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Developers rush to build before moratorium hits

By SARAH GREENHALGH, sgreenhalgh@news-press.com

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Owners of three proposed residential and commercial developments on Pine Island are scrambling to get those projects approved before a building moratorium is put in place.

In October, the Lee County Board of Commissioners meets to decide whether a moratorium on development needs to happen because the main road on and off the island has reached its capacity to safely evacuate islanders in case of a hurricane.

The traffic count issue is just one roadblock developers on Pine Island are facing, says Peter Eckenrode, development services director for Lee County.

"As long as they are showing us they are diligently trying to answer our questions they could be approved before the fall," Eckenrode said. "But they must show progress."

Bokeelia

Two residential projects in Bokeelia are being designed by the foreign corporation Highpoint Tower Technology Inc. owned by Robert Gunther, who also owns the Bokeelia Tarpon Inn.

The first project, called Bokeelia Harbor Resort, is at the far northern end of the island off Main Street. Highpoint Tower is looking to build about 34 townhomes, a clubhouse, a swimming pool on the 8.2 acres and expand Capt'n Cons restaurant from 79 to 150 seats.

Capt'n Cons was set to close June 1, but owner Loretta Williams says the restaurant will remain open until October.

The second project is 8.8 acres off Barrancas Avenue and called Captain's Harbor Condominiums. It is 29 multifamily units.

The land Bokeelia Harbor Resort is to be built on borders Charlotte Harbor and Back Bay and is considered some of the most picturesque on the island.

Once the location of 134 mobile homes, it sparked a lawsuit from the mobile home owners against Highpoint Tower after they claimed they were unfairly evicted. Some of the residents had lived at the location for more than three decades. The suit was finally settled out of court.

"I know the purchase by Highpoint Tower and subsequent eviction of the mobile home residents in downtown Bokeelia is one of the greatest human tragedies in Pine Island history," Greater Pine Island Civic Association member Phil Buchanan said.

He added, "To make things worse, the Highpoint Tower representative swore that they were not going to change anything and they continued to accept new renters almost right up to the day they announced the evictions."

The land has been cleared of all but a handful of mobile homes. Even after repeated phone calls, Gunther refused to comment on the lawsuit, his planned developments or the future of Capt'n Cons.

Both of Highpoint Tower's projects were denied this spring. Several questions Eckenrode has concerning the Bokeelia Harbor Resort project center on the realignment of Main Street, the expansion and possible relocation of Capt'n Cons, a new cul de sac and a proposed gate for the community.



Keith Fields, 42, of Cape Coral removes fishing gear from his truck Tuesday while parked across from Capt'n Con's Fish House. The future of the popular restaurant is uncertain because of the purchase of surrounding property and proposal for a gated community.

STEPHEN HAYFORD/news-press.com

Highpoint Tower must address these questions and many more by the end of this month in order to get approval, officials say.

Pine Island Center

At Pine Island Center, developer Russell M. Setti is not going through the usual channels to get development order approval for his new plan, CreekWalk at Town Center.

Setti is looking to get his 399-acre project, which would include 850 residential units, 182 hotel condo units, 17 acres of light industrial, 10 acres of park and proposed dock sites and 400,000 square feet of commercial retail, approved at the state level by Southwest Florida Regional Planning Council as a Florida Quality Development DRI (Development of Regional Impact).

But council members think it will take some time before an application like this could be approved. He must answer many questions.

"It's too much commercial for the market, maybe more than what exists on all of Pine Island," said Dan Trescott, principal planner of the Southwest Regional Planning Council. "An FQD cannot have any wetland impact. I don't see how they can do this without impacting the wetlands."

The council will be looking at the project at its next meeting, Thursday, July 8.

Setti said if he is not approved he is not giving up.

"We will drop the FQD and go through the county," Setti said.

He thinks his project does meet the criteria and is environmentally friendly and he challenges anyone who opposes his project to tell him otherwise.

"It's almost like they don't want me to be a green builder," Setti said. "I can prove unequivocally I have a good environmental record. What I am asking for is allowable under the current land use plan."

Buchanan does not agree.

"The Setti proposal is fantasyland," Buchanan said. "A lot of important federal, state, and local laws would have to be changed for the development to be approved."

Setti, who lives in Davie, opposes the amendments to Lee County's current comprehensive land use plan for Greater Pine Island and is challenging those amendments in court.

An administrative hearing addressing his and several other residents' opposition to the plan is pending an economic impact study by Woody Hanson. The study was supposed to be finished last month, but a death in the Hanson family has pushed the study back. The administrative law judge handling the case granted a continuance.

Assistant county attorney Tim Jones says there will be a "status report, regardless if the study is finished, at the end of the month."

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