CITY OF ANNA MARIA

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MINUTES

MARCH 21, 2023, AT 9:00 A.M.
PLANNING AND ZONING BOARD MEETING
CITY HALL COMMISSION CHAMBERS

THIS PLANNING AND ZONING BOARD MEETING IS BEING HELD USING OPTIONAL TELECOMMUNICATIONS MEDIA TECHNOLOGY. TO ATTEND YOU MUST:
Dial in by using your phone.
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Access Code: 856-9556-7017

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Pledge of Conduct: **We may disagree, but we will be respectful of one another. We will direct all comments to the issues. We will avoid personal attacks.**
CALL TO ORDER @ 9 a.m. by Member Haddox
PLEDGE TO THE FLAG
ROLL CALL Present: Member Dusty Crane, Member Lisa Bagwell, and Member David Haddox (as acting chair). Chair Jose Erbella absent with permission.

REGULAR MEETING

General Public Comment regarding non-agenda items and items not scheduled for future agendas will be taken at the beginning of the meeting with a limitation of three minutes. The Board's intent is that General Public comment is to be used for the public to inform the Board of new issues within the City. Public Comment regarding agenda items will be taken with each agenda item with a limitation of three minutes.

1. General Public Comment **None**
2. Staff Comments **None**
3. Public Hearing and Recommendation Regarding An Ordinance to Amend Chapter 114 Zoning. **Read into record by Member Haddox.**
   Public comment – Doug Copeland opposes this ordinance because he has owned his 2 lots since the 1970's but under these changes, he would only be able to use one of his lots, but as an unintended circumstance of this new ordinance, because his lot could only be developed as one he could build a larger structure than if both lots were buildable. Also of concern is that everyone impacted could and likely would file a Bert Harris claim at great expense to the city with no changes ultimately being made. Member Bagwell asked Copeland if he'd been to an attorney, and Copeland said it's not necessary because the language is pretty straightforward. City Attorney Becky Vose said Copeland is correct in his assessment of the proposed ordinance, and that since the VR ordinance went into effect, the state legislators have changed the Bert Harris laws to call for the City to pay attorney fees for both sides if the City loses. If the city is able to show no depreciation in value of the property by considering it one large lot as opposed to two smaller lots, the City would prevail but it would be a burden. Member Bagwell questioned how many double lots there are, and City Planner Austin said she has a call in to the former City Planner who had done the research previously and is waiting for his reply. Member Bagwell suggested not moving on the matter today, but putting it off for more research before further consideration. Member Crane said her issue and concern is density and the added burden of splitting lots for development.
   City Planner Ashley Austin said there are some legal non-conforming lots that would not be affected, and which already have single family houses on them.
   Member Haddox questioned how the added language would change the ordinance as it seems redundant. City Planner Austin explained that the new language would affect the lots that are currently utilized as one lot under one parcel id and could therefore be prohibited from later splitting to two or more parcel ids. Whereas

current language allows for the conversion of multi-lot properties currently under one parcel id to revert to multi-parcel lots. CPAA: The purpose of amendment is to provide consistency with City's comprehensive plan of maximum 6 residential structures per square acre. Member Haddox is inclined to not take away from someone something they thought for years they had and is therefore not inclined to vote for this now. Member Bagwell agreed. Member Crane understands this amendment is a hardship but does not think it's up to P&Z and recommends it go to City Commission. City Planner Austin read into record an email from Chair Erbella. Motion by Member Bagwell to NOT amend and seconded by Member Haddox. Vote: Member Bagwell and Member Haddox Yes, Member Crane No. As the motion passes with majority vote, it will be recommended to City Commission that P&Z recommends against amendment.

4. City Attorney Comments **None**
5. Board Member Comments **City Planner Ashley Austin presented Mayor with the board's recommendation/request to have suggested safety matters brought to BIEO. Mayor will be invited to a future meeting to discuss.**
   Removed P&Z liaison to commission from list of issues as the City Planner is effectively the liaison.
   Member Haddox asked that "Combat Sea Rise" be updated to "Adapt to Sea Rise" as recommended by former Member Bob Carter prior to his departure from the board.
   Member Haddox suggested the mangrove protection issue be removed from the list of issues as that is so well regulated by the state.
   Member Crane reiterated her suggestion from the last meeting that the hardscaped multi-use path be extended through the city to Bayfront Park be added to the list.

CONSENT AGENDA: The following items are considered routine in nature and should be considered in a single motion. Items which warrant individual discussion should be removed from this list prior to the motion to adopt. Such items will be discussed separately.

1. Approval of Minutes: January 10, 2023
2. Approval of Minutes: February 21, 2023
   Consent agenda passed without discussion.

NEXT MEETING
9 a.m. Monday, April 24, 2023

Press Comment - None
Adjournment - @1004

(FSS 286.26) IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT AND FLORIDA STATE STATUTES, PERSONS WITH DISABILITIES NEEDING SPECIAL ASSISTANCE TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE CITY CLERK FOR ASSISTANCE AT LEAST THREE BUSINESS DAYS PRIOR TO THE MEETING (941) 708-6130. SHOULD ANY INTERESTED PARTY SEEK TO APPEAL ANY DECISION MADE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, THEY WILL NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS BE MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.