

**MALABAR PLANNING AND ZONING BOARD REGULAR MEETING
FEBRUARY 11, 2015 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 7:32 P.M. Prayer and Pledge led by Vice Chair Liz Ritter.

B. ROLL CALL:

CHAIR:	PAT REILLY, excused
VICE-CHAIR:	LIZ RITTER
BOARD MEMBERS:	BUD RYAN, excused
	WAYNE ABARE
	GEORGE FOSTER
ALTERNATE:	VACANT
ALTERNATE:	VACANT
BOARD SECRETARY:	DENINE SHEREAR

ADDITIONAL ATTENDEES:

C. ADDITIONS/DELETIONS/CHANGES:

D. CONSENT AGENDA:

- 1. Approval of Minutes** Planning and Zoning Meeting – 1/28/15
Exhibit: Agenda Report No. 1
Recommendation: Request Approval

Motion: Abare/Foster To Recommend Approval of Minutes of 1/28/15 as corrected All Vote: Aye

Ritter corrections:

Page 4 of 41 half way down page "Board discussed "C"...."to put sales in after and are not intended for.

3 parag from bottom 1st line a coma between use & such as.

Foster corrections:

Page 6 of 41 3rd parag up from bottom, "Foster comment about Option 1, for clarification purposes Option 1 is fair at 20% of the total property, otherwise it would make no sense to purchase more than a half-acre.

The Board discussed that the Motion made needed to be corrected in the minutes as well as what was sent to the Council.

Ritter corrections:

Page 7/41 2nd parag down under the four Options discusse

- 1.) 0.20 not .20
- 2.) 4,000 not 4000
- 3.) 4,000sf not 4000

Correction of Motion: Abare/Ritter Recommended to Council to pick Option#1, after much deliberation and debate.

All Vote:Aye

E. PUBLIC HEARING: none

F. ACTION: none

G. DISCUSSION:

2. Continue Discussion re: Off-Street Parking and Contiguous Parking

Exhibit: Agenda Report No. 2

Recommendation: Discussion

The Board discussed & corrected Articles IX & XX, some minor corrections were made. Ritter said that there are a lot of comas missing throughout; Ritter explained that commas are there for the separation of separate things. When there is no comma it can mean the same thing or together. Sherear commented that it was copied from Municode as presented.

Article IX corrections:

Page 20/41 1st parag, 3rd line "erected, or enlarged,...." 3rd line also "by a change of use or with the addition of dwelling units,"

Page 22/41 last parag. 1st sentence "Stalls, Aisles_ and Driveways" (add comma after Aisles)

Page 24/41 #3 from the top (c) six (6) inches

Article XX corrections:

Page 33/41 4th parag. From top, under Parking Space walk = walkway

The Board discussed the "Recreational and Landscaped" definition in depth and made some changes as noted below.

- 6th parag from the bottom "Recreational and Landscaped... 3rd sentence down the open space is located. Not calculated as open spaces are rooftops, porches, raised decks, parking spaces, driveways, utility and service areas.

Page 34/41, 4th parag from bottom "Swimming Pool" 2nd line "...an above-surface ground pool, having..."

Motion: Abare / Foster To Recommend to Council changes made in Article IX Off-Street Parking and Internal Traffic Circulation & Article XX Definitions and Language.

All Vote: Ayes (Unanimous)

- 3. Continue Discussion re: Future Land Use Maps and Defining R/LC**
Exhibit: Agenda Report No. 3
Recommendation: Discussion
Table this discussion

H. ADDITIONAL ITEMS FOR FUTURE MEETING

Foster suggested the exploration & discussion of RL/C to be an optional zoning change to be based on the homeowner's decision to choose or not to choose the zoning change. Ritter responded that in #3 discussion of R/LC, it is part of the definition until a resident comes in and applies for a commercial use, it is residential.

I. PUBLIC

Juliana Hirsh 1035 Malabar Road, Malabar FL., had two questions, 1.) What is the excuse for Bud Ryan not showing up? Foster said, he (Bud) told him he could not make it. Juliana said it is supposed to be a valid excuse. Ritter responded, he (Bud) had some issues that came up unexpectedly. Juliana said, Bud knows there are meetings on Wednesdays and he misses a lot. Juliana said, he is gone a lot too much maybe he should resign. Ritter said, he (Bud) has issues.

Abare said to Juliana's point, it is up to the Chair to say if it is excused or not excused. Ritter responded that there is no definite criteria what exactly is excused or not excused.

Foster said, if he (Bud) did not show up is one thing, but the practice has been excepted policy if you call ahead and explain your situation with no details that is accepted as an excused absence. Ritter said, if he (Bud) just didn't show up it would be unexcused.

Juliana said there should be a guideline what is an acceptable excuse. Ritter said, then who decides what is acceptable. Abare said the "Chairs" of the Boards are real lenient. Abare agreed with Juliana about coming up with something. Abare discussed about two meetings ago when only Reilly and Abare showed up for a meeting and Town paid Denine two hours of overtime to come here for nothing. Abare said that is wasting the Town's money. Abare said they should not have to come to a meeting, when there are only two of them and they have to go home and can't have the meeting. Juliana said, it happens too much.

Abare said the current Ordinance, if you have at least 3 unexcused absences you are automatically off the Board. Juliana asked, what is excused? Abare said we need to come up with some guidelines.

Juliana said she paid a lot of attention to what the Board discussed. Foster said he appreciated Juliana coming to the meetings. Juliana also said the last meeting was a wonderful meeting.

Juliana said the R/LC is tricky; it is going on too long over a year. Juliana said that Ritter is more worried about the people that have houses already, but we are talking about Future Use and those on the main roads that is what we need to consider. Ritter responded to notify everybody that there is a tentative Future Land Use change coming into effect and whether they would want to come in and accept it now. Abare said that you can do a mailer to everyone. Juliana said there is a considerable problem there.

PZ
2/11/15

Abare asked Juliana what she doesn't like about all this R/LC. Juliana said she doesn't like this wishy-washy, now there are these regulations on what you can do in R/LC right now. Ritter said it is the way it is interpreted the biggest problem in this Town. The way it is interpreted was that you had people living in areas they couldn't get residential insurance; because it was R/LC, which is commercial/residential they could not get residential insurance. Ritter said they need to be considered residential until they decide they want to have a business. Juliana said it is a bad zoning in the first place.

Foster thanked Ms. Hirsch for her loyalty to be a citizen and coming in and listening to what this Board discusses.

J. OLD BUSINESS/NEW BUSINESS:

K. ADJOURN

There being no further business to discuss, **MOTION:** Abare/Foster to adjourn this meeting.

Vote: All Ayes. The meeting adjourned 8:58 P.M.

BY:


Liz Ritter, Vice-Chair


Denine Sherear, P&Z Board Secretary

2/25/15
Date Approved as Corrected