

Town of Melbourne Beach

MINUTES

PLANNING & ZONING BOARD MEETING TUESDAY, JULY 16, 2024 @ 6:30 PM COMMUNITY CENTER – 509 OCEAN AVENUE

Board Members:

Chairman David Campbell
Vice-Chairman Kurt Belsten
Member April Evans
Member Dan Harper
Member Gabor Kishegyi

Alternate Board Members

Alternate Todd Albert
Alternate Jason Judge

Staff Members:

Town Manager Elizabeth Mascaro
Town Clerk Amber Brown
Building Official Robert Bitgood

PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, THE TOWN HEREBY ADVISES THE PUBLIC THAT: In order to appeal any decision made at this meeting, you will need a verbatim transcript of the proceedings. It will be your responsibility to ensure such a record is made. Such person must provide a method for recording the proceedings verbatim as the Town does not do so.

In accordance with the Americans with Disability Act and Section 286.26, Florida Statutes, persons needing special accommodations for this meeting shall, at least 5 days prior to the meeting, contact the Office of the Town Clerk at (321) 724-5860 or Florida Relay System at 711.

1. CALL TO ORDER

Chairman David Campbell called the meeting to order at 6:30 p.m.

2. ROLL CALL

Town Clerk Amber Brown conducted the roll call.

Present:

Chairman David Campbell
Vice-Chairman Kurt Belsten
Member April Evans
Member Dan Harper
Member Gabor Kishegyi
Alternate Todd Albert

Staff Present:

Town Manager Elizabeth Mascaro
Building Official Robert Bitgood
Town Clerk Amber Brown

Absent:

Alternate Jason Judge

3. APPROVAL OF MINUTES

A. May 7, 2024 minutes

Member April Evans made a motion to approve; Vice-Chairman Kurt Belsten seconded; Motion carried 5-0.

4. NEW BUSINESS

A. Site plan approval for 506 Third Ave – new home

Member Dan Harper asked how building height is measured.

Building Official Robert Bitgood spoke about the 28-foot height is measured from the finished floor level. The way the ordinance is written is the slab must be a minimum of 18 inches above the crown of the road, but there is nothing saying you cannot exceed 18 inches.

*Gail Gowdy - 215 Ash – Asked what code is being used to determine height.
Spoke about if they bring in fill that height should be taken off the 28-foot height.*

Building Official Robert Bitgood spoke about Building Code determines when a stem wall is needed, but Town Ordinance does not have a maximum height for the finished floor so you could have a finished floor start 3 feet above the crown of the road.

Member April Evans asked questions about the height.

Member Dan Harper spoke about the height before and after fill.

Kate Wilborn – 502 Second – Spoke about various construction issues and the need to protect mangroves and oak trees.

Building Official Robert Bitgood spoke about the breakdown of the different height numbers in the site plans for this address. Spoke about the building permit and inspection process and how he verifies the heights are accurate.

Member Dan Harper made a motion to approve the site plan; Member April Evans seconded; Motion carried 5-0.

B. Discussion on accessory structure requirements

The Board decided to defer this discussion to when the shed ordinance is discussed later on the agenda.

C. Discussion on code revisions to 9A Landscaping and Trees

Member Dan Harper spoke about issues within the Landscaping and Tree Ordinance

and that he would like the Board to review the Code and make recommendations to the Town Commission. One option would be to have a tree density requirement instead of a tree for tree requirement. Another option would be to only have a requirement for oak trees.

Alternate Member Todd Albert spoke about how another municipality does it that he liked which is replacement by girth from a list of trees that is provided.

Member April Evans made a motion to allow Member Dan Harper to talk to the Town Commission to give the Board permission to start the ordinance; Vice Chairman Kurt Belsten seconded; Motion carried 5-0.

Bruce Larsen – 1507 Pine St – Spoke about this is an important topic, and should be addressed quickly, but the right way is to see if the Commission would be interested.

5. PUBLIC HEARINGS

A. Ordinance 2024-01 Sheds

AN ORDINANCE OF THE TOWN OF MELBOURNE BEACH, BREVARD COUNTY, FLORIDA, AMENDING APPENDIX "A" OF THE TOWN CODE OF ORDINANCES OF MELBOURNE BEACH, THE LAND DEVELOPMENT CODE; AMENDING SECTION 7A-57 RELATING TO UTILITY SHEDS AND SETBACK REQUIREMENTS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Chairman David Campbell read the Ordinance by title and spoke about the changes.

Bruce Larsen – 1507 Pine St – Spoke about the changes and making sure water is not shed on neighbors

Vice Chairman Kurt Belsten made a motion to recommend approval of Ordinance 2024-01; Member April Evans seconded; Motion carried 5-0.

6. OLD BUSINESS

7. PUBLIC COMMENT

Dan Wilborn – 502 Second – Asked if mangroves are protected by State Statute or if each municipality has to have something.

Building Official Robert Bitgood spoke about mangroves are protected, but the ones in question are in State waterways, so they are outside of the Towns jurisdiction so FWC handled it.

- 8. REPORTS: TOWN MANAGER AND TOWN ATTORNEY
- 9. ITEMS TO BE ADDED TO THE AGENDA FOR FUTURE MEETINGS

Vegetation discussion to the next meeting.

- 10. ADJOURNMENT

Vice Chairman Kurt Belsten motioned to adjourn; Member Gabor Kishegyi seconded; Motion carried 5-0.

The meeting adjourned at 7:25 p.m.

ATTEST:



David Campbell, Chairman



Cyd Jones, Interim Town Clerk

