

MINUTES
SOUTH GULF COVE ADVISORY COMMITTEE (SGCAC)
Wednesday, September 26, 2007

Commission Conference Room 536 – 9:00 a.m.

MEMBERS PRESENT

Sandy Slater, *Chairperson*
Kendall Leach
April Chattinger
Ken Nelson

STAFF

Jie Shao, *Staff Liaison*
Gayle Moore, Recorder

MEMBERS EXCUSED

GUESTS

Claudette Romano
John Carroll
Karen Price
Gloria Lee

I. **CALL TO ORDER/ROLL CALL**

Chair Slater called the September 26, 2007 meeting of the SGCAC to order at 9:05am in the Commission Conference Room 536 and it was noted a quorum was present.

Chair Slater introduced the guests, Claudette Romano and John Carroll of Rotonda West, who were in attendance. Their interest was in hearing about the Fire Wise program.

II. **APPROVAL OF MINUTES**

Chair Slater requested a review and correction of meeting minutes for July 25, 2007. A small number of corrections were proposed, at the conclusion of which a motion was made by *Mr. Leach* and seconded by *Ms. Chattinger* to approve the minutes of the July 25, 2007 meeting as corrected, with a unanimous vote.

III. **OLD BUSINESS**

Zoning and FLUM Report

Mr. Leach noted that the Plan Amendment addressing the inconsistency on five lots on Appleton (PA-07-06-41) had gone before the Planning and Zoning Board in September; *Ms. Shao* confirmed that the Board recommended approval of the change and that the matter would go on before the Board of County Commissioners on October 16, 2007 (the land use meeting.) *Mr. Leach* stated that he would be available to attend that meeting. In response to a question from Mr. Leach, *Ms. Shao* confirmed that there had been no objections to the petition from the owners of the five lots, although one owner (Rotonda Lakes LLC) had engaged attorney Rob Berntsson to make inquiries about it, and Ms. Shao had discussed the matter with Mr. Berntsson to his satisfaction. *Mr. Leach* gave some background on the matter to the guests.

Mr. Leach then went on to recap a matter discussed at the July meeting, namely that it had been realized that having the Committee go through and address all the problems that exist in South Gulf Cove between the Deed Restrictions and the County zoning and FLUM would not be as efficient as simply bringing the Deed Restrictions into conformity with the County zoning and FLUM. He stated that Bob Moore, the attorney for the South Gulf Cove Association, had advised that SGC, with the lot owners' approval, can merge their nine sections together and with that merger, can then go to the entire group of roughly 15,000 lots to ask for a vote to bring the Deed Restrictions into "the modern era" so that they will conform to the County zoning and FLUM. That will take care of all the outstanding inconsistencies. If there are special exceptions, such as the pavilion, that had been granted in the past or may be granted in the future, the Deed Restrictions will conform to those special exceptions; it will not be necessary to go to the lot owners for a vote for each change. **Mr. Leach** mentioned that with this new approach, the previously-proposed special Fall meeting on zoning and FLUM might not be necessary.

In response to a question from Chair Slater, **Mr. Leach** clarified that the current plan amendment petition is the only one that will be needed, since all other issues revolve around the Deed Restrictions and the need to update them.

Mr. Leach asked Ms. Shao whether the County Code had any minimum square footage requirements for dwellings; **Ms. Shao** stated that there was no minimum size requirement in the Zoning Code, only a maximum size restriction, but she noted that a dwelling was required to have a kitchen and a bathroom. **Ms. Shao** also noted that the Building Department followed the Florida Building Code dealing with construction standards, but not with size requirements. **Mr. Leach** stated that there had been 600 sq. ft. dwelling built in the past, in Gulf Cove and in South Gulf Cove, and that this matter would need to be dealt with in the Deed Restrictions.

Guest John McGuire asked what would happen if a lot owner objected to the proposed change of the Deed Restrictions. **Mr. Leach** described how the process would work, beginning with merging the nine sections into one. He said the rules require that 30% of the people who *can* vote *must* vote, or the matter will not carry.

There was some discussion about the Special Exception hearing for Section 94, which was passed by the Board of Zoning Appeals (BZA) despite the opposition of staff. **Ms. Shao** noted that no one from the community came to oppose the matter; **Chair Slater** clarified that Rich Redican had attended the hearing and had spoken at length in opposition to the matter, but to no avail. **Guest Karen Price** explained that based on a prior experience before the BZA where the Board ignored expert testimony provided on behalf of community members, she had decided it was not useful to attend.

Scenic Highways, Stormwater and Growth Management

Mr. Ken Nelson was asked which matters he would like to take on of those that Mike Post had previously covered. **Mr. Nelson** described the difficulty of getting historical file material from Mr. Post, and he also expressed concern whether he had the background necessary to tackle growth management. **Chair Slater** pointed out that most committee members started out without any particular knowledge of the subjects they take on; she encouraged him to review the

Community Plan and pick any areas he found interesting or thought he could be effective in. **Mr. Nelson** said that he would see about working with the Scenic Highway group first; he noted that Mike Post had been reappointed to the Stormwater Committee and asked how the group wanted to manage interfacing with that group. Further discussion ensued on the subject of Committee members choosing areas to concentrate on and how to become conversant with new topics such as water quality. **Mr. Nelson** expressed interest in attending MSBU meetings. There was also discussion about the web sites for the Advisory Committee and the Community, with Mr. Nelson indicating some outdated information was showing online; staff liaison **Jie Shao** will update that information.

Mr. Nelson stated that since the Community Plan was now five years old, it should be revised to reflect current conditions, and to delete “pie in the sky” goals which are now clearly inappropriate. He had specific questions, such as whether the original references to entryway signs being constructed on traffic islands was still something that was intended to be built; **Chair Slater** noted that discussions with Department of Public Works had indicated that such work would have to be paid for by the community and so traffic islands were a detail that now seemed unlikely to be included in the plans for the entranceway signs. She noted that the original Community Plan was a “vision” and as such had numerous items included that needed to be researched and, if appropriate, deleted from the Plan as more detailed information became available. Further discussion ensued on this subject and the question was raised by **Chair Slater** about the advisability of having a planning session in order to review and update the Community Plan; the sunset clause affecting the Committee was also discussed, as well as how to address continuation of the Committee when reporting to the County Commissioners. **Mr. Leach** pointed out that there were new initiatives, such as the Fire Wise Community effort taken on by Ms. Chattinger, that would not have been accomplished if it had not been for the Advisory Committee; he suggested that another item worth pursuing would be the turn lanes proposed for 771 and 776, something which Mr. Nelson could focus on since it was something Mr. Post researched as part of the general Growth Management issues. Further discussion ensued.

Mr. Nelson stated he had a suggestion about the Linear Park. He noted that many residents of the community did not walk and did not bike, so the only way to get to the park from any distance was via automobile, but there is no place to park. He suggested that there should be parking places and also an elevated walkway with outlooks so that people can see over the mangroves. **Chair Slater** said she would address those issues in her discussion of Parks later in the agenda, noting that each of those issues had previously been well-debated. She closed by encouraging Mr. Nelson to review the Growth Management material and said that she would contact Mr. Post and remind him to assemble his materials in order to hand them over to Mr. Nelson. She noted that staff member Martina Kuche had added Mr. Nelson to her distribution list for material concerning the Scenic Highways project, so he could get up to speed on that.

Public Safety and Health

April Chattinger discussed the Fire Wise Community effort with historical detail especially for the benefit of the guests for Rotonda. During the presentation, **Mr. Leach** asked for clarification on how much distance from an existing home one can clear; **Ms. Chattinger** said it was 30 feet. She also noted that where certain invasive species were concerned (e.g., Brazilian pepper trees) one could clear them from a vacant lot even without permission, although some effort to get

permission should certainly be made first. **Guest Claudette Romano** shared information on how the issues of vacant lot clearing and lot mowing are addressed by the Rotonda community. She noted that there are many absentee owners who happily give permission to have the lot cleared by independent contractors, and that clearing is to be paid by the owner of the property. **Ms. Shao** noted that such clearing needed to have a permit issued; **Ms. Romano** stated that companies are hired to do the work and those companies are accustomed to getting the proper permits as part of their service. Further discussion ensued on which types of clearing or mowing need a permit and which do not. **Ms. Chattinger** noted that grant money available to Fire Wise Communities can be used to help fund the cost of lot clearing.

Ms. Chattinger next discussed the pathways project, specifically with regard to grant monies. She noted that most groups had indicated that the magnitude of the SGC pathways project was too great for them to become involved. Therefore, the group has concluded that they would need to do their own fund-raising, and the first one is now being planned for November 10th which will include a scarecrow festival and a pork dinner. She distributed hand-outs to the group, providing details of the event. This was described as an annual event that would introduce the group and the project to the community and set the stage for other monthly fund-raisers; it was noted that the group has to have a specific organizational structure in place to qualify for the necessary tax breaks.

Mr. Nelson expressed concerns over bike paths, asking “what happens when you come to a bridge?” **Ms. Chattinger** pointed out that bridges already have some easement and what is needed is to extend the easement beyond the end of the bridge. **Mr. Nelson** asked what about where mailboxes are on the road. It was noted that bike paths would only be on main arteries, so the mailbox issue would not be widespread; it was also indicated that such accommodations are part of the reason for the high price-tag on creating the bike paths, which are more like sidewalks than extensions of the roadway asphalt, and thus would be located in the right-of-way between the existing mailbox on the road and the homeowner’s lot.

[10:25 a.m. The guests from Rotonda departed the meeting at this time.]

Ms. Chattinger noted that the current pathways plan calls for starting on Ingraham, so that the pathway can join St. Paul all the way to the path going to the Publix shopping center; **Chair Slater** further noted that when the pathway connects to the Pioneer Trail, there is further potential for grant money.

Parks, Park Master Plan, Entranceways, Land Acquisition, Funding Resources

Chair Slater reported on the latest project update memo received from Parks and Rec Director Laura Kleiss Hoeft, handing out copies of the memo to committee members for review. With regard to the Master Park Plan, **Chair Slater** noted that the in-house review is scheduled to be completed by October 5th and stated that she wanted to arrange for Parks and Rec Director Laura Kleiss Hoeft to make a presentation to the Committee at the meeting on October 24th. She said that public meetings are being proposed for November, but she felt that more of the “snowbirds” would be available to attend if the meetings were in January, and thus the group would receive more feedback on the proposed Plan. **Chair Slater** particularly noted the need to involve the younger residents of South Gulf Cove in this effort, stating that a number of younger residents

(e.g., 30-40 year olds) had inquired what the community was contemplating that would benefit children.

Chair Slater then moved on to discuss the remaining items in the memorandum, including the Community Park Boat Ramp, the bid for which will be going before the County Commission in October; the St. Paul Linear Park mowing schedule and cost for a new sign; entranceway maintenance and mowing; and general information on expenditures.

There was further discussion on the subject of mangrove trimming, with reference to the information provided by Environmental Specialist Tina Powell in an August 2007 memo. **Chair Slater** stated that she believed that the bulk of the undergrowth along the park shore was not actually mangroves but other, non-protected vegetation; she said she believed that the water would be easily visible once that non-protected vegetation was cleared out.

With regard to land acquisition activities, **Chair Slater** reviewed the decision to cease this attempt, noting that she had formally advised the County's Real Estate Services Department to suspend the effort. She recapped the allocated funds that remained unspent and available for other uses.

Regarding the entranceways project, **Chair Slater** noted that she and Jack Paine had met with Tara Musselman of DPW, who agreed to take a concept drawing out for a quote. However, when Mr. Paine subsequently contacted Ms. Musselman, he learned that she had forgotten to do that, so there has not yet been any progress on that front. At the next CCT meeting, **Chair Slater** said, the letter will be finalized which will be sent to all original donors, offering them the option of a refund or to have their donation repurposed for some other CCT project.

IV. NEW BUSINESS

Committee Vacancy

Chair Slater stated that she had learned that, given current budget constraints, the County will only announce Committee vacancies for six weeks, after which filling empty seats will depend on the efforts of the members themselves. Further discussion ensued about possible candidates; **Ms. Chattinger** stated that she had reached out to a new resident expected to move in on October 1st and will be discussing the possibility further as soon as they are settled. **Guest Karen Price** suggested SGCAC members be included on the mailing list for Linda Bick's monthly "Coffee" because it draws in new homeowners who are not yet members of the HOA, and would likely prove fertile ground. Further discussion ensued, including thoughts on the interaction of the HOA and the SGCAC.

Review of Plan Progress and Upcoming Sunset Preparations

Chair Slater asked the members for their thoughts regarding the remaining agenda items, which are concerned with progress on the Plan to date, revising the Plan to reflect current circumstances, and the need to present progress information to the County Commission at the sunset hearing which will take place in May 2008 and determine the future of the Advisory Committee. In answer to questions from the members, **Ms. Shao** said that the Committee members would need to update or rewrite their plan to present to the Commissioners, and staff

would be available to review the revised Plan prior to that presentation to the Commissioners. **Chair Slater** noted that the Committee members had reviewed the Plan about a year ago and the results of that review was reported in the meeting minutes. She also had a hand-out from 2003 for members to review, detailing the assignments of the Plan sections to the various Committee members. The members were asked to consider whether to have a planning session distinct from the regularly-scheduled monthly meetings, to assess and update the existing Plan; **Mr. Nelson** asked how much input from the public would be expected, and **Chair Slater** noted that all the meetings would be public meetings that community members would be welcome to attend, but she stated that the Committee members had the best range of knowledge of the Plan elements at this time.

It was suggested that the Plan be analyzed according to a table of four columns:

- The Plan elements
- Elements which have been completed
- Elements which are now considered “not do-able”
- New elements which should be added.

It was noted that this approach lent itself well to a Town Hall Meeting presentation. Further discussion ensued on the timing of such a Town Hall Meeting; since the sunset presentation must be complete by May, **Ms. Shao** suggested that a meeting in February would allow the most time for feedback to be incorporated into the sunset presentation. **Chair Slater** strongly recommended that the planning sessions be led by a facilitator; **Ms. Shao** noted that there was no facilitator on County staff, and that the original consultants that assisted in creating the Community Plan were no longer available. Other suggestions were offered for someone to fill this position for the group, including **Mr. Slater**. **Chair Slater** asked what administrative support would be available from the County; **Ms. Shao** said that she would consult with the Division manager to find out what could be expected, in light of recent budget cuts. Members commented on the confusing nature of the Plan as it currently exists and **Mr. Leach** noted that County input would be valuable due to the many things that had changed in the past five years from the County perspective. **Ms. Shao** said she would come to the next meeting prepared to discuss the support the County would offer.

Discussion moved on to setting dates for the Plan review timeline, including room availability given that the group contemplated meeting from 9 a.m. to 4 p.m. It was decided minutes would not be required from the planning sessions; the meeting would be advertised through the government calendar in the same way as the regular meetings. The November regular meeting of the SGCAC would be Nov. 28th, but if no quorum was available, that might be scrapped. The first planning session was suggested for Nov. 7th and the second one for Dec. 5th. **Ms. Shao** offered to check on room availability for the current meeting room.

Chair Slater addressed the next agenda item, how to better communicate with those the Committee represents. Among the suggestions made were that Committee members create articles for the HOA “News and Views” such as Ms. Chattinger had done for the Fire Wise Community project. **Mr. Leach** noted that the zoning and FLUM issues were regularly discussed at the HOA meetings, and that there is nothing new to be done until the HOA has addressed the rewrite of the Deed Restrictions.

Ms. Shao returned with the news at the present conference room would not be available on Nov. 7th and noted that the Community Development conference room would not be available for an all-day meeting since it was regularly in use for applicants and their attorneys. **Ms. Shao** suggested a different date, Oct. 31st, and the group agreed to that, except for **Ms. Chattinger** who stated she would be out of town from Oct. 23 to 31. **Ms. Shao** said that if other days needed to be considered, she would have to email the members with the possibilities.

Further discussion ensued on the nature of the planning sessions, with **Mr. Leach** suggesting that each person focus on the sections they are currently responsible for; **Chair Slater** noted that this would be a good time for anyone unfamiliar with the Plan to undertake a review of the entire document.

V. **PUBLIC COMMENTS**

None.

VI. **STAFF COMMENTS**

None.

VII. **MEMBER COMMENTS**

None.

VIII. **NEXT MEETING**

The next regular meeting of the **South Gulf Cove Advisory Committee** is **Wednesday, October 24, 2007** from 9:00 a.m. until 12 noon in the **Commission Conference Room**.

At 11:45 a.m., Chair Slater stated, There being no further business to come before this committee, I declare the meeting adjourned.