

MALABAR PLANNING AND ZONING BOARD REGULAR MEETING
January 27, 2010 7:30 PM

This meeting of the Malabar Planning and Zoning was held at Town Hall at 2725 Malabar Road.

A. CALL TO ORDER, PRAYER AND PLEDGE:

Meeting called to order at 7:33 P.M. Prayer and Pledge led by Chair – Bob Wilbur.

B. ROLL CALL:

CHAIR:	BOB WILBUR,
VICE-CHAIR:	PATRICK REILLY
BOARD MEMBERS:	DON KRIEGER
	BUD RYAN
	LIZ RITTER
ALTERNATE:	CINDY ZINDEL
ALTERNATE:	BRIDGET PORTS
SECRETARY:	DENINE M. SHEREAR
TOWN PLANNER	KEITH MILLS

Also present: Mayor Eschenberg

C. ADDITIONS/DELETIONS/CHANGES: none

Krieger would like to make an addition, to get back and look at R/LC density under discussion.

D. CONSENT AGENDA

- 1. Approval of Minute- Planning and Zoning Meeting- 12/09/09
Planning and Zoning Meeting- 01/13/10**

Exhibit: Agenda Report No. 1
Recommendation: Action

Motion: Reilly / Ryan to Approve minutes for Minutes 12/09/2009. All Vote: Ayes.

Motion: Reilly / Ryan to Approve Correct minutes as noted and corrected below for Minutes 01/13/2010. All Vote: Ayes.

Ritter corrections:

- Page 2 bottom of page second to last sentence, take out the word "there" after is.
- Page 3 last paragraph, first sentence greater tax basin-should be base.
- Page 4, 4th paragraph -4 Ryan suggests moving the RR-65 one line over to the west.

E. PUBLIC HEARING: none

F. ACTION:

- 2. Final Review of Future Land Use Designation along Babcock Street**

Exhibit: Agenda Reports No. 2
Recommendation: Discussion

Motion: Reilly / Krieger recommendation to Council the changes P & Z Board has done to designations along Babcock Street.

The discussion among the board members is about the presentation to the Council of Land Use changes.

Wilbur is explaining about talking to Town Council and be able to have input from Council to have a joint meeting and discuss why P & Z did the changes and answer questions.

Krieger expresses the Motion should be definitive, we are asking for Councils appraisal. Ryan suggests this can be a recommendation.

The Board is discussing which map is to be used for the presentation to Council. Reilly is doing the presentation to Council on February 24, 2010 in a Joint Meeting.

Reilly stated he will use Page 1 of Maps as Exhibit 1 and Page 2 overlaid on Plat map. Zindel has suggested to have existing land use and have and overlay of changes made.

Krieger states he would like to see Reilly's presentation before it is presented to Council.

Wilbur asks Mills about Presentations he has seen in the past. Mills responds that the Board is on the right track to show the Land Use, then show the changes suggested by this Board, make sure the street names are present.

Ritter drove the area off Babcock Street and expressed the roads are misleading on the maps because the roads do not go through in some areas.

Mills suggest showing ROW even though the roads are unimproved in areas. Wilbur is discussing with Board to label roads and designate the end of a road.

Mills indicated that paper ROW and traveled roads show all areas for land separations.

Wilbur suggests to encourage Council to go and drive the areas where homes are and the neighborhoods are, to see where the roads end so they will be on the same page as P & Z.

Krieger states as the Motion stands I don't mind going forward with this towards the presentation but I still want to see the next step. Even with the joint meeting there could be changes.

Reilly amends Motion to state to go to P & Z for Presentation- before Council Recommendation to use "Page 2" Map will be accepted for presentation with noted corrections and additions.

Mills suggests showing plats and making sure lot lines are shown. The Plat maps show true lot lines. The more visuals you can have with correct information the more it will be understood.

Ryan commends the Mayor the procedure he implemented to present the Land Use to the Council for the joint meeting.

Reilly expresses he will have hand outs and plenty of visuals of what we will be presenting for **Present Future Land Use** then **Future Future land Use**.

Ritter offers changes after driving the area out at Babcock Street in the Town of Malabar looking at the roads and houses. Booth Road south to make "OI" except for in the center where Lett Lane is, make this RR- 65 on both sides of Lett Lane.

Reilly state we are shrinking the RR- 65 and residents are not going to go along with this kind of change.

Ritter pointing out this would be a good area for a School or Hospital.

The discussion is for Future Land Use of these properties west of I-95. If the Future Land Use that is suggested by Board is close to what the future should be we will not have to change these with votes in the future.

Reilly is in agreement to keep the "CL" along I-95 and "OI" when you come in off Osage.

Wilbur suggests having "OI" you can be totally out of the Tax Base if you have a church come in to develop or a non profit state organized program, by keeping "CL" you can not loose a tax base for the Town. Ryan agrees with keeping "CL" to use as a buffer.
Mills reads the "CL" zoning district specifications to the Board.

MOTION: Reilly/ Krieger the Board is going to use Page 2 Map for the Presentation to the P & Z Board then to Council, All Vote: Ayes

3. Final Review of Future Land Use Designation along Malabar Road

Exhibit: Agenda Reports No. 3

Recommendation: Discussion

Krieger has found an error on Malabar Road Map, the depth in the "OI" section by the "CG" going up to Howell Lane on the South side of the road goes back to 1,320' feet.

The discussion is "CL" verses "OI" Land Use.

Krieger, asks about "R/LC" to shy away from due to density 6 units per acre.

"R/LC" is high density you will need a water system.

Ritter, expresses to show what land use is on US- Highway1 as it currently is.

MOTION: Reilly/ Krieger to Recommend to Planning & Zoning to accept this Colored Map for Future Land Use for Presentation with Corrections on Malabar Road. Vote: All Ayes.

Wilbur suggests the south side of Malabar Rd, east of Marie Street, west of Pine Street which is "OI" now, make it uniform and leave "R/LC" on both the north and south sides of Malabar Rd. Krieger also suggest to make "R/LC" on both north and south in this area.

Wilbur would like to create a "Down Town Area" where people live on the property and have their business; they can only go so deep due to wetlands.

Mills stated this makes a lot of sense to make this a uniform area

Reilly stated that there was not much "OI" on this map when we started; we have added "OI" during this Future Land Use.

Mills explains zoning is compatible to land use, others municipalities do administrator land use there is no reason for Malabar to do administrator Land Use.

MOTION: Reilly / Krieger to Amend the above MOTION to include the changes that we have discussed during this meeting (Listed Below). Vote: All Ayes

- South of "CG" just west of Howell Lane, continues "OI", behind CG just west of Howell to "OI" on south side of Malabar Rd is to 1320 feet
- The "OI" on south side of Malabar Rd east of Marie Street change to "R/LC" to "CG" just west of RR tracks.

Krieger and Ritter discussing to color code distances of Malabar Road and Land uses. Possibly use lines for depths and clarify designated Land Usages.

Zindel asks for classification for Environmental Land and Preservation Land, what are the designations?

Board discussed about FLU 1 EAR Map existing to show future land usages in Environmental and Preservation Land.

Mills, show correct land use with existing land use. The FLU 9 was future in 1984 – now. The FLU 1 is Agricultural & Parks. Mills states the Land Use maps takes care of Environmental Above R/LC on Marie Street in CL is INS as designated on map

MOTION: Reilly/ Krieger to Amend the small portion connected to the "CL" located on the corner of Marie Street and Malabar Rd (north side) portion on to "INS" on Marie Street where the Trail Head is located. Vote: All Ayes

G. DISCUSSION:

H. PUBLIC

I. OLD BUSINESS/ NEW BUSINESS:

Krieger would like to see "R/LC" have a low density. It is now 6 units per acre. A low density would keep a country town like atmosphere where you don't have all this closeness together like Down Town Melbourne. A four or three density per acre with set backs and retainage, detainage would be good.

Discussion among the Board to keep "R/LC" Low Density. Ryan suggests making this an Agenda Item for a future meeting.

Krieger sees this in conjunction with all changes that are being made to the FLU Maps. Giving money base to bring high density to the area.

Ritter points out that water/ sewer would be needed and some one would have to spend a lot of money to bring this to the particular area.

Krieger stated if you have limitations of less per unit it changes the nature of what they are going to develop. The six units per acre is high. Is that what we want in our area?

Wilbur asks Mills what he recommends for a Rural Residential community for a lower density throughout the town. Mills suggests you can lower it to 4 units per acre.

Mill discussing if you are looking for "mixed use" concepts ,you have to have higher units per acre if you are not looking for mixed use then you can come down to less per acre.

Discussion is to lessen the units per acre.

Mills other concern are that if you get enough in areas further west on Malabar Road, then you are setting up to allow small lot subdivisions.

Krieger inputs that it changes the nature of the community and this could lead to overbuilding acres.

Reilly talks about the EAR Table 1-3.3a, states about the density levels,

- Medium 4
- Low 2
- High 6
- Rural 1

Board suggests making Agenda Item to look at areas as "RLC" the density table 1-6 in the EAR.

Krieger discusses the FLU-1 (existing) verses FLU-9 Maps

Board wants to know has the process taken place for the EAR to be processed with the state.

Mills explained the EAR has to be sent to DCS for approval.

Krieger asks about the "Entrance Way" status. I have written separate descriptions as follows:

- "Entry Ways": Built outside of set backs shall be considered auxiliary structures.
- "Entry Ways" Built within the set backs may exceed 6 feet max. height by a factor of 1 foot additional height for every 15 feet set back from the point of origin of the existing way perpendicular to the ROW.

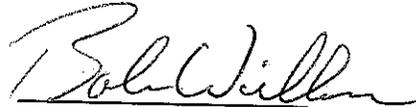
Mayor Eschenberg explains to P & Z Board, that he took the Fence Ordinance and did line through and additions and it will be on the Council Agenda to look at. for Mondav February

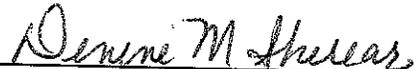
1,2010 Meeting. I am asking Council for a Motion or Consensus to send it back to P & Z Board. If Council approves what I did to send on to the P & Z Board. What I did was simple. I made a third version and took out all line outs and the third version for the new Fence Ordinance is smaller than the Old Fence Ordinance.

J. ADJOURN:

There being no further business to discuss, **MOTION:** Reilly/ Ryan to adjourn this meeting.
Vote: All Ayes. The meeting adjourned at 9:24 P.M.

BY:


Bob Wilbur, Chair


Denine M. Sherear, Secretary

2/10/2010
Date Approved