

**CITY OF ANNA MARIA
PLANNING & ZONING BOARD
BUSINESS MEETING
MARCH 20, 2006
7:00 P.M.**

CALL TO ORDER

PLEDGE TO THE FLCity Planner Alan Garrett

ROLL CALL: Margaret Jenkins, Fran Barford, Vice-Chair Doug Copeland, Chair Christopher Collins, Frank Pytel, Jim Conoly

Absent with excuse: Randall Stover (7:05 p.m.)

Also present: Mark Barnebey, Kirk Pinkerton (counsel for the owners of 204 Archer Way) City Engineer Tom Wilcox (BDI); City Planner Alan Garrett; Commissioner Dale Woodland, Building Official Kevin Donohue, Building Department Assistant Diane Sacco, Minutes Clerk Sylvie Reichmann

Press: Sun, Islander

Acting Chair Doug Copeland called the meeting to order.

1. Approve February 27rd meeting minutes

MOTION: Chair Fran Barford moved to accept the minutes of the February 27rd, 2006 meeting of the Planning & Zoning Board, seconded by Margaret Jenkins.

Vote: All Ayes. Motion carried.

2. Election of Chairperson

Vice-Chair Doug Copeland noted the resignation of CC and explained that according to the City's Code, a new Chairperson was to be elected by the Board at this meeting.

Frank Pytel nominated Vice-Chair Doug Copeland, seconded by Chair Fran Barford. Vice-Chair Doug Copeland said he could not accept.

MOTION: Margaret Jenkins nominated Chair Fran Barford for Chairperson of the City of Anna Maria Planning & Zoning Board, seconded by Jim Conoly.

Vote: All Ayes. Motion carried unanimously.

Vice-Chair Doug Copeland congratulated Chair Christine Tollette and confirmed that he would remain on the Board as Vice-Chair.

Randall Stover arrived at 7:05 p.m.

Public Comment

None offered.

3. 204 Archer Way – 2 Lot Subdivision Site Plan – See Left Side

City Planner Alan Garrett took the floor at Chair Fran Barford's request. He said that per Section 114-426, re-platted lots must be a minimum of 7,500 sq. ft. in area. The City Planner noted that the proposed subdivision would not comply with this section. He said that under the underlying zone district, however, a duplex could be constructed. City Planner Alan Garrett referred to his recommendations on Page 3 for subdivision, if the Board allows it, that: 1) the carport be removed; and 2) that no access be allowed from Gulf Drive.

Frank Pytel noted that many of the lots in the area are similar in size. City Planner Alan Garrett noted there are no hardships to be observed in this case, simply that the neighboring lots are also small. Frank Pytel asked how two buildings would affect the density on the property. City Planner Alan Garrett said that a duplex would have the same density as having two houses on the property. Frank Pytel asked what would happen if the Board allowed the lot split, and others in the area made the same request – would this not then affect density. City Planner Alan Garrett said it would not affect the density because of current zoning.

Randall Stover confirmed that the darkened area on the survey showed the proposed parcel.

Jim Conoly confirmed that if the lots were accepted, the carport would need to be removed.

Chair Fran Barford invited Mark Barnebey, P.A. of Kirk Pinkerton, and counsel for the owners of 204 Archer Way, to take the floor. Mr. Barnebey said that this case was a straightforward petition regarding the property at 204 Archer Way. He noted the lot was in the R-2 zoning district, and that density would not be affected by this request. Mark Barnebey said his clients felt that two homes would be more consistent with the neighborhood. He said that this did not affect the lots because they would not be rectangular in shape, something that was done intentionally to comply with the Code. The attorney noted that the lots are in fact trapezoids. He said that the two stipulations relative to the carport and access from Gulf Drive would be met, and respectfully requested the Board's approval of the lot split.

Frank Pytel displayed a future land use map for the City of Anna Maria. He asked if the applicants were not trying to take advantage of a loophole in the Code by not having rectangular lots. Mark Barnebey pointed out that the resulting proposed lots are greater in size than the minimum of 5,000 sq. ft.

Public Comment

None offered.

Building Official Kevin Donohue said that in conferencing with City Planner Alan Garrett, he had three options for action to offer the Board for the case at hand: 1) approval; 2) approval with conditions; and 3) denial -- all with recommendations to the City Commission. He said that new information had surfaced.

Chair Fran Barford again noted the two conditions that had been recommended by City Planner Alan Garrett.

MOTION: Jim Conoly moved to approve the application for a lot split at 204 Archer Way with the two conditions recommended by the City Planner: 1) prior to the filing of the final plat, the carport will be removed; 2) access will not be provided from Gulf Drive. Margaret Jenkins seconded the motion.

Vote: Three Ayes. Three Nays. Motion failed for lack of a majority.

Building Official Kevin Donohue observed there had been a failure to act on a motion. He said a new motion was needed, and that the issue rising to the surface needed to be conveyed to the Commission.

MOTION: Randall Stover moved to deny the application for a lot split on the grounds that it does not comply with City of Anna Maria Code of Ordinances, Section 114-426. He further moved to recommend to the Commission that this undivided lot be approved for the building of a duplex, as the Board sees this as the best use of the land, and also to deny access and egress from Gulf Drive. Frank Pytel seconded the motion.

Vote: Four Ayes, Two Nays. Motion carried four to two.

Chair Fran Barford indicated that the Board's motion and recommendation would be conveyed to the Commission.

Randall Stover said he objected to the formation of the trapezoids in the proposed lot split, and that he thought the neighborhood would have more green space with a duplex on the property.

Frank Pytel said he felt that if they allowed this lot to be split, the Board would lose its rationale for denying subsequent requests, especially as this lot was not unusual or in a unique situation.

Public Comment

None offered.

4. **408 Pine Avenue – Commercial Site Plan – See Right Side**
Vice-Chair Doug Copeland read a letter to Building Official Kevin Donohue from John Agnelli dated March 20th, 2006 withdrawing his application.

DATE FOR NEXT MEETING

Chair Fran Barford confirmed that the P&Z's next Comprehensive Plan Meeting was scheduled for March 27th, 2006, with the next Regular P&Z Meeting to be held on April 24th, 2006.

PRESS COMMENT

None offered.

ADJOURNMENT

MOTION: Margaret Jenkins moved to adjourn the meeting and Vice-Chair Doug Copeland seconded the motion.

Vote: All Ayes. Motion carried.

The meeting adjourned at 7:40 p.m.