

Town of Melbourne Beach

PUBLIC NOTICE

MINUTES

PLANNING & ZONING BOARD MEETING TUESDAY MAY 7, 2019 @ 7:00pm COMMUNITY CENTER – 509 OCEAN AVENUE

Board Members:

Chair David Campbell

Member Kurt Belsten

Member April Evans

Member Douglas Hilmes

Member Daniel Gonzalez

Alternate Member Libby Brown-Brock

Alternate Member/School Board Representative Christian Lindbaek

Staff Members:

Interim Town Manager Elizabeth Mascaro

Town Clerk Nancy Wilson

Town Attorney Clifford Repperger

Town Planner Corey O’Gorman

I. CALL TO ORDER

Chairman Campbell called the meeting to order at 7:00 p.m.

II. ROLL CALL

Town Clerk Wilson led roll call:

Present:

Chairman David Campbell

Member Doug Hilmes

Member Daniel Gonzalez

Alternate Member Libby Brown-Brock

Staff Present:

Interim Town Manager Elizabeth Mascaro

Town Clerk Nancy Wilson

Absent:

Member Kurt Belsten

Member April Evans

III. APPROVAL OF MINUTES

A. April 2, 2019 Planning and Zoning Board minutes

Member Gonzalez made a motion to approve the April 2, 2019 minutes; Member Brown-Brock seconded. Motion carried 4-0.

IV. PUBLIC HEARINGS

V. NEW BUSINESS

A. Site Plan Review for 418 Avenue B, Melbourne Beach

All setbacks and height requirements were met as were the landscaping requirements.

Member Gonzalez made a motion to approve the site plan for 418 Avenue B; Member Hilmes seconded. Motion carried 4-0.

B. Site Plan Review for 523 Avenue B, Melbourne Beach

This site plan is for an addition; Member Gonzalez said there is a non-conforming setback but the non-conforming use was existing and is not part of the structure that is being added.

Member Gonzalez made a motion to approve the site plan for 523 Avenue B; Member Brown-Brock seconded. Motion carried 4-0.

C. Site Plan Review for 205 Ocean, Melbourne Beach

Chairman Campbell didn't understand the differences in the square footage indicated on the plans and in the staff report for the addition proposed by *Black Dog*. He contacted the Town Planner, Corey O'Gorman and he couldn't explain the differences but he did notice them. The Building Official, Marc Meyers, reviewed the site plan and said though the numbers were inconsistent, in this case it didn't matter whether the square footage was 839, 832 or 825 because the 3 square footage amounts all fell well below the 30% lot coverage maximum; the value should read 832 sq. ft. The construction plans for the project were available to review at the meeting and they more clearly showed the project specifications. Member Hilmes said it looks like *Black Dog* is making some nice improvements, but he noticed that the dumpster pad was back by the fence making it very close to a residential piece of property. He was curious if the Town has any regulations regarding the placement of dumpsters. Member Brown-Brock questioned the off street parking that's on the right-of-way. Interim Town Manager Mascaro said that the parking is a non-conforming use and since the addition isn't affecting that area and the entire project isn't affecting more than 50% of the property, the non-conforming use stays in place. The 832 sq. ft. building being proposed requires 5 parking spaces and they are providing 6, one of which will be a handicapped space so the parking requirements have been met. Chairman Campbell said the parking in front is an integral part of the building and if it is taken away, the usage of the building is taken away. Member Hilmes said the Town Planner recommended conditions of approval in his May 7, 2019 staff report and he would like to include these conditions as part of the motion:

- The proposed landscaping in front of the bait and tackle building is in the A1A right-of-way, and the Town cannot authorize landscaping in the state right-of-way. The proposed site plan does not include any improvements to the "dirt drive" area between the building and the sidewalk (except for this landscaping in the right-of-way), and if left as-is this area would continue to be used as driveway and parking which would present vehicular and pedestrian conflicts. Recommend relocating the proposed landscaping on-site and installing other improvements as needed that would prevent the "dirt drive" area from being used as a driveway and parking to reduce potential traffic conflicts.
- Applicant to provide documentation from FDOT that a permit is not required for the proposed improvements, if possible.
- Upon installation of driveways and parking areas, applicant to provide engineers' certification that the proposed compacted asphalt millings meet the code requirement. Should the millings at any time in the future

breakdown, become loose and/or no longer complying with code, the applicant shall maintain and/or reconstruct the parking area to comply with Town code.

- Applicant to provide an as-built survey of the paving and drainage improvements when complete along with an engineers' certificate that the project was constructed in accordance with the approved plans and applicable permits. If neighboring properties experience any adverse drainage impacts from the proposed project, the owner should be required to construct mitigating measures to correct the impacts.
- Applicant to apply for and obtain permits for all improvements including signage from the Town of Melbourne Beach and other agencies as required, prior to undertake any construction activity.

Member Gonzalez made a motion to approve the site plan for 205 Ocean providing it meets the conditions as outlined in Town Planner O'Gorman's staff report dated May 7, 2019; Member Hilmes seconded. Motion carried 4-0.

VI. OLD BUSINESS

Discussion regarding lot coverage

Chairman Campbell said the Board previously discussed coming up with some sort of requirements for accessory structures. The Town Clerk sent an email that said when the Town Commission had looked at this before, they added detached garages to lot coverage (not yet adopted). He asked why they don't just add all accessory structures into total primary lot coverage of 30%, with the exception of sheds. Member Gonzalez said that in a previous study he performed, 90% of all plans he reviewed, fell within the 30% max coverage without factoring in pools and pavers. With pools and pavers included, the lot coverage would fall closer to 35% (95% of plans he reviewed were within the 35% maximum lot coverage). He added that at one time, the Board discussed setting a maximum coverage amount over which the property could not be developed. There was some discussion about increasing the lot coverage limit to 35% if all accessory structures except sheds are included. Member Gonzalez said that he would do another study like what he did in December 2017 where he reviewed several months of site plans to determine lot coverage based on inclusion/exclusion of various structures. He added that it's not an exact science but is based on percentages. Chairman Campbell suggested that Member Gonzalez's new study be presented at the next meeting with the vision of including accessory structures to the lot coverage percentage.

The Board members consented to tasking Member Gonzalez with

reviewing several months of site plans to determine lot coverage based on inclusion/exclusion of various structures. 4-0.

VII. PUBLIC COMMENT

No public comment

VIII. REPORTS: TOWN MANAGER AND TOWN ATTORNEY

No reports

IX. ITEMS TO BE ADDED TO THE AGENDA FOR FUTURE MEETINGS

Lot coverage study prepared by Member Gonzalez

X. ADJOURNMENT

Member Gonzalez made a motion to adjourn; Member Hilmes seconded. Motion carried 4-0.

Meeting adjourned at 7:30 p.m.

ATTEST:

David Campbell, Chairman

Nancy Wilson, Town Clerk