

TOWN OF LONGBOAT KEY
PLANNING AND ZONING BOARD
MINUTES OF REGULAR MEETING

SEPTEMBER 15, 2015

The regular meeting of the Planning and Zoning Board was called to order at 9:00 AM by Chair Jim Brown.

Members Present: Chair Jim Brown; Vice Chair BJ Bishop; Secretary Ken Schneier; Members Andrew Aitken, Stephen Madva; George Symanski

Absent: Member Leonard Garner

Also Present: Maggie Mooney-Portale, Town Attorney; Alaina Ray, Planning, Zoning & Building Director; Steve Schield, Planner; Maika Arnold, Planner; Donna Chipman, Office Manager

PUBLIC TO BE HEARD
Opportunity for Public to Address Planning and Zoning Board

No one wished to address the board.

AGENDA ITEM 1
3100 GULF OF MEXICO DRIVE
SPECIAL EXCEPTION APPLICATION

Pursuant to published notice, the public hearing was opened. All those testifying were sworn at this time.

Maggie Mooney-Portale, Town Attorney, asked if anyone had Ex Parte communications with the applicant or their agents, or whether they had a conflict of interest, to please disclose for the record. None were noted.

Maika Arnold, Planner, reviewed the staff report noting:

- The applicant was proposing to use the property in its current condition as a low-intensity private park and recreation area
- The applicant has been using it for parking and want to maintain that use
- The applicant would like to use it for picnicking, bird watching, bocce ball and other low-impact recreational uses
- Reviewed PowerPoint presentation showing photos of existing conditions

- Staff was recommending approval with conditions as outlined in Special Exception Order 2015-01, and with the additional condition: *“Exotic tree and/or invasive exotic vegetation removal and hedge planting of the site shall be completed within 90 days of final approval of Special Exception Order #2015-01. Screening of the proposed use shall be provided by a 6 ft. buffer hedge along Triton Bend. The hedge material must be a minimum height of 4 ft. at planting”*

Chair Brown questioned the code requirement for requiring a buffer or hedge. Ms. Arnold responded the requirement was included in the screening regulations in Chapter 158. Chair Brown asked if it included parks. Ms. Arnold replied yes. Chair Brown asked why there was a requirement for screening of parks. Ms. Arnold explained since the property includes a circular driveway for parking, the code required parking to provide screening.

Mr. Schneier asked who would have access to the park. Ms. Arnold noted that the owner, and any guests of the owner, would have access. Mr. Schneier asked if the park was connected to the Triton Bend development. Ms. Arnold replied no.

Ms. Arnold pointed out that staff had distributed a revised page 2 of Special Exception Order 2015-01, which corrected a typographical error in Section 4 to include the words, *“if by that,”* before the words ‘date the use....’.

Michael Furen, attorney representing the applicant, addressed the additional condition placed on the approval noting the applicant agreed to the condition, but was asking that the Board grant 120 days versus the 90 days in order to complete the work outlined in the condition because of the uncertainty with the contractor. He also referred to Section 2, Item 8, which noted no signage was proposed for the property. Mr. Furen reviewed a photograph of the entrance to the property pointing out there was a small sign that was existing indicating to people that the property was private and there was no trespassing. The applicant was asking for the Board to allow that sign to remain on the property.

MS. BISHOP MADE A MOTION THAT THE PLANNING AND ZONING BOARD APPROVE SPECIAL EXCEPTION ORDER 2015-01, WITH THE ADDITIONAL CONDITION OUTLINED BY STAFF WITH THE FOLLOWING AMENDMENTS: 1) THAT THE ADDITIONAL CONDITION BE REVISED TO ALLOW 120 DAYS VERSUS 90 DAYS TO COMPLETE THE WORK; AND 2) TO ALLOW THE EXISTING ‘PRIVATE PROPERTY’ SIGN TO REMAIN ON THE SITE. MR. AITKEN SECONDED THE MOTION.

Mr. Symanski questioned if the sign was legal. Steve Schield, Planner, replied yes; directional or ‘No Trespassing’ signs under two square feet were exempt from the Sign Code.

Attorney Mooney-Portale referred to Section 2 of the Order, Item 8, and suggested, if it was agreeable to the applicant, to change the condition to state, *“No new signage is proposed for the subject property; any existing signage may remain.”* Mr. Furen agreed with the suggested language.

Carol Erker, Buttonwood Drive, noted her property shared 100 feet of boundary with the subject property. She was speaking in support of their neighbor's request and agreed with the use of the property. She shared Mayor Brown's concern as to the need for the buffer on Triton Bend.

No one else wished to be heard, and the hearing was closed.

MOTION CARRIED ON ROLL CALL VOTE: AITKEN, AYE; BISHOP, AYE; BROWN AYE; MADVA, AYE; SCHNEIER, AYE; SYMANSKI, AYE.

DISCUSSION ITEM
CHANGING MEETING DATE FOR MARCH 2016

Alaina Ray, Planning, Zoning & Building Director, explained to the Board that their regular meeting, scheduled for March 15, 2016, was in direct conflict with the Town's General Election and Presidential Primary Election scheduled for the same day. As a result, there was a need to reschedule their March regular meeting to another date.

Chair Brown asked if the Board wished to reschedule the meeting to either the week before or week after. Ms. Bishop believed staff would be preparing for the various Town Commission meetings scheduled at that time and suggested March 22, 2016, might work better for staff to prepare for the Planning & Zoning Board meeting.

MS. BISHOP MADE A MOTION TO RESCHEDULE THE MARCH 2016 PLANNING AND ZONING BOARD MEETING FROM MARCH 15TH TO MARCH 22ND. MR. AITKEN SECONDED THE MOTION. MOTION CARRIED ON ROLL CALL VOTE: AITKEN, AYE; BISHOP, AYE; BROWN AYE; MADVA, AYE; SCHNEIER, AYE; SYMANSKI, AYE.

CONSENT AGENDA

MS. BISHOP MOVED APPROVAL OF THE MINUTES OF THE JUNE 16, 2015, REGULAR MEETING AND SETTING THE FUTURE MEETING DATE FOR SEPTEMBER 21, 2015, AS A JOINT WORKSHOP WITH THE TOWN COMMISSION, AND OCTOBER 20, 2015, REGULAR MEETING. MR. SCHNEIER SECONDED THE MOTION. MOTION CARRIED ON ROLL CALL VOTE: AITKEN, AYE; BISHOP, AYE; BROWN AYE; MADVA, AYE; SCHNEIER, AYE; SYMANSKI, AYE.

STAFF UPDATE

Ms. Ray reminded the Board that their training session would follow this meeting. She also discussed the joint workshop with the Town Commission on September 21st, beginning at 9:00 AM.

ADJOURNMENT

The meeting was adjourned at 9:17 PM

Ken Schneier, Secretary
Planning and Zoning Board