

**PARK AND RECREATION ADVISORY BOARD
REGULAR MEETING
WEDNESDAY, NOVEMBER 18, 2009
7:30 PM
TOWN OF MALABAR
2725 MALABAR ROAD
MALABAR, FLORIDA**

AGENDA

- A. CALL TO ORDER, PRAYER AND PLEDGE**
- B. ROLL CALL**
- C. ADDITIONS/DELETIONS/CHANGES**
- D. CONSENT AGENDA**
1. **Approval of Minutes**
 Regular Park and Recreation Meeting – 10/21/09
 Exhibit: Agenda Report No. 1
 Recommendation: Motion to approve
- E. PUBLIC:**
- F. ACTION:**
2. **Signage for Huggins Park**
 Exhibit: Agenda Report No. 2
 Recommendation: Discussion and action
3. **Engineering Requirements for Culvert at 17 Acre Parcel**
 Exhibit: Agenda Report No. 3
 Recommendation: Discussion and action
- G. DISCUSSION:**
4. **Transplanting of Sea Grapes**
 Exhibit: Agenda Report No. 4
 Recommendation: Discussion
5. **Archery Park at Huggins Park**
 Exhibit: Agenda Report No. 5
 Recommendation: Discussion
- H. OLD BUSINESS/NEW BUSINESS:**
 New Business: Property along South US #1
 Old Business:
- I. BOARD MEMBER/STAFF REPORTS:**
- Playground Equipment at Malabar Community Park – Staff Report
 - Disc Golf Park Apron – Staff Report
 - Additional Electrical Outlet at Malabar Community Park
- J. ADJOURNMENT**

NOTE: THERE MAY BE ONE OR MORE MALABAR ELECTED OFFICIALS ATTENDING THIS MEETING.

If an individual decides to appeal any decision made by this board with respect to any matter considered at this meeting, a verbatim transcript may be required, and the individual may need to insure that a verbatim transcript of the proceedings is made (Florida Statute 286.0105). The Town does not provide this service.

In compliance with the Americans With Disabilities Act (ADA), anyone who needs a special accommodation for this meeting should contact the Town's ADA Coordinator at 321-727-7764 at least 48 hours in advance of this meeting.

TOWN OF MALABAR
PARK AND RECREATION

AGENDA ITEM REPORT

AGENDA ITEM NO: 1
Meeting Date: November 18, 2009

Prepared By: Cynthia Kelley, Secretary to Board

SUBJECT: Approval Park Board Minutes

BACKGROUND/HISTORY:

Attached are the summary minutes for the following meetings:
Regular Park & Recreation Board Meeting – 10/21/09

ATTACHMENTS:

- Draft Minutes from Park and Recreation regular meeting October 21, 2009

ACTION OPTIONS:

Recording Secretary requests approval of the minutes

The following draft minutes are subject to changes and/or revisions by the Park Board and shall not be considered the official minutes until approved by the Park Board.

**TOWN OF MALABAR – PARK AND RECREATION ADVISORY BOARD
10/21/09 MEETING MINUTES**

This meeting of the Malabar Town Council was held at Town Hall at 2725 Malabar Road.

CALL TO ORDER - Meeting was called to order at 7:37 pm by Chair Hans Kemmler. Prayer and Pledge led by Chair Hans Kemmler.

B. ROLL CALL OF MEMBERS

ROLL CALL:

Hans Kemmler – Chair
Dick Korn, Vice-Chair, excused
Bob Siegmann, excused
Vickie Thomas
Scott Pollard
Maryann Marsh, Alt. #2, excused
Josh Treadwell, Alt. #1, excused; overseas on TDY
Cynthia Kelley, Recording Secretary

C. ADDITIONS/DELETIONS/CHANGES:

D. CONSENT AGENDA

1. Approval of Minutes - 9/16/09

Discussion: None

MOTION: Pollard/Thomas to approve the minutes of 9/16/09 as presented. VOTE: All Ayes.

E. PUBLIC: None

F. ACTION:

2. Signage for Huggins Park

Discussion: Kemmler spoke to Millore of Public Works. The sign is no longer available. Thomas suggested the Boy Scouts are good with wood-working. Would this be something they could do? Kelley advised we have Artistic Signs do the signs for the Town to keep them uniform. Kelley advised the Board that the right-of-way isn't there for a large sign. Thomas asked if there is a limit to the height of a sign. Kelley stated she believed so; this is a question for the Building Department. Kemmler asked that this be placed on next month's agenda as an action item. It would give staff and Thomas time to research the right-of-way and sign height issues. No action was taken at this time.

3. Engineering Requirements for Culvert at 17 Acre Parcel

Discussion: Kelley reported that the Engineer had been out to the area and taken pictures. He is working on the information and staff will provide it to the Board for the next meeting. Kemmler stated he found the proposed area to access the property over past Richards Cameron's house would require a lot of fill. For this reason and reasons stated in previous meeting, the Board does not feel the park would get much use if the entrance were to be off of Hall Road. Kemmler asked that this be placed on next month's agenda as an action item. No action was taken at this time.

G. DISCUSSION:**4. Additional Electrical Outlet at Malabar Community Park**

Discussion: Kelley advised the Board that Commercial Electric will be installing two outlets at the park along the fence line at the baseball field; these outlets will be a great asset for Springfest and the Baseball Club. We are in the process of working with the irrigation person so lines are not cut when digging commences. Kemmler asked that this be placed on the agenda under reports for status at the next meeting.

5. Transplanting of Sea Grapes

Discussion: Kemmler reported he had received a lot of good information from Franklin; he will call the FEC to see what he can do. He gave a brief overview of the lease; it will end March 2010. He is unsure about the rule of the height of the plants. Kelley advised that Council Member McKnight stated that there are residents in town who will remove the plants and bring fill dirt in. BWF stated the plants were in violation of the height; they need to be cut back to three feet. Kemmler stated he will do some more research and report back to the Board at the next meeting.

6. Archery Park at Huggins Park

Discussion: Kemmler reported for Seigmann; Seigmann contacted the Brevard Archers Association. He was informed that it would be a good place for this activity. It now needs to be brought to the group for discussion. This is to be on next month's agenda as a discussion item.

7. Volleyball Court at Malabar Community Park

Discussion: Kemmler reported he had been to the park twice with no activity on the volleyball court. Kelley advised the Board that this court was specifically part of the grant application; if the Board would like a new amenity at the park, please provide suggestions to Franklin so approval from the State can be obtained. The Board can't make this go away without something, Stated approved, taking its place. Kemmler will send an email to the Board via the Secretary for ideas for this portion of the park.

H. OLD BUSINESS/NEW BUSINESS:

New Business: Thomas stated that nothing had been submitted at this time. Kemmler stated that Marsh suggested stepping stones for the parks. Kelley asked who would be doing the article for the Mailboat; Thomas stated she would write it and asked that she be the point of contact for people making donations. Kelley asked that the article be provided to her by Wednesday, October 28, 2009.

Old Business: None

I. BOARD MEMBER/STAFF REPORTS:**• Playground Equipment at Malabar Community Park – Staff Report**

Kelley reported that all equipment maintenance and repairs have been completed by Public Works. Kemmler asked that the Board be given the maintenance schedule for the park equipment. Staff will supply at the next meeting.

- **Condition of Trail Head 1 – Chair Report**

Kemmler reported all things that were brought up by Korn have been addressed and taken care of per BWF.

- **Disc Golf Park Apron – Staff Report**

Kelley reported that the Town Engineer is working on the drawings for this project; a report will be provided to the Board on the status of this project at next month’s meeting.

- **Concrete Tee at Disc Golf Park – Chair Report**

Kemmler reported the tee had been installed at tee 16; it’s equivalent of a 4x8 pad. It took 25 bags of concrete to get this done; dirt was also added to bring the area level. Thomas asked what materials would be needed to have the concrete tees at each “hole”. Kemmler stated that rebar and concrete are the main items needed. She will add these items to the wish list. Kemmler also stated that in the future, they may be able to have road millings for the concrete tees as well. Kemmler reported that a competition was held out there and John Precious was the winner. Kemmler would like to do an article about the Disc Golf Park for the Mailboat as well and he will announce the winner of this competition in the article as well.

Thomas asked when the trails would be worked on; her husband had stated that he would like to assist in the work day. Kemmler stated that a new date would need to be picked as his schedule did not allow for the time that had been chosen. Kelley will provide calendars to the Board and a new work date will be scheduled at next month’s meeting.

At this time, Kelley advised the Board that Council is looking into a possible purchase of the Logue property on south US 1. No action is required by the Park Board, staff wanted the Board to be aware of this. Thomas stated she is in real estate and any work for the Town would be pro bono.

Kelley reported that Franklin nominated the Disc Golf Park and Fern Creek Crossing Park for awards with Keep Brevard Beautiful. The Disc Golf Park was awarded a Certificate of Recognition for major renovations on October 16, 2009.

J. ADJOURNMENT

There being no further discussion, **MOTION: Pollard/Thomas to adjourn meeting. VOTE: All Ayes.** This meeting adjourned at 8:15 pm.

By: _____
Hans Kemmler, Chair

ATTEST:

Cynthia Kelley, Recording Secretary

Date Approved: _____

TOWN OF MALABAR
PARK AND RECREATION

AGENDA ITEM REPORT

AGENDA ITEM NO: 2
Meeting Date: November 18, 2009

Prepared By: Cynthia Kelley, Secretary to Board

SUBJECT: Signage at Huggins Park

BACKGROUND/HISTORY:

At the last Park Board Meeting, this item was requested by Chair Kemmler to be moved to the next meeting. Vickie Thomas stated she would like to get information from the Building Department regarding the height allowance for signs in Malabar; she is to report to the Board at this meeting her findings. Staff also reported that a large sign would not be able to be placed at the corner of Marie Street and Malabar Road due to a small right of way area. Kemmler asked that the size of the right of way be researched and report back to the Board.

ATTACHMENTS:

Aerial map to show right-of-way (FDOT Road)
Article XIX – Sign Code

ACTION OPTIONS:

Discussion and action



South  Pictometry® Imagery provided by the Brevard County Property Appraiser 11/13/2009. Image Date: 12/29/2008

DOT right of way
Signage @ Huggins Park

Article XIX

SIGNAGE

Section 1-19.1. Definitions.

For the purposes of this article certain words and terms shall be interpreted as follows:

District shall mean the various zoning districts established and described by the land development code.

Erect shall mean to build, construct, attach, hang, place, suspend, affix, print, or paint; this shall include the painting of wall signs.

Height. Maximum height is the vertical distance between the uppermost portion of a sign and ground level and minimum height is the vertical distance between the lowermost point of a sign and ground level.

Non-Conforming shall mean any existing sign which was lawful at the time of the enactment of the ordinance from which this article was derived but which does not conform to the provisions of this article and to the most recently enacted land development code of the Town.

Placement shall mean the location which a sign occupies on a lot or building.

Public Body shall mean any government or government agency of the Town, Brevard County, State of Florida, or the United States Government.

Replacing shall mean rebuilding, enlarging or any change in size, structure, or lettering other than repainting to an original status and repair of original electrical apparatus.

Sign shall mean any device or display consisting of letters, numbers, symbols, pictures, illustrations, announcements, cut-outs, insignia, trademarks, banners, or demonstrations; designed to advertise, inform, identify, or to attract the attention of persons, which is visible from outside the premises on which the device or display is located. A sign shall be construed to be a display or device containing elements related and composed to form a single unit. In cases where material is displayed in a random or unconnected manner without organized relationship of the components, each component or element shall be considered to be a single sign.

Sign Area shall mean that area within a line including the outer extremities of all letters, figures, characters, and delineations, or within a line including the outer extremities of the framework or background of the sign, whichever line includes the larger area. The support for the sign background, whether it be columns, a pylon, or a building; or part thereof, shall not be included in the sign area. In measuring the area of a double-faced sign, only one face shall be calculated to determine the total area.

Sign, Indirectly Illuminated shall mean a sign which does not produce artificial light from within itself but which is opaque and backlighted or illuminated by spot lights or floodlights.

Sign, Number shall mean for the purpose of determining the number of signs, a sign shall be considered to be a display and/or display device containing elements organized, related, and/or composed to form a unit. Where matter is displayed in a random manner without organized relationship of elements, each element shall be considered a single sign. A double-faced sign shall be considered a single sign.

Sign Structure shall mean any construction designed to support or to provide a surface for a sign, and including any marquee, canopy, awning, or clock.

Sign Type shall mean any one of the various signs as differentiated by their purpose, and in this ordinance shall include accessory, billboard, construction, directional, directory, future improvement, general outdoor advertising, outdoor display, real estate, and subdivision as defined below:

- (1) *Accessory* shall mean a sign relating only to the uses of the premises on which the sign is located, or indicating the name and address of a building or the occupants or management of a building on the premises where the sign is located.
- (2) *Billboard* shall mean any sign or display which is not a directional sign, which advertises, illustrates, demonstrates, or identifies product, service, or place of business at another location not within two hundred (200) feet of the sign, and/or any sign of a size over sixty (60) square feet.
- (3) *Construction* shall mean a temporary sign erected on a building site between the time of the issuance of the building permit and the completion and/or occupancy. Such signs may display thereon any or all of the following: a designation of the job, the name of the owners, architect, general contractor, subcontractor, building or project under contraction [construction], and building permit.
- (4) *Directional* shall mean any sign less than three (3) square feet in area used for public direction and containing no advertising or commercial identification of any product, service, or place of business.
- (5) *Directory* shall mean signs which give the name and/or occupation of the occupants of the building or gives the use of the building, including office building directories, church directories, and apartment house directories.
- (6) *Future Improvement* shall mean a temporary sign announcing the construction of a facility in the near future on the site on which the sign is located.
- (7) *General Outdoor Advertising* shall mean any sign which is not herein described or limited by these definitions and regulations.
- (8) *Outdoor Display* shall mean each piece or portion of any matter, merchandise, or device displayed outside a building with the intent of advertising, demonstrating, or identifying the nature of business or articles for sale or other merchandise inside or

- (6) Noncommercial flags and insignia of any government when not displayed in connection with a commercial promotion or as an advertising device;
- (7) Changing the copy of a bulletin board, poster board, display encasement, or marquee provided, however, that the device upon which the copy is located meets all the requirements of this article;
- (8) Decals affixed to or signs painted on equipment used for dispensing retail products or services where such signs are not displayed in connection with a commercial promotion or as an advertising device;
- (9) Temporary signs, within five (5) feet inside of a store window, not exceeding twenty (20) inches of the glassed area of the window in which the sign is located, which advertise a bona fide "going out of business" sale, or other service or merchandise sale, and which are erected for a period of not over fifteen (15) days;
- (10) Signs on motor vehicles while in use in the normal course of business. This section shall not be interpreted to permit parking of a vehicle on which signs are attached or painted in a manner or location where such signs are not permitted in order to avoid the requirements of this article. Similarly, this section shall not be interpreted to permit parking of portable trailer signs in a manner or location where the signs are not permitted in order to avoid the requirements of the article.

Section 1-19.4. Administration requirements.

A. *Permits.* Before any sign is erected, constructed, posted, painted, altered, affixed, or relocated in the Town, a permit for such sign shall be obtained from the Building Official.

The contractor or owner securing the permit for any sign shall call the Building Official and request an inspection whenever any sign requiring a permit is being installed, and before any concrete is poured; a final inspection shall be requested upon completion. At the time of a request for final inspection, a photograph of the completed sign shall be taken by the inspector. (Minimum 2 $\frac{1}{4}$ " \times 2 $\frac{1}{4}$ ", maximum 3" \times 5" for filing purposes.)

B. *Filing of Application.* Before any permit is issued, an application provided by the Building Official shall be filed in triplicate together with two (2) sets of drawings and/or specifications as may be necessary to fully advise and acquaint the Building Official with the location, construction, materials, manner of illumination, securing, wording of the sign, and any other data that may be required to ensure the enforcement of these regulations. One (1) set of drawings and/or specifications will be returned to the applicant with the permit. A separate application shall be made for each and every sign.

As a minimum the sign application shall include the following information:

- (a) Name, address and telephone number of the sign erector and the sign owner.
- (b) Written statement signed by landowner, or a lease or rental agreement, authorizing the placement of the proposed sign.

Section 1-19.5. Annual license required.

A. *Application for Annual License.* At the same time a permit to build or erect or certification of nonconformity is issued, an annual license must be applied for and granted for each sign of over five (5) square feet defined in this article as any of the following:

- (1) Residential and mobile home or trailer park zoning districts:
 - a. Accessory;
 - b. Construction;
 - c. Future Improvement;
 - d. General Outdoor Advertising;
 - e. Subdivision.
- (2) Nonresidential zoning districts and bona fide agricultural uses within the RR-65 district:
 - a. Accessory;
 - b. Construction;
 - c. Directory;
 - d. Future Improvement;
 - e. General Outdoor Advertising;
 - f. Subdivision.
- (3) All other categories and signs under five (5) square feet are exempt from licensing.

B. *Licenses to be Displayed.* The license number for the current term of one (1) year shall be displayed clearly on each sign which requires a license.

C. *Renewal of License.* License will require renewal each year on the first day of the month in which the original license was purchased. Within thirty (30) days of expiration and nonrenewal of license, the sign must be removed by the owner or it shall be illegal and subject to removal by the Town at the owner's or property owner's expense ten (10) days after written notification by the Town.

Section 1-19.6. Appeals and variances.

Matters involving appeal of an administrative decision or variance of these regulations shall be handled by the Planning and Zoning Board with further appeal to the Council.

Section 1-19.7. Nonconforming signs.

A. *Replacement of Nonconforming Signs.* Within the Town, there presently exist certain signs that are not in conformance with these regulations. Such signs are declared by this article to be incompatible with the development of the Town. It is further the intent of this article that these non-conforming signs shall not be replaced, enlarged, expanded or extended and are not to be used as grounds for adding or enlarging other signs not permitted in the district.

other applicable codes and ordinances, including the building code, electrical code, and land development regulations. Unless otherwise specified, all signs shall comply with the yard requirements of the zoning district in which they are located.

Section 1-19.10. Temporary permits.

A. The building inspector upon application, may issue temporary permits for the following signs and displays for a period not exceeding thirty (30) days, when in the building inspector's opinion, the use of such signs and displays would be in the public interest and would not result in damage to private property. There will be no license or license fee for these signs, but the regular permit fee shall apply. Temporary signs shall not be illuminated except for holiday signs which may be illuminated or special event signs approved by the Town Council. Such signs shall be located in private property outside of a public right-of-way or easement.

- (1) Special decorative displays used for holidays, public demonstrations, or window signs which do not cover more than twenty (20) percent of the surface area of the transparent portion of the window or door to which they are attached.
- (2) Temporary signs announcing any public, charitable, education, religious or other special event or function may be installed subject to compliance with the following conditions.
 - (a) *Timing of Placement and Removal.* Such signs shall be placed not more than fourteen (14) days prior to the event and must be removed not later than twenty-four (24) hours after termination of the event.
 - (b) *Character of Signs.* Such signs shall satisfy the sign area, location, setback, and height requirements of similar type signs in the district where placed.
 - (c) *Waiver from Requirement of Section.* The Building Official shall advise any applicant desiring relief from the requirements of this sub-section of his right to approach the Town Council to request a waiver of such requirements. A waiver by Town Council may be obtained only after introduction of the matter on an agenda of a Town Council meeting. Said waiver shall be in writing signed by the Chairperson or designate.
- (3) Special sale promotion displays in a district where such sales are permitted if such signs are not within five (5) feet inside a store window.

B. [A permit fee for] the following signs will not be required:

- (1) Signs advertising a special civic or cultural event such as a fair, exposition, play, concert, or meeting sponsored by a governmental, religious, cultural, civic, nonprofit, or charitable service organization;
- (2) Special decorative displays used for holidays when sponsored by a religious, governmental, cultural, civic, nonprofit or charitable service organization;

C. *Signs Affixed to Public Property or Infrastructure.* No signs shall be attached to or painted on utility poles, seawalls, retaining walls or other unapproved supporting structure.

D. *Illegal Signage.* No sign shall be constructed, erected, used, operated, or maintained which:

- (1) Displays intermittent lights resembling or seeming to resemble the flashing lights customarily associated with danger or such as are customarily used by police, fire, ambulance, or other emergency vehicles, or for navigation purposes;
- (2) Uses the word "stop" or "danger," or presents or implies the need or requirement for stopping or the existence of danger, or which is a copy or imitation of an official sign. This provision regarding the word "stop" or "danger" does not apply when they are part of attraction titles for a broadcast, motion picture, theater event, opera, or concert, or when they are used in descriptive lines of advertising so long as they are not used to simulate, copy, or imply any official warning, either for vehicles or persons;
- (3) Is so located and so illuminated as to provide a background of lights blending with traffic signal lights to the extent of confusing a motorist when viewed from normal approaching position of a vehicle at a distance of less than three hundred (300) feet;
- (4) Is erected in such a manner at any intersection so as to obstruct free and clear vision or at any location where, by reason of the position, shape, or color, [the sign may] obstruct the view of or be confused with any authorized traffic sign, signal or device.

E. *Signs On or Over Public Streets.* No sign shall be erected or located on or over any public street, sidewalk, alley, or right-of-way other than duly approved traffic signs authorized by a governmental entity.

F. *Illuminated Signage.* The lighting of illuminated signs shall be controlled in direction, focus, and intensity so as to prevent glare on surrounding streets or property, or any objectionable illumination of nearby property or buildings.

G. *Beacon Light.* No beacon light shall be permitted on a sign in the Town.

H. *Animated Signs.* No animated sign shall be permitted in the Town except where specifically provided by these regulations.

I. *Flashing Signs.* No flashing sign shall be permitted in the Town except where specifically provided by these regulations.

J. *Portable Signs.* No portable sign including trailer signs shall be permitted in the Town.

K. *Billboards*. No billboards shall be permitted in the Town.

L. *Outdoor Display Signs*. No outdoor signs shall be permitted in the Town. This shall not be construed to prevent merchandise display in the following cases:

- (1) Rear yards or side yards if such merchandise is rendered nonvisible from off the premises by means of a solid fence, building or other solid barrier in good repair and appearance;
- (2) New and used autos, trucks, tractors, and other large and/or heavy machinery, provided the same are displayed in an orderly fashion and the appearance is kept attractive and neat, visibility at any intersection or roadway is not impaired, and the display constitutes no safety or other hazard, nor shows gross neglect and disrepair.

M. *Multiple Street Frontage*. The regulations contained in this article shall apply separately and individually to each street frontage of a premises.

N. *Signs in Excess of Sixty Feet*. Notwithstanding other provisions of these regulations, no general advertising or other sign shall be erected in the Town which exceeds sixty (60) square feet in area.

Section 1-19.12. Construction standards.

All signs shall comply with all applicable standards of the Town's building code, fire code, health code, and all other applicable codes.

Section 1-19.13. Maintenance.

All signs, together with all their support braces, guys, and anchors, shall be maintained in good repair and appearance. The Building Official may, upon written notice, cause to be removed within ten (10) days any sign which becomes a safety hazard, or which shows gross neglect or becomes dilapidated or where the area around such sign is not well maintained. Such removal shall be at the expense of the owner or lessee of any sign that is not properly maintained.

Section 1-19.14. Obscenity prohibited.

It shall be unlawful for any person to display upon any sign or other advertising device or structure any offensive, obscene, indecent, immoral or degrading matter.

Section 1-19.15. Obstructing exits prohibited.

No sign, including guys and supports, shall be erected, constructed or maintained so as to obstruct any fire escape, or any window or door opening, used or required as a means of ingress, egress or ventilation, or so as to prevent free passage from one part of a roof in any form, shape, or manner to a fire escape.

SIGNAGE

§ 1-19.18

<i>Sign Type</i>	<i>Future Improvement</i>	<i>General Outdoor Advertising</i>	<i>Real Estate</i>	<i>Subdivision</i>
Construction Class	Detached	Wall or Detached	Detached	Wall or Detached
Maximum Number	1	1	1	1 per public entrance
Maximum Area	10 sq. ft.	32 sq. ft.	5 sq. ft.	32 sq. ft.
Maximum Height	10 ft.	10 ft.	4 ft.	10 ft.
Placement	Front setback: 10 ft. Side and Rear: 25 ft.	No signs to impede vision at any intersection	Front setback: 10 ft. Side and Rear: 25 ft.	No signs to impede vision at any intersection
Illumination	None	None	None	Indirect
Special Regulations	None	See Footnotes 1 and 2	None	None

(2) Sign Regulations Within Non-Residential Zoning Districts:

<i>Sign Type</i>	<i>Accessory</i>	<i>Accessory</i>	<i>Accessory</i>
Construction Class	Wall	Detached, Marquee, and Projecting	Snipe
Maximum Number	3	2 total from this group	4
Maximum Area	10% of the wall area, and no more than 60 sq. ft. of cumulative area	60 sq. ft. total cumulative area	1 1/2 sq. ft. each
Maximum Height	Roof line of building	Detached: 25 ft. Others: Roof line of building	Roof line of building
Placement	Non-Restricted	Must observe yard regulations and Front setback: 10 ft.	Must observe yard regulations
Illumination	Direct, Indirect	Direct, Indirect	None
Special Regulations	See Footnotes 1, 3, and 4	See Footnotes 4 and 5	None

<i>Sign Type</i>	<i>Construction</i>	<i>Directory</i>	<i>Directional</i>	<i>General Outdoor Advertising</i>
Construction Class	Wall or Detached	Wall or Detached	Wall or Detached	Wall or Detached
Maximum Number	1	2	2	1
Maximum Area	32 sq. ft.	Sum of 30 sq. ft.	3 sq. ft. each	Detached: 3 sq. ft. Wall: 10 sq. ft.
Maximum Height	Detached: 10 ft. Wall: Roof line of building	10 ft.	Detached: 3 ft. Wall: 10 ft.	10 ft.
Placement	Front Setback: 10 ft. Rear and Side: 25 ft.	Must observe all yard regulations	Non-Restricted	Front setback: 10 ft. Rear and Side: 25 ft.
Illumination	Indirect	Indirect	Indirect	Indirect
Special Regulations	Must be immediately removed upon completion of construction	None	None	See Footnotes 1 and 2

(3) Sign Regulations Within Non-Residential Zoning Districts:

<i>Sign Type</i>	<i>Future Improvement</i>	<i>Real Estate</i>	<i>Subdivision</i>
Construction Class	Detached	Wall or Detached	Wall or Detached
Maximum Number	1	3	1 per public entrance
Maximum Area	32 sq. ft.	9 sq. ft. each	12 sq. ft.

TOWN OF MALABAR
PARK AND RECREATION

AGENDA ITEM REPORT

AGENDA ITEM NO: 3
Meeting Date: November 18, 2009

Prepared By: Cynthia Kelley, Secretary to Board

SUBJECT: Engineering Requirements for Culvert at 17 Acre Parcel

BACKGROUND/HISTORY:

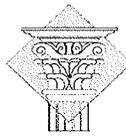
At the last Park Board Meeting, Cindi Kelley reported that the Town Engineer had been out to the site and taken pictures. He has prepared a cost sheet to show what the costs for installing this culvert as a donation and the total costs including the culvert (in case culvert is not donated) will be. This culvert is to provide access to the 17 acres off of Weber Road as part of the grant received from the Florida Communities Trust. Upon installation of the culvert, Eagle Scout Scott Prasse will be submitting a proposal to cut in trails and build a bridge as his Eagle Scout project.

ATTACHMENTS:

Cost sheet as prepared by Morris Smith, Town Engineer

ACTION OPTIONS:

Discussion and action



JAMES MORRIS SMITH, JR.
Professional Engineer
Professional Surveyor & Mapper

Town of Malabar - 17 Ac. Park Entrance Drive

Weber Road

Engineer's Opinion of Probable Costs

Prepared for: Cindi Kelley

Prepared by: J. Morris Smith, Jr., PE

Sq.Ft. = Square Feet

11/13/2009

Ft. = Feet

L.S. = Lump Sum

Ea. = Each

Sq.Yd. = Square Yards

L.F. = Lineal Feet

C.Y. = Cubic Yards

Item No.	Description	Quantity	Units	Unit Price	Total Price
1	Land Surveying for Permit Application and Engineering Design	1	L.S.	\$ 400.00	\$ 400.00
2	Create CAD File of Survey Data for Basis of Engineering Design	1	L.S.	60.00	60.00
3	Engineering Design	1	L.S.	240.00	240.00
4	Mobilization	1	L.S.	200.00	200.00
5	Silt Barrier (Rolled Hay Wattle) Best Management Practice	2	Ea.	80.00	160.00
6	Erosion Control Soil Management - Silt Fence	150	L.F.	1.20	180.00
7	Saw Cut Asphalt to True Edge Prior to Excavation	72	L.F.	2.00	144.00
8	Remove Existing Asphalt, Base Rock, Stabilized Base	72	Sq.Ft.	3.00	216.00
9	Excavation of Installation Area	20	C.Y.	16.00	320.00
10	Install and Compact Base for Concrete Driveway	18	C.Y.	28.00	504.00
11	Install Concrete Driveway	20	C.Y.	210.00	4,200.00
12	Install Mitered End Section	2	Ea.	260.00	520.00
13	Install Stop Sign	1	Ea.	200.00	200.00
14	Install Pavement Markings	1	L.S.	150.00	150.00
15	Install Badia Sod	144	Sq.Ft.	0.25	36.00
16	Maintenance of Traffic	1	L.S.	\$ 200.00	\$ 200.00

Project Sub-Total \$ 7,730.00

17 5% Contingency

400.00

Project Total Cost - With Donated Drainage Pipe \$ 8,130.00

18	Install 24" Diameter - Concrete Pipe	56	L.F.	65.00	3,640.00
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Project Total Cost - With Concrete Drainage Pipe \$ 11,770.00

19	Install 24" Diameter - ADS-HDPE Pipe	60	L.F.	35.00	2,100.00
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Project Total Cost - With Concrete Drainage Pipe \$ 10,230.00

TOWN OF MALABAR
PARK AND RECREATION

AGENDA ITEM REPORT

AGENDA ITEM NO: 4
Meeting Date: November 18, 2009

Prepared By: Cynthia Kelley, Secretary to Board

SUBJECT: Transplanting of Sea Grapes

BACKGROUND/HISTORY:

At the last Park Board Meeting, Chair Kemmler reported that he had received good information regarding the lease with FEC from Franklin; research is being completed and he will then contact FEC to see what can be done to save these plants. He will be making a report at this meeting.

ATTACHMENTS:

MLS Monthly Statistics Report October 29, 2007 thru October 29, 2009

ACTION OPTIONS:

Discussion

**MLS Area 342 Malabar/Grant-Valkaria Florida
Vacant Land
Statistics provided by
Melbourne Area Association of Realtors**

Monthly Statistics Report - 10/29/2007 - 10/29/2009

Melbourne Area Assoc. of REALTORS - Compiled on October 29, 2009

10/29/2007	Change from 10/27/2005	10/29/2006	Change from 10/29/2006 - 10/29/2008 to	YTD 2007	YTD 2006	2006 -
10/29/2009	10/28/2007	10/29/2008	10/29/2007 - 10/29/2009			2007 YTD

Vacant Land

New Listings	499	-37.78%	652	-23.47%	834	990	-15.76%
Sold Listings	77	-21.43%	76	1.32%	109	126	-13.49%
Volume - Sold Listings	\$3,470,701	-66.62%	\$5,520,900	-37.14%	\$6,948,701	\$10,788,100	-35.59%
Average Sale Price	\$45,074	-57.51%	\$72,643	-37.95%	\$63,750	\$85,620	-25.54%
High Sale Price	\$310,000	-58.67%	\$300,000	3.33%	\$310,000	\$750,000	-58.67%
Low Sale Price	\$1,800	-80.22%	\$1,800	0.00%	\$1,800	\$1,800	0.00%
Average Days on Market	180	27.66%	131	37.40%	162	146	10.96%

	New	BOM	Pend	Cntg	Expr	With	Sold	Avg Sold\$	DOM	Median Sold\$
Oct 2007	0	2	0	0	2	0	1	\$65,000	29	\$65,000
Nov 2007	24	14	2	3	17	4	1	\$1,800	28	\$1,800
Dec 2007	18	4	1	0	18	5	4	\$73,000	56	\$70,000
Jan 2008	25	16	4	3	39	8	4	\$47,725	49	\$46,950
Feb 2008	29	6	2	1	25	5	2	\$81,750	66	\$81,750
Mar 2008	29	5	2	1	19	2	5	\$19,800	196	\$23,000
Apr 2008	18	4	3	0	6	2	3	\$68,667	284	\$88,000
May 2008	28	16	1	2	26	10	5	\$20,200	317	\$12,000
Jun 2008	18	11	2	0	19	2	4	\$27,500	116	\$17,000
Jul 2008	31	12	2	0	31	12	2	\$59,450	68	\$59,450
Aug 2008	17	6	3	2	22	4	4	\$32,500	248	\$15,250

Sep 2008	23	12	1	1	17	2	3	\$16,267	60	\$6,800
Oct 2008	10	7	1	2	35	2	2	\$60,000	267	\$60,000
Nov 2008	11	7	1	1	21	2	3	\$12,333	214	\$6,700
Dec 2008	10	7	1	1	28	3	1	\$75,000	268	\$75,000
Jan 2009	14	16	0	1	91	7	0	\$0	0	\$0
Feb 2009	42	5	1	0	10	7	2	\$52,000	134	\$52,000
Mar 2009	32	12	1	2	15	7	3	\$70,167	395	\$70,000
Apr 2009	17	9	2	2	13	4	1	\$17,000	62	\$17,000
May 2009	11	12	3	4	19	12	2	\$35,500	74	\$35,500
Jun 2009	17	4	1	4	23	1	5	\$92,180	142	\$53,900
Jul 2009	13	9	3	3	23	3	2	\$85,000	416	\$85,000
Aug 2009	27	17	0	2	24	3	6	\$46,584	88	\$45,500
Sep 2009	50	14	4	3	38	5	4	\$53,250	375	\$41,250
Oct 2009	14	8	2	3	21	2	5	\$19,580	344	\$6,000

BOM: Back on Market
 Pend: Pending
 Cntg: Contingent
 Expr: Expired
 With: Withdrawn
 DOM: Days On Market

TOWN OF MALABAR
PARK AND RECREATION

AGENDA ITEM REPORT

AGENDA ITEM NO: 5
Meeting Date: November 18, 2009

Prepared By: Cynthia Kelley, Secretary to Board

SUBJECT: Archery Park at Huggins Park

BACKGROUND/HISTORY:

At the last Park Board Meeting, Chair Kemmler reported information for Seigmann. The Brevard Archers Association was contacted; a visit to the park was made. It would seem that this would be a good area for this type of activity. The idea to have archery in the park is being taken back to the Association for discussion. Seigmann will report his finding at this meeting.

ATTACHMENTS:

N/A

ACTION OPTIONS:

Discussion

Civil Engineering Fee Proposal

Date	Proposal No.
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11/4/2009

25

James Morris Smith, Jr., PE, PSM

1754 Barker Street NE
Palm Bay, FL 32907

Phone #	Fax #	E-mail
321-745-0234...	321-723-2371	morris@morrissmitheng.com

Proposed Client Information

Debby K. Franklin
Town of Malabar
2725 Malabar Road
Malabar, FL 32950

Project No.

Task	Description	Proposed Fee
3008	Land Surveying, Civil Engineering Design and Permitting to Meet Florida Department of Transportation Requirements and Town of Malabar Requirements to Design and Permit a Paved Driveway at the Town's Disc-Golf Park Parking Lot	4,680.00

Fee Proposal Total >>

\$4,680.00