

Planning and Zoning Board

May 1, 2023

Video of the meeting can be found [HERE](#).

Present: Messrs. Wheatcraft, Hulvershorn, Weiss, Hodges and Chair Smith. Absent: Messrs. Fankhauser

Approval of the minutes for March 6th was unanimous.

Public Participation: None

New Business:

S-3-22: Shell Pointe PUD (543.5 total acres located on the south side of Pioneer Trail, immediately west of Interstate 95, and extending south to the existing Verano and Venetian Bay). This was the longest and most contentious issue of the meeting, going back to 2016 and the MDA that was approved in 2018. This application is for the first two phases of the four-phase project and will be for 319 single family lots on 210.47 acres. Phases three and four were not submitted at this time but will be for 382 lots, a connection to Williamson Blvd., a public park and amenities including a bike trail, a dog park, and a walking trail. It will have a combination of lot sizes. The minimum lot size is 7260 sq. ft, but the average lot size is over 9,000 sq. ft. Additionally, land will be taken from phases three and four for a new I-95 interchange. The Department of Transportation is in the process of doing that now. The interchange will not be completed for three years. The traffic analysis, which is completed, needs to be reviewed by the City and County.

The Board and especially Mr. Weiss had several concerns. Chief among them were waiting for the moratorium report, the hydrology and traffic studies, and landscaping design. The City Engineer said there were a series of ponds that discharge west, and that the developer must retain a 100-year storm on site. Mr. Weiss wanted old Florida landscaping to look like what was there before it became a sod farm. Chair Smith was concerned with the height and caliper, and type of the trees.

The attorney, who spoke for the applicant, lectured the Board on the law and the fact that they have little discretion at this point. As long as the plat conforms to the Master Development Agreement, it must be approved. When asked if approval could wait a month for the moratorium report, Mr. Storch replied that the developer could not because they were required to close by June 1st, and since this PUD had been approved earlier, it was exempt from the moratorium. He assured the Board that the amenities would be built because "the law" required that they be built before any houses in phases three and four could receive a Certificate of Occupancy. The developer is donating the right of way for Williamson and all construction traffic will enter through Pioneer Trail.

Members of the public had many objections and generally followed the concerns of the Board regarding water and traffic, but stressing the one law that really mattered which was the law of physics in that water runs downhill. One objection that stood out was from residents of Venetian Bay. The HOA of Shell Pointe was supposed to be a member of the Venetian Bay HOA. The residents objected because they have been trying to wrest control of the HOA from Goesam. This will only happen when Venetian Bay reaches 90%

build out, and adding Shell Pointe would push this goal out for many years. Mr. Storch and the Assistant City Attorney agreed that a simple amendment to the MDA would solve this problem stating that the Shell Pointe developer would pay for roads but not join the Venetian Bay HOA. **Motion to recommend approval to the City Commission for the development of Phase 1 and 2 was made with three conditions: HOA not part of Venetian Bay, barriers at end of streets are to be kept in place, and the plan meets the City surveyor's approval. Motion passed with Wheatcraft, Hulvershorn, Smith, Hodges, and Frankhouser voting, YES and Weiss, voting NO.**

V-3-23: 102 Via Duomo was withdrawn.

SV-1-22: Applicant asked for a review and recommendation to the City Commission of a proposed request to vacate two unopened sections of Mildred Ave. and Main St., all lying between Luella Street and North Glencoe Road. **Motion to vacate was unanimously approved.**

A-3-23: 1311 North Dixie Freeway. Applicant requested a Special Exception to allow auto sales. **Motion to recommend approval with two conditions, upgrading trees and staff conditions was unanimous.**

V-4-23: 687 Louella Street. Applicant requested three variances to allow for an accessory structure 15 ft from rear and 15 ft from side yard which would exceed over 60% of size of principal structure and was not recommended by staff. **Motion to approve was unanimously voted NO on all variance requests- side, rear, and percentage of primary structure.**

A-3-23: 336 South Walker Drive; A-4-23: 3010 Turnbull Bay Rd; A-5-23: 360 Wild Orange Drive, and A-6-23 1929 Pioneer Trail. All three applicants requested voluntary annexation, Comprehensive Plan amendment and rezoning from county to comparable city designations. **Motions to approve the requests were unanimous.**

Comments by Board Members:

Since the City Commission has not acted on a request for a joint workshop, the Assistant City Attorney will try to plan a stand-alone one for June.