



# City of Venice

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

## Meeting Minutes Planning Commission

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Tuesday, May 21, 2019

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. Vice Chair Kit McKeon called the meeting to order at 1:30 p.m.

### II. Roll Call

**Present:** 6 - Shaun Graser, Tom Murphy, Kit McKeon, Richard Hale, Scott Williams and Bill Willson

**Excused:** 1 - Chair Barry Snyder

### Also Present

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

### III. Approval of Minutes

19-3974

Minutes of the May 7, 2019 Regular Meeting

A motion was made by Mr. Hale, seconded by Mr. Murphy, that the Minutes of the May 7, 2019 meeting be approved as written. The motion carried by voice vote unanimously.

### IV. Audience Participation

Ronald Courtney, 435 Otter Creek Dr., spoke on family history, local news coverage, wages, profits, balanced environment, ability of owning a home, Epiphany Justice and Peace Apostolate, and affordable housing.

### V. Public Hearings

18-01AN

Annexation - Hurt-Knights Trail Road Property (CONTINUANCE REQUESTED)

Staff: Roger Clark, AICP, Planning Manager

Agent: Jeffery Boone, Esq., Boone Law Firm

Owners: Mary H. McMullen, Joseph W. Hurt, and Randall C. Hurt, Trustees of the Shacket Creek Trust

A motion was made by Mr. Murphy, seconded by Mr. Hale, that this item be

rescheduled for the June 4, 2019 meeting. The motion carried by voice vote unanimously.

18-02AN

Annexation - Rustic Road Property (CONTINUANCE REQUESTED)

Staff: Roger Clark, AICP, Planning Manager

Agent: Jeffery Boone, Esq., Boone Law Firm

Owners: Ronald D. Perkins and Carol R. Perkins; Caroline Martin; Flying Free Investments, LLC; Philip Burket, TTEE of the Philip V. Burket Trust; and Rustic Road Partners, LLC

**A motion was made by Mr. Murphy, seconded by Mr. Hale, that this item be rescheduled for the June 4, 2019 meeting. The motion carried by voice vote unanimously.**

19-23CP

Comprehensive Plan Amendment - Addition of the Joint Planning & Interlocal Service Boundary Agreement Amendment No. 3 Between the City of Venice and Sarasota County (CONTINUANCE REQUESTED)

Staff: Roger Clark, AICP, Planning Manager

**A motion was made by Mr. Murphy, seconded by Mr. Hale, that this item be rescheduled for the June 4, 2019 meeting. The motion carried by voice vote unanimously.**

18-02CP

Comprehensive Plan Amendment - Rustic Road Property (CONTINUANCE REQUESTED)

Staff: Roger Clark, AICP, Planning Manager

Agent: Jeffery Boone, Esq., Boone Law Firm

Owners: Ronald D. Perkins and Carol R. Perkins; Caroline Martin; Flying Free Investments, LLC; Philip Burket, TTEE of the Philip V. Burket Trust; and Rustic Road Partners, LLC

**A motion was made by Mr. Murphy, seconded by Mr. Hale, that this item be rescheduled for the June 4, 2019 meeting. The motion carried by voice vote unanimously.**

18-07RZ

Zoning Map Amendment - Rustic Road Property (CONTINUANCE REQUESTED)

Staff: Roger Clark, AICP, Planning Manager

Agent: Jeffery Boone, Esq., Boone Law Firm

Owners: Ronald D. Perkins and Carol R. Perkins; Caroline Martin; Flying Free Investments, LLC; Philip Burket, TTEE of the Philip V. Burket Trust; and Rustic Road Partners, LLC

**A motion was made by Mr. Murphy, seconded by Mr. Hale, that this item be rescheduled for the June 4, 2019 meeting. The motion carried by voice vote unanimously.**

18-10RZ

Zoning Map Amendment - GCCF PUD

Staff: Roger Clark, AICP, Planning Manager

Agent: Jeffery Boone, Esq., Boone Law Firm

Owners: Border Road Investments, LLC; Myarra Property Joint Ventures,

LLC; FC Laurel, LLC; and Woolridge Investment Florida, LLC

Mr. McKeon stated Petition Nos. 18-10RZ and 19-09CU will be heard together, announced this is a quasi-judicial hearing, and opened the public hearing.

Ms. Fernandez queried board members on ex-parte communications and conflicts of interest. Mr. Graser disclosed site visit. There were no conflicts of interest.

Roger Clark, being duly sworn, provided a presentation on property location, Planned Unit Development (PUD), Commercial Mixed Use (CMU), background, associated record documents, public workshops, aerial photograph, zoning districts, surrounding properties, future land use, Milano PUD, comprehensive plan, Mixed Use Residential (MUR), PUD master site plan, single or multi-family residential areas, assisted living facility, house of worship, medical offices, open spaces, residential and non-residential uses, permitted uses, lot sizes, maximum building heights, modifications, reduced PUD setbacks, reduction of right-of-ways, sidewalks, bike lanes, eight foot recreational trail, PUD height standards, Conditional Use (CU) gated area, environmental, transportation, compatibility analysis, mitigation techniques, Land Development Code (LDC), Technical Review Committee (TRC), mobility fees, existing intersection issues, access improvements, staff proposed stipulations, findings of facts, and planning commission report and recommendations.

Jeff Shrum, being duly sworn, spoke on staff recommendations and stipulations to include Northern Italian Renaissance style of architecture, zoning districts, PUD zoning, subsequent petitions for the development must provide clear delineation of the specific properties/parcels, specific uses, non-residential and PUD uses, final plat, wetlands, Border Road and Laurel Road to not be gated, and public accessibility.

Ms. Fernandez spoke on CU language.

Mr. Shrum continued on proposed stipulations.

Board discussion took place on stipulations.

Mr. Shrum discussed stipulations, CU, gated facilities on private roadways, traffic analysis, capital improvement schedule, county data, transportation management study, and answered board questions on trading of roads, and road jurisdictions.

Board discussion ensued on trading of roads, city standards, road responsibilities and jurisdictions, and maintenance and future

improvements.

Mr. Shrum will provide the board with information on who maintains which roadways.

Board discussion took place on road responsibilities.

Mr. Shrum and Mr. Clark answered board question on differential buffer areas.

Jeffery Boone, Boone Law Firm, being duly sworn, spoke on PUD rezoning, property history and location, MUR, CMU, PUD, approved and unified development plan, residential and non-residential units, height limits, master plan communities, growing values and economic communities, binding master plan, land use table, amenity center, differential uses, right-of-ways, and answered board questions on amenity center and pure residential.

Mr. Boone continued on existing and proposed units, reduction and reduced traffic, right-of-ways, bike walks, sidewalks, eight foot Multi-Use Recreational Trail (MURT), parking, neighborhood roadway cross sections, photographs, proposed amenity center, code modifications to include perimeter property line setbacks, building heights, neighborhood roadway design alternatives, bike lanes, Red Tide, rezoned properties, conditional use request, architectural style, five percent limitation on a PUD, city comprehensive plan consistency, gated communities, property values, higher tax values, maintaining roads, emergency access routes, and answered board questions on amenity and cell tower plots, single family lot sizes, property line setbacks, sidewalks, road widths, and wildlife.

Jim Collins, Boone Law Firm, being duly sworn, answered board question on buffers.

Mr. Boone answered board questions on bike lanes and a MURT.

Mr. Collins spoke on city standard neighborhood roads.

Mr. Boone answered board questions on potential gate location, amenity or residential areas, and buffers.

Board discussion took place on gated main roads, bike paths, sidewalks, and internal roadways.

Mr. Boone answered board questions on architectural style, cell tower plot, and gate locations.

Mr. McKeon read memorandum regarding advertisement and written communications.

Mr. Shrum spoke on architectural and design style, rezoning properties, and answered board questions on different design styles, comprehensive plan, Northern Italian architectural style guidelines, modification to include right-of-ways, and amenity center.

Mr. Boone answered board questions on intent of architectural style and existing zoning.

Ms. Fernandez spoke on transitional policies and rezoning properties.

Mr. Boone spoke on comprehensive plan.

Mr. Shrum answered board questions on cell towers and continued on right-of-ways, stipulations, updated binding master plan, and city and state requirements.

Mr. Boone spoke on bill of rights, private properties, and approval of changes.

Jerry Jasper, 130 Burano Court, being duly sworn, spoke on private gating, construction funding, mutli-family housing, mobility funds, new construction, widening of roads, Northern Italian style, residential development, sidewalks, MURT, center medium, right-of-ways, and stipulations.

Mr. McKeon closed the public hearing.

**A motion was made by Mr. Hale, seconded by Mr. Willson, 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 approval to City Council of Zoning Amendment Petition No. 18-10RZ to include code modifications by the applicant, stipulations presented by staff and replacement page of the revisions of the applicant of right-of-ways and amenity center.**

**Yes:** 4 - Mr. Graser, Mr. McKeon, Mr. Williams and Mr. Willson

**No:** 2 - Mr. Murphy and Mr. Hale

**Excused:** 1 - Chair Snyder

Mr. Boone spoke on modifications and stipulations.

Board discussion took place on narrow lots, adjoining developments, sidewalks, buffers with I-75, noise concerns, traffic, and workforce housing.



A motion was made by Mr. Murphy, seconded by Mr. Hale, 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 Conditional Use Petition No. 19-09CU. The motion failed by the following vote:

**Yes:** 2 - Mr. Murphy and Mr. Williams

**No:** 4 - Mr. Graser, Mr. McKeon, Mr. Hale and Mr. Willson

**Excused:** 1 - Chair Snyder

Board discussion took place on four gates on property, developer building roads, gate location, mixed use housing, Northern Venice, Willow Chase, Venetian Golf and River, and north south roads.

A motion was made by Mr. Graser, seconded by Mr. Willson, 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 approval to City Council of Conditional Use Petition No. 19-09CU with stipulations to include the two gates on the spine road not be included. The motion carried by the following vote:

**Yes:** 6 - Mr. Graser, Mr. Murphy, Mr. McKeon, Mr. Hale, Mr. Williams and Mr. Willson

**Excused:** 1 - Chair Snyder

Mr. Boone spoke on clarification of access roads.

#### 19-09CU

Conditional Use (Gated Community) - GCCF PUD

Staff: Roger Clark, AICP, Planning Manager

Agent: Jeffery Boone, Esq., Boone Law Firm

Owners: Border Road Investments, LLC; Myarra Property Joint Ventures, LLC; FC Laurel, LLC; and Woolridge Investment Florida, LLC

This item was discussed under Petition No. 18-10RZ.

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

### 19-3973

Land Development Regulations Update

Staff: Jeff Shrum, AICP, Development Services Director

Mr. Shrum provided an update on Land Development Regulation (LDR) schedule.

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

There were none.

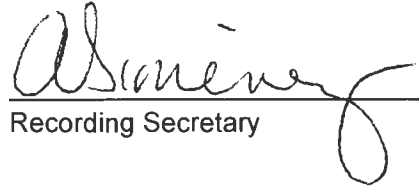
**VIII. Adjournment**

There being no further business to come before this Board, the meeting was adjourned at 4:07 p.m.



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Chair



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Recording Secretary