

CITY OF PALMETTO
PLANNING AND ZONING BOARD
NOVEMBER 20, 2014 – 5:30 P.M.

ELECTED OFFICIALS PRESENT

Eric Gilbert, Chair
Jon Moore, Vice Chair
Larry Deynes
Randy Iaboni
Eve Joy

Staff Present

Scott Rudacille, City Attorney
Debra Woithe, City Planner
Kera Hill, Planning Technician



Chair Gilbert called the meeting to order at 5:32 PM

All persons intending to address the City Planning and Zoning Board were duly sworn in.

1. PLANNING & ZONING BOARD AGENDA APPROVAL

Motion: Mr. Deynes moved, Mr. Iaboni seconded, and the motion carried 5-0 to approve the November 20, 2014 Agenda.

2. APPROVAL OF MEETING MINUTES

Motion: Ms. Joy moved, Mr. Iaboni seconded, and the motion carried 5-0 to approve the October 16, 2014 meeting minutes.

3. PUBLIC COMMENT

None were discussed

4. DOWNTOWN ALTERNATIVE PROPOSAL- DAP 2014-02 (D.WOITHE)

THIS IS A REQUEST FOR A DOWNTOWN ALTERNATIVE PROPOSAL DAP 2014-02 BY ALEXANDER BERNE LOCATED AT 512 10TH AVENUE WEST.

Ms. Woithe presented that Olympia is located in the Midtown and Old Main Street district; Their requesting a black vinyl black coated chain link fence with vertical slates that are intended to be completely covered with plants as a vertical garden. According to Ms. Woithe the 6 foot fence would allow for privacy for the owner; who plans on living there and wants a garden like environment. The

fence would complement the structure and the size, shape and color is consistent with the Downtown Guidelines. The fence doesn't meet the height requirements; the guidelines state that any fence over three feet has to be open and only 50 percent closed. The proposed fence would be solid up to 6 feet, with the vertical garden covering the fence.

Ms. Woithe stated as a reminder "Conclusion of Law" something that was already approved for the building, the vertical garden concept in lieu of ground level storefront is consistent with the purpose and intent of the Downtown Core Design Code, as it relates to the property, and is an equivalent or superior design, provided the design is generally consistent with the photos provided. The fence is designed to go with the building.

Fence gates will allow access the utilities that are within the easement, if necessary.

Staff recommends approval of the Downtown Alternative Proposal with the conditions "because the use of the building as residence and recording studio and unique appearance of the building as a vertical garden have already been approved. The conditions are as follows:

- Establish and maintain the vertical garden to obscure the chain link and serve as finished surface of the fence
- 90 % coverage of the surface area within 2 years

Jeff Burton with the Community Redevelopment Agency stated that there should be some changes made to the Downtown Guidelines. Mr. Burton is in the process of trying to update the guidelines.

Mr. Deynes expressed his concerns of the fence; to him it goes against all the heart and soul of the guidelines.

Mr. Deynes and Ms. Joy asked if fence was already built and in place without a permit; Ms. Woithe stated that fence construction was started, but when approached by the City, then the work was halted.

Ms. Joy mentioned there's other fence options to use that would allow privacy as opposed to the chain link fence.

Mr. Burton informed the Board that Olympia could apply for incentives and that could help with the costs of a new fence. With the grant, staff could help recommend the type of fence that should be used.

Ms. Woithe described that the guidelines state that a fence can be solid from 0-3 feet, from 3- 6 feet has to be 50 percent open; also should be welcoming and attractive. The fence for Olympia would be 6 feet and would be completely solid with the vertical garden covering the entire fence. Ms. Woithe stated the vertical garden would cover the black slates that are within in the fence. However the chain link is not allowed in the Downtown Guidelines.

Vice Chair Moore inquired if this six foot fence required a conditional use permit. Ms. Layton stated that special fence is required for a residential front set back area. The Commercial District does allow the 6 foot fence at the set back line, but the type of fence material is against the Downtown Guidelines.

Motion: Mr. Iaboni moved, Ms. Joy seconded, and the motion carried 5-0 to deny the DAP 2014-02.

5. VARIANCE- VAR 2014-02 (D.WOITHE)

THIS IS A REQUEST FOR A VARIANCE, VAR 2014-03 BY THE BRADENTON YACHT CLUB LOCATED AT 4307 13TH STREET WEST; THE CLUB IS PROPOSING AN AMENITY STRUCTURE THAT REQUIRES A VARIANCE FOR ROOF HEIGHT.

Mr. Iaboni removed himself from voting, he's a member of the organization.

Ms. Woithe explained Bradenton Yacht Club is proposing an amenity structure, which requires a Variance for the roof height to the structure. The proposed structure will be located in the Southeast corner of the building and the Southwest corner of the pool. For an accessory structure the code limits the roof height to 15 ft., Bradenton Yacht Club is proposing to match the eave height and the roof pitch, which takes the roof up to 21 ft. 2 inches. Ms. Woithe stated the reasoning for the Variance is to maintain the views of the water from inside the building and to not have a mix match roof height.

The Variance doesn't address any other aspects of the addition, just the roof height. The location of this addition is limited by the seawalls, sidewalks, pool deck and location of the club. The proposed structure would not obstruct the views of the neighbors or others. The Variance would be in line with the code and would not create any harm or be detrimental to the public welfare.

Staff recommends approval of the Variance to increase the height structure from 15 feet to 21 feet 2 inches.

Vice Chair Moore questioned the change in the propose land development code that would be in line with other municipalities, so that the measurement would be to the mid-point to the slope as opposed to the peak. Ms. Layton stated that this will be one of the items that she and Ms. Woithe would work on.

Motion: Ms. Joy moved, Mr. Deynes seconded, and the motion carried 4-0 to approve the VAR 2014-02. Mr. Iaboni did not vote on this item.

6. CONDITONAL USE PERMIT CU-2014-04 (D.WOITHE)

THIS IS A REQUEST FOR A CONDITONAL USE PERMIT, CU-2014-04 BY THE CITY OF PALMETTO, LOCATED AT 302 8TH AVENUE WEST.

The City is proposing an electronic sign for the Gateway to the City.

Vice Chair Moore removed himself from the vote; he's the architect for the project.

Vice Chair Moore stated that currently coming over the green bridge banners are displayed for announcements; their wanting to eliminate that with having the electronic sign to get the messages out to the public. There is a consistent - palette that has previously been used for other locations that they propose to use for this sign; in keeping the historical feel of Palmetto. The proposed sign will be 42 Sq. Ft; the code states the maximum size allowed would be 40 Sq. Ft.

Discussion ensued regarding the sign; Grant Vosburg stated the modules that make up the electronic center display are 10 inch by 10 inch. In order to satisfy the design of the sign they would need 3 and half extra inches of length of the 10 inches by 10 inches or they would have to lose 10 inches of signage.

Chairman Gilbert would like to see the sign ordinance updated.

Ms. Woithe mentioned that the area the Gateway sign is located is a Commercial Zoning District. Electronic signs are allowed in a Commercial Zoning District with a Conditional Use Permit. The proposed sign is in line with the clear sight triangle and in height, just not in the size of the sign. There are other electronic signs that were granted in the area that are larger than the proposed sign. Jeff Burton and Debra Woithe have been working on the guidelines on the Electronic sign and a drafted copy is ready for review by The City Commission.

Staff recommends approval of the Conditional Use Permit with the following conditions:

- Brightness shall be similar to internally illuminated signs in the area. Brightness will be automatically adjusted to ambient light conditions. Brightness shall not exceed 5,000 lumens in the daytime and 1,500 lumens at night.
- The display shall not change more frequently than 16 seconds.
- The transition from one image to another shall not flash or scroll.
- The sign will not be used to play video (it will be static, non-motion).
- No sound shall be emitted from the sign.
- The sign shall be made available for public messages related to emergencies.
- The EMC portion of the sign shall conform to EMC sign code adopted by the City of Palmetto in the future.

Chairman Moore stated he would like our code to speak to the ratios in the future for signage.

Mr. Vosburg stated the reasoning to have the size of the sign is necessary for serviceability and for the overall look of the sign.

Motion: Mr. Iaboni moved, Mr. Denyes seconded, and the motion carried 4-0 to approve with modifications. Vice Chair Moore did not vote on this item.

7. Old Business

None was discussed

8. New Business

None was discussed.

9. Adjournment

Chair Gilbert adjourned the meeting at 7:05 PM.

Minutes Approved on: January 15, 2015.