

**MALABAR PLANNING AND ZONING BOARD REGULAR MEETING
January 27, 2016 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 7:45 P.M. Prayer and Pledge led Chair Pat Reilly.

B. ROLL CALL:

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

ADDITIONAL ATTENDEES:

C. ADDITIONS/DELETIONS/CHANGES:

D. CONSENT AGENDA:

1. **Approval of Minutes** Planning and Zoning Meeting –01/13/2016

Exhibit: Agenda Report No. 1

Recommendation: Request Approval

Motion: Ryan/ Ritter: To Recommend Approval Minutes of 01/13/16 as corrected All Vote: Aye

Foster/Reilly:

Page 4/59 bottom of page under "Additional Items for Future Meetings" add before Foster At a previous PZ Meeting Foster discussed packet from.... Take out things

E. PUBLIC HEARING: none

F. ACTION:

2. **Recommendation to Council: Amend the Code Book to insert the 500 ft. Radius notifications for Public Hearings**

Exhibit: Agenda Report No. 2

Recommendation: Recommendation to Council

Reilly and Board discussed information suggested by Reilly & Ritter.

Ritter discussed about when letter is sent to property owners for public hearings. It was suggested to a time certain when it is sent out. Reilly said he found it is 15 days.

Reilly asked the Board if everyone is in agreeance with the suggestions presented and the consent of the Board is in agreeance. Foster asked about the "Abandonment of Improved & Unimproved of existing ROW" having radius 1,000 foot radius.

Ritter suggested page 23/59 Article XII Section 1-12.8 (D) 1. change the 500 feet to 1,000 and add a sentence:

"The Building Department will send a letter to all listed properties notifying of the applicants intentions.

The consensus of the Board is in agreeance with the above sentence.

Also Article 1-12.9 (C)

Change may to shall send a courtesy; change 500 feet to 1,000 feet and add a sentence:

"The Building Department will send a letter to all listed properties notifying of the Towns intentions.

The consensus of the Board is in agreeance with the above sentence.

Abare & Foster confirmed from previous meetings that the property owners to be within 1,000 feet for 1-12.8 & 1-12.9

Next PZ Meeting set for Action on Feb 10th 2016

G. DISCUSSION:

3. Continue Discussion: Amending Assisted Living Facilities (ALF) Ordinance 2014-01 ref: to Office/Institutional (OI) Zoning.

Exhibit: Agenda Report No. 3

Recommendation: Discussion

Reilly said we have a special guest to discuss Assisted Living Facilities (ALF). Foster introduces Christe Foster to come up to podium.

Christe Foster 1205 Malabar Road, Malabar FL 32950. Christe explained that she is an RN and arranged for people to go to ALF's, Rehab Centers, and nursing homes she explained how they work.

Abare asked about community residential homes, Christe said that there is not much traffic going and coming, they are over seen by the state. Abare asked how often the state goes to these homes and Christe responded the state goes about twice a year to inspect and review, but can go anytime unannounced, and the larger ones every couple months. Christe recommended that the family over sees their loved one and visits on a regular basis.

Ritter asked if there is any negative impact for the home ALF's. Christe said there is not a lot of traffic.

Ryan asked if there is a crisis do the first responders come, Christe responded yes. Ryan said that it is a load on the Town to provide the service. Ritter said that the patient is billed for this.

Ritter asked about the difference between assisted living and a community home? Christe responded the assisted living is a larger home with more people and the community home is smaller. Christe said that a lot of people that start the smaller homes are nurses.

Christe said there is a lot of regulations and a big investment to make a residential home an ALF facility.

Ritter asked if there is a doctor or pharmacy on staff. Foster responded not usually.

Christe explained the different levels of care for community homes. If someone is digressed there is a call to the family and the doctor usually there is a medical trigger that happens then a case member would talk to family and community home. Then there are more options to the family,

Reilly & Board discussed the Town Attorneys response for the "not-for-profit" vs "non-profit." He said he did not think that this can be added to the verbiage.

Ritter correction:

Page 55/59 Section 2. Section 1-3.1. I is amended to read as follows: the 4th bullet under "OI" take out verbiage in parentheses

Reilly discussed:

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The Board discussed how to present to Council for review, marking additions and deletions.

Next PZ Meeting set for Action on Feb 10th 2016 (Council & Town Attorney)

Reilly Update PZ Board on Council Workshop on 1/25/2016:

Reilly spoke to PZ Board about Council WS on 1/25/16 referencing R/LC. It seemed to be pretty receptive for Future Land Use.

H. ADDITIONAL ITEMS FOR FUTURE MEETING

I. PUBLIC:

Krieger talked about when Reilly attended Council Workshop for R/LC. Krieger said that you did a lot of work and you succeeded in what Council asked so many years ago and things are always changing. That was a wonderful table and maps. The difference between zoning and land use is difficult for everyone, one is comprehensive planning and one is what you're doing on an exact property.

J. OLD BUSINESS/NEW BUSINESS:

Old Business: Sherear explained that Willy Carmine has turned in a Site Plan for Route One Motor Sports and it is in review with staff, looking to come before this Board second meeting in February.

Foster asked about the present Building Official (BO), and if the Town has hired a permanent BO, Foster asked if the Town hires a new BO could Sherear update the Board.

New Business:

Reilly asked to get the Route One Motor site plan before the 20th of February. Reilly would like if the Board agrees to get this around February 16th, 2016.

K. ADJOURN

There being no further business to discuss, MOTION: Ryan /Abare to adjourn this meeting. Vote: All Ayes. The meeting adjourned 9:00 P.M.

BY:

Patrick T. Reilly
Patrick Reilly, Chair

Denine Sherear
Denine Sherear, Board Secretary

3/23/2016
Date Approved: as corrected