

**MINUTES
CITY OF PALMETTO
PLANNING AND ZONING BOARD
MARCH 20TH, 2014 – 5:30 P.M.**

516 8th Avenue West
Palmetto, FL 34221

www.palmettofl.org
941-723-4570

PLANNING AND ZONING BOARD MEMBERS

Present:

ERIC GILBERT, Chair
LARRY DENYES
E.V.E. JOY
RANDY IABONI

Not Present:

JON MOORE, Vice Chair

Also in Attendance:

LORRAINE LYN, City Planner
SCOTT RUDACILLE, Asst. City Attorney
CHAR PATTERSON, Planning Tech

Anyone wishing to speak before the Planning and Zoning Board must sign in prior to the meeting, stating name, address and topic to address. Speakers making public comment will be sworn-in. All comments will be limited to two minutes.

“Do you swear or affirm that the evidence or factual representations that you are about to give or present to the Planning and Zoning Board on this 20th, day of March 2014 are truthful?”

ORDER OF BUSINESS:

1. **Approval of February 20th, 2014 Meeting Minutes** Tab 1

Motion by Mr. Denyes to approve the February 20th, 2014 Meeting Minutes. Mr. Iaboni seconded. **MOTION APPROVED UNANIMOUSLY.**

2. **American Legion Post #309 Variance (VAR-2014-01) Request** Tab 2

Ms. Lyn explained that the applicant is requesting a set-back variance from the 20 foot front set back requirement to a 12.3' so that the new addition will line up with the existing building. The purpose is to construct a 750 sq. ft. addition on the south side of the existing American Legion Post #309 located at 2419 Bayshore Road and the applicant has provided a site plan for the Board's review.

She continued that it was built in 1950 prior to the Cities' zoning code and the proposed use will be complimentary to the existing use, it does sit on an irregular lot with parking on the south side, is a reasonable variance request and staff recommends approval.

Mr. Iaboni questioned the size of the existing building.

John Ziemnicki, with World Design, Inc. who is representing the applicant replied that the sq. ft. of the existing building was approximately 3,900 sq. ft. , that they are looking to build a non-smoking meeting room and expand the kitchen area..

Chairman Gilbert opened the public hearing. After no public comment, Chairman Gilbert closed the public hearing.

Mr. Denyes motioned to approve VAR 2014-01 as presented. Mr. Iaboni seconded. **MOTION APPROVED UNANIMOUSLY.**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR FINDINGS OF FACT; APPROVING A CONCEPTUAL/GENERAL DEVELOPMENT PLAN AND PRELIMINARY PLAT FOR 6 SINGLE FAMILY DETACHED UNITS, ON +/- 1.69 ACRE PARCEL LOCATED AT 4009 11TH STREET COURT WEST, PALMETTO, FLORIDA; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (GDP 2014-01, Redfish Cove, Manatee LLC, PID# 2936300209)

Ms. Lyn spoke regarding the proposed General Development Plan (GDP) and Preliminary Plat. This site was discussed back in 2011 and approved for 12 single-family detached units with shared stairways but nothing was built, it was then approved for 10 single-family detached units and once again nothing was built.

This request is for 6 detached single-family homes zoned RS-4 and the adjacent property to the east is Riverbay Townhomes with 7.3 du/ac, to the south is vacant land at 2.9 du/ac (per zoning), West are 5 single family homes and condo's in Manatee County with 9 du/ac.

The use is compatible and the density and is consistent with the Comprehensive Plan and staff feels the only concern was the compatibility with the height of the structure.

The applicant has revised their graphic showing a 2 story structure at 45' and a watch tower of 60' and based on the cities definition of height staff is recommending a 17.5' setback.

Staff recommends approval with the following conditions:

1. The addition of a 1' non ingress/egress easement on the plat to prevent driveways from being installed across 10th Street W.
2. The project shall meet SWFWMD's requirements.
3. The project shall provide a 2" standpipe at the entrance to the proposed dock as required by NRPD.
4. Proposed improvements to 11th St. Ct. W. R-O-W will require a Right of Way use permit from Manatee County.
5. The proposed 5 foot sidewalks on the north side of 11th Street Court W or the existing 4' sidewalk on the south side of 11th Street Court W shall connect to the multiuse path on the opposite side of 10th St. W.
6. The unit on Lot1, including the proposed watch tower, shall setback an additional 1' at the ground level for each additional 2 feet of height over 35' as measured at grade to the highest point of the roof.

Discussion included the 60' height of the tower, setback calculations, the tower being occupied set back of 1' for every 2' being measured from the 35 or 60 height Randy asked increase set back of 1' for every 2' over the height limit.

Scott said they are approving the plat and that the building setbacks would be addressed when the building permit is issued.

Mr. Denyes asked if the existing buildings would be demolished and he was told that they would be.

Mr. Andy Allison with Allison Gause representative of the owner's spoke regarding the overview of the project and the planning process that the property currently contained (1) two story structure and (2) one story structures, the location of the property was on the corner of the Manatee river and the Snead Island cut, the new proposal would contain 6 single family lots, a proposed alleyway with garage access from 11th Street Ct. W. and how the site has had several proposals over the seven years and nothing has been built.

He continued that the developers wanted the option of the watch tower and that it may or not be built depending on the homeowner, and usually things of this nature where the first to be dropped to the lower the price of the home.

Discussion continued with the Board's concern of the setbacks on the west side of lot #1, would the new development have an HOA (Homeowner's Association), with Mr. Gause reply of there will be common area's that will need to be maintained so there would be an HOA.

Eve Joy asked about what was the purpose of the 4' fence in the front. Ms. Lyn replied that the previous applicant wanted to have a pool facing the river.

Mr. laboni asked if the docks would be for the owners use only or public also. Mr. Gause replied that the docks were for illustration purposes only and that they may be proposed at a later date.

Mr. Rudacille explained to the board that tonight's meeting was to okay the GDP and Preliminary Plat, that the height restrictions would be dealt with at a later date when the building permit where processed.

Discussion continued regarding the height restrictions on Lot #1, requiring an additional side yard setback on the west, placing the tower on the opposite side of the house (east side) than what the graphic depicts, etc.

Chairman Gilbert opened the public hearing.

Dr. Amy Griswold spoke informing the board of her many concerns regarding this development, hat she was not against the development per say but she was concerned of the waterways protection, that a large building next to her with a watch tower being built that she did not want to feel like she was being looked down on like a prison guard.

Chairman Gilbert closed the public hearing.

Discussion continued regarding concern of the property owner Ms. Griswold who lives on the west side of Lot #1, the entrance to the properties garages be accessed from 10th St. West, it would enhance the Snead Island entryway.

Mr. laboni motioned to approve GDP 2014-01 with the following stipulations:

1. The addition of a 1' non ingress/egress easement on the plat to prevent driveways from being installed across 10th Street W.
2. The project shall meet SWFWMD's requirements.
3. The project shall provide a 2" standpipe at the entrance to the proposed dock as required by NRPD.
4. Proposed improvements to 11th St. Ct. W. R-O-W will require a Right of Way use permit from Manatee County.
5. The proposed 5 foot sidewalks on the north side of 11th Street Court W or the existing 4' sidewalk on the south side of 11th Street Court W shall connect to the multiuse path on the opposite side of 10th St. W.
6. The unit on Lot#1, including the proposed watch tower, shall setback an additional 1' at the ground lever for each additional 2 feet of height over 35' as measured at grade to the highest point of the roof from the west property line.

Mr. Denyes seconded. **MOTION APPROVED UNANIMOUSLY.**

4. **Continuation of Ordinance 2013-20**

Tab 4

AN ORDINANCE OF THE CITY COMMISSION FOR THE CITY OF PALMETTO, FLORIDA, AMENDING THE PALMETTO CODE OF ORDINANCE; PROVIDING FOR THE REGULATION OF THE USE AND LOCATION OF OUTDOOR VENDING MACHINES; PROVIDING FOR REPEAL OF ORDINANCE IN CONFLICT; PROVIDING FOR SEVERABILITY;AND PROVIDNG FOR AN EFFECTIVE DATE.

Mr. Rudacille explained that this item was continued to this meeting and he would like the Board to discuss further and give direction to staff on the Vending Machine Ordinance 2013-20.

Discussion included the number of allowable machines and how it would be calculated, the exception of water vending machines, etc.

Chairman Gilbert opened the public hearing. No Public Comment. Chairman Gilbert closed the public hearing.

Motion by Mr. Denyes to have staff revise Ordinance 2013-20 to include the following:

1. Allow up to (3) three machines per parcel.
2. Discourage screening
3. Require a building permit for each machines
4. Require each machine to be secured/anchored

Mr. laboni seconded. **MOTION CARRIED UNAMIOUSLY.**

5. Old Business
6. New Business
7. Adjournment 7:45