

**MALABAR PLANNING AND ZONING BOARD REGULAR MEETING
JULY 9, 2014 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 Pat Reilly.

B. ROLL CALL:

CHAIR:	PAT REILLY
VICE-CHAIR:	LIZ RITTER
BOARD MEMBERS:	BUD RYAN
	DON KRIEGER
	GRANT BALL
ALTERNATE:	GEORGE FOSTER
ALTERNATE:	VACANT
BOARD SECRETARY:	DENINE SHEREAR

ADDITIONAL ATTENDEES:

C. ADDITIONS/DELETIONS/CHANGES:

Krieger asked to reverse "Discussion Item" 2 & 3, and add an Item under Discussion, "Housekeeping" to talk about the Ordinance #2014-08 concerning the rules that were introduced to the Board. Reilly said that we can make it Discussion Item # 1a. **Reilly asked if all in Favor, All Ayes**

D. CONSENT AGENDA:

- 1. Approval of Minutes** Planning and Zoning Meeting – 6/25/14

Exhibit:	Agenda Report No. 1
Recommendation:	Motion to Approve

MOTION: Krieger/Ritter to approve P&Z minutes of 6/25/2014 with corrections.

Ritter-

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4th parag from the bottom said instead of aid

Last parag, 1st sentence else's & re locating is one word relocating.

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1st parag. the last line add had

Last parag. 3rd line Seybold is concerned...that

Vote: All Ayes

E. PRESENTATION:

F. ACTION:

G. DISCUSSION:

1a. "Housekeeping"- (Don Krieger)

Krieger talked about the Ordinance # 2014-08 concerning absences, as a Board we are considered absent if not present 75% of a scheduled meeting. Krieger wanted to know how much this Ordinance had cut into the authority of the Chairman and who had made the decision on what an absence is or what an absence is not? Normally the PZ Meetings are till 10PM. Normally the Town Council picks a time if they go past that time they go on 15 minute intervals to continue. Krieger said that after he read the Ordinance he thought the PZ Meetings should resolve to have a meeting that ends at 9:30PM and at 9:30PM if the super majority of voters want to continue beyond we can vote for 15 minute intervals up to a maximum of three continues and adjourn by 10:15PM.

Reilly said that you will then have to stay till 9:00PM. Krieger said that this Ordinance has a lot of non-consistencies in it. Krieger asked authority that in the pre-amble to this Ordinance the Town Clerk clearly indicated the section of Code that was to be deleted many many things not addressed in the Ordinance have been taken out of the Code.

Krieger said the P&Z Meetings are 7:30-9:30PM unless a supermajority (4-5 members), 3 members cannot continue the meeting.

Ryan said the night of the Council Meeting that the Ordinance 2014-08 was discussed he called a Council Member (C.M.) and said that there were so many inconsistencies in the Ordinance that it should really be looked at again before they take a vote on it (the Ordinance 2014-08). The Council Member responded that "you should come to the meetings".

Reilly said that we can set our own rules relating to how meetings are scheduled and how the agendas are conducted.

Ritter explained to the Board that she was at the Council Meeting and the comment was made that it (the Ordinance) was in the newspaper and anyone could come to the meetings.

Krieger said he would like a Resolution that the P & Z Meetings are 7:30 to 9:30PM with a vote and if we wish to extend the meetings thereafter we do it in 15 minute intervals by a supermajority vote and no more than three intervals. **Krieger/Ritter All in Favor All Ayes**

Foster asked what was the purpose of the Town Council deciding what the attendance policy should be for the Boards. Reilly responded that P&Z is an advisory Board and we work for the Council.

3. Discuss Off-Street Parking and Contiguous Parking
Exhibit: Agenda Report No. 3
Recommendation: Discussion

Ritter discussed the "hand out" that she provided to this P&Z Board on 7/9/14 about the definition of "parking". Ryan agreed that Ritter's verbiage is good for the definitions.

Krieger said in Malabar we have a rule that all parking has to be contained within the property when you are building a new structure.

The Board discussed the "downtown" area of Malabar and different scenarios of parking. The Board suggested that 100% of parking is on the same property as the business therefore being

"contiguous". Krieger asked about those businesses that already exist. Ritter said those businesses currently would have to be reviewed when coming in for permitting.

Ryan suggested looking at different municipalities for verbiage to add to Malabar's Code. Ryan said that we can set general guideline to go by.

The Board discussed the definitions of "Parking" submitted by Ritter extensively.

Reilly suggested for Homework:

- Take Malabar's Code Article IX (9) and cut and paste what you want to change.
- Take present Code & use other Municipalities for verbiage and bring back to next meeting.

2. Continue Discussion on Future Land Use Maps and Defining R/LC

Exhibit: Agenda Report No. 2

Recommendation: Discussion

The Board discussed page 117 of the Code for R/LC.

Krieger asked if the new buildings were addressed verses the existing buildings with people already living in them, they should have some sort of "grandfathering" capabilities. Ritter said for the house but not for the businesses. Reilly said that if you have an existing house and convert to Commercial you have to conform to Commercial Standards.

Reilly said he agrees with the changes that were done on R/LC verbiage, Krieger does not agree.

The Board discussed verbiage for R/LC extensively and changed some verbiage. Krieger explained that if someone already exists in this zoning with chickens they can not be kicked out. Krieger said he thought that we never intended for R/LC to be "High Density".

Corrections done on R/LC verbiage page 15/79 (PZ Meeting 6/25/14):

Bold underlined verbiage

- ~~To encompass~~ = for
- ~~Progressive~~ = flexible
- ~~Delete low and moderate~~
- ~~Delete framework~~- add district(s)

Krieger commented, "Do we want restrictions of height in accordance to zoning". Ritter/Krieger discussed Florida Vernacular and a height of 35 feet in the R/LC areas.

Reilly explained that six (6) units per acre is high density and is allowed in the R/LC zoning. Ritter explained that water and sewer is needed for six (6) units per acre.

H. ADDITIONAL ITEMS FOR FUTURE MEETINGS:

Krieger asked when was the last time we looked at classifications of roads, Krieger remembered that Debby had asked about changing the classification of Marie Street awhile ago and the Board had said, no.

Krieger recommended looking at roads throughout the Town on a yearly basis for the following reasons:

- Road Conditions

- Making Recommendations concerning roads

I. **PUBLIC**

none

J. **OLD BUSINESS/NEW BUSINESS:**

Ryan said for the record as of a couple of days ago, I am a serious, determined, and committed candidate for Town Council seat #3.

K. **ADJOURN**

There being no further business to discuss, **MOTION:** Ryan/Ball to adjourn this meeting. **Vote:** All Ayes. The meeting adjourned 9: 31 P.M.

BY:

Patrick T. Reilly
Pat Reilly, Chair

Denine Sherear
Denine Sherear, P&Z Board Secretary

9/10/14
Date Approved: as corrected