

MICROFILMING INFORMATION SHEET

TO: LASON
FROM: Town of Longboat Key
Town Clerk Department
501 Bay Isles Road
Longboat Key, FL 34228
DATE: 04-01-2002
SUBJECT: Microfilming

Please index the attached collection of records utilizing the following language and placing this language in the upper right hand corner of each image.

TCRW 09-05-1978

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COMMISSION DIRECTIONS, SEPTEMBER 5, 1978 WORKSHOP

Present: Mayor Ochs, Commissioners Bell, Jenkins, McCall, Ridyard, Sedwick, Seege

Also
Present: Town Manager Allgire

Absent: None

1. Temporary C. O. Request

Request had been received from the Arvida Corp. for a Temporary Certificate of Occupancy for M-2 building of their Seaplace project. The Building Department had stated a punch list would be prepared of items which remain to be completed and the request was that the Commission authorize issuance of the Temporary C. O. subject to completion of the items on the punch list. This was forwarded to the September 6 regular meeting agenda.

2. Tree Removal Plan - Bay Isles Commercial Center

Russ Luce and John Siegel of Arvida presented a proposed tree removal plan for the parking area of the first phase of the Bay Isles Commercial Center. The question was raised as to how excavating and filling could already be going on without a permit and it was explained by Public Works Director Cox that no permit is issued for excavating and filling necessary for utilities, but a permit letter is given for tree removal. Arvida has posted a bond to assure completion of the site work. This request was forwarded to the September 6 agenda.

3. Beachplace Site Plan

The Commission had previously discussed the site plan for Beachplace at a work session and John Siegel of Arvida Corp. distributed a list of items discussed at that time. In line with the previous discussions, a new site plan had been prepared which was labeled Site Plan B, dated 9/1/78 and displayed to the Commission. Mr. Siegel explained the various site plan changes made to try to meet Commission requests. Jack Whelan of Adley Associates called attention to the fact that the two buildings parallel to Gulf of Mexico Drive had necessarily been moved closer to Gulf of Mexico Drive but the setback was still more than two times the height of the buildings and within the cone of vision concept. He further stated that Mr. Siegel is willing to put a berm or a stone wall between these two buildings and Gulf of Mexico Drive and Mr. Whelan felt this should be made one of the conditions attached to approval. The new plan will have more green, recreation space in the center but part of this will be a retention pond and seasonably wet. Mr. Whelan stated he was still unhappy with the repetition of the same building 12 times but the proposed cantilevering of the balconies on the upper two stories on the five story buildings and of the top story of the six story buildings has helped. Unfortunately, the cantilevering is on the side away from the road and does not improve that view. Mr. Whelan stated he would still prefer six 300' long buildings, but there was some disagreement from Commissioners and John Siegel. In response to a suggestion by Mayor Ochs, Mr. Siegel stated they would consider varying the color of the buildings as the buildings take shape. Mr. Whelan pointed out that varying colors would have to be done judiciously and that it would be a palliative, not a cure. Mr. Siegel stated they have sufficient number of parking spaces that they could eliminate the extra row of parking spaces shown on the ends of the two sets of buildings nearest the Gulf. Mr. Siegel stated they would be willing to submit a landscaping plan before any building permits are issued. Mr. Whelan suggested that only that part of the landscaping plan which is part and parcel of the overall concept and contributing to the site plan is needed before site plan approval. The architect, Tim Seibert, stated he would provide

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the drawings of the mass and density landscaping features which Mr. Whelan spoke of. The Commission brought up the fact that various agreements from Arvida: Open Space for the golf course, building permit control, water tank site, utility easements for Longboat Club Rd. etc. have not been received by the Town. Mr. Siegel stated that these agreements will be ready for submission to the Town by Friday, September 8, 1978. Since the site plan approval will not be resolved until the agreements are received, Mayor Ochs asked for an agreement to an extension of time and John Siegel promised that a letter agreeing to a time extension would be hand delivered the following day. Mr. Ochs also requested that copies of the drawings presented at this meeting be given to the Town along with the cross-sections from Mr. Seibert on landscaping. Vice-Mayor Seegel stated for the record that nothing done at this meeting should be construed by Arvida as any approval. It was agreed to discuss this site plan again at the September 12 workshop.

4. Buttonwood Cove Site Plan

Attorney Don McClelland who represents Bennett-Hunt Corp. as well as Vroom Inc., the developers of Buttonwood Cove, informed the Commission that the agreement on growth control is on its way back from Canada where it has been signed by the Bennett-Hunt Corp. for their Bayport and Beaches of Longboat developments.

Mr. McClelland displayed a site plan for Buttonwood Cove which had been revised in accordance with Staff and P & Z Board review suggestions. This will be located on property adjacent to the north of Shenkel's Restaurant, formerly known as the Bass Property. The Commission discussed some of the items in the Staff Review and it was agreed to place this on the September 12 agenda for further discussion. The architect was asked to increase the setback from the road of Building D, and increase the side setback from the trailer park. Also, the matter of the bike path route was to be resolved.

5. Cystic Fibrosis Week Request

Margaret Chiefari, speaking for Debbie Dahlke, requested that the Town proclaim the week of Sept. 10-17 as Cystic Fibrosis Week, and that permission be given to hold a Bike-A-Thon for the benefit of Cystic Fibrosis on Saturday, September 17. Mrs. Chiefari explained that Ms. Dahlke has permission from Arvida Corp. to supervise the Bike-a-Thon from the uninhabited area in back of Ellis Bank. The Commission agreed to issue the requested Proclamation at the September 6 meeting.

6. Request for Curbs in Village Area

King and Margaret Williams of 731 Bayside Drive complained that, especially since Broadway and Russell Streets have curbing, Bayside Drive which lies between them, gets runoff from both. In addition, their lot gets runoff from an adjacent property where fill was brought in to build upon. The problem had been discussed with the Public Works Director and Town Manager and referred to consulting engineer Smally. Mr. Williams said the recommendation from the engineers was that curbing be installed on the house side of Bayside Drive to prevent water from backing up onto their property. Mr. Williams asked that the Commission approve this additional curbing in conjunction with the paving project now going on in the Village. Mr. Williams stated there had been existing curbing, part of which had been covered over in previous street projects. Commissioner Ridyard stated that if the old, existing curbing is uncovered it would channel the water into the big catch basin. After discussing the matter, the Town Commission instructed the Town Manager to obtain costs for curbing

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to be installed from the end of the present curbing to the catch basin located adjacent to the property under discussion. The Town Manager was also directed to obtain costs for curbing around the entire piece of property.

7. Request for Variance from Sign Ordinance

Mr. and Mrs. Chiefari approached the Town Commission regarding a letter they had filed with the Town Manager requesting a variance from the Sign Ordinance to permit a political sign to be erected on their premises. The Town Commission discussed the request in light of a recent opinion regarding the Constitutionality of the Sign Ordinance prohibiting political signs. Since the Town Attorney was not present at the workshop meeting, the Commission indicated it would be difficult to consider this variance without a legal opinion from the Town Attorney. A discussion followed regarding the aesthetics and necessity for allowing political signs to be erected on private property. The applicants were interested in obtaining a consensus of the Commissioners present as to whether they would favor granting such a variance. A poll was taken of the Town Commission and the members present indicated they would not favor granting a variance for political signs to be installed on private property. The applicant was informed that no action could be taken at this workshop meeting regarding the variance and the Town Manager was directed to place this item on the agenda for the next regular Commission Meeting to be held on September 6, 1978.

8. Request for Restoration of Property to be Used for Turning Radius at Intersection of Longboat Drive North and Poinsettia

Mr. and Mrs. Gore appeared before the Town Commission under "Public to be Heard" to discuss the removal of right-of-way at the intersection of Poinsettia and Longboat Drive North. A portion of this right-of-way had been removed to provide for a proper intersection alignment of Poinsettia with Longboat Drive North in accordance with the specifications as determined by the consulting engineers. In order to properly align this intersection, several feet of sod, three trees and other landscaping had to be removed. Mr. Gore stated that he had discussed this matter with the Public Works Director, the Town Manager and the consulting engineers. He was informed that it was necessary to remove this portion of the right-of-way in order to achieve the proper street alignment. Mr. Gore was objecting to the fact that landscaping was removed without prior notice and he had no opportunity to relocate same. In addition, he complained of the fact that this was a Village street and the realignment of the intersection may be necessary under engineering specifications but not necessarily applicable to a street located in the Village area. Public Works Director, Al Cox, presented a drawing of the intersection as furnished by the consulting engineers. The drawing visually explained the problem of making turns from Longboat Drive North into Poinsettia and that a car making a right hand turn onto Poinsettia would have to swing into the other lane of traffic. After discussing the matter, the Town Manager suggested that if the turning radius could be reduced and still remain within safety limitations, the engineering recommendation for restoration of a part of the right-of-way could be followed. The Town Commission determined that the radius could be reduced to 15% and directed the Town Manager to consult with the engineering firm and make a determination as to the amount of reduction that could be achieved without creating any safety problems.

9. Authorization for Town Attorney to Represent Sarasota League of Cities Regarding Constitutional Amendments

Commissioner Sam Seegel stated he had attended a meeting of the Sarasota League of

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Cities held on September 1, 1978 at the Commission Chambers in the City of Sarasota. Representatives of the municipalities constituting the Sarasota League of Cities were available and listened to Town Attorney Welch Whitesell present his findings regarding the procedures employed by the Constitutional Revision Commission in arriving at the proposed amendments to the Florida Constitution. It had been determined by the representatives present at this meeting that the cities involved should proceed with the necessary legal actions to correct this situation after reporting back to their respective commissions and obtaining approval to proceed with legal intervention on a formula cost ratio that had been used in the past by the Sarasota League of Cities to finance the legal expenses. The Town Commission directed the Town Manager to place this item on the agenda for the next regular commission meeting to be held on September 6, 1978.

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