

From: [Edwin Martin](#)
To: [City Council](#); [Planning Commission](#); [Roger Clark](#)
Subject: Boone revised LDRs
Date: Sunday, May 1, 2022 6:01:11 PM

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I have begun reading the new, post Boone, LDRs and found more than a dozen changes and I have not completed the document.

These changes are highly substantive, changing applicant responsibilities, placing limits on staff, etc.

None of those, it seems, favor the city taxpayers, rather seem to have development interests in mind.

It is essential that PC and Council review every change publicly and explain its rationale.

For you Council Members, is having the Planning Director be Mr. Boone's secretary, really appropriate?

Ed Martin

From: Elana Carnes
To: Planning Commission
Subject: LDR Comments for Today's Meeting
Date: Tuesday, May 3, 2022 9:43:25 AM

Caution: This email originated from an external source. **Be Suspicious of Attachments, Links and Requests for Login Information**

Dear Roger Clark and Planning Board,

I am writing once again to **speak out against** several issues re LDR proposals that the Planning Commission is scheduled to discuss at today's Meeting:

- **Using Jeff Boone as a consultant for the LDR revision**
 - Jeff Boone is attorney for developer Pat Neal. I strongly believe that this is a conflict of interests. It seems that our legislators bend over backwards for the area developers. Meanwhile, we residents watch in horror as our quiet communities are torn down making way for more and more homes. Who is standing up for us, the environment and wildlife? Only independent consultants should be used for this very important legislation.

- **Downtown Building Heights**
 - **Proposal:** increasing building heights downtown to 39 feet, plus an additional 10 feet for mechanical structures and rooflines. Thus, eliminating the current ability to appeal building requests over 35 feet to the City Council.
 - **Concern:** We have a vibrant, small-scale downtown that is highly appealing and enhances the entire city's property values. The changes could incentivize destruction of historic buildings to make way for taller structures, with developers changing the look and feel of downtown Venice without any broader consideration of overall impacts. It also would take decisions that remake downtown out of the hands of our elected officials.

- **Elimination of Venice's standalone Historic Preservation Board**
 - **Proposal:** merging the Architectural Review Board (ARB) and the Historic Preservation Board (HPB) and eliminating the advisory role of the city's historic resources manager to the merged board.
 - **Concern:** our town is blessed with a rich history. Both boards are necessary to maintain it. They each have their own area of expertise with complementing rather than overlapping directives. Venice is lucky to have residents volunteer their time and professional expertise for these advisory boards. Both the ARB and HPB boards are opposed to the merger.

As a resident of Venice, I support the preservation of our beautiful historic downtown. And, I am not alone. In 2016, voters approved a bond that included more than \$8 million dollars to preserve and beautify the downtown area. If the proposals being considered are approved and the building starts the area will never be the same. It will lose the small downtown charm that makes our community unique on Florida's west coast. Vote with your constituents and protect our charming downtown. I am counting on you to do the right thing.

Kind Regards

Elana Carnes
201 Medici Terrace
N Venice 34275

Presentation to the Planning Commission
May 3, 2022

THE VERY LEAST YOU CAN DO:

Amend Chapter 87, Section 2.2.4.5. A.4 to read as follows:

4. Previously Approved PUD. A PUD approved prior to the effective date of this LDC shall be permitted to retain all previously approved standards including: land uses, density and intensity, open space percentage provisions and any other specified development standards. The zoning ordinance and master plan including all associated documents shall act as the source of compliance for a previously approved PUD. The provisions of Chapter 86 of the prior LDC shall continue to be applicable to a previously approved PUD.

Listen to the People

May 3, 2022

To: The City of Venice Planning Commission:

Barry Snyder, Chairman
Kit McKeon
Shaun Grazer
Bill Willson
Richard Hale,
Pam Schierberg
Jerry Jasper

My name is Marshall Happer and I have been a full-time resident of the Venetian Golf & River Club located off of Laurel Road since 2005.

As a brief introductory reference, I believe that I, as a former member of the Planning Commission, made the motion to elect Barry Snyder as the Chairman which at the time neither he nor I thought might be a sort of lifetime commitment.

I am here today to bring to your attention what I believe is a serious loophole in the draft Land Development Code with respect to PUDs approved under the current Land Development Code and specifically the provisions of Section 86-130 which controlled all those prior PUDs.

I have noticed that some developers are now attempting to amend PUDs approved under the current Land Development Code which is about to be amended. Some developers apparently contend that the required of 50% minimum open space required for the approval of their PUDs is really only the maximum open space required for a PUD, thus disregarding the benefits and modifications obtained at the time of approval on account of the open space offered and accepted by the public and by the City. Strangely, at least one developer is proposing to amend a previously approved PUD to transfer approved open space around its platted lots in one PUD to another PUD owned by another company and at least one developer is proposing some 5 years later to amend a previously approved PUD to change part of its approved open space into a regional commercial use, even though at the time of approval, the PUD was represented to have no commercial uses and was approved with no commercial uses.

All prior approved PUDs had to comply with the provisions of Section 86-130 of the current Land Development Regulations and those provisions have not all been carried forward into the proposed draft new Land Development Regulations, such as:

“(8) Neighborhood commercial uses which are determined at the time of approval for the PUD to be compatible with the existing and future development of adjacent and nearby lands outside the PUD.”

“(2) *Percentage of commercial uses.* The maximum area within a PUD which may be devoted to commercial uses, including off-street parking requirements, shall be five percent. The percent of area required for commercial or residential purposes may be varied for a PUD in a

specific case and upon findings by the planning commission that particular circumstances justify such change.”

“(r) *Commercial uses.* Commercial uses located in a PUD are intended to serve the needs of the PUD and not the general needs of the surrounding area. Areas designated for commercial activities normally shall not front on exterior or perimeter streets, but shall be centrally located within the project to serve the residents of the PUD.”

As a result, I would like to respectfully propose for your consideration the following amendment to the draft new Land Development Code:

Amend Chapter 87, Section 2.2.4.5. A.4 to add the last sentence so that Section reads as follows:

4. **Previously Approved PUD.** A PUD approved prior to the effective date of this LDC shall be permitted to retain all previously approved standards including: land uses, density and intensity, open space percentage provisions and any other specified development standards. The zoning ordinance and master plan including all associated documents shall act as the source of compliance for a previously approved PUD. The provisions of Chapter 86 of the prior LDC shall continue to be applicable to a previously approved PUD.

Thanks for your consideration.


Marshall Happer

cc: Roger Clark
Jeff Boone

May 3, 2022

Hi. My name is Scott Woodman and I have signed the Speakers Card.

I am here as a resident to participate in today's continuation of the April 19th Public Hearing and restate my previous request for some minor amendments to the draft Zoning Code and draft Development Standards that are being discussed today.

At the conclusion of that Public Hearing, there was discussion by the Planning Commission led by Chair Mr. Snyder, that the use of Clean Energy Production within the City of Venice and adjacent to residentially zoned properties was not an appropriate use and that text amendments to the draft Land Development Regulations should be made by City staff to address this compatibility issue. Planning and Zoning Director, Roger Clark responded that staff would review the text and make amendments to address this issue.

After reviewing the latest draft amendments, I could not find any proposed changes that addressed the issues of restricting clean energy production when adjacent to residentially zoned properties. So, I reached out to Mr. Clark to discuss this yesterday afternoon to find out why no amendments were made to offer protections to our residents. I was told that some sort of clean energy production is currently placed in government zoned districts alongside other residential areas and new restrictions would cause them to fall into non-conformity. I don't have any information on those areas but I believe there can still be a way to work with staff and the Commission to find a good compromise for the amendments that give the residents protection from living next to something akin to a solar farm. I even suggested that maybe prohibiting clean energy production use language in Chapter 87 Section 2 Sub-Section 2.4.4.E, for Places of Assembly/Worship would be a good place to restrict this use in government districts adjacent to residential communities since the Community Center falls under this use for the Government Zone. But Mr. Clark declined since

it would also restrict Houses of Worship from using clean energy production. So I was disappointed that all of my suggestions were not considered.

I believe this current version of the updated Code offers little to no protections or guarantees that would prevent a repeat of the 2016 fiasco of the last attempt to construct clean energy solar arrays at the Venice Community Center. Please remember that those solar array panels went through Architectural review, Planning Commission review, and City Council review with approvals before they all found out that what was being built was not what they believed they were voting for. The Venice Community Center and Cultural Center is an important part of our neighborhood and is compatible with the Venetian Themed Districting, which requires aesthetic restrictions to structures and improvements. Large, imposing, visible arrays would not be compatible or aesthetically pleasing with our residential homes adjacent to the Community Center and Cultural Campus.

Please consider adding some form of restrictions that would restrict large, visually, unappealing structures from being placed adjacent to people's homes.

Thank you for this opportunity to come here today and provide important input to these proposed code changes and for your consideration to include minor amendments to the code to protect the residents.