

**CITY OF ANNA MARIA  
CITY COMMISSION SPECIAL MEETING  
MEETING HELD AT ANNA MARIA COUNCIL CHAMBERS  
10005 GULF DRIVE – ANNA MARIA, FL  
THURSDAY, APRIL 14, 2011  
6:15 P.M.**

**CALL TO ORDER**

Chair Webb called the Special Meeting to order at 6:25 p.m.

**PLEDGE TO THE FLAG**

**ROLL CALL VOTE:** Mayor Michael Selby, Vice-Chair Jo Ann Mattick, Commissioner Dale Woodland, Chair Chuck Webb, Commissioner John Quam, and Commissioner Eugene Aubry.

**Staff Present:** City Clerk Alice Baird, City Attorney Jim Dye, City Planner Alan Garrett, Building Official Bob Welch, and Public Works Director George McKay.

**Press:** Sun and Islander.

1. **Authorization to Hire Outside Planner Sam Casella – Authorization for Engagement of Mediator Lewis Longman & Walker, PA - in Connection with the William and Barbara Nally vs. The City of Anna Maria lawsuit.**  
**Ref: Case No. 2010-CA-2702.**

**MOTION:** Commissioner Woodland moved to authorize the hiring of outside Planner Sam Casella / authorization for engagement of Mediator Lewis Longman & Walker, PA in connection with the Nally Lawsuit. Commissioner Quam seconded the motion.  
**Motion carried – All Aye.**

**MOTION:** Commissioner Mattick moved to appoint Mayor Michael Selby as the City's representative for any communication regarding the Nally lawsuit. Commissioner Quam seconded the motion.  
**Motion carried – All Aye.**

2. **Continued Second Reading and Public Hearing – Ordinance 11-716 – Pine Avenue Parking and Pedestrian Plan.**

*City Clerk Baird* read the Ordinance by title.

- As a result of discussion at the last meeting, *Planner Garrett* explained the changes that had been made under Section Two (2) Lot coverage - Maximum coverage. Planner Garrett explained that the coverage is based on the size of the lot or parcel. At the suggestion of Commissioner Mattick, he agreed to make the following changes:

- \* Internal lot or parcel - 22% maximum office/retail square footage + 10% covered porch = 32% total maximum building coverage.
- \* Corner lot or parcel - 30% maximum office/retail square footage + 10% covered porch = 40% total maximum building coverage.

Planner Garrett confirmed that the change would not cause any hardship for any current or future development.

- Discussion and clarification followed relating to Sec. 91-3, (2). *Chair Webb* clarified that the intent was that the onsite parking would have minimum impact on green space/coverage and he presented proposed language changes.

*Commissioner Quam* questioned Chair Webb's suggested addition of Section 91-3 (2) f. "that the applicant has shown that its actual parking requirements cannot be satisfied by Chapter 91 or other methods and it has a clear and present need for additional parking."

Commissioner Quam did not feel it was necessary that the applicant would need to explain why he chose to utilize Chapter 91.

*Chair Webb* explained why he felt an applicant *should* provide an explanation.

*Planner Garrett* explained that the City's intent is to promote Chapter 91, however, it is recognized that if there are lots or parcels that do not fit the mold they should be given the opportunity to make any necessary adjustments to their plan.

*City Attorney Dye* advised that the phrase "cannot be satisfied" is very open-ended and "has a clear and present need for additional parking" also has a lot of interpretation.

After discussion, it was agreed that the proposed language would be changed to read as follows:

Section Two. (2) f. "that the applicant has shown that its actual parking requirements exceed those satisfied by Chapter 91."

Discussion and clarification followed.

- *Commissioner Woodland* referenced the language in Sec. 91-3 (a) *Internal Parking*. After discussion, it was agreed that the language be rewritten to read as follows:

(a) *Internal Parking*. A property owner may, ~~as an option,~~ choose to have parking, ~~at a site required to have parking,~~ conform to the requirements of Chapter 90; ~~in which case, parking and access shall be controlled by Chapter 90.~~ if development on the lot or parcel is developed utilizing the requirements of Chapter 90, or in combination with Chapter 90 and Chapter 91, the development shall be processed as a special exception.

- *City Attorney Dye* recommended the following changes to Sec. 91-3. (2) – "~~(2) Before any special exception shall be approved, the City Commissioners shall determine applicant shall provide competent substantial evidence that the granting of the special exception will promote the public interest, health, safety, and general welfare in accordance with the following criteria: ; that the Planning and Zoning Board's action on the following findings of fact have been considered;~~

*Chair Webb* officially opened the public comments portion of the hearing.

Hearing no public comment, *Chair Webb* closed the public comment portion of the hearing.

**MOTION:** Commissioner Mattick moved to approve that Ordinance 11-716 be approved with the admissions as suggested by Chair Webb, City Attorney Dye, and Building Official Welch and that a clean copy be brought back to the City Commission. Commissioner Aubry seconded the motion. On Roll Call Vote, the motion carried on a vote of 4 to 1 with Commissioner Woodland voting No.

*Planner Garrett* announced that a clean copy of Ordinance No. 11-716 with all adopted changes will be presented to the Commission at their April 27, 2011 meeting.

**3. Appointments by Mayor for Land Development Review – City Planner Alan Garrett, Tom Turner, and Doug Copeland.**

*Mayor Selby* asked for Commission approval to appoint committee members for reviewing the definitions in the LDR's. After Committee review, the recommendations would be brought back to the City Commission for their review.

**MOTION: Commissioner Quam moved that Tom Turner and Doug Copeland be appointed to serve on the Land Development Review Board. Commissioner Woodland seconded the motion.  
Motion carried – All Aye.**

**Adjournment**

The special meeting was adjourned by Chair Webb.

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Alice Baird, CMC, City Clerk

MINUTES APPROVED: \_\_\_\_\_