

ABBREVIATED MINUTES
 PLANNING COMMISSION MEETING
 MARCH 19, 2008

The City of Bradenton Planning Commission met on Wednesday, March 19, 2008 at 2:00 p.m. in the City Hall Council Chambers.

ATTENDANCE

Planning Commission Members (Shaded area indicates absence, *Indicates non-voting):

Diane Barcus	Chair <i>Lucienne Gaufillet</i>	Vice-Chair Allen Yearick	Allen Prewitt
Carlos Escalante	Adam Buskirk	Vacancy	
Alternate Brady Cohenour	Alternate O.M. Griffith	Alternate Vacancy	Alternate Joseph Thompson

City Staff:

Development Services	Public Works	Fire	Police
Director Tim Polk	Arlan Cummings	Kenny Langston	
Assistant Director Tom Cookingham			
Dev. Review Mgr. Ruth Seewer			
Review Coordinator Susan Kahl			

PRELIMINARIES

Meeting called to order by Chairperson Lucienne Gaufillet at 2:00 p.m.

- 1) The Chair advised that since there were no variance requests, all items being considered at this meeting would be heard by City Council at its regularly scheduled meeting on Wednesday, April 9, 2008 at 8:30 a.m.
- 2) Pledge of Allegiance was recited.
- 3) The Chair stated that the Commission wanted to make a presentation to Richard Barnhill for his years of service on the Commission, but he was unable to attend this meeting. It was the consensus of the Commission Members to make the presentation to Mr. Barnhill whenever he was able to attend a meeting.
- 4) Mr. Thompson moved, with a second by Mr. Buskirk, to approve the Minutes of February 20, 2008. Motion carried unanimously.

- 5) Ms. Kahl swore in all those wishing to speak before the Commission.
- 6) The Chair announced that she was going out of order by taking New Business first and Old Business afterward.

NEW BUSINESS

SU.08.0051 WARD 4 NEIGHBORHOOD 7.02 RS

Request of Steven J. and Amy L. Mainardi, owners, for Special Use approval for construction of a dock for property located at 1822 Riverside Drive East (Zoned R1B)

Ms. Seewer read the request.

Mr. Mainardi advised that they wanted to put a private dock on their property similar to docks which had already been constructed in the neighborhood. He displayed an aerial photograph showing the property and other existing docks and answered questions of the Commission Members.

Public Hearing:

The Chair opened the public hearing for those wishing to speak in favor or against, and no one appeared. The Chair closed the public hearing.

Public Works -

Mr. Cummings stated he was curious why the proposed dock was not put on the survey and that there were no soundings showing the water depth.

Ms. Seewer commented that the documents showed that the water depth varied. She said more information would be made known when they applied for the permit.

Mr. Cummings asked whether a lift would be put at the end of the dock and, if so, how power would be supplied.

Mr. Mainardi stated that water and electric were planned for the dock at a future date, and at that time they would apply for a special permit.

Fire Department -

Ms. Seewer said that although the Fire Department was not represented, there were no objections.

Staff Report-

Ms. Seewer stated that staff recommended approval. She said that the State had made an administrative determination that it would no longer issue a permit for a dock that abuts City right-of-way unless there was a signed agreement between the property owner and the City. Ms. Seewer advised that the City Attorney did not want to provide a lease for the land but rather use a grant of easement. Ms. Seewer pointed out that the State required a 25 foot setback for a dock that jutted out like a pier. She said this proposal showed 10 feet so there would have to be a stipulation for 25 feet which would give them room to come around without going onto other people's waterway.

Mr. Mainardi inquired whether Ms. Seewer meant from the east property line or the dock.

Ms. Seewer noted that the survey showed it from the property line.

Mr. Cummings asked whether the property line was perpendicular to the road.

Ms. Seewer pointed it out on the aerial. She stated it should be 25 feet in from Mr. Mainardi's property line.

Mr. Cummings advised that the dock could not be attached to the seawall.

Mr. Mainardi expressed concern that if he had to go 25 feet, the water would be too low; therefore, the dock would have to be extended further out into the water the further west he went. He said the reason he wanted to go closer to the east was because the water was deeper.

Ms. Seewer commented that the Planning Commission could approve it as shown on the survey, but it would not be approved by the State. She suggested that the Commission approve the 25 feet for the setback and a maximum of 80 feet for the length of the dock if necessary.

The Chair commented that she would not put that much faith in the water depths shown on the aerial. Ms. Gauffillet noted that as long as Mr. Mainardi was over the oyster beds, he would be fine. The Chair summarized that Ms. Seewer's recommended stipulation would be that the proposed dock be a minimum of 25 feet from the west property line extension and 25 feet from the east property line extension and no more than 80 feet in length.

Mr. Thompson moved, with a second by Mr. Prewitt, to approve SU.08.0051 with the stipulation that the proposed dock be a minimum of 25 feet from the west property line extension and 25 feet from the east property line extension and no more than 80 feet in length. Motion carried unanimously.

Mr. Cummings asked Ms. Seewer whether the Mainardis should bring additional information to the City Council meeting.

Ms. Seewer instructed Mr. Mainardi to have his dock people draw the proposed dock on his survey and fax a copy to her.

Mr. Cummings noted that the soundings should also be on it.

OLD BUSINESS

SU.07.0049 WARD 4 NEIGHBORHOOD 1.03/104 RS

Request of Dexter N. McDonald, agent for Community Outreach, owner, for Special Use approval of a day care center for property located at 650 27th Street East (Zoned PDP)

Ms. Seewer read the request advising that the revised plans came in late yesterday and staff had not yet reviewed them. She requested that it be continued until the April 16, 2008 Planning Commission Meeting.

Mr. Prewitt moved, with a second by Mr. Buskirk, to continue SU.07.0049 to April 16, 2008. Motion carried unanimously.

PUBLIC COMMENTS

CP.08.0024 AMENDMENTS TO EAR BASED COMPREHENSIVE PLAN

Ms. Seewer advised that this area of the Agenda had been set for citizen comments on the Comprehensive Plan which would be considered for incorporation in the EAR Based Comprehensive Plan.

There was no one present to speak for or against.

COMMISSION COMMENTS

The Chair advised that the Planning Commission at previous meetings had discussed attendance and membership of the Commission. Ms. Gaufillet advised that a letter had been written requesting that the Mayor appoint Joseph Thompson as a regular Member rather than an Alternate. The Chair pointed out that Mr. Thompson was present for every single meeting and often times that was the only way the Commission had a quorum. After discussion, it was the consensus of the Planning Commission that the By-Laws be updated to include procedures to eliminate Commission Members who have missed four meetings.

Ms. Seewer stated that a draft would be done and sent out with the Commission packets to be voted on in April and to take effect in May.

The Chair stated that she and Ms. Kahl would get together to do a letter of explanation to the Commission Members to accompany the proposed procedures.

Adjournment

There being no further business to come before the Commission, Mr. Prewitt moved, with a second by Mr. Buskirk, to adjourn the meeting at 2:45 p.m. Motion carried unanimously.

Lucienne Gaufillet
Chairman

PURSUANT TO FLORIDA STATUTE 286.0105, IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE BOARD, COUNCIL, AGENCY OR COMMISSION AT THIS MEETING, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE, MAY NEED TO WHICH THE APPEAL IS TO BE BASED.

Note: This is not a verbatim record. A recorded CD is available upon request for a \$10.00 <i>service charge</i> .
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