



City of Venice

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

Meeting Minutes Planning Commission

Tuesday, December 18, 2018

1:30 PM

Council Chambers

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, Jerry Towery, Shaun Graser, Tom Murphy, Janis Fawn, Kit McKeon and Richard Hale

Also Present

Liaison Council Member Charles Newsom, City Attorney Kelly Fernandez, Development Services Director Jeff Shrum, Planner Katherine Woellner, Planning Manager Roger Clark and Recording Secretary Adrian Jimenez.

III. Approval of Minutes

[18-3679](#)

Minutes of the December 4, 2018 Regular Meeting

A motion was made by Mr. Towery, seconded by Ms. Fawn, that the Minutes of the December 4, 2018 meeting be approved as written. The motion carried by voice vote unanimously.

IV. Audience Participation

There was none.

V. Public Hearings

[04-03PP.1](#)

Preliminary Plat Amendment - Willow Chase
Staff: Roger Clark, AICP, Planning Manager
Agent: Edward Dean, Kimley-Horn
Applicant: Willow Chase Community Association, Inc.

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

Ms. Fernandez queried board members regarding ex-parte communications and conflicts of interest. Ms. Fawn and Mr. Graser

disclosed site visits. There were no ex-parte communications.

Mr. Clark, being duly sworn, provided a presentation to include preliminary plat amendment, background, aerial photograph, modification landscape plan, approved landscape plan, landscape plan with highlights, county requirements, proposed landscape plan, future land use, zoning map, comprehensive plan consistency, Land Development Code (LDC) consistency, findings of fact, planning commission action, and answered board questions on Homeowner Association (HOA) ownership, depicted tree removal, approval of Sarasota County, Venetian Golf and River Club, county standard revisions, and owner flexibility.

Edward Dean, Kimley-Horn, being duly sworn, spoke on public workshops, county residents, relocating trees, reducing requirements, concerns to include trees in the right-of-way, utilities area, updated plan, material code requirements, shrub requirements, modified plan, and answered board questions on HOA approval, HOA obligations, landscaping, and regulations.

Nancy Daniels, 1102 Cielo Court, being duly sworn, spoke on meeting with Kimley-Horn, HOA, source of contention, curb side trees, replacement trees, distributed letters to the commission board, resident meetings, amended plan, and stipulations.

Helen Brown, 1110 Cielo Court, being duly sworn, spoke on buffer zone, landscape committee, and wetlands.

Laura Cain, 1158 Cielo Court, being duly sworn, spoke on HOA.

Doug Ostrom, 1153 Cielo Court, being duly sworn, spoke on new plat, HOA, reducing erosion, removal of trees, and replacement of trees.

Bob McGinn, 1318 Cielo Court, being duly sworn, spoke on recommending plan, landscape committee, street trees, resident trees, buffers, removal of trees, symmetry, planting process, and residential involvement.

Dawn Sweet, 1097 Ancora Boulevard, being duly sworn, spoke on HOA, landscaping plan, fees, decision making, public workshops, and answered board questions on resident concerns, original plat, approval of modified plat, and advertised meetings.

Mr. Dean spoke on HOA flexibility, public workshop concerns, and addressing HOA.

Mr. Clark spoke on distributed letters, and answered board questions on

landscape plans, field conditions, street trees, and shrubs.

Mr. Shrum, being duly sworn, spoke on Land Development Regulations (LDR), flexibility of landscape plans, tree locations, improvements, gaining/losing trees, and landscaping approval.

Mr. Clark spoke on identifying location of trees, number of trees, reduced street trees, and answered board questions on HOA rules.

Discussion took place on flexibility, removal of trees, landscaping plat, number and location of trees, residential disagreements, HOA modified plan, proposed changes, water lines, field conditions, and number of trees on the internal street.

Mr. Snyder closed the public hearing.

A motion was made by Ms. Fawn, seconded by Mr. Hale, that based on the 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, and recommends approval to city council of preliminary plat amendment Petition No. 04-03PP.1.

Discussion took place on the look and feel of the street trees, private property, proposed landscape plan, HOA inconsistency, sidewalk destruction, sidewalk repair, liability, and resident comments.

The motion carried by the following vote:

Yes: 5 - Chair Snyder, Mr. Murphy, Ms. Fawn, Mr. McKeon and Mr. Hale

No: 2 - Mr. Towery and Mr. Graser

18-03RZ

Rezone Amendment - Toscana Isles

Staff: Katherine Woellner, Planner

Agent: Jeffery A. Boone, Esq.

Applicant: Vanguard Realtors, LLC, et al.

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

Ms. Fernandez queried board members regarding ex-parte communications and conflicts of interest. There were none.

Ms. Woellner, being duly sworn, provided a presentation to include Planned Unit Development (PUD) zoning amendment, property location, future land use, project proposal, modification to PUD binding master plan, Land Development Code (LDC), summary of findings, and answered board

questions on property effect.

Jeffrey Boone, Boone Law Firm, being duly sworn, spoke on request on administrative authority approval, PUD, front yard setback, location of driveways, Land Development Regulations (LDR), comprehensive plan consistency, and answered board questions on number of properties affected, and lot layout standards.

Mr. Snyder closed the public hearing.

A motion was made by Mr. Towery, seconded by Mr. McKeon, that based on the review of the application materials, the staff report and testimony provided during the public hearing, the Planning Commission, sitting as the 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, and recommends approval to city council of zoning amendment Petition No. 18-03RZ. The motion carried by the following vote:

Yes: 6 - Mr. Towery, Mr. Graser, Mr. Murphy, Ms. Fawn, Mr. McKeon and Mr. Hale

No: 1 - Chair Snyder

18-04AM

Text Amendment - Deposit Fees

Staff: Jeff Shrum, AICP, Development Services Director

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

Mr. Shrum spoke on scheduled fees and charges, resolution changes, deposit fee charge, advertising, professional review, traffic studies, Land Development Regulations (LDR) projects, establishing fees, applicant fees, mailing expenses, code amendment, city applications, waiver fees, land use petition, special exceptions fee, and answered board questions on fees and charges incurred, fee schedule, and fee coverage.

Mr. Snyder closed the public hearing.

A motion was made by Mr. McKeon, seconded by Mr. Murphy, that based on the 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, and recommends to city council approval of text amendment Petition No. 18-04AM. The motion carried by the following vote:

Yes: 7 - Chair Snyder, Mr. Towery, Mr. Graser, Mr. Murphy, Ms. Fawn, Mr. McKeon and Mr. Hale

VI. Comments by Planning Division

There were none.

Mr. Graser left the dais at 3:12 p.m. and did not return.

Recess was taken from 3:13 p.m. until 3:22 p.m.

[18-3680](#)

Land Development Regulations Update

Staff: Jeff Shrum, AICP, Development Services Director

Mr. Shrum spoke on future workshop dates.

Mr. Snyder spoke on Land Development Regulations (LDR) workshop dates, proposed new code, comparison of previous codes, implementing comprehensive plan, form based codes, preservation, downtown concept, joint workshops, and downtown and seaboard workshops being held together.

Mr. Shrum spoke on staff review, LDR applications, scope of projects, end zoning map workshops, consolidating LDR, ideas and concepts, development standards, schedules, and board to send availability dates.

VII. Comments by Planning Commission Members

There were none.

VIII. New Business

[18-3593](#)

City Attorney Kelly Fernandez and City Clerk Lori Stelzer: Refresher on Public Records and Sunshine Laws as Required by the Settlement Agreement in the Citizens for Sunshine and Anthony Lorenzo Litigation

Mr. Hale left the dais at 3:40 p.m. and did not return.

Ms. Fernandez spoke on articles on public records, conducting business on city issued phones, text messages, private and city email accounts, requested document procedures, criminal violations, types of record requests, and answered board questions on unanswered emails or text messages, legal fees and liability insurance.

Ms. Stelzer spoke on cost of record requests.

Ms. Fernandez spoke to Sunshine Law articles to include discussions on city business, private and city email accounts, private meeting discussions, legal fees, hallway conversations and engaging in a discussion at private events, and answered board questions on received filed information, and hallway discussions.

IX. Adjournment

There being no further business to come before this Board, the meeting was adjourned at 4:15 p.m.

Chair

Recording Secretary