



# City of Venice

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

## Meeting Minutes Planning Commission

---

Tuesday, February 2, 2021

1:30 PM

Council Chambers

---

### I. Call to Order

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

[21-4866](#)

Instructions on How to Watch and/or Participate in the Meeting

### II. Roll Call

**Present:** 7 - Chair Barry Snyder, Shaun Graser, Kit McKeon, Richard Hale, Bill Willson, Richard Lawson and Jerry Jasper

### Also Present

Liaison Mayor Ron Feinsod, City Attorney Kelly Fernandez, City Clerk Lori Stelzer, Deputy City Clerk Danielle Lewis, Development Services Director Jeff Shrum, Planning Manager Roger Clark, Senior Planner Amy Nelson, Planner Nicole Tremblay, Information Technology Director Christophe St. Luce and Administrative Coordinator Mercedes Barcia.

In person: Mr. McKeon, Mr. Hale, Mr. Willson and Mr. Lawson

Via video conference: Mr. Snyder, Mr. Graser and Mr. Jasper

### III. Approval of Minutes

[21-4881](#)

Minutes of the January 5, 2021 Regular Meeting and January 19, 2021 Land Development Regulations Workshop

A motion was made by Mr. Willson, seconded by Mr. Jasper, that the Minutes of the January 5, 2021 meeting be approved as written. The motion carried by voice vote unanimously.

Mr. Snyder noted a revision to page two of the minutes.

A motion was made by Mr. McKeon, seconded by Mr. Hale, that the Minutes of the January 19, 2021 Land Development Regulations Workshop be approved as amended to include changing "site and development plans" to "height exceptions" in the bottom on page two. The motion carried by voice vote unanimously.

### IV. Audience Participation

Don O'Connell, 500 Hauser Lane, spoke on the Historic Preservation Board (HPB)'s recommendation to transfer jurisdiction over demolition of

historic structures from the Architectural Review Board (ARB) to the HPB, reversing current procedures by approving the proposed new structure prior to approving the demolition, replacing historic structures with original 1920 replicas, and requested the board postpone action on the HPB's request.

Tommye Whittaker, 613 West Venice Avenue, commented on the HPB and ARB working as a team and Frank Wright, Vice Chair of the Historic Preservation Board, presenting at the January 14, 2021 ARB meeting.

## V. Public Hearings

### 20-37RZ

Venetian Golf & River Club PUD Amendment (Pickleball Courts and Dog Park) (Quasi-Judicial)

Staff: Nicole Tremblay, Planner

Agent: Rick Schappacher, P.E., Schappacher Engineering

Applicant: Venetian Community Development District

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

Ms. Fernandez questioned board members concerning ex-parte communications and conflicts of interest. Mr. McKeon disclosed site visit. Mr. Jasper disclosed serving on the Venetian Community Development District (CDD) board and noted his term completed prior to the board's decision to proceed with the application submittal. Mr. Jasper confirmed he can remain fair and impartial, and make a decision based solely on the evidence presented today. Mr. Snyder disclosed living in the Venetian Golf and River Club (VGRC) and receiving ex-parte communications from residents. Mr. Snyder commented on item being properly noticed, and confirmed he can remain fair and impartial and make a decision based solely on the evidence presented today.

Ms. Tremblay, being duly sworn, provided a presentation on the planned unit development (PUD) amendment petition and spoke to petition information, location and aerial maps, project area and description, site photographs, future land use map (FLUM), zoning, surrounding land uses, comprehensive plan consistency, land development code (LDC) compliance, concurrency/mobility, planning commission report and recommendation to city council, and responded to board questions regarding amenities added to the PUD, standards for proposed number of parking spaces and drive aisle, stabilized grass, modification to landscaping plans, soundproofing courts, standards for fence height, and conduit for court lighting.

Mr. Shrum, being duly sworn, suggested concern with court lighting be

clarified in the motion.

Mr. Jasper questioned staff if either the comprehensive plan or the PUD zoning criteria address compatibility between permitted uses within a specific zoned property. The staff response was they did not.

Rick Schappacher, applicant, being duly sworn, expressed the community's desire for pickleball courts and a dog park, and spoke to staying competitive with surrounding developments, written correspondence received, and survey conducted.

Mr. Snyder noted additional correspondence was received after the agenda was posted.

Mr. Schappacher advised the CDD board voted against lighting and there will be no conduit, and responded to questions on residents' desire for a dog park.

Mr. Shrum noted proposed amenity location is part of the PUD amendment.

Mr. Schappacher spoke on proposed location under Florida Power and Light (FPL) power lines, exploring alternate locations within the community, FPL deeming proposed location to be safe, July 24, 2020 letter from attorney Andrew Cohen, Persson, Cohen and Mooney, P.A., regarding the FPL Right of Way Consent Agreement, permits obtained from Southwest Florida Water Management District (SWFWMD) and FPL, addressing noise and traffic concerns, and responded to board questions regarding stabilized grass.

Ms. Fernandez responded to board questions regarding the city's liability if an accident occurs due to the power lines, and whether she is in concurrence with Mr. Cohen's response in the letter.

Tyler Cassell, 201 Medici Terrace, being duly sworn, commented on concern with proposed location, noise emitted by pickleball courts, Milano's dog park, FPL agreement, setting a precedent, and recommended disapproval of the petition.

Anthony Pirrotti, 114 Medici Terrace, being duly sworn, spoke on FPL's agreement and safety concerns with power lines.

Lee Pirrotti, 114 Medici Terrace, being duly sworn, yielded her time to speak to Mr. Pirrotti.

Mr. Pirrotti continued to speak regarding safety concerns with power lines and explosions at the transfer station.

Danilo Cardona, 118 Medici Terrace, being duly sworn, spoke to concerns with proposed location and noise.

William Saro, 130 Medici Terrace, being duly sworn, stated objection to proposed location, spoke regarding safety concerns with power lines, FPL's agreement, lack of lighting and restroom facilities for amenity users, and recommended the application be sent back to the CDD board for a better solution and compromise.

Michael Churilla, 160 Pesaro Drive, being duly sworn, commented on proposed location, proximity to existing homes, noise level, dog park, concern with area traffic and parking, and suggested a better location be sought or redesigning the tennis courts to accommodate pickleball.

Deborah Shaffer, 121 Bolanza Court, being duly sworn, noted opposition to proposed location.

Jack Wilson, 233 Montelluna Drive, Chair of the VGRC Pickleball Committee, being duly sworn, provided a brief history on the proposed project, and noted objections raised by residents to include location and noise.

Michael Seaman, 282 Mestre Place, being duly sworn, spoke to playing pickleball and supporting proposal.

Jim Cederna, 417 Montelluna Drive, being duly sworn, spoke regarding growth of the pickleball sport and supporting proposal.

Suzanne Jerry, 118 Savona Way, being duly sworn, commented on supporting proposed dog park, not receiving public workshop notice, homes that will be negatively impacted by pickleball proposal, proposed location, reducing the number of tennis courts, parking lot behind courts, considering an alternate location, and noise concerns.

Mark Jerry, 118 Savona Way, being duly sworn, deferred his speaking time to Ms. Jerry.

Ms. Jerry commented on homes being negatively impacted, noise concerns, green space, not having both amenities adjacent to each other and placing the dog park closer to Laurel Road, and having a wall instead of a fence.

Mr. Schappacher advised the CDD board considered all residents' concerns.

Mr. Snyder closed the public hearing.

A motion was made by Mr. Willson, seconded by Mr. Jasper, 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, and recommends to city council approval of PUD Amendment Petition No. 20-37RZ.

Discussion followed regarding proposed location, adding a park in northeast Venice, overriding the CDD board's decision, noise concerns, supporting the community's desire, property values, lack of facilities, community amenities, utility easement, parking spaces, carpooling, and FPL dictating requirements.

The motion failed by the following vote:

**Yes:** 2 - Mr. Willson and Mr. Jasper

**No:** 5 - Chair Snyder, Mr. Graser, Mr. McKeon, Mr. Hale and Mr. Lawson

Recess was taken at 4:02 p.m. until 4:10 p.m.

#### 20-38SP

Venetian Golf & River Club Site and Development Plan (Pickleball Courts and Dog Park) (Quasi-Judicial)

Staff: Nicole Tremblay, Planner

Agent: Rick Schappacher, P.E., Schappacher Engineering

Applicant: Venetian Community Development District

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

Ms. Fernandez questioned board members concerning ex-parte communications and conflicts of interest. Mr. Hale and Mr. McKeon disclosed site visits. Mr. Jasper and Mr. Snyder noted same disclosures as previous PUD Amendment Petition No. 20-37RZ.

Rick Schappacher, applicant, being duly sworn, advised there is no additional information to present and requested item go straight to a vote.

Ms. Fernandez clarified Mr. Schappacher is requesting to have the record and presentation from the last petition brought forward to this petition.

Ms. Tremblay, being duly sworn, noted information relative to the site plan was included in the PUD amendment presentation.

Ms. Fernandez advised speakers can incorporate their comments from the PUD amendment petition into this petition.

Jack Wilson, 233 Montelluna Drive, Chair of the VGRC Pickleball Committee, being duly sworn, noted his disappointment with the result of the PUD amendment petition.

Mr. Snyder closed the public hearing.

**A motion was made by Mr. McKeon, seconded by Mr. Lawson, 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 that this petition is not consistent with the Comprehensive Plan and is not in compliance with the Land Development Code because of the poor location of proposed project and therefore, moves to deny Site & Development Plan Petition No. 20-38SP. The motion carried by the following vote:**

**Yes:** 6 - Chair Snyder, Mr. Graser, Mr. McKeon, Mr. Hale, Mr. Willson and Mr. Lawson

**No:** 1 - Mr. Jasper

#### 20-29PP

Cassata Lakes Preliminary Plat (Quasi-Judicial)

Staff: Amy Nelson, AICP, Senior Planner

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

Applicant: Cassata Properties, LLC

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

Ms. Fernandez questioned board members concerning ex-parte communications and conflicts of interest. Mr. Willson and Mr. Jasper advised of written communication received from Steven Hilding. Mr. Lawson, Mr. Graser and Mr. Hale disclosed site visits.

Ms. Nelson, being duly sworn, requested the preliminary plat and conditional use petition be combined into one presentation.

Mr. Snyder read memorandum regarding advertisement and written communications for the conditional use petition, and opened the public hearing.

Mr. Fernandez inquired if there were any additional ex-parte communications and conflicts of interest relating to the conditional use petition. There were none.

Ms. Nelson provided a presentation and spoke to project information and property location, site photographs, surrounding area information, proposed preliminary plat, future land use designation, zoning, conditional

use, conclusions/findings of fact, planning commission review and action, and responded to board questions regarding landscaping requirements.

Mr. Clark, being duly sworn, clarified there are no requirements for perimeter buffering.

Jackson Boone, Boone Law Firm, being duly sworn, spoke on the property zoning designation, conditional use request, property access, preliminary plat, proposed density, staff's review of concurrency and transportation analysis, and noted gates will not restrict bicycle and pedestrian access.

Mike Miller, MPS Development, being duly sworn, responded to board questions regarding notes on the preliminary plat relating to the design, permit and inspection of proposed fence and block wall.

Steven Hilding, 3869 North Chamberlain Boulevard, North Port, speaking on behalf of homeowners in the Kings Drive area, being duly sworn, spoke in opposition to proposed development project and asked the board to consider the project's environmental impact.

Paul Miller, 45 King Arthur Drive, Nokomis, being duly sworn, commented on property development, preferring single-family homes, concern with Kings Way Drive, and extending existing sidewalk from the new development to Laurel Road.

Siegfried Fick, 1628 Landfall Drive, Nokomis, being duly sworn, presented and spoke to concerns with flooding on Kings Way Drive and suggested extending sidewalk to Laurel Road.

Mr. Boone addressed concerns raised to include working with Sarasota County since Kings Way Drive is a county owned road.

Mr. Snyder closed both public hearings.

A motion was made by Mr. Hale, seconded by Mr. Willson, 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, and recommends to city council approval of Preliminary Plat Petition No. 20-29PP. The motion carried by the following vote:

Yes: 7 - Chair Snyder, Mr. Graser, Mr. McKeon, Mr. Hale, Mr. Willson, Mr. Lawson and Mr. Jasper

20-39CU

Cassata Lakes Conditional Use (Quasi-Judicial)  
Staff: Amy Nelson, AICP, Senior Planner  
Agent: Jeffery A. Boone, Esq., Boone Law Firm  
Applicant: Cassata Properties, LLC

This item was discussed under Preliminary Plat Petition No. 20-29PP.

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, in compliance with the Land Development Code and with the affirmative findings of fact in the record, and recommends to city council approval of Conditional Use Petition No. 20-39CU. The motion carried by the following vote:

Yes: 7 - Chair Snyder, Mr. Graser, Mr. McKeon, Mr. Hale, Mr. Willson, Mr. Lawson and Mr. Jasper

20-45AN

Watermark at Venice Annexation (Legislative)

Staff: Nicole Tremblay, Planner

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

Applicant: Thompson Thrift Development, Inc.

Owner: Piana Revocable Trust

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

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

Ms. Tremblay provided a presentation on the annexation petition and spoke on petition information, project description, location and aerial map, site photographs, existing future land use and zoning map, surrounding land uses, Chapters 163 and 171 Florida Statutes, comprehensive plan consistency, Joint Planning Area (JPA) six, LDC consistency, provision of services for area six, conclusions/findings of fact, and planning commission report and recommendation to city council.

Jeffery Boone, Boone Law Firm, spoke to annexation, JPA amendment, and property qualifying for a voluntary annexation.

Steve Carr, President of the Windwood Neighborhood Association, speaking on behalf of the community, requested the board postpone action on the comprehensive plan and zoning map amendment and spoke regarding land use and zoning, incompatibility with surrounding communities, Pinebrook neighborhood zoning designation and density, supporting annexation into the city, project acreage, and having a mixed use residential (MUR) zoning designation with a maximum density of five dwelling units per acre.

Mr. Snyder closed the public hearing.

A motion was made by Mr. Willson, seconded by Mr. McKeon, to recommend to



city council approval of Annexation Petition No. 20-45AN. The motion carried by the following vote:

Yes: 7 - Chair Snyder, Mr. Graser, Mr. McKeon, Mr. Hale, Mr. Willson, Mr. Lawson and Mr. Jasper

20-46CP

Watermark at Venice Comprehensive Plan Amendment (Legislative)

Staff: Nicole Tremblay, Planner

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

Applicant: Thompson Thrift Development, Inc.

Owner: Piana Revocable Trust

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

Ms. Tremblay provided a presentation on the comprehensive plan amendment petition and spoke to petition information, existing and proposed FLUM, existing zoning map, comprehensive plan request, proposed neighborhood revisions, comprehensive plan consistency, JPA area six, Chapter 163 Florida Statutes, compatibility, LDC consistency, conclusions/findings of fact, and planning commission report and recommendation to council.

Jeffery Boone, Boone Law Firm, noted the comprehensive plan amendment is consistent with the JPA, and spoke regarding the county's designation for this property, proposed medium density range development, transportation study, development generating mobility fees, and responded to board questions regarding project acreage.

Robert Tugel, 145 Cohosh Road, commented on the comprehensive plan, Pinebrook neighborhood, maximum density in the MUR zoning district, and compatibility with surrounding neighborhoods.

Discussion followed regarding JPA area six's zoning designation.

Mr. Boone commented on the Windwood neighborhood meeting and staff's recommendation on the JPA amendment.

Ms. Tremblay clarified the property is being assigned a future land use designation.

Mr. Snyder closed the public hearing.

A motion was made by Mr. McKeon, seconded by Mr. Hale, 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 Comprehensive Plan Amendment Petition No. 20-46CP. The motion carried by the following vote:

Yes: 7 - Chair Snyder, Mr. Graser, Mr. McKeon, Mr. Hale, Mr. Willson, Mr. Lawson and Mr. Jasper

20-47RZ

Watermark at Venice Zoning Map Amendment (Quasi-Judicial)

Staff: Nicole Tremblay, Planner

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

Applicant: Thompson Thrift Development, Inc.

Owner: Piana Revocable Trust

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

Ms. Fernandez questioned board members concerning ex-parte communications and conflicts of interest. Mr. Lawson and Mr. McKeon disclosed site visits.

Ms. Tremblay, being duly sworn, provided a presentation on the zoning map amendment petition to include petition information, site photographs, existing and proposed zoning map, surrounding land uses, comprehensive plan and LDC consistency, comparison of existing versus proposed zoning, concurrency and mobility, conclusion/findings of fact, and planning commission report and recommendation to city council.

Jeffery Boone, Boone Law Firm, being duly sworn, commented on proposed rezoning and original development plan.

Austin Mann, Thompson Thrift Development, Inc., being duly sworn, provided a presentation and spoke regarding company, development map, portfolio statistics, rental information, Venice's market demand, development concepts, original and revised conceptual site plans, one-story homes, interior features, and community features.

Mr. Boone commented on rental communities, variety of housing types, proximity to Sarasota Memorial Hospital and Laurel Road, the need for this type of development, and in response to board questions regarding not exceeding two story units.

Mr. Boone advised client is willing to stipulate not to exceed two story units.

Robert Tugel, 145 Cohosh Road, being duly sworn, commented on the comprehensive plan's FLUM and the Pinebrook neighborhood.

Mr. Boone noted issues raised by Mr. Carr's letter can be addressed with the site and development plan.

Mr. Snyder closed the public hearing.

A motion was made by Mr. Willson, seconded by Mr. Lawson, 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, and recommends to city council approval of Zoning Map Amendment Petition No. 20-47RZ with the stipulation that the units will not exceed two stories. The motion carried by the following vote:

Yes: 7 - Chair Snyder, Mr. Graser, Mr. McKeon, Mr. Hale, Mr. Willson, Mr. Lawson and Mr. Jasper

## VI. Public Comment

21-4882

Demolition Of Structures In Historic Venice District

Applicant: Franklin E Wright, Vice Chair, Historic Planning Board

Frank Wright, Vice Chair of the Historic Preservation Board (HPB), spoke regarding demolition of historic structures to include the Architectural Review Board (ARB)'s jurisdiction and demolition of 233 Pensacola Road, and recommended the adoption of the established Historic Venice (HV) district as a historical district under the terms of the historic preservation ordinance.

Discussion followed regarding Mr. Wright's presentation and attendance at the ARB meeting.

Mr. Shrum advised of his communication with Mr. Wright on presenting at the ARB meeting, ARB's recommendation on demolitions, and responded to board questions regarding the number of demolitions within the past 30 years and upcoming demolition requests.

Discussion continued regarding demolition criteria, properties on the local register that were demolished, merging ARB and HPB, contributing properties versus HV district used for architectural control, no demolition criteria in the ARB ordinance, process in other jurisdictions, permit application process, and having a list of historic structures.

Mr. Wright recommended the HPB be included in demolition discussions, and suggested the HPB be in charge of advising the planning commission on historic preservation.

## VII. Comments by Planning Division

21-4883

Land Development Regulations Update

Staff: Jeff Shrum, AICP, Development Services Director

Mr. Snyder advised the next LDR workshop is February 10, 2021.

### VIII. Comments by Planning Commission Members

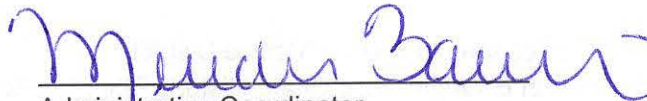
There were none.

### IX. Adjournment

There being no further business to come before this Commission, the meeting was adjourned at 6:34 p.m.

**Barry R. Snyder**

Chair

  
Administrative Coordinator

Signature:

  
Barry R. Snyder (AP) (14, 2021 10:29 EDT)

Email: [bsnyder@venicegov.com](mailto:bsnyder@venicegov.com)