



# City of Venice

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

## Meeting Minutes Planning Commission

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Tuesday, November 7, 2017

1:30 PM

Council Chambers

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### I. Call to Order

A Regular Meeting of the Planning Commission was held this date in Council Chambers at City Hall. Chair Barry Snyder called the meeting to order at 1:30 p.m.

### II. Roll Call

**Present:** 7 - Chair Barry Snyder, Helen Moore, Jerry Towery, Shaun Graser, Tom Murphy, Chuck Newsom and Janis Fawn

### Also Present

Liaison Councilmember Kit McKeon, Assistant City Attorney Kelly Fernandez, Development Services Director Jeff Shrum, Senior Planner Scott Pickett, Planning Manager Roger Clark, Planner James Koenig, and Recording Secretary Shirley Gibson.

### III. Approval of Minutes

[17-2955](#) Minutes of the October 3, 2017 and October 17, 2017 Regular Meetings.

**A motion was made by Mr. Newsom, seconded by Ms. Fawn, that the minutes of the October 3, 2017 and October 17, 2017 meetings be approved as written. The motion carried by voice vote unanimously.**

### IV. Public Hearings

[17-07SE](#) PGT Connector Building Special Exception  
Staff: Scott Pickett, AICP, Senior Planner  
Agent: D. Shawn Leins, P.E.  
Owner: PGT Industries, Inc.

Chair Snyder stated this was a quasi-judicial hearing; read a memorandum regarding advertisement and written communication, opened the public hearing, confirmed speaker cards completed by all those who will offer testimony, or speak under audience participation.

Ms. Fernandez questioned commission members concerning ex parte communications and conflicts of interest. Mr. Snyder, Mr. Newsom and Mr. Towery all did site visits with no communication.

Mr. Pickett, being duly sworn, spoke on petitions review process, project summary, proposed site and development plan, special exception petition, aerial photograph, photographs of on site conditions, future land use map, existing zoning map, review of site and development plan, concurrency, summary findings, review of special exception, requested code modifications, consistency with the comprehensive plan, and required planning commission findings for special exception approval.

Shawn Leins, President of AM Engineering, being duly sworn, spoke regarding time line setback, and answered questions by the board regarding proposed parking spaces and driveway.

Mr. Snyder closed the public hearing.

**A motion was made by Mr. Murphy 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 and land development regulation commission, 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, and moves to APPROVE Special Exception Petition No. 17-07SE with the stipulation of expanding the parking spaces from nine feet to ten feet. The motion failed due to lack of a second.**

**A motion was made by Ms. Fawn, seconded by Mr. Newsom, 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 and land development regulation commission, 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, and moves to APPROVE Special Exception Petition No. 17-07SE.**

**Yes:** 7 - Chair Snyder, Ms. Moore, Mr. Towery, Mr. Graser, Mr. Murphy, Mr. Newsom and Ms. Fawn

#### [17-04SP](#)

PGT Connector Building Site & Development Plan

Staff: Scott Pickett, AICP, Senior Planner

Agent: D. Shawn Leins, P.E.

Owner: PGT Industries, Inc.

The petition was discussed under 17-07SE.

**A motion was made by Ms. Fawn, seconded by Mr. Towery, 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 and land development regulation commission, 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, and moves to APPROVE Site and Development Plan Petition No. 17-04SP.**

**Yes:** 7 - Chair Snyder, Ms. Moore, Mr. Towery, Mr. Graser, Mr. Murphy, Mr. Newsom and Ms. Fawn

[16-02SP.1](#)

Crush-It Site & Development Plan Amendment

Staff: Roger Clark, Planning Manager

Agent: Jeffery A. Boone, Esq.

Owner: Lisa Anne Richardson Revocable Living Trust

Chair Snyder stated this was a quasi-judicial hearing; read a memorandum regarding advertisement and written communication, opened the public hearing, confirmed speaker cards completed by all those who will offer testimony, or speak under audience participation.

Ms. Fernandez questioned commission members concerning ex parte communications and conflicts of interest. Mr. Newsom and Mr. Graser had site visits with no communication.

Mr. Clark, being duly sworn, spoke regarding site and development plan amendment, aerial photograph, site plan, landscape plan, surrounding property information, future land use map, zoning map, consistent with the comprehensive plan, Gene Green Sector, PID and LDC consistency, concurrency, stipulations, and answered questions by the board regarding berms, proposed wall that was being built on property without permission and proposed PID.

Jeffrey Boone, Boone Law Firm, being duly sworn, spoke regarding prior approved site and development plan, Venetian Golf and River Club, Toscana Isles, portable concrete crushing area, revised landscape plan, significant number of trees being added, 12 foot concrete wall, berms being extended in two places, portable concrete crusher, discussed specifics on original approved zoning, wall being built not requiring a site and development plan amendment and answered board questions regarding berm.

Natalie Woody, DMC Associates, Inc., being duly sworn, spoke on chain link fencing and answered questions by the board regarding the difference between concrete and cement and if any additional crushers will be on site.

Jerry Jasper, 130 Burano Court, Venice, being duly sworn, spoke regarding background on why the VG&RC Association are involved, read an overview of his meetings with Crush-it and expressed his support.

John Peshkin, LALP Development, LLC, being duly sworn, discussed Toscana Isles vested interest in the project and expressed support of the project.

Mr. Boone thanked community members for their support and willingness in the project and spoke on crushing test site benefits.

Mr. Clark spoke regarding stipulations that raise the berms and requested that if approved, to make approval with staff review.

Mr. Snyder closed the public hearing.

A motion was made by Mr. Towery, seconded by Mr. Graser, 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 and land development regulation commission, 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, and moves to APPROVE Site and Development Plan Petition No. 16-02SP.1, with the following stipulations provided by staff: The property will be required to connect to city water and sewer pursuant to the conditions specified in Section 74-2 of the city's Code of Ordinances and prior to approval of construction for the project, all applicable requirements for fire suppression systems for the project must be resolved and approved by the city's fire chief, and if a static water supply is used then a third party review will be required prior to the fire chief's approval and the berm shall be constructed and maintained to mitigate the sound of the crushing operations, the height of the berms shall be 35' and constructed of any suitable material, including concrete rubble, the hours of operation for concrete recycling, including hauling materials on and off site, shall be from 7:00 a.m. through 6:00 p.m. Monday through Saturday, concrete recycling, including hauling materials on and off site shall be prohibited on Sunday.

**Yes:** 7 - Chair Snyder, Ms. Moore, Mr. Towery, Mr. Graser, Mr. Murphy, Mr. Newsom and Ms. Fawn

#### 17-12RZ

Hurt Property (Laurel Road) Zoning Map Amendment

Staff: Roger Clark, Planning Manager

Agent: Jeffery A. Boone, Esq.

Owners: Carlton J. Hurt Trust and Randall C. Hurt, and Joseph W. Hurt, and Mary McMullen

Chair Snyder stated this was a quasi-judicial hearing; read a memorandum regarding advertisement and written communication, opened the public hearing, confirmed speaker cards completed by all those who will offer testimony, or speak under audience participation.

Ms. Fernandez questioned commission members concerning ex parte communications and conflicts of interest. Mr. Snyder, Mr. Newsom and Mr. Graser had site visits with no communication.

Mr. Clark, being duly sworn, spoke regarding zoning map amendment, aerial photograph, photographs of the site, surrounding property information, future land use map, existing and proposed zoning map, planning analysis, consistent with the Comprehensive Plan, mitigation techniques, summary findings of fact, concurrency, applicable rezone considerations, and answered questions by the board regarding possibility of multi-family use, why this is not a planned unit development and city utilities along Laurel Road.

Mr. Boone, being duly sworn, spoke regarding summary of application, annexation of property, mixed use area, asking for 5.5 dwelling units per acre or PUD, showed aerial map, mixed use zoning, consistent with comprehensive plan, and answered board questions regarding water and sewer issue, city services and wetlands on the property.

Cheri Criss, 1651 Laurel Road, Nokomis, being duly sworn, spoke regarding her concerns with boundary issues, scrub jay habitat, which areas will be put away for environmental, any concerns with her family riding dirt bikes and her property remaining as is.

Mr. Boone spoke regarding resident concerns, showed aerial view of where the property will be bordering the neighbor's properties, no development beginning on property at this time and answered questions regarding letter received by Sarasota County relative to emergency access.

Mr. Snyder closed the public hearing.

Meeting went into recess from 3:37 p.m. through 3:49 p.m.

**A motion was made by Ms. Moore, seconded by Ms. Fawn, 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 and land development regulation commission, finds this petition consistent with the Comprehensive Plan, in compliance with the Land Development Code, with the affirmative Findings of Fact in the record, and recommends to City Council approval of Zoning Map Amendment Petition No. 17-12RZ.**

**Yes:** 7 - Chair Snyder, Ms. Moore, Mr. Towery, Mr. Graser, Mr. Murphy, Mr. Newsom and Ms. Fawn

[17-05VZ](#)

834 Golden Beach Boulevard - Capone Residence Variance

Staff: Roger Clark, Planning Manager

Agent: Mark A. Beebe, AIA, Beebe Design Studio

Owner: Ray & Martha Capone

Chair Snyder stated this was a quasi-judicial hearing; read a memorandum regarding advertisement and written communication, opened the public hearing, confirmed speaker cards completed by all those who will offer testimony, or speak under audience participation.

Ms. Fernandez questioned commission members concerning ex parte communications and conflicts of interest. Mr. Graser, Mr. Newsom, Mr. Synder, Ms. Moore and Ms. Fawn had site visits with no communication.

Mr. Clark, being duly sworn, spoke regarding aerial photograph, applicable code standard, variance request, site plan, coastal construction control line,

gulf setback line, photographs of the site, future land use map, zoning map, planning commission review, summary findings and answered board questions regarding code section of board packet.

Mark Beebe, Beebe Design Studio, being duly sworn, spoke regarding jurisdiction, property owners, plumbing and electrical issues, owners intent to do renovation, existing home conditions, aerial photographs, photographs of home, approval for a new home, smaller footprint from what currently exists, not blocking views, 90 day approval, environmentally friendly home and answered board questions regarding air condition footprint and living area of house.

Larry Kurtzo, 800 Golden Beach, being duly sworn, spoke regarding his concern for construction, coastal control set back line and how this project may affect his property.

Mr. Snyder closed the public hearing.

**A motion was made by Mr. Murphy, seconded by Ms. Fawn, 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 and land development regulation commission, 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, and moves to APPROVE Variance Petition No. 17-05VZ with an expiration date of 365 days.**

**Yes:** 7 - Chair Snyder, Ms. Moore, Mr. Towery, Mr. Graser, Mr. Murphy, Mr. Newsom and Ms. Fawn

[PHC17-13RZ](#) Pre-Hearing Conference SJMR Property Planned Unit Development  
Zoning Map Amendment  
Staff: Jim Koenig, AICP, Planner  
Agent: Jeffery A. Boone, Esq.  
Owner: Pamlico Point Management, LLC

Mr. Graser left the meeting at 4:32 p.m.

Chair Snyder announced this was a Pre-Hearing Conference, read a memorandum regarding advertisement and written communications, confirmed speaker cards completed by all those who will offer testimony or speak under audience participation.

Mr. Boone showed an aerial photograph, discussed FPL property border, The Woods being rezoned, summary of property, property map, not to exceed number of lots, access point to Laurel Road and Border Road, gated road, private and maintained by developer, Milano development, The Woods development, same maximum building height of 35 feet, same lot standard detail, buffer and landscaping standards that apply to Milano, same signage and architectural standards as Milano, requesting sidewalks

and answered questions regarding comparison to Milano, buffers, next plan with the project if approved, comprehensive plan compliance, water retention, Laurel Road improvements, sidewalks on Border Road, improvements to be made, impact fees, mobility fees and entrance distance from Havana Road.

Melanie Smith, Engineer for Stantec, spoke regarding wetlands, property buffers and units on east and west sides.

Pat Wayman, 3071 Border Road, Venice, spoke regarding concern with supporting documentation not being attached to the online agenda, Border Road property, breaking up the wall that is a mile long, matching the neighborhood, wildlife corridor, flooding in driveway, transportation fees, no workup on the neighborhood meeting, The Woods must have turn light and having property descriptions posted.

Discussion took place regarding comprehensive plan and how the road would be depicted, open space and wildlife corridors.

## **V. Audience Participation**

There was none.

## **VI. Comments by Planning Division**

Mr. Shrum spoke regarding update on comprehensive plan, written comments received by three state agencies, no response yet from the Department of Transportation, level of service standards identified in comprehensive plan, wetlands and changes, discussed the McLeod lawsuit and indicated the November 21, 2017 meeting will be cancelled due to the holiday.

Jeff Boone spoke regarding history of comprehensive plan.

Kit McKeon expressed his thanks to the Planning Commission members and for their support over the years while serving on City Council.

## **VII. Comments by Planning Commission Members**

There were none.

**VIII. Adjournment**

There being no further business to come before this Commission, the meeting was adjourned at 5:24 p.m.

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Chair

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Recording Secretary