**Town of Melbourne Beach**

**MINUTES**

**PLANNING & ZONING BOARD MEETING**

**TUESDAY SEPTEMBER 7, 2021 @ 6:30pm**

**COMMUNITY CENTER – 509 OCEAN AVENUE**

**Board Members:**

Chair David Campbell

Member Kurt Belsten

Member April Evans

Member Douglas Hilmes

Member Daniel Gonzalez

**Staff Members:**

Town Manager Elizabeth Mascaro

Town Clerk Jennifer Torres

Town Attorney Clifford Repperger

1. **CALL TO ORDER**

Chairman Campbell called the meeting to order at 6:32 p.m.

1. **ROLL CALL**

Town Clerk Torres conducted the roll call:

Present: Absent

Chairman Campbell Member Gonzalez

Vice Chairperson Belsten

Member Hilmes

Member Evans

Staff Present:

Town Manager Mascaro

Town Clerk Torres

Town Attorney Clifford Repperger

Town Planner Corey O’Gorman

Building Official John Stone

1. **APPROVAL OF MINUTES –** August 3, 2021.

Member Hilmes noted an error on the bottom of the second page section under New Business referring to a comment attributed to him and asked that it be removed.

**Vice Chairperson Belsten moved to approve the draft minutes from the August 3, 2021 meeting with the correction requested; Member Evans seconded; Motion carried 4-0.**

1. **NEW BUSINESS**
2. Site Plan Review for 308 Oak Street, Melbourne Beach

Some discussion took place related to setbacks between the Board and the Building Official.

**Vice Chairperson Belsten moved to approve the Site Plan for 308 Oak Street; Member Evans seconded; Motion carried 4-0.**

1. Site Plan Review for 312 Oak Street, Melbourne Beach

**Member Hilmes moved to approve the Site Plan for 312 Oak Street; Member Belsten seconded; Motion carried 4-0.**

1. Site Review Plan for 208 3rd Avenue, Melbourne Beach

**Member Evans moved to approve the Site Plan for 208 3rd Avenue; Vice Chairperson Belsten seconded; Motion carried 4-0.**

1. **PUBLIC HEARINGS**
   1. Resolution 2021-10: Adopting the August 2019 Evaluation and Appraisal Report for the Town of Melbourne Beach Comprehensive Plan

Town Attorney Repperger Read the Resolution.

**RESOLUTION NO. 2021-10**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF MELBOURNE BEACH, BREVARD COUNTY, FLORIDA, ADOPTING THE AUGUST 2019 EVALUATION AND APPRAISAL REPORT FOR THE TOWN OF MELBOURNE BEACH COMPREHENSIVE PLAN; STATING THE INTENT OF THE TOWN COMMISSION OF THE TOWN OF MELBOURNE BEACH TO AMEND THE COMPREHENSIVE PLAN BASED UPON THE RECOMMENDATIONS CONTAINED IN THE REPORT TO THE STATE LAND PLANNING AGENCY IN ACCORDANCE WITH FLORIDA STATUTES SECTION 163.3191.**

Town Attorney Repperger explained that through approval the Board would effectively be approving the transmittal of the evaluation and appraisal report, which is required by state law to be completed.

**Member Evans moved to recommend the Town Commission approve Resolution 2021-10; Member Hilmes seconded; Motion carried 4-0.**

* 1. Draft Ordinance 2021-04: An Ordinance of the Town of Melbourne Beach, Brevard County, Florida, Relating to the Town Comprehensive Plan

Town Attorney Repperger read the Ordinance.

**ORDINANCE NO. 2021-04**

**AN ORDINANCE OF THE TOWN OF MELBOURNE BEACH, BREVARD COUNTY, FLORIDA, RELATING TO THE TOWN COMPREHENSIVE PLAN; MAKING FINDINGS; AMENDING SECTION 2A-1, OF THE LAND DEVELOPMENT CODE, APPENDIX A, MELBOURNE BEACH CODE OF ORDINANCES, BY REFERENCING ADOPTION OF THIS ORDINANCE AMENDING THE COMPREHENSIVE PLAN; ADOPTING EVALUATION AND APPRAISAL AMENDMENTS TO THE TOWN COMPREHENSIVE PLAN BY REVISING THE INTRODUCTION; AMENDING THE FUTURE LAND USE ELEMENT, TRANSPORTATION ELEMENT, HOUSING ELEMENT, INFRASTRUCTURE ELEMENT AND TEN-YEAR WATER SUPPLY FACILITIES WORK PLAN SUB-ELEMENT, COASTAL MANAGEMENT ELEMENT, CONSERVATION ELEMENT, RECREATION AND OPEN SPACE ELEMENT, PUBLIC SCHOOL FACILITIES ELEMENT, INTERGOVERNMENTAL COORDINATION ELEMENT, AND CAPITAL IMPROVEMENTS ELEMENT; CREATING AND ADOPTING A PRIVATE PROPERTY RIGHTS ELEMENT; REVISING TABLES AND MAPS; UPDATING AND PROVIDING FOR SUPPORT DOCUMENTATION; PROVIDING A SEVERABILITY/INTERPRETATION CLAUSE; PROVIDING FOR CODIFICATION AND RENUMBERING; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES AND RESOLUTIONS; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING AN ADOPTION SCHEDULE**

Corrections to the Evaluation and Appraisal Report include:

* Page 7, changing Policy 2.5 to 2.4
* Page 12, deleting the repeat paragraph
* Page 44, correcting “seal” level to “sea” level

Corrections to the Goals Objectives and Policies include:

* Page 2-5, to change “in” to “is”
* Page 5-5, to change “25-year” to “10-year” in Policy 8.1
* Page 5-5, delete Policy 8.2
* Page 5-5, change “25-year” to “10-year”
* Page 9-3, change Policy 1.4 to 1.3
* Page 9-7, change Policy 3.7 to 3.6

**Vice Chairperson Belsten moved to recommend the Town Commission approve Ordinance 2021-04 with the recommended changes; Member Evans seconded; Motion carried 4-0.**

1. **PUBLIC COMMENT**
2. **REPORTS: TOWN MANAGER AND TOWN ATTORNEY**

Since the Town Planner was present, Town Manager Mascaro asked the Board if they had any questions related to food trucks.

The Town Planner briefly discussed the way various jurisdictions handle the issue locally.

The Board then briefly discussed defining cooking facilities and bathrooms in the code and preventing an addition from turning a property into a two-family home.

The Town Planner said the Town could consider an amendment to definitions.

**10. ITEMS TO BE ADDED TO THE NEXT AGENDA**

Discussion of food trucks

**11. ADJOURNMENT**

**Member Evans moved to adjourn; Member Hilmes seconded; Motion carried 4-0.**

Meeting adjourned at 7:32 p.m.