

MALABAR PLANNING AND ZONING BOARD REGULAR MEETING
March 24, 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 7:30 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, excused
SECRETARY:	DENINE SHEREAR
TOWN PLANNER	KEITH MILLS
TOWN ENGINEER	MORRIS SMITH, P.E.

Also present: Mayor Eschenberg

C. ADDITIONS/DELETIONS/CHANGES:

Krieger suggests to change Item 2 to Item 1 was a tabled item; the Fence Ordinance is going to be a long discussion. Reilly also recommends doing this. Wilbur asks if any objections from the rest of the board. All in Favor

D. CONSENT AGENDA - none

E. PUBLIC HEARING: none

F. ACTION: none

G. DISCUSSION:

2. Amendments to Fence Ordinance, Article V

Exhibit: Agenda Reports No. 1

Recommendation: Discussion/Action

1. Continued Discussion regarding R/LC, CL and Density in Malabar

Exhibit: Agenda Reports No. 2

Recommendation: Discussion

Don asks about minutes, I explained that Debby was going to review them for me.

The last discussion at the previous meeting was about density, Krieger suggests about limits for businesses in R/LC there has to be mixed use, he same number of commercial and residential. The maximum residences should be 4 and commercial 6.

The board is discussing in depth about having 4 Residents to limit the number of living spaces Ritter and Krieger are discussing mixed use, and the flexibility to run a business.

Mills, suggest that a minimum & maximum on the existing table show the zoning category has a maximum of 4. If there is to be no more than 10% residential, you do not have to have a minimum. Mills explains on the residential you can not exceed 6 units per acre for multi family

Wilbur adds to take things to the max to get as much in one area.

Mills, explains to the Board the different parking for retail, doctors, employee, restaurants, lower number for sq footage

The Board suggests 4 units per acre period.

The Board is discussing the different variables, per 1 acre.

➤ Reilly, this started with 6 units per acre

➤ Krieger wants to have a min and max. per acre

Mills says it is the water meters that separate each unit. The mixed use is 4 single units per acre; multi family is 6 units per acre. Mills suggests to reduce 6 to 4; all R/LC would be Medium Density at 4.

Ryan suggests to have multi stories for population count, have each floor consider it a single unit there is a variety.

Morris, suggest that the min % on RLC table is 63' x 63'.

Krieger discussing if things could be switch between residential and business, Morris stated if it is within the zoning.

Ryan asks why have RLC if it so complex

The discussion among the Board is to have limits, and keep density low, and keep small shops and businesses for a rural community.

Mills proposes the simplest thing to do is go back to 4 units no matter the mix or match.

Wilbur's idea is to go back to formula to be more business; there are plenty of units that can work with 4 units. Each unit can have 4,000 sq ft max.

Mills, anything can be done, are you talking about mix?

The discussion amongst the Board is to have 4 business and 4 residences on same property.

Mills explains if we have floor ratio now with formulas, it was originally set up to have residence and business. If the goal is to tie businesses with people living therein residential site, it is simple to deal with 4 units per acre mixed use, and 4 businesses owned by owner of residences.

Ritter, open for litigation if it starts out business with residence and business is sold then there will be a problem.

Morris explains the fire codes will come into play with keeping things separated.

Ryan expresses it would be cost prohibited because of fire codes, sprinkler system and fire walls. Do fire codes have to do with this type of business?

Krieger, if they want mixed use 4 and 4 no other percentages if they have the acreage they can do with what they want.

Wilbur states, if you look at trends in any town, small homes with now doctors offices. For example, downtown Melbourne has mixed business and residential. The best way for Malabar to get some tax base

Ryan left at 8:55 pm excused

Board is looking at different scenarios;

Mills discusses about 8 to 4 the definition of a unit can be residences & a business the maximum number would be 8.

Zindel finds on page 117 of agenda packet on the last paragraph that the District Provisions for residential use is 6 units per acre.

Krieger suggests that the change should be to 4 units (residential).

Mills explains the paragraph to the board, as long as you do not exceed 6 units.

Morris, is explains to the board about the 4000 sq ft residential & business area per 20,000 per property.

Mills, states the minimum living does not apply to commercial, the max. building is 20%. The intent is to limit building coverage area to 4,000 sq ft or 63' x 63'. You can still have the 4 residences.

Ritter expresses to have 4 residential units, how many maximum businesses with 4,000 sq ft?, and not lower than 900 sq ft?

Mills explains the limited total max area of 4,000 sq feet of commercial, it does not matter the scenario. Get rid of % and go on.

Board is looking at District Provisions (page 117)

Morris states that Item A will change
G will change, D will change
C will change on these charts

Mills matches up with columns to the left, max. pervious surface is 20 % open space is 80% units are obviously not working; it is tied to the remainder of pervious surface.

Note: Ask Debby per Reilly to find old table of district before the chart was change.

Motion: Reilly/ Ritter to Continue Discussion at next Meeting about Fence Ordinance
ALLVOTE: All AYES

H. PUBLIC:

Open to the public:

Lyn Hansel, 50 Plantation Drive, Titusville, browsing through the Ordinance the floor area ratio, in response to Krieger, R/LC is subjected to floor ratio and or 4 residential units.

Tom Eschenberg 2835 Beran Lane, the fences suggested a total separate Ordinance for entrance ways you have my suggestion.

Comments about R/LC; I was not clear on whether you can have commercial only and no residential. If that is the case make it CL. You could have 4 residential in R/LC ,if it is not R/LC

make it multi family ideally to see a row of building with businesses downstairs and residences upstairs . If that is what we want write the land use code to force that to happen. It is not that difficult, you can have a single residence if someone wants to live there you do not want to get overload on units. The idea is to get business with some residences.

I. OLD BUSINESS/NEW BUSINESS:

3. Feasibility Study- Foundation Park Blvd East- Update

Morris, states we have had 13 responses in reference to the "Triangle Property west of I-95" sent out 32 letters.

Morris explains the meeting with 2 land owners, and this land developer from Miami, and I-95. They do not like to deal with multi owners. It looks exciting.

Wilbur asks if it is going to be a Commercial PUD, for businesses.

Morris explains that the commercial zoning now includes wetlands and you do not have storm water plans. The master plan is that every one has common values across the table, and they all like the idea of dealing with a Corporation.

Krieger asked if it include the presentation that was seen by the board Foundation Park Blvd. Morris reads letter to the Board that was sent to people in "Triangle" that was written to all property owners.

Krieger asks about Morris' presentation to be put on Web Site.

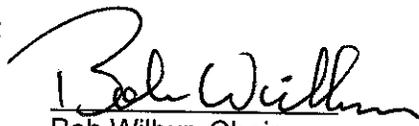
Morris explains to the Board about bringing this all together. The Board asks what the cost to the Town is, and who is establishing this entity?

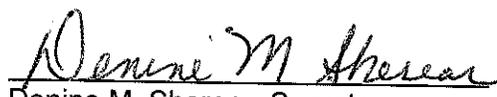
Krieger asks about Hall Rd signs, Morris explains to board about the pipe failure.

J. ADJOURN:

There being no further business to discuss, **MOTION:** Reilly / Krieger to adjourn this meeting.
Vote: All Ayes. The meeting adjourned at 10:04 P.M.

BY:


Bob Wilbur, Chair


Denine M. Sherear, Secretary

4/28/10
Date Approved