

CITY OF PALMETTO  
PLANNING AND ZONING BOARD  
516 8<sup>TH</sup> Avenue West  
Palmetto, Florida 34221

MEETING MINUTES  
NOVEMBER 10, 2008 – 6:15 P.M.

**BOARD MEMBERS PRESENT**

Barbara Jennings, Chair  
Charlie Ugarte  
Jon Moore  
Christopher Moquin

Robert Smith  
Devin Harms

**BOARD MEMBER ABSENT**

Michael Burton  
Ed Bennett

**ALTERNATE BOARD MEMBER ABSENT**

Emilio Morales

**SCHOOL BOARD APPOINTEE ABSENT**

Mike Pendley

**STAFF AND OTHERS PRESENT**

Bob Schmitt	Lucienne Gaufillet
Ken Hawkins	Sandi Bargfrede
Linda Butler	Steve Haeffele
Michele Hall	

The regular meeting of the Palmetto Planning and Zoning Board was called to order by Chair Jennings, in the Palmetto City Hall Commission Chambers, 516 8<sup>th</sup> Ave. W., Palmetto, Florida at 6:15 p.m. pursuant to notice being sent to the public and the Board members in accordance with Palmetto's City Code.

Bob Schmitt, Ken Hawkins, Michele Hall, Lucienne Gaufillet, Sandi Bargfrede, Steve Haeffele, Ann Marshall, Michael Strink, Bill Horton, Frank Fitzpatrick are sworn in.

### **ORDER OF BUSINESS**

1. Approval of Minutes for the October 13, 2008 meeting.

MOTION: Mr. Smith moved and Mr. Moquin seconded the motion to approve the October 13, 2008 meeting minutes. **MOTION CARRIED UNANIMOUSLY.**

2. Value Pawn and Jewelry CU-08-05

Chair Jennings opened the public hearings.

Mr. Hawkins gave a brief overview of the project referring to the staff report. Mr. Hawkins stated staff recommends denial of the conditional use permit. The location of Value Pawn is within the Downtown Design Guidelines (DDG) area, therefore does not meet the guideline.

Ms. Bargfrede displayed pictures of several signs that are located in the city, Horizon Bank, CVS, Manatee Civic Center and Walgreens and stated they are the same type signs as she is requesting. The sign is being requested to alleviate change copy and save time. Ms. Bargfrede shows pictures of the existing sign and the proposed sign. Ms. Bargfrede stated she is willing to accept conditions put on the sign. If the sign is not allowed to scroll, flash or pop they will abide by the conditions.

Mr. Moquin asked why the signs are not allowed in the DDG, is it because of trying to maintain the character of Palmetto?

Mr. Hawkins stated the signs that are erected now were approved before the DDG was adopted. The flashing lights are restricted due to safety, and it takes away for the aesthetic of downtown Palmetto.

Mr. Harms stated in the past, the Board denied the Horizon Bank sign and the Commissioners passed it.

Ms. Hall asked if Value Pawn was a tenant or owner. Ms. Bargfrede stated they are tenants with a 15 year lease with two 5 year options and has invested approximately \$250,000 in renovating the building.

- Ms. Marshall, citizen, stated she is concerned, it is past time this Committee and the Department Heads get a sign ordinance. It is time to stop talking and get a sign ordinance in place.

Mr. Ugarte asked if the intention of the applicant was to have the sign a copy sign or have movement. Ms. Bargfrede stated she just wants to be able to advertise the merchandise. If the Board conditions the sign the store will abide. Mr. Ugarte stated he is not opposed to a static sign, but does not support the flashing signs.

Chair Jennings closed the public hearing.

Discussion ensued regarding the need to develop and implement a sign ordinance.

**MOTION:** Mr. Moore moved to recommend approval of Value Pawn and Jewelry Conditional Use permit, CU-08-05 to City Commission. Mr. Smith seconded. **DISCUSSION ENSUED:** Mr. Morquin motion to amend: move to recommend approval of a static electronic message sign to change after 5 minutes intervals. Mr. Harms seconded. **MOTION CARRIED 5 to 1.**

3. Beach Townhomes @ Riviera Dunes GDP-08-06

Chair Jennings opened the public hearings.

Mr. Hawkins gave a brief overview of the project referring to the staff report. The project is located at 136 Riviera Dunes Way. Mr. Hawkins stated staff recommends approval of the plan as designed with the following stipulations:

1. The townhomes on the site shall not exceed 40 feet in height from the first floor elevation to the top of roof.
2. Emergency access is granted to the North River Fire Department through the Bel-Mare parking garage at the north end of the project driveway.
3. A community trash collection area needs to be identified on the construction plans.

Mr. Schmitt stated for the record this application has nothing to do with the commercial square footage. It is strictly 8 townhomes.

Ms. Gauffillet provided a review of the project and showed graphics on overhead.

Chair Jennings asked the height of the buildings. Ms Gauffillet stated 40 ft.

Mr. Harms asked if the GDP differs from the old GDP and has North River Fire District (NRFD) approved the plans. Mr. Hawkins stated NRFD has reviewed the project and given a letter of approval.

Mr. Michael Strink, Board Member of Bel-Mare, yearly resident voiced concerns regarding the following:

- Freshwater lake/pond
- Maintenance of lake
- Fire access
- Creating safety hazard

Mr. Bill Horton, citizen, voiced concerns regarding the following:

- Agrees with Mr. Strink
- 40ft height
- View
- Security

Steve Haeffele, citizen, was sworn in and voiced concerns regarding

- The approved GDP was approved before any tenant was there, with no representation; it was done in a vacuum.

Mr. Hawkins read into the record a letter from Mr. James V. Meads, owner of unit 2-402 and Mr. Vincent Eurice, owner, unit 2-502 dated November 7, 2008 (see attached). The letter voiced concerns regarding the following:

- Height of 40 ft
- Negative aesthetic presence
- Security issue
- Style type of roof
- Environmental impact
- Direct conflict to what was told to prospected owners
- Impact of property value

Ms. Gauffillet addressed the concerns voiced by the public that spoke.

Mr. Ugarte asked if the original site development plan had a maximum height of 40 ft. and if so, was the 40 ft height to the flat roof of the structure or to the elevator? Ms. Gauffillet stated the 40 ft height was to the top of the elevator. Mr. Schmitt stated the GDP did not provide elevations and the construction plans were never submitted.

Chair Jennings closed the public hearing.

**MOTION:** Mr. Harms moved to recommend approval of Beach Townhomes @ Riviera Dunes GDP-08-06 to City Commission. Mr. Ugarte seconded. **MOTION DENIED 2 to 4.**

4. Old Business:

- a) Mr. Bill Strollo, Code Enforcement, provided a slide presentation of issues faced by code enforcement. The code enforcement process was also reviewed.
- b) Mr. Hawkins provided an update of stockpile of dirt in Palmetto.

5. New Business

- Mr. Harms stated Walgreens is using strobe lights on their building and were we aware of it. Staff is not aware of the use of strobe lights at Walgreens but will investigate it.

6. Adjournment: 8:30 pm

**MOTION:** the Board unanimously moved to adjourn the meeting. Next Planning and Zoning Board meeting will be held on December 08, 2008.

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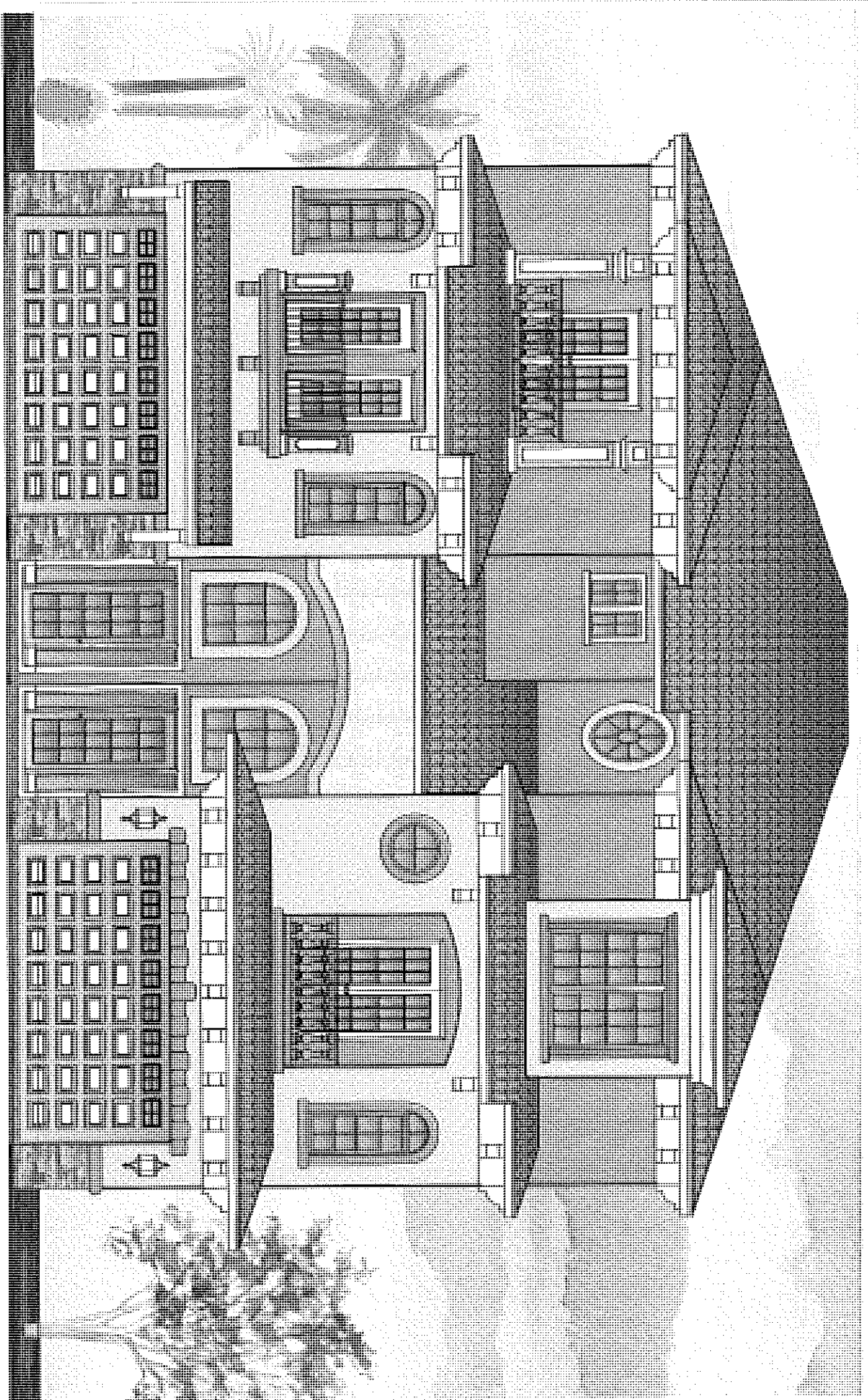
Barbara Jennings, Chairman

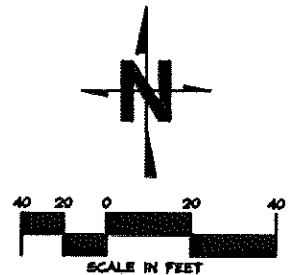
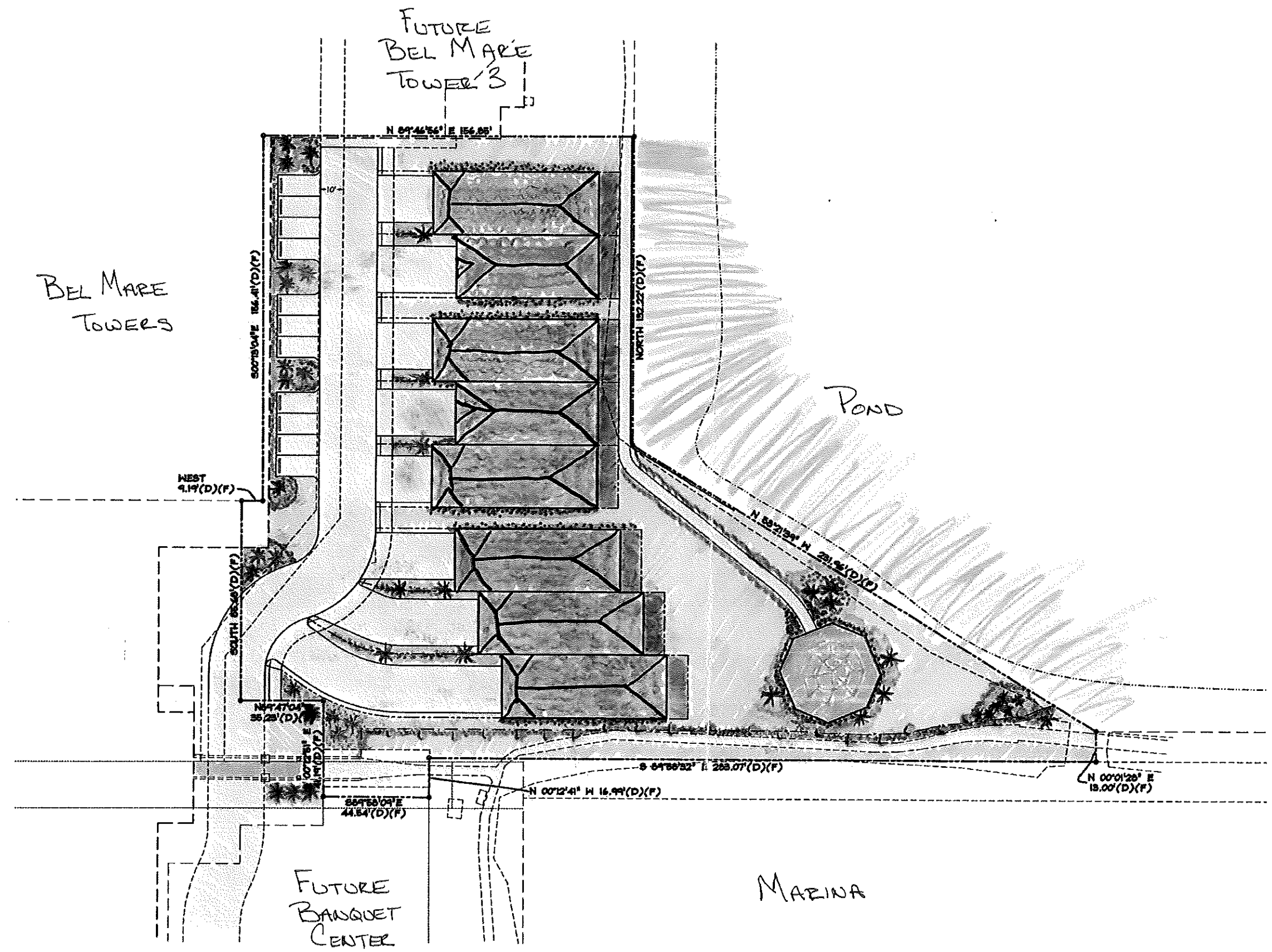
# Palmetto Planning and Zoning Board Meeting

## SIGN-IN SHEET

11-10-08

Name	Address	Affiliation	Project
Name: <u>Bill Hefton</u> Telephone: _____ Fax: _____	Address: _____ Cellular: _____	Email: _____	
Name: _____ Telephone: _____ Fax: _____	Address: _____ Cellular: _____	Affiliation: _____	Project: _____
Name: <u>LEONOR GAUFILLET</u> Telephone: _____ Fax: _____	Address: _____ Cellular: _____	Email: _____	Project: <u>Sigm</u>
Name: <u>Sarah Bortolde</u> Telephone: _____ Fax: _____	Address: <u>407 4918th</u> Cellular: _____	Affiliation: <u>Borghetto@veservices.com</u>	Project: _____
Name: <u>FRANK FITZPATRICK</u> Telephone: _____ Fax: _____	Address: <u>130 RIVIERA DUNES WAY #206</u> Cellular: <u>34221</u> Fax: <u>284-8322</u>	Email: _____	Project: _____
Name: _____ Telephone: _____ Fax: _____	Address: _____ Cellular: _____	Affiliation: _____	Project: _____
Name: <u>Steve Harfde</u> Telephone: <u>941-531-7227</u> Fax: _____	Address: <u>130 RIVIERA DUNES WAY #1001</u> Cellular: <u>34221</u> Fax: _____	Affiliation: <u>Homeowner</u> Email: <u>stev.harfde@earthlink.net</u> Affiliation: <u>Artist.com</u>	Project: <u>Beach Townhomes</u>
Name: <u>Ann Marshall</u> Telephone: <u>941-922-8440</u> Fax: _____	Address: <u>706 20th Ave W</u> Cellular: _____	Email: _____	Project: <u>Sigs</u>
Name: _____ Telephone: _____ Fax: _____	Address: _____ Cellular: _____	Affiliation: _____	Project: _____
Name: _____ Telephone: _____ Fax: _____	Address: _____ Cellular: _____	Affiliation: _____	Project: _____
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Name: _____ Telephone: _____ Fax: _____	Address: _____ Cellular: _____	Affiliation: _____	Project: _____





**CAVOLI Engineering, Inc.**  
 Consulting Civil Engineers  
 2357 International Pkwy, Suite 101, Sarasota, FL 34230  
 Tel: (941) 555-3333  
 Fax: (941) 555-3333  
 Email: cavoli@caevolinc.com

CLIENT: BEACH TOWNHOMES INVESTORS, LLC  
 PROJECT: BEACH TOWNHOMES AT RIVIERA DUNES  
 SHEET: LANDSCAPE PLAN

NO.	REVISIONS	DATE	BY

JOHN F. CAVOLI P.E.  
 P. LICENSE NO.: 48492

DRAWN: JFC  
 CHECKED: JFC  
 DATE: 11/6/08  
 SCALE: 1"=20'  
 JOB NO.: RDNS01  
 SHEET: 3



Planning and Zoning Board  
Date: November 7, 2008  
Re: Beach Townhomes  
Riviera Dunes  
Palmetto Florida 34221

This letter is in reference to the proposed building of the Beach Townhomes condominiums adjacent to Bel Mare at Riviera Dunes condominiums in Palmetto, FL. It has been brought to our (residents and owners) attention that the plans for this project call for the height of these units to be at a roof elevation of forty feet. This is just one of several concerns that we, the owners and residents have regarding this project. We feel that all owners including those that are not residing here would also be greatly concerned regarding this project due the impacted negative aesthetic presence (i.e. forty foot roof obstructing the common grounds) as well as the negative equitable impact to the owners on floors two, three, and possibly up to floor number four. We also have a potential security issue with another condominium such as Beach Townhomes connected to and potentially sharing the garage of our facility (for supposed utilities services such as a refuse disposal easement). We strongly feel confident that the non-residing, permanent owners in Bldg two (140 Riviera Dunes Way) would be greatly opposed to this project if they become aware of it.

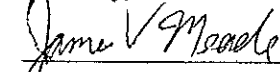
There are questions regarding the style/type of roof that these units will have. Are they aesthetically cohesive with the design, quality, and taste as to not interfere with the quality of life one expected/expects as an owner at Bel Mare looking down at every day? Will the roofing materials be quality, barrel tile or a flat gravel roof with obtrusive air conditioner units on the roof (versus hidden on the ground)?

Another concern is the environmental impact on the already sensitive ecosystem including waterfowl, fish (snook, tarpon, snapper, etc.) and mangroves that these units could pose, may be of a disastrous magnitude along the lake. The potential run-off into the lake from fertilizer (which ties into the saltwater harbor, then flows into the Manatee River) would adversely disrupt and affect the quality of life of the marine mammal/fish, and plant life along the shore and marina.

We were told by the sales representative(s), Peggy Wingard, a hired realtor acting by law, in good faith as an agent for Sky Sotheby's real estate (in collaboration/representation of Tim Morris and the the Corvus Group) that "there are going to be "bungalow style" condominiums not to exceed the height of the top of the wall on the amenities floor of the Bel Mare buildings". This was unsolicited information which at the time added credence to the sincerity of the scope and perceived high quality of this complex. If a forty foot roof is in the plans for the proposed project, this is in direct conflict as to what we were told and eventually sold, as well as it having drastic impact on the value of our property.

These are just a few of the initial, immediate concerns that come to mind. As this project is reviewed by the other owners at Bel Mare, we think there will be many other issues/concerns and questions coming to the table. Once again, the implications of this project are huge and potentially detrimental to every owner in this condominium.

Sincerely,

  
\_\_\_\_\_  
James V. Meade, Owner – Unit 2-402

  
\_\_\_\_\_

Vincent Eurice, Owner -- Unit 2-502

# City of Palmetto Planning & Zoning Board Comment Form

Name: MICHAEL STRIWK

Address: 130 RIVIERA DUWES WAY

Topic: BEACH TOWN HOMES

# City of Palmetto Planning & Zoning Board Comment Form

Name: Bill Horton

Address: <sup>140</sup>Riviera Dunes Way

Topic: Town homes

**City of Palmetto Planning & Zoning  
Board Comment Form**

Name: Sandi Bergfrede

Address: Value Pawn - 8<sup>th</sup> 908

Topic: Sign - Electronic

# City of Palmetto Planning & Zoning Board Comment Form

Name: Ann Marshall

Address: 706 20<sup>th</sup> Ave W Palmetto

Topic: Sign