



City of Venice

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

Meeting Minutes Planning Commission

Tuesday, April 18, 2017

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: 5 - Chair Barry Snyder, Helen Moore, Jerry Towery, Tom Murphy and Charles Newsom

Excused: 1 - Janis Fawn

Absent: 1 - Shaun Graser

Also Present:

Liaison Councilmember Kit McKeon, City Attorney Dave Persson, Development Services Director Jeff Shrum, Senior Planner Scott Pickett, Senior Planner Roger Clark, and Assistant City Clerk Heather Taylor.

III. Approval of Minutes

[17-2642](#) Minutes of the April 4, 2017 Regular Meeting

A motion was made by Mr. Newsom, seconded by Ms. Moore, that the Minutes of the April 4, 2017 meeting be approved as written. The motion carried by voice vote unanimously.

IV. Public Hearings

[17-02AM](#) ZONING CODE TEXT AMENDMENT - DOG FRIENDLY DINING PROGRAM

Staff: Roger Clark, Senior Planner

Mr. Clark provided a background on the city ordinance and spoke to removal of the sunset provision to allow ordinance to remain in effect.

Mr. Towery arrived at 1:34 p.m.

Mr. Clark responded to board questions regarding Florida Statute changes and code enforcement violations.

Discussion took place regarding fulfilling the requirements of the state.

A motion was made by Ms. Moore, seconded by Mr. Towery, that based on the staff presentation 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 Land Development Code and the Comprehensive Plan and recommends to City Council approval of Text Amendment Petition 17-02AM.

Discussion took place regarding concern with violations, newspaper reporting of complaints, and enforcement of violations.

The motion carried by the following vote:

Yes: 3 - Ms. Moore, Mr. Towery and Mr. Murphy

No: 2 - Chair Snyder and Mr. Newsom

Excused: 2 - Mr. Graser and Ms. Fawn

17-02RZ

CITY ZONING MAP AMENDMENT - WOOLSCHLAGER

Planner: Scott Pickett, AICP, Senior Planner

Owner: Larry & Kay Combs

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

Mr. Persson queried board members on ex-parte communications and conflicts of interest. Mr. Snyder disclosed site visit with no communications.

Mr. Shrum, being duly sworn, provided a background on the petition to include resolution adoption to allow the city to initiate zoning designations, future adoption of a new city wide zoning map, and the procedure to deal with rezones on a quarterly basis and responded to board questions regarding all properties needing city initiated rezones being rectified together.

Mr. Pickett, being duly sworn, provided an introduction and staff report to include existing and proposed zoning designations, property annexation, aerial photograph of property, existing zoning map, comparison of county residential single family (RSF-3) and city RSF-3 zoning and summary findings of fact.

Mr. Snyder closed the public hearing.

A motion was made by Mr. Murphy, seconded by Ms. Moore, 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 records, and

recommends to City Council approval of Zoning Map Amendment Petition No. 17-02RZ. The motion carried by the following vote:

Yes: 5 - Chair Snyder, Ms. Moore, Mr. Towery, Mr. Murphy and Mr. Newsom

Excused: 2 - Mr. Graser and Ms. Fawn

17-03RZ

CITY ZONING MAP AMENDMENT - FURNITURE WAREHOUSE

Staff: Scott Pickett, AICP, Senior Planner

Owner: Mark Richmond Revocable Trust

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

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

Mr. Pickett, being duly sworn, reviewed the petition to include existing and proposed zoning districts, future land use designations, aerial photograph of property, and responded to board questions regarding whether there was a pre-annexation agreement for the property.

Mr. Shrum, being duly sworn, spoke to not being able to annex the triangle portion of the property due to the joint planning agreement (JPA).

Mr. Pickett continued to review the existing zoning map, comparison of county Industrial, Light and Warehousing (ILW) and city ILW zoning and summary findings of fact and responded to board questions regarding the rezone being initiated by the city, and property owner understanding of the differences in zoning.

Mr. Snyder closed the public hearing.

A motion was made by Ms. Moore, 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 records, and recommends to City Council approval of Zoning Map Amendment Petition No. 17-03RZ. The motion carried by the following vote:

Yes: 5 - Chair Snyder, Ms. Moore, Mr. Towery, Mr. Murphy and Mr. Newsom

Excused: 2 - Mr. Graser and Ms. Fawn

17-04RZ

CITY ZONING MAP AMENDMENT - GULF HARBOR ESTATES

Planner: Scott Pickett, AICP, Senior Planner

Owner: Southbridge Investments, LLC.

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

Mr. Persson queried board members on ex-parte communications and conflicts of interest. Mr. Snyder, Mr. Newsom and Mr. Towery disclosed site visits with no communications.

Mr. Persson stated there was a request for affected party status from Leora Nelson and explained the purpose and procedure for affected party status.

Leora Nelson, 1104 Sunset Dr., being duly sworn, spoke to why she should be granted affected party status.

A motion was made by Mr. Murphy, seconded by Mr. Newsom, to approve Ms. Nelson's request for affected party status. The motion carried by the following vote:

Yes: 5 - Chair Snyder, Ms. Moore, Mr. Towery, Mr. Murphy and Mr. Newsom

Excused: 2 - Mr. Graser and Ms. Fawn

Mr. Pickett, being duly sworn, noted that staff has not reviewed the written communication received by Ms. Nelson on April 17, 2017, reviewed the petition to include existing and proposed zoning districts, future land use designation, concurrent preliminary plat application, annexation, city attorney input, aerial photograph of property, existing zoning maps, discrepancies in zoning maps, and comparison of county RSF-2 and city RSF-3 zoning and responded to board questions regarding city RSF-2 standards for development.

Mr. Pickett continued to discuss future land use designation, land use compatibility, compliance with the land development code (LDC), concurrency, and summary findings of fact and responded to board questions regarding lot sizes on the preliminary plat.

Roland Piccone, Gap Engineering and Planning, LLC., being duly sworn, spoke to not being notified there was an affected party status request, clarified the minimum size and largest sized lots proposed in the preliminary plat, parcel design to ensure the number of lots coincide with the adjacent homes, additional square footage potentially increasing property value and requested board approval.

Discussion took place regarding approval of the preliminary plat.

Ms. Nelson spoke to the development to include the number of lots proposed, RSF-2 standard comparisons, zoning code discrepancies, planning department map disclaimer, annexation documentation, yard requirements in relation to additional square footage, maps received

from the planning department, official zoning atlas, petition signatures obtained, flood zoning, planning and zoning analysis, personal analysis of neighborhood lots, and stormwater management and requested the vote to comply with RSF-2 city designation.

Mr. Shrum spoke to research of the property and information retained over the last couple months and information provided by staff at meetings with the developer.

Mr. Piccone spoke to proposed lot sizes, not exceeding nine lots as noted in the preliminary plat and drainage.

Tom Ballenger, Gap Engineering and Planning, LLC., being duly sworn, spoke to proposed density.

Discussion took place regarding the architectural designs of the homes.

Mr. Pickett responded to board questions regarding the proposed preliminary plat site plan.

Ms. Nelson spoke to the size of lot one and merging lots one and two.

Gary Anderson, 1104 Sunset Dr., being duly sworn, expressed his concern with lot sizes, drainage treatment and landscaping.

Shirley Geoffrion, 409 Sunset Dr., being duly sworn, requested information on foliage and trees that will be removed.

Janice Riordon, 1127 Sunset Dr., being duly sworn, expressed concern with the number of proposed homes and drainage.

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 local planning agency and land development regulation commission, finds this petition inconsistent with either the Comprehensive Plan or Land Development Code due to inconsistency with existing zoning and, therefore, recommends to City Council denial of Zoning Map Amendment Petition No. 17-04RZ. The motion failed due to lack of a second.

A motion was made by Mr. Towery, 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 recommends to City Council approval of Zoning Map Amendment Petition No. 17-04RZ.

Discussion took place regarding lot size requirements, density and lot

coverage being consistent with RSF-2, adjacent lot compatibility, drainage, foliage concerns, maintenance of records and city council hearing both zoning and the preliminary plat petitions at the same time.

The motion carried by the following vote:

Yes: 4 - Chair Snyder, Ms. Moore, Mr. Towery and Mr. Newsom

No: 1 - Mr. Murphy

Excused: 2 - Mr. Graser and Ms. Fawn

Recess was taken from 3:41 p.m. until 3:51 p.m.

Mr. Shrum clarified that the verbiage for all petitions are recommendations of approval or denial to city council.

16-05RZ

ZONING MAP AMENDMENT - LAUREL ROAD STORAGE - 3496 & 3500 LAUREL RD. EAST

Planner: Scott Pickett, AICP, Senior Planner

Agent: Jeffery A. Boone, Esq.

Owner: Gaylon & Laura Peters, Laurel Road Storage, LLC.

Mr. Snyder noted all three hearings (16-05RZ, 16-01SE, and 16-01SP) would be heard at the same time, announced these are quasi-judicial hearings, read memorandum regarding advertisements and written communications, and opened the public hearings.

Mr. Persson queried board members on ex-parte communications and conflicts of interest. Mr. Murphy, Mr. Snyder and Mr. Newsom disclosed site visits with no communication.

Mr. Pickett, being duly sworn, reviewed the petitions to include existing and proposed zoning, future land use designations, concurrent applications, aerial photograph of property, photographs of on-site and off-site conditions, surrounding property information, future land use, existing zoning and proposed zoning maps, and in response to board questions Mr. Pickett stated the parcel lines are not being altered and that the zoning lines are being altered.

Mr. Pickett continued to review the zoning analysis, summary findings of fact for the rezone, provided a summary for the site and development plan and special exception petitions to include consistency with the comprehensive plan, review of the requested code modification and summary findings of fact.

Jeff Boone, Boone Law Firm, being duly sworn, spoke to the intent of the rezone and the proposed use for a self storage facility and responded to board questions regarding surrounding properties. He continued to provide information on the site and development plan and

the special exception to include compliance with city codes and the comprehensive plan, parking standards and requested board approval of the petitions and responded to board questions regarding the proposed building layout.

Jessica Helny, Florida Engineering and Surveying, being duly sworn, spoke to the number and size of units per building, driveway widths and facility entrances.

Discussion took place regarding estimated frequency for building A, open storage area usage, elevators in building A, entrance width, franchise stores using storage facilities, additional parking options, drainage, the need for adequate buffering, removal of vegetation and fencing around the property.

Mr. Boone addressed the property annexation requirement that a five foot strip of property from the northern point be dedicated along the side of the road along the sewer pipe, noted the plan presented does not have the five foot strip, and spoke to the request to city council to amend the pre-annexation agreement to eliminate the five foot strip requirement. He stated there is no impact to the current development plan but there may be an impact on the sidewalk requirement and requested the planning commission approve a stipulation that if city council votes to not amend the pre-annexation agreement to remove the five foot strip conveyance, the property owner will leave five foot strip to city and the development services director will have administrative authority to approve any relocation adjustments to the site and development plan for sidewalks or signage.

Mr. Pickett noted the site and development plan petition is contingent upon approval of the rezone petition.

Mr. Snyder closed the public hearing.

A motion was made by Mr. Towery, seconded 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 recommends to City Council approval of Zoning Map Amendment Petition No. 16-05RZ. The motion carried by the following vote:

Yes: 5 - Chair Snyder, Ms. Moore, Mr. Towery, Mr. Murphy and Mr. Newsom

Excused: 2 - Mr. Graser and Ms. Fawn

16-01SE

SPECIAL EXCEPTION - LAUREL ROAD STORAGE - 3496 & 3500
LAUREL RD. EAST
Planner: Scott Pickett, AICP, Senior Planner

Agent: Jeffery A. Boone, Esq.

Owner: Gaylon & Laura Peters, Laurel Road Storage, LLC.

This item was discussed under Item No. 16-05RZ.

A motion was made by Ms. Moore, 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 recommends to City Council approval of Special Exception Petition No. 16-01SE. The motion carried by the following vote:

Yes: 5 - Chair Snyder, Ms. Moore, Mr. Towery, Mr. Murphy and Mr. Newsom

Excused: 2 - Mr. Graser and Ms. Fawn

16-01SP

SITE & DEVELOPMENT PLAN - LAUREL ROAD STORAGE - 3496 & 3500 LAUREL RD. EAST

Planner: Scott Pickett, AICP, Senior Planner

Agent: Jeffery A. Boone, Esq.

Owner: Gaylon & Laura Peters, Laurel Road Storage, LLC.

This item was discussed under Item No. 16-05RZ.

A motion was made by Mr. Towery, seconded by Ms. Moore, 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 recommends to City Council approval of Site and Development Plan Petition No. 16-01SP with the stipulation that if City Council votes to not amend the pre-annexation agreement to remove the five foot strip conveyance, the property owner will leave the five foot strip to the city and the Development Services Director will have administrative authority to approve any relocation adjustments to the site and development plan for sidewalks or signage. Approval of the subject site and development plan petition is contingent on approval of Rezone Petition No. 16-05RZ. The motion carried by the following vote:

Yes: 5 - Chair Snyder, Ms. Moore, Mr. Towery, Mr. Murphy and Mr. Newsom

Excused: 2 - Mr. Graser and Ms. Fawn

17-01AM.1

LAND DEVELOPMENT CODE TEXT AMENDMENT

Staff: Scott Pickett, AICP, Senior Planner

Applicant: PGT Industries, Inc. c/o Cate Wells, Esq., Shumaker, Loop & Kendrick, LLP.

Mr. Pickett reviewed the petition to include previous action taken by the planning commission, consistency analysis, and review of the ordinance by the city clerk with the suggested amendment regarding the parking definition and responded to board questions regarding the purpose of the amendment.

Mr. Shrum responded to board questions regarding principal use of the parking garage, current allowance for a commercial parking, limited amounts of planned industrial development (PID) zoning, and concerns with revenue generated parking.

Mr. Persson commented regarding accessory versus principal use.

Discussion continued regarding labeling as accessory use, ancillary parking within the PID, best use of limited PID property, and the special exception process.

Cate Wells, Shumaker, Loop & Kendrick, LLP., proposed changing the ordinance verbiage regarding the definition of parking principal to eliminate the need for a special exception.

Bruce Wesner, PGT, displayed and reviewed the overall site plan.

A motion was made by Ms. Moore, seconded by Mr. Towery, that based on review of the application materials, the staff report and testimony provided during the 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 recommends to City Council approval of Land Development Code Text Amendment Petition No. 17-01AM.1 as amended to add the verbiage "and is directly associated with a permitted use on abutting property or both parcels are under common ownership" to the parking principal definition. The motion carried by voice vote unanimously.

17-2531

Comprehensive Plan Update Discussion

Staff: Jeff Shrum, AICP, Development Services Director

Public Comments Specific to Comprehensive Plan Update

Mr. Shrum reminded the board that staff is working with the consultant to finalize a draft plan, commented on correspondence received and responded to board questions regarding feedback received from the consultant.

Jim Collins and Jeff Boone, Boone Law Firm, commented on the Hurt's family property in regards to potential single family rezone to modify the property line and responded to board questions regarding the proposed rezone density. They continued to discuss the comprehensive plan not allowing for certain commercial areas to ask for multi-family zoning, the negative impact on redevelopment when not being able to mix commercial and residential, suggested verbiage adjustments to allow for multi-family zoning by special exception in certain areas, definition of functional open space, per parcel floor area ratios (FARs), definition for open space connectivity, historic resources reviewed language and the open space policy requiring development to remove non-native species.

VI. Audience Participation

No one signed up to speak.

VII. Comments by Planning Division


There were none.

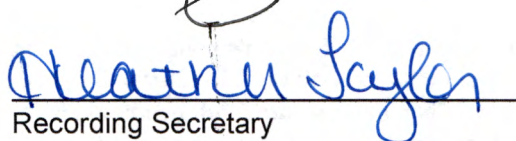
VIII. Comments by Planning Commission Members

There were none.

IX. Adjournment

There being no further business to come before this Commission, the meeting was adjourned at 5:58 p.m.


Chair


Recording Secretary