

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

\*\*\*FEBRUARY 16, 2010\*\*\*

The regular meeting of the Planning and Zoning Board was called to order at 9:00 am.

Members Present: Chair BJ Webb, Vice-Chairman Allen Hixon, Members Phineas Alpers, Walter Hackett, John Redgrave, Morton Siegler, Patricia Zunz

Members Absent: Secretary John Wild, Member George Symanski

Also Present: David Persson, Town Attorney; Monica Simpson, Planning, Zoning & Building Director; Steve Schield, Planner; Ric Hartman, Planner; Donna Chipman, Office Manager

AGENDA ITEM #1  
JEWFISH KEY, 7140 LA LENAIRE DRIVE  
SPECIAL EXCEPTION APPLICATION

Pursuant to published notice, the public hearing was opened. Ms Chipman swore all those testifying at this hearing

Steve Schield, Planner, reviewed the staff report noting that the request was to increase the square footage of a dock area from the maximum allowed of 500 square feet to 2,150 square feet. He noted that the applicant was also required to seek a variance, in addition to the special exception, for the length of the dock. He explained that as a result of discussion before the Zoning Board of Adjustment (ZBA) of Petition 1-10, the applicant had noted there were five shallow water lots where it would be impossible to build a dock area adjacent to the lot, but only three owners participated in seeking the State and Federal permits, the variance, and the special exception. The other owners did not wish to participate at this time; however, the ZBA wished to resolve the issue at this time and not have to revisit it in the future. The dock would be built in two parts, first to accommodate the three shallow water lot owners and then, in the future, provide an area to allow the other two remaining shallow water lot owners to seek a dock without coming back for a variance. However, they would still be required to seek the state and federal permits. The ZBA granted a variance to extend the dock 226 feet, and the approval would allow 12 mooring areas (ten mooring areas for the five lots and two common mooring areas). He pointed out the dock was located on a common easement area on the east side of the island. Mr. Schield commented that the ZBA passed a motion that approved all five with a condition there be no other variances, but to also notify the other lot owners. Those owners, within 60 days, would let the Town know if they would participate and sign a waiver, and if they did not sign, then the variance would be reduced by two slips. Staff was proposing the same condition for the special exception; it would allow for the maximum square footage needed, but if the other two owners did not notify the Town within 60 days, then the request would be reduced. He mentioned that staff re-calculated the figures, and noticed that the applicant did not include the existing dock area.

He had talked with the Town Attorney and the applicant this morning about doing this in two-phases; the first would be to reduce the special exception to 1,998 square feet (to accommodate the three lot owners) and then ask for a continuance, with re-advertising,

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if one or both of the two remaining owners requested to participate. He reiterated that the motion would reduce the approval to 1,998 square feet (not 2,150 square feet) with the proviso that if one or both remaining owners wished to participate in the future, then it would be re-advertised for the increased amount.

Mr. Siegler asked what control the Town had and what control was imposed by other agencies. Mr. Schield explained that the Town code would allow a 50 foot dock with 500 square feet, and part of this approval was removal of the illegal section of the dock, along with repair of the illegal dredge area. Mr. Hackett asked if the owners not participating would have use of the new dock. Mr. Schield responded there were two common mooring areas for access to the island, but they would not have boat lifts or mooring pilings. Mr. Hackett asked if there were any mooring areas on the west side. Mr. Schield replied there was adequate dock space for most of the other lots, which was why they were not included in the request. He mentioned that eight of the 13 lots would have docks.

Mr. Hackett asked if the Town code had restrictions and guidelines for those that moor off Longboat Key or Jewfish Key, or did the state restrict that. David Persson, Town Attorney, responded that the state controls the mooring and anchoring of vessels, but allowed the local government limited jurisdiction. He mentioned there was an ordinance going before the Town Commission which modified the Town's ordinance to comply with state law.

Mr. Schield continued with reviewing a PowerPoint presentation.

Mr. Siegler noted that he assumed surrounding neighbors would not be affected by the proposal. Mr. Schield pointed out that the dock was located in the center of the island and was not near any navigable areas. Mrs. Zunz commented that in the past there had been issues with Jewfish Key residents parking their cars or mooring their boats at the village dock. Joe Suriol, president of the Jewfish Key Association, explained that initially most of the owners had an arrangement with a trailer park with mooring facilities in Bradenton. Mrs. Zunz asked if there was still a provision with that trailer park. Mr. Suriol responded he was not sure, but the mooring facilities still existed.

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

**MR. SIEGLER MOVED THE P&Z BOARD APPROVE SPECIAL EXCEPTION 2010-02 FOR JEWFISH KEY WITH THE CONDITIONS OUTLINED IN THE STAFF REPORT, AND WITH THE AMENDMENT THAT IT BE REDUCED TO 1,998 SQUARE FEET AND CONTINUED FOR 90 DAYS TO ALLOW THE OTHER TWO LOT OWNERS TO STATE WHETHER THEY WERE GOING TO PARTICIPATE, AND AT THAT TIME, THE APPLICATION WOULD BE RE-ADVERTISED FOR THE ADDITIONAL SQUARE FOOTAGE THAT WOULD BE NEEDED FOR THE REMAINING LOTS NOT TO EXCEED 2,590 SQUARE FEET. MR. HACKETT SECONDED THE MOTION. MOTION CARRIED ON ROLL CALL VOTE: ALPERS, AYE; HACKETT, AYE; HIXON, AYE; REDGRAVE, AYE; SIEGLER, AYE; WEBB, AYE; ZUNZ, NO.**

AGENDA ITEM #8  
CONSENT AGENDA

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**MR. REDGRAVE MOVED APPROVAL OF THE MINUTES OF THE 1-19-10 REGULAR MEETING. MR. HIXON SECONDED THE MOTION.**

Mr. Hackett referred to page 15 of the minutes and the discussion related to banner signs. He did not understand the comment made by Ms. Simpson stating that staff could not write a code with no restrictions to the size, because the 4x8 size he noted was the standard size from a sponsor. Ms. Simpson explained there was discussion that free banners were often given by sponsors, and Mr. Hackett did note that 4x8 was a standard size; however, there was not clear discussion that it should be restricted, and she did state that she did not wish to write a code that allowed free sponsorship signs be put up regardless of size. Ms. Simpson continued that the Board could direct staff to limit the banner size to 4x8, but believed staff was previously directed to review codes from other jurisdictions to provide standards. She noted the minutes were correct relating to the discussion.

Bruce St. Denis, Town Manager, noted that he was informed the P&Z Board would be holding their regular meeting on March 16, 2010, and wished to point out that was the day of the election, which would create a conflict with the use of the Commission Chambers. Ms. Simpson pointed out that staff was previously informed there would be only a conflict with the use of the ante-chambers. Mr. St. Denis responded the Commission Chambers would actually be utilized for the election. Chair Webb noted that previous discussion with staff indicated there were no items pending for the March agenda.

**MOTION CARRIED ON ROLL CALL VOTE: ALPERS, AYE; HACKETT, AYE; HIXON, AYE; REDGRAVE, AYE; SIEGLER, AYE; WEBB, AYE; ZUNZ, AYE.**

**MR. REDGRAVE MADE A MOTION THAT SINCE THERE WAS NO APPLICATIONS PENDING FOR THE MARCH MEETING, AND DUE TO THE CONFLICT WITH THE ELECTION, THAT THE MARCH 16, 2010, P&Z BOARD MEETING BE CANCELED. MR. ALPERS SECONDED THE MOTION. MOTION CARRIED ON ROLLED CALL VOTE: ALPERS, AYE; HACKETT, AYE; HIXON, AYE; REDGRAVE, AYE; SIEGLER, AYE; WEBB, AYE; ZUNZ, AYE.**

Mr. Hackett discussed that during the February 1, 2010, Town Commission regular meeting, Agenda Item 4 related to the Florida Department of Transportation (FDOT) entryway and way-finding signs, and was moved forward by the Town Commission. He questioned the status of the item. He also distributed documentation regarding the number of signs on Longboat Key. Mr. Hixon commented that the graphics he saw were an "absolutely terrible welcome to Longboat Key," and believed it was "sad that the pressure to accept government money led to such a regrettable welcome." Mr. St. Denis responded he had not seen working drawings yet, but the sign was approved by the Town Commission. Mr. Hackett asked if they were adding signs to the existing signs or were they replacing the signs. Mr. St. Denis explained the entryway signs at the north and south end would be removed and a new sign would be erected in their locations, but moved forward towards the road.

He noted there were 5-6 locations where existing way-finding signs would be replaced with new signs. He mentioned that the decision was to use the same motif (white hibiscus and letters with blue background).

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Mr. Hackett asked if there was dialogue with the Longboat Key Club related to the entrance signs and donations from them towards the north and south entrance signs. Mr. St. Denis responded there was discussion during the Islandside hearings, and he had one discussion with Michael Welly, general manager of the Longboat Key Club, who indicated the 'Club' would not be participating unless they received approval of their outline development plan application. He noted that the discussions he heard required the Town to match the amount of money that would be spent. The grants were stimulus funds, and it was difficult to manage and work with FDOT on the process, because of the amount of money and the speed in which they wished to get projects started.

Chair Webb noted that the Board had discussed the proliferation of signs along Gulf of Mexico Drive from FDOT and asked if there had been any discussions with FDOT to find a more effective way for signage. Mr. St. Denis responded he was not sure if there had been discussions concerning the signage, but he would ensure that discussion took place with FDOT.

The next meeting was scheduled for April 20, 2010.

AGENDA ITEM #7  
ADJOURNMENT

The meeting was adjourned at 9:45 am.

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John Wild, Secretary  
Planning and Zoning Board