

# TOWN OF MALABAR

## PLANNING AND ZONING ADVISORY BOARD REGULAR MEETING

WEDNESDAY MARCH 24, 2010

7:30 P.M.

MALABAR COUNCIL CHAMBER  
2725 MALABAR ROAD  
MALABAR, FLORIDA

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### AGENDA

- A. CALL TO ORDER, PRAYER AND PLEDGE
- B. ROLL CALL
- C. ADDITIONS/DELETIONS/CHANGES
- D. CONCENT AGENDA: none
- E. PUBLIC HEARING: none
- F. ACTION:
- G. DISCUSSION:
  - 1. **Amendments to Fence Ordinance, Article V**  
Exhibit: Agenda Reports No. 1  
Recommendation: Discussion/ Action
  - 2. **Continue Discussion regarding R/LC, CL and Density in Malabar**  
Exhibit: Agenda Report No. 2  
Recommendation: Discussion
- H. PUBLIC:
- I. OLD BUSINESS/NEW BUSINESS:
  - 3. **Feasibility Study- Foundation Park Blvd East- Update**
- J. ADJOURN
- O. ADJOURNMENT:

NOT: THERE MAY BE ONE OR MORE MALABAR ELECTED OFFICIALS ATTENDING THIS MEETING.

If any individual decides to appeal any decision made by this Council 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 proceeding is made (FS 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 Clerk at 727-7764 at least 48 hours in advance of this meeting.

**TOWN OF MALABAR**  
**PLANNING AND ZONING**

**AGENDA ITEM REPORT**

**AGENDA ITEM NO: 1**  
**Meeting Date: March 24, 2010**

**Prepared By: Denine M. Sherear, Planning and Zoning Board Secretary**

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**SUBJECT: Amendments to Fence Ordinance, Article V**

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**BACKGROUND/HISTORY:**

This item was on the Agenda at the last P & Z Meeting on 3/10/2010. It was tabled until this meeting.

**Please bring your packets from the last meeting of 3/10/2010**

The Mayor asked Council at the RTCM of 2/1/2010 to allow his recommendation regarding the fence ordinance to be considered by the P & Z Board. His proposal was brought back to P&Z on February 10, 2010 for your review and comments, looking for Action to bring back to Council for closure. The topic was tabled at that meeting.

In order to continue this discussion, a MOTION will be necessary to remove the item from the table.

Staff was asked to prepare historical documentation from the many times that this issue was previously discussed.

Council agreed with the Town Attorney's legal opinion based on the definition within our Code. Attorney Bohne determined that stand alone columns are not part of a fence, per the definition. Also the setback within the Code applied to buildings, porches and accessory structures. We have enclosed that as well.

**ATTACHMENTS:**

- Article V
- Minutes from P&Z
- Memo 10-TC-011

**ACTION REQUESTED:**

Formulation of recommendations to bring to Council to bring this subject to final disposition.

**TOWN OF MALABAR**  
**PLANNING AND ZONING**

**AGENDA ITEM REPORT**

**AGENDA ITEM NO: 2**  
**Meeting Date: March 24, 2010**

**Prepared By: Denine M. Sherear, Planning and Zoning Board Secretary**

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**SUBJECT: Continued Discussion about R/LC, CL and Density in Malabar**

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**BACKGROUND/HISTORY:**

Continue discussion of Land uses and Zoning classifications within R/LC, CL and Density.

**ATTACHMENTS:**

- None

**TOWN OF MALABAR**  
**PLANNING AND ZONING**

**AGENDA ITEM REPORT**

**AGENDA ITEM NO: 3**  
**Meeting Date: March 24, 2010**

**Prepared By: Denine M. Sherear, Planning and Zoning Board Secretary**

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**SUBJECT: Feasibility Study- Foundation Park Blvd East- Update**

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**BACKGROUND/HISTORY:**

Debby Franklin is going to update the P & Z Board on the Feasibility Study for Foundation Park Blvd East.

**ATTACHMENTS:**

- none