

**CITY OF ANNA MARIA  
PLANNING & ZONING BOARD  
MEETING HELD AT ANNA MARIA COMMISSION CHAMBERS  
10005 GULF DRIVE – ANNA MARIA, FL  
TUESDAY, OCTOBER 7, 2008  
6:30 P.M.**

**CALL TO ORDER**

Planning and Zoning Chair Doug Copeland called the meeting to order at 6:30 p.m.

**PLEDGE TO THE FLAG**

**ROLL CALL:** Boardmembers Margaret Jenkins, Sandra Mattick (6:49 p.m.), Mike Yetter, Chair Doug Copeland, Randall Stover (7:00 p.m.), and Jim Conoly.

**Staff present:** City Clerk Alice Baird, Planner Alan Garrett, Mayor Fran Barford, and Minutes Clerk Stacey Johnston.

**Press:** Sun and Islander.

- 1. Review of Amended Site Plan for a Mixed-use project, relocating the loading area of the Pine Avenue frontage, located within the ROR District at 315/317 Pine Avenue – Lots 17, 18, and ten feet of vacated right-of-way Block 18, Anna Maria Beach Subdivision as submitted by Pine Avenue Restoration, LLC.**

*Chair Copeland* pointed out that the map received in the agenda packet was not the one originally approved. The only difference was that the map in the packets shows the proposed buildings without the six-foot separation.

Applicant *Michael Coleman* said when reviewing the Site Plan after its approval, they realized that the neighbors on Spring Ave. should not have to deal with the commercial aspects of the project if they did not have to. He recommended that the commercial aspect is all along Pine Ave. and that everything possible be done to allow for a residential backyard for the neighbors along Spring Ave. Therefore, he said it made sense to move the loading zone from the back of the property to the front along Pine Ave. He felt it also made more sense for the trucks to unload in that area. Mr. Coleman was therefore requesting that the loading zone be approved for moving from the back of the property to the front on Pine Ave. It was noted that one of the former projects was approved with the loading zone located in the front.

*Boardmember Yetter* noted that the suggested stipulation for installing a six-foot fence along the eastern property line for a minimum distance of 35-feet as measured from the right-of-way line of Crescent Ave. was not mentioned in Resolution 08-637. Instead it states that the six-foot fence shall be installed along the entire alley.

*Planner Garrett* said he had recommended the 35-foot distance, however, at the hearing the P&Z Board agreed it be the entire length of the property along the alley.

*Chair Copeland* officially opened the Public Comments portion of the hearing.

**Public Comment – None.**

Hearing no public comment, *Chair Copeland* officially closed the Public Comments portion of the hearing.

**MOTION:** Boardmember Yetter moved to approve that the loading zone be moved from the Spring Ave. location to Pine Ave., as indicated on the amended Site Plan for 315/317 Pine Ave – Lots 17, 18, and ten feet of vacated right-of-way, Block 18, Anna Maria Beach Subdivision as submitted by Pine Avenue Restoration, LLC. Boardmember Pytel seconded the motion.

*Boardmember Jenkins* asked if the proposed new location would be located in the right-of-way.

*Chair Copeland* responded it would not be located in the right-of-way.

**ACTION:** On roll call vote the motion carried unanimously.

As a point of order, *Chair Copeland* asked that the City Clerk swear in all persons wishing to speak.

*City Clerk Baird* officially swore-in all persons wishing to speak that evening.

*Chair Copeland* then asked Mr. Coleman to restate his comments and asked that the motion be re-approved.

*Michael Coleman* asked that the loading zone be relocated from the back of the property to the front along Pine Ave.

*Chair Copeland* officially opened the Public Comments portion of the hearing.

**Public Comment – None.**

Hearing no public comment, *Chair Copeland* officially closed the Public Comments portion of the hearing.

**MOTION:** Boardmember Yetter moved to approve that the loading zone be moved from the Spring Ave. location to Pine Ave. as indicated on the amended Site Plan for 315/317 Pine Ave. – Lots 17, 18, and ten feet of vacated right-of-way, Block 18, Anna Maria Beach Subdivision as submitted by Pine Avenue Restoration, LLC. Boardmember Pytel seconded the motion.

On roll call vote the motion carried unanimously.

2. (a) **Review of a Site Plan for a Mixed-use project located within the ROR District at 503 Pine Avenue – Lots 13, 14, and 15, Block 2, Anna Maria Beach Subdivision as submitted by Pine Avenue Restoration, LLC.**
- (b) **Review of requested Variances pertaining to the Site Plan for a mixed-use project located with the ROR District at 503 Pine Avenue as submitted by Pine Avenue Restoration, LLC for the following:**
  - 1 - **Section 90-3 (m) requiring all parking spaces to be on the subject parcel;**
  - 2 - **The use of tandem parking for the upper-story residential units; and**
  - 3 - **A 12 feet 2 inch variance to Section 114-282 (4) a for the side street yard setback.**

*Chair Copeland* said since it would be impossible to approve the Site Plan without the approval of the requested variances, he suggested item 2. (b) be considered first. He asked that Mr. Coleman address item 2. (b) 1 – Section 90-3 (m) requiring all parking spaces to be on the subject parcel.

*Applicant Michael Coleman* gave a background of how the project evolved. He explained that the applicants first purchased the existing 1913 house and it was determined that all other buildings would be situated around the existing house. No structural changes will be made to the existing house except for its usage as a retail establishment. Handicap ramps will be installed as required by Code.

Mr. Coleman said when submitting the Site Plan they began wrestling with the parking issue and realized in order to meet the parking requirements it would require allowing parking in the setback. He pointed out that parking is currently allowed in the right-of-way all along Pine Ave.

Consistent with having the rear yard as rear residential for the neighbors along Spring Ave., they determined the parking should not be located in that area. Therefore, the applicant determined that the front was the best location for the parking.

Mr. Coleman stated that both the P&Z Board and City Commission had expressed the desire to have mixed-use development in the ROR District. However, he said he did not know how anyone with property along Pine Ave. could have a mixed-use project and still meet the parking requirements.

According to Mr. Coleman there are 168 parking spaces for commercial properties along Pine Ave. He said he had been surveying the spaces six different time a day for a week and there had never been more than forty cars in the parking spaces. Doubling during season would only be eighty cars. Mr. Coleman therefore suggested that at some point it would be important to discuss the entire parking requirements along Pine Ave. However, he was now requesting a variance in order to meet the parking requirements.

*Boardmember Pytel* said he looked at the request as more of a vacation request rather than a variance request. He felt the proposed parking location was

valuable City property, that if approved, the City would be giving away. He said once the City gave away the property, they could no longer improve Tarpon Ave. by placing trees, a sidewalk, etc. He said he was opposed to the request.

*Mr. Coleman* said he understood Boardmember Pytel's viewpoint, however, basically all the right-of-way along Pine Ave. was currently being utilized for parking.

Mr. Coleman suggested the Commission weigh the value of the preservation of the property (3 lots) versus the use of the right-of-way for parking purposes.

Mr. Coleman further informed he had 68% potential use of the lots and had only used 32%. He stated they were only occupying 3,800 sq. ft per lot.

It was Mr. Coleman's opinion that there were currently over-stringent parking requirements in the City.

*Boardmember Pytel* said if the parking was approved as proposed, he was also concerned about the safety of cars traveling down Tarpon and turning onto Pine Ave.

*Boardmember Conoly* asked how over-stringent parking requirements compared with placing too much building on a property. He then asked if the P& Z Board agreeing to give approval of the parking along City right-of-way would be making all other parking along Pine Ave. in the right-of-way to be made legal.

*Mr. Coleman* pointed out that parking in the right-of-way on Pine Ave. was already legal. Code states that parking in the right-of-way is allowed, however, whenever there is a project, all parking must be contained within the setbacks.

Mr. Conoly asked if the issue had been worked out with the Planner. *Planner Garrett* informed that when the request was presented, he only provided Mr. Coleman with what was necessary for processing and requesting a variance request.

Mr. Coleman informed that they were not seeking maximum coverage and were only building at 10,000 sq. ft over three lots.

Discussion followed relating to whether or not keeping the existing house would be the right thing to do. Mr. Coleman felt it would be the right thing to do. Boardmember Conoly replied it was only Mr. Coleman's opinion that it was the right thing to do that it was not everyone's opinion. Mr. Coleman stated it was his assumption that there was a shared vision in the City to save the historic houses.

Boardmember Conoly asked how Mr. Coleman's request differed from the previous Waterfront property request for parking on the City's right-of-way.

Mr. Coleman said he had only heard what had occurred but had been informed that both the Waterfront and City agreed on the location, however, when they

were unable to meet the parking requirements, the City was flexible and allowed it.

Boardmember Conoly then asked what other alternatives Mr. Coleman had relating to the parking.

Mr. Coleman said when putting together the project plans, he did not realize how difficult meeting the parking requirements would be. He said it never occurred to him that three lots on a corner still could not meet the parking requirements. He felt if the parking requirements on those three lots could not be met, then there was no way anyone along Pine Ave. could build a mixed-use project.

In answer to Boardmember Conoly's question of how Mr. Coleman was getting around the 5,000 sq. ft limitations, Mr. Coleman explained that they did not have to since they were standard lots. He informed they had abandoned almost all properties on the north side of Pine Ave. since they were not standard lots.

*Boardmember Yetter* applauded Mr. Coleman for presenting a project with symmetry and an esthetically pleasing property to look at. He questioned what approving the proposed parking request would do to the value of the properties around it and to the City. He said he believed it did enhance the value to the City and other property owners. Boardmember Yetter said he would support the project.

*Boardmember Mattick* stated that parking on Pine Ave. is a problem, that most lots cannot meet parking requirements and she hoped the City could resolve it for most businesses.

*Boardmember Jenkins* said she could not agree with giving up the City's right-of-way. She felt a sidewalk was needed.

*Boardmember Mattick* responded even if the parking were moved in the right-of-way it would not be usable due to the backing of vehicles in and out across it.

*Boardmember Stover* felt that altering the layout of the City and giving up the right-of-way would be a mistake. He gave the example of the parking issues at his bicycle shop on Pine Ave. He further suggested a sidewalk be installed for pedestrians.

*Boardmember Mattick* pointed out that it was legal to park in the right-of-way and further did not feel the City would spend the money required to install a sidewalk at that location.

*Mr. Coleman* stated that the proposed Site Plan was their best esthetic use of the property, would enhance the properties around it, and that the parking request maintains what's already occurring on Pine Ave.

*Chair Copeland* explained that the City currently allows for parallel – unspecified parking – along Pine Ave. Mr. Coleman's project requires 23 parking spaces to

be located solely within the subject parcel and not in the right-of-way. He felt that if a 12-foot 2-inch variance for a side yard setback was not also being requested, the parking spaces could then be located within the parking.

*Boardmember Pytel* suggested either the size of the project be reduced or that the parking be placed in the back by the alley.

*Mr. Coleman* said the neighbors on Spring Ave. did not want a parking lot located at the back of their properties. He said if at all possible he wanted the residents on Spring Ave. to be looking at rear residential yards as they are currently.

*Chair Copeland* said he believed the applicant was creating the circumstances for creating the variance request relating to the side-yard setback. He did not feel the request was unique and felt there were other alternatives for altering the design to allow the parking to be located with the subject parcel.

*Mr. Coleman* addressed the side-yard setback issue stating he became aware of it only two days earlier – that he thought 7-feet was the required setback.

Discussion followed relating to alternatives and the pros and cons. It was *Chair Copeland's* opinion that it would be in the City's best interest for Mr. Coleman to come back with an alternative design.

**ACTION:** After discussion, it was agreed that Mr. Coleman bring back an alternative parking design for the P&Z Board's consideration at the Wednesday, November 5, 2008, 6:30 p.m. meeting. As advertised, the City Commission is scheduled to review the Site Plan at their November 20, 2008 meeting.

*Chair Copeland* officially opened the Public Comments portion of the hearing.

#### **Public Comment**

*Tom Turner*, N. Shore Dr., said there was 155-foot coverage off the 10-foot alley that would allow for fifteen parking spaces and would solve the problem.

Mr. Turner further pointed out that there was no area shown on the proposed Site Plan for a dumpster.

*Chair Copeland* informed that a letter had been received from *Donna Kamp* of 506 Spring Ave. Ms. Kamp stated in her letter that she did not agree with the road around the property or the parking in the rear of the property. She hoped that the area be maintained of grass/yard to allow a quieter atmosphere for the homeowners and residents on Spring Ave.

E-mail was received from *Robin Wall* asking that the P&Z Board deny the variance request relating to Sec. 90-3. Off street parking requirements. She felt allowing private commercial parking on the City rights-of-way would create the feeling of a narrower and more chaotic space and was not the direction to take in planning the future of Anna Maria's main commercial areas.

Hearing no further public comments, *Chair Copeland* officially closed the Public Comments portion of the hearing.

3. **New Business** – None.
4. **Old Business** – None.
5. **Approve Minutes of September 2, 2008.**

**MOTION:** Boardmember Stover moved that the September 2, 2008 meeting minutes be approved as written. Boardmember Jenkins seconded the motion. Motion carried – All Aye.

**Adjournment.**

**On motion made by Boardmember Conoly and seconded by Boardmember Pytel the meeting was adjourned at 7:33 p.m. Motion carried – All Aye.**

**The next meeting is scheduled for Tuesday, October 21, 2008, 6:30 p.m.**

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**Alice Baird, CMC, City Clerk**