

March 14, 2011

Dear Neighbor:

The Captiva Community Panel, an advisory body to Lee County, seeks your input concerning **building heights** in Captiva's Village area. Last summer, the Panel conducted a survey of Captiva residents and property owners concerning land use issues; details are available online at [www.captivacommunitypanel.com](http://www.captivacommunitypanel.com). As of December 2010, the Panel was satisfied with the proposed changes developed after numerous public hearings and workshops to the island's Land Development Code, which regulates land use and development on the island. The sole exception has been building heights in the Village, where some owners have sought to adopt the new building height language being proposed for the rest of the island while others have asked to remain under the current height language. The Panel is using this survey to assess community opinion on the building height issue before moving forward to a final draft of the language for the Village.

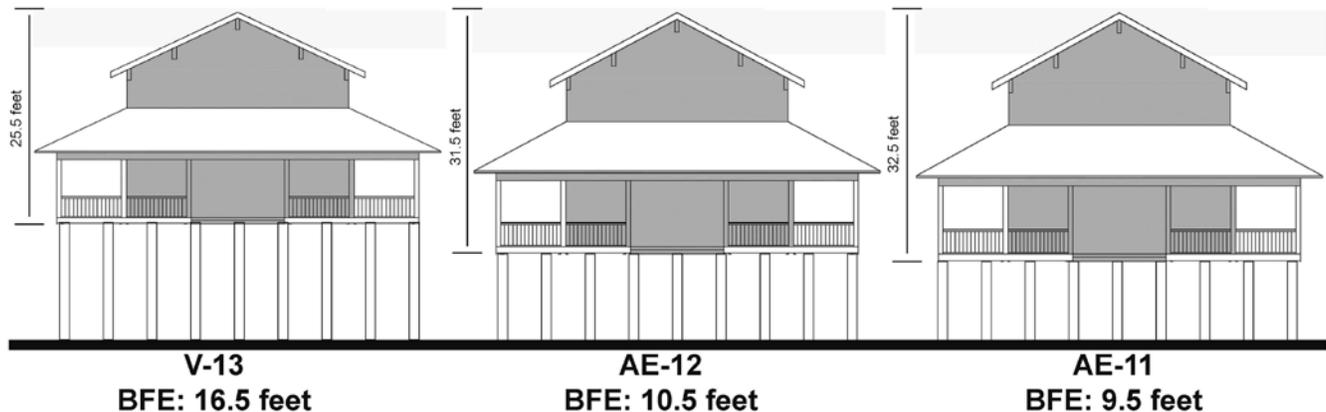
The existing building height requirement for new construction, and for any structures rebuilt after fire or natural disaster, is:

*No building or structure may be erected or altered so that the peak of the roof exceeds 35 feet above the average grade of the lot in question or 42 feet above mean sea level, whichever is lower.*

Under this standard, lots where structures are required to be elevated higher — called "base flood elevation," a standard set either by the Federal Emergency Management Agency (FEMA) or, for lots closer to the Gulf, by the Florida Department of Environmental Protection (FDEP) — end up with less buildable space.

### ***Proposed Village exemption (current height standard):***

Uniform 42-foot height limits, building "envelope" expands or compresses based on lot's base flood elevation

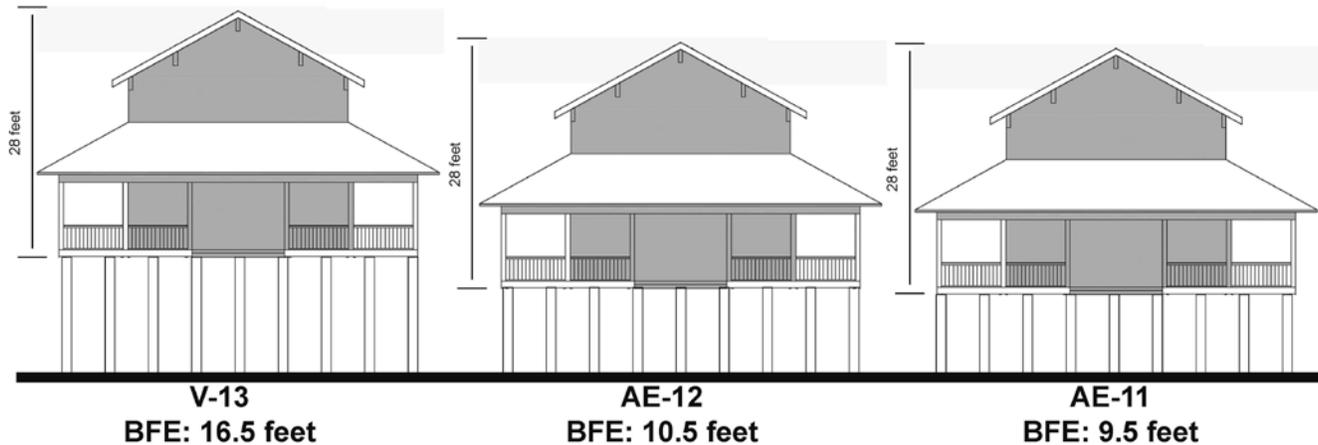


The Panel has attempted to provide some fairness to this height standard without encouraging dramatically higher structures — something no Captivan wants. Based on many hours of testimony by Captivans at public meetings and workshops, and the advice of the Panel's professional planner, the Panel developed this new building height standard:

*No building or structure may be erected or altered so that the peak of the roof, or the mean height level between eaves and ridge in the case of gable, hip and gambrel roofs, exceeds 28 feet above the lowest horizontal member at or below the lawful base elevation.*

### ***Proposed islandwide height standard:***

Same building “envelope,” overall height higher or lower depending on lot’s base flood elevation.



Why make this change? Three reasons:

- To allow more fairness in the event of buildback following a natural disaster. If your home is destroyed beyond a certain percentage, you will be required to rebuild it under the current codes for structural safety and height — not under the codes in place when you originally built it. Ensuring a uniform building "envelope" regardless of your lot's base flood elevation seemed the most equitable approach.
- To take into account the impact of potential future changes in FEMA or FDEP base flood elevation requirements. Changes in technology, sea level and practical experience can mean changes in a lot's base flood elevation over which Lee County or Captiva has no control. Creating a building envelope that can rise or fall with changes to base flood elevation was the best way to assure owners a reasonable structure even in the face of any third-party changes.
- To provide relief to property owners given the range of lot sizes and base flood elevations on the island, particularly since both the current and proposed height standards would not allow for any deviation or variance.

Some residents of the Village want to “opt out” of the proposed islandwide building height standard, concerned it might result in some buildings too tall for the small lot sizes there. They would like to maintain the current height standard **only in the Village**. The Panel has no objection to this, but wants to ensure that as many Village property owners are heard from as possible on this important issue before a final decision is made and forwarded to Lee County for consideration.

Please share your thoughts on this matter using the enclosed postcard, to indicate which building-height standard you as a Village property owner would like to see applied to the Village. Include any additional comments and mail the card back to us no later than April 1. Thank you for participating in this survey; we value and respect your opinion on this issue, and hope to be able to report results back to the panel at its April 12 public meeting.

## **CAPTIVA COMMUNITY PANEL**

*Sandy Stilwell, chair*

*Jim Boyle • Rick Hayduk • Gordon Hullar • Mike Kelly • Paul McCarthy  
Rene Miville • Mike Mullins • Harry Silverglide • Susan Stuart*