

TAB 8



City of Palmetto Agenda Item

Meeting Date

4/18/11

Presenter: Lorraine Lyn

Department: Planning

Title:

This is the public hearing for a rezoning from PD-H to PD-H and an amendment to the approved GDP 05-448 (previously Pelican Bay). The subject property is a 1.66 acre site located on the south side of 10th Street W, east of the cut-off canal at 4009 11 Street Court W. The proposed project called Villas por la marina consists of 12 SF detached units attached by a common stairway at a density of 7.2 cu/ac.

The subject property is located in the Coastal High Hazard Area. This rezoning reduces the density from 16 du/ac to 7.2 du/ac. The site plan shows 12 SF detached units which are 35 feet high and 5 feet apart. Following the Planning and Zoning Board's hearing and recommendation, the applicant has revised the site plan to set back 15 feet from the adjacent SF house on the west, instead of 8 feet considered by the Planning and Zoning Board.

The City Commission's at their 1st read on 4/4/2011, posed four questions. The corresponding answers follow each question.

1. How close are the driveways?
Answer: Driveways are 13 feet apart and 16 feet wide. The aprons appear to be 22 feet wide and 7 feet apart.
2. Should there be one driveway with an internal drive rather two driveways onto 10th Street, given the proximity of the bridge?
Answer: The site plan shows Units 10, 11 and 12 accessing from the westernmost access onto 10th Street and Units 1-9 accessing onto 11 St Court W (eastern access onto 10th Street). Staff believes that the access points shown on the site plan reflects the layout of the existing MF development. The site plan with separate access points also maximizes the number of units on the lot. A site plan design which limits ingress and egress from the westernmost point (11 St Court W) or one which uses one-way pairs would likely be more functional but at the loss of a unit or two.
3. Are the streets designed to allow sufficient mobility for garbage and fire trucks?
Answer: The DRC required widening of 11th St Court W to 22 feet and the Planning and Zoning Board required it to be 24 feet wide. The site plan shows the existing width as 14 feet and proposes 22 feet. North River Fire District requires the fire truck to turn around within the driveway serving Units 10, 11 and 12 at the north end of the project. Fire trucks will not back into the street.
4. Regarding the shared stairwell, how will residents exit the units?
Answer: Residents will step out of each unit onto a shared patio area/landing with a common stairwell.

Staff is supportive of the additional setback and recommends approval of the rezoning and GDP.

Budgeted Amount:	\$0.00	Budget Page No(s):		Available Amount:	\$0.00	Expenditure Amount:	\$0.00
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Additional Budgetary Information:

Funding Source(s):		Sufficient Funds Available:	<input type="checkbox"/> Yes <input type="checkbox"/> No	Budget Amendment Required:	<input type="checkbox"/> Yes <input type="checkbox"/> No	Source:	
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City Attorney Reviewed:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Advisory Board Recommendation:	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> N/A	Consistent With:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Palmetto 2030 Comprehensive Plan
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Potential Motion/ Direction Requested: The City Commission shall APPROVE, APPROVE WITH CONDITION(S) or DENY the proposed rezoning and GDP.

Staff Contact:	Lorraine Lyn	Planning Department	723-4580, Ext. 135
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Attachments: Staff Report

Staff Report
Villa Por La Marina
4009 11th Street Court West
Rezoning/ GDP 2011-02

REQUEST:

- To rezone 1.66 acres from PD-H (Ord. 06-911 approved for 18 condo units) to PD-H for 12 single family detached units;
- To amend the approved GDP (Ord. 06-911 approved for 18 condo units) by approving a new GDP for 12 single family detached units.

OWNER: BMR Funding LLC

LOCATION/PARCEL SIZE OF SUBJECT SITE

Site: Generally located on the south side of 10th Street West, east of the Cut-off canal and along the Manatee River/1.66 acres

PROPOSED USE/DENSITY

12 single family detached units/7.2 du/ac.

The proposed single family detached units are 5 feet apart and share a common stairway. The living area is located on the 2nd floor with parking underneath. The site plan shows a height of 35 feet for each unit.

PHASES

This project shows 2 phases; the first phase consist of the westernmost 3 units facing the Manatee River and the second phase consists of the remaining 9 units. The applicant intends to continue using the existing MF buildings on the east side of the property while developing the project.

PLAN/ZONING/EXISTING USES OF SUBJECT SITE & SURROUNDING AREA

Site: PC (Planned Community)/PD-H (Planned Development-Housing)/apartments

North: GCOM/ CG/ Cut's Edge marina

South: PC/RS-1/vacant land and the Manatee River

East: PC and Conservation/PD-H/Riverbay Townhomes

West: COUNTY: RES-16/RMF-9/SF houses and Captain's Point Condos

BACKGROUND

This property was annexed into the City by Ordinance 05-850 and subsequently changed from the County Plan category of Residential-16 to the City's PD plan category (with a maximum density of 14 dwelling units) by Ordinance 05-865. On January 27, 2007 the subject property was rezoned from County RMF-9 to PD-H for 18 condo units at a density of 11 du/ac by Ordinance 06-911. The applicant applied for a density bonus of an additional unit identified in the Attainable Housing Ordinance as well as a setback variance. As a result, the ordinance which rezoned and approved the GDP contained the following stipulation:

The development of 18 dwelling units shall be contingent upon the City's adoption of an amendment to the City of Palmetto 2010 Comprehensive Plan allowing greater density in

Coastal High Hazard Areas and permitting 18 dwelling units in the project. The City shall have no obligation to consider or adopt such an amendment. In the event that such an amendment is not adopted, the project shall contain and receive certificates of occupancy for no more than 16 dwelling units.

The 2010 Comprehensive Plan, like the 2030 Comprehensive plan permits a maximum of 10 du/ac through a PD zoning district in the Coastal High Hazard Area. The maximum number of units permitted by the Comprehensive Plan on the subject site is 16.

COMPREHENSIVE PLAN ANALYSIS

Future Land Use Element

The subject property is designated Planned Community which permits up to 16 du/ac. However, densities in the Coastal High Hazard Area are limited to 10 du/ac. The density of the proposed project is 7.2 du/ac.

***Purpose of Planned Community category:** To designate areas where unique environmental conditions require conservation of coastal areas and other environmentally sensitive areas. It is also used to designate those areas where mixed or multi-use projects are proposed. Designated areas are determined to be appropriate for such uses due to existing development patterns, the availability of adequate public facilities, and market demands. The Planned Community land use category requires a planned development zoning.*

Coastal Management Element

Development in Coastal High Hazard Area

***Objective 8.5:** The Coastal High Hazard Area shall be defined as the area below the elevation of the category 1 storm surge line as established by a Sea, Lake and Overland Surges from Hurricanes (SLOSH) computerized storm surge model. The City shall ensure that development activities in the Coastal High Hazard Area are carried out in a manner that minimizes danger and/or damage to private and public property and human life. Development within high hazard areas shall be restricted and public funding for facilities within the Coastal High Hazard Area shall be limited.*

***Policy 8.5.1:** The City of Palmetto shall restrict development within the Coastal High Hazard Area and shall direct population concentrations out of the Coastal High Hazard Area.*

***Policy 8.5.7:** Density in the Coastal High Hazard Area (CHHA) shall be limited to 4 du/ac in all applicable zoning districts within the RES-4 land use category and 6 du/ac within the RES-6 land use category. For all other Plan categories permitting residential uses within the CHHA, a density of up to 10.0 du/ac may be considered subject to the approval of a Planned Development (PD) zoning district meeting the following criteria used to determine the appropriate density:*

- 1. Review and consideration of compatibility between the existing and proposed developments and the availability of adequate infrastructure including suitable access to enable timely evacuation in the event of a hurricane;*

2. *Density shall be determined by averaging the densities of adjacent properties. For purposes of this document, adjacent properties shall include those properties an equal dimensional distance to the north, south, east and west of the subject property. For example, if the subject property is 250-feet wide by 287-feet deep with the width running east/west and the depth running north/south, all properties 250-feet east and west of the subject property and all properties 287-feet north and south of the subject property shall be included in the averaging formula. Any rights-of-way included in an adjacent property shall be excluded from the averaging but the size of the adjacent property shall be extended an amount equal to the size of the public/private rights-of-way.*
3. *The averaging formula shall be done as follows:*
 - a) *If the adjacent property is developed or is controlled by an approved site plan, the existing zoning district or approved site plan shall be used to determine the maximum density. For example, if the zoning is RS-3, the maximum density shall be 6 du/ac (43,560 square feet divided by 7,250 square feet [minimum lot size]).*
 - b) *If the adjacent property is vacant, the average value within the CHHA shall be 4 du/ac; the average value outside of the CHHA shall be 10 du/ac. This information shall be provided by the applicant for staff review and approval by the appropriate governing bodies.*

Planned development (PD) zoning districts located within the CHHA and approved for residential development after the adoption of this Plan Element shall contain a provision or condition that allows for development of single family detached units at 4 du/ac in the Res-4 land use category and 6 du/ac in the Res-6 land use category in the event the approved site plan has expired.

The surrounding densities include the following:

1. Riverbay Townhomes to the east = 7.3 du/ac (per PD approval)
2. Area south of 10th Street West to the southeast = 2.9 du/ac (per zoning)
3. 5 SF homesites to the west in unincorporated Manatee County = 9 du/ac (per zoning)
4. Captain's Point: 10 units/0.6477 acres = 15.4 du/ac (unincorporated County-1986)

Average density = $(7.3 + 2.9 + 9 + 15.4) / 4 = 8.65$ du/ac

Policy 8.4.1: *Development orders shall be evaluated for their impacts on traffic circulation, evacuation routes, critical locations, on-site shelter provisions, and proximity to off-site shelter facilities within the Coastal High Hazard Area.*

Policy 8.2.1: *The City shall ensure that no point sources shall be permitted to discharge directly into the Manatee River or Terra Ceia Bay that result in the reduction of estuarine water quality.*

Policy 8.5.1: *The City of Palmetto shall restrict development within the Coastal High Hazard Area and shall direct population concentrations out of the Coastal High Hazard Area.*

CODE REQUIREMENTS AND COMPLIANCE

The proposed site plan shows a distance of 8 feet from the most western unit to the property line of the adjacent single family house located in unincorporated Manatee County. The perimeter landscape setback is 35 feet.

Sec. 8.5. - Development guidelines.

(1) *Minimum setbacks require:*

* *Perimeter landscaped setbacks: thirty-five feet between the walls of all structures and the perimeter of the district.*

The proposed project consists of 12 single family detached units which are 5 feet apart.

(2) *Building setback: twenty-five (25) feet from wall-to-wall between structures.*

Unit 12 is 26.2 feet from 10th Street West/CR 43.

(3) *Public or private right-of-way setback: thirty-five (35) feet from any structure to right-of-way.*

This project's usable open space is located on the riverfront, across 11th Street Court West containing a pool, deck area, cabana, shuffleboard court and common area. The project's open space is approximately 0.30 acres or 18% of the project site.

(i) *Minimum common open space and recreation areas: Twenty-five (25) percent of the gross site acreage shall be delineated as tracts for common open space and recreation areas.*

Landscaped Buffers

The code requires a 10 foot width of landscaped buffers per Sec. 7-219. - Landscape standards as the subject site is adjacent to single family residential uses on the west which is developed at 3.7 du/ac although the zoning permits 9 du/ac. The site plan maintains a 10' landscape buffer on the northern half of the site but fails to do so on the southern half as the building (unit 1) is 8' from the property line.

Infrastructure

The DRC comments have been satisfied by the applicant.

Roadway/Access and Parking

The applicant will be required to widen 11th Street Court West/Cut off Road from 14 feet to 22 feet as shown on the site plan.

The Code requires frontage and access on public streets. Access is provided from 10th Street West/CR 43 and 11th Street Court West which are Manatee County roadways. 10th Street West is classified as a local road on which there are no planned improvements on Manatee County's 2030 Future Traffic Circulation Plans. The Code requires 2 parking spaces per dwelling unit which should be shown on the site plan.

STAFF RECOMMENDATION:

This is the second PD zoning request on this property in five years. Staff supports the decrease in

Villa por la Marina

P & Z Hearing date: 3/17/11

Revised 3/29/11

the number of units (from 18 to 12) proposed as well as the change in housing type (from multi-family to single-family) on the subject property which is located in the coastal high hazard area consistent with the aforementioned policies of the City's 2030 Comprehensive Plan. At 7.2 du/ac, the density of the proposed project is less than the average density in the area which was determined to be approximately 8.65 du/ac. The project is therefore considered compatible with the general area although there are single family detached units immediately to the west which are developed at 3.7 du/ac. Considering that the standard single family zoning district requires a minimum side setback of 7 foot, it is staff's opinion that the required 35 foot perimeter landscape buffer may not be applicable in this situation.

Pursuant to the following provision, staff recommends that a condition be included to allow without amending the GDP, the development of single family detached units per the RS-3 zoning district which provides for 7,500 square feet minimum lot sizes at a density of 5.8 du/ac in the event the approved site plan expires and there is remaining vacant land available for development.

Planned development (PD) zoning districts located within the CHHA and approved for residential development after the adoption of this Plan Element shall contain a provision or condition that allows for development of single family detached units at 4 du/ac in the Res-4 land use category and 6 du/ac in the Res-6 land use category in the event the approved site plan has expired.

Staff recommends approval of the proposed project subject to the aforementioned condition.

PLANNING AND ZONING BOARD RECOMMENDATION

The Planning and Zoning Board at its meeting on March 17, 2011 recommended APPROVAL WITH THE FOLLOWING CONDITIONS:

1. The Planning and Zoning Board Perimeter landscape set-back shall be 35 ft
2. The access road must be developed to City standard of 24 ft and be developed in phase 1
3. A 4 ft high fence is the maximum height of the fence that will be allowed, measured from the existing grade
4. If this site plan expires or the applicant elects not to utilize this site plan the property may be developed consistent with the requirement of RS-4 zoning district.

CITY COMMISSION ACTION

The City Commission shall APPROVE, APPROVE WITH CONDITIONS or DENY the proposed rezoning to PD-H (Ordinance 2011-08) and GDP (Ordinance 2011-09).

**DRAFT MINUTES
CITY OF PALMETTO
PLANNING AND ZONING BOARD
MARCH 17, 2011 – 5:30 P.M.**

516 8th Avenue West
Palmetto, FL 34221

www.palmettofl.org
941-723-4570

PLANNING AND ZONING BOARD MEMBERS


ERIC GILBERT, Chair
JAMES PASTOR, Vice Chair
BARBARA JENNINGS-Absent

JON MOORE
CHARLIE UGARTE

Staff

Mark Barnebey, City Attorney
Lorraine Lyn, City Planner
Linda Butler, Recording Secretary

Anyone wishing to speak before the Planning and Zoning Board must sign in prior to the meeting, stating name, address and topic to address. 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 17th day of March 2011 are truthful?”**

ORDER OF BUSINESS:

 **1. Approval of February 17, 2011 Meeting Minutes** Tab 1

February 17, 2011 Meeting Minutes

Mr. Ugarte moved to approve the February 17, 2011 meeting minutes.
Mr. Moore seconded. MOTION CARRIED UNANIMOUSLY.

 **2. Villas Por La Marina - Z/GDP-2011-02** Tab 2

Ms. Lyn reported that the property was annexed into the City by Ordinance 05-850 and subsequently changed from the County Plan category of Residential-16 to the City's PD plan category (with a maximum density of 14 dwelling units) by Ordinance 05-865. In 2007 the subject

March 17, 2011

property was rezoned from County RMF-9 to PD-H for 18 condo units. Staff supports the decrease in the number of units (from 18 to 12) proposed as well as the change in housing type (from multi-family to single-family) as this development is located in the CHHA.

The applicant will be required to widen 11th Street Court West/Cut off Road from 14 feet to 22 feet as shown on the site plan. The Code requires frontage and access on public streets. Access is provided from 10th Street West/CR 43 and 11th Street Court West which are Manatee County roadways. 10th Street West is classified as a local road on which there are no planned improvements on Manatee County's 2030 Future Traffic Circulation Plans.

The project is considered compatible with the general area. Since the standard single family zoning district requires a minimum side setback of 7 foot, it is staff's opinion that the required 35 foot perimeter landscape setback may not be applicable in this situation. Staff recommends that a condition be included to allow, without amending the GDP, the development of single family detached units per the RS-3 zoning district which provides for 7,500 square feet minimum lot sizes at a density of 5.8 du/ac in the event the approved site plan expires and there is remaining vacant land available for development.

Mr. Ugarte asked if the lots are individual lots and stated that the site plan doesn't show the individual lot. He also inquired if the DRC reviewed the proposed plan and if Mr. Titus had any concerns? Ms. Lyn responded that the lots are individual lots and Mr. Titus will require a fire wall because the units are less than 6 feet apart.

Mr. Pastor asked if the stairs connects the units and are they the doorway. Ms. Lyn said the doors are off a patio area at the top of stairs connecting the units.

 Open public hearing

Mr. Matt Morris, Morris Engineering, Engineer for applicant, clarified some of the concerns regarding the proposed project, stating the intent is to have a condo plat on the units rather than a fee simple regular subdivision plat. Fire walls are required along the side of the homes which are 5 ft apart with no windows.

Mr. Ugarte asked why not do away with the 5 ft distance and join the units. Mr. Morris stated the intent is to give it the single family look and not a massive building. The building will be elevated with the living quarters upstairs and the carport underneath. The stairwell will likely be a common area.

March 17, 2011

Mr. Carl Miller, President of Captain Point Condominiums Association voiced concerns with the road, stating he had not reviewed the plans and asked if any changes are proposed for the road. In the past NFRD have had problem getting in and out of the road, the road should be expanded to two lanes. Mr. Miller stated the density the applicant is asking for is too much.

Ms. Amy Griswold, owner, voiced the same concerns as Mr. Miller regarding the road, and stated she has concerns because her property abuts the project on the west side. Ms. Griswold stated a visual of the proposed project would have been helpful.

Mr. Barnebey asked if the road is a one or two lane road. Ms. Griswold stated it is a two lane road, just not wide enough. Ms. Lyn stated the road is currently 14 ft wide and the plan depicts the road will be widen to a 22ft. road.

Mr. Moore asked Ms. Griswold if she has an easement to use the road. Ms. Griswold stated there is an easement.

An aerial of the road and easement was reviewed on the overhead for clarification purposes.

Mr. Moore asked the width of the right-of-way. Ms. Lyn stated the R-O-W is 50ft. Mr. Moore commented that the City standard is 24 ft. as well as the County standard. Mr. Ugarte stated the road will have to be built to County standards if it is a county road. Ms. Lyn stated the applicant is aware of the road issues.

Mr. Moore asked staff to explain for the record how they arrived at the 8 ft set-back adjacent to the property owner, when the minimum set-backs are 35 ft. and would like to understand the guidelines or building set-back of 25 ft. between structures and the recommendation of 5 ft. Ms. Lyn stated staff has to look at the approved plan, what is proposed, what the adjacent uses are, the density and the housing type in formulating a recommendation.

Mr. Moore stated for clarification, the Board is being asked to approve a GDP as shown and approve a single family in a RES-4 or RES-6. Mr. Barnebey stated the Board is being asked to approve a multi family development with detached units. Under PD guidelines Section 8.5, City Commission has the ability to deviate from what is required if so desired. If the plan expires, applicant may redevelop this project without a new plan but consistent with the RES-4 category. Also we currently do not have an affidavit from the owner, applicant is aware that this cannot go any further without an affidavit.

March 17, 2011

Mr. Jeff Stevenson stated he has no issues with the proposed project but has some questions. Mr. Stevenson noted he had not seen the staff report, so these issues may be covered in the report. The questions are the road, the architectural review, elevation guideline on the pool, the dumpster the landscape and are there any restrictions on the project.

Ms. Griswold stated for the record she is not opposed to the area being developed she just has concerns because she is the closest to the project. Mr. Ugarte asked if she had problems with the previous approved plan. Ms. Griswold stated she did not.

Mr. Miller also clarified he does not oppose to the development, just the single lane road.

 Applicant rebuttal

Mr. Morris stated the plan calls for widening the road to 22 ft, and they have spoken to NFRD and they are ok with it. Density has been addressed, currently 16 units on the site, previously approval was for 18 units and is now proposed for 12 units. Landscape buffer plans have been provided to staff. The dumpsters have been addressed; each unit will wheel out their garbage cans to 11th street for pick-up. The pool issue will have to be brought back.

Discussion ensued regarding height.

Mr. Barnebey requested to have the current plan placed on the overhead for review. Mr. Barnebey requested a survey be provided to staff before the project go before City Commission. The definition of height was read from the code.

Mr. Moore had concerns regarding the pool and fence and how the public amenities will be maintained. Mr. Morris is not sure how public facilities will be handled at this time. The proposal is for a pool with a cabana with restrooms. It is not the intent to have an elevated pool, a public pool or a 6 ft fence around the pool.

Mr. Glen Heath, Captains Point, voiced concerns regarding space, congestion, changes in the area.

 Chair Gilbert closed the public hearing

Discussion


Chair Gilbert asked for clarification, whether the proposed units are single family units or condo. Ms. Lyn stated there different styles of single family,

March 17, 2011

these units are not the norm; they are detached units that share a common stairwell.

Mr. Barnebey stated this will be under one ownership, condominium wise. This is a multi-family development but will look like single family development; there is no minimum lot line and no set-backs.


Mr. Ugarte stated he would like to see the overall layout of what the development will look like (elevation drawings) and has no problem with the density.

 Mr. Moore moved to recommend approval of Z/GDP-2011-02(Rezone/General Development Plan) with the following stipulations:

1. Perimeter landscape setback shall be 35 ft
2. The access road shall be developed to City standards of 24 ft and shall be developed in phase 1
3. A 4 ft high fence is the maximum height of the fence that will be allowed, measured from the existing grade
4. If this site plan expires or the applicant elects not to utilize this site plan the property may be developed consistently with the requirement of RS-4 zoning district.

Motion seconded by Mr. Ugarte. MOTION CARRIED UNANIMOUSLY.

Mr. Moore also suggested that staff request elevation studies in the future.

 3. Old Business

- a. Article VIII, Fences: Discussion of proposed changes

Mr. Moore stated as long as he can remember the City has been allowing 6 ft fences without going to City Commission for approval. Ms. Lyn stated it is an interpretation issue. The language needs to be clearer.

Mr. Barnebey read Section 7-185 subsection (a) of the code, and stated the Board and staff can look at cleaning up the language.

- b. Ms. Lyn commented on the alcohol beverage regulations and recommended removing the language that speaks to the distance of 300 ft from a church or school, and suggested making all alcoholic beverage licenses except for beer and

CITY OF PALMETTO
ORDINANCE NO. 2011-08

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR FINDINGS OF FACT; APPROVING AND AMENDING THE ZONING TO THE PLANNED DEVELOPMENT HOUSING (PDH) ZONING DISTRICT FOR APPROXIMATELY 1.66 ACRES OF PROPERTY GENERALLY LOCATED AT 4009 11th STREET COURT WEST, PALMETTO; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (Applicant: BMR Funding LLC, approximately 1.66 acres)

WHEREAS, Article VIII, Section 2 of the Florida Constitution provides that municipalities shall have governmental, corporate and proprietary powers to enable municipalities to conduct municipal government, perform municipal functions and render municipal services; and,

WHEREAS, pursuant to the referenced provision of the Florida Constitution, a city may exercise any power for municipal purposes except as otherwise provided by law; and,

WHEREAS, Chapter 166, Florida Statutes, the "Municipal Home Rule Powers Act," implements the applicable provisions of the Florida Constitution and authorizes municipalities to exercise any power for municipal purposes, except when expressly prohibited by law and to enact ordinances in furtherance thereof; and,

WHEREAS, within the above-referenced grant of powers, the City of Palmetto (the "City") has the authority to adopt zoning regulations to regulate the use of property within the City limits; and

WHEREAS, in 2006, the City Commission of the City of Palmetto approved both a PDH Zoning and General Development plan pursuant to Ordinance 06-911, (the "Project"); and

WHEREAS, the Property Owner has filed an application with the City to rezone the Property to Planned Development Housing (PDH); and

WHEREAS, the City's Local Planning Agency, the Planning and Zoning Board, held a public hearing on March 17, 2011, regarding Ordinance 2011-08 and the Zoning Map amendment proposed in the ordinance; and

WHEREAS, on March 17, 2011, the Planning and Zoning Board recommended approval of Ordinance 2011-08; and

WHEREAS, on April 4, 2011, the City Commission held a first reading of Ordinance 2011-08, and on April 18, 2011, the City Commission held a public hearing to consider adoption of Ordinance 2011-08; and

WHEREAS, the City Commission has determined that the proposed amendment to the Zoning Map is consistent with the City of Palmetto Comprehensive Plan and provides for the health, safety and welfare of the residents of the City of Palmetto.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF PALMETTO, FLORIDA, as follows:

Section 1. Findings of Fact. The above "WHEREAS" clauses are adopted herein as findings of fact.

Section 2. Amendment to the City of Palmetto Zoning Code. The City of Palmetto Zoning Map, as referenced and incorporated into the Zoning Code in Section 2.3 of the City of Palmetto Zoning Code, is hereby amended to rezone the Property to Planned Development Housing (PDH).

Section 3. Repeal of Inconsistent Ordinances. This Ordinance hereby repeals all ordinances, or parts thereof, in conflict herewith to the extent of such conflict, including but not limited to Ordinance 09-986.

Section 4. Severability. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, the invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

Section 5. Effective Date. This Ordinance shall take effect as provided for by law and by City Charter, Section 14, upon execution by the Mayor or, if the Mayor vetoes this Ordinance, upon reconsideration by the City Commission and passing of the Ordinance by at least four (4) votes.

FIRST READING	April 4, 2011
PUBLICATION DATE	March 2, 2011
SECOND READING	April 18, 2011

PASSED AND DULY ADOPTED, BY THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, with a quorum present and voting, in regular session assembled, this ____ day of April, 2011.

By: _____
Shirley Groover Bryant, Mayor

ATTEST:

By: _____
James R. Freeman, City Clerk



0 60 120 180
GRAPHIC SCALE 1"=60'

- LEGEND**
- = EXISTING FIRE HYDRANT
 - = CENTERLINE
 - = RIGHT-OF-WAY
 - = F.D.T.
 - = EXISTING ASPHALT
 - = EXISTING CONCRETE
 - = PROPOSED ASPHALT
 - = PROPOSED BUILDING



PREPARED FOR:

VILLA POR LA MARINA, INC.

PO BOX 282
ANNA MARIA, FL 34216



MORRIS ENGINEERING AND CONSULTING, LLC

Civil Engineering and Land Development Consulting
13488 27th Street East, Palmira, Florida 34219 C.A.20788 941-226-4729 www.morrisengineering.com

NO.	DATE	REVISION DESCRIPTION	BY

DATE
12/27/10
PROJECT
VILLA POR LA MARINA
DRAWING
GDP

DRAWN
DES
CHECKED
LLAJ

MATTHEW J. MORRIS
FL LICENSE NO. 68434

GENERAL DEVELOPMENT PLAN
VILLA POR LA MARINA
PALMETTO, FLORIDA

SCALE
1"=60'

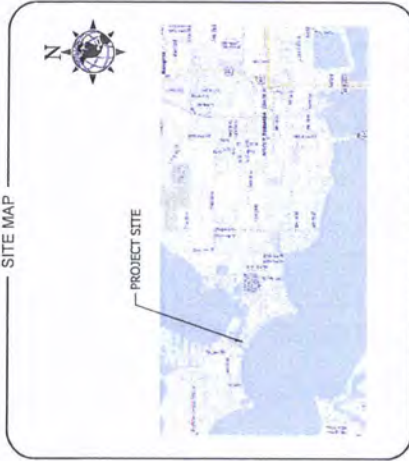
SEC. - TOP - INCL.
31 - 300 - 1/2"

SHEET 2 OF 3

GENERAL DEVELOPMENT PLANS FOR VILLA POR LA MARINA

A DEVELOPMENT BY
Villa Por La Marina, Inc.
 PO BOX 282
 ANNA MARINA, FL 34216

SITE MAP



SECTION 16, TOWNSHIP 34 SOUTH, RANGE 17 EAST,
 PALMETTO, FLORIDA

INDEX OF SHEETS

SHEET	TITLE
1	COVER SHEET
2	AERIAL SITE MAP
3	GENERAL DEVELOPMENT PLAN
4	LANDSCAPE PLAN

UTILITY SERVICE PROVIDERS
 POTABLE WATER:
 PALMETTO WATER TREATMENT PLANT
 518 17th Ave SW
 PALMETTO, FL 34221

PROJECT CONTACTS
 DEVELOPER:
 VILLA POR LA MARINA, INC.
 282 BOX 282
 ANNA MARINA, FL 34216

ENGINEER:
 MORRIS ENGINEERING AND CONSULTING, LLC
 1608 24th Street East, Fortin, Florida 34311
 C.A. 20190 www.morrisengineering.com



PREPARED BY
MORRIS ENGINEERING AND CONSULTING, LLC
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DEC NUMBER	OK	SIGNATURE	DATE
DEPUTY DIRECTOR OF OPERATIONS			
CITY PLANNER			
FIRE MARSHALL			
CITY ENGINEER			
DEC COORDINATOR			
STIPULATIONS			

DIRECTOR OF PUBLIC WORKS		SIGNATURE		DATE
NO.	DATE	DESCRIPTION	REVISIONS	BY

W. JAMES L. JAMES
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