

DRAFT

ABBREVIATED MINUTES
PLANNING COMMISSION MEETING
DECEMBER 20, 2006

The City of Bradenton Planning Commission met on Wednesday, December 20, 2006 at 2:00 p.m. in City Hall Council Chambers.

ATTENDANCE

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

Chairman Diane Barcus	Vice-Chair Richard Barnhill	Carlos Escalante	Lucienne Gaufillet
	Allen Yearick	Allen Prewitt	
Alternate Brady Cohenour	Alternate O.M. Griffith		Alternate Joseph Thompson

City Staff:

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

PRELIMINARIES

The meeting called to order at 2:00 p.m. by Chairman Diane Barcus.

- 1) Pledge of Allegiance at 2:02 p.m.
- 2) The Chair advised that with the exception of variance requests, all items being considered at this meeting would be heard by City Council on Wednesday, January 10, 2007 at 8:30 a.m. unless otherwise announced.
- 3) The Minutes of November 13, 2006 were approved unanimously.
- 4) Ms. Kahl swore in all those wishing to speak before the Board.

OLD BUSINESS

SU.06.0029 WARD 5 NEIGHBORHOOD 1.03/1.04 RS

Request of Fawley Bryant Architects, agent for the City of Bradenton, owner, in partnership with the Boys and Girls Club for approval of a Special Use to expand the existing Boys and Girls Club

facility in order to add a teen lounge, a cover over an existing basketball court, a covered patio and a parking area and the removal of six portable classrooms at property located at 1415 9th Street West (Zoned R-3A)

Ms. Seewer read the request.

Michael Bryant, Vice-President of Fawley Bryant Architects, presented the plans and answered questions of the Commission Members.

Public Hearing:

The Chair opened the public hearing, which had been continued from the November 13, 2006 Planning Commission Meeting, for those wishing to speak in favor or in opposition. No one appeared, and the Chair closed the public hearing.

Public Works -

Mr. Cummings stated that there was some minor tweaking that had to be done between the parking lots but he felt it would work and he had no objections.

Fire Department -

Fire Marshal Langston stated that the Fire Department had requested a letter of agreement for fire sprinkling the building.

Mr. Bryant stated that they had agreed to that stipulation and increased the budget accordingly to include it and he would get a letter to the Fire Department.

Staff Report

Ms. Seewer stated that there had been several meetings with representatives of the Boys and Girls Clubs including Fawley Bryant Architects and everyone was looking forward to the improvements. Ms. Seewer advised that traffic circulation would be improved, the buildings would be improved, and safety would be improved. Ms. Seewer advised that a third stipulation had been added that a SWFWMD permit would be required. She reviewed the following stipulations:

1. The building will be sprinkled.
2. The parking areas will be landscaped. Type of materials will be approved by the Director of Planning and Community Development.
3. SWFWMD permit will be required.

The Chair asked whether Mr. Bryant had any problems with the stipulations, and he responded in the negative.

Responding to Ms. Gauffillet's questions, Mr. Bryant advised that the drawings would be finished in May or June and construction would probably begin in July. He advised that the project would take at least one year because it would have to be phased so that the children could use it.

Responding to the Chair's question about baseball parking, Mr. Bryant stated that everything would be accommodated.

Mr. Barnhill moved, with a second by Mr. Prewitt, to approve SU.06.0029 with the following stipulations:

1. The building will be sprinkled.
2. The parking areas will be landscaped. Type of materials will be approved by the Director of Planning and Community Development.

3. SWFWMD permit will be required.

Motion carried unanimously.

SU.06.0030 WARD 4 NEIGHBORHOOD 7.02B RS

Request of Fawley Bryant Architects, agent for the Bradenton Housing Authority, owner, in partnership with the Boys and Girls Club for approval of a Special Use to expand the existing Boys and Girls Club facility in order to add a multi-purpose room and a cover over an existing basketball court, the enclosure of the covered walkway in the front of the building, and screening of the garbage cans at property located at 1001 26th Street East (Zoned R-2A)

Ms. Seewer read the request.

Michael Bryant, Vice-President of Fawley Bryant Architects, presented the plans. He explained that a portion of the property had rights-of-way which included utilities, such as, Florida Power and Light and the Gas Company. Mr. Bryant advised that because the basketball court would be rebuilt, some of those utilities had to be relocated and all those agreements with the utility companies have been secured. Mr. Bryant said everything was in place to do this work. Mr. Bryant answered questions of the Commission Members.

Public Hearing:

The Chair opened the public hearing, which had been continued from the November 13, 2006 Planning Commission Meeting, for those wishing to speak in favor or in opposition. No one appeared, and the Chair closed the public hearing.

Public Works -

Mr. Cummings stated that he had no objections.

Fire Department -

Fire Marshal Langston stated that he had no objections.

Staff Report -

Ms. Seewer stated that there was a 25 foot wide easement which ran along the back property line and the intention was to vacate the portion under the building and under the basketball court and relocate the utilities. She said when the request was presented to City Council, a request for easement vacation would accompany it. Ms. Seewer advised that staff recommended approval with the following three stipulations:

1. This approval is subject to easement vacation by the City Council.
2. This approval is subject to relocation of all affected utilities.
3. Non-combustible materials are required for the patio coverings.

Mr. Prewitt moved, with a second by Mr. Barnhill, to approve SU.06.0030 with the following three stipulations:

1. This approval is subject to easement vacation by the City Council.
2. This approval is subject to relocation of all affected utilities.
3. Non-combustible materials are required for the patio coverings.

Motion carried unanimously.

NEW BUSINESS

VA.06.0031 WARD 1 NEIGHBORHOODS 4.07 RS

Request of M.C. Powers, agent for Sandra Morgan, for approval of an accessory structure (inground swimming pool) to encroach 13 feet into a technical front yard for property located at 6502 14th Avenue West (Zoned R-1B)

Ms. Seewer read the request.

Mr. Powers explained that the house was set on the lot where most of the property on the side affronts the street. He said in order to put in a pool, which Ms. Morgan needed for laps therapy, there was 30 feet from the property line and another ten feet from the curbing so that it was 40 foot back from the street which would be within the normal setback for a front yard; but apparently there was a deed restriction in this neighborhood. Mr. Powers stated that there would be a four foot high fence which was typical of the neighborhood and no screen. He said that there was a six foot fence at the rear of the property which would be landscaped so it should only have a positive impact on the neighborhood. Mr. Powers answered questions of the Commission Members.

Public Hearing:

The Chair opened the public hearing for those wishing to speak in favor.

Sandra Morgan, 6502 14th Avenue West, the applicant, apologized to her neighbors for previous construction which had taken longer than anticipated and it left quite a mess in the back. She said that when she purchased the house seven years ago, it had been her intention to improve it which she had done. Ms. Morgan advised that she had spent \$150,000.00 in improving the house. She commented that when she moved in, the lot was completely gone, the sprinkler system was completely gone, the roof had not been painted for ten years and vegetation had grown up along the house. Ms. Morgan remarked that, as a working person, every spare moment she had she used to improve the house. She advised that when she moved into this house, it had always been her intention to have a pool for her children and grandchildren and she had no idea that it would be problematic.

There being no further individuals wishing to speak in favor, the Chair opened the public hearing for those wishing to speak in opposition. The following appeared:

Charles Zagame, 1313 65th Street West, said that he was just informed of this through one of his neighbors. He complained that he had never received anything in the mail. He remarked that there was supposed to be a sign posted, and he just saw it this morning. He said it could not be seen unless one looked for it.

The Chair interjected that she saw it.

Mr. Zagame responded that the Chair was looking for it, but he contended that unless one looked for it, it could not be seen. He remarked that he bought a house with deed restrictions for a reason.

Mr. Barnhill asked Mr. Zagame to point out his home on the zoning plat and asked Mr. Zagame whether he had a pool.

Mr. Zagame pointed out his home and responded that he did have a pool. He remarked that he would be looking into Ms. Morgan's pool area from his home.

Alicia Poole, 6509 14th Avenue West, pointed out her house on the zoning plat.

Mr. Barnhill asked whether Ms. Poole had a pool, and she responded affirmatively.

Ms. Poole showed a photograph of the sign stating that it could not be determined what it was. She contended that it could not be read, it was behind a gate and beside a bush and was not visible. Ms. Poole stated that if a cage were put up, it would be different, but if the existing back fence was being used to hook onto, it would be impossible. She said the state required a five foot fence and using a six foot and four foot fence was not going to work unless Ms. Morgan caged her pool. Ms. Poole stated that when she bought her property in 1960, they precisely asked about deed restrictions in this area. She remarked that she knew of no one who was granted anything like this in Village Green.

The Chair pointed out that the Planning Commission did not deal with deed restrictions.

Mr. Barnhill concurred that this sounded like an Association issue not a City issue.

Ms. Poole stated that if this was granted, everyone in Village Green would be at the City asking for the same thing and that was not the purpose Village Green was built for. She said when they bought the house, they signed papers and everyone agreed to the deed restrictions. She opined that the pool should be moved down.

Ms. Gaufillet asked why Ms. Poole felt it would be okay if there were a cage but would be different if it were a fence.

Ms. Poole replied that the law required a person to have a full cage area or that a pool be completely fenced.

Ms. Gaufillet pointed out that Ms. Morgan was proposing to fence the entire pool.

Ms. Poole interjected that Ms. Morgan would be using the back fence and she did not have permission to do so.

The Chair stated that the Planning Commission was dealing with the variance only, not the deed restrictions of the Home Owners Association.

Glyn Oldham, 6802 18th Avenue West, advised that he was President of the Village Green Homeowners Association, and he had received the Planning Department letter from Ms. Poole. He complimented Ms. Morgan on the improvements to her home, but he wanted to go on record as the Association President that they did not want a precedent set for any corner lot which was on a curve because there were many. He remarked that most people in that situation close in their lanai and put in a small pool rather than putting a pool in the side yard, which was technically a front yard because it faced two streets. He said the Homeowners Association could not go along with that, and he did not understand how the new patio was even permitted and now the homeowner wanted to put the pool in the side yard. He queried why it was not part of the patio.

Ms. Gaufillet inquired whether the fact that there was higher visibility on a corner lot, made Mr. Oldham afraid it would detract from the overall aesthetics.

Mr. Oldham replied that the Homeowners Association had a deed restriction about the height of a fence on the side of a house and in the front and six feet in the rear.

The Chair stated that was what Ms. Morgan was asking for.

Mr. Oldham said that the deed restrictions state that no fence shall be permitted in front of a house to the street. He stated that this was technically the front of the house looking from 65th Street.

The Chair stated that it was her understanding that the front of the house was where it faced, and the address was 14th Avenue West so that would be the front of the house.

Mr. Oldham responded that the City recognized it was a corner lot and, therefore, a hardship.

Ms. Seewer advised that according to the City it was technically a front yard, but it was not the front of the house. She commented that she did not know how the deed restrictions were worded.

Ms. Gaufillet commented that regardless of that Ms. Morgan's application met the required setbacks. She said the issue was the pool in the technical front yard. Ms. Gaufillet remarked that the issue was not the fence because the fence met all the requirements. She commented that the setbacks met the City Code and the deed restrictions as well.

Ms. Seewer stated that their interpretation of the deed restrictions was that the fence would be technically in front of the house. She stated that if she put a cage in rather than a fence, it would not be a violation of the deed restrictions.

The Chair repeated that the Planning Commission was not addressing deed restrictions nor did the Planning Commission have that authority.

Mr. Barnhill remarked that the house directly behind the subject property had a swimming pool and was a corner lot but that swimming pool was within the footprint of the house whereas Ms. Morgan's request would take it outside the footprint of the house and that was the issue.

Mr. Oldham agreed stating that Ms. Morgan's pool would be 13 feet outside the footprint and they were afraid that it would be opening the door for any homeowner to put a pool in the side yard.

Ms. Gaufillet stated that the rub was that Village Green wanted the Planning Commission to enforce its restrictions on something that the Planning Commission was completely entitled to allow.

Mr. Oldham said he did not want to set a precedent that any corner lot in Village Green could now become a pool which would leave open the back yard to enclose a lanai or whatever and not leave room for a pool or improvement in the back yard which would then cause the side yard to be used.

The Chair did not agree explaining that this was a hardship case. Ms. Barcus advised that it would not normally require someone to come before the Planning Commission to put in a pool.

Mr. Oldham asked how it was a hardship case.

The Chair explained that was why it was before the Planning Commission because not every corner lot had the same circumstance.

Mr. Oldham disagreed stating that every corner lot would be a hardship case.

The Chair pointed out a house on the corner of 13th and 65th Street and stated that there was a pool behind that house.

Mr. Oldham stated that they have a much larger backyard but every home in Village Green and throughout the City that he knew about which had a pool had it in the back yard not the side yard.

Ms. Gauffillet pointed out that this was a 90 degree corner with a 30 foot radius which was a broad sweeping corner.

The Chair concurred that this was not a regular T-intersection corner. Ms. Barcus pointed out that Ms. Morgan's backyard was narrow and not deep.

Mr. Oldham queried if one would want to have to look into that pool if one lived across the street, and there were three such homes. Mr. Oldham commented that it sat out like a community pool.

Joseph Salamone, 6905 19th Avenue West, opposed the variance. He said the 13 feet coming out from the side of the home was not acceptable because it set a precedent.

There being no further individuals wishing to speak, the Chair closed the Public Hearing and asked whether Mr. Powers had a rebuttal.

Mr. Powers commented that he felt everything was pretty much covered although he did not feel some of the discussion was pertinent. He summarized that it was pointed out that this was not a normal corner because it had an extreme radius. He noted that people would not look into the pool because it had a 4 foot high fence and complied with all laws and codes. He remarked that the project would enhance the neighborhood, and he felt there was unnecessary animosity.

Public Works -

Mr. Cummings stated that after reviewing the survey he saw no encroachments of the easements taking place on the sides of the lot. He had no objections.

Fire Department -

Fire Marshal Langston stated that he had no issues.

Staff Report -

Ms. Seewer stated that 127 notices were sent out. She apologized to Mr. Zagame for not having received one although she did not know why he had not since his name was on the list. She commented that posting signs was not a state or federal requirement but done out of courtesy ten days before the meeting. She said that she knew Village Green homeowners were concerned about what went on in their neighborhood and want everything to be consistent, but she did not feel that approving a variance in this situation was setting a precedent because there were not that many homes that were set back already 43 feet from the property line and 53 feet from the road. Ms. Seewer pointed out that even the house directly behind this one set back five feet more than this existing house and the recommendation for approval was based on the distance of the proposed pool from the property line. Ms. Seewer advised that the standard setback was 25 feet and this was 30 feet so it was already well behind what a standard setback was. She also pointed out that each individual variance was reviewed on its own merit which would prevent a precedent being set. Ms. Seewer stated that deed restrictions were reviewed as far as the Land Use Regulations were concerned. She also pointed out that as far as case law, it was considered a hardship if there were two technical front yards. Ms. Seewer said staff recommended approval based on the General Standards and Regulations requirements pursuant to Section 202.H of the Land Use and Development Regulations with the hardship being the double frontage lot configuration.

Ms. Gauffillet moved, with a second by Mr. Prewitt, to approve VA.06.0031 as presented by staff with the hardship being the double frontage lot configuration. Motion carried unanimously.

SU.06.0032 WARD 4 NEIGHBORHOOD 7.02A RS

Request of Dennis L. Wasik, owner, for approval of a Special Use to build a dock at property located at 2420 Riverside Drive East (Zoned R-1B)

Ms. Seewer read the request.

Since Mr. Wasik had not yet arrived, the item was moved to later in the Agenda.

PR.06.0027 WARD 4 NEIGHBORHOOD 20.03 RS

Request of White Oak Development, Ltd./David McNabb, agent for Florida Coast Development Corp., owner, for preliminary approval of a Planned Development Project known as The Villas at San Casciano for property located at 121 48th St Ct NE (Zoned PDP)

SP.06.0007 WARD 4 NEIGHBORHOOD 20.03 RS

Request of White Oak Development, Ltd./David McNabb, agent for Florida Coast Development Corp., owner, for preliminary subdivision approval of a Planned Development Project known as The Villas at San Casciano for property located at 121 48th St Ct NE (Zoned PDP)

Ms. Seewer read the requests together stating that they pertain to the same project; however, each request would require a separate motion.

Karl Senkow, Esquire of Porges, Hamlin, 1205 Manatee Avenue West, representing the applicant, presented an overview of the project. He stated that they have reviewed the staff report and agree with the stipulations.

Mr. McNabb presented the plans and answered questions of the Commission.

Public Hearing:

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

Public Works -

Mr. Cummings stated that he met with the engineers and developers and reviewed the preliminary plans and found it doable. He said that there had been discussion about the rights-of-way and easements and he asked Ms. Seewer if those issues had been cleared.

Ms. Seewer responded that the lots could be platted and the roads were just platted easements. She advised that they would be identified as easements instead of rights-of-way.

Mr. Cummings stated that the issues with respect to the future water tower site had been worked out; therefore, he had no objections.

Fire Department -

Fire Marshal Langston stated that he had no issues.

The Chair said she liked the four foot wide mulch walking trail. Ms. Barcus commented that was good recreation.

Staff Report –

Ms. Seewer advised that Mr. McNabb had a very aggressive tree replacement plan. She said that his lake was redesigned based on some existing significant trees and he had done a good job on tree preservation. Ms. Seewer commented that the plan met the criteria for open space, recreation areas specifically, parking and density. She remarked that staff recommended approval with the following stipulations:

1. Any historical or archaeological resources that may be discovered during development must be immediately reported to the Florida Department of State Division of Historical Resources (DHR) and mitigation would be determined by the DHR and the City of Bradenton prior to resuming disturbance activities.
2. If any species listed in Rule 39-27.003 through 39.27-005 of the Florida Administrative Code are observed frequenting the site for nesting or breeding purposes, appropriate mitigation and/or protection measures will be taken, with immediate notification provided to the Department of Planning and Community Development.
3. The wetland and wetland buffer shall be designated with a conservation easement and indicated as preserved and non-disturbed. Any disturbance to the prescribed buffer areas not reviewed as part of this approval will require review and approval by the Planning and Community Development Director.
4. Live Oak tree preservation shall be provided to the fullest extent possible. All existing Live Oak areas proposed for removal shall require approval by the Planning and Community Development Director. All 16" and larger Live Oak trees proposed for removal in the proposed site plan must be individually identified, with removal requiring approval by the Planning and Community Development Director for a determination of preservation versus mitigation.
5. The architectural design and features of the proposed buildings shall be adhered to as approved by the City Council. While reasonable administrative modifications may be allowed, other changes determined by the City not to be reflective of the City Council approved design shall require a PDP Amendment.
6. The Final PDP must address all Stipulations and other Staff/DRC recommendations/concerns included in this report.
7. Impact fee equivalency will be required in accordance with the definitions of the ACCORD prior to the issuance of a Certificate of Occupancy as determined by the City of Bradenton Planning and Community Development Director.
8. Any deviation from the approved requirements, as determined by Planning and Community Development, may require a PDP amendment.

Ms. Gauffillet moved, with a second by Mr. Prewitt, to approve PR.06.0027 with the following eight stipulations:

1. Any historical or archaeological resources that may be discovered during development must be immediately reported to the Florida Department of State Division of Historical Resources (DHR) and mitigation would be determined by the DHR and the City of Bradenton prior to resuming disturbance activities.
2. If any species listed in Rule 39-27.003 through 39.27-005 of the Florida Administrative Code are observed frequenting the site for nesting or breeding purposes, appropriate mitigation and/or protection measures will be taken, with immediate notification provided to the Department of Planning and Community Development.
3. The wetland and wetland buffer shall be designated with a conservation easement and indicated as preserved and non-disturbed. Any disturbance to the prescribed buffer areas not reviewed as part of this approval will require review and approval by the Planning and Community Development Director.
4. Live Oak tree preservation shall be provided to the fullest extent possible. All existing Live Oak areas proposed for removal shall require approval by the Planning and Community Development Director. All 16" and larger Live Oak trees proposed for removal in the proposed site plan must be individually identified, with removal requiring approval by the Planning and Community Development Director for a determination of preservation versus mitigation.

5. The architectural design and features of the proposed buildings shall be adhered to as approved by the City Council. While reasonable administrative modifications may be allowed, other changes determined by the City not to be reflective of the City Council approved design shall require a PDP Amendment.
6. The Final PDP must address all Stipulations and other Staff/DRC recommendations/concerns included in this report.
7. Impact fee equivalency will be required in accordance with the definitions of the ACCORD prior to the issuance of a Certificate of Occupancy as determined by the City of Bradenton Planning and Community Development Director.
8. Any deviation from the approved requirements, as determined by Planning and Community Development, may require a PDP amendment.

Motion carried unanimously.

Ms. Gauffillet moved, with a second by Mr. Prewitt, to approve SP. 06.0007. Motion carried unanimously.

SU.06.0032 WARD 4 NEIGHBORHOOD 7.02A RS

Request of Dennis L. Wasik, owner, for approval of a Special Use to build a dock at property located at 2420 Riverside Drive East (Zoned R-1B)

Ms. Seewer advised that Mr. Wasik was present so she requested that SU.06.032 be heard next.

Ms. Kahl swore in Mr. Wasik who presented his request and answered questions of the Commission Members.

Public Hearing:

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

Public Works -

Mr. Cummings stated that Mr. Wasik would have to apply for a right-of-way use permit through Public Works for water and electric.

Fire Department -

Fire Marshal Langston stated that he had no issues.

Staff Report -

Ms. Seewer stated that three years ago Mr. Wasik would not have needed a Special Use but it had been legally determined that once a road abuts a waterway, the riparian rights go to the owner of the road which would be the City. In other words, Ms. Seewer explained that for one to have riparian rights, a person's property would have to touch the water. She advised that the City Attorney determined that if an individual wanted to build a dock on the City road, a Special Use was necessary. Ms. Seewer explained that typically if the requirements of the State were met, then staff recommended approval. Ms. Seewer stated that his state permits were in as well as his building permit, but the zoning was being held for this Special Use approval.

Mr. Prewitt moved, with a second by Mr. Barnhill, to approve SU.06.0032. Motion carried unanimously.

CP.06.0017 WARD 1 NEIGHBORHOOD 4.07 RS

Request of Marie McCaughan, agent for Yullara II, LLC/Renee Healey, owner, for Small Scale Comprehensive Plan Amendment to change the Future Land Use designation from County ROR to

City Res-10 for a project known as Pebble Trace Apartments for property located at 701 63rd Street West

LU.06.0035 WARD 1 NEIGHBORHOOD 4.07 RS

Request of Marie McCaughan, agent for Yullara II, LLC/Renee Healey, owner, to change the Land Use Atlas designation from County RSF 4.5 to City PDP for a project known as Pebble Trace Apartments for property located at 701 63rd Street West

PR.06.0029 WARD 1 NEIGHBORHOOD 4.07 RS

Request of Marie McCaughan, agent for Yullara II, LLC/Renee Healey, owner, preliminary approval of a Planned Development Project known as Pebble Trace Apartments for property located at 701 63rd Street West

Ms. Seewer read the requests for the record so that the Chair could open the advertised Public Hearing, but she advised that a letter for a continuance had been received.

Public Hearing:

The Chair opened the public hearing for those wishing to speak in favor and no one appeared. The Chair opened the public hearing for those wishing to speak in opposition, and the following appeared after being sworn by Ms. Kahl:

Daryl Bartz, 6208 7th Avenue Drive West, advised that he owned one of the houses near that strip of land, and he could not imagine how apartments could be built on that little strip. He stated that he assumed this project was related to Pebble Springs Condominiums, and he already had a significant problem with people coming into his yard cutting through to 7th Avenue Drive West. He reiterated that he did not know how a complex could be put on that small piece of land without impacting the houses along 62nd Street. Mr. Bartz stated that he had hoped to see the plans. He said he was a teacher so he would be unable to return on January 17, but he hoped when the Planning Commission looked at the plans, it would take into consideration the impact to those seven or eight houses on 62nd Street.

Ms. Seewer advised that these owners were not related to Pebble Springs. She stated that plans were in the Planning Office if Mr. Bartz would like to see them after the meeting. Ms. Seewer said that the developers were planning to put a white PVC fence around that property to protect those houses. She stated that the proposed buildings would only be two stories and would be large, luxury apartments with garages.

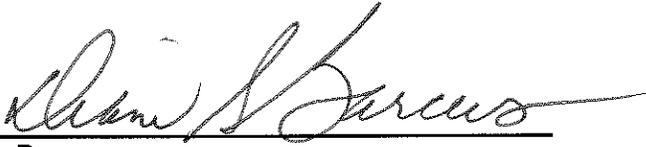
Mr. Bartz responded that they would be very narrow.

Ms. Seewer stated that they would be narrow but they would be townhouses with garages. She advised that they were originally proposed to be sold as condominiums but because of the flat market, they would be luxury apartments with over 2,000 square feet. She said that there were also plans for buffering the property, and Mr. Bartz could see those plans. Ms. Seewer read the letter requesting continuance of the Public Hearing until January.

Since there were no further individuals wishing to speak, the Chair continued the Public Hearing until January 17, 2007.

Adjournment

There being no further business to come before the Commission, Mr. Barnhill moved, with a second by Mr. Prewitt, that the meeting be adjourned at 3:37 p.m. Motion carried unanimously.



Diane Barcus
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 *service charge*.