

**MINUTES
BOARD OF COUNTY COMMISSIONERS**

**SARASOTA COUNTY ADMINISTRATION CENTER
1660 RINGLING BOULEVARD
COUNTY COMMISSION CHAMBER
SARASOTA, FLORIDA**

1:30 p.m.

Nora Patterson, Chair, District 4
Shannon Staub, Vice Chair, District 3
Joseph A. Barbetta, District 2
Paul H. Mercier, District 1
Jon Thaxton, District 5

Also present were:

David Bullock, Deputy County Administrator
Stephen DeMarsh, County Attorney
Gary Oldehoff, Assistant County Attorney
Claudia Goodson, Deputy Clerk

1. PLANNING AND DEVELOPMENT SERVICES

Public hearing continued from November 14, 2006, to consider a proposed Resolution, authorizing the transmittal of Comprehensive Plan Amendment No. RU-134 to the Florida Department of Community Affairs (FDCA) for review and comment, and to defer transmittal until action has been taken on all amendments in the Comprehensive Plan Amendment Cycle 2007-01, a petition by Sharon Tarmon, Agent, a privately-initiated revision to the Future Land Use Map (FLUM) to redesignate 15.3 acres \pm located on the north side of Bay Street east and adjacent to Pine Ranch Road from Low Density Residential (<2 dwelling units/acre) to Moderate Density Residential (\geq 2 and <5 dwelling units/acre). (Planning Commission recommended denial.)

Staff Presenters: Planning and Development Services Senior Planner Laura Semenech, Deputy County Administrator David Bullock, County Attorney Stephen DeMarsh, and Public Works Transportation Mobility Planning Manager Paula Wiggins

Public Presenters: Agent Sharon Tarmon, Nathan Childers, Bibiche Knauf, and Myrna Sheehan

Items submitted: A copy of an e-mail on the proposal and a copy of correspondence from Sharon Tarmon, AICP

2:03:34 Board Action: Closed the public hearing. Moved by Staub, seconded by Thaxton, carried without objection.

2:04:07 Board Action: Authorized transmittal of Comprehensive Plan Amendment No. RU-134 to the FDCA for review and comment, and to defer transmittal until action has been taken on all amendments in the Comprehensive Plan Amendment Cycle 2007-01. Moved by Mercier, died for lack of a second.

2:05:27 Board Action: Denied Comprehensive Plan Amendment No. RU-134. Moved by Staub, seconded by Thaxton, carried by a 4-1 vote; Mercier voted "No."

Note: Oath/Signature Cards Filed for Record.

2. PLANNING AND DEVELOPMENT SERVICES

Public hearing continued from November 14, 2006, to consider a proposed Resolution, authorizing the transmittal of Comprehensive Plan Amendment No. RU-138 to the Florida Department of Community Affairs (FDCA) for review and comment, and to defer transmittal until action has been taken on all amendments in the Comprehensive Plan Amendment Cycle 2007-01 for a County-initiated petition to amend Chapter 7, Housing, of the Comprehensive Plan to provide a definition of Affordable Housing to the FDCA for review and comment. (Planning Commission recommended approval.)

Staff Presenter: Planning and Development Services Senior Planner Brian Beatty

2:13:38 Board Action: Closed the public hearing. Moved by Thaxton, seconded by Mercier, carried without objection.

2:14:01 Board Action: Adopted Resolution No. 2006-253, authorizing the transmittal of Comprehensive Plan Amendment No. RU-138 to the FDCA for review and comment, and to defer transmittal until action has been taken on all amendments in the Comprehensive Plan Amendment Cycle 2007-01. Moved by Staub, seconded by Thaxton, carried by a 5-0 vote.

Note: Oath/Signature Cards Filed for Record.

3. PLANNING AND DEVELOPMENT SERVICES

Public hearing continued from November 14, 2006, to consider a proposed Resolution, authorizing the transmittal of Comprehensive Plan Amendment No. RU-136 to the Florida Department of Community Affairs (FDCA) for review and comment, and to defer transmittal until action has been taken on all amendments in the Comprehensive Plan Amendment Cycle 2007-01, a County-initiated petition to amend the Future Land Use (FLU) Chapter policies to provide clarity regarding development rights of Residential Multi-Family (RMF) zoned parcels to the FDCA for review and comment. (Planning Commission recommended approval.)

Staff Presenters: Planning and Development Services Planning Director Anne McClung, Planning and Development Services Senior Planner Brian Beatty, Planning and Development Services Assistant Zoning Administrator Tina Crawford, Planning and Development Services Zoning Administrator MaryBeth Humphreys, County Attorney Stephen DeMarsh, Assistant County Attorney Gary Oldehoff, and Deputy County Administrator David Bullock

Public Presenters: Dr. Carola Fleener, William Caffisch, Rick Law, Leslie Allen, Bill Burns, Mike Foran, Robert Waechter, Attorney Michael Furen, James Miller, and Gayle Wardner

RECESS: 3:29 p.m. - 3:39 p.m.

Public Presenters: Tony Syprett, Sandra McCourtney, President of the Siesta Key Association (SKA) Lourdes Ramirez, Peter van Roekens, Attorney Cathleen O'Dowd, Ethel Hammer, Attorney Ted Taub, Mark Smith, Council of Neighborhood Association (CONA) President Ann Kaplan, Bob Neff, and Roland Marinkovic

Items submitted: Copies of correspondence and e-mails on the proposal, a copy of proposed language revisions to Policies 1.1.2. and 1.1.4., copies of public presentations, copies of petitions, copies of Ordinance Nos. 73-20 and 75-38, a copy of Ethel Hammer's resume, a copy of Future Land Use Chapter - Policy 1.1.4., a copy of a Staff memorandum dated June 3, 2005, and a copy of Future Land Use Chapter - Uses on the Barrier Islands

3. PLANNING AND DEVELOPMENT SERVICES - Continued

4:26:42 Board Action: Requested Staff's recommendation on the proposed language revisions to Policies 1.1.2. and 1.1.4., as proffered by Attorney Michael Furen. Requested by Thaxton, without objection.

4:29:59 Board Action: Requested a future Board discussion pertaining to density and reconstruction standards of structures on barrier islands in the event of a hurricane or disaster related event. Requested by Mercier, without objection.

4:39:35 Board Action: Requested an overview of the methodology used to obtain the data regarding the number of RMF-zoned parcels on Siesta Key. Requested by Staub, without objection.

4:51:38 Board Action: Requested that a process be established to address the transfer of development rights to assist property owners of RMF-zoned parcels on barrier islands. Requested by Mercier, without objection.

4:56:52 Board Action: Requested clarification of density relative to the assembling and combining of non-conforming lots on the mainland and the barrier islands. Requested by Patterson, without objection.

5:02:47 Board Action: Closed the public hearing. Moved by Mercier, seconded by Staub, carried without objection.

5:04:16 Board Action: Requested the addition of language in Policy 3.1.1. to reaffirm non-applicability of the provisions to the High Coastal Area. Requested by Patterson, without objection.

5:12:20 Board Action: Deleted the proposed revisions to Policies 1.1.2. and 1.1.4. in Comprehensive Plan Amendment No. RU-136. Moved by Thaxton, seconded by Barbetta, carried by a 5-0 vote.

5:21:23/5:29:29 Board Action: Continued the public hearing for Comprehensive Plan Amendment No. RU-136 to December 19, 2006, with consideration to Policy 3.1.1., identifying the location of applicable mainland RMF-zoned parcels, reviewing the impacts on the mainland neighborhoods/communities, clarifying the assembling of lots, and addressing the partial lot issue. Moved by Barbetta, seconded by Staub, carried by a 5-0 vote.

5:24:38 Board Action: Requested a map reflecting the mainland RMF-zoned parcels with less than 7,260 square feet and parcels greater than 7,260 square feet and less than 14,520 square feet. Requested by Staub, without objection.

5:26:11 Board Action: Requested that the compatibility of duplexes within neighborhoods on the barrier islands/mainland be addressed. Requested by Mercier, without objection.

5:29:42 Board Action: Requested consideration of standards to address the "tear down" of an existing duplex/rebuilding of a structure on non-conforming lots located on barrier islands. Requested by Patterson, without objection.

5:35:47 Board Action: Continued the public hearing for Comprehensive Plan Amendment No. RU-136 from December 19, 2006, to December 20, 2006, at 1:30 p.m., or as soon thereafter as possible. Moved by Staub, seconded by Thaxton, carried by a 5-0 vote.

4. PLANNING AND DEVELOPMENT SERVICES

Public hearing continued from November 14, 2006, to consider proposed Ordinance No. 2006-049, Zoning Ordinance Amendment No. 6A, a County-initiated petition to clarify Section 6.6.1. of the County Zoning Regulations regarding density as it applies to duplex development on non-conforming Residential, Multi-Family (RMF) lots of record. Applicable RMF-zoned non-conforming lots of record are proposed to be exempt from the maximum gross densities of the zoning district. (Planning Commission recommended approval.)

4. **PLANNING AND DEVELOPMENT SERVICES** - Continued
5. **PLANNING AND DEVELOPMENT SERVICES**

Public hearing continued from November 14, 2006, to consider proposed Ordinance No. 2006-050, Zoning Ordinance Amendment No. 6B, a County-initiated petition to clarify the development standards for duplex structures on non-conforming Residential Multi-Family (RMF) zoned parcels on the Barrier Islands and the Mainland areas. Proposed changes include the creation of Section 8.4.5, Requirements for Non-conforming Lots on Barrier Islands, which addresses the development standards along with other revisions to provide appropriate cross-referencing to the new section. (Planning Commission recommended approval.)

Staff Presenter: Assistant County Attorney Gary Oldehoff

5:36:45 Board Action: Noted no Board consideration of Zoning Ordinance Amendment Nos. 6A and 6B due to the deletion of Policies 1.1.2. and 1.1.4. in Comprehensive Plan Amendment No. RU-136 (Agenda Item 3) and future Board consideration of a proposed Zoning Ordinance Amendment to address the mainland RMF-zoned parcels and review of regulations pertaining to the "tear down" of existing duplexes and replacement of structures on barrier islands. Noted by Chair Patterson, without objection.

6. **OTHER BUSINESS**

5:40:30 Board Action: Approved the submittal of correspondence signed by Vice Chair Staub endorsing Chair Patterson's application to the Florida Taxation and Budget Reform Commission. Moved by Barbetta, seconded by Staub, carried by a 5-0 vote.

MEETING ADJOURNED: 5:40 p.m.