

**MALABAR PLANNING AND ZONING BOARD REGULAR MEETING
AUGUST 26, 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
	GEORGE FOSTER
ALTERNATE:	DOUG DIAL, Late 7:36PM
ALTERNATE:	VACANT
BOARD SECRETARY:	DENINE SHEREAR

ADDITIONAL ATTENDEES:

C. ADDITIONS/DELETIONS/CHANGES:

Reilly asked to move "Public" up to after "Consent Agenda" there is a public request card.

D. CONSENT AGENDA:

- 1. Approval of Minutes** Planning and Zoning Meeting – 8/12/15

Exhibit: Agenda Report No. 1

Recommendation: Request Approval

Corrections:

Abare, Page 6/48 1st parag. 3rd line at end of line, Abare said ~~he-we does-do~~ not....

Ritter/Foster page 5/48 4th parag from the bottom 1st line before we (the Town) give up the ROW, the ROW should be shown all the same. 2nd line end of line "down" should be done

**Motion: Ryan /Ritter to Recommend Approval of Minutes of 8/12/15 as corrected All Vote:
Aye**

Public:

Steve Holmes 1359 Banford Street, Palm Bay, He said is a Pastor for Testimony of Life Church and Melvin is his assistant. He explained that their church has been meeting at FIT College. They are looking for property to purchase for a church and training classes. Mr. Holmes explained he found property for sale at 2130 Isasa Lane, Malabar just east of Weber Road. Mr. Holmes wanted to come to this Board to get a feel to see if they could pursue a "conditional use" using the house

for a church, training, and counseling. Mr. Holmes explained that they could extend the back of the house to use for sanctuary space. Mr. Holmes said there are 40-50 members in the church since 1991, they do own property in Melbourne (vacant land) and to build on vacant land it is difficult.

Ritter asked if this would be temporary until they build in Melbourne, Mr. Holmes said they need to grow members to fund a building.

Foster asked if it would be permanent location or temporary on Isasa Lane. Mr. Holmes explained he has 2 acres of land in Melbourne off of Florida Ave. where he would like to build a sanctuary. Foster asked if there is a time line you would stay in Malabar on Isasa Lane. Mr. Holmes said 3-5 years maximum.

Reilly explained the hurdles, according to Article III of our Land Development Code this would be a conditional use in a RR-65 land use district. Reilly said in order to get a "Conditional Use" there would be a 500 radius packet required around the property, in which a letter would be mailed out to everyone within that area and they would either support or go against a Conditional Use. For this property to be turned into a church there will be a Site Plan required with parking and a whole list for the review. The other things required are possible septic and road improvement. Ryan added that there will probably be changes to the inside of building that would be required.

Foster said since it is a residential area there is going to be a large expense to bring this from residential to a church. Foster said that the churches in our Town are on the arterial roads.

Reilly explained to Mr. Holmes to look at Art III- Table 1-3.2 Land Use By Districts to see where churches are "permitted".

Ryan suggested speaking to the Church on Marie Street south of Malabar Road about having services.

E. PUBLIC HEARING: none

F. ACTION:

2. Final Review and make Recommendation to Council for: Future Land Use Maps & R/LC Definition.

Exhibit: Agenda Report No. 2

Recommendation: Action

Reilly said he did all updates, except the streets that he will do before it goes to Council.

Reilly explained that Council will get all this and Satellite Arial Maps, and new R/LC and present Land Use Maps.

Board went through Presentation of FLUM changes/additions

Page 2: Added Coastal Preserve

Page 4: Added "CL" to bottom left

Page 7: Changed Malabar Road & Corey Road on north side corner to R/LC

Page 8: Add "RR" under Glatter Rd.

Page 10: Move "R/LC" in water east of Malabar Road

Reilly/Board discussed the R/LC verbiage, no changes

Reilly said he will update maps one final time, then get with Denine to do packet to present to Council as a discussion Item. Reilly suggested to do the R/LC verbiage first, and then look at the FLUM maps.

Motion: Ritter/ Abare Recommendation to Present to Council for Final Review for FLUM maps and R/LC Definitions Vote: All Ayes

Motion Passed 5:0

Dial suggested doing a summary with maps to present to Council. Foster also suggested pointing out major changes that were done, then present in smaller portions so they will understand and except.

Reilly explained that the whole packet will have to be given to Council for them to understand,

G. DISCUSSION:

3. **Discuss Amending Assisted Living Facilities (ALF) Ordinance 2014-01 ref: to Office/Institutional (OI) Zoning.**
Exhibit: Agenda Report No. 3
Recommendation: Discussion

Reilly said for the record they (Applicants) came in with their plan for Nursing Homes/Group Homes.

Reilly read page 42/48 (B.) Part I Long Term Care Facility, and page 44/48 under "OI".

Reilly explained the Council does not want residential in "OI".

Reilly explained what he thinks occurred took "Long Term Care Facility" out of Florida Statutes Title XXX Chapter 429 the definition. It might be good to just strike out "assisted living facility".

Ritter suggested that some verbiage might need to be changed and refer to Florida Statutes.

The Board discussed what needs to be corrected and what needs to be excluded.

For next meeting copy FL ST Title XXX (30) Chapter 429 Social Welfare for PZ Board.

Abare discussed reviewing Conditional Uses on Art III Table 1-3.2 under churches and Foster said that we should look at the whole Table 1-3.2.

Reilly said that on page 47-48 under Sec 6, "Assisted Living Facility" As defined in section 1-2.6B 42-B, **13B**, Part I **correction**.

Reilly said the definition will go on page 42/48 not in Article XX (20) Definitions.

H. ADDITIONAL ITEMS FOR FUTURE MEETING

- Action Johnston Ave. Vacate will be on for next meeting in September (9/9/15) it was "Tabled" at Council Meeting on 8/25/15.
- Discussion Abare, Table 1-3.2 the churches all have "C" for Condition Use.

Foster suggested going through the Table 1-3.2 and look at all the other "Conditional Uses".

- Discussion Ryan asked about if 500 ft. radius packet is large enough for notification for Public Hearings.

I. PUBLIC

J. OLD BUSINESS/NEW BUSINESS:

Old Business: none

New Business: none

K. ADJOURN

There being no further business to discuss, MOTION: Ryan/Abare to adjourn this meeting. Vote: All Ayes. The meeting adjourned 9:02 P.M.

BY:

Patrick T. Reilly
Pat Reilly, Chair

Denine Sherear
Denine Sherear, P&Z Board Secretary

9/23/15
Date Approved: as presented