



City of Venice

401 West Venice Avenue
Venice, FL 34285
www.venicegov.com

Meeting Minutes Planning Commission

Tuesday, September 5, 2023

1:30 PM

Council Chambers

Zoom Link: <https://us02web.zoom.us/j/89039983576>

Meeting Instructions and Speaker Card

[23-6207](#)

Instructions and Speaker Card

I. Call to Order

Chair Snyder called the meeting to order at 1:30 p.m.

II. Roll Call

Chair Snyder attended the meeting virtually by Zoom.

Present: 7 - Kit McKeon, Richard Hale, Bill Willson, Jerry Jasper, Pam Schierberg, Barry Snyder and Jon Preiksats

Also Present

Council Liaison Rick Howard, City Attorney Kelly Fernandez, Planning and Zoning Director Roger Clark, Planning Manager Amy Nelson, Planner Josh Law, Deputy Clerk Toni Cone, and Recording Secretary Amanda Hawkins-Brown.

III. Approval of Minutes

[23-6208](#)

Minutes of the August 15, 2023 regular meeting.

A motion was made by Mr. Hale, seconded by Mr. Willson, that the minutes of the August 15, 2023 regular meeting be approved as written. The motion carried unanimously by voice vote.

IV. Audience Participation

There was no one signed up to speak.

V. Public Hearings

[23-62SP](#)

Venice Booster Pump Station Extension Site and Development Plan
(Quasi-Judicial)
Staff: Josh Law, Planner

Applicant: Thomas Green, P.E., Project Manager, City of Venice Utilities

Chair Snyder announced this is a quasi-judicial hearing, and read the memorandum regarding advertisement and written communications.

Planning and Zoning Director Clark stated this item was pulled from the agenda.

This item was pulled from the agenda.

23-47AP

(Continuation from Planning Commission Meeting 8-15-2023)

Zoning Determination Appeal - Cielo Replat

Staff: Roger Clark, AICP, Planning and Zoning Director

Agent: Jeffery A. Boone, Esq., Boone Law Firm

Applicant: Border and Jacaranda Holdings, LLC

Chair Snyder announced this is a quasi-judicial hearing, read the memorandum regarding advertisement and written communications, and opened the public hearing.

City Attorney Fernandez questioned Commission members concerning ex-parte communications and conflicts of interest. There were none.

City Attorney Fernandez questioned Mr. McKeon on whether he reviewed the previous meeting video. He confirmed he did.

Recess was taken from 1:35 p.m. to 1:54 p.m.

Curt Whittker on behalf of Gary Scott, 156 Pesaro Drive, being duly sworn, spoke regarding the traffic study, title opinion, applicants rights, and the North Venice Neighborhood Alliance position against the appeal.

Anthony Demeo, 249 Mestre Place, being duly sworn, spoke against the appeal.

Kenneth Barron on behalf of Seth Thompson, 257 Corsano Drive, being duly sworn, spoke on release of property, and against appeal.

Tyler Cassell, 201 Medici Terrace, being duly sworn, spoke against appeal.

Joan Farrell, 617 Tamiami Trail North, being duly sworn, spoke against appeal.

Planning and Zoning Director Clark clarified the agenda item was for interpretation of current code only.

Attorney Jeff Boone, Agent, Being duly sworn, spoke regarding the

process, Florida Statue 177.051, lack of replat procedure in the City's Land Development Regulation (LDR), duplication in Preliminary Plat and the Re-plat, and the public's ability to comment on Re-plat.

Chair Snyder closed the public hearing.

Discussion took place regarding support of staff, vote on interpretation, previous experience with interpretation situations, Florida Statue definitions, need to clarify in LDR, whether to default to Florida Statue when procedure not present in LDR, being able to make revisions to LDR, City Council approval of amendment to Binding Master Plan, and intent of a two step process.

A motion was made by Mr. McKeon, seconded by Chair Snyder, that based on the testimony and evidence presented, the Planning Commission moves to affirm the Zoning Determination of the Zoning Administrator. The motion carried by the following vote:

Yes: 5 - Mr. McKeon, Mr. Hale, Mr. Willson, Ms. Schierberg and Chair Snyder

No: 2 - Mr. Jasper and Mr. Preiksats

23-49AM

Land Development Regulations - Private Streets Text Amendment
(Legislative)

Staff: Josh Law, Planner

Applicant: City of Venice

Chair Snyder announced this is a legislative hearing, read the memorandum regarding advertisement and written communications, and opened the public hearing.

Planner Law, being duly sworn, presented history, example image of setback, propose change for setback to be from edge of pavement, draft language, and answered Commission questions on language, add a comma after right-of-way, and grandfathering properties that may be in setback from amendment.

Maureen Graybill, 5 Gulf Manor Drive, being duly sworn, spoke in favor of text amendment.

Chair Snyder closed the public hearing.

A motion was made by Mr. Willson, seconded by Mr. McKeon, that based on review of the application materials, the staff report and testimony provided during the public hearing, the Planning Commission, sitting as the local planning agency, finds this Petition consistent with the Comprehensive Plan and in compliance with Florida Statutes Chapter 163, Part II, and therefore, recommends to City Council approval of Text Amendment Petition No. 23-49AM with addition of a comma as discussed. The motion carried by the following vote:

Yes: 7 - Mr. McKeon, Mr. Hale, Mr. Willson, Mr. Jasper, Ms. Schierberg, Chair Snyder and Mr. Preiksats

22-55AN

Border Road Self Storage Annexation (Legislative)

Staff: Amy Nelson, AICP, Planning Manager

Agent: Brian Lichterman, Vision Planning and Design

Applicant: Dan Lussier, Strategic Management and Capital

Chair Snyder announced this is a legislative hearing, read the memorandum regarding advertisement and written communications, and opened the public hearing.

Planning Manager Nelson, being duly sworn, presented general information, associated petitions, project description, location map, aerial map, existing condition, site photos, future land use map, surrounding property uses, Florida Statute chapters 163 and 171, Comprehensive Plan consistency, Joint Planning Agreement (JPA) area map, Land Development Code consistency, and provision of services.

Brian Lichterman, Agent, being duly sworn, presented professional history, team members, project components, location map, size, annexations, surrounding property information, and answered Commission question on potential uses.

Chair Snyder closed the public hearing.

A motion was made by Mr. Hale, seconded by Mr. McKeon, to recommend to City Council approval of Annexation Petition No. 22-55AN. The motion carried by the following vote:

Yes: 7 - Mr. McKeon, Mr. Hale, Mr. Willson, Mr. Jasper, Ms. Schierberg, Chair Snyder and Mr. Preiksats

22-56CP

Border Road Storage Comprehensive Plan Amendment (Legislative)

Staff: Amy Nelson, AICP, Planning Manager

Agent: Brian Lichterman, Vision Planning and Design

Applicant: Dan Lussier, Strategic Management and Capital

Chair Snyder announced this is a legislative hearing, read the memorandum regarding advertisement and written communications, and opened the public hearing.

Planning Manager Nelson, being duly sworn, presented general information, project description, location map, aerial map, future land use maps, zoning maps, surrounding property uses, Florida Statutes, consistency with Comprehensive Plan, Land Development Code (LDC) compliance, and answered Commission question on current zoning.

Brian Lichterman, Agent, and Marty Black, Applicant, both being duly

sworn, presented team members, project major components, Comprehensive Plan Amendment, and compatibility with neighborhood.

Chair Snyder closed the public hearing.

Discussion took place regarding commercial located in middle of a Planned Unit of Development (PUD), concerns for size of commercial development, compatibility, wildlife, and storm water management.

A motion was made by Mr. Willson, seconded by Mr. McKeon, that based on review of the application materials, the staff report and testimony provided during the public hearing, the Planning Commission, sitting as the local planning agency, finds this Petition consistent with the Comprehensive Plan Amendment and in compliance with Florida Statutes Chapter 163, Part II, and therefore, recommends to City Council approval of Comprehensive Plan Amendment Petition No. 22-56CP. The motion carried by the following vote:

Yes: 7 - Mr. McKeon, Mr. Hale, Mr. Willson, Mr. Jasper, Ms. Schierberg, Chair Snyder and Mr. Preiksats

22-57RZ

Border Road Storage Zoning Map Amendment (Quasi-Judicial)

Staff: Amy Nelson, AICP, Planning Manager

Agent: Brian Lichterman, Vision Planning and Design

Applicant: Dan Lussier, Strategic Management and Capital

Chair Snyder announced this is a quasi-judicial hearing, read the memorandum regarding advertisement and written communications, and opened the public hearing.

City Attorney Fernandez questioned Commission members concerning ex-parte communications and conflicts of interest. Mr. Jasper and Mr. Hale disclosed site visits.

Planning Manager Nelson, being duly sworn, presented general information, project description, location map, aerial map, future land use map, zoning map, surrounding properties uses, planning analysis, comparison of existing and proposed zoning, consistency with Comprehensive Plan, preliminary site plan received, Land Development Code consistency, concurrency, mobility, and recommendation.

Brian Lichterman and Ron Sivitz, Agents, being duly sworn, presented team members, project major components, zoning map amendment, proposed future development aerial rendering, preliminary site and development plan, rendering of elevation, and answered Commission questions on number of stories, building height and length, stipulations, and architectural standards.

Chair Snyder closed the public hearing.

A motion was made by Ms. Schierberg, seconded by Mr. McKeon, that based on

review of the application materials, the staff report and testimony provided during the public hearing, the Planning Commission, sitting as the local planning agency, finds this petition consistent with the Comprehensive Plan, in compliance with the Land Development Code and with the affirmative Findings of Fact in the record, recommends to City Council approval of Zoning Map Amendment Petition No. 22-57RZ with the stipulation that it would be for the single use stated and development is consistent with the design styles shown in the conceptual site plan and elevations provided. The motion carried by the following vote:

Yes: 7 - Mr. McKeon, Mr. Hale, Mr. Willson, Mr. Jasper, Ms. Schierberg, Chair Snyder and Mr. Preiksatz

22-39PP

Milano (Village at Laurel and Jacaranda) Preliminary Plat Amendment (Quasi-Judicial)

Staff: Nicole Tremblay, AICP, Senior Planner

Agent: Jeffery A. Boone, Esq., Boone Law Firm

Applicant/Owner: Border and Jacaranda Holdings, LLC

Recess was taken from 3:43 p.m. to 3:50 p.m.

Chair Snyder announced this is a quasi-judicial hearing, read the memorandum regarding advertisement and written communications, and opened the public hearing.

City Attorney Fernandez questioned Commission members concerning ex-parte communications and conflicts of interest. There were none.

Planning and Zoning Director Clark, being duly sworn, presented general information, project background and description, existing tracts, proposed tract, aerial map, site photos, future land use map, zoning map, surrounding land use, consistency with Comprehensive Plan, Land Development Code compliance, findings of fact, consistency with Binding Master Plan, concurrency, mobility, and stipulation needed.

Attorney Jeff Boone, being duly sworn, presented consistency with Florida Statutes, Comprehensive Plan and the Land Development Code, moving forward while pending appeal, Preliminary Plat, Re-plat, stipulation, and answered Commission question on stipulation language.

Kenneth Baron, 209 Corelli Drive, being duly sworn, spoke on the release of covenants, and against the petition.

Anthony Demeo, 249 Mestre Place, being duly sworn, spoke against the petition.

Attorney Jeff Boone and Ed Vogler, being duly sworn spoke on status of title, owner requirements, and unified control

Chair Snyder closed the public hearing.

A motion was made by Mr. McKeon, seconded by Ms. Schierberg, that based on review of the application materials, the staff report and testimony provided during the public hearing, the Planning Commission, sitting as the local planning agency, finds this Petition consistent with the Comprehensive Plan, in compliance with the Land Development Code and with the affirmative Findings of Fact in the record, recommends to City Council approval of Preliminary Plat Petition No. 22-39PP contingent upon the revised Milano Binding Master Plan going into effect. The motion carried by the following vote:

Yes: 7 - Mr. McKeon, Mr. Hale, Mr. Willson, Mr. Jasper, Ms. Schierberg, Chair Snyder and Mr. Preiksas

VI. Comments by Planning and Zoning Department

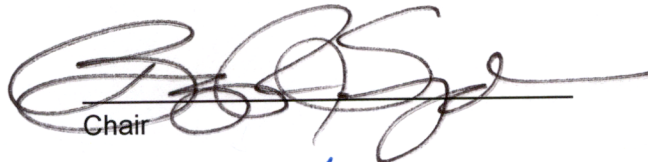
Planning and Zoning Director Clark spoke on upcoming meetings and applications.

VII. Comments by Planning Commission Members


Chair Snyder announced he will attend the next meeting in person.

VIII. Adjournment

There being no further business to come before this Commission, the meeting was adjourned at 4:26 p.m.



Chair



Recording Secretary