



City of Venice

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

Meeting Minutes Planning Commission

Tuesday, June 6, 2023

1:30 PM

Council Chambers

[23-26HE](#)

Venice Theatre Height Exception (Quasi-Judicial)

Staff: Josh Law, Planner

Agent: Jackson R. Boone, Esq., Boone Law Firm

Applicant/Owner: Venice Theatre, Inc.

Petitions 23-26HE and 23-25 SP were presented together.

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. McKeon, Mr. Willson, and Mr. Hale disclosed site visits. Ms Schierberg disclosed site visit and being approached by two theatre volunteers who gave their opinion. Attorney Fernandez questioned Ms. Schierberg if she could remain fair and impartial, and able to make a decision based solely on the record presented today. Ms. Schierberg affirmed she could.

Planner Law, being duly sworn, presented general information, project background, aerial photo, surrounding properties, site photos before Hurricane Ian, site photos of current condition, future land use map, current zoning map, proposed zoning map, elevations, Comprehensive Plan consistency, Land Development Code compliance, findings of fact, concurrency and mobility, recommended stipulation for height exception, current site plan, and proposed site plan.

Attorney Jackson Boone, Agent, being duly sworn presented revised elevations, named Directors of Theatre, land designation, pending request to rezone, bringing full property under one zoning district, height exception for fly loft, site and development plan for repair and reconstruction, relocation of northern wall, new doors and handicap ramp, improvements to side walks, damages from Hurricane Ian, industry standards for a fly loft, site map, set back from roads, benefits of additional height, maintenance procedure, proposed height compared to neighboring properties, compliance with LDRs and Comprehensive Plan, revision on elevation, signage, awnings, and answered Commission questions on fly loft architectural design, and architectural control district colors. Planning and

Zoning Director clarified that signage is not included in the architectural control district requirements.

Commission questions regarding width and depth of fly loft tower, fly loft tower becoming a dominate feature in skyline view, exterior facade, industry standards for height of fly lofts, and proscenium arch height. John Anzules, Applicant, being duly sworn answered Commission question on proscenium height and spoke on safety advantages, additional ease of production, and enhanced show quality.

Commission continued to question regarding the flat roof, needing additional design details, reason for changing sign color. Murray Chase, Applicant, being duly sworn spoke to raising back stage, architecture scallop design, hiding drainage system in design, and coordination of blue sign with interior designs.

Attorney Boone, presented the site and development plan, northern wall modifications, access ramp, re-stripping parking lot, sidewalk improvements, consistency with LDRs and Comprehensive Plan.

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 Height Exception Petition No. 23-26HE contingent upon approval of proposed Zoning Map Amendment Petition No. 23-02RZ by City Council. The motion carried by the following vote:

Yes: 6 - Mr. McKeon, Mr. Hale, Mr. Willson, Ms. Schierberg, Chair Snyder and Mr. Preiksats

Excused: 1 - Mr. Jasper