

**MINUTES
BOARD OF COUNTY COMMISSIONERS**

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

9:00 a.m.

David R. Mills, Chair, District 2
Nora Patterson, Vice Chair, District 4
Paul Mercier, District 1
Shannon Staub, District 3
Jon Thaxton, District 5

Also present were:

James Ley, County Administrator
Stephen DeMarsh, County Attorney
Paula Clintsman, Deputy Clerk

INVOCATION

Reverend Dr. Thomas Schultz, Church of the Cross

PLEDGE OF ALLEGIANCE

Commissioner Thaxton

1. HOUSING

The Board considered authorization for Staff to prepare a draft Ordinance to address the administration of monies from the Housing Fund and the disposition of surplus property for affordable housing.

Planning and Development Services Community Housing Manager Wendy Thomas submitted a copy of a chart on Policies, Partnerships, and Programs for Affordable Housing. Discussions were held with Ms. Thomas, County Administrator James Ley, and County Attorney Stephen DeMarsh on the following topics/issues:

- estimated/anticipated number of special needs housing/inclusion of the elderly/retired/request for verification of the numbers/units for special needs housing, including the current inventory, without objection
- allocation of resources/Housing Fund/revenue sources/Board options/discretion to temporarily utilize the sale proceeds from the North Port City escheated lots
- request for a discussion on the Board's policy on impact fees relating to affordable housing/tiered approach/provide information to the Impact Fee Consultant relating to the size (square footage) of homes and rental versus home ownership/incentives, without objection
- request for review of accessory units/granny flats
Commr. Staub moved to direct Staff to schedule a discussion item regarding accessory units in neighborhoods. The motion, seconded by Commr. Mercier, carried by a 5-0 vote.
- clarification to "fast track" green buildings/applications to rezone and special exception petitions/site and development/permits.

1. HOUSING - Continued

Following clarification of the charts (graphics error) and a request by Commr. Thaxton to utilize the word "perpetually" versus "long term" affordability for consistency purposes, Commr. Staub moved to authorize Staff to draft an Ordinance to address the administration of monies from the Housing Fund and the disposition of surplus property for affordable housing. The motion, seconded by Commr. Mercier, carried by a 5-0 vote.

Individual comments followed regarding the priorities/strategy to address low/extremely low price ranges, demand for employed individuals, including a request for the report on the forecast of employed (income brackets) individuals, the time frame/goal for the public hearing/adoption of the Ordinance, and a request to prepare a distinction between public investment versus practices, regulations, and policy, without objection.

(9:45:52)

2. FINANCIAL PLANNING

The Board considered the First Quarter Fiscal Year (FY) 2006 and Fourth Quarter CIP (Capital Improvement Program) Report.

Financial Planning Budget Coordinator and Capital Improvement Program (CIP) Budget Analyst Natalie Hinger presented an overview of the First Quarter FY 2006 and Fourth Quarter Status Report. Discussions were held with Ms. Hinger, Community Services Parks and Recreation Senior Planner William Wisniewski, Public Works Facilities Maintenance Manager William White, and Public Works Mobility Design Section Supervisor Carolyn Eastwood on the following topics/issues:

- closure of projects
- Caspersen Intercoastal Project/restroom status/request to schedule the matter on the agenda for the Joint Meeting with the City of Venice, without objection
- request for the Indianola Park archeological survey, without objection
- page D-20, Health Department roof replacement
- page D-28, Siesta Key/Midnight Pass Sidewalk Project/possible joint project with FDOT (Florida Department of Transportation) for pedestrian/bicycle path/funds utilized/expended.

(9:55:16)

3. RESOLUTIONS

Public hearing to consider a proposed Resolution, Budget Amendment No. B2006-037, appropriating \$4,874,852.00 to fund purchase order carry forwards and additional fleet replacement expenditures.

Having been duly sworn, Financial Planning Asset General Manager Dale Roberts presented Staff's report on the fleet replacement expenditures for Emergency Services, Community Services, and various utility vehicle replacements.

Commr. Staub moved to close the public hearing. The motion, seconded by Commr. Thaxton, carried without objection.

Commr. Mercier moved to adopt Resolution No. 2006-051, approving Budget Amendment No. B2006-037. The motion was seconded by Commr. Thaxton.

3. RESOLUTIONS - Continued

Following comments on the increased costs for diesel engines and two additional ambulances by Emergency Services Fire Chief Brian Gorski, duly sworn, the motion carried by a 5-0 vote.

(9:58:09)

4. RESOLUTIONS

Public hearing to consider a proposed Resolution, Plat Vacation Petition No. PV 05-24, a petition by Ricardo and Margarita Rustia to vacate a portion of an eight-foot wide platted, public rear lot line drainage and utility easement to cure an encroachment of a concrete deck and a pool cage lying within Lot 7, Block 78, Gulf Gate Woods, Unit 1.

Having been duly sworn, Public Works Real Property Manager Lin Kurant summarized the proposal and noted no objection to the request.

Commr. Staub moved to close the public hearing. The motion, seconded by Commr. Thaxton, carried by a 5-0 vote.

Commr. Staub moved to adopt Resolution No. 2006-052, approving Plat Vacation Petition No. PV 05-24. The motion, seconded by Commr. Mercier, carried by a 5-0 vote.

(10:00:24)

5. RESOLUTIONS

Public hearing to consider a proposed Resolution, Plat Vacation Petition No. PV 05-22, a petition by Michael and Shirley Piacquadio to vacate a portion of a 20-foot wide platted, public rear lot line drainage and utility easement to cure an encroachment of a pool, pool deck, and cage lying within Lot 33185, Venice Gardens, Unit 33.

Having been duly sworn, Public Works Real Property Manager Lin Kurant summarized the proposal and noted no objection to the request. Following an inquiry, County Attorney Stephen DeMarsh noted the Statutory requirements for a public hearing and discussion ensued regarding options/legal authority to refer plat vacations to the Board of Zoning Appeals (Legal Staff to review), administrative hearings, and Staff approval of miniscule plat vacations and/or placement on Consent Agendas.

Commr. Staub moved to close the public hearing. The motion, seconded by Commr. Thaxton, carried by a 5-0 vote.

Commr. Staub moved to adopt Resolution No. 2006-053, approving Plat Vacation Petition No. PV 05-22. The motion, seconded by Commr. Patterson, carried by a 5-0 vote.

(10:04:59)

6. RESOLUTIONS

Public hearing to consider a proposed Resolution, Plat Vacation Petition No. PV 05-21, a petition by Martha Borthwick to vacate a portion of a ten-foot wide platted, private rear lot line drainage and utility easement to cure an encroachment of a residential structure lying within Lot 141, Oaks Subdivision.

Having been duly sworn, Public Works Real Property Manager Lin Kurant summarized the proposal and noted no objection to the request. Ms. Kurant responded to inquiries regarding the ownership of the walkway, a private easement, and the requirement for filing a petition due to a recorded plat.

6. RESOLUTIONS - Continued

Commr. Thaxton moved to close the public hearing. The motion, seconded by Commr. Mercier, carried by a 5-0 vote.

Commr. Thaxton moved to adopt Resolution No. 2006-054, approving Plat Vacation Petition No. PV 05-21. The motion, seconded by Commr. Staub, carried by a 5-0 vote.

(10:10:27)

7. RESOLUTIONS

Public hearing to consider a proposed Resolution, Special Exception Petition No. 1630, a petition by Charlie Dean, Agent, to allow a Telecommunications Tower on 8.11 acres \pm located 4.5 miles south of Clark Road and east of Interstate 75 (I-75) in an OUE-1 (Open Use, Estate, 1 dwelling unit/5 acres) zone district. (Planning Commission recommended approval.)

Having been duly sworn, Planning and Development Services Tower Administrator Todd Dary presented Staff's report on the request to erect a 199 foot monopole telecommunications tower with flush mounted antennas and submitted a document on SCI Towers, Parcel X and correspondence received on the Petition. Discussion ensued with Mr. Dary and County Attorney Stephen DeMarsh on the following topics/issues:

- separation/height requirements
- distance/measurement to the residential area/right-of-way
- visual impact/example of a 199 foot monopole tower/flush mounted antennas
- waiver for the separation requirement/Ordinance provisions
- status of the lease agreement with the Applicant/ownership/basis for County ownership/utilities involvement/County need for communication/Emergency Services/lease payments.

(10:24:35)

Attorney William Galvano of Grimes, Goebel, et al., representing Charlie Dean, duly sworn, introduced members of the presentation team, provided an overview of the proposed request, and noted the providers that will utilize the tower. Discussion ensued with Attorney Galvano, Agent Charlie Dean, President of Charlie Dean Towers, Inc., duly sworn, and Verizon Wireless Senior Engineer Marc Bahn, duly sworn, on the following topics/issues:

- photograph of the construction/residential view of the monopole/buffers
- consideration of a camouflaged versus flush mounted tower/lattice tower
- benefits of flush mount versus internal antenna/improved coverage from the flush mounted antennas/County need for the use of flush mounted antennas.

(10:45:30)

Mr. Scott Paddock, duly sworn, commented on the proposal.

Upon inquiry, Emergency Services Public Safety Communications General Manager Robert Stuckey, duly sworn, commented on the requirements of the County for services in the area, proposed lease agreements, and the status of the lease agreement review by the Office of the County Attorney.

7. RESOLUTIONS - Continued

Discussion ensued with Mr. Dary, County Attorney DeMarsh, and Mr. Stuckey regarding the requirements for review of special exception petitions for towers, the Board's options pertaining to execution of the lease agreement, and a stipulation to ensure the flush mounted antenna will be constructed to address County needs.

Following comments by Mr. Dary on previously approved (similar) monopoles and the distance/measurement requirement from residential areas, Attorney Galvano clarified the height requirement, and the basis for the choice for a 199 foot monopole.

Commr. Staub moved to close the public hearing. The motion, seconded by Commr. Thaxton, carried by a 5-0 vote.

Commr. Staub moved to adopt Resolution No. 2006-055, approving Special Exception Petition No. 1630. The motion was seconded by Commr. Thaxton. Commr. Thaxton moved to amend the motion to include language to modify Stipulation No. 2 to read as follows, without objection (additions shown as underlined text):

The transmission tower shall be of monopole construction with flush mount antennas only, with exception given to County services, and shall not exceed 199 feet in height.

The motion, as amended, carried by a 5-0 vote.

RECESS: 11:03 a.m. - 11:12 a.m.

8. ORDINANCES

Public hearing to consider proposed Ordinance No. 2006-023, Comprehensive Plan Amendment No. RU-129, a privately-initiated petition by Charles D. Bailey, III, Agent, to revise the Future Land Use Map to change the designation of a 9.09 acre \pm parcel located at the southwest corner of Honore Avenue and 59th Street from Low Density Residential (<2 dwelling units/acre) to Medium Density Residential (≥ 5 and ≤ 9 dwelling units/acre). (Planning Commission recommended approval.)

Having been duly sworn, Planning and Development Services Senior Planner Kirk Crane presented Staff's report on the request to change the designation on the Future Land Use Map from Low Density to Medium Density Residential, and noted the Planning Commission's recommendation for approval. Discussion ensued with Mr. Crane and Public Works Transportation Planning Manager Clarke Davis, duly sworn, on the following topics/issues:

- future Rezone Petition from OUE-2 (Open Use Estate) to RMF-2 (Residential Multi-family)
- increased traffic/page 13 of Staff's report/p.m. peak traffic/Level of Service C.

Attorney Charles Bailey, duly sworn, presented an overview of the proposed request, noted the neighborhood workshops held and scheduled in the future, and supported approval. Attorney Bailey responded to inquiries regarding the implementing zone districts, highest height in the implementing districts, and an environmental consultant review of longleaf pine versus slash pine, noting longleaf pine on the subject parcel.

Ms. Linda Smith, duly sworn, commented on the proposal.

8. ORDINANCES - Continued

Following an inquiry, County Attorney Stephen DeMarsh and Planning and Development Services Senior Planner Crystal Allred, duly sworn, commented on Staff's review of providing alternatives/review of procedures for Comprehensive Plan Amendments in conjunction with Rezone Petitions. Mr. Crane opined on the Moderate Density versus Medium Density designation and submitted a revised Ordinance to correct the legal description. County Attorney Stephen DeMarsh and Mr. Crane noted no impact/effect on the advertisement of the public hearing due to a correction of the legal description.

Attorney Bailey addressed the basis for the Moderate Density versus Medium Density designation and noted future scheduled workshops to discuss compatibility and site plan issues.

Commr. Staub moved to close the public hearing. The motion, seconded by Commr. Thaxton, carried by a 5-0 vote.

Commr. Patterson moved to adopt Ordinance No. 2006-023, approving Comprehensive Plan Amendment No. RU-129. The motion, seconded by Commr. Staub, carried by a 5-0 vote.

9. OPEN TO THE PUBLIC - No one appeared at this time.

MEETING ADJOURNED: 11:41 a.m.