.  
06:14:49 WE NEGOTIATED THAT OVER SOME PERIOD OF TIME BECAUSE WE  
06:14:51 THOUGHT IF IT DID GET APPROVED, WE WANTED TO MAKE SURE THE  
06:14:54 LANDSCAPING WAS KIND OF CONTINUOUS WITH THE PALETTE THAT  
  
06:15:00 WE'RE SEEING ON 41.  
06:15:02 ESTERO GRANDE, THEY WENT AND HIRED WALDROP ENGINEERING  
06:15:06 BECAUSE THEY HAD DONE THE ESTERO GRANDE LANDSCAPING.  
06:15:09 WE TOLD THEM WE WANT KIND OF THE SAME THEME.  
06:15:12 WE WANT IT TO BE COMPARABLE AND ATTRACTIVE.  
06:15:16 WE TALKED WITH THEM ABOUT THAT.  
06:15:18 THEN WE TALKED WITH THEM ABOUT HAVING -- THEY KIND OFFERED  
06:15:22 THIS DECORATIVE FENCE, TOO, BECAUSE THE INITIAL THOUGHT WAS,  
06:15:26 WELL, WE'LL DO GRANITE WALL.  
06:15:28 WE'RE LIKE, NO, WE DON'T WANT THE WALL, BUT SOME NICE  
06:15:32 LANDSCAPING AND FENCE WOULD BE REALLY GOOD.  
06:15:34 SO THAT TOOK A SERIES OF TIME GOING THROUGH THAT.  
06:15:37 AND WE WENT BACK AND FORTH ON THAT, AND THEN WE HAD  
06:15:41 QUESTIONS ON LIMITED DEVELOPMENT ORDER.  
06:15:44 YOU DO SUFFICIENCY REVIEW.  
06:15:47 I WOULD NOT SAY NOTHING HAS HAPPENED.  
06:15:50 IT'S A VERY LONG PROCESS.  
06:15:52 AND THEN THERE WERE SOME GAPS IN THE PROCESS, AND THEN THE  
06:15:55 ENGINEER WASN'T THERE, AND THEY GOT THE -- THE TENANTS GOT  
06:15:58 ANOTHER ENGINEER.  
06:15:59 SO THAT GOT BOGGED DOWN.  
06:16:00 AND THAT'S WHEN I SENT IT BACK TO THE CODE HEARING AND SAID  
06:16:03 WE'VE GOT TO GET SOMETHING MOVING.  
06:16:06 THERE WERE LOTS OF THINGS.  
06:16:10 I'VE HAD MANY MEETINGS IN THE PAST YEAR AND A HALF OR TWO  
  
06:16:13 YEARS.  
06:16:14 EVEN THOUGH IT APPEARS THAT NOTHING HAPPENED, THERE HAVE

06:16:17 BEEN THINGS GOING ON.  
06:16:19 >> DURING THAT TIME PERIOD, FINE ACCRUING OF \$250 A DAY?  
06:16:26 >>Mary Gibbs: THE MAGISTRATE DID NOT IMPOSE THE FINE.  
06:16:29 INITIALLY THAT SEEMED LIKE WE WERE MAKING PROGRESS.  
06:16:32 HE DID NOT IMPOSE A FINE.  
06:16:33 ONLY AT THE LAST HEARING WHEN HE SAID HE WAS GOING TO IMPOSE  
06:16:42 THE FINE, BUT HE'S GOING TO HAVE A HEARING THE END OF  
06:16:46 OCTOBER WHERE HE ACTUALLY DECIDES IF THE FINE WILL BE  
06:16:51 IMPOSED.  
06:16:54 RUSSELL, DIDN'T YOU TALK TO DEREK --  
06:16:57 >> I TALKED WITH DEREK ROONEY AND CONFIRMED THAT.  
06:16:59 >>Mary Gibbs: IT WAS A LITTLE CONFUSING IN THE ORDER.  
06:17:01 I WAS THERE, AND WE CLARIFIED THAT.  
06:17:13 >>John Yarbrough: THE ORIGINAL USE IN THE 1960s WAS A  
06:17:20 CYPRESS KNEES FURNITURE SHOP.  
06:17:24 THEY SOLD CYPRESS TABLES, CYPRESS LAMPS, AND THAT'S WHAT IT  
06:17:34 WAS FOR THE LONGEST TIME.  
06:17:38 AT THAT TIME, IN THE '60s, I DON'T REMEMBER EXACTLY WHEN  
06:17:43 41 WENT TO FOUR LANE, MUCH LESS SIX LANE.  
06:17:50 AND SO IT KIND OF FIT.  
06:17:54 THERE WAS NO REAL ISSUE.  
06:17:56 I LIKE TO SEE SOME COMMUNITY CULTURE.  
06:18:07 I DON'T THINK EVERYTHING NECESSARILY HAS TO LOOK EXACTLY THE  
  
06:18:09 SAME.  
06:18:10 BUT I'M A LITTLE SURPRISED THAT WHOEVER LAST PURCHASED IT  
06:18:14 WOULD HAVE PURCHASED IT NOT UNDERSTANDING WHAT THE LIMITS  
06:18:20 WERE GOING TO BE AND MAYBE THEY WEREN'T SET AT THAT TIME,  
06:18:28 BUT OVER THE LAST, YOU KNOW, 15, 20 YEARS, IT WAS OBVIOUS  
06:18:32 WHAT'S HAPPENING WITH THE SIX-LANING OF 41.  
06:18:37 I JUST DON'T FEEL IT'S A GOOD FIT.  
06:18:46 I'M SYMPATHETIC TO THE BUSINESS.  
06:18:49 I'M SYMPATHETIC THAT IT'S A VERY VOCAL POINT ON 41.  
06:18:57 YOU CAN'T MISS IT.  
06:18:58 IT'S RIGHT ON THE CURB.  
06:19:03 BUT I'M TORN THAT GRANTING THIS VARIANCE WOULD BE THE RIGHT  
06:19:07 THING.  
06:19:09 >> JOHN, DO YOU RECALL IF IT WAS EVER A SERVICE STATION?  
06:19:12 >>John Yarbrough: IT PROBABLY WAS.  
06:19:14 IT PROBABLY WAS.  
06:19:16 MAYBE.  
06:19:17 BUT I REMEMBER FOR SURE IN THE '60s IT WASN'T A GAS  
06:19:22 STATION.  
06:19:23 >> EVER BEEN ENVIRONMENTAL TESTING ON THE SITE?  
06:19:26 >>John Yarbrough: DON'T KNOW.  
06:19:29 >>Scotty Wood: MARY, DO YOU HAVE ANY -- YES, PLEASE COME UP.  
06:19:33 >>Hernan Campero: GOOD EVENING.  
06:19:39 MY NAME IS HERNAN CAMPERO.

06:19:41 I'M ONE OF THE OWNERS OF THE PROPERTY WITH MY FAMILY.

06:19:44 YES, IT WAS A GAS STATION.  
06:19:46 THAT'S WHAT I HEAR BECAUSE I GOT SOME ENVIRONMENTAL REPORTS  
06:19:48 ON THE TANKS.  
06:19:49 AND SO, YES, YOU'RE RIGHT.  
06:19:50 IT WAS A GAS STATION.  
06:19:52 >> ARE THE TANKS STILL THERE?  
06:19:54 >>Hernan Campero: NO, I DON'T THINK SO.  
06:19:55 BECAUSE THEY GOT EVERYTHING RELEASED FROM THE ENVIRONMENTAL  
06:19:58 ENGINEERING.  
06:20:03 >>Scotty Wood: ANY OTHER QUESTIONS?  
06:20:06 >>Marlene Naratil: SIR, HAVE YOU HAD ANY CONTACTS FROM  
06:20:09 NEIGHBORS, EITHER FOR THIS PROJECT OR ARE THEY OPPOSED TO  
06:20:12 THE BUSINESS THAT'S THERE?  
06:20:14 >>Hernan Campero: NO, I HAVEN'T.  
06:20:16 ACTUALLY, I USE -- HOW DO I GET INTO THIS PROPERTY I LEASE  
06:20:22 WITH AN OPTION TO PURCHASE IT.  
06:20:23 I HAVE AN AUTO SALES BUSINESS THERE.  
06:20:27 THAT WAS MY INTENTION.  
06:20:28 SO WHEN MY LEASE EXPIRES, I SECURED THE OPTION TO BUY IT.  
06:20:33 AND I GOT THE PROPERTY.  
06:20:35 DURING THE TIME I WAS THERE, I NEVER HAVE ANY CONTACT WITH  
06:20:38 HOMEOWNERS, MAYBE CONTACT WITH THE SOUTH NURSERY BUSINESS,  
06:20:44 YES.  
06:20:44 BUT NOT WITH NEIGHBORS.  
06:20:46 THAT LIVE THERE.

06:20:49 >> WHAT WAS THE NATURE OF YOUR CONTACT WITH THE NURSERY?  
06:20:51 >>Hernan Campero: THEY JUST WANT -- THEY ASKED ME IF THEY  
06:20:54 COULD USE A LITTLE BIT OF MY SPACE FOR STORAGE, SOME OF THE  
06:20:57 THINGS THAT THEY NEED.  
06:20:59 AND ALSO, THERE WAS A TIME THAT SOMEBODY THREW SOME GARBAGE  
06:21:03 OUTSIDE THE PROPERTY, SO I GOT A CITATION FOR THAT, AT THE  
06:21:08 TIME THE BUILDING WAS EMPTY.  
06:21:10 SO THERE WERE MATTRESSES AND THINGS LIKE THAT.  
06:21:12 SO THEY CAME TO ME AND THEY SAY, HEY, YOU WANT TO USE OUR  
06:21:17 TRACTOR, WE WILL DUMP ALL THE STUFF FOR YOU.  
06:21:20 SO THAT WAS THE ONLY --  
06:21:23 >>Marlene Naratil: YOU HAVE A GOOD RELATIONSHIP WITH THE --  
06:21:25 >>Hernan Campero: YES.  
06:21:26 WE NEVER HAVE A PROBLEM WITH THEM.  
06:21:30 IT'S A VERY REASONABLE NEIGHBOR.  
06:21:39 >>Scotty Wood: MARY, DO YOU WANT TO -- FIRST OF ALL, ANY  
06:21:42 FURTHER COMMENTS FROM THE APPLICANT OR HIS ATTORNEY?  
06:21:46 >>Russell Schropp: NO, SIR.  
06:21:47 I HAVE NOTHING FURTHER.  
06:21:47 I APPRECIATE YOUR ATTENTION AND YOUR QUESTIONS.

06:21:50 THANK YOU.  
06:21:50 >>Scotty Wood: ALL RIGHT.  
06:21:51 I THINK BEFORE I ASK MARY FOR ANY OTHER COMMENTS, I'LL OPEN  
06:21:55 THE PUBLIC HEARING ON THIS.  
06:21:57 DOES ANYONE FROM THE PUBLIC WISH TO SPEAK ON THIS.

06:22:01 DO YOU HAVE ANY CARDS?  
06:22:03 >>Tammy Duran: I DO NOT HAVE ANY CARDS.  
06:22:04 >>Scotty Wood: LAST CHANCE.  
06:22:05 CLOSE THE PUBLIC HEARING.  
06:22:06 OKAY, MARY.  
06:22:08 SINCE THERE HAVE BEEN SOME CHANGES BETWEEN THE STAFF REPORT  
06:22:11 AND THIS PRESENTATION TONIGHT, PLEASE PROVIDE COMMENTARY AS  
06:22:17 TO WHETHER THAT CHANGES YOUR RECOMMENDATION OR NOT.  
06:22:21 >>Mary Gibbs: NO, IT DOES NOT --  
06:22:23 >>Scotty Wood: OR OTHER COMMENTARY.  
06:22:25 >>Mary Gibbs: IT DOESN'T CHANGE MY RECOMMENDATION.  
06:22:27 I THINK THAT WHAT THEY DESCRIBED ARE IMPROVEMENTS TO THE  
06:22:34 PROPERTY.  
06:22:35 I MEAN, THIS IS A DIFFICULT -- THIS IS A DIFFICULT PIECE OF  
06:22:38 PROPERTY.  
06:22:40 IT IS AN ODD SHAPE AND IT'S DIFFICULT.  
06:22:42 THE CAR SALES THAT HAVE BEEN IN THE PAST IS NOT THE KIND OF  
06:22:47 THING THAT I THINK THE VILLAGE WANTS TO SEE, MORE AUTO SALES  
06:22:51 ON THE PROPERTY, BECAUSE IT'S NOT -- RIGHT NOW IT'S AN  
06:22:54 EYESORE.  
06:22:55 SO THE LANDSCAPING AND THE FENCE WOULD BE A DEFINITE  
06:22:58 IMPROVEMENT.  
06:22:59 I JUST FEEL THAT TECHNICALLY THAT DOESN'T MEET THE CRITERIA  
06:23:02 OF THE VARIANCE JUSTIFICATION.  
06:23:05 SO IT'S REALLY -- THE JUSTIFICATION HAD BEFORE WAS REALLY

06:23:09 AWFUL.  
06:23:11 I HAVE TO SAY THE JUSTIFICATION TONIGHT IS MUCH BETTER, BUT  
06:23:13 I STILL -- I WOULDN'T CHANGE MY RECOMMENDATION.  
06:23:16 BASED ON THAT.  
06:23:19 THEN, AGAIN, YOU KNOW, IT'S UP TO YOU ALL.  
06:23:22 YOU LISTENED AND DECIDE WHAT YOU THINK.  
06:23:26 >>Scotty Wood: I HAVE A QUESTION BEFORE I TAKE IT AROUND THE  
06:23:29 BOARD.  
06:23:30 WOULD THE LANDSCAPING INCLUDE IRRIGATION?  
06:23:41 >>Russell Schropp: I THINK THAT'S A CODE REQUIREMENT.  
06:23:44 I THINK NEW LANDSCAPING HAVE IRRIGATION OR SOME SORT --  
06:23:48 >>Mary Gibbs: I THINK IT'S REQUIRED.  
06:23:50 I THINK THERE ARE SOME EXEMPTIONS FOR SMALL SITES THAT HAVE  
06:23:53 SOAKER HOSES AND THINGS TO GET IT IN.  
06:23:59 >>Russell Schropp: I WOULD THINK NATIVE VEGETATION WOULD BE  
06:24:01 USED.

06:24:02 I'M TOLD IT'S FIRMLY ESTABLISHED, I THINK THERE WOULD BE  
06:24:05 SOME WATERING SOURCE, BUT I DON'T KNOW WHETHER THAT WOULD  
06:24:08 INCLUDE IRRIGATION.  
06:24:12 >>Scotty Wood: LET'S START WITH TIM.  
06:24:19 >>Dr. Tim Allen: I'M NOT CONVINCED THAT THERE WOULD BE --  
06:24:24 THAT THE ONLY REMAINING USE WOULD BE THE BILLBOARD.  
06:24:27 IT IS AN EYESORE PROPERTY, AS MARY NOTED.  
06:24:30 THE PROPERTY OWNER PURCHASED THE PROPERTY KNOWING, WITH  
06:24:37 CONSTRUCTIVE NOTICE IT WAS IN VIOLATION AND MADE NO EFFORT  
  
06:24:40 TO REMEDY THAT OVER QUITE A LONG PERIOD, EVEN AFTER  
06:24:44 INVOLVING THE SPECIAL MAGISTRATE'S DECISIONS.  
06:24:46 I SEE NO REASON THAT WE WOULD TURN ASIDE OUR OWN LAND USE  
06:24:52 CODE TO GRANT THESE VARIANCES.  
06:24:58 >>Scotty Wood: ANTHONY.  
06:24:59 >>Anthony Gargano: YEAH, WELL, I'M GLAD TO HEAR FROM MARY  
06:25:03 THAT THERE HAS BEEN SOME ONGOING DIALOGUE BECAUSE IN JUST  
06:25:10 LOOKING THROUGH THE APPLICATION AND THE LENGTH OF TIME THIS  
06:25:15 HAS ALL TAKEN, IT WAS ALMOST LIKE CONCLUDING THAT WE'RE  
06:25:22 ASKED TO ESSENTIALLY REWARD BAD BEHAVIOR.  
06:25:26 SO IT'S ENCOURAGING THAT THERE'S BEEN SOME DIALOGUE, THAT  
06:25:31 THERE HAS BEEN SOME CONTINUING ACTIVITY.  
06:25:33 I HAD THE SAME OR SIMILAR THOUGHT AS JOHN DID WITH REGARD TO  
06:25:45 -- THIS BUYER REALLY DIDN'T DO HIS DUE DILIGENCE WHEN HE  
06:25:49 BOUGHT THIS PROPERTY.  
06:25:51 BUT THAT'S NOT FOR US TO DECIDE.  
06:25:53 JUST SHARING SOME THOUGHTS WITH YOU.  
06:25:58 IT'S A TOUGH PROPERTY.  
06:26:08 AND WHATEVER THAT CAN BE DONE WITH IT, I THINK IT WILL BE  
06:26:10 VERY, VERY DIFFICULT.  
06:26:13 I DON'T BELIEVE THAT GRANTING THE REQUESTED RELIEF IS IN THE  
06:26:19 BEST INTEREST OF THE COMMUNITY.  
06:26:21 SO I WOULDN'T SUPPORT GRANTING THE VARIANCES.  
06:26:28 >>Marlene Naratil: IT'S A VERY TOUGH CASE, I THINK, BECAUSE  
06:26:31 OF ALL THE THINGS YOU ALL HAVE MENTIONED.  
  
06:26:36 LOOKING AT IT, I JUST THINK IT'S A DIFFICULT SITE.  
06:26:41 WHAT THEY HAVE THERE NOW DOESN'T MAKE IT ANY WORSE THAN WHAT  
06:26:45 THE SITE WOULD BE WITH NOTHING ON IT.  
06:26:48 AND I DO LIKE THEIR DESIRE AND WILLINGNESS TO PUT  
06:26:53 LANDSCAPING AND A NICE FENCE IN.  
06:26:55 BUT THEN AGAIN, I AGREE WITH, YOU KNOW, PEOPLE NOT FOLLOWING  
06:27:00 ORDERS AS THEY SHOULD.  
06:27:01 BUT I DON'T KNOW WHAT OUR ALTERNATIVE IS.  
06:27:04 WHAT WOULD HAPPEN TO THIS PROPERTY IF WE DON'T GRANT THE  
06:27:07 VARIANCES?  
06:27:08 AND THAT'S WHAT I'M WORRIED ABOUT.  
06:27:10 WHAT HAPPENS THEN?

06:27:12 AT LEAST WE HAVE SOMEONE THERE THAT SEEMS TO BE INTERESTED.  
06:27:15 YOU HAD YOUR BUSINESS NOW A COUPLE OF YEARS, RIGHT?  
06:27:23 >>Hernan Campero: IT'S NOT MY BUSINESS.  
06:27:25 NOW IT'S LEASED.  
06:27:26 FBC IS THE TENANT.  
06:27:28 THEY HAVE BEEN THERE FOR OVER THREE YEARS.  
06:27:30 THEY HAVE A TEN-YEAR CONTRACT ON RENEWAL -- AND RENEWAL FOR  
06:27:36 ANOTHER TEN.  
06:27:40 >>Marlene Naratil: AS I SAY, WHAT'S THE ALTERNATIVE?  
06:27:44 EITHER TO GIVE THEM RELIEF OR TO LET THE PROPERTY GO TO POT,  
06:27:48 SO TO SPEAK.  
06:27:52 I'LL ABIDE BY WHAT MY FELLOW BOARD MEMBERS --  
06:27:58 >>James Tatoes: WELL, A COUPLE OF THINGS.

06:28:00 I DRIVE BY THIS PROPERTY EVERY DAY BACK AND FORTH, AND I  
06:28:06 FEEL IT'S TEN POUNDS IN A FIVE POUND BAG.  
06:28:11 THAT'S THE WAY IT APPEARS TO ME WHEN I GO BY.  
06:28:14 PRESENTLY, THERE IS A CYCLONE FENCE, AND EVERYTHING IS  
06:28:17 STACKED UP RIGHT TO THE FENCE.  
06:28:18 SLABS OF GRANITE.  
06:28:27 I HAVE A CONFLICTED THOUGHT ABOUT THE POOR PEOPLE WHO BOUGHT  
06:28:32 THIS THING AND DO HAVE IT NOW.  
06:28:35 IF THERE'S ANY COMPROMISE THAT WOULD ALLOW THEM TO USE THE  
06:28:40 PROPERTY, BUT I DON'T THINK WE HAVE TO -- WE HAVE TO WEIGH  
06:28:47 WHAT'S GOOD FOR THE COMMUNITY VERSUS WHAT'S -- FOR THE  
06:28:52 LANDOWNER.  
06:28:52 A FEW YEARS AGO, IT WAS MENTIONED IN THE REPORT THAT THERE  
06:28:55 WAS AN EFFORT BY THE VILLAGE TO LANDSCAPE -- [INAUDIBLE]  
06:29:00 RIGHT-OF-WAY UP AND DOWN THE STREET.  
06:29:01 I BELIEVE THAT THE LONG-RANGE GOAL OF ESTERO IS TO BEAUTIFY  
06:29:14 ALL OF THE STREETS, WHICH REQUIRES LANDSCAPING IN THE  
06:29:18 PARKWAY AND SOME COOPERATION WITH THE LANDOWNERS.  
06:29:23 AND IN ORDER TO DO THAT, THAT WOULD CUT INTO THE USEFUL AREA  
06:29:29 OF THIS PROPERTY.  
06:29:31 SO THE ONLY THING I COULD SEE WAS IF YOU GAVE THE VARIANCE  
06:29:36 SO THAT YOU MADE THE BUILDING LEGAL, I COULD SEE THAT, LIKE  
06:29:43 YOU SAID, BUT I CAN'T SEE THE OPEN AREA FOR DISPLAY TO BE AS  
06:29:49 BIG AS IT'S SHOWN.  
06:29:51 AND THEN YOU'VE GOT A CONFLICT OF WHAT DO YOU DO FOR

06:29:57 CUSTOMER PARKING.  
06:29:59 SEEMS TO ME CUSTOMER PARKING WOULD BE PARKING IN THE  
06:30:03 DRIVEWAY ...  
06:30:04 SO THE ONLY COMPROMISE THAT I WOULD SUPPORT WOULD BE TO GIVE  
06:30:08 THE VARIANCE TO SUPPORT THE EXISTENCE OF THE BUILDING, BUT  
06:30:14 DRASTICALLY LIMIT THE AMOUNT OF AREA THEY WOULD HAVE FOR  
06:30:17 OUTDOOR DISPLAY.  
06:30:21 >>Scotty Wood: JOHN.

06:30:24 >>John Yarbrough: I DON'T DISAGREE WITH ANYTHING THE BOARD  
06:30:31 HAS SAID.  
06:30:33 MARY IS IT POSSIBLE, IF THIS VARIANCE DOESN'T GET APPROVED,  
06:30:38 TO LET THEM KNOW WHAT COULD BE DONE THERE?  
06:30:42 >>Mary Gibbs: WELL, THAT'S AN INTERESTING POINT BECAUSE  
06:30:45 MR. CAMPERO ACTUALLY ASKED THAT AT THE CODE ENFORCEMENT  
06:30:49 HEARING WHEN WE HAD THAT HEARING.  
06:30:50 HE SAID I WOULD LIKE TO -- I WANT TO BE IN THE VILLAGE.  
06:30:53 I WANT TO WORK WITH THE VILLAGE.  
06:30:54 PLEASE TELL ME WHAT THE VILLAGE WOULD LIKE TO SEE.  
06:31:00 THE PROBLEM IS, YOU'VE GOT C-1 ZONING ON THAT PROPERTY.  
06:31:04 SO THAT GIVES YOU THE BROAD RANGE.  
06:31:07 SO I TOLD HIM, I SAID, A NICE OFFICE OR SOMETHING WOULD BE  
06:31:10 GOOD, BUT I CAN'T -- I CAN TELL YOU WHAT I'D LIKE TO SEE BUT  
06:31:15 THE ZONING ALLOWS MULTIPLE THINGS.  
06:31:17 IT CREATES A LITTLE BIT OF A DILEMMA.  
06:31:21 I KNOW HE WOULD LIKE TO PUT IN A USE THAT THE VILLAGE WANTS.

06:31:26 I SAID PROBABLY NOT A USED CAR SALES.  
06:31:30 THAT I'M PRETTY SURE THE VILLAGE DOESN'T WANT TO SEE IS A  
06:31:33 USED CAR SALES ON THE LOT.  
06:31:34 I KNOW THEY WOULD LIKE TO SEE SOMETHING -- THEY WOULD LIKE  
06:31:37 TO SEE THE LANDSCAPING CONTINUED FROM ESTERO GRANDE SO THAT  
06:31:40 YOU KIND OF HAVE A CONTINUOUS LANDSCAPE SCREEN.  
06:31:43 BUT JUST TO SAY, YOU KNOW, VARIANCES, I THINK THEY RUN WITH  
06:31:48 THE LAND, SO YOU CAN'T REALLY PICK AND CHOOSE AND SAY, THIS  
06:31:52 USE BUT NOT THAT USE.  
06:31:54 WE CAN HINT, BUT WE CAN'T FORCE THEM.  
06:31:58 I DID WANT TO CLARIFY ONE POINT, TOO, ON THE PARKING THAT  
06:32:01 MR. TATOLES BROUGHT UP.  
06:32:03 THE PARKING DOES COMPLY BECAUSE WE INITIALLY THOUGHT THEY  
06:32:06 NEEDED A PARKING VARIANCE.  
06:32:08 BUT WHEN WE LOOKED AT THAT, THEY SQUEEZED IN -- DOESN'T  
06:32:13 REQUIRE MUCH BECAUSE IT IS A TINY BUILDING, BUT THEY DO HAVE  
06:32:15 ROOM FOR THE PARKING AND THEY DO HAVE AMPLE AREA, TO HAVE  
06:32:20 SMALL TRUCKS COME IN AND UNLOAD GRANITE.  
06:32:22 SO THE PARKING ISSUE WAS WORKED OUT.  
06:32:25 >>Marlene Naratil: I THINK WE DISCUSSED THAT THE LAST TIME  
06:32:27 THEY WERE BEFORE US ABOUT THE NUMBER OF SPACES THAT WERE  
06:32:30 UTILIZED.  
06:32:31 YOU'D HAVE A SPOT FOR THE SALES PERSON WHO WAS COVERING THAT  
06:32:36 DAY AS WELL AS PROSPECTIVE BUYERS.  
06:32:40 WE DID SAY IT WAS ADEQUATE, AS I RECALL.

06:32:43 >>Mary Gibbs: WELL, WE DID CLEAR THAT UP.  
06:32:45 SO THEY ARE NOT REQUESTING A VARIANCE FOR THAT.  
06:32:49 >>Scotty Wood: MARY, IF WE WERE TO GRANT THIS VARIANCE, IT  
06:32:51 IS PERMANENT AND IRREVOCABLE, IS IT NOT?

06:32:55 >>Mary Gibbs: WELL, IT RUNS WITH THE LAND, UNLESS YOU PUT  
06:32:58 CONDITIONS ON IT.  
06:33:00 YOU CAN PUT CONDITIONS ON IT THAT THEY HAVE TO COMPLY.  
06:33:04 IF YOU WERE GOING TO APPROVE SOMETHING, I WOULD SUGGEST  
06:33:08 MULTIPLE CONDITIONS TO MAKE SURE THEY DON'T HAVE FUTURE CODE  
06:33:13 VIOLATIONS OR OTHER THINGS THAT WILL RUN WITH THIS VARIANCE.  
06:33:21 SO YOU CAN PUT CONDITIONS ON IT, BUT YOU CAN'T -- I MEAN,  
06:33:24 ANOTHER USE COULD COME IN.  
06:33:26 BUT HERE'S ANOTHER DILEMMA, NOT TO MAKE IT MORE CONFUSING,  
06:33:29 BUT IF YOU DON'T -- IF VARIANCES AREN'T APPROVED AND RUSSELL  
06:33:34 SCHROPP IS RIGHT, IF THE VARIANCES AREN'T APPROVED AND THEN  
06:33:37 SAY THIS TENANT GOES AWAY BUT ANOTHER TENANT COMES IN, IT'S  
06:33:42 LIKELY THAT THEY ARE GOING TO NEED VARIANCES.  
06:33:45 SO ESPECIALLY THE BUILDING, WHICH IS ALREADY THERE, THERE'S  
06:33:50 NO LANDSCAPING, SO NOBODY IS GOING TO PROBABLY BE ABLE TO  
06:33:54 FIT IN A 20-FOOT-WIDE LANDSCAPE BUFFER.  
06:33:58 IT IS LIKELY THAT THE NEXT TENANT WOULD NEED VARIANCES ALSO.  
06:34:02 SO IT'S A REAL DILEMMA.  
06:34:06 AND MR. TATOOLES BROUGHT UP MAYBE, WHAT ABOUT APPROVING FOR  
06:34:10 THE BUILDING BUT NOT THE LANDSCAPING.  
06:34:12 THEN THAT'S A LITTLE TRICKY BECAUSE YOU WOULD WANT TO SEE

06:34:15 SOME NICE LANDSCAPING.  
06:34:22 >>Scotty Wood: YES, YOU MAY.  
06:34:24 >> I THINK THE IDEA FOR MR. TATOOLES WAS TO APPROVE THE  
06:34:28 SETBACK VARIANCES AND THE BUFFERING SETBACK, BUT NOT THE  
06:34:31 OPEN DISPLAY, AS I UNDERSTOOD WHAT HE WAS SAYING.  
06:34:34 I THOUGHT THAT WAS THE FOURTH VARIANCE.  
06:34:37 IF I MISUNDERSTOOD, I APOLOGIZE.  
06:34:42 >> RIGHT NOW, THERE IS A CYCLONE FENCE AND DISPLAY AREA IS  
06:34:48 ABUTTING THE CYCLONE FENCE WITH NO -- IT JUST SEEMS LIKE  
06:34:53 EVERYTHING IS CRAMMED IN THERE.  
06:34:55 AND NOT ONLY IS IT UNSIGHTLY BECAUSE THERE'S NO LANDSCAPING  
06:34:59 TO BUFFER THE SITE, BUT IT ALSO SEEMS LIKE IT'S JUST CRAMMED  
06:35:04 IN THERE.  
06:35:05 AND I WAS JUST THINKING, I WOULD LIKE TO SEE A DISPLAY AREA  
06:35:12 THAT'S LIMITED SO THAT IT'S NOT SO CRAMPED AND NOT AS CLOSE  
06:35:18 TO THE APEX OF THE TRIANGLE.  
06:35:23 I WOULD SUPPORT SOMETHING THAT WOULD LIMIT THE AMOUNT OF  
06:35:28 DISPLAY AREA SO THAT IF THAT'S A CONDITION TO GIVE THE  
06:35:35 VARIANCE -- BUILDING.  
06:35:37 >>Mary Gibbs: IF I COULD ADD SOMETHING, TOO.  
06:35:40 THAT CHAIN-LINK FENCE THAT'S OUT THERE -- WELL, THERE ARE A  
06:35:43 COUPLE OF ISSUES NOT CREATED BY THIS APPLICANT, BUT THE  
06:35:48 CONCRETE THAT'S OUT THERE, ACTUALLY, PART OF THAT ENCROACHES  
06:35:52 INTO THE RIGHT-OF-WAY OF TRAILSIDE, WHICH IS A VILLAGE ROAD  
06:35:56 NOW.

06:35:56 IF WE'RE GOING TO APPROVE IT, WE WOULD SUGGEST A CONDITION  
06:36:01 IN THAT THE CONCRETE WOULD NEED TO BE REMOVED.  
06:36:04 AND THEN THE CHAIN-LINK FENCE I THINK WOULD BE REMOVED ALSO.  
06:36:08 AT LEAST BEFORE WHEN WE TALKED TO STEVE HARTZELL WHEN HE WAS  
06:36:12 REPRESENTING THEM, WE TALKED ABOUT REMOVING THE CONCRETE  
06:36:17 THAT'S IN THE RIGHT-OF-WAY AND THE CHAIN-LINK FENCE.  
06:36:20 THAT'S HOW THE IDEA FOR THE DECORATIVE FENCE CAME UP.  
06:36:24 YOU WOULD WANT TO HAVE SOME CONDITIONS.  
06:36:30 >>Russell Schropp: THAT WOULD BASICALLY ADOPT THE VEGETATION  
06:36:32 PLAN, WHICH PROVIDES FOR THE VEGETATION AND THE DECORATIVE  
06:36:36 FENCE AND REMOVES THE CHAIN-LINK FENCE.  
06:36:39 IF THE CONDITION ALSO REQUIRED GREATER SETBACKS FOR THE  
06:36:42 OUTDOOR DISPLAY, THAT WOULD CUT DOWN ON THE OUTDOOR DISPLAY  
06:36:46 AREA.  
06:36:48 >> WHEN YOU LOOK AT THE LANDSCAPING PLAN, I'M CONCERNED  
06:36:49 ABOUT THE VISUAL OPTICS OF THE SITE.  
06:36:53 I'M REALLY A PROPONENT OF LANDSCAPING ALL OF OUR STREETS  
06:36:59 THROUGHOUT ESTERO.  
06:37:00 I DON'T WANT TO SEE ANYTHING HERE THAT WOULD PRECLUDE US  
06:37:04 FROM HAVING IT PROPERLY LANDSCAPED.  
06:37:08 WHAT I SEE HERE, I SEE THE FENCE IS TALLER THAN THE  
06:37:11 VEGETATION UNDERNEATH IT, AND I WOULD SEE THAT ANOTHER THING  
06:37:19 THAT I'D LIKE TO SEE IF YOU HAVE A DISPLAY AREA, WHICH  
06:37:24 ITSELF IS UNSIGHTLY, LIKE A STORAGE YARD -- [INAUDIBLE] --  
06:37:30 STORING SLABS.

06:37:31 I WOULD LIKE TO SEE A CONDITION THAT THE LANDSCAPING BECOME  
06:37:36 A VISUAL BUFFER SITE.  
06:37:41 AT LEAST HIGHER THAN THE FENCE SHOWN ...  
06:37:43 >>Scotty Wood: NANCY, YOU HAVE A COMMENT.  
06:37:47 >>Nancy Stroud: I WAS JUST GOING TO SAY, THEY ARE REQUESTING  
06:37:50 FOUR VARIANCES.  
06:37:52 IT SEEMS TO ME THAT THE EXHIBIT THAT MR. SCHROPP GAVE YOU  
06:37:58 TODAY SHOWS AN AREA THAT WOULD BE OUTDOOR DISPLAY AREA, THAT  
06:38:07 WOULDN'T NEED THE VARIANCE, RIGHT?  
06:38:10 THE YELLOW --  
06:38:11 >> THE YELLOW AREA IS WHAT I WOULD VIEW AS DEVELOPABLE.  
06:38:14 >>Nancy Stroud: AS DEVELOPABLE.  
06:38:15 SO THAT WOULD BE ONE WAY TO LIMIT JUST NOT GRANT THE OUTDOOR  
06:38:20 DISPLAY VARIANCE.  
06:38:22 OR IF YOU WANT TO GRANT A VARIANCE FOR OUTDOOR DISPLAY TO  
06:38:26 ALLOW A LITTLE BIT MORE, THEN YOU'D HAVE TO CREATE  
06:38:30 BOUNDARIES FOR THAT.  
06:38:31 >>Scotty Wood: LET ME OFFER MY COMMENTS ON THIS.  
06:38:34 I KIND OF SIDE WITH ONE OF JIM'S EARLIER COMMENTS ABOUT TEN  
06:38:39 POUNDS OF MERCHANDISE IN A FIVE-POUND BAG.  
06:38:42 I BELIEVE THAT TOO MUCH IS BEING ASKED FOR, FOR ME TO BE  
06:38:48 ABLE TO SUPPORT THIS.

06:38:49 I COULD SUPPORT A LESSER VARIANCE THAN WHAT'S BEING  
06:38:55 REQUESTED.  
06:38:56 I AGREE, LANDSCAPING IS AN IMPROVEMENT, BUT, FOR EXAMPLE, I  
  
06:39:00 HAVE A BIG CONCERN ABOUT A FIVE-FOOT BUFFER IN LANDSCAPING  
06:39:05 BECAUSE YOU'RE GOING TO HAVE A FAULT ON EITHER SIDE OF THE  
06:39:07 FIVE-FOOT BUFFER.  
06:39:09 AND IF IT IS NOT CARED FOR, IT WILL DIE IN A HEARTBEAT AND  
06:39:14 IT WOULD THEREFORE NOT FULFILL THE PURPOSE OF IMPROVING THE  
06:39:18 LOOK OF THE SITE.  
06:39:19 NOW WE'D HAVE DEAD LANDSCAPING TO LOOK AT AS WELL AS THE  
06:39:23 OTHER MATERIALS.  
06:39:26 I CAN'T SUPPORT WHAT IS BEING REQUESTED, BUT I COULD SUPPORT  
06:39:34 SOMETHING LESS THAN THIS.  
06:39:37 MAYBE OUR OPTION IS TO EITHER -- WE CAN VOTE TO DENY IT OR  
06:39:41 WE COULD VOTE TO CONTINUE IT WITH SOME DIRECTION THAT IT BE  
06:39:46 RESUBMITTED IN A LESSER FORM.  
06:39:49 >> THAT WOULD BE THE CHOICE OF THE APPLICANT, IF THEY CHOSE  
06:39:52 TO RESUBMIT.  
06:39:54 >>Scotty Wood: YEAH, THAT WAY WE'RE GIVING HIM SPECIFIC  
06:39:57 DIRECTION.  
06:39:57 HE KNOWS WHAT THIS BOARD IS LOOKING FOR, IF YOU WILL, AND IF  
06:40:01 HE CHOOSES TO DO IT, WE'LL BE GLAD TO HEAR IT.  
06:40:14 >> I THINK THE OTHER INTERESTING PART IS HIS DISPLAY IS  
06:40:18 EVERYTHING.  
06:40:18 IT'S WHAT PEOPLE SEE, THEY ARE INTERESTED IN, THEY PULL  
06:40:21 OVER.  
06:40:21 WE PUT THE LANDSCAPING IN, NOBODY IS GOING TO SEE THE  
06:40:25 DISPLAY.  
  
06:40:26 I JUST DON'T THINK IT FITS.  
06:40:31 >> GRANITE IS NOT AN IMPULSE BUY.  
06:40:39 >> BUT AT THE SAME TIME, IT'S NOT SOMETHING YOU KEEP IN  
06:40:42 DRAWERS.  
06:40:43 THIS IS THE WAY IT HAS TO BE DISPLAYED.  
06:40:45 >> THERE ARE OTHER PLACES THAT DO DIFFERENT ROLLING DRAWERS  
06:40:49 THEY CAN PULL OUT, INTERIOR.  
06:40:52 >>Russell Schropp: MAY I COMMENT ON YOUR COMMENTS,  
06:40:54 MR. CHAIRMAN?  
06:40:54 >>Scotty Wood: SURE.  
06:40:58 >> EXCUSE ME, BEFORE YOU MAKE YOUR COMMENT, I WANT TO  
06:41:02 APOLOGIZE.  
06:41:03 I'M RECOVERING FROM SURGERY AND I REALLY NEED TO GET UP AND  
06:41:06 TAKE A FEW STEPS AROUND.  
06:41:08 I DON'T WANT TO BE RUDE.  
06:41:09 >>Russell Schropp: NO.  
06:41:10 PLEASE FEEL FREE.  
06:41:11 I'VE BEEN THERE.

06:41:12 FIRST OF ALL, WITH REGARD TO MINIMIZING OR REDUCING THE  
06:41:19 VARIANCE REQUEST, WITH REGARD TO THE SETBACK VARIANCES, THEY  
06:41:23 ARE THE MINIMUM THAT CAN BE REQUESTED AND STILL ALLOW THE  
06:41:27 BUILDING TO BE LAWFUL.  
06:41:29 IN OTHER WORDS, I CAN'T REDUCE THEM ANY MORE WITHOUT HAVING  
06:41:34 TO REMOVE PART OF THE BUILDING.  
06:41:36 THAT'S CERTAINLY NOT ARE RELIEF THAT I THINK WOULD HELP THE

06:41:43 CLIENT HERE.  
06:41:44 HOWEVER, IN TERMS OF --  
06:41:47 >> IN REMOVING PART OF THE BUILDING, ARE YOU REFERRING TO  
06:41:49 THE CARPORT?  
06:41:50 >>Russell Schropp: CARPORT ON ONE SIDE AND THE BUILDING ON  
06:41:52 THE OTHER.  
06:41:53 THE SETBACK VARIANCES ARE THE MINIMUM THAT I THINK ARE  
06:41:58 SUPPORTABLE IN THE REQUEST.  
06:42:02 WITH REGARD TO ELIMINATING DISPLAY, AS MS. STROUD INDICATED,  
06:42:09 IF YOU ELIMINATE THE VARIANCE, THERE IS A SMALL AREA STILL  
06:42:12 AVAILABLE FOR DISPLAY UNDER THE CODE.  
06:42:13 AND I WOULD RESPECTFULLY REQUEST THAT PERHAPS IT BE ENLARGED  
06:42:17 PERHAPS SO THAT THE SETBACK WAS 20 FEET INSTEAD OF 25 FEET  
06:42:22 MAINLY BECAUSE THAT'S BEEN THE HISTORICAL USE.  
06:42:24 BUT AS MS. STROUD INDICATED, IF YOU DON'T GRANT THAT  
06:42:28 VARIANCE, THERE WOULD STILL BE A MINIMAL AREA AVAILABLE FOR  
06:42:32 OUTDOOR DISPLAY.  
06:42:33 WITH REGARD TO THE LANDSCAPING AND THE CONCERN THAT IT  
06:42:37 BASICALLY PERSEVERE AND SURVIVE, CERTAINLY A CONDITION  
06:42:42 REQUIRING THAT IT BE ADEQUATELY WATERED OR IRRIGATED TO  
06:42:46 PROVIDE FOR SURVIVABILITY OF THE LANDSCAPING IS NOT AN  
06:42:50 UNUSUAL CONDITION THAT I'VE SEEN IN OTHER PROJECTS, AND  
06:42:53 FAILURE TO DO THAT WILL REQUIRE THE APPLICANT TO REPLANT THE  
06:42:56 VEGETATION UNTIL IT DOES SURVIVE.  
06:42:58 THOSE ARE MY SUGGESTIONS.

06:43:02 THANK YOU.  
06:43:02 >>Scotty Wood: ANYTHING ELSE?  
06:43:04 ANY FINALS FROM YOU, MARY?  
06:43:09 >>Mary Gibbs: WELL, I'M NOT SURE IF YOU ARE ASKING THE  
06:43:12 APPLICANT IF HE WANTED TO CONTINUE IT OR NOT.  
06:43:15 I GUESS YOU'VE GOT A FEW OPTIONS.  
06:43:19 YOU CAN SORT OF COMPROMISE ON WHAT VARIANCES GET APPROVED OR  
06:43:23 DON'T GET APPROVED, OR YOU CONTINUE IT OR WE, IF YOU WANT TO  
06:43:31 APPROVE IT, WE WANT TO GO OVER SOME CONDITIONS.  
06:43:33 THAT SHOULD BE ATTACHED TO ANY APPROVAL.  
06:43:42 >> I'M GENERALLY NOT IN FAVOR OF CONTINUING.  
06:43:44 WE'VE BEEN DEALING WITH THIS SINCE 2016.  
06:43:46 I THINK ENOUGH TIME HAS GONE BY ALREADY.  
06:43:50 >>Marlene Naratil: I THINK THE APPLICANT KNOWS WHAT THE

06:43:53 PROBLEMS ARE AND WHAT THE CONSTRAINTS OF THE SITE IS.  
06:43:58 SO WE HAVE TO DEAL WITH WHAT'S THERE.  
06:44:03 AND I DON'T KNOW THAT CONTINUING IT IS GOING TO CHANGE  
06:44:04 ANYTHING.  
06:44:05 >> THEY ARE FREE TO REAPPLY.  
06:44:08 WITH A PLAN THAT COMPLIES FOR DEVELOPMENT ORDER.  
06:44:14 MOTION TO DENY ALL VARIANCE REQUESTS, ONE THROUGH FOUR.  
06:44:21 >>Scotty Wood: IS THERE A SECOND?  
06:44:23 >> SECOND.  
06:44:23 >>Scotty Wood: FURTHER DISCUSSION?  
06:44:24 ROLL CALL.

06:44:30 >>Dr. Tim Allen: YES.  
06:44:32 >>Anthony Gargano: YES TO DENY.  
06:44:36 >>Marlene Naratil: YES.  
06:44:38 >>James Tatoes: YES.  
06:44:39 >>John Yarbrough: YES.  
06:44:41 >>Scotty Wood: YES.  
06:44:52 >>Scotty Wood: AS BOARD MEMBER ALLEN NOTED, IF YOU WANT TO  
06:44:55 LOOK AT PLAN B, WE'RE HERE.  
06:44:56 OKAY.  
06:45:09 THE NEXT ITEM, ORDINANCE 19-28, ORDINANCE INCORPORATING THE  
06:45:15 VILLAGE'S CAPITAL IMPROVEMENT PROGRAM SCHEDULE AND SCHOOL  
06:45:17 DISTRICT SCHEDULE INTO THE VILLAGE OF ESTERO COMPREHENSIVE  
06:45:21 PLAN.  
06:45:21 FOR EVERYONE'S BENEFIT, LET ME NOTE THAT THE VILLAGE  
06:45:29 COMPREHENSIVE PLAN IS NOT YET EFFECTIVE, BUT IT'S HOPEFULLY  
06:45:34 GOING TO BE EFFECTIVE SHORTLY.  
06:45:37 I DON'T KNOW WHAT SHORTLY IS, BUT WHATEVER.  
06:45:39 ON THAT NOTE, GO AHEAD, MARY.  
06:45:43 >>Mary Gibbs: SO THIS IS AN ORDINANCE THAT BASICALLY TAKES  
06:45:49 THE CAPITAL IMPROVEMENT SCHEDULE, OR THE FIVE-YEAR PLAN, AND  
06:45:54 INCORPORATES IT INTO OUR COMPREHENSIVE PLAN.  
06:45:56 SO WHEN WE ADOPTED OUR COMPREHENSIVE PLAN, THE ONE THAT WE  
06:46:00 WORKED ON FOR SO LONG, IT HAD IN THE CAPITAL IMPROVEMENT  
06:46:05 ELEMENT OR CAPITAL IMPROVEMENT PROGRAM, SO IT'S GOT OUR  
06:46:08 FIVE-YEAR SCHEDULE OF WHAT WE'RE GOING TO DO WITH THE MONEY

06:46:10 THAT WE HAVE.  
06:46:11 BUT THOSE GET UPDATED EVERY YEAR.  
06:46:14 SO EVERY YEAR WHEN WE DO OUR BUDGET HEARINGS, WE DO OUR CIP  
06:46:18 PLAN AND WE HAVE A NEW CAPITAL IMPROVEMENT PLAN AND CHANGES.  
06:46:20 SO THAT'S REQUIRED TO BE INCORPORATED INTO YOUR  
06:46:24 COMPREHENSIVE PLAN.  
06:46:26 IT USED TO BE REQUIRED THAT YOU HAD TO DO IT IN YOUR  
06:46:30 COMPREHENSIVE PLAN BY A COMPREHENSIVE PLAN AMENDMENT, WHICH  
06:46:32 WAS KIND OF A REALLY LONG PROCESS TO JUST INCLUDE A C.I.P.  
06:46:37 SO THEY CHANGED THE LAW TO SAY THAT YOU CAN INCORPORATE THE

06:46:41 C.I.P. SCHEDULE INTO YOUR PLAN JUST BY AN ORDINANCE.  
06:46:47 YOU DON'T HAVE TO SEND IT TO THE STATE.  
06:46:48 IT DOESN'T HAVE TO BE REVIEWED ANY MORE LIKE A COMPREHENSIVE  
06:46:51 PLAN AMENDMENT.  
06:46:52 THAT'S IN THE STATUTE.  
06:46:54 IT'S REQUIRED TO BE DONE.  
06:46:55 THE COUNCIL DID REVIEW THIS CAPITAL IMPROVEMENT PLAN.  
06:47:03 WHEN DID THEY REVIEW THAT?  
06:47:04 WELL, JULY 24th.  
06:47:07 SO IT WAS ADOPTED JULY 24th.  
06:47:12 THIS ORDINANCE WOULD JUST SAY IT'S INCORPORATED INTO OUR  
06:47:16 PLAN.  
06:47:16 WE'VE GOT IT SCHEDULED FOR A COUNCIL FIRST READING ON  
06:47:19 SEPTEMBER 4th, AND THEN WE'LL SCHEDULE IT FOR A SECOND  
06:47:24 READING SOMETIME AT THE END OF SEPTEMBER, BEGINNING OF  
  
06:47:26 OCTOBER.  
06:47:27 THERE'S NO, LIKE, REAL MANDATE FROM THE STATE OTHER THAN YOU  
06:47:31 JUST HAVE TO DO IT EVERY YEAR.  
06:47:34 BASICALLY, AND ALSO, IT DOES SAY THE SCHOOL DISTRICT WORK  
06:47:38 PLAN, EVEN THOUGH WE DON'T HAVE ANY CONTROL OVER THE SCHOOL  
06:47:41 DISTRICT PLAN, WE HAVE NO INPUT INTO IT, BUT WE HAVE TO  
06:47:47 ADOPT THAT AS WELL.  
06:47:48 THAT'S WHAT THIS ORDINANCE DOES.  
06:47:50 AND THEN BECAUSE IT'S AN ORDINANCE, WE NEED A RECOMMENDATION  
06:47:54 FROM THE PLANNING AND ZONING BOARD TO TAKE TO COUNCIL.  
06:47:58 >>Scotty Wood: AM I CORRECT, THIS IS ESSENTIALLY A  
06:48:01 MINISTERIAL FUNCTION ON OUR PART?  
06:48:03 >>Mary Gibbs: I THINK SO.  
06:48:08 >> IF YOU WANT TO MAKE A COMMENT ON WHAT IS INCLUDED IN THE  
06:48:10 CAPITAL IMPROVEMENTS PROGRAM, YOU CERTAINLY COULD DO THAT.  
06:48:18 >>James Tatoes: I WAS READING.  
06:48:19 I MAY HAVE MISSED THIS.  
06:48:20 DID YOU SAY WE HAVE TO APPROVE IT BEFORE THE COMPREHENSIVE  
06:48:24 PLAN GETS APPROVED?  
06:48:26 >>Mary Gibbs: NO, IT'S JUST REQUIRED.  
06:48:27 WE HAD IT IN OUR COMPREHENSIVE PLAN WHEN IT WAS ADOPTED.  
06:48:32 BUT NOW IT GETS UPDATED.  
06:48:34 SO WHEN YOU UPDATE IT, YOU HAVE TO THEORETICALLY INCORPORATE  
06:48:39 IT INTO YOUR PLAN EVERY YEAR.  
06:48:41 >>James Tatoes: YOU SAID THE CAPITAL IMPROVEMENTS PROJECT,  
  
06:48:43 THE C.I.P. ITSELF HAS BEEN APPROVED, CORRECT?  
06:48:46 >>Mary Gibbs: YES, THE COUNCIL APPROVED THE C.I.P.  
06:48:53 >> IN OTHER WORDS, WE ARE MINISTERIAL.  
06:48:55 >>Mary Gibbs: PRETTY MUCH.  
06:48:56 BUT GREATLY VALUED.  
06:49:00 >> THAT'S OKAY.

06:49:02 >>Scotty Wood: COULD I HAVE A MOTION?  
06:49:04 >>Marlene Naratil: I'LL MAKE A MOTION.  
06:49:05 >>Mary Gibbs: DO YOU WANT TO ASK FOR PUBLIC INPUT, THOUGH?  
06:49:08 >>Scotty Wood: I'M SORRY.  
06:49:09 PUBLIC INPUT ON THIS?  
06:49:10 NO.  
06:49:14 >>Mary Gibbs: WAIT A MINUTE.  
06:49:16 I KNOW WHAT YOU'RE GOING TO ASK, TOO.  
06:49:34 >> PATTY WHITEHEAD FOR THE RECORD.  
06:49:36 YOU INDICATED THAT THE CAPITAL IMPROVEMENT PROGRAM WAS  
06:49:43 ALREADY SET FOR THIS YEAR?  
06:49:46 BECAUSE I THOUGHT THE COUNCIL WAS SUPPOSED TO HAVE EVENING  
06:49:50 MEETINGS AND WORKSHOPS WITH THE PUBLIC.  
06:49:56 >>Mary Gibbs: I BELIEVE THE CAPITAL IMPROVEMENT PLAN WAS  
06:50:00 ADOPTED BY THE COUNCIL ON JULY 24th.  
06:50:03 THE BUDGET HEARINGS COME UP SEPTEMBER 4th AND  
06:50:09 SEPTEMBER 18th, AND THOSE ARE EVENING MEETINGS OPEN TO THE  
06:50:13 PUBLIC.  
06:50:14 >> LET ME UNDERSTAND, SO THE BUDGET HEARINGS CAN OR CANNOT  
  
06:50:20 CHANGE WHERE THE MONEY IS ALLOCATED FOR DIFFERENT LINE  
06:50:23 ITEMS?  
06:50:24 >>Mary Gibbs: YES.  
06:50:25 >> THE BUDGET HEARINGS CAN CHANGE.  
06:50:26 OKAY.  
06:50:26 SO THE LINE ITEMS THAT SHOW UP ON THE CAPITAL IMPROVEMENT  
06:50:29 PLAN, THEY COULD SAY BUDGETED OR UNBUDGETED.  
06:50:32 THAT COULD ALL CHANGE BASED ON THESE BUDGET WORKSHOPS OR,  
06:50:35 YOU KNOW, PRESUMABLY IF THE PUBLIC CAN CONVINCE THE COUNCIL.  
06:50:39 >>Mary Gibbs: I BELIEVE SO.  
06:50:40 BUT I KNOW WHAT PATTY IS REFERRING TO IS THE NEXT, THEIR  
06:50:45 PUBLIC INPUT ITEM THEY WANT TO TALK ABOUT IS ACTUALLY IN THE  
06:50:48 CAPITAL IMPROVEMENTS PLAN AS AN UNFUNDED ITEM.  
06:50:51 IT IS THE RIVER OAKS PURCHASE.  
06:50:53 AND IT WAS SHOWN IN THE CAPITAL IMPROVEMENTS PLAN AS  
06:50:56 UNFUNDED BECAUSE THERE WERE NO -- THERE WERE NO FUNDS  
06:50:59 COMMITTED TO IT AT THIS TIME.  
06:51:00 AND I THINK THEY WERE TRYING TO GET CONSERVATION 2020 TO  
06:51:03 BECOME INTERESTED IN IT.  
06:51:04 I'M NOT SURE SPECIFICALLY TO YOUR QUESTION, THE COUNCIL DID  
06:51:10 APPROVE THE C.I.P., AND I HAVE NOT APPROVED THE BUDGET, SO I  
06:51:14 THINK IT'S POSSIBLE THEY COULD DO SOMETHING.  
06:51:23 >>Scotty Wood: ANY OTHER PUBLIC INPUT?  
06:51:25 OKAY.  
06:51:27 THAT'S IT.  
  
06:51:27 NOW, I WOULD LIKE A MOTION.  
06:51:31 >>Marlene Naratil: I'LL MAKE THE MOTION.

06:51:33 TO APPROVE THE ORDINANCE 2019-28 FOR CAPITAL IMPROVEMENT TO  
06:51:40 BE DETERMINED BY THE VILLAGE ...  
06:51:46 >> SECOND.  
06:51:47 >>Scotty Wood: ROLL CALL.  
06:51:50 >>Dr. Tim Allen: YES.  
06:51:52 >>Anthony Gargano: YES.  
06:51:54 >>Marlene Naratil: YES.  
06:51:55 >>James Tatoes: YES.  
06:51:57 >>John Yarbrough: YES.  
06:51:58 >>Scotty Wood: YES.  
06:51:59 THAT COMPLETES THE PRINTED AGENDA, BUT WE HAVE THE  
06:52:07 OPPORTUNITY FOR PUBLIC INPUT.  
06:52:09 AND I UNDERSTAND, PATTY, THAT YOU WISH TO PROVIDE INPUT  
06:52:16 REGARDING THE RIVER OAKS PRESERVE.  
06:52:19 I KNOW THAT THERE ARE THREE OF YOU.  
06:52:22 UNDER OUR RULES, EACH OF YOU GET FIVE MINUTES.  
06:52:32 >> I'M THE STARTING PITCHER.  
06:52:34 I'LL GET IT KICKED OFF.  
06:52:36 >>Scotty Wood: WE'RE GOING TO RUN THE CLOCK, JUST SO YOU  
06:52:38 KNOW.  
06:52:42 >> MY NAME IS DOUG SAXTON.  
06:52:44 I LIVE AT THE RESERVE ON ESTERO PARKWAY.  
06:52:46 I WOULD LIKE TO INTRODUCE MY WIFE, BARBARA, WHO IS THE  
  
06:52:52 LEADER OF OUR FRIENDS OF RIVER OAKS PRESERVE.  
06:52:56 AND PATTY WHITEHEAD, WHO IS ONE OF THE FOUNDING MEMBERS.  
06:52:59 SO EACH OF US, AS WE SAID, WILL SPEAK WITHIN OUR FIVE  
06:53:05 MINUTES TO PRESENT ABOUT THE RIVER OAKS PRESERVE.  
06:53:09 AS YOU'RE ALL LEADERS, WE WANTED TO GIVE YOU AN UPDATE AS TO  
06:53:13 WHAT'S BEEN GOING ON OVER THE LAST EIGHT, TEN MONTHS OR SO.  
06:53:17 WE WANT TO LET YOU KNOW THAT GREENSPACE DOES MATTER.  
06:53:22 AS WE ALL KNOW, ESTERO AND SOUTHWEST FLORIDA ARE GROWING  
06:53:24 LIKE CRAZY, BOTH COMMERCIAL AND RESIDENTIAL.  
06:53:27 WITH SOME REGARD TO GREENSPACE, BUT NOT ENOUGH.  
06:53:31 SO WE WANT TO TALK ABOUT A TEN-ACRE PARCEL HERE THAT I THINK  
06:53:35 IS RIGHT UP OUR ALLEY, THAT WOULD BE A PERFECT FIT FOR  
06:53:38 ESTERO.  
06:53:38 ONCE OUR LAND IS DEVELOPED, IT'S ALL GONE.  
06:53:43 THERE'S NOTHING MORE WE CAN DO.  
06:53:45 LET ME KIND OF FRAME IT FOR YOU.  
06:53:47 THE TEN-ACRE PARCEL WE'RE TALKING ABOUT IS AT THE END OF  
06:53:54 EAST BROADWAY.  
06:53:55 WHEN YOU TURN DOWN BROADWAY AND IT TURNS TO DIRT, THAT IS --  
06:54:00 THERE'S AN APPROXIMATE ONE-ACRE PARCEL THAT IS PRESENTLY  
06:54:04 OWNED BY THE VILLAGE.  
06:54:05 SO IN THIS SEGMENT BEHIND THE CASCADES, WHERE THE ROAD TURNS  
06:54:09 TO DIRT IS ACTUALLY OWNED BY THE VILLAGE OF ESTERO,  
06:54:12 APPROXIMATELY ONE ACRE, LEADING TO THIS TEN ACRE SITE.

06:54:16 YOU CAN SEE THAT WE HAVE THE CASCADES, ROOKERY, VILLAGES OF  
06:54:20 COUNTRY CREEK, TO THE NORTH IS ESTERO PARKWAY, AND TO THE  
06:54:23 EAST IS THREE OAKS.  
06:54:26 THAT KIND OF FRAMES THE PICTURE FOR US.  
06:54:28 OKAY?  
06:54:30 IN CASE ANYBODY IS NOT FAMILIAR WITH IT.  
06:54:32 YOU'LL HEAR MORE ABOUT THE ACTUAL PROPERTY ITSELF HERE OVER  
06:54:35 THE NEXT COUPLE OF SPEAKERS.  
06:54:36 GOT A LITTLE VIDEO TO SHOW YOU.  
06:54:44 JUST A COUPLE OF MINUTES.  
06:54:45 DON'T WORRY.  
06:54:46 IT KIND OF DOES A DRONE FOOTAGE OF THE --  
ALL RIGHT.  
06:55:08 >> CAN YOU DESCRIBE THE VIDEO?  
06:55:10 >> WELL, I'LL LEAVE THAT UP TO THESE --  
06:55:13 >> WE'LL SEND IT TO YOU.  
06:55:14 WHAT IT IS, IT'S AN AERIAL DRONE VIDEO OF THE PROPERTY, AND  
06:55:20 I THINK IT'S REALLY IMPORTANT THAT YOU SEE IT WHEN PEOPLE GO  
06:55:23 BACK THERE -- NEW PERSPECTIVE.  
06:55:29 >> AS MANY OF US WERE NORTHERNERS WHEN WE CAME DOWN HERE,  
06:55:33 AND WE ALL EXPECT TO SEE PALM TREES.  
06:55:36 THEN YOU LEARN AS YOU WALK ON A PROPERTY LIKE THIS, THAT  
06:55:39 THOSE PALM TREES AREN'T NATIVE.  
06:55:41 YOU HAVE TO GO TO AN OLD TEN ACRE AREA SUCH AS THIS TO SEE  
06:55:45 WHAT OLD FLORIDA REALLY LOOKS LIKE.  
06:55:47 I'LL TURN IT OVER TO MY WIFE BARBARA.  
  
06:55:53 >> I WANT TO INTERRUPT.  
06:55:54 MAKE SURE YOU DON'T TALK OFF THE MIKE, OTHERWISE THE  
06:55:57 CAPTIONER CAN'T GET THE CAPTIONING DONE.  
06:55:59 SHE CAN'T HEAR YOU.  
06:56:00 >> OKAY.  
06:56:01 NO PROBLEM.  
06:56:01 WE WILL DEFINITELY SEND YOU THE VIDEO SO YOU CAN SEE IT.  
06:56:11 BARBARA SAXTON, BY THE WAY, ALSO LIVE AT THE RESERVE.  
06:56:15 VERY INVOLVED IN THE COMMUNITY IN A VARIETY OF ASPECTS.  
06:56:18 KATY ERRINGTON ACTUALLY BROUGHT THIS ALL TO FRUITION HERE.  
06:56:24 THIS WAS REALLY HER IDEA.  
06:56:26 I'D LOVE TO TAKE CREDIT FOR IT, BUT IT WASN'T MY IDEA.  
06:56:30 BUT I HAVE STAYED ON THIS PROJECT BECAUSE I BELIEVE THAT  
06:56:36 THIS IS A HIDDEN GEM HERE IN ESTERO.  
06:56:38 THIS IS A PIECE OF PROPERTY THAT WE NEED TO OWN NOT ONLY TO  
06:56:44 PROTECT THE LAND FROM DEVELOPMENT, BUT ALSO IT PROVIDES, AS  
06:56:48 PATTY IS GOING TO TALK ABOUT, SOME SERIOUS WATER MANAGEMENT  
06:56:53 SOLUTIONS FOR US ON THE NORTH BRANCH.  
06:56:55 SO THE PROPERTY HAS MULTIPLE VALUES TO THOSE OF US HERE IN  
06:57:00 ESTERO.

06:57:01 AND ONE OF THEM I BELIEVE IS PUBLIC USE.  
06:57:05 WE HAVE QUITE A BIT OF PUBLIC SUPPORT.  
06:57:08 WE PRESENTED SEVERAL TIMES AT THE VILLAGE OF ESTERO.  
06:57:11 THE PROPERTY IS ON THE C.I.P., AS MARY POINTED OUT.  
06:57:14 IT IS UNFUNDED.

06:57:16 WE ARE ASKING FOR RECONSIDERATION TO FUND THAT PROJECT.  
06:57:21 I'LL TALK ABOUT THAT IN A SECOND.  
06:57:23 HERE IS THE REALTOR AND THE DEVELOPER'S IDEA OF WHAT SHOULD  
06:57:29 GO ON THAT PROPERTY.  
06:57:30 THIS IS IN THEIR ADVERTISEMENT, IF YOU WILL.  
06:57:36 PROPERTIES CURRENTLY LISTED FOR ABOUT \$1.9 MILLION.  
06:57:39 IT'S NOT GOING TO SELL FOR THAT.  
06:57:43 I CAN TELL YOU THAT.  
06:57:44 NO ONE HAS MADE AN OFFER ON THE PROPERTY YET.  
06:57:47 BUT IT'S HIGHLY DESIRABLE AND A LOT OF PEOPLE HAVE BEEN  
06:57:51 LOOKING AT IT.  
06:57:51 THE PROPERTY IS CURRENTLY ZONED AG 2.  
06:57:57 YOU PROBABLY KNOW MORE ABOUT THAT THAN I DO.  
06:57:59 BUT I DID SEE A LIST OF WHAT IT'S USES ARE AND THERE IS  
06:58:03 LIMITED RESIDENTIAL CAPABILITY BACK THERE.  
06:58:05 THERE WAS A HOME BACK THERE AT ONE POINT IN TIME.  
06:58:08 IT WAS OWNED BY SOMEONE HERE IN ESTERO.  
06:58:10 THERE WERE HORSES BACK THERE.  
06:58:14 THERE'S LOTS OF NATURAL PATHWAYS BECAUSE OF THAT, BECAUSE IT  
06:58:17 WAS PREVIOUSLY USED AS A RESIDENTIAL USE.  
06:58:21 SO THIS IS A RENDITION OF WHAT COULD POSSIBLY GO BACK ON  
06:58:26 THIS PROPERTY.  
06:58:27 WE CLEARLY, I DON'T THINK ANYONE WANTS TO SEE ANY MORE  
06:58:30 DEVELOPMENT, ESPECIALLY IN THAT AREA.  
06:58:33 OFF OF SANDY LANE OVER THERE.

06:58:41 >> CAN YOU GO BACK TO THAT DRAWING?  
06:58:44 CAN YOU DESCRIBE WHAT WE'RE LOOKING AT.  
06:58:45 >> OH, I'M SORRY.  
06:58:47 THAT'S A GOOD IDEA, RIGHT?  
06:58:49 SO THESE ARE HOMES.  
06:58:50 ONE, TWO, THREE, FOUR, PROBABLY EIGHT HOMES WITH IT LOOKS  
06:58:56 LIKE A CLUBHOUSE TO ME.  
06:58:58 THE FRONT PART OF THE PROPERTY IS VERY USEFUL.  
06:59:02 THE BACK PART DOES HAVE SOME WETLAND ISSUES.  
06:59:06 SO WHETHER OR NOT YOU COULD DEVELOP ANYTHING ON THAT, I  
06:59:10 DON'T KNOW.  
06:59:11 BUT THE FRONT PART OF THE PROPERTY WHICH IS PROBABLY TWO,  
06:59:14 THREE ACRES, IS EASILY DEVELOPED.  
06:59:18 >>Marlene Naratil: IS THERE A STREET NAME ON WHICH THESE  
06:59:20 HOUSES ARE SET?  
06:59:21 >> WELL, THIS IS EAST BROADWAY.

06:59:23 IT'S STILL EAST BROADWAY.  
06:59:25 AS DOUG SAID, THE VILLAGE OWNS THAT FRONT PARCEL OF LAND,  
06:59:30 MAINTAINS THAT.  
06:59:31 AND WE'VE USED THE PROPERTY FOR EVENTS AND VARIOUS THINGS  
06:59:35 BACK THERE TO RAISE AWARENESS, AND HAVE USED THAT VILLAGE  
06:59:40 RIGHT-OF-WAY, IF YOU WILL, TO -- FOR PARKING, ET CETERA.  
06:59:43 SO THIS -- I MEAN, THIS IS A POSSIBILITY, AND WE REALLY  
06:59:47 DON'T WANT TO SEE THAT HAPPEN.  
06:59:49 AND SO WE'RE TRYING TO GET THE WORD OUT AS MUCH AS WE CAN

06:59:54 AND RALLY THE SUPPORT SO THAT SOMETHING ELSE CAN GO BACK  
06:59:59 THERE.  
07:00:00 I WANT TO BE AWARE OF MY TIME HERE.  
07:00:03 THERE IS A USGS MONITORING STATION BACK THERE.  
07:00:08 IT'S AN IMPORTANT, CRITICAL PART OF WATER MANAGEMENT THAT WE  
07:00:11 NEED TO CONSIDER.  
07:00:13 THE OWNER HAS GRANTED USE, BUT THAT POSSIBILITY COULD  
07:00:18 CHANGE.  
07:00:19 REAL QUICKLY, I JUST WANT TO TELL YOU THAT FRIENDS OF RIVER  
07:00:23 OAKS HAS BEEN AROUND FOR, AS DOUG SAID, ABOUT EIGHT MONTHS.  
07:00:29 AND WE'VE DONE A LOT OF WORK OUT THERE.  
07:00:31 WE'VE GOT QUITE A BIT OF COMMUNITY SUPPORT.  
07:00:35 ROTARIANS, GIRL SCOUTS, THE REPUBLICAN CLUB SUPPORTS THE  
07:00:39 RIVER OAKS PROJECT.  
07:00:41 WE'VE HAD SEVERAL ARTICLES IN THE BANNER, THE NEWS PRESS.  
07:00:44 WE HAVE AN ATTORNEY WORKING ON OUR BEHALF AND HAS PLEDGED  
07:00:48 ABOUT \$10,000 TO HELP US SECURE THE PROPERTY FOR PUBLIC USE,  
07:00:54 WHICH IS JASON MONN, WHO IS CURRENTLY RUNNING FOR SENATE --  
07:00:59 STATE SENATE.  
07:00:59 FGCU, EXHIBITING AT THE SUSTAINABILITY SUMMIT COMING UP IN  
07:01:05 OCTOBER.  
07:01:06 EXPLORING GRANT OPPORTUNITIES, AND WE'RE ALSO TALKING TO THE  
07:01:09 NATIVE PLANT SOCIETY ABOUT POTENTIAL USE OF THAT PROPERTY AS  
07:01:14 WELL.  
07:01:15 I APPRECIATE YOUR TIME.

07:01:17 I'LL TURN IT OVER TO PATTY.  
07:01:24 >> GOOD EVENING, BOARD.  
07:01:27 I'M GOING TO TALK ABOUT THE VALUE OF SAVING THIS PROPERTY,  
07:01:31 PRESERVING IT FOR FLOOD ATTENUATION AND FOR WATER QUALITY.  
07:01:35 AS YOU'RE PROBABLY AWARE, THE ESTERO RIVER IS SEVERELY,  
07:01:37 SEVERELY IMPAIRED FOR FECAL COLIFORM AND OTHER FORMS OF  
07:01:42 BACTERIA.  
07:01:42 I'M GOING TO READ A LITTLE BIT FROM THE ESTUARY'S REPORT  
07:01:46 CARD THAT CONCERNS SOUTHWEST FLORIDA.  
07:01:49 AND THIS IS FROM THE 2012 REPORT.  
07:01:50 WE KNOW A LOT OF DEVELOPMENT HAS EXPLODED SINCE THAT TIME  
07:01:54 BECAUSE THE RECESSION OCCURRED IN 2008 AND CONSTRUCTION AND

07:01:59 DEVELOPMENT DIDN'T START TO REEMERGE UNTIL 2012.  
07:02:02 IT SAYS APPROXIMATELY 5,000 ACRES OF WETLANDS IN ESTERO BAY  
07:02:05 WATERSHED HAVE BEEN CONVERTED TO OTHER LAND USES, INCLUDING  
07:02:08 URBAN, SINCE 2004, ACCORDING TO THE MOST RECENT LAND USE  
07:02:11 DATA AVAILABLE.  
07:02:12 THE ESTERO BAY WATERSHED'S WATER QUALITY IS POOR WITH 84% OF  
07:02:16 THE WATERSHED IMPAIRED FOR AT LEAST ONE PARAMETER CATEGORY,  
07:02:20 MOST NOTABLY METALS, DISSOLVED OXYGEN AND PATHOGENS, FECAL  
07:02:24 COLIFORM.  
07:02:25 NOW, THE METALS THAT WE'RE TALKING ABOUT THAT IT'S IMPAIRED  
07:02:28 FOR, YOU DO REALIZE IN ALL OF THESE RETENTION BASINS AND  
07:02:31 LAKES IN OUR GATED COMMUNITIES, THAT THEY USE COPPER SULFATE  
07:02:36 AS AN ALGAECIDE.

07:02:37 THE COPPER SULFATE IS HIGHLY, HIGHLY DAMAGING TO  
07:02:41 PHYTOPLANKTON.  
07:02:42 AND PHYTOPLANKTON IS BASICALLY WHAT FEEDS BABY FISH IN THE  
07:02:47 ESTUARIES.  
07:02:47 ESTUARIES ARE ESSENTIALLY FISH NURSERIES.  
07:02:50 WHAT WE'RE CONTROLLING ALGAE IN OUR PONDS FOR BASICALLY, YOU  
07:02:52 KNOW, MAKING SURE THAT WE HAVE BEAUTIFUL PONDS, WE'RE  
07:02:56 KILLING OUR ESTUARIES IN THE SAME -- BY THE SAME TOKEN.  
07:02:59 SO WHAT IS THE VALUE OF MAINTAINING THIS AS WHAT THEY CALL A  
07:03:03 RIPARIAN BUFFER?  
07:03:05 THIS IS A FORESTED RIPARIAN BUFFER.  
07:03:07 LET ME SEE IF THERE'S ANY -- OH, THIS IS AN IMPORTANT VIDEO  
07:03:09 RIGHT HERE, WHICH I'LL GET TO THIS IN A MINUTE.  
07:03:12 FORESTED BUFFERS VERSUS GRASS BUFFERS.  
07:03:14 FORESTED RIPARIAN BUFFERS PROVIDES SUBSTANTIALLY MORE AND  
07:03:17 BETTER ECOSYSTEM SERVICES THAN GRASS BUFFERS.  
07:03:19 THE ROOTS OF HERBACEOUS AND WOODY PLANTS STRENGTHEN THE  
07:03:23 STREAM BANK AND PREVENT STREAM BANK EROSION.  
07:03:25 ROOTS AND DOWN TREES SLOW THE FLOW OF STORMWATER.  
07:03:29 OBVIOUSLY, WE HAD A BIG PROBLEM WITH STORMWATER ATTENUATION  
07:03:31 WHEN WE HAD THE FLOODS IN 2017, THE HARVEY FLOODS AND THEN  
07:03:36 THE IRMA FLOODS.  
07:03:38 FORM A PHYSICAL BARRIER TO THE STREAM OF RIVER WHICH ALLOWS  
07:03:40 SEDIMENT TO SETTLE OUT AND BE TRAPPED.  
07:03:42 THE FOREST CANOPY SHADES WATER, MODERATING WATER

07:03:46 TEMPERATURE.  
07:03:46 YOU KNOW, WE HAVE ANOTHER PROBLEM WITH THE FACT THAT NOW THE  
07:03:49 WATER IN OUR, ALONG OUR BEACHES IS WARMER THAN THE AIR  
07:03:54 TEMPERATURE SOMETIMES.  
07:03:54 AND THAT, AGAIN, IS KILLING MARINE SPECIES.  
07:03:57 THE PLANTS ARE AN IMPORTANT SOURCE OF WOODY MATERIAL AND  
07:04:04 STREAMS WHICH PROVIDE HABITAT AND FOOD FOR AQUATIC WILDLIFE.  
07:04:07 THEY ALSO PROVIDE QUALITY HABITAT AND FOOD FOR WILDLIFE.

07:04:14 THIS PHOTOGRAPH IS IMPORTANT.  
07:04:15 TAKE A GOOD LOOK AT THIS.  
07:04:17 ON THE RIGHT SIDE, ON THE LARGER IMAGE, ON THE RIGHT SIDE IS  
07:04:19 THE CASCADES.  
07:04:20 ON THE LEFT SIDE IS ROOKERY.  
07:04:22 YOU'LL SEE ROOFTOPS ON BOTH SIDES.  
07:04:24 THIS IS THE DRAINAGE EASEMENT BETWEEN THOSE TWO PROPERTIES.  
07:04:26 IT FLOWS DIRECTLY SOUTH OFF OF ESTERO PARKWAY.  
07:04:30 OKAY?  
07:04:30 NOW, YOU SEE WHERE THE TEN ACRES, IT SAYS TEN ACRES,  
07:04:34 ESSENTIALLY IT TERMINATES RIGHT IN THAT INTERIOR CORNER  
07:04:37 RIGHT THERE, SO IT WOULD TERMINATE RIGHT -- OKAY.  
07:04:42 I DON'T NEED THAT.  
07:04:43 OOPS.  
07:04:43 GEEZ, THAT'S ANNOYING.  
07:04:46 OKAY.  
07:04:47 HELP, ANTONIO.

07:04:49 ANYWAY, IT WOULD TERMINATE RIGHT HERE BASICALLY.  
07:04:51 THIS IS SOUTH FLOW.  
07:04:55 IT TERMINATES RIGHT HERE ON THE CORNER OF THE PROPERTY.  
07:04:57 AND SO YOU NEED THAT OPEN GREENSPACE TO RECEIVE ALL OF THAT  
07:05:04 FLOOD RUNOFF.  
07:05:05 IF YOU DEVELOP THAT PARCEL, YOU WOULD HAVE -- IT WOULD HAVE  
07:05:08 A NEGATIVE IMPACT ON REVERSING THE DRAINAGE AND POSSIBLY  
07:05:13 BACKING UP THOSE FLOODWATERS INTO THE DEVELOPMENTS, YOU  
07:05:16 KNOW, THAT SHEDDING THAT EXCESS RUNOFF.  
07:05:20 THERE'S JUST -- THIS PROPERTY WENT BEFORE CONSERVATION 2020  
07:05:25 IN NOVEMBER OF 2018.  
07:05:27 AND IT SCORED VERY, VERY HIGH.  
07:05:29 I HAVE TWO COPIES.  
07:05:30 ONE FOR MYSELF -- IS IT OKAY, MARY, IF I PASS THE OTHER COPY  
07:05:34 AROUND?  
07:05:35 THERE ARE DIFFERENT CRITERIA.  
07:05:48 SIZE OF PROPERTY.  
07:05:49 WELL, IT'S TEN ACRES.  
07:05:51 SO, YOU KNOW, IT SCORED LOW ON THAT BECAUSE IT'S NOT A VERY  
07:05:54 LARGE LAND AREA.  
07:05:55 IT IS CONTIGUOUS TO THE ESTERO RIVER TO A COASTAL WATER AND  
07:05:59 OTHER SOVEREIGN SUBMERGED LAND.  
07:06:01 IT SCORED 5 OUT OF 5.  
07:06:03 GOOD HIGH SCORE ON THAT COUNT.  
07:06:05 NATIVE PLANT COVER.

07:06:06 IT'S 50% TO 75% HAS NATIVE PLANT COVER.  
07:06:12 SCORED HIGH ON THAT.  
07:06:13 4 OUT OF 4.  
07:06:14 LET'S SEE.

07:06:16 SCORED 5 OUT OF 5 FOR SITE CONTAINS A PRIMARY FLOW WAY,  
07:06:21 CREEK, RIVER, WETLAND CORRIDOR.  
07:06:22 SITE STRADDLES THE ESTERO RIVER.  
07:06:24 THERE YOU HAVE IT.  
07:06:27 I'LL LEAVE IT AT THAT.  
07:06:30 >>Scotty Wood: ANY QUESTIONS?  
07:06:33 >> WHAT IS YOUR PLAN FOR HOW THE PROPERTY WOULD BE USED IF  
07:06:37 ACQUIRED?  
07:06:38 >> GOOD QUESTION.  
07:06:39 >> IS IT JUST GOING TO BE A PRESERVE?  
07:06:41 NOBODY CAN GO ON IT?  
07:06:47 >> THERE'S BEEN A LOT OF DISCUSSION ABOUT THAT AND THE  
07:06:52 NEIGHBORS OBVIOUSLY DON'T WANT TO SEE ANYTHING CONCRETE BACK  
07:06:55 THERE, INFRASTRUCTURE.  
07:06:56 IT REALLY DOESN'T NEED ANY DEVELOPMENT WHATSOEVER.  
07:07:03 SO WE MET RECENTLY, AS I SAID, WITH THE NATIVE PLANT  
07:07:05 SOCIETY, AND WE TALKED ABOUT MAYBE HAVING SOMETHING BACK  
07:07:08 THERE WITH NATIVE PLANT SOCIETY.  
07:07:09 THEY ARE CURRENTLY LOCATED IN BONITA.  
07:07:15 PATTY AND I TOOK A ROAD TRIP OUT THERE THE OTHER DAY.  
07:07:19 WE FEEL VERY STRONGLY THAT THIS WOULD BE A GOOD OPPORTUNITY  
  
07:07:21 OVER AT RIVER OAKS TO HAVE A VERY CONTROLLED, LIMITED PUBLIC  
07:07:26 USE SO THAT YOU DON'T HAVE THE BIG FEAR WITH THE NEIGHBORS  
07:07:30 THERE, ACTUALLY ONE NEIGHBOR, THE BIG FEAR IS THAT THERE  
07:07:34 WILL BE A LOT OF TRAFFIC BACK THERE.  
07:07:36 IT IS SECLUDED.  
07:07:38 SO FOLKS DO NOT WANT TO SEE PEOPLE GO BACK THERE AND DO  
07:07:42 THINGS THEY SHOULDN'T BE DOING.  
07:07:44 BUT THERE'S A LOT OF USES FOR IT.  
07:07:46 BUT I THINK FRIENDS OF RIVER OAKS, WHICH IS REALLY LOBBYING  
07:07:50 FOR THIS, IS BASICALLY SAYING, DON'T DO ANYTHING.  
07:07:53 OPEN IT UP FOR PUBLIC USE.  
07:07:55 IT'S BEAUTIFUL BACK THERE.  
07:07:57 IT HAS NATURAL SHADE BECAUSE THE CANOPY EFFECT.  
07:08:02 IT IS RIGHT THERE ON THE WATER.  
07:08:03 WE'VE HAD EVENTS BACK THERE TO RAISE PUBLIC AWARENESS, VERY  
07:08:08 WELL ATTENDED.  
07:08:10 LOTS OF PEOPLE ARE VERY MUCH IN SUPPORT OF THIS.  
07:08:13 WE ARE HIGHLY CONSIDERING A PETITION TO LOBBY, ESPECIALLY  
07:08:18 NOW THAT WE FEEL THAT ESTERO MIGHT HAVE SOME EXCESS MONEY  
07:08:24 COMING INTO PLAY THAT THEY MIGHT BE ABLE TO USE FOR LAND  
07:08:27 PURCHASE.  
07:08:27 BUT I DON'T THINK YOU NEED ANYTHING BACK THERE.  
07:08:29 I THINK IT'S JUST THE ABILITY TO HAVE A NATURAL PRESERVE  
07:08:34 WHERE PEOPLE CAN GO, WALK, MEET.  
07:08:39 NO RESTROOMS, NOTHING.

07:08:41 >> -- THROUGH THE VILLAGE AS EASEMENT.  
07:08:44 ONE-ACRE PARCEL.  
07:08:46 AND THAT'S NOT A CURRENT ROADWAY.  
07:08:50 >> NO.  
07:08:51 THERE'S NO ROAD BACK THERE NOW.  
07:08:53 AT ONE POINT, THERE WERE SOME ISSUES BACK THERE WITH PEOPLE  
07:08:59 DUMPING.  
07:08:59 WE HEARD SOME OF THIS EARLIER, MATTRESSES, TRASH.  
07:09:02 AND THE VILLAGE PUT UP A GATE.  
07:09:04 AND THAT PRETTY MUCH HAS STOPPED THAT.  
07:09:07 I MEAN, YOU CAN IMAGINE IF YOU HAVE A TEN-ACRE PARCEL, NOT  
07:09:10 MANAGED, NOT CONTROLLED, NOT SUPERVISED, THE PEOPLE ARE  
07:09:14 GOING TO EVENTUALLY -- WHO ARE DOING THINGS THEY SHOULDN'T  
07:09:17 BE WILL EVENTUALLY REALIZE THERE IS A PLACE TO DO THAT.  
07:09:20 NOW THE VILLAGE HAS CLEARLY MARKED THAT SPACE, AND THAT HAS  
07:09:23 REALLY -- THAT HAS REALLY CEASED.  
07:09:27 >>Marlene Naratil: WHO OWNS THE TEN ACRES -- NINE ACRES?  
07:09:32 >> GOOD QUESTION.  
07:09:33 THAT IS PAUL MARKS.  
07:09:34 HE IS A DEVELOPER OUT OF CHICAGO.  
07:09:36 PAUL MARKS.  
07:09:40 HE IS A DEVELOPER.  
07:09:41 HE PURCHASED THE PROPERTY I'M GUESSING PROBABLY ABOUT TEN  
07:09:44 YEARS AGO.  
07:09:45 MY UNDERSTANDING IS HE'S INTO THAT PROPERTY FOR ABOUT A  
  
07:09:51 MILLION TWO, MAYBE A MILLION THREE.  
07:09:53 OBVIOUSLY, HE HAS IT LISTED.  
07:09:59 HE'S HOPING TO GET MORE FOR IT.  
07:10:02 BUT I THINK HE'S WILLING TO NEGOTIATE THAT BECAUSE WE'VE  
07:10:08 REALLY BEEN WORKING ON THIS VERY HARD.  
07:10:11 AND HE SEES THAT.  
07:10:12 AND HE'S A REASONABLE MAN.  
07:10:14 I THINK THAT IF THERE WAS A REASONABLE OFFER MADE, HE WOULD  
07:10:19 TAKE IT.  
07:10:19 IN ADDITION TO THAT, WE HAVE TO CONSIDER THERE A 2020 HAS  
07:10:23 TOLD US, UP CLOSE AND PERSONAL, THAT IF THE VILLAGE IS  
07:10:27 WILLING TO CONTRIBUTE SOME DOLLARS TO THIS, THEY WILL  
07:10:31 CONSIDER MATCHING THAT.  
07:10:32 THEY TURNED US DOWN BECAUSE THEY SAID WHAT'S THE VILLAGE OF  
07:10:37 ESTERO DOING?  
07:10:38 YOU KNOW, YOU'RE ASKING FOR A LOT OF MONEY.  
07:10:42 IF THIS IS SO IMPORTANT TO THE VILLAGE, WHY ARE THEY NOT  
07:10:45 COMING TO THE TABLE WITH SOME DOLLARS?  
07:10:48 I THINK THAT'S VERY REASONABLE.  
07:10:51 THEY ARE WILLING TO CONTRIBUTE, IF THE VILLAGE IS WILLING TO  
07:10:57 CONTRIBUTE, GETTING THAT PROPERTY FOR -- IT'S ON THE C.I.P.,  
07:10:59 900,000 UNFUNDED, IN MY MIND, ASK 2020 TO SPLIT IT, YOU

07:11:05 KNOW, A MILLION TWO WITH YOU.  
07:11:07 THEN YOU'VE GOT YOURSELF A GREAT DEAL.  
07:11:09 >> SAW SOMETHING ABOUT AN OPTION THAT EXPIRES IN SEPTEMBER.

07:11:11 WHAT'S THAT ALL ABOUT?  
07:11:13 >>BARBARA: CONSERVATION FOUNDATION OF THE GULF COAST IS  
07:11:16 WHAT I'LL CALL OUR STRATEGIC PARTNER.  
07:11:19 SO THEY WORK ON BEHALF OF -- WELL, SHOULDN'T SAY ON BEHALF.  
07:11:24 THEY WORK WITH THE DEVELOPER.  
07:11:26 THEY'VE BEEN GIVEN A FIRST RIGHT OF REFUSAL TO PURCHASE THE  
07:11:30 PROPERTY FOR CONSERVATION AND PRESERVATION.  
07:11:32 THEY ARE NOT REALLY A LAND PURCHASER ORGANIZATION.  
07:11:35 THEY REALLY FIGHT FOR THE RIGHTS OF PROTECTING GREENSPACE,  
07:11:39 BUT THEY DO HAVE THE OPTION.  
07:11:40 AND SO THEY WORK WITH US.  
07:11:43 IT'S A VERY VALUABLE RELATIONSHIP TO THE VILLAGE.  
07:11:46 THAT'S THE OTHER THING.  
07:11:49 WE NEED TO SERIOUSLY CONSIDER THAT IF THE VILLAGE WERE TO  
07:11:52 SECURE THAT PROPERTY, ALL OF IT, THAT THE CONSERVATION  
07:11:55 FOUNDATION WOULD BE OUR RESOURCE TO BRAND IT AS FLORIDA  
07:11:59 GREENSPACE, SIGNAGE IT, HELP US MANAGE IT, WE HAVE THEIR  
07:12:05 RESOURCES, WHICH IS VERY IMPORTANT AS WE EXPAND AND GO INTO  
07:12:08 OTHER GREENSPACE AND RECREATION.  
07:12:12 YOU KNOW, WE NEED ALL THAT SUPPORT THAT WE CAN GET, AND WE  
07:12:16 HAVE IT RIGHT HERE.  
07:12:18 >> RIGHT OF REFUSAL MATCH ANY OTHER OFFER --  
07:12:24 >> CORRECT.  
07:12:25 IT DOES EXPIRE IN SEPTEMBER.  
07:12:28 I THINK IF THERE'S SOME POSITIVE MOMENTUM, ONE OF THE

07:12:30 REASONS WHY WE'RE HERE TONIGHT, AND WE'RE TRYING TO GET IN  
07:12:34 FRONT OF EVERYONE WE CAN IS THAT IF THERE IS POSITIVE  
07:12:36 MOMENTUM, I THINK THE PROPERTY OWNER WILL CONSIDER EXTENDING  
07:12:44 THAT.  
07:12:47 IF THAT'S THE CASE, WE WOULD LIKE TO GO BACK IN FRONT OF  
07:12:51 2020 WITH VILLAGE SUPPORT, AND WE COULD GET THAT OPTION  
07:12:54 EXTENDED.  
07:12:55 I DON'T THINK WE'RE GOING TO GET IT UNLIMITED, BUT WE MIGHT  
07:12:58 GET IT EXTENDED TO MAYBE JANUARY OR FEBRUARY, JUST SAYING TO  
07:13:02 HIM, LOOK -- BECAUSE WE DON'T WANT THE CONSERVATION  
07:13:06 FOUNDATION TO SAY WE'RE DONE.  
07:13:08 WE REALLY DON'T WANT THAT.  
07:13:10 THAT'S A RESOURCE THAT WE REALLY SHOULD EMBRACE, BECAUSE  
07:13:14 IT'S FREE.  
07:13:15 IT DOESN'T COST US ANYTHING.  
07:13:17 >> I HAVE TWO QUESTIONS.  
07:13:18 FIRST OF ALL, DO YOU KNOW IF THE DEVELOPER HAS CONCLUDED  
07:13:21 THAT THIS PROPERTY IS NOT DEVELOPABLE?

07:13:25 >> BARBARA: UM, NO.  
07:13:27 BECAUSE OF WHAT WE JUST TALKED ABOUT A LITTLE WHILE AGO,  
07:13:34 THERE HAS BEEN RESIDENTIAL USE BACK THERE.  
07:13:36 >> I UNDERSTAND, BUT THERE ARE WETLANDS, TOO.  
07:13:39 THERE ARE SUBSTANTIVE DEVELOPMENT ISSUES IF YOU TRY TO  
07:13:42 DEVELOP THAT PROPERTY.  
07:13:44 >> THERE ARE.

07:13:45 WE HAVE IT -- WE KNOW THAT OTHER FOLKS HAVE LOOKED AT IT FOR  
07:13:49 NONRESIDENTIAL USE; I.E., THERE WAS A SMALL SCHOOL THAT WAS  
07:13:53 CONSIDERING IT, LIKE A DAY CARE.  
07:13:55 WE ALSO KNOW THAT A CHURCH WAS LOOKING AT IT.  
07:14:00 SO I LOOKED THIS UP, AG 2 DOES ALLOW FOR QUITE A BIT OF USE  
07:14:08 OTHER THAN RESIDENTIAL.  
07:14:09 WE DON'T WANT A SCHOOL BACK THERE.  
07:14:12 NEIGHBORS WOULDN'T WANT THAT OR A CHURCH.  
07:14:15 IT REALLY NEEDS TO STAY NATURAL.  
07:14:20 IT'S ALSO A KEY PART OF OUR WATER MANAGEMENT.  
07:14:23 >> I UNDERSTAND THAT.  
07:14:24 DID HE ORIGINALLY BUY THE PROPERTY, THOUGH, WITH THE INTENT  
07:14:28 OF DEVELOPING IT?  
07:14:30 DO WE KNOW THAT?  
07:14:31 >> WELL, HE'S A DEVELOPER.  
07:14:33 >> THAT'S MY POINT.  
07:14:34 >> THAT'S MY UNDERSTANDING.  
07:14:36 AND KEEP IN MIND, WHEN HE PURCHASED THE PROPERTY, I REALLY  
07:14:41 -- I UNDERSTAND WHERE EVERYONE IS GOING WITH THAT KIND OF  
07:14:45 DIALOGUE, BUT THIS IS MORE ABOUT PROVIDING THE COMMUNITY  
07:14:49 WITH AN OPPORTUNITY THAN IT IS SAYING, LOOK, THE DEVELOPER  
07:14:52 CAN'T DO ANYTHING.  
07:14:53 THAT'S NOT REALLY THE POSITION WE SHOULD BE TAKING WHEN THE  
07:14:58 COMMUNITY HAS A RIGHT TO HAVE -- YOU KNOW, WE DON'T HAVE A  
07:15:03 LOT OF GREENSPACE.

07:15:04 WE DON'T HAVE A LOT OF PLACES TO RECREATE.  
07:15:07 WE GO TO SARASOTA OR TO THE LEGACY TRAIL.  
07:15:10 PROVIDE THIS COMMUNITY WITH SOME RESOURCES SO THAT WE CAN  
07:15:15 STAY HERE AND CONNECT WITH EACH OTHER.  
07:15:18 THAT'S WHAT NEEDS TO BE THE OVERRIDING OBJECTIVE, NOT  
07:15:22 DEVELOPER KIBOSH, YOU CAN'T DO ANYTHING.  
07:15:28 I REALLY STRONGLY ENCOURAGE US TO LOOK AT IT DIFFERENTLY.  
07:15:34 >>Scotty Wood: IF YOU WANT THE VILLAGE SUPPORT, THE VILLAGE  
07:15:36 HAS TO STEP UP WITH MONEY, AND WE HAVE TO UNDERSTAND HOW  
07:15:39 MUCH MONEY.  
07:15:40 I'M NOT SO SURE THAT WHATEVER THE DEVELOPER PAID FOR THAT  
07:15:44 PROPERTY IS THE RIGHT AMOUNT OF MONEY.  
07:15:46 >> I AGREE.  
07:15:47 >>Scotty Wood: GIVEN THE FACT THAT HE I BELIEVE HAS

07:15:51 CONCLUDED NOW CAN'T DEVELOP IT BECAUSE HE'S HAD THE PROPERTY  
07:15:54 FOR SOME TIME AND HASN'T DONE ANYTHING WITH IT.  
07:15:58 THAT LEADS TO MY SECOND QUESTION, WHICH IS HOW LONG HAS THIS  
07:16:01 BEEN ON THE MARKET?  
07:16:02 >> A COUPLE OF YEARS.  
07:16:04 IT HASN'T -- IT HAS NOT BEEN PROMOTED AT ALL.  
07:16:11 FINALLY A REAL ESTATE SIGN WENT UP THERE, BUT IT'S NOT AS IF  
07:16:15 IT'S BEEN HEAVILY PROMOTED BECAUSE THE PROPERTY OWNER THINKS  
07:16:17 THAT WE ARE GOING TO SECURE THAT BECAUSE OF ALL THE THINGS  
07:16:25 WE'VE DONE.  
07:16:26 WE'VE SHOWN GOOD FAITH ON THAT.

07:16:29 THAT'S KIND OF WHERE WE ARE.  
07:16:30 COULD SOMEBODY BUY IT AND DEVELOP IT?  
07:16:32 MY UNDERSTANDING IS THERE'S SEWAGE AND POTENTIAL SEWAGE AND  
07:16:35 WATER COMING INTO THAT AREA.  
07:16:39 TODAY, YOU'D HAVE TO PAY FOR IT.  
07:16:40 TOMORROW, IF YOU HAVE THAT, THAT'S A BIG OBSTACLE.  
07:16:45 I DON'T SEE -- SOMEBODY COULD BUY IT FOR SINGLE RESIDENTIAL  
07:16:49 USE.  
07:16:50 THEN WHAT?  
07:16:50 THEN WE ONCE AGAIN, LOSE OUT ON A VALUABLE PIECE OF PROPERTY  
07:16:57 IN THE PORTFOLIO OF ESTERO.  
07:16:58 RIGHT?  
07:16:59 >> I UNDERSTAND.  
07:17:01 >> AND A RIVER BUFFER, RIGHT, AND A WATER MANAGEMENT PIECE.  
07:17:11 >>Marlene Naratil: THIS WOULD BE BASICALLY A PASSIVE SITE.  
07:17:13 >> YES.  
07:17:13 >>Marlene Naratil: WHERE YOU WOULD GO TO RECREATE QUIETLY.  
07:17:17 AND A LOT OF PEOPLE SAY, WELL, DON'T WE HAVE ENOUGH OF THAT  
07:17:20 ALREADY?  
07:17:21 >> WHERE?  
07:17:23 >>Marlene Naratil: TALKING ABOUT --  
07:17:25 >> WELL, YOU DO HAVE IT ON THE OTHER END OF BROADWAY.  
07:17:29 >> BUT THAT IS VERY UNDESIRE -- YOU KNOW.  
07:17:32 IT'S VERY UNDESIRABLE.  
07:17:35 DOUG AND I GO DOWN THERE.

07:17:36 WE DON'T LIKE GOING DOWN THERE BECAUSE IT'S HOT.  
07:17:39 WE GO OVER TO RIVER OAKS.  
07:17:41 IT'S ALL SHADED.  
07:17:42 IT'S NOT DESIRABLE FOR US TO BE OUT IN THE FLORIDA HEAT.  
07:17:47 >> IT'S AN ENTIRELY DIFFERENT HABITAT.  
07:17:49 THAT WILL ALWAYS REMAIN AS RUDIMENTARY, PRIMITIVE BUFFER  
07:17:53 RESERVE THERE.  
07:17:54 THAT'S 1300 ACRES.  
07:17:55 THE TRAILS ARE VERY RUGGED.  
07:17:56 IF YOU DON'T KNOW YOUR WAY AROUND, YOU CAN EASILY GET LOST.

07:17:59 THIS IS AN IDEAL NEIGHBORHOOD PARK WHERE YOU CAN ACTUALLY  
07:18:03 IMMERSE YOURSELF INTO THIS BEAUTIFUL OAK CANOPY FOREST.  
07:18:06 JUST STEP OUT OF IT WHEN YOU'RE READY AND STEP BACK INTO IT.  
07:18:10 WE DON'T HAVE THIS RESOURCE ANYWHERE IN ESTERO.  
07:18:17 >> I THINK THAT'S WHERE WE HAVE TO EDUCATE PEOPLE REGARDING  
07:18:19 THAT. YOU HAVE THE GIRL SCOUTS ON YOUR LIST.  
07:18:22 I WOULD THINK YOU WORK WITH YOUNG PEOPLE WHO COULD  
07:18:25 APPRECIATE IT.  
07:18:28 >> THAT'S A VERY GOOD POINT.  
07:18:29 I MEAN, I WORK WITH BUSINESS OWNERS IN ESTERO.  
07:18:32 THEY'RE MY CLIENTS.  
07:18:34 AND A LOT OF THEM ARE YOUNG AND A LOT OF THEM ARE SAYING TO  
07:18:36 ME, WHAT IS ESTERO DOING TO CREATE -- THEY COME OUT TO RIVER  
07:18:43 OAKS, THEY LIKE IT.  
07:18:45 WE HAD A CLEANING EVENT OUT THERE WHERE WE HAD PEOPLE WITH

07:18:50 WEED WHACKERS AND CHAINSAWS, BECAUSE WE WANTED TO CLEAR THE  
07:18:58 DEBRIS TO HAVE A PUBLIC EVENT.  
07:19:00 I HAD TO TELL PEOPLE TO STOP WORKING.  
07:19:02 THEY WOULDN'T LEAVE.  
07:19:03 I MEAN, THERE IS A HUNGER IN THIS COMMUNITY TO CONNECT WITH  
07:19:10 MOTHER NATURE.  
07:19:11 THAT'S NOT HAPPENING AT THE PARK AND REC WITH ALL DUE  
07:19:14 RESPECT TO THE PROPERTY.  
07:19:15 IT'S NOT A PLACE THAT MANY OF US WANT TO GO TO.  
07:19:18 IT'S NOT THE SAME THING.  
07:19:20 WE DON'T HAVE THE CANOPY.  
07:19:21 WE DON'T HAVE THE WATER.  
07:19:24 WE DON'T HAVE THE OPPORTUNITY TO JUST KIND OF HANG OUT AND  
07:19:26 HAVE A CUP OF COFFEE WITH SOMEONE.  
07:19:28 IT'S A COMPLETELY DIFFERENT TYPE OF DYNAMIC.  
07:19:33 KORESHAN IS A BEAUTIFUL PARK.  
07:19:36 THERE'S ADMISSION TO GET IN THERE.  
07:19:39 I'M NOT GOING TO DRIVE TO A STATE PARK FOR A WALK OR SIT  
07:19:42 WITH A FRIEND AND HAVE A CUP OF COFFEE.  
07:19:44 I'M NOT GOING TO GO TO A STATE PARK AND PAY ADMISSION FOR  
07:19:49 THAT.  
07:19:49 >>Dr. Tim Allen: I HAVE THREE THOUGHTS.  
07:19:52 THE FIRST IS FROM THE REAL ESTATE PERSPECTIVE.  
07:19:55 INCOMING OFFERS ARE OFTEN FORWARDED BY EXISTING RIGHTS OF  
07:20:00 FIRST REFUSAL.

07:20:01 SO ONCE THAT EXPIRES, THEN YOU MAY SEE MORE INTEREST IN  
07:20:04 DEVELOPERS.  
07:20:05 IF YOU WANT TO -- I WOULDN'T WAIT UNTIL SEPTEMBER TO TRY TO  
07:20:09 RENEGOTIATE THAT WITH YOUR DEVELOPER, IF THAT'S SOMETHING  
07:20:11 YOU WANT TO PROTECT.  
07:20:12 IF I WERE THINKING ABOUT BUYING THIS TO DEVELOP, WHY WOULD I

07:20:17 GO THROUGH THE HASSLE IF I KNEW SOMEBODY ELSE COULD JUMP  
07:20:20 AHEAD OF ME.  
07:20:22 WAIT, ESPECIALLY WHEN IT'S A MONTH.  
07:20:24 I'D JUST WAIT AND THEN GO.  
07:20:26 JUST THINKING THAT FOR YOUR BENEFIT -- NEGOTIATED NOW  
07:20:32 BECAUSE AFTER THAT IT'S GONE.  
07:20:34 THE SECOND THING, I WAS A LITTLE TROUBLED BY YOUR COMMENTS  
07:20:36 ABOUT HOW STRONGLY YOU FELT IT SHOULD BE STRICTLY CONTROLLED  
07:20:39 AND ACCESS BEING STRICTLY CONTROLLED.  
07:20:43 IF THE VILLAGE WERE TO BUY THIS, IT HAS TO BE FOR EVERYBODY.  
07:20:46 A PLAN IN PLACE WHERE IT'S NOT STRICTLY CONTROLLED BUT IT'S  
07:20:50 ENCOURAGED TO BE USED, RIGHT.  
07:20:53 >> THAT'S A POOR CHOICE OF WORDS.  
07:20:55 BY CONTROLLED MEANING THAT THE GATE IS OPEN, SIMILAR TO THE  
07:20:59 OTHER PRESERVE DOWN ON THE OTHER END OF WEST BROADWAY, THAT,  
07:21:04 YOU KNOW, THERE'S A GATE.  
07:21:06 IT'S OPEN, BUT IT'S CLOSED.  
07:21:08 DAWN-TO-DUSK TYPE OF SITUATION, WHERE YOU JUST DON'T HAVE  
07:21:13 UNLIMITED USE.

07:21:15 >>Dr. Tim Allen: WE'RE NOT THE BODY THAT WILL DECIDE.  
07:21:18 I'M JUST SAYING, IF YOU REALLY WANT TO GET SUPPORT, YOU NEED  
07:21:20 TO PROMOTE HOW IT WILL BENEFIT THE RESIDENTS OF ESTERO.  
07:21:24 AND THEN MY LAST COMMENT IS A REACTION TO WHAT YOU JUST  
07:21:27 SAID.  
07:21:28 IF THIS IS A PRISTINE SITE, WHAT ARE WE DOING OUT THERE WITH  
07:21:31 WEED WHACKERS.  
07:21:34 THAT IS NOT HOW YOU MANAGE A PRISTINE SITE.  
07:21:37 YOU LET IT GROW UP AND GET LIKE IT IS.  
07:21:40 THAT IS PRISTINE OLD FLORIDA.  
07:21:41 PLEASE STOP WEED WHACKING PROPERTY --  
07:21:54 >> WHEN YOU SEE THE VIDEO, YOU'LL SEE WHAT I MEAN.  
07:21:57 WE NEEDED TO DO SOMETHING BECAUSE IT WAS SO OVERGROWN.  
07:22:04 >> THE UNDERSTORY IS PART OF IT.  
07:22:06 YOU DAMAGE THE SITE.  
07:22:12 >> NO.  
07:22:13 WE WERE UNDER THE SUPERVISION OF THE CONSERVATION  
07:22:15 FOUNDATION.  
07:22:15 I CAN GUARANTEE YOU --  
07:22:17 >> THEY DAMAGE SITES, TOO.  
07:22:19 >> TRUST ME.  
07:22:21 OKAY.  
07:22:22 I APPRECIATE IT.  
07:22:25 >>John Yarbrough: I THINK THAT THERE'S NO DOUBT THAT THE  
07:22:27 PROPERTY WOULD ENHANCE THE COMMUNITY.

07:22:34 AND CERTAINLY, I WOULD ALWAYS SUPPORT ANY POTENTIAL PARK  
07:22:39 PROPERTY.

07:22:39 I THINK YOU NEED TO -- I'M SURE YOU'VE ALREADY DONE IT, TALK  
07:22:44 TO THE VILLAGE COUNCIL ABOUT PARK IMPACT FEES.  
07:22:48 I THINK YOU NEED TO THINK ABOUT WHAT KIND OF PARK IT WOULD  
07:22:53 BE.  
07:22:54 TO ME, IT WOULD BE A NEIGHBORHOOD PARK, WHICH MEANS THAT  
07:22:59 THERE'S NO PARKING LOT.  
07:23:02 PEOPLE WALK THERE, BIKE THERE TO REDUCE THE USE.  
07:23:10 YOU KNOW, I UNDERSTAND YOU'RE UNDER A TIMELINE, BUT MAYBE  
07:23:23 SOMETHING COULD BE WORKED OUT WITH THE VILLAGE COUNCIL WHERE  
07:23:26 YOU PHASE IT, YOU NEED TO GET SOME NUMBERS IN YOUR LINE  
07:23:29 ITEM.  
07:23:29 EVEN IF IT'S NOT THE WHOLE THING AND THEN SEE WHAT CAN BE  
07:23:38 WORKED OUT WITH THE OTHER ORGANIZATION YOU'RE WORKING WITH.  
07:23:40 WHEN I WAS WITH THE COUNTY, WE HAD A TON OF PROJECTS THAT  
07:23:49 STARTED WITH NOT A LOT OF MONEY, BUT THEY KEPT ADDING UP.  
07:23:53 THE COMMISSION KEPT THEM IN THE BUDGET.  
07:23:55 AND WE WOULD JUST REQUEST ADDITIONAL MONIES EACH YEAR.  
07:23:58 BUT I WOULD LOOK AT IMPACT FEES AND THE POTENTIAL OF PHASING  
07:24:05 IT.  
07:24:06 >> THAT'S GOOD ADVICE.  
07:24:08 THIS IS A PICTURE, BY THE WAY, OF THE PROPERTY AFTER WE WERE  
07:24:12 BACK THERE.  
07:24:14 IT'S BEAUTIFUL.

07:24:15 I INVITE YOU TO GO BACK THERE AND TAKE A LITTLE WALK BACK  
07:24:21 THERE, DEFINITELY.  
07:24:22 WELL, I'M GOING TO TELL YOU THAT I AM THE MOST PRIVILEGED  
07:24:31 RESIDENT IN ALL OF ESTERO, BECAUSE NOT ONLY DO I HAVE THE  
07:24:36 KEYS TO THAT PROPERTY, I ALSO HAVE THE PERMISSION TO BE  
07:24:38 THERE.  
07:24:39 SO IF YOU'D LIKE TO TAKE A WALK BACK THERE, I'LL SEND YOU  
07:24:43 THE VIDEO.  
07:24:43 YOU CAN ALWAYS REACH OUT TO ME.  
07:24:45 PATTY AND I WOULD LOVE TO MEET YOU BACK THERE.  
07:24:48 WE'VE TAKEN MANY, MANY, MANY FOLKS BACK THERE.  
07:24:51 IT'S QUITE AN AMAZING EXPERIENCE THAT THEY HAVE.  
07:24:55 >> MR. TATOOLE'S TOURED THE PROPERTY.  
07:24:57 >>James Tatoes: PATTY AND I WALKED THAT PROPERTY.  
07:25:00 >> ISN'T IT BEAUTIFUL?  
07:25:03 >>James Tatoes: IT FITS ALL THE REQUIREMENTS.  
07:25:04 THE ONLY ONE -- REMEMBER WAS WE COULDN'T GET EASEMENT TO THE  
07:25:09 NORTH, ACCESS FROM THE NORTH.  
07:25:12 >> WELL, SO THAT DRAINAGE EASEMENT I SHOWED ON THE SCREEN  
07:25:16 IMAGE, THERE IS BASICALLY A FLAT AREA THERE.  
07:25:20 I MEAN, IT'S NOT QUITE OBVIOUS, BUT THERE IS A SHOULDER TO  
07:25:24 THE DRAINAGE EASEMENT WHICH IS ALMOST WIDE ENOUGH THAT YOU  
07:25:26 COULD PUT A BICYCLE PATH.  
07:25:27 YOU PROBABLY HAVE TO GET AGREEMENT OF BOTH COMMUNITIES OR AT

07:25:30 LEAST CASCADES.

07:25:32 >>James Tatoes: THAT IS A SHORTFALL I SEE OF THE PROPERTY,  
07:25:36 ONLY ONE-WAY ACCESS.  
07:25:37 >> GREAT TO HAVE ESTERO PARKWAY ACCESS.  
07:25:40 >> AND THREE OAKS.  
07:25:41 >>James Tatoes: IT WOULD MAKE A WORLD OF DIFFERENCE IF YOU  
07:25:44 DID DOUBLE ACCESS TO THAT PROPERTY.  
07:25:47 I WOULD HOPE THAT PART OF THE GOAL OF THIS SITUATION WOULD  
07:25:51 BE TO BE ABLE TO HAVE ACCESS FROM BOTH SIDES.  
07:25:55 I DON'T SEE THAT IT HURTS ANYTHING TO LET YOU GO THROUGH  
07:26:01 HERE.  
07:26:02 WORRIED ABOUT LIABILITY, INSURANCE.  
07:26:04 >> IF YOU RECALL THE FELLOW WHO GAVE THE PRESENTATION, THE  
07:26:07 CONSULTANT TO THE BICYCLE PEDESTRIAN MASTER PLAN -- REMEMBER  
07:26:14 THE PRESENTATION THAT THEY GAVE BEFORE --  
07:26:18 >> YOU GUYS HAVE BEEN AROUND.  
07:26:20 >> HE TALKED ABOUT THE NEED FOR EAST-WEST ACCESS, RIGHT, IN  
07:26:25 ESTERO AND THE LACK OF THAT CONNECTIVITY.  
07:26:28 WE HAVE REALLY GOOD NORTH AND SOUTH ACCESS BECAUSE ESTERO  
07:26:30 PARKWAY -- EXCUSE ME, THREE OAKS HAS REALLY WIDE PATHWAYS ON  
07:26:36 EITHER SIDE BUT WE'RE LACKING THAT EAST-WEST CONNECTIVITY.  
07:26:40 CORKSCREW ROAD WOULD SEEM LOGICAL AND HE TALKED ABOUT THE  
07:26:43 NORTH SIDE OF CORKSCREW ROAD, BUT WE HAVE THESE MASSIVE  
07:26:46 DRAINAGE DITCHES AND BEAUTIFUL CYPRESS TREES.  
07:26:48 HOW MUCH OF THAT WOULD YOU WANT TO DESTROY OR REENGINEER TO  
07:26:52 CREATE THAT PATHWAY?

07:26:53 POSSIBLY, THIS COULD BE AN ANSWER TO THAT DILEMMA RIGHT  
07:26:57 HERE, IF YOU COULD CREATE A PATHWAY OFF OF EAST BROADWAY  
07:27:00 THAT CONNECTS WITH THREE OAKS.  
07:27:05 >> I ALWAYS SAID MY DESIRE, GOING TO BE LAND PLANTING THAT  
07:27:09 HAS TO TAKE PLACE FOR THE 62.5 ACRES.  
07:27:13 AND THERE'S GOING TO BE PROBABLY 80 ACRES LEFT OF THE  
07:27:18 HUNDRED THAT ARE THERE AFTER THE HOSPITAL GOES IN NORTH OF  
07:27:24 HERTZ.  
07:27:24 GOT THIS IN THE SAME AREA.  
07:27:26 YOU'VE ALSO GOT KORESHAN PARK AND TALKING ABOUT AN UNDERPASS  
07:27:32 UNDERNEATH 41.  
07:27:34 SO MANY THINGS GOING ON.  
07:27:36 I WOULD HOPE THAT THE MASTER PLAN IS A MASTER PLAN FOR THE  
07:27:38 ENTIRE AREA RATHER THAN FOR JUST THAT 62 ACRES THAT THEY ARE  
07:27:44 TALKING ABOUT.  
07:27:44 IT'S ALL-ENCOMPASSING.  
07:27:48 WHEN YOU GET THAT INVOLVED AND YOU CAN INCLUDE THAT INTO  
07:27:51 PART OF THE MASTER PLANNING, THEN I THINK MORE THINGS COULD  
07:27:53 TAKE PLACE.  
07:27:55 >> NATURAL CONNECTIONS THROUGHOUT ESTERO.

07:27:57 YOU LITERALLY --  
07:27:58 >> WHAT I'M GETTING AT, I THINK YOU'VE GOT A MASTER PLAN FOR  
07:28:02 ESTERO, NOT JUST A MASTER PLAN FOR 62 ACRES.  
07:28:07 >> AND THE THING ABOUT THIS, TOO, IS THAT THIS IS IMMEDIATE  
07:28:12 ON THE 62 ACRES, WHICH IS A FABULOUS SITUATION.

07:28:17 IT'S GOING TO TAKE A LOT OF TIME TO BE AN ASSET FOR PUBLIC  
07:28:22 USE.  
07:28:23 THIS IS TOMORROW.  
07:28:26 YOU CAN SAY TOMORROW, YOU KNOW, YOU HAVE PUBLIC USE OF A  
07:28:32 BEAUTIFUL GREENSPACE.  
07:28:34 62 ACRES.  
07:28:38 >> WHAT I FEEL -- I COMPLIMENT YOU FOR DOING IT.  
07:28:42 YOU'RE GOING ALL OVER THE PLACE, TALKING TO AS MANY PEOPLE  
07:28:45 AS YOU POSSIBLY CAN.  
07:28:46 THE ONLY PERSON YOU'RE NOT TALKING TO IS THE GUY WITH THE  
07:28:49 MONEY.  
07:28:49 YOU'VE GOT TO TRY AND GET SOME KIND OF A FOUNDATION OR SOME  
07:28:55 KIND OF PHILANTHROPIC ORGANIZATION OR SOME PHILANTHROPIST  
07:28:59 THAT MIGHT WANT TO COME AND SPONSOR SOMETHING LIKE THAT AND  
07:29:01 IT WOULD BE CALLED JOE SMITH PARK OR WHATEVER.  
07:29:05 >> WELL, WE'RE TALKING TO THE VILLAGE OF ESTERO.  
07:29:07 THAT'S WHO WE'RE TALKING TO.  
07:29:09 THAT'S WHO WE BELIEVE NEEDS TO PURCHASE THE PROPERTY,  
07:29:13 WHETHER THAT'S WITH PUBLIC FUNDS, PRIVATE FUNDS,  
07:29:17 CONSERVATION MONEY, THIS IS AN ASSET WE STRONGLY BELIEVE,  
07:29:23 MANY OF US BELIEVE IN THE COMMUNITY THAT THE VILLAGE OF  
07:29:25 ESTERO NEEDS TO PURCHASE.  
07:29:26 AND IF ESTERO DOES COME INTO SOME MONEY FOR LAND PURCHASE,  
07:29:30 WHICH WE THINK THEY MIGHT, WE WOULD WANT THEM TO HIGHLY  
07:29:34 CONSIDER THIS AS A NUMBER ONE CANDIDATE.

07:29:37 SINCE IT'S ALREADY ON THE C.I.P., THAT INDICATES TO ME THAT  
07:29:41 THE VILLAGE IS INTERESTED.  
07:29:42 ACTUALLY, I KNOW THE VILLAGE IS INTERESTED, BECAUSE I'VE MET  
07:29:45 WITH MANY PEOPLE.  
07:29:46 THE DEAL IS THAT WE LIKE TO SEE SOMETHING MOVE ON THIS, AND  
07:29:53 WE'D LIKE TO GET SUPPORT.  
07:29:54 WE HAVE COMMUNITY SUPPORT --  
07:29:58 >> BEFORE COUNCIL.  
07:29:59 >> WE ALREADY HAVE.  
07:30:01 >> THE BOTTOM LINE, EITHER THE COUNCIL GOES WITH IT OR THEY  
07:30:04 DON'T.  
07:30:05 IF THEY DON'T GO WITH IT, YOU'VE GOT TO BE COMPLETELY  
07:30:09 PHILANTHROPIC.  
07:30:09 >> WE'RE DOING THAT NOW.  
07:30:10 WE JUST STARTED DOING THAT IN JANUARY BECAUSE WE REALIZED  
07:30:13 THAT WE WERE NOT GOING TO GET -- IT WASN'T GOING TO WORK

07:30:18 ASKING THE VILLAGE IN 2020.  
07:30:20 SO WE'VE MOVED IN THAT DIRECTION.  
07:30:21 AND WE ARE PLANNING ON FUND-RAISING, AND WE ARE PLANNING ON  
07:30:24 DOING THAT.  
07:30:24 ALL WE'RE TRYING TO DO HERE IS JUST TO LET YOU KNOW THIS IS  
07:30:31 A GREAT OPPORTUNITY.  
07:30:32 AND AS WE MOVE ALONG, WE'LL KEEP YOU INFORMED AS TO WHAT  
07:30:34 WE'RE DOING.  
07:30:35 WE JUST HOPE THAT YOU AT SOME POINT FAVORABLY SUPPORT IT.

07:30:41 >> BARBARA, I THINK YOU'RE PREACHING TO THE CHOIR.  
07:30:43 >> I KNOW.  
07:30:44 I KNOW.  
07:30:44 BUT I WANT YOU GUYS TO KNOW ABOUT IT.  
07:30:48 WE DO APPRECIATE YOUR TIME AND DO APPRECIATE ANY SUPPORT.  
07:30:51 AGAIN, WE'LL SEND THE VIDEO AND ANYBODY WHO WANTS TO GO ON  
07:30:55 THAT WALK, PERSONALLY, I WILL TAKE YOU.  
07:30:57 >>Scotty Wood: THANK YOU VERY MUCH.  
07:30:58 >> THANK YOU VERY MUCH.  
07:31:02 >>Scotty Wood: IS THERE ANY OTHER BUSINESS TO COME BEFORE  
07:31:05 THIS BOARD?  
07:31:05 ANYONE?  
07:31:07 ANY FURTHER PUBLIC INPUT?  
07:31:10 NONE.  
07:31:10 I'LL ENTERTAIN A MOTION TO ADJOURN.  
07:31:14 >> SO MOVED.  
07:31:15 >>Scotty Wood: SECOND?  
07:31:16 >> SECOND.  
07:31:17 >>Scotty Wood: ALL IN FAVOR?  
07:31:18 AYE.  
07:31:18 ANY OPPOSED?  
07:31:19 WE'RE ADJOURNED.

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