

REVISED (Second revision) 11-15

MEMORANDUM

DATE: November 11, 1994

TO: Town Commission

FROM: Griff H. Roberts, Town Manager

SUBJECT: Special Commission Meeting

Notice is hereby given that Mayor Robert J. Farber has called a Special Commission Meeting on November 17, 1994 at 5:01 P.M. for consideration of the following items:

I. Items for Consideration by the Town Commission

1. Greer (Beer Can) Island Maintenance Dredging
2. Approval of Bayfront Park Recreation Center Programs, Activities and Budget
- # 3. Approval of Request to Authorize Town Attorney to File a Petition for Formal Administrative Hearing Re. Florida Department of Environmental Protection Notice of Intent to Issue a Permit for Construction of the Colony Beach Groin

II. Ordinances - Second Reading and Public Hearing

1. Ordinance 94-15, Amending Approval Procedures for Outline Development Procedures
2. Ordinance 94-16, Amending Chapters 30, 33, 157 & 158 Public Hearing Process and Notice Requirements

III. Resolutions and Public Hearings Continued

1. Resolution 94-35, Approving (or Denying) a Site Plan Amendment for the Marina Commercial Village, Bay isles Planned Unit, Permitting Patio Dining North of the Restaurant and Increasing the Maximum Seating Capacity from 100 Seats to 150 Seats (Quasi-Judicial)

IV. Town Attorney Comments

V. Town Manager Comments

VI. Town Commission Comments

VII. Public To Be Heard

VIII. Press To Be Heard

*Indexed
1-20-95*

94.30

TCSM 11-17-1994

(* Indicates agenda material was distributed at this time.) (# Indicates revision.) (@ Indicates postponed or requested to be postponed.)

If any person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, a record of the proceedings will be needed. For such purpose that person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Proceedings will be electronically recorded. Copies of the cassette tapes may be purchased from the office of the Town Clerk.

/dhs

94-30

MINUTES OF THE SPECIAL MEETING OF THE LONGBOAT KEY TOWN COMMISSION,
NOVEMBER 17, 1994, AT 5:01 P.M.

Present: Mayor Farber, Vice-Mayor Patterson, Commissioners
Gotthainer (until 7:00 P.M.), Drohlich, Sagman, Metz,
Green

Also Administrative Services Director Hubbard, Town Attorney
Present: Persson, Planning, Zoning and Building Director Gaffney,
Public Works Director Smally, Deputy Clerk Celentano

The Special Meeting was called to order in the Longboat Key Town
Commission Chambers, 501 Bay Isles Road, at 5:01 P.M. The Special
Meeting was immediately recessed to continue the Regular Workshop
and reconvened at 5:12 P.M.

(ITEMS I and II were heard following Item III.)

III. Resolutions and Public Hearings Continued

1. Resolution 94-35, Approving (or Denying) a Site Plan Amendment
for the Marina Commercial Village, Bay Isles Planned Unit,
Permitting Patio Dining North of the Restaurant and Increasing the
Maximum Seating Capacity from 100 Seats to 150 Seats
(Quasijudicial)

It was moved by Metz, seconded by Sagman, to approve Res. 94-35(A).

Pursuant to published notice, the public hearing was continued from
the 11-7-94 Regular Meeting.

Deputy Clerk Celentano administered the oath for sworn testimony to
all witnesses who intended to speak during the public hearing.

Bruce Franklin, architect representing Cafe on the Bay owners,
Titus Letschert and Betsie Coolidge, stated that from his review of
minutes of the 11-7-94 Town Commission Meeting and from discussion
with Planning, Zoning and Building Director Gaffney, it appeared
much of the discussion revolved around the subject of parking. He
reported extensive dialogue had been held with residents, and with
the Marina Bay Association and the Bay Isles Master Association,
who had conditionally supported all aspects of their request. He
presented three parking options for consideration. He stated a
commitment had been made to Marina Bay not to add any more
impervious area. He said a letter to Mr. Gaffney stated that valet
parking would be provided during peak hours of operation or as
needed to accommodate seasonal fluctuations in use.

Commissioner Green asked how many parking spaces were conceded when
the restaurant was first approved. Mr. Gaffney responded the
original plans required 75 parking spaces based on the square

SPECIAL MEETING (CONT.)

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footage of the building; however, the Town Commission approved the restaurant with 50 parking spaces because it was felt at the time that much of the patronage would be coming from the Marina.

Amendment #1: It was moved by Farber, seconded by Green, to amend the Resolution as follows: in all relevant sections, change the seating allowed from 150 to 120; in Exhibit "A" change Condition 3 to require 100% opaque landscaped buffer; in Condition 5 change the word "west" to "east" (of the pool); in Condition 8 re. Parking Requirements: change from 75 to 60 total improved spaces "east of the building"; and add Condition 9 as "Employee Parking" on an in-fill area along the Marina, as opposed to along the roadway.

Mayor Farber said the reason for this amendment was if seating were increased, the parking should be located on that site; requiring 25 parking spaces would block out the entire site. He stated the view of parked cars was very unattractive from the golfer's point of view.

Amendment #2: It was moved by Patterson, seconded by Sagman, that Res. 94-35(A) be approved for a two-year period until the Comprehensive Plan and Zoning Code were amended, and that it be contingent upon a demonstration that the operation was abiding by the Resolution.

Mr. Persson stated a temporary permit could be granted for a definite period of time and then may be made permanent based on occurrence of certain objective facts.

Commissioner Green stated that since the Marina had highly intensive usage, much more than it was designed for, it was difficult to fit in the additional parking spaces; an approval of the Resolution ran with the land, not the tenant.

After further discussion, with the consent of Commissioner Green, Mayor Farber withdrew his proposed Amendment #1.

Mr. Persson asked if the two-year grant would be acceptable to the applicant. Mr. Franklin responded they had numerous concerns such as whether they would be allowed to re-apply after the two-year period, whether the timing of the Zoning Code amendment would affect it, and whether modifications to the Zoning Code would affect it. He stated they had no problem proving what their intent was and what they intended to do with the operation of Cafe on the Bay.

Mr. Persson suggested he redraft the Resolution for the 12-5-94 Regular Meeting to incorporate Amendment #2.

Commissioner Green stated the Comprehensive Plan and Zoning Code would not be amended to increase intensity but rather to decrease it, if possible. He stated if tables were not allowed outside, then that would be considered as well as credit for customers who arrived in their boats instead of using parking spaces.

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SPECIAL MEETING (CONT.)

11-17-94, PAGE 3

Motion to amend Res. 94-35(A) to provide a temporary permit for a two-year period failed on roll call vote: Patterson, aye; Sagman, aye; Metz, no; Green, no; Gotthainer, no; Drohlich, no; Farber, no.

Amendment #3: It was moved by Drohlich, seconded by Gotthainer, to amend Res. 94-35(A) with the following changes: In Exhibit "A", Condition 4, after the end of the second sentence insert the following: "Should, however, the facility exceed a total maximum seating of 150 or for any other violation of Res. 94-35(A) as determined by the Code Enforcement Board, then the total maximum seating shall revert to a total amount of 100 seats."

Vice-Mayor Patterson stated that on several weekends a year several boats appeared at the Marina in the transient area and were catered to at the pool area; therefore, he asked how the 150-seat capacity would be maintained. Commissioner Drohlich stated it was up to the operators to manage it. Mr. Garey stated several party commitments were assumed when they took over the restaurant and some events were booked before they were made aware of the 100-seat requirement, but the requirement had been honored, the reservations had been staggered, and they would be willing to accept the provision proposed by Commissioner Drohlich.

Motion to approve Amendment #3 carried on roll call vote: Drohlich, aye; Gotthainer, aye; Green, no; Metz, aye; Sagman, aye; Patterson, aye; Farber, no.

Mr. Persson recommended the following changes: Amend Condition 5 by changing the first word, "Seating", to "Dining", and by changing "west of the pool" to read "east of the pool"; amend Condition 8 to add at the end of the first sentence the words "by an easement recorded in the official records of Sarasota County"; he explained that if the two parcels were ever conveyed separately, this would assure that the parking would go with the restaurant. Commissioner Gotthainer asked that the food service area be maintained four feet from the pool.

Amendment #4: It was moved by Sagman, seconded by Patterson, to amend Condition 5 by changing the word "Seating" to "Dining", and changing "west of the pool" to "east of the pool". Motion carried on roll call vote: Sagman, aye; Patterson, aye; Drohlich, aye; Gotthainer, aye; Metz, aye; Green, no; Farber, aye.

Amendment #5: It was moved by Patterson, seconded by Drohlich, to amend Condition 8 by adding to the end of the first sentence the phrase "by an easement recorded in the official records of Sarasota County". Motion carried unanimously on roll call vote: Patterson, aye; Drohlich, aye; Gotthainer, aye; Green, aye; Metz, aye; Sagman, aye; Farber, aye.

Commissioner Gotthainer suggested if provisions were made to allow ten parking spaces adjacent to the golf course, it would look less congested. Mayor Farber reported the golf course was designed to almost hide the parked vehicles from view.

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SPECIAL MEETING (CONT.)

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William Vernon, Marina owner, was administered the oath for sworn testimony during the public hearing.

Mr. Vernon stated he had been denied adequate parking spaces when the original application was approved because the Commission felt the use of the facility by boaters did not necessitate additional parking. Commissioner Green recalled the restaurant was allowed 100 seats because of the anticipated use by the Marina.

No one else wished to speak so the public hearing was closed.

Motion to approve Res. 94-35(A) including Amendments #3, #4, and #5, and including the depiction of the diagram to be known as "Exhibit 1" as part of the Resolution, carried on roll call vote: Metz, no; Sagman, aye; Patterson, aye; Drohlich, aye; Gotthainer, aye; Green, no; Farber, no.

I. Items for the Consideration of the Town Commission1. Greer (Beer Can) Island Maintenance Dredging

Public Works Director Smally reported bids for the dredging project were opened on 11-2-94; one bid was under budget, however, that company withdrew citing an error in their bid. He reported the next lowest bid was \$99,000, almost twice as much as budgeted. He stated the volume of sand to be dredged had almost doubled since the original application had been made. He reported Manatee County had awarded the Town a grant amounting to \$55,000. His recommendation was to reject all bids, re-bid, ask Manatee County for an extension and submit an application to West Coast Inland Navigation District for an additional \$55,000 so the project could be completely funded. He reported other options were for the Town to amend the budget to include the additional funding necessary or assess local property owners.

Commissioner Gotthainer commented that as the sand accreted, it extended the acreage.

Edward Borkowski, 380 Northshore Rd., a property owner in the subject area, stated he did not want more ground; he purchased his property because it was waterfront property and allowing the accretion to continue would devalue all the property in the area. He stated it would not only cause a loss to property owners but would result in loss of tax revenue to the Town. He stated he would be willing to contribute to the cost; however, the funds had been appropriated years ago when the permit applications were submitted.

Mayor Farber suggested the Town apply for additional funding along with some sort of assessment of the property owners concurrently so the project could be completed. He asked that Town staff be directed to inform the surrounding property owners regarding the progress of the dredging project.

It was moved by Metz, seconded by Green, to reject all bids, request an extension from Manatee County and apply for additional funding from WCIND.

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SPECIAL MEETING (CONT.)

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restored.

Commissioner Green asked if it might not be a good idea for the Town to require a bond. Mr. Persson responded affirmatively.

Motion carried unanimously on roll call vote: Drohlich, aye; Metz, aye; Sagman, aye; Gotthainer, aye; Patterson, aye; Green, aye; Farber, aye.

(Commissioner Gotthainer left the meeting at this time, 7:00 P.M.)

4. Town Attorney Authorization to Expedite Permitting Process for Stabilization Structure

It was moved by Drohlich, seconded by Sagman, to authorize the Town Attorney to take appropriate action to expedite the permitting process for stabilization structure at the south end of Longboat Key. Motion carried unanimously on roll call vote: Drohlich, aye; Sagman, aye; Metz, aye; Green, aye; Patterson, aye; Farber, aye.

II. Ordinances - Second Reading and Public Hearing

1. Ordinance 94-15, Amending Approval Procedures for Outline Development Procedures

Ord. 94-15 amending Chapter 158 of the Code of Ordinances of the Town of Longboat Key, Florida, in Section 158.067, Review and Approval Procedure for Outline Development Plans; providing for approval of outline development plan by ordinance; providing for recordation; providing for severability; providing for repeal of all ordinances in conflict herewith; providing for an effective date, was placed on second reading by title only.

It was moved by Green, seconded by Metz, to adopt Ord. 94-15 on second reading.

Pursuant to published notice, the public hearing was opened. No one wished to be heard and the public hearing was closed.

Motion carried unanimously on roll call vote: Green, aye; Metz, aye; Sagman, aye; Patterson, aye; Drohlich, aye; Farber, aye.

2. Ordinance 94-16, Amending Chapters 30, 33, 157 and 158 Public Hearing Process and Notice Requirements

Ord. 94-16 amending Chapter 30, Town Commission, of the Code of Ordinances of the Town of Longboat Key, Florida, in Section 30.01, Meetings, by adding (E) Public Hearings; amending Chapter 33, Boards and Commissions, in Section 33.25, Public Hearings, providing for public notice requirement; amending Chapter 157, Subdivision Regulations, in Section 157.25, Submission of Plat Required; Right to Appeal, providing for waiver of fees; in Section 157.30, Preliminary Plat Approval, providing for public hearings on preliminary plat approval; in Section 157.31, Final Plat Approval, providing for public hearings on final plat approval; amending Chapter 158, Zoning Code, in Section 158.027, Appeals, providing for public notice requirement; in Section 158.029, Variances, providing for public hearings on variances; in Section 158.032, Vested Rights Determination, providing for public hearings on

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SPECIAL MEETING (CONT.)

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vested rights determinations; in Section 158.099, *Submission Procedures*, (C), (D), and (E), providing for public hearing on site plan approvals; deleting Section 158.101, *Public Hearings*; providing for public hearings on site plan approval; in Section 158.126, *Special Exception Uses*, providing for public hearings on special exception uses; providing for severability; providing for repeal of all ordinances in conflict herewith; providing for an effective date, was placed on second reading by title only.

It was moved by Green, seconded by Sagman, to adopt Ord. 94-16 on second reading.


Pursuant to published notice, the public hearing was opened. No one wished to be heard and the public hearing was closed.

Motion carried unanimously on roll call vote: Green, aye; Sagman, aye; Drohlich, aye; Patterson, aye; Metz, aye; Farber, aye.

IV. Town Attorney CommentsV. Town Manager CommentsVI. Town Commission CommentsVII. Public to be HeardVIII. Press to be HeardIX. Adjournment

The Special Meeting was adjourned at 7:15 P.M.


Robert J. Farber, Mayor


Patrizia Arends, CMC/AEE, Town Clerk
Norma Celentano, CMC/AEE, Deputy Clerk

Exhibits and documents submitted for record and file location:

Item III-1. Res. 94-35, Site Plan Amendment for Marina Commercial Village:

Workshop Agenda Item B-10
Memorandum dated 11-17-94 From Scott Pickett, Planner to Town Manager
Letter dated 11-16-94 signed by Robert Bleyer, Vice-President, Bay Isles
Memorandum dated 10-28-94 from PZB Director to Town Manager
Drawing of Marina Commercial Complex dated 11-17-94
Staff Report dated 9-13-94 from PZB Director to P&Z Board
Resolution 90-43 dated 4-11-91 adopting Site Plan for Marina Commercial Village
Letter from David Persson to Town Clerk dated 7-8-94 including settlement agreement
Applicants Report and Application Package
P&Z Minutes of 10-18-94

All of the above-mentioned documents are on file in the Town vault.

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94-30

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who had conditionally supported all aspects of their request. He
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the restaurant was first approved. Mr. Gaffney responded the
original plans required 75 parking spaces based on the square

footage of the building; however, the Town Commission approved the restaurant with 50 parking spaces because it was felt at the time that much of the patronage would be coming from the Marina.

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Mr. Persson asked if the two-year grant would be acceptable to the applicant. Mr. Franklin responded they had numerous concerns such as whether they would be allowed to re-apply after the two-year period, whether the timing of the Zoning Code amendment would affect it, and whether modifications to the Zoning Code would affect it. He stated they had no problem proving what their intent was and what they intended to do with the operation of Cafe on the Bay.

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Commissioner Green stated the Comprehensive Plan and Zoning Code would not be amended to increase intensity but rather to decrease it, if possible. He stated if tables were not allowed outside, then that would be considered as well as credit for customers who arrived in their boats instead of using parking spaces.

Motion to amend Res. 94-35(A) to provide a temporary permit for a two-year period failed on roll call vote: Patterson, aye; Sagman, aye; Metz, no; Green, no; Gotthainer, no; Drohlich, no; Farber, no.

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Vice-Mayor Patterson stated that on several weekends a year several boats appeared at the Marina in the transient area and were catered to at the pool area; therefore, he asked how the 150-seat capacity would be maintained. Commissioner Drohlich stated it was up to the operators to manage it. Mr. Garey stated several party commitments were assumed when they took over the restaurant and some events were booked before they were made aware of the 100-seat requirement, but the requirement had been honored, the reservations had been staggered, and they would be willing to accept the provision proposed by Commissioner Drohlich.

Motion to approve Amendment #3 carried on roll call vote: Drohlich, aye; Gotthainer, aye; Green, no; Metz, aye; Sagman, aye; Patterson, aye; Farber, no.

Mr. Persson recommended the following changes: Amend Condition 5 by changing the first word, "Seating", to "Dining", and by changing "west of the pool" to read "east of the pool"; amend Condition 8 to add at the end of the first sentence the words "by an easement recorded in the official records of Sarasota County"; he explained that if the two parcels were ever conveyed separately, this would assure that the parking would go with the restaurant. Commissioner Gotthainer asked that the food service area be maintained four feet from the pool.

Amendment #4: It was moved by Sagman, seconded by Patterson, to amend Condition 5 by changing the word "Seating" to "Dining", and changing "west of the pool" to "east of the pool". Motion carried on roll call vote: Sagman, aye; Patterson, aye; Drohlich, aye; Gotthainer, aye; Metz, aye; Green, no; Farber, aye.

Amendment #5: It was moved by Patterson, seconded by Drohlich, to amend Condition 8 by adding to the end of the first sentence the phrase "by an easement recorded in the official records of Sarasota County". Motion carried unanimously on roll call vote: Patterson, aye; Drohlich, aye; Gotthainer, aye; Green, aye; Metz, aye; Sagman, aye; Farber, aye.

Commissioner Gotthainer suggested if provisions were made to allow ten parking spaces adjacent to the golf course, it would look less congested. Mayor Farber reported the golf course was designed to almost hide the parked vehicles from view.

William Vernon, Marina owner, was administered the oath for sworn testimony during the public hearing.

Mr. Vernon stated he had been denied adequate parking spaces when the original application was approved because the Commission felt the use of the facility by boaters did not necessitate additional parking. Commissioner Green recalled the restaurant was allowed 100 seats because of the anticipated use by the Marina.

No one else wished to speak so the public hearing was closed.

Motion to approve Res. 94-35(A) including Amendments #3, #4, and #5, and including the depiction of the diagram to be known as "Exhibit 1" as part of the Resolution, carried on roll call vote: Metz, no; Sagman, aye; Patterson, aye; Drohlich, aye; Gotthainer, aye; Green, no; Farber, no.

I. Items for the Consideration of the Town Commission

1. Greer (Beer Can) Island Maintenance Dredging

Public Works Director Smally reported bids for the dredging project were opened on 11-2-94; one bid was under budget, however, that company withdrew citing an error in their bid. He reported the next lowest bid was \$99,000, almost twice as much as budgeted. He stated the volume of sand to be dredged had almost doubled since the original application had been made. He reported Manatee County had awarded the Town a grant amounting to \$55,000. His recommendation was to reject all bids, re-bid, ask Manatee County for an extension and submit an application to West Coast Inland Navigation District for an additional \$55,000 so the project could be completely funded. He reported other options were for the Town to amend the budget to include the additional funding necessary or assess local property owners.

Commissioner Gotthainer commented that as the sand accreted, it extended the acreage.

Edward Borkowski, 380 Northshore Rd., a property owner in the subject area, stated he did not want more ground; he purchased his property because it was waterfront property and allowing the accretion to continue would devalue all the property in the area. He stated it would not only cause a loss to property owners but would result in loss of tax revenue to the Town. He stated he would be willing to contribute to the cost; however, the funds had been appropriated years ago when the permit applications were submitted.

Mayor Farber suggested the Town apply for additional funding along with some sort of assessment of the property owners concurrently so the project could be completed. He asked that Town staff be directed to inform the surrounding property owners regarding the progress of the dredging project.

It was moved by Metz, seconded by Green, to reject all bids, request an extension from Manatee County and apply for additional funding from WCIND.

Motion carried unanimously on roll call vote: Metz, aye; Green, aye; Sagman, aye; Drohlich, aye; Gotthainer, aye; Patterson, aye; Farber, aye.

2. Approval of Bayfront Park Recreation Center Programs, Activities and Budget

It was moved by Green, seconded by Metz, to approve Bayfront Park Rec Center programs, activities and budget.

Motion carried unanimously on roll call vote: Green, aye; Metz, aye; Sagman, aye; Gotthainer, aye; Drohlich, aye; Patterson, aye; Farber, aye.

3. Approval of Request to Authorize Town Attorney to File a Petition for Formal Administrative Hearing Regarding Florida Department of Environmental Protection Notice of Intent to Issue a Permit for Construction of the Colony Beach Groin

Mr. Persson stated the purpose for filing a petition was not to challenge the notion that the groin should be extended but the conditions on which the groin would be extended. He stated the problem was a technical one; there were only 21 days to file an objection, or the Town's rights would be lost. He asked the Town to give permission so he could either file a formal objection or to agree to an extension of time for purposes of agreeing to change the language of conditions concerning the groin.

It was moved by Drohlich, seconded by Metz, to authorize the Town Attorney to file a petition for formal administrative hearing regarding FDEP Notice of Intent to Issue a Permit for Construction of the Colony Beach Groin.

In response to Commissioner Green's question regarding the current policy on groins, Mr. Persson advised that the determination of the State at the time the Town permit was approved was that the entire Colony Beach groin was to be removed; however, the Town engineer disagreed with that interpretation and fought for and was successful in allowing the current section of the groin to remain; it was the seaward 65 feet that the State believed was derelict. Further, he stated the Colony obtained an injunction against the Town and the State, contending they had "grandfather" rights to maintain the structure and apparently had prevailed with the State. He said the Town needed to find out if there was an adverse impact, what it was, and if there was an adverse impact, what would be done to alleviate it.

John Redgrave, 1485 Gulf of Mexico Drive, representing the Players Club, stated his association and Seaplace had asked their beach consultant, David Tackney, to go over the presentation given to FDEP to determine whether it would be necessary for them to request an administrative hearing; they were informed the Colony would lose its seaward portion plus the beach at Aquarius and Tencom would likely erode up to the north and south seawalls. He reported he had written a letter to FDEP which stated they had no objection, but quarterly assessments of the erosion were requested rather than annual, and if there was any damage to their property, that it be

restored.

Commissioner Green asked if it might not be a good idea for the Town to require a bond. Mr. Persson responded affirmatively.

Motion carried unanimously on roll call vote: Drohlich, aye; Metz, aye; Sagman, aye; Gotthainer, aye; Patterson, aye; Green, aye; Farber, aye.

(Commissioner Gotthainer left the meeting at this time, 7:00 P.M.)

4. Town Attorney Authorization to Expedite Permitting Process for Stabilization Structure

It was moved by Drohlich, seconded by Sagman, to authorize the Town Attorney to take appropriate action to expedite the permitting process for stabilization structure at the south end of Longboat Key. Motion carried unanimously on roll call vote: Drohlich, aye; Sagman, aye; Metz, aye; Green, aye; Patterson, aye; Farber, aye.

II. Ordinances - Second Reading and Public Hearing

1. Ordinance 94-15, Amending Approval Procedures for Outline Development Procedures

Ord. 94-15 amending Chapter 158 of the Code of Ordinances of the Town of Longboat Key, Florida, in Section 158.067, *Review and Approval Procedure for Outline Development Plans*; providing for approval of outline development plan by ordinance; providing for recordation; providing for severability; providing for repeal of all ordinances in conflict herewith; providing for an effective date, was placed on second reading by title only.

It was moved by Green, seconded by Metz, to adopt Ord. 94-15 on second reading.

Pursuant to published notice, the public hearing was opened. No one wished to be heard and the public hearing was closed.

Motion carried unanimously on roll call vote: Green, aye; Metz, aye; Sagman, aye; Patterson, aye; Drohlich, aye; Farber, aye.

2. Ordinance 94-16, Amending Chapters 30, 33, 157 and 158 Public Hearing Process and Notice Requirements

Ord. 94-16 amending Chapter 30, *Town Commission*, of the Code of Ordinances of the Town of Longboat Key, Florida, in Section 30.01, *Meetings*, by adding (E) *Public Hearings*; amending Chapter 33, *Boards and Commissions*, in Section 33.25, *Public Hearings*, providing for public notice requirement; amending Chapter 157, *Subdivision Regulations*, in Section 157.25, *Submission of Plat Required*; *Right to Appeal*, providing for waiver of fees; in Section 157.30, *Preliminary Plat Approval*, providing for public hearings on preliminary plat approval; in Section 157.31, *Final Plat Approval*, providing for public hearings on final plat approval; amending Chapter 158, *Zoning Code*, in Section 158.027, *Appeals*, providing for public notice requirement; in Section 158.029, *Variances*, providing for public hearings on variances; in Section 158.032, *Vested Rights Determination*, providing for public hearings on

vested rights determinations; in Section 158.099, *Submission Procedures*, (C), (D), and (E), providing for public hearing on site plan approvals; deleting Section 158.101, *Public Hearings*; providing for public hearings on site plan approval; in Section 158.126, *Special Exception Uses*, providing for public hearings on special exception uses; providing for severability; providing for repeal of all ordinances in conflict herewith; providing for an effective date, was placed on second reading by title only.

It was moved by Green, seconded by Sagman, to adopt Ord. 94-16 on second reading.

Pursuant to published notice, the public hearing was opened. No one wished to be heard and the public hearing was closed.

Motion carried unanimously on roll call vote: Green, aye; Sagman, aye; Drohlich, aye; Patterson, aye; Metz, aye; Farber, aye.

IV. Town Attorney Comments

V. Town Manager Comments

VI. Town Commission Comments

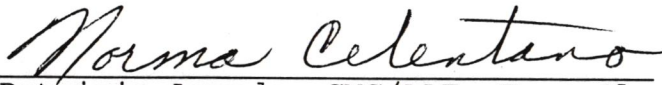
VII. Public to be Heard

VIII. Press to be Heard

IX. Adjournment

The Special Meeting was adjourned at 7:15 P.M.

Robert J. Farber, Mayor



Patrizia Arends, CMC/AAE, Town Clerk
Norma Celentano, CMC/AAE, Deputy Clerk