

**MALABAR PLANNING AND ZONING BOARD REGULAR MEETING
APRIL 8, 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 7:30 P.M. Prayer and Pledge led by Chair Pat Reilly.

B. ROLL CALL:

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

ADDITIONAL ATTENDEES:

C. ADDITIONS/DELETIONS/CHANGES:

Reilly stated that Doug Dial will be voting for Wayne Abare.

Reilly would like to pulled Agenda Item G3, Councilman Krieger had concerned about verbiage, did not get memo about what needed to be changed. Sherear said I only have minutes from RTCM 3/2/15. Foster said he would like to discuss this Item, so Reilly kept on Agenda to discuss.

D. CONSENT AGENDA:

- 1. Approval of Minutes** Planning and Zoning Meeting – 3/11/15
Exhibit: Agenda Report No. 1
Recommendation: Request Approval

Motion: Ryan/ Ritter to Recommend Approval of Minutes of 3/11/15 as corrected All Vote:

Aye

Ritter Corrections:

Last parag , last sentence Doug should be Dial.

Ryan Corrections:

Ryan called the Chair to let him know he would be late for the Meeting of 3/11/15 for the record.

Page 4/16 PZ Minutes 3/11/15 1st sentence 0.20% should be 0.20.

Page 4/16 PZ Minutes 3/11/15 4th parag from bottom last sentence critic should be critique

E. PUBLIC HEARING: none

F. ACTION: none

G. DISCUSSION

2. **Continue Discussion re: Future Land Use Maps and Defining R/LC**
Exhibit: Agenda Report No. 2
Recommendation: Discussion

Ritter and Reilly discussed the verbiage that Reilly submitted for Board to review at this meeting. Ritter said there are some redundancies about the Residential and multiple/single family structures. Reilly explained he rearranged paragraphs, added and changed words, and took out words.

Ryan asked the definition of family, and Reilly clarified "related family".

The Board discussed the paragraphs and made corrections, Reilly would send to Board Secretary. Ryan suggested making it "leak" proof" you want to be very specific to illuminate "loop holes".

The Board extensively discussed the verbiage for R/LC "Residential/ Limited Commercial and illuminated the redundancies. (Reilly will send to Board Secretary for next meeting)

Foster asked, how long has Table 1-3.1 been in R/LC (page 10/16) Reilly explained that this Board added the table for clarification, to define 6 units per acre. Foster said it limits the property use and in order to develop you need to have a combination of residential and commercial. Ritter explained that R/LC is a residential area with small businesses allowed and having this Table 1-3.1 for reference this is the best way to do it to keep the balance.

Foster felt that if you are a property owner or a potential property owner on the arterial areas that these guidelines are just a book of restrictions that you cannot do unless you go through a maze.

Ryan said that you have to put limits and guidelines for people to follow or people will go to extremes.

Reilly asked Dial (new Alternate Member) about Table 1-3.1 Dial said he understands it.

Ritter said there a lot of options for people with this zoning.

Reilly explained to Board that this is a Future Land Use (R/LC) and only if a resident comes in to request the change, then they have the options on their property to have the R/LC use. Reilly said no one is forced to do anything.

Note: (Item G3 was discussed as Item 2)

3. **Direction from Council to Explore Option 1 Maximum Building Coverage .20**
Exhibit: Agenda Report No. 3
Recommendation: Discussion

Reilly explained that he was at the Council Meeting of 3/2/15 and Council Member Krieger wanted different words. Reilly wanted to wait for memo to discuss what section Council Member Krieger was referencing to.

Foster asked Reilly how did the other Board Members accept the presentation for the Maximum building Coverage. Reilly said it was no issues. Ritter said she thought Marisa voted against it.

Reilly said because she (Marisa) wanted the 4,000sf to be the maximum of any building, regardless of lot size. Reilly said he is with her in a way if we go ahead and change Malabar Rd which is 1.5 acre lots they can have 12,000sf buildings along Malabar Rd, Babcock St., and on US 1 it would change the look of the Town.

Ryan said the biggest problems we face are the 3 arterials- Malabar Rd, Babcock St., and US 1, everything else is easily controlled. Ryan said that Abare had a good point, to put out feelers and feel how the general public feels about this.

Foster said if we want this Town to prosper you can't deny people to develop their property. It is immoral and doesn't make sense.

Reilly explained that R/LC back in 1987 was only along US 1 and between US 1 and the railroad tracks; it was not envisioned to have a 1.5 acres. They were all smaller lots.

The Board discussed the size of the buildings and arterial areas.

Foster said that several things need to be considered if we want our town to prosper we have to allow economic opportunities and freedom. We need to have reasonable development on the arterial areas.

Reilly said the Council approved Option 1, the 0.20 Maximum Building Coverage for total acreage.

Reilly said the "Off Site Parking" verbiage that was sent to Council was the memo that was needed. Council Member Krieger did not like the verbiage.

Sherear asked if Option 1 the Maximum Building Coverage of 0.20 for total acreage is settled. Reilly said yes.

H. ADDITIONAL ITEMS FOR FUTURE MEETING

Foster, said at the last meeting "Flag Lots" was discussed and Abare talked about purchasing an easement is an open pay check for the lawyers because you cannot enforce an easement then a flag lot will become necessary if you have any parcel other than the road frontage, a flag lot will be necessary for that owner to purchase right-of-way to build access to their property.

Foster said there are restrictions on flag lots, it is necessary to buy a flag lot parcel so you can maintain access to your property.

Reilly suggested putting "Flag Lots" on the next Agenda as a discussion item.

Sherear said for a reference to understand where "Flag Lots" are in the Code Book go to Article XVII Sec 1-17.2 it is Design Standards, under "G" on page 997.

I. PUBLIC

J. OLD BUSINESS/NEW BUSINESS:

K. ADJOURN

There being no further business to discuss, MOTION: Ryan/Foster to adjourn this meeting. Vote: All Ayes. The meeting adjourned 9:05 P.M.

BY:

Patrick T. Reilly
Pat Reilly, Chair

Denine Sherear
Denine Sherear, P&Z Board Secretary

4/22/15
Date Approved: as corrected