

**MINUTES  
CITY OF PALMETTO  
PLANNING AND ZONING BOARD  
JUNE 16, 2011 – 5:30 P.M.**

516 8<sup>th</sup> Avenue West  
Palmetto, FL 34221

[www.palmettofl.org](http://www.palmettofl.org)  
941-723-4570

PLANNING AND ZONING BOARD MEMBERS

ERIC GILBERT, Chair  
JAMES PASTOR, Vice Chair  
BARBARA JENNINGS

JON MOORE  
CHARLIE UGARTE

STAFF

Scott Rudacille, City Council  
Lorraine Lyn, City Planner  
Linda Butler, Recording Secretary

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*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.*

**Swearing in of all parties speaking to the board.**

**ORDER OF BUSINESS:**

**1. Approval of April 13, 2011 Special Meeting Minutes Tab 1**

Mr. Ugarte moved to approve the April 13, 2011 special meeting minutes.  
Mr. Moore seconded. **MOTION CARRIED UNANIMOUSLY.**

**2. Treasures of Palmetto Conditional Use (CU-2011-01) Tab 2**

The application was withdrawn.

Ms. Lyn stated this project was considered by the Planning and Zoning Board on March 17, 2011 and the City Commission on April 18, 2011 and approved for 12 units with a single access off 11<sup>th</sup> Street Court and 6 stipulations.

The request is to rezone 1.66 acres from PD-H (Ord. 2011-8 approved for 12 SF detached units) to PD-H for 10 single family detached units; and to amend the approved GDP (Ord. 2011-9 approved for 12 SF units) for 10 single family detached, waterfront units with a single access point off 11<sup>th</sup> Street Court.

Staff supports the decrease in the number of units (from 12 to 10) proposed on the subject property. At 6.0 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. Staff recommends approval with conditions.

Mr. Ugarte asked for clarification on the roadway.

Mr. Matt Morris, Morris Engineering, anticipates obtaining construction and roadway permits through the County.

Mr. Pastor asked if the setback is 20 ft and stated the Board had recommended 35 ft setback. Ms. Lyn stated the Commissioners voted to approve 20 ft setback on the front, 15 ft on the west side and 15.3 ft on the east side. She indicated that a 35 foot setback would have likely changed the housing type from detached to attached units.

Mr. Ugarte asked if the existing buildings will remain intact until the new buildings are built. Ms. Lyn stated that the existing buildings are located on the east side of the property which is in phase 2. If this project is approved, they will build phase 1, the three most western units first before demolishing the existing structures to build phase 2.

Chair Gilbert opened the public hearing.

Mr. Matt Morris stated that the Commissioners had some concerns regarding setbacks and some of the units in the area where the retention pond is now located in the previously approved site plan. The resolution was to remove a couple of units and have a separate driveway into the location. If a larger setback had been imposed it would have restricted the project. The applicant would have only been able to build some type of high-rise condominium units. Also the neighbor is ok with 15 ft setback.

The project will not be able to receive a CO other than for phase one until the existing building is torn down. The existing units fall within the footprint of the future building, phase two will not be able to be built until the existing structures are torn down.

Mr. Pastor asked if a fence was included as a buffer. Mr. Morris stated that, to his knowledge, a fence was not proposed, only a vegetative buffer. The buffer that is involved in phase one will be along the western property line and it was not a condition in the previous approval.

Mr. Ugarte commented on the rural roadway section stating the purpose of doing a rural road section is to have site swales for drainage. An asphalt edge creates a problem; there should be at least a concrete curb.

Ms. Amy Griswold, property owner next door, stated this project was previously discussed and she is good with the 15 ft setback. Ms. Griswold also stated she believes the units are great.

Chair Gilbert closed the public hearing.

There was no discussion.

Mr. Ugarte moved to recommend approval of Z/GDP-REV-2011-02 (**REVISED** General Development Plan/Rezone) with the following stipulations by staff and Commissioners.

1. There shall be no ingress or egress onto 10<sup>th</sup> Street W/CR43;
2. The access road (11<sup>th</sup> Street Court) must be developed to City standards, with a 22 foot paved roadway width, and be developed in Phase I.
3. The minimum perimeter set-backs shall be 15 feet from the western property line, 15 feet from 10th Street West, and 20 feet from 11th Street Court West.
4. All fences installed on the subject property shall be a maximum of four (4) foot in height, measured from the existing grade.
5. The units shall be constructed in substantial compliance with the front elevation attached hereto as Exhibit C.
6. If the General Development Plan expires or the property owner elects not to utilize this General Development Plan, the property may be developed as single-family detached units consistent with the requirements of the RS-4 zoning district.

Ms. Jennings seconded. **MOTION CARRIED UNANIMOUSLY.**

#### 4. Old Business

- a. Discussion of fence regulations – Ms. Lyn referenced the information in the notebook and requested feedback via e-mail. She asked the board members to make sure the ordinance addresses all the issues they think should be covered as opposed to the specifics.

Ms. Jennings asked if we are replacing a fence ordinance or creating one. Ms. Lyn stated we are going to use what we have and make the ordinance clearer to understand.

In considering fences for historic areas, Mr. Ugarte stated that legislating taste is difficult.

#### 5. New Business

Ms. Jennings asked about the new legislative laws and changes. Mr. Rudacille stated Mr. Barnebey will be giving a presentation on the changes at the June 20, 2011 City Commission workshop.

Ms. Lyn stated she will forward the e-mail she received regarding the changes.

Ms. Lyn commented on the Sutton Park Improvements article in the North River News. Mr. Moore stated the power point presentation that was presented to the CRA will be on the CRA web site shortly.

Ms. Lyn informed the Board that the existing portables on the north portion of the former Palmetto Elementary School site are proposed to be converted to the MTI Adult Education Center.

Adjournment: 6:15