



# City of Venice

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

## Meeting Minutes Planning Commission

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Tuesday, March 20, 2018

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, Janis Fawn and Kit McKeon

### Also Present

Liaison Councilmember Charles Newsom, Assistant City Attorney Kelly Fernandez, Development Services Director Jeff Shrum, Planner Katherine Woellner, Planning Manager Roger Clark and Recording Secretary Shirley Gibson.

### III. Audience Participation

There was none.

### IV. Approval of Minutes

#### 18-3188

Minutes of the February 20, 2018 and March 6, 2018 Regular Meetings and the March 12, 2018 Workshop

A motion was made by Ms. Fawn, seconded by Ms. Moore, that the minutes of the February 20, 2018 and March 6, 2018 regular meetings and the March 12, 2018 workshop be approved as written. The motion carried by voice vote unanimously.

### V. Public Hearings

#### 17-06VZ

619 Barcelona Avenue  
Staff: Katherine Woellner, Planner  
Owner: William Kohlbecker & Dena Sechrest

Chair Snyder announced this was a quasi-judicial hearing, read a memorandum regarding advertisement and written communications, opened the public hearing and 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 conflict of interest. Ms. Fawn had a site visit with communication regarding the site with a resident. Ms. Moore, Mr. Murphy, Mr. Snyder and Mr. McKeon had site visits with no communication. Mr. Graser disclosed a conflict of interest and left the dias.

Ms. Woellner, being duly sworn, spoke regarding variance, property location, property history, variance request, staff analysis, driveway, compliance and answered board questions regarding parking, property line, plantings, materials to be used, mature tree and aggregate set back.

Dena Kohlbecker, 619 Barcelona Avenue, being duly sworn, answered board questions regarding the mature tree located on the property, pavers, drainage and comparison to next door neighbor.

Chair Snyder closed the public hearing.

A motion was made by Mr. Towery, 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 moves to approve Variance Petition No. 17-06VZ to reduce the minimum setback for a driveway from 5ft to 2.6ft. The motion carried by the following vote.

**Yes:** 6 - Chair Snyder, Ms. Moore, Mr. Towery, Mr. Murphy, Ms. Fawn and Mr. McKeon

**Abstain:** 1 - Mr. Graser

## VI. New Business

### 18-3189

Update of Planning Commission Rules and Procedures  
Staff: Jeff Shrum, AICP, Development Services Director  
City Attorney Kelly Fernandez, Esq.

Mr. Shrum spoke regarding proposed changes to procedure, election of officers, majority vote, submission of packets, advertisement, moving to electronic records, calendar days and answered board questions regarding other county procedures, notices to public, time to prepare agendas, late meetings, option for an overflow meeting and flexibility of rearranging agenda items.

Mr. Shrum continued to speak regarding petition files, minutes, order of presentations, denying a petition and answered board questions regarding affected party status procedure, creating a form, encourage advanced notice, presence of court reporters, cut off date for written correspondence, deadline and sending emails.

Mr. Clark spoke regarding the history of written communication, emails and process.

Mr. Shrum spoke further regarding iPads, emails, applicant deadline, paperwork being submitted to commission members during a meeting and the revised changes will be brought back at a future meeting.

## **VII. Comments by Planning Division**

### 18-3190

Land Development Regulations Update

Staff: Jeff Shrum, AICP, Development Services Director

Mr. Shrum spoke regarding feedback from city council and tree regulations.

Discussion took place regarding the comprehensive plan, compatibility, building height, height overlay district, form based code, variances, special exception, conditional use, architecture, Tuscan Gardens and The Woods.

Mr. Shrum further spoke regarding building height, zoning code and mixed use area.

Discussion continued regarding overlay districts, mixed use areas, form based codes, merging boards, Parks Master Plan and current advisory boards.

Mr. Shrum continued to speak regarding zoning regulations, advisory board roles, form based code presentation, compatibility, presentation to city council, development review procedures and the new comprehensive plan.

Discussion took place regarding the Venetian Golf and River Club Planned Unit Development Plan, traffic studies and is there enough information in the packets to make a decision.

Discussion continued highlighting the action items to include building height, architectural requirements, tree regulations, overlay districts, advisory boards and development review procedures and further discussion regarding weather survivability.

Mr. Shrum spoke further regarding building codes, structures, public shelters, level of service standard, storm event, flood zones, tree ordinance and answered board questions regarding having an arborist, affordable housing, impact fees, historic preservation ordinance, county giving the city land and Seaboard Avenue.

**There was a consensus to include the following topics to address with City Council: building height, architectural requirements, tree regulations, overlay**

districts, advisory boards and development review procedures.

#### **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 3:36 p.m.

  
Chair  
Recording Secretary

# FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <b>CRASER, SHAWN DOULLASS</b>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <b>PLANNING COMMISSION</b>
MAILING ADDRESS <b>321 NOKOMIS AVE S</b>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY <b>VENTN</b>	NAME OF POLITICAL SUBDIVISION: 
COUNTY <b>SARASOTA</b>	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE
DATE ON WHICH VOTE OCCURRED <b>3/20/18</b>	

## WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

## INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

### ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

### APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)



## APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

## DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, SHAUN GRASER, hereby disclose that on MARCH 20, 20 18:

(a) A measure came or will come before my agency which (check one)

- ☐ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, \_\_\_\_\_;
- ☐ inured to the special gain or loss of my relative, \_\_\_\_\_;
- ☒ inured to the special gain or loss of APPLICANT, by whom I am retained; or
- ☒ inured to the special gain or loss of \_\_\_\_\_, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

*Did not want to make a decision that could be construed as a personal gain.*

3/20/18

Date Filed

Shaun Graser

Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.