

## Oversized homes - the jury is still out on Section 86-43 enhancements

In the spring of 2008, the Planning Commission undertook to study and report to City Council on potential amendments to Section 86-43 of the Land Development Code to provide greater guidance and standards to applicants for permits to build new homes. Section 86-43 deals with the issue of what may be termed “oversized” homes.

During the late spring and summer a number of public meetings were held by the Land Development Code Review Committee (the entire Planning Commission) at which proposals from the Planning Department were considered. The main focus of these proposals was to 1. Clearly define the purpose and objectives of 86-43; 2. Devise a trigger mechanism by which proposed homes which exceed a threshold size and mass would be subject to increased scrutiny by the Planning Department and Planning Commission and 3. Develop a set of design standards and guidelines to assist applicants and their design professionals.

At its September 23 meeting, the Land Development Review Committee, by virtue of a 3 to 3 tie vote (Commissioners Berger, Krekel and Marks in favor and Commissioners Sprankle, Reynolds and Valiquette, opposed. Commissioner Forney was absent.) failed to approve a comprehensive set of proposals from the Planning Department. At that meeting a number of realtors spoke against the proposed amendments and some against Section 86-43 in general. Some of the Commissioners expressed the view that it needed simplification. As matters stand now the issue will be taken up again in January. Planning director Duffy has indicated that his department will present some alternative approaches in January to address the concerns expressed by some Commissioners. Hopefully, that will lead to the adoption of a set of proposals for submission to City Council early next year.

Anyone who has driven to Captiva lately has seen the enormous mansions under construction on Captiva Drive. Make no mistake; but for Section 86-43, mansions of that type and size could be built on Sanibel. If you don't want to see this happen, attend the Planning Commission meetings in January when the 86-43 amendments will once again be considered and make your feelings known to the Commissioners. You can be sure the realtors will be back arguing their case.

Watch for COTI action alerts as meeting dates approach.