



**PLANNING AND ZONING ADVISORY BOARD
REGULAR MEETING
WEDNESDAY, NOVEMBER 14, 2007
7:30 PM
MALABAR COUNCIL CHAMBER
2725 MALABAR ROAD
MALABAR, FLORIDA**

AGENDA

- A. CALL TO ORDER, PRAYER AND PLEDGE**
- B. ROLL CALL**
- C. ADDITIONS/DELETIONS/CHANGES – ADDED NOMINATIONS FOR CHAIR**
- D. CONSENT AGENDA**
 - 1. Approval of Minutes**
Regular Planning and Zoning Meeting – 10/10/07
Exhibit: Agenda Report No. 1
Recommendation: Motion to approve
- E. PUBLIC:**
- F. ACTION**
- G. DISCUSSION ITEMS**
 - 2. General Items**
- H. OLD BUSINESS/NEW BUSINESS:**
Florida Vernacular Ordinance
- I. ADJOURN:**

If an individual decides to appeal any decision made by this board with respect to any matter considered at this meeting, a verbatim transcript may be required, and the individual may need to insure that a verbatim transcript of the proceedings is made (Florida Statute 286.0105). The Town does not provide this service.

In compliance with the Americans With Disabilities Act (ADA), anyone who needs a special accommodation for this meeting should contact the Town's ADA Coordinator at 321-727-7764 at least 48 hours in advance of this meeting.

CALL LIST

MEETING DATE: November 14, 2007

PLANNING AND ZONING MEMBERS

Called / Msg left

Date Pkg picked up

Bob Wilbur - Chair
h-723-7264
c-960-6711
brushbusterslci@aol.com

11-13-07

Richard Cameron
h-725-9932
c-258-3618
?? richardcameron@bellsouth.net

11-13-07

11-13-07

Patrick Reilly - Vice-Chair
h-676-2758
c- 427-0839
patka4zec@aol.com

11-13-07

Don Krieger
728-0805
donk@krieger-publish.com

11-13-07

Bud Ryan
676-5418

11-13-07

Alt #1 Vacant

Alt. #2 Cindy Zindel
956-1416
Has no e-mail

STAFF

Town Administrator Bonilyn Wilbanks-Free – bwfree@townofmalabar.org
Engineer: Bill Stephenson 961-8182/632-8182 / h2o3man@aol.com
Planning Consultant Keith Mills 727-7700 x 128 / 951-9220 / kmills@cfl.rr.com
Building/Zoning: Roger Cloutier franklin@townofmalabar.org

TOWN OF MALABAR – PLANNING & ZONING ADVISORY BOARD

11/14/07 MEETING MINUTES

ROLL CALL:

Bob Wilbur, Chair

Richard Cameron

Patrick Reilly, V-Chair

Don Krieger

Bud Ryan

Cindy Zindel, Alt. #2, not present

Bill Stephenson, Town Eng, excused

Debby Franklin, Secretary

Keith Mills, Town Planner, excused

Mayor Eschenberg also present.

Meeting called to order at 7:37PM. Prayer and Pledge led by Chair Bob Wilbur.

ROLL CALL OF MEMBERS – see above.

ADDITIONS AND DELETIONS: Vice-Chair pointed out that Board should appoint members at the first meeting after the election.

NOMINATION FOR CHAIR – Reilly/Krieger nominated Wilbur for Chair. No other nominations. VOTE: ALL AYE

NOMINATION FOR VICE-CHAIR - Ryan / Krieger nominate Reilly for Vice-Chair. No other nominations. VOTE: ALL AYE

D.1. MINUTES FROM OCTOBER 10, 2007 ADVISORY BOARD MEETING:

MOTION: Reilly/ Ryan to approve minutes of October 10, 2007 as presented: Vote: All Aye.

E. PUBLIC – other than on the agenda –

Mayor Tom Eschenberg, 2835 Beran Lane, spoke on structures above the roof line. Paladin Shores. They got one extension. Clock runs out on Dec 6, 2007. He did a memo to Council back then. He then shared it with P&Z. Anything placed above the roof is not intended for human habitation. General discussion on this project. Code allows seven types of appurtances to exceed the maximum height. What is their vision for keeping the rural character of Malabar.

Reilly referred to Article VII, Section 1-7.5 for Site Plan extension. Actual construction has to start within one year of the Site Plan approval. No permits have been issued. Mayor means the 35 feet to the peak. Town Attorney Karl Bohne has given a legal opinion to Council that the Malabar Code clearly means that 35 foot height meant to the peak not the mean or middle of the roof line.

Krieger was not at the last P&Z meeting but the meeting before that, about 45 days ago, the Paladin developer was present and he said that he would have water and sewer construction under way in 45 days. It is not underway.

Juliana Hirsch, 1035 Malabar Road, thinks Town should keep Code very clear on the maximum height will be 35 feet. Otherwise, the pitch could increase it even higher. Hirsch

Reilly asked for the status for the new Section "X" that will address fences/wall heights in subdivisions. Staff working on it.

Cameron asked about Eva Lane fence heights. Secretary stated the owner was explained the options and has not done anything and the issue will go before the Special Master/Magistrate.

Wilbur asked about the tree protection ordinance or mitigation. County has process of requiring a process one must follow if they cut down a tree. Weber Woods cut down everything. They did mitigation and the Administrator walked the property with the developer.

Krieger asked about the motion making process. P&Z vote was not to support the Doggie Dining ordinance. Chair explained that motions should be phrased in the affirmative.

I. ADJOURN:

MOTION: Reilly / Ryan to adjourn. Vote: All Aye. Meeting adjourned at 9:15 PM

BY: 
Bob Wilbur, Chair

ATTEST:


Debby Franklin, Secretary

11-28-07
Date approved