

# Town of Melbourne Beach

## REGULAR TOWN COMMISSION MEETING FEBRUARY 15, 2023 at 6:00 p.m. COMMUNITY CENTER – 509 OCEAN AVENUE

### PUBLIC NOTICE

### AGENDA

**The Town Commission will conduct a Regular Town Commission Meeting on Wednesday, February 15, 2023, in the Community Center to address the items below**

**Commission Members:**

Mayor Wyatt Hoover  
Vice Mayor Joyce D. Barton  
Commissioner Sherri Quarrie  
Commissioner Corey Runte  
Commissioner Marivi Walker

**Staff Members:**

Town Manager Elizabeth Mascaro  
Town Attorney Clifford Repperger  
Town Clerk Amber Brown

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 – Led by Mayor Hoover**

**2. Roll Call**

**3. Pledge of Allegiance and Moment of Silence**

**4. Public Comments**

After being acknowledged by the Mayor, members of the public should state their name and address for the record. The Commission encourages citizens to prepare their comments in advance. Each individual will have three (3) minutes to address the Commission on any topic(s) related to Town business, not on the Agenda.

**5. Approval of the Agenda**

**6. Consent Agenda**

- A. Approval of the Regular Town Commission Meeting Minutes January 18, 2023
- B. Approval of the site plan for 921 Oak St – Two-car attached garage
- C. Approval of the site plan for 419 Riverview Ln – Room addition
- D. Approval of the site plan for 404 Colony St – Porch addition
- E. Appointment and reappointment of Board Members
  - Reappointment to the History Center Board
    - 1. Steven Doles
  - Appointment to the Police Pension Fund Board of Trustees
    - 1. Robin Petersen

**7. Public Hearing**

A. Proposed Ordinance 2023-01 – Landscaping and Trees Section 9A

**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 CHAPTER 9A REGARDING LANDSCAPING AND TREES; SPECIFICALLY AMENDING SECTION 9A-4, PERMIT REQUIRED FOR CUTTING DOWN TREE; SPECIFICALLY AMENDING AND RENAMING SECTION 9A-5, APPLICATION FOR PERMIT; REVIEW OF APPLICATION; MINIMUM CONSTRUCTION STANDARDS; SPECIFICALLY AMENDING SECTION 9A-6, ON-SITE INSPECTION; SPECIFICALLY AMENDING SECTION 9A-7, MINIMUM TREE PLANTINGS; SPECIFICALLY AMENDING SECTION 9A-10, EXCEPTIONS; SPECIFICALLY AMENDING SECTION 9A-12, PENALTY; AMENDING ARTICLE IV, CHAPTER 7A, SUPPLEMENTARY DISTRICT REGULATIONS; SPECIFICALLY AMENDING SECTION 7A-53, FENCES AND WALLS; SPECIFICALLY AMENDING SECTION 7A-58, VISION CLEARANCE AT CORNERS; PROVIDING A SEVERABILITY/INTERPRETATION CLAUSE; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES AND RESOLUTIONS; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING AN ADOPTION SCHEDULE.**

B. Proposed Ordinance 2023-02 – Second Kitchens

**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 1A-3 TO ADD THE DEFINITION FOR KITCHEN OR KITCHEN FACILITY; AMENDING CHAPTER 7A REGARDING SECOND KITCHENS; SPECIFICALLY AMENDING SECTION 7A-31, SECTION 7A-32, AND SECTION 7A-33 TO PERMIT SECOND KITCHENS IN 1-RS, 2-RS, AND 3-RS ZONING DISTRICTS; CREATING SECTION 7A-72 TO PROVIDE SUPPLEMENTARY DISTRICT REGULATIONS FOR SECOND KITCHENS IN SINGLE FAMILY RESIDENTIAL DISTRICTS; PROVIDING A SEVERABILITY/INTERPRETATION CLAUSE; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES AND RESOLUTIONS; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING AN ADOPTION SCHEDULE.**

**8. Old Business**

**9. New Business**

- A. Consideration of updates to the Town Boards
- B. Consideration of restoring the dolphin tree in Ryckman Park

**10. Staff Reports**

- A. Town Attorney Report
- B. Town Manager Report
- C. Town Clerk Report
- D. Departmental Reports
  - 1. Building Department
  - 2. Code Enforcement
  - 3. Public Works Department
  - 4. Police Department
  - 5. Fire Department
  - 6. Finance Department

**11. Town Commission Comments**

- A. Review of Commission Action Items
- B. General Comments

**12. Adjournment**