**Town of Melbourne Beach**

**DRAFT MINUTES**

**PLANNING & ZONING BOARD MEETING**

**TUESDAY NOVEMBER 10, 2020 @ 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/School Board Representative Christian Lindbaek

**Staff Members:**

Town Manager Elizabeth Mascaro

Town Clerk Jennifer Torres

Town Attorney Clifford Repperger

Notice: Commission discussion and possible action may occur during any Commissioner Meeting. The following sections of the Agenda are always subject to such discussion and possible action without further motion by the Commission: Changes to the Agenda, Public Hearings, Old Business, and New Business.

The public is advised that members of the Town Commission may be in attendance and participate in proceedings of the board. Attorney General Opinions (AGO) AGO 91-95, AGO 98-14, AGO 2000-68.

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

1. **ROLL CALL**

Town Clerk Torres conducted the Roll Call.

Board Members Present Board Members Absent

Chair David Campbell Member April Evans (Excused)

Member Kurt Belsten

Member Douglas Hilmes

Member Daniel Gonzalez

Staff Members Present:

Town Manager Elizabeth Mascaro

Town Clerk Jennifer Torres

Town Planner Corey O’Gorman

Planning Associate Jim Fleischmann

Building Official John Stone

1. **PUBLIC COMMENTS**

Kate Wilborn

502 2nd Avenue

Ms. Wilborn asked about the progress of the stormwater plan in her neighborhood and also wanted to thank the Town for the parking decal program.

Chair Campbell advised her to present her comments to the Town Commission whose members handle issues related to stormwater.

1. **APPROVAL OF MINUTES**
2. October 6, 2020

**Member Belsten moved to approve the October 6, 2020 Minutes; Member Hilmes seconded; Motion carried 4-0.**

1. **PRESENTATIONS**
2. Town Planner Corey O’Gorman will present a consolidated presentation of the updated Comprehensive Plan.

Town Planner O’Gorman distributed a copy of the Comprehensive Plan and proceeded to go through the details of it including the two phases to comply with State Mandates; preparation of an Evaluation and Appraisal Report (EAR) and Preparation of EAR based amendments to the comprehensive plan.

Mr. O’ Gorman’s Associate, Mr. Fleischmann went into more detail about the EAR report and the updates made that included; changes in an updated water supply plan, general edits to the planning period and population projections and creating separate data and analysis with goals, objectives and policies.

He went on to discuss the rating number system awarded by FEMA for those who participate in the grading system – Melbourne Beach is currently an 8 on a scale where 1 is no risk and 10 is high risk. He discussed what would need to be done to achieve a lower rating and it was determined there is no real advantage at this point in seeking to change the rating.

Members of the Board asked a few questions and further discussion ensued.

The Town Planner said that what they would like is a recommendation for approval for the support documentation and a second recommendation for approval of the goals, objectives and policies.

Chair Campbell said the Board would need more time to review the documentation before giving any recommendation.

Town Manager Mascaro said the whole process has taken about two years and included several workshops. She agreed to email the members with all the documents again and then once they review and discuss they can make their recommendations.

Chair Campbell said he wanted to take his time reviewing the information. He said he did not recall seeing the data yet and asked the Town Manager to break up the review process into 1.) Data and 2.) Policies and Procedures. He requested that Town Manager Mascaro send the Board the data first and then the Board will discuss that at the December meeting. Followed by a discussion of the Policies and Procedures in January.

1. **PUBLIC HEARINGS**
2. **NEW BUSINESS**
   1. Site Plan Review for 447 River View Lane, Melbourne Beach

Member Gonzalez made a few comments about setbacks and some discussion took place.

**Member Belsten moved to approve 447 River View Lane, Melbourne Beach; Member Gonzalez seconded; Motion carried 4-0.**

* 1. Site Plan Review for 505 Avenue B, Melbourne Beach

**Member Hilmes moved to approve 505 Avenue B, Melbourne Beach; Member Belsten seconded; Motion carried 4-0.**

* 1. Review and make recommendations related to modifying the requirements for Utility sheds –On Corner Lots – Town Manager Mascaro

Town Manager Mascaro explained that a resident asked the Commission to consider modifying the requirements for sheds on corner lots to allow sheds to be placed on the side building line abutting the street (as long as the shed meets all other requirements including screening.) The Commission referred the matter to Planning and Zoning for review and recommendations.

Commissioner Hilmes asked the Town Manager behind a property at 225 4th Avenue. He said it was a brand new house with fence all around and then they placed a shed on the side of the property on Orange Street. He noticed recently that the shed was gone and wondered what happened to it.

Town Manager Mascaro said Code Enforcement told the owner of that property that the shed placement wasn’t allowed in the code – it was an illegal placement and so it was removed.

Commissioner Hilmes said that exactly what this request is asking for - an illegal placement.

Member Hilmes and Member Gonzalez said they were fine with the Ordinance and the setback rules as they are.

Member Hilmes said when you have a corner lot - you have two fronts and the idea is to keep the shed behind those two fronts. He noticed that the shed behind 225 4th appeared to be almost right in someone else’s front yard.

Member Belsten felt that if someone buys a corner lot – they know what they are getting and they need to follow the rules the Town has set up.

After some debate, the Board unanimously agreed not to recommend any modifications to the current requirements for utility sheds and to leave the current Ordinance as is.

**Member Hilmes moved to recommend leaving the Ordinance unchanged; Member Belsten seconded; Motion carried 4-0**

1. **OLD BUSINESS**
2. **PUBLIC COMMENT**

No public comments

Member Belsten said he wanted to share some thoughts.

Member Belsten said he was very displeased and disappointed with how he felt the members of the Planning & Zoning Board were treated during the joint Town Commission Workshop to discuss the proposed Ordinance related to RVs/Boats.

Member Hilmes agreed and felt that Vice Mayor’s comments and suggestions should have been more carefully considered but he felt that only Mayor Simmons and Commissioner Quarrie had the opportunity to really share their thoughts.

Member Gonzalez said he also felt disrespected and during the workshop and was disappointed with how the Mayor conducted the forum.

1. **REPORTS: TOWN MANAGER AND TOWN ATTORNEY**
2. **ITEMS TO BE ADDED TO THE AGENDA FOR FUTURE MEETINGS**
3. **ADJOURNMENT**

ATTEST:

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David Campbell, Chairman Jennifer Torres, Town Clerk