



Town of Longboat Key Zoning Board of Adjustment

Town Hall, 501 Bay Isles Road

Longboat Key, FL 34228

www.longboatkey.org

Gaele Barthold, Chair; Neal Colton, Vice Chair; Ann Roth, Secretary;
Aaron Kleiner; Kevin Magnus

AGENDA

REGULAR MEETING (“Hybrid” -Virtual and In-Person)

APRIL 15, 2021 – 9:30 AM

1. Call to Order
2. Roll Call
3. Approval of Virtual Meeting Protocols and Process
4. Public to be Heard

Opportunity for Public to Address Zoning Board of Adjustment

At each meeting, the Zoning Board of Adjustment sets aside time for the public to address issues not on the agenda.

5. Consent Agenda

The purpose of the Consent Agenda is to expedite those items on an agenda that appear to be of a routine nature. Any item on the Consent Agenda can be removed from the Consent Agenda and placed on the Regular Meeting Agenda by any member of the Zoning Board of Adjustment without having to make a motion, receive a second, or submit to a vote. Otherwise, all items on the consent Agenda are voted upon in their totality by one action (motion, second and vote) and are not subject to discussion. A vote in the affirmative on the Consent Agenda is a vote of confirmation to the action noted in each item.

- A. Approval of Minutes: March 18, 2021 Regular Meeting
- B. Setting the Future Meeting Date: May 20, 2021

6. Public Hearings

3602 Fair Oaks Lane, Daylight Plane Waiver Application (QUASI-JUDICIAL) (*This petition was continued from the March 18, 2021 Zoning Board of Adjustment Meeting*)

The property owner, David Danna, is requesting approval of a Daylight Plane Waiver, in accordance with Section 158.098(D), of the Town of Longboat Key Zoning Code, to increase the Daylight Plane angle from the required 62 degrees to 68.5 degrees on the east side and 65.5 degrees on the west side of the home, for property located at 3602 Fair Oaks Lane.

7. New Business
8. Staff Update
9. Adjournment

Please be advised that the Florida Governor’s Office has declared a State of Emergency due to the Coronavirus (COVID-19) pandemic. As reported by the Center for Disease Control and World Health

Organization, COVID-19 can spread from person-to-person through small droplets from the nose or mouth, including when an individual coughs or sneezes. These droplets may land on objects and surfaces. Other people may contract COVID-19 by touching these objects or surfaces, then touching their eyes, nose or mouth. Therefore, merely cleaning facilities, while extremely important and vital in this crisis, may not be enough to stop the spread of this virus. Those with weakened immune systems may want to avoid the Zoning Board of Adjustment meeting in order to avoid a potential exposure to the virus.

It is required that a physical quorum of the Zoning Board of Adjustment will gather in person for a Zoning Board of Adjustment meeting and public hearing within the Town Commission Chambers at Town Hall, 501 Bay Isles Road, Longboat Key, Florida, and other members of the Zoning Board of Adjustment may appear and utilize Communications Media Technology (CMT), specifically Zoom, to participate in the public meeting and hearings. When a physical quorum of the Zoning Board of Adjustment gathers at Town Hall for such meeting/hearings, then the public will also be permitted to attend the meeting/hearings in person. In person gatherings by the public at Town Hall shall be governed by applicable Gubernatorial Executive Orders in effect at the time, CDC and Health Department recommendations, Town Emergency Ordinance 2020-21, as may be amended, and the Town Manager's Emergency Executive Orders. The Town will require that all persons attending the public meeting/hearings within Town Hall observe and follow applicable CDC and Health Department guidelines on social distancing and public gathering size limitations. The public must also observe the face covering requirements set forth in Emergency Ordinance 2020-21 within Town Hall.

The Town encourages public participation and is providing multiple options for the public to participate in the proceedings in a manner that accommodates individual needs and health concerns. Irrespective of whether the Town's meeting and public hearing is held virtually or whether an in-person meeting of the Zoning Board of Adjustment is held at Town Hall, members of the public may choose to appear and utilize CMT as described below during the public hearings.

The CMT alternatives for public participation are provided below:

In Person Attendance at the Hearings at Town Hall:

The Zoning Board of Adjustment will conduct the quasi-judicial hearing in accordance with the guidelines set forth in Section 33.30 of the Town's Code of Ordinances. However, in person gatherings by the public at Town Hall shall be governed by applicable Gubernatorial Executive Orders in effect at the time, CDC and Health Department recommendations, Town Emergency Ordinance 2020-21, as may be amended, and the Town Manager's Emergency Executive Orders. The Town will require that all persons attending the public meeting/hearing within Town Hall observe and follow applicable CDC and Health Department guidelines on social distancing and public gathering size limitations. The public must also observe the face covering requirements set forth in Emergency Ordinance 2020-21 within Town Hall.

The public may also choose to view, listen or participate in the quasi-judicial hearing virtually, rather than appearing at the public hearing at Town Hall, by utilizing CMT as described below. The CMT alternatives for public participation in these proceedings are provided below:

To View and/or Listen to the Hearings:

Anyone wishing to listen to the hearings and meeting can do so by accessing the hearings through Zoom at: <https://us02web.zoom.us/j/88595444545> or by dialing: 1-312-626-6799, enter the meeting ID 885 9544 4545, and then press the # key.

To Participate in the Hearings:

Anyone wishing to participate in the quasi-judicial hearings and provide evidence at the hearings must: (1) complete an online Request to Speak form prior to the hearings, (2) submit evidence you want considered at the hearings to the Town for distribution to the Zoning Board of Adjustment prior to the hearing, and (3) access the meeting using Zoom. The Request to Speak form to participate in the public hearing is available on the Town's website at www.longboatkey.org and must be completed **no later than 12:00 p.m. (noon) on April 14, 2021**, to be placed on a hearing participant list. The online Request to Speak form will be available from Friday, April 9, 2021, at 12:00 p.m. (noon) until 12:00 p.m. (noon) on March 17, 2021. Additionally, any information/written comments/evidence that you want to present as evidence and considered by the Zoning Board of Adjustment during the hearing must be submitted to dchipman@longboatkey.org **no later than 12:00 p.m. (noon) on Wednesday, April 14, 2021** to be distributed to the Zoning Board of Adjustment, the parties, and be included in the official hearing record. Access to participate in the meeting via Zoom by computer, tablet, or smartphone will be available using the following link: <https://us02web.zoom.us/j/88595444545>. Access to participate in the meeting via phone through Zoom is also available by dialing: 1-312-626-6799, enter the meeting ID 885 9544 4545, and then press the # key. Those whom have pre-registered to participate in the public hearing, will be subject to the Town's quasi-judicial procedures set forth in Section 33.25 of the Town Code, including but not limited to, applicable time limitations. If joining from a tablet or smartphone, you will need to download the free Zoom app from your device's app store. If joining from a computer, your computer will automatically download and install (if needed) the Zoom program. If you currently have Zoom installed on your computer, tablet, or smartphone, you may join the meeting by entering the meeting ID 885 9544 4545.

If you have any questions regarding the 'hybrid' Zoning Board of Adjustment meeting/hearing, please contact Donna Chipman at dchipman@longboatkey.org or 941-316-1966.

Additional detailed instructions relating to viewing and participating in the Zoning Board of Adjustment's 'hybrid' meeting and hearing will be posted on the Town's website at:

<https://www.longboatkey.org/town-government/boards-and-committees/zoning-board-of-adjustments-virtual-meeting-information>

No verbatim record by a certified court reporter is made of these proceedings. Accordingly, any person who may seek to appeal any decision involving the matters noticed herein will be responsible for making a verbatim record of the testimony and evidence at these proceedings upon which any appeal is to be based (see Section 286.0105, Florida Statutes). In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing a special accommodation to participate in this proceeding should contact the Town Clerk's office at 941-316-1999 seventy-two (72) hours in advance of this proceeding. If you are hearing impaired, please call 941-316-8719.