



City of Venice

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

Meeting Minutes Planning Commission

Tuesday, March 2, 2021

1:30 PM

Council Chambers

[21-4928](#)

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

I. Call to Order

Chair Barry Snyder called the meeting to order at 1:59 p.m.

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, Development Services Director Jeff Shrum, Information Technology Director Christophe St. Luce, Planning Manager Roger Clark, Senior Planner Amy Nelson, Planner Nicole Tremblay, Planner Kristin Ward, City Clerk Lori Stelzer, and Recording Secretary Toni Cone.

In-person: Mr. Hale, Mr. Lawson, Mr. McKeon, Mr. Willson
Via video conference: Mr. Snyder, Mr. Graser, Mr. Jasper

III. Approval of Minutes

[21-4929](#)

Minutes of the February 2, 2021 Regular Meeting and February 10, 2021 Land Development Regulations Workshop

Mr. Jasper requested amending the February 2, 2021 minutes relating to his question regarding compatibility for the comprehensive plan and planned unit development (PUD) zoning criteria and permitted uses within a specific zoned property.

A motion was made by Mr. Willson, seconded by Mr. McKeon, that the Minutes of the February 2, 2021 meeting be approved as amended and the Minutes of the February 10, 2021 meeting be approved as written. The motion carried by voice vote unanimously.

IV. Audience Participation

William Mendes, 112 Corte Del Asolo, spoke regarding trees on the

Bellagio homeowners association property and noted some trees have caused safety and utilities issues.

Mr. Clark responded to board questions regarding this issue, current revision of the Land Development Regulations (LDR), and tree code ordinance.

V. Public Hearings

20-35SP

7-Eleven (Laurel Rd) Site & Development Plan (Quasi-Judicial)

Staff: Amy Nelson, AICP, Senior Planner

Agent: Jackson R. Boone, Boone Law Firm

Applicant: Creighton Construction & Management

Owner: Laurel Road Property, LLC

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

Ms. Fernandez questioned board members concerning ex-parte communications and conflicts of interest.

Mr. Graser, Mr. McKeon, Mr. Hale, and Mr. Willson disclosed site visits. Mr. Jasper disclosed he attended a virtual public workshop on this project and the Portofino Advisory Committee, which he was a member and has since resigned from, and confirmed he can remain fair and impartial in making a decision based on the evidence presented at today's hearing.

Ms. Nelson, being duly sworn, provided a presentation and spoke on the site and development plan petition to include project background and description, proposed site plan, consistency with Portofino CMU Master Development Plan, consistency with the comprehensive plan and land development code (LDC), concurrency and mobility, and planning commission action.

Staff responded to board questions regarding roofing material, appearance, site plan, and street access.

Jackson Boone, Boone Law Firm, being duly sworn, spoke on behalf of the applicant regarding site plan, traffic, site elevations, and monument sign.

Adam Pitts, Kimley-Horn & Associates, being duly sworn, spoke regarding roof material, and responded to board question regarding parking.

Staff clarified board question regarding parking.

No one signed up to speak.

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 moves to approve Site & Development Plan Petition No. 20-35SP. The motion carried by the following vote:

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

20-42SP

Englewood Bank Site & Development Plan (Quasi-Judicial)

Staff: Nicole Tremblay, Planner

Agent: Jon Brown, EI, AM Engineering

Applicant: Englewood Bank & Trust Company

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

Ms. Fernandez questioned board members concerning ex-parte communications and conflicts of interest.

Mr. Willson, Mr. Hale, Mr. McKeon, and Mr. Graser disclosed site visits.

Ms. Tremblay, being duly sworn, provided a presentation and spoke on the site and development plan to include petition information, project background and description, location map, aerial map, approval by architectural review board (ARB), site plan, elevations, site photos, zoning and future land use maps, surrounding land uses, consistency with the comprehensive plan and LDC, concurrency and mobility, and planning commission action.

Staff responded to board inquiry about ARB's approval of the building color.

No one signed up to speak.

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, in compliance with the Land Development Code and with the affirmative findings of Fact in the record moves to approve Site & Development Plan Petition No. 20-42SP. The motion carried by the following vote:

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

20-52AN

Catalyst Healthcare Real Estate Annexation (Legislative)

Staff: Nicole Tremblay, Planner

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

Applicant: Catalyst Healthcare Real Estate

Owner: Peter Tomich

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

Ms. Tremblay provided a presentation and spoke on petition information, future land use maps, site photographs, zoning map, surrounding land uses, comprehensive plan consistency, LDC consistency, provision of services, and planning commission action.

Mr. Jeffery Boone, Boone Law Firm, spoke on project to include annexation appropriateness, statutory requirements, pre-annexation agreement, impact fees, tax revenues, joint planning agreement (JPA), comprehensive plan, and answered board questions regarding neighboring parcels and Curry Lane paving.

No one signed up to speak.

Mr. Snyder closed the public hearing.

A motion was made by Mr. Lawson, seconded by Mr. Jasper, to recommend to City Council approval of Annexation Petition No. 20-52AN, without any stipulation. The motion carried by the following vote:

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

20-53CP

Catalyst Healthcare Real Estate Comprehensive Plan Amendment (Legislative)

Staff: Nicole Tremblay, Planner

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

Applicant: Catalyst Healthcare Real Estate

Owner: Peter Tomich

Mr. Snyder announced this is a legislative hearing, read memorandum regarding advertisement and written communication, and opened the public hearing. He noted that the memorandum needs to be corrected to reflect that Petition No. 20-53CP is a Comprehensive Plan Amendment, not a site and development plan petition, and opened the public hearing.

Ms. Tremblay provided a presentation and spoke on project description, location map, aerial map, existing future land use map, site photographs, proposed future land use map, existing zoning map, comprehensive plan request, proposed neighborhood revisions, planning analysis, JPA, Florida

Statutes, LDC, comprehensive plan consistency, institutional-professional uses, conclusions and findings of fact, planning commission report, and recommendation.

Jeffery Boone, Boone Law Firm, spoke to JPA and comprehensive plan, future land use designation, and impact fees.

No one signed up to speak.

Mr. Snyder closed the public hearing.

A motion was made by Mr. Hale, 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 and in compliance with Florida Statutes Chapter 163, Part II, and therefore, recommends to City Council approval of Comprehensive Plan Amendment Petition No. 20-53CP. The motion carried by the following vote:

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

20-54RZ

Catalyst Healthcare Real Estate Zoning Map Amendment (Quasi-Judicial)

Staff: Nicole Tremblay, Planner

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

Applicant: Catalyst Healthcare Real Estate

Owner: Peter Tomich

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

Ms. Fernandez questioned board members concerning ex-parte communications and conflicts of interest.

Mr. Hale, Mr. Graser, Mr. Lawson, and Mr. Willson disclosed site visits. Mr. McKeon disclosed that he knows the current owner of the property and confirmed he can remain fair and impartial in making a decision based on the evidence presented at today's hearing.

Ms. Tremblay, being duly sworn, provided a presentation and spoke on petition information, location map, aerial map, future land use map, existing zoning map, proposed zoning map, surrounding land uses, planning analysis, comprehensive plan consistency, land development code consistency, concurrency and mobility, conclusions, findings of fact, and staff recommendation.

Jeffery Boone, Boone Law Firm, being duly sworn, spoke to property size, comprehensive plan, land use designation, JPA, compatibility, pre-annexation agreement, and answered board question about residential

neighbors.

No one signed up to speak.

Mr. Snyder closed the public hearing.

A motion was made by Mr. Jasper, 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, recommends to City Council approval of Zoning Map Amendment Petition No. 20-54RZ. The motion carried by the following vote:

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

20-61VZ

417 Armada Road S Variance (Quasi-Judicial)

Staff: Kristin Ward, Planner

Agent: Alan M. McEachern

Applicant/Owner: Todd & Caren Liljenberg

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

Ms. Fernandez questioned board members concerning ex-parte communications and conflicts of interest.

Mr. Willson, Mr. McKeon, and Mr. Graser disclosed site visits.

Ms. Ward, being duly sworn, provided a presentation and spoke to variance information, driveway standards, property location, variance request, area maps, existing future land use and existing zoning, site plan, site photographs, planning commission review and action, and responded to board questions regarding the building permit and the status of the driveway construction.

Mr. Clark responded to board questions in regards to the approved building permit, it was noted that the construction was not consistent with the permit, the project failed inspection, and the applicant is seeking a variance.

Alan McEachern, being duly sworn, spoke regarding miscommunication regarding the driveway, driveway size, swale drainage, washout, and pavers.

Todd Liljenberg, being duly sworn, spoke regarding washout.

No one signed up to speak.

Mr. Snyder closed the public hearing.

A motion was made by Mr. McKeon, 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, recommends to city council approval of Variance Petition No. 20-61VZ.

Discussion ensued regarding neighbors, adjoining driveways, encroachment, drainage, vehicle parking, and variance criteria.

The motion failed by the following vote:

No: 7 - Chair Snyder, Mr. Graser, Mr. McKeon, Mr. Hale, Mr. Willson, Mr. Lawson and Mr. Jasper.

VI. Comments by Planning Division

21-4930

Land Development Regulations Update

Staff: Jeff Shrum, AICP, Development Services Director

Staff stated the next LDR workshop will be on Wednesday, March 10 at 1:30 p.m.

VII. Comments by Planning Commission Members

There were none.

VIII. Adjournment

There being no further business to come before this Commission, the meeting was adjourned at 4:02 p.m.

Barry R. Snyder

Chair



Recording Secretary

Signature: 

Barry R. Snyder (Apr 3, 2021 11:32 EDT)

Email: bsnyder@venicegov.com