

Planning and Zoning Board Special Meeting

March 18, 2024

See Video and Agenda [HERE](#)

Present: Messrs. Jon Hall, John Frankhouser, Curtis Hodges, Kip Hulvershorn, Thomas Bien, and Chair Larry Wheatcraft. Absent: Stephen Yates.

Public Participation: None

Old Business: None

New Business: Ordinance 17-24: Conduct a public hearing to consider the adoption of an ordinance which, if adopted, would halt the issuance of building permits that impact the malfunctioning storm water system in Phase Two of Venetian Bay. **Backstory:** After flooding in 2023, Portofino Gardens Homeowners Association (PGHOA) contacted St. Johns River Management District (JRWMD) who came out and met with some members of the HOA Board and evaluated the situation along with reading the engineering report that the Portofino Gardens HOA had paid for from DeLoach Engineering (see agenda attachment). The JRWMD then issued a letter of reprimand to the Venetian Bay Homeowners Association (VBHOA) which is still controlled by GEOSAM on October 20, 2023, stating that the stormwater system serving Portofino Gardens is not functioning as designed and permitted and listed five main conditions. At the February 27th regular City Commission meeting, the Commissioners voted unanimously to approve an ordinance to place an emergency moratorium on building permits in Venetian Bay Phase II. Building of single-family homes on lots that have were approved prior to the moratorium can proceed. New projects, including the clubhouse and pool, and a commercial development, will not be approved while the moratorium is in effect.

Shane Corbin, Director of Development Services, presented information about the flooding in Portofino Gardens. Staff had been given two reports, one done by the VBHOA by AJP and the other by the PGHOA which was more focused on the ditch off Airport Rd. The DeLoach report stated that the culverts are 2.2 feet higher than the upstream outfall, and that may be causing flooding. The city will use new modeling software where the information from the two reports can be utilized to determine if there are bottlenecks in that ditch. This moratorium will terminate on June 25th, but if the problem is not entirely resolved on that date, the process will begin again with another hearing and temporary moratorium.

Further studies will be needed. The City Engineer, Kyle Fegley, added that they have recent water level information about Shell Pointe but since it is far from Portofino, new borings will be needed there to make a comparison from years past. He also voiced concern about the cost of remediation and who would bear the cost since the warranty bonds have elapsed.

There was no representative from the HOA (developer/Geosam) in attendance, however their submitted report showed all the maintenance that they had done (see agenda attachment, Stormwater Drainage Improvements Project). More than 30 residents of Venetian Bay attended the meeting. Eight speakers presented the following:

1. Flooding is only one of several concerns.
2. The water table has likely risen.
3. With a 5" storm in 36 hours, the ponds went up 5" which means there was no drainage.
4. There is a lack of maintenance by the VBHOA.
5. The proposed ordinance is not strong enough. The problem is larger
6. The problem exists throughout Venetian Bay in varying degrees.
7. Since clearing land for The Palms development, the water level in the pond has increased.
8. There is now flooding near tennis and pickleball courts.
9. Commercial Development will make things worse.
10. Now is the driest part of the year, and the water level is the highest ever.

Before the vote, the Chair noted his unhappiness with the developer in not attending the meeting.

Motion to recommend approval of Ordinance no. 17-24 to the City Commission was unanimous.

Comments by Members of the Board: Mr. Hall thanked the Venetian Bay representatives for their clarity and useful information.