



TOWN OF MELBOURNE BEACH

REGULAR TOWN COMMISSION MEETING

FEBRUARY 15, 2023

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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

Town of Melbourne Beach

**REGULAR TOWN COMMISSION MEETING
JANUARY 18, 2023 at 6:00 p.m.
COMMUNITY CENTER – 509 OCEAN AVENUE**

MINUTES

Commission Members:

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

Staff Members:

Town Manager Elizabeth Mascaro
Town Attorney Cliff Repperger
Finance Manager Jennifer Kerr
Building Official Robert Bitgood
Fire Chief Gavin Brown
Police Chief Melanie Griswold
Public Works Director Tom Davis
Town Clerk Amber Brown

1. Call to Order

Mayor Wyatt Hoover called the meeting to order at 6:01 p.m.

2. Roll Call

Town Clerk Amber Brown conducted a roll call

Commission Members Present

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

Staff Members Present

Town Manager Elizabeth Mascaro
 Building Official Robert Bitgood
 Public Works Director Tom Davis
 Town Clerk Amber Brown

Commission Members Absent

3. Pledge of Allegiance and Moment of Silence

Mayor Wyatt Hoover led the Pledge of Allegiance

4. Presentations

A. Rapid flashing beacons on A1A – Resident

John Mauzer who resides at 1708 Atlantic Street spoke about how dangerous it is to cross A1A and what he has done to try to get the rapid flashing beacons installed in Melbourne Beach.

Further discussion ensued

5. 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.

Walter Hardman
320 Sixth Ave

Walter Hardman spoke about his concern regarding access to the dunes being addressed by the Town, so he wanted to say thank you.

Travis Wood
Melbourne Beach Volunteer Firefighters Association

Travis Wood spoke about presenting the Fire Department with a check in the amount of \$3,529.00 for the purchase of traffic cones.

Frank Hunt
1205 Atlantic St

Mayor Wyatt Hoover read a letter from Frank Hunt regarding a zoning request.

Further discussion ensued

This discussion was tabled until the Town Attorney arrives later in the meeting.

6. Approval of the Agenda

Vice Mayor Joyce Barton made a motion to approve the agenda as presented; Commissioner Sherri Quarrie seconded; Motion carried 5-0.

7. Consent Agenda

- A. Approval of the Regular Town Commission Meeting Minutes December 21, 2022
- B. Approval of the Town Commission Workshop Meeting Minutes January 4, 2023
- C. Approval of the Special Town Commission Meeting Minutes January 4, 2023
- D. Approval of the site plan for 517 Avenue A – Pergola
- E. Reappointment of Board Members
 - Reappointment of members of the History Center Board
 1. Laurie Simmons

Vice Mayor Joyce Barton moved to approve the Consent Agenda as presented; Commissioner Sherri Quarrie seconded; Motion carried 5-0.

8. Old Business

- A. Consideration of service fee adjustments for James Moore for FY2023

Town Manager Elizabeth Mascaro spoke about the additional data and reasons why there is a service fee adjustment for James Moore

Further discussion ensued

Vice Mayor Joyce Barton made a motion to approve the \$7,000.00 increase in service fee adjustments for James Moore for FY2023; Commissioner Marivi Walker seconded; Motion carried 5-0.

- B. Consideration of cost to repair the collapsing stormwater pipe on Cherry and Rosewood

Town Manager Elizabeth Mascaro spoke about the additional information and pictures provided related to the issue.

Further discussion ensued

Chuck Cain
309 Surf Rd

Chuck Cain spoke about two manholes in the road in that area on Oak St. Could these be related and are they being addressed?

Public Works Director Tom Davis spoke about those might be Brevard County sanitation lines, so we would have to contact them about any repairs.

Commissioner Corey Runte made a motion to waive the requirement for three bids due to the emergency nature of the project; Commissioner Sherri Quarrie seconded; Motion carried 5-0.

Vice Mayor Joyce Barton made a motion to approve Brewer Paving for the reconstruction of the underground pipe at Cherry and Rosewood in the amount of \$141,825.00; Commissioner Marivi Walker seconded; Motion carried 5-0.

- C. Discussion on creating a monthly newsletter for residents – Commissioner Runte

Commissioner Corey Runte spoke about putting this on the agenda to look into the options for a digital and/or printed newsletter being sent to the residents.

Further discussion ensued

NEW ACTION ITEM – Get costs for formatting single page or bifold, potential content, schedule, and production options - February

- D. Consideration of changes to Chapter 1 Procurement Procedure to reflect the bank's services agreement regarding multiple signatures required for a withdrawal

Town Manager Elizabeth Mascaro spoke about the Finance Manager bringing this forward as requested by the auditors and the bank because they do not require two signatures.

Further discussion ensued

Vice Mayor Joyce Barton made a motion to approve the updates to the Chapter 1 Procurement Procedure 1.03 Town Check Disbursements to reflect the bank services agreement; Commissioner Marivi Walker seconded; Motion carried 5-0.

- E. Consideration of changes to Chapter 16 Expense Reimbursement to reflect the current U.S. General Services Administration pricing guide for Brevard County regarding meal allowances

Town Manager Elizabeth Mascaro spoke about a guide from the GSA for this area on expense reimbursement just like for mileage reimbursement. There was an updated

copy of Chapter 16 that was handed out the only change was it does not have a specified dollar amount.

Commissioner Sherri Quarrie asked about this reflecting the amount for where the person is going, not our local amounts.

Mayor Wyatt Hoover spoke about removing Brevard County and replacing it with “destination”

Vice Mayor Joyce Barton made a motion to approve the updates to Chapter 16 Town of Melbourne Beach Meal Reimbursement Allowances to reflect the current U.S. General Services Administration pricing guide for the destination; Commissioner Marivi Walker seconded; Motion carried 5-0.

F. Consideration of a public records solution company

Town Clerk Amber Brown spoke about updates she got on all three companies. GovQA’s quote of \$6,000.00 only provides 500GB of storage which under normal circumstances would be sufficient because the retention period is one year, but that might not work for us. Additional storage is \$1,200.00 for 1 TB, and if we wanted the option to export PST files which are emails it would cost roughly an additional \$2,400.00. For the JustFOIA’s quote, I removed the costs for the payment portal and after speaking with them they removed the one-time setup fee of \$750.00 bringing the new quote amount to \$6,187.50. JustFOIA’s quote includes the export of PST files and 3 TB of storage. Next Request is significantly more expensive at \$12,576.00 per year and has offered the remainder of this fiscal year for the cost of one month at \$1,048.00. For those reasons Amber recommended JustFOIA.

***Dan Brunger
Sixth Ave***

Dan Brunger asked how this computerized system will affect individuals that do not have access or want to use a computer.

Mayor Wyatt Hoover spoke about this software would not affect them because they would still be able to make requests in person or over the phone, and then Town employees would enter the request into the software for tracking purposes.

Vice Mayor Joyce Barton made a motion to approve the proposal by JustFoia in the amount of \$6,187.50; Commissioner Marivi Walker seconded; Motion carried 5-0.

9. New Business

A. Discussion and possible action regarding mangrove planting

Town Manager Elizabeth Mascaro spoke about the provided possible alternative sites for the mangrove planting.

Commissioner Sherri Quarrie spoke about wanting to accomplish shoreline attenuation but maybe there are other options to do that which will not interfere with people's view and access to the river.

Commissioner Corey Runte spoke about this being part of the sustainability plan.

Further discussion ensued

Vice Mayor Joyce Barton spoke about needing to be careful about how the mangroves would affect the Town since they would be permanent.

Mayor Wyatt Hoover spoke about wanting more information and research related to the BioHaven product such as have they been implemented in any saltwater areas, and what height of wave action can they take.

Kim Collins
402 Sunset Blvd

Kim Collins spoke about agreeing with everyone. Is there a way to find a balance to protect our lagoon and the view of the river?

Crystal Cain
309 Surf Rd

Crystal Cain spoke about EAB going to all of the river access points and picked Avenue A, B, and Sunset. The EAB has started looking into the floating devices and found that they are typically placed in areas that are more protected than our area and encourages the Commission to have the EAB do the research on things. There is a balance as a barrier island to protect our shoreline.

Commissioner Marivi Walker spoke about needing to protect the barrier island and also thinks it would be doing a disservice to people who live in the area and go there to see sunsets. The residents bought in that area for a reason.

Mayor Wyatt Hoover spoke about including, as part of the motion, the Public Works Department creating a maintenance plan to make sure the mangroves stay below six feet.

Commissioner Corey Runte made a motion to table the conversation to the next meeting for additional research, a maintenance plan, look into the plastic attenuation device, and work closely with the EAB;

Motion fails for lack of a second

Commissioner Sherri Quarrie made a motion deny the request to plant the mangroves at the three river access points as presented; Vice Mayor Joyce Barton seconded; Motion carried 3-2 with Commissioner Corey Runte and Mayor Wyatt Hoover dissenting.

Vice Mayor Joyce Barton spoke about the motion being related to the specified locations, but the option to look into other locations should still be considered.

During public comment, Mayor Wyatt Hoover read a letter from Frank Hunt regarding a zoning request. The discussion was tabled until the Town Attorney arrived later in the meeting.

Town Attorney Clifford Repperger spoke about the Town currently having a restriction and if the Town decides to relinquish that restriction it is entirely up to the Commission. Once that is done you cannot undo it because the restriction is grandfathered in as it predates the States preemption. If the Commission touches the restriction the Town will probably lose the restriction.

Further discussion ensued

Mayor Wyatt Hoover spoke about not wanting to explore this zoning request further.

Commissioner Marivi Walker left at 8:30 pm

10. Staff Reports

A. Town Attorney Report

Town Attorney Clifford Repperger spoke about bringing the second kitchen, and the landscape ordinance next month, and about the option to get an outside planning consultant to work on the outdoor seating ordinance.

Town Manager Elizabeth Mascaro spoke about her discussion with the outside planning consultant and new ideas that were not thought about before, and the consultant will be presented to the Commission.

B. Town Manager Report

No additions

C. Town Clerk Report

No additions

D. Departmental Reports

1. Building Department

No additions

2. Code Enforcement

Building Official Robert Bitgood spoke about working on educating and enforcing the sight visibility triangles.

3. Public Works Department

Public Works Director Tom Davis spoke about being almost finished with the boards on the pier and going through and getting the entire irrigation system back up and working. He found out who carved the dolphins and contacted him to see if he would recondition them. As of this afternoon, there are several new cameras in the Town parks.

4. Police Department

No additions

5. Fire Department

No additions

6. Finance Department

No additions

Vice Mayor Joyce Barton made a motion to approve the finance report at presented; Commissioner Sherri Quarrie seconded; Motion carried 4-0.

11. Town Commission Comments

A. Review of Commission Action Item List

New Action Items

- **Town Newsletter** – Get costs for the format of a single page or bifold, potential content, schedule, and production options - February

Updated

- **Research potential 140-year celebration events:** Town Manager Elizabeth Mascaro spoke about adding more things to current events but waiting for a bigger year to do new events. Commissioner Corey Runte spoke about being happy with this action item – Action Item Closed
- **Sixth Ave Boat Ramp:** Public Works Director Tom Davis spoke about putting the geogrid down and painting the wall blue, might consider installing a kayak rack. Commissioner Corey Runte spoke about keeping this action item to come up with future vision plans, see about getting concept drawings/proposals, beautify it, and address parking – February
- **S.E.A Project:** Town Manager Elizabeth Mascaro spoke about waiting to receive the concept drawings from Bowman. Does the Commission want to expand the blue street sign installation up Riverside some - March

- **Research Dog Park Options:** Commissioner Corey Runte spoke about the option of asking Brevard County to put one in at Flutie Field - Close this action item
- **Second Kitchens:** Coming next month – February
- **Isolate Dunes:** Install wood snow fence – February
- **Live Streaming Options:** Town Clerk Amber Brown spoke about reaching out to several companies and the responses were not interested, cannot get any products, or no response. The next step is contacting local individuals that use audio-visual equipment to see if they can help – March
- **Tree Lighting:** Tree lighting only along the sidewalk and use colors seasonally, hold off on everything else until the S.E.A Project concept designs come back – Action Item Closed

B. General Comments

12. Adjournment

Commissioner Corey Runte moved to adjourn; Vice Mayor Joyce Barton seconded; Motion carried 4-0.

Meeting adjourned at 9:26 p.m.

ATTEST:

Wyatt Hoover, Mayor

Amber Brown, Town Clerk



TOWN OF MELBOURNE BEACH

BREVARD COUNTY'S OLDEST BEACH COMMUNITY ESTABLISHED 1883

Site Plan Review

Applicable Codes

Town of Melbourne Beach Land Development Code

Current Florida Building Code

Date: November 22, 2022
Owner: Steer, Gary
Owner Address: 921 Oak Street, Melbourne Beach, FL
Site Address: 921 Oak Street, Melbourne Beach, FL
Parcel ID: 28-38-08-EW-H-15
Zoning: Zoning District 3RS

Project: New two (2) car attached garage.

Reference: Town of Melbourne Beach Code of Ordinances: 7A-33.

Request: Approval by the Planning and Zoning Board and the Town Commission for construction of a two car garage.

Staff Review:

- 1). The project is- a new two (2) car garage as a principal use.
There is no current structure to be demolished.
- 2). The Building Lot Zoning District requirements of min. lot area, width and depth.
Lot area is 10,816 sq. ft. (min. 10,000 sq. ft.)
Lot width is 90.00 (min. 90 ft.) Front Building Line
Lot depth is 120.18 (min. 100 ft.)
- 3). Lot coverage has a maximum of 30% for principle structure.
Lot coverage per plan is 24.8%
Footprint of Primary Structure is 2,945 sq. ft. with the addition.
Max allowed for Primary Structure is 3,250 sq. ft. for Lot Area of 10,816 sq. ft.
Minimum pervious area per lot is 30%. Pervious area is 64.3 %
- 4). Structure maximum height for zoning district is 28 ft.
The proposed height provided is 13'0" from FFE.
Flood Zone X

5). Zoning District Setback requirements

Proposed Primary Structure Rear Setback is 38' ft. 1" inch (min. 25 ft.)

Proposed Primary Structure Front Setback is 25'ft. .04" inches (min. 25 ft.)

Proposed Primary Structure West Side Setback 25'ft .92" inches (min. 15 ft.)

Proposed Primary Structure South Side Setback 14" ft. 8" inches* (min. 15 ft.)

***Existing non-conforming**

6). Sediment and erosion control measures shall be met and approved by the Building Official in accordance with the Town of Melbourne Beach's Code of Ordinances, Chapter 27 Stormwater and the current Florida Building Code.

7). On-site stormwater retention control measures shall be met and approved by the Building Official in accordance with the Town of Melbourne Beach's Code of Ordinances, Chapter 27 Stormwater and the current Florida Building Code.

8). Town Engineer will submit a review of the drainage plan per Ordinance 2019-06. The Town Engineer will require a final inspection before a Certificate of Occupancy will be issued. This applies to new home construction and construction values greater than 50% of the existing structure. Minimum landscaping standards will be met.

Based on the above review, I find the proposed site plan for the referenced property is in compliance with The Town of Melbourne Beach Code of Ordinances.

**Robert Bitgood
Building Official**

921 Oak St.

IMPERVIOUS		PERVIOUS	
Primary Structure	2,688	Shed space	
Pool	285	Open areas	
Decks	353	Other	
Driveway			
Accessory Bldg			
Concrete areas	296	TOTAL PERVIOUS	6,949
Pavers areas	245		
Other			
TOTAL IMPERVIOUS	35.70%	Lot Total Sq Footage	10,816
		TOTAL % PERVIOUS	64%



TOWN OF MELBOURNE BEACH DEVELOPMENT APPLICATION

I. SUBMITTAL REQUIREMENTS:

1. Fees per current schedule.
2. Deed to property.
3. Pre-Application meeting is mandatory. Contact the Building Official or Building Clerk to submit information required and to schedule a pre-application meeting.
4. Application deadlines are determined annually by the Boards and will be provided at the pre-application meeting.
5. All applicants must complete pages 1-3 and the section(s) as applicable to the request (refer to section II. below). All materials listed in the applicable sections must be provided, and fees paid.

II. REQUEST:

- | | |
|---|--|
| <input type="checkbox"/> Land Use Plan Amendment | <input type="checkbox"/> Rezoning |
| <input type="checkbox"/> Special Exception | <input type="checkbox"/> Coastal Construction Variance |
| <input type="checkbox"/> Variance | <input type="checkbox"/> Appeal (Application must be filed within 30 days) |
| <input type="checkbox"/> Site Plan Review Single Family (1RS, 2RS, 3RS) | <input type="checkbox"/> Site Plan Review Multifamily (4RM, 5RMO) |
| <input type="checkbox"/> Site Plan Review Commercial (6B, 7C, 8B, 9I) | <input type="checkbox"/> Amendment to the Land Development Code |
| | <input checked="" type="checkbox"/> Other (specify) <u>Addition (Garage)</u> |

III. PROPERTY INFORMATION:

General Location: Melbourne Beach

Address: 921 OAK ST. 32951

Parcel Number(s): 28-38-08-FW-H-15

Area (in acreage): .25 Area (in square feet): 10,800

Current Zoning: R-U Proposed Zoning: N/A

Current Future Land Use: N/A Proposed Future Land Use: N/A

Brief Description of Application: Addition 2 car garage

Date of Mandatory Pre-Application Meeting (attach meeting minutes if applicable): TBD

VI. APPLICANT CERTIFICATION:*

I/we affirm and certify that I/we understand and will comply with the land development regulations of the Town of Melbourne Beach, Florida. I/we further certify that the application and support documents are fully complete and comply with the requirements of the land development regulations of the Town of Melbourne Beach, Florida. I/we further certify that the statements and/or diagrams made on any paper or plans submitted here with are true to the best of my/our knowledge and belief that this application, attachments and application filing fees become part of the official public record of the Town of Melbourne Beach, Florida and are not returnable or refundable.

Under penalties of perjury, I/we declare that I/we have read the foregoing application and that to the best of my/our knowledge and belief the facts stated in the application are true.

Signature: [Handwritten Signature]

Date: 12/10/22

Print Name: Eric Dijan

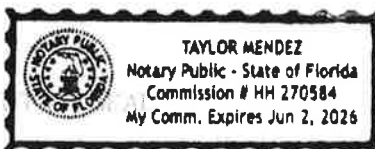
Title: Contractor Applicant

*Must sign in front of notary.

State of Florida
County of Brevard.

The foregoing application is acknowledged before me this 10th day of December, 2022 by Eric Dijan who is/are personally known to me, or who has/have produced FLDL as identification.

[Handwritten Signature]
Signature of Notary Public, State of Florida



VII. PROJECT DESCRIPTION:

Describe Application: Proposed addition 2 CAR GARAGE with breezeway.

Existing Well to be abandoned, new well drilled
Provide attachment if more space is needed.

Describe Existing Conditions: Existing home w/pool
NO garage currently.

Provide attachment if more space is needed.

IV. APPLICANT INFORMATION:

Property Owner

Name: Gary Steer

Phone: ~~330~~ (330) 868-3405

Address: 921 OAK ST.

Fax: N/A

Melbourne Beach FL 32951

Email: gary@steermc.com

Applicant (if other than property owner)

Name: Eric Dijan

Phone: 321-626-1170

Address: 5265 PALMETTO DR.

Fax: _____

Melbourne Beach, FL 32951

Email: ericdijan@hotmail.com

V. OWNER AUTHORIZATION:*

The undersigned hereby affirms the following:

- 1. That I/we are the fee simple title owner/contract purchaser (circle one) of the property described in this application.
- 2. That I/we have read and understands the entire application and concurs with the request.
- 3. That I/we have appointed the Applicant to represent the application, and empowers the Applicant to accept any and all conditions of approval imposed by the Town of Melbourne Beach.

Signature: [Handwritten Signature]

Date: 11 December 2022

Print Name: GARY STEER

Title: OWNER

*Must sign in front of notary.

State of Florida

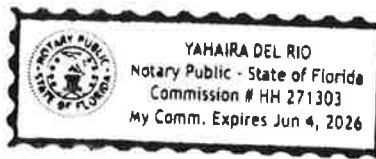
County of Brevard.

The foregoing application is acknowledged before me

this 11 day of December 2022 by GARY STEER

who is/are personally known to me, or who has/have produced FDL 9360 292614610 as identification.

[Handwritten Signature]
Signature of Notary Public, State of Florida



Melbourne Beach Building Official

From: Melbourne Beach Building Official
Sent: Monday, October 17, 2022 7:12 AM
To: 'ERIC DIJAN'
Subject: RE: 921 Oak St. Proposed Plans

I have reviewed the property information and the zoning regulations regarding the proposal and found the following:

- Address: (Mailing) 329 Avenue A; (site) 921 Oak Street, as per the Property Appraiser
- Parcel ID: 28-38-08-FW-H-15
- Zoning: 3-RS
 - 3-RS allows accessory uses and structures to include swimming pools and garages.
 - Section 1A-3 defines accessory structures as “A permanent building or structure, subordinate to and located on the same lot with a principal building, the use of which is clearly incidental to that of the principal building **and which is not attached by any part of a common wall or common roof to the principal building.**”
 - Section 7A-57(a)(1) prohibits accessory structures from being erected in any front yard or in any side yard.
 - Section 1A-3 defines front yard as “a space extending the full width of the lot between any building and the front lot line and measured perpendicular to the building at the closest point to the front lot line.”
 - Although the code does not define front lot line, Section 1A-3 defines the front building line as “a line extending from side lot line to side lot line and commencing at the **frontmost portion of the lot's principal structure**, not necessarily coinciding with the front yard setback. On a regular- shaped lot, the **FRONT BUILDING LINE** is typically the same as the front yard setback line; whereas an irregular-shaped lot requires a greater setback than the minimum in order to meet the lot width requirement.”
 - Section 1A-3 defines side yard as “The space extending along the side lot line from the front yard to the rear yard and lying between the side lot line and the nearest part of the principal building, including covered porches, carports and garages.”
 - Section 7A-57(e) states that swimming pools shall be constructed behind the front line of the principal structures and side/rear setbacks are 10’.
- Judging by the design, although the proposed garage structure is connected by a breezeway that includes a front/rear gate and roof, it is not be attached by a “common” wall or roof and as such is considered as an accessory structure by the code.

Based on the above, although the “site” address is 921 Oak Street, the “frontmost portion of the lot’s principal structure” faces Avenue A, and the home has a “mailing” address of 329 Avenue A. Consequently, the Town Code considers the area between Avenue A and the building line to be the “front yard”, and the area between Oak Street and the building line to be the “side yard”. Because the garage structure as designed is an accessory structure, it is prohibited from being located in the side yard as shown on the proposed plans. Note that this prohibition does not apply to the swimming pool because it is permitted to be 10’ from the side and rear lot lines, and would not apply if the garage was attached to the principal structure by a “common” wall or roof.

I hope that helps! Please let me know if you have any questions. THANKS!

This is what I received from the town planner. Let me know if you need any further information.
Thanks,

FLOOR PLAN

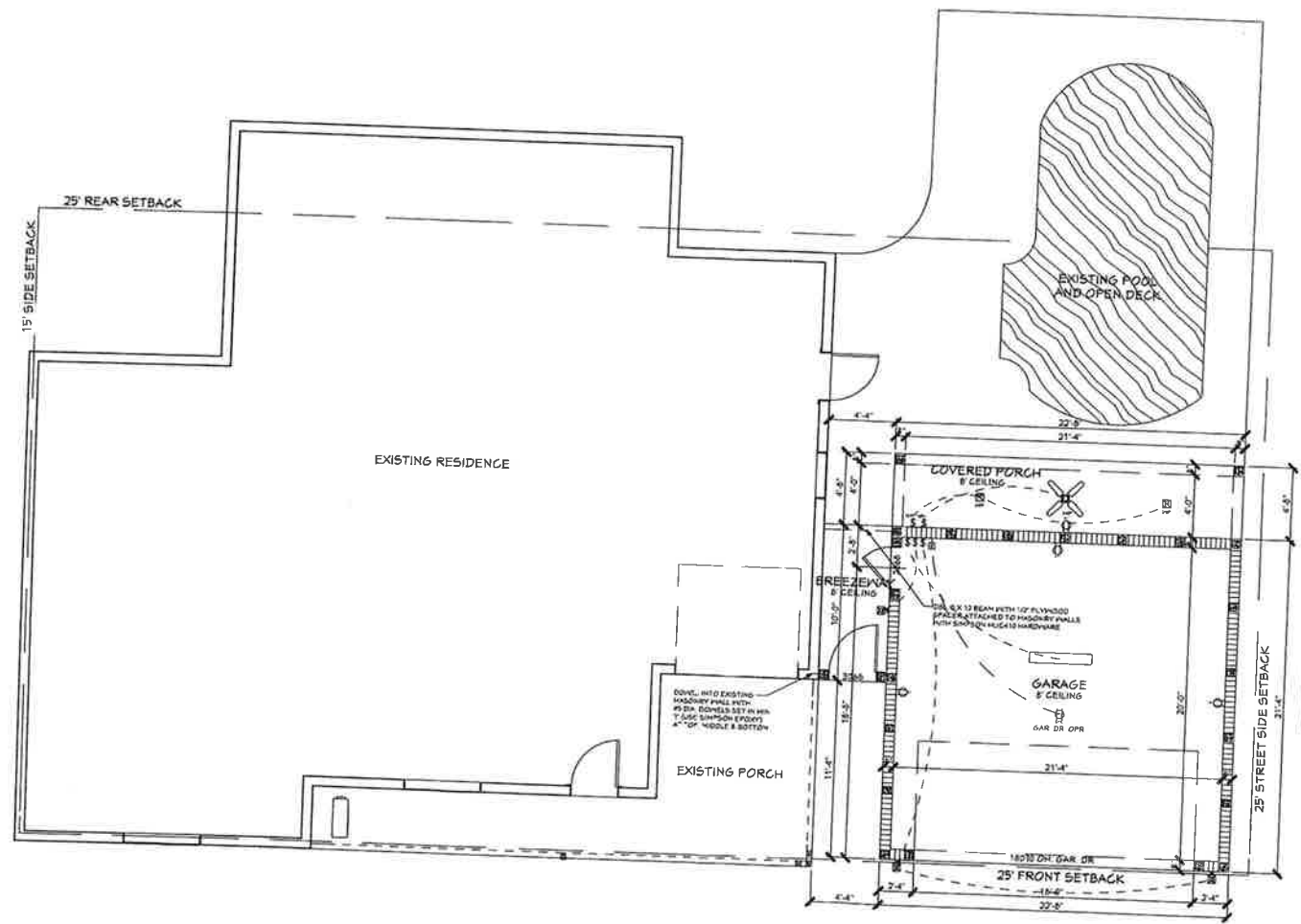
TOM MORTON
DESIGN & DRAFTING
723-0290
MELBOURNE BEACH, FL 32951



A GARAGE ADDITION TO EXISTING RESIDENCE FOR THE:
STEERS
921 OAK STREET, MELBOURNE BEACH

DATE:
2 NOV 22
DRAWN:
T.C.M.
SCALE:
1/4"=1'-0"
REVISION:

SHEET:
A1



ELECTRICAL LEGEND

⊖	SINGLE POLE SWITCH	⊗	CEILING FAN
⊖	3 WAY SWITCH	⊖	EXHAUST FAN
⊖	20 AMP RECEPTACLE	⊖	CEILING HOUSING
⊖	15 AMP RECEPTACLE	⊖	IN-GARAGE FUTURE RECEPTACLE
⊖	DUPLER RECEPTACLE WITH TOP HALF SWITCHED	⊖	UNDER CAB LIGHTING
⊖	QUANTITY IN RECEPTACLE	⊖	FLUORESCENT CEILING FIXTURE
⊖	20 AMP RECEPTACLE	⊖	CEILING TRULIC
⊖	PHONE JACK WITH CAT5	⊖	EXTERIOR ST-ROOF
⊖	7 GAL. GONDOL	⊖	ELECTRICAL SERVICE PANEL
⊖	THERMOSTAT	⊖	ELECT METER
⊖	INSULATED ISLAND FUTURE	⊖	POWER DIAGNOSTIC
⊖	WALL SWITCHE		
⊖	PAINT POUNDED EXTERIOR FEATURE		
⊖	FLOOD LIGHTS		
⊖	3 WAY SWITCH WITH GROUNDING		
⊖	15 AMP RECEPTACLE		
⊖	20 AMP SWITCH		

NOTES:

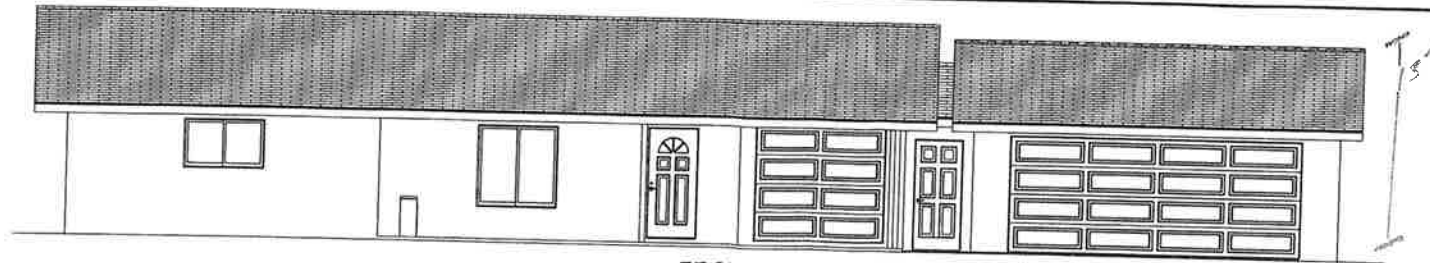
- ALL 120V, 15 & 20 AMP RECEPTACLES SHALL BE INSTALLED UNDER RESIDENT RECEPTACLE PER NEC 2015.1 ELECTRIC CODE AND IS.
- ALL 120V, 15 AMP RECEPTACLE, 15 AND 20 AMP RECEPTACLE SUPPLIES SHALL BE INSTALLED IN BRANCHED SUPPLY CIRCUITS INSTALLED AND FAULT CIRCUIT INTERRUPTER (GFCI) TYPE RECEPTACLE SHALL BE PROVIDED PER NEC 2015.1 ELECTRIC CODE AND IS.
- ALL GFCI SHOCK ALARMS TO BE INTERCONNECTED IN SUCH A MANNER THAT THE ACTIVATION OF ONE ALARM WILL ACTIVATE ALL OF THE OTHERS.
- 15 AND 20 AMP, 15 AND 20 AMP RECEPTACLES INSTALLED IN A HOT LOCATION SHALL HAVE AN EXHAUSTION THAT IS WEATHER PROOF, WHETHER OR NOT THE ATTACHMENT PLACES ARE WEATHERED.



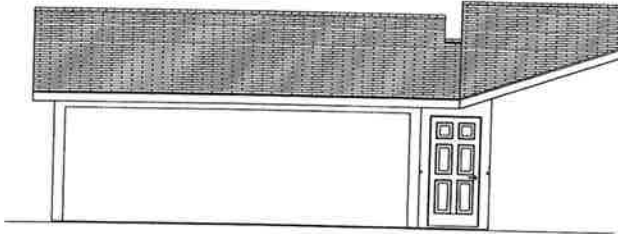
SBS SERVICES, LLC

DATE: 11/01/22
DRAWN: T.C.M.
SCALE: 1/4"=1'-0"
REVISION:

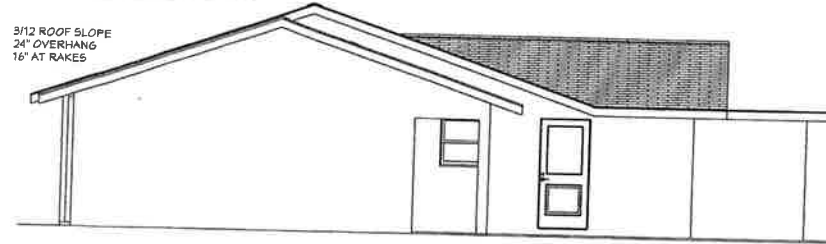
MELBOURNE, FL 32909
I CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT THESE PLANS AND SPECIFICATIONS COMPLY WITH THE STRUCTURE, FIRE, AND SAFETY CODES OF THE STATE OF FLORIDA AND THE COMMUNITY DEVELOPMENT AND CONSTRUCTION CODES OF THE CITY OF MELBOURNE, FLORIDA. I AM NOT PROVIDING ANY CONTRACT ADMINISTRATION SERVICES.
BEN S. SCHWARTZ
PE LIC NO. 41778 EXPIRES: 06/30/24



FRONT ELEVATION

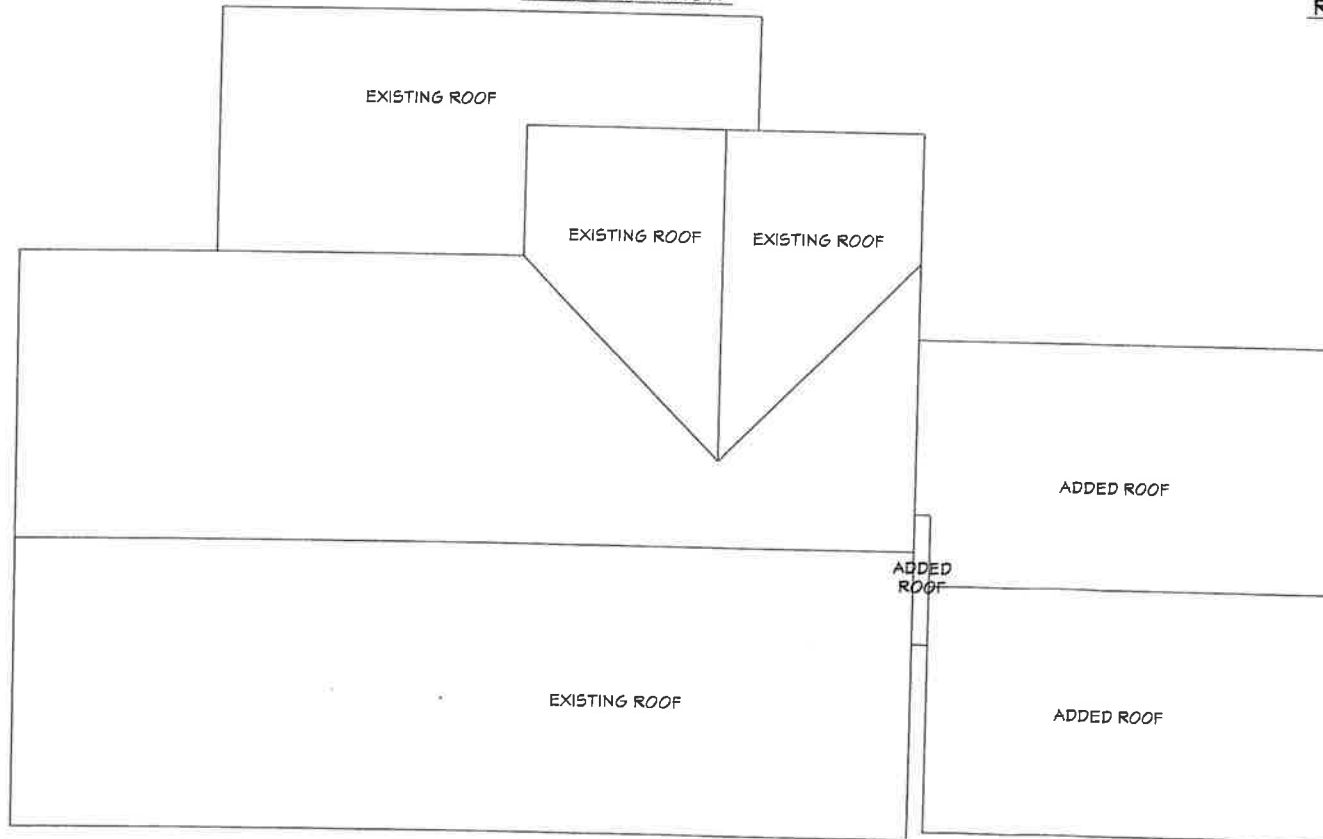


REAR ELEVATION



RIGHT SIDE ELEVATION

3/12 ROOF SLOPE
24" OVERHANG
16" AT RAKES



ROOF PLAN

EXTERIOR ELEVATIONS

TOM MORTON
DESIGN & DRAFTING
23-0250
MEMBER TEACH, C.A. 0781



A GARAGE ADDITION TO EXISTING RESIDENCE FOR THE:
STEER'S
921 OAK STREET, MELBOURNE BEACH

DATE:
2 NOV 22
DRAWN:
T.C.M.
SCALE:
1/4"=1'-0"
REVISION:

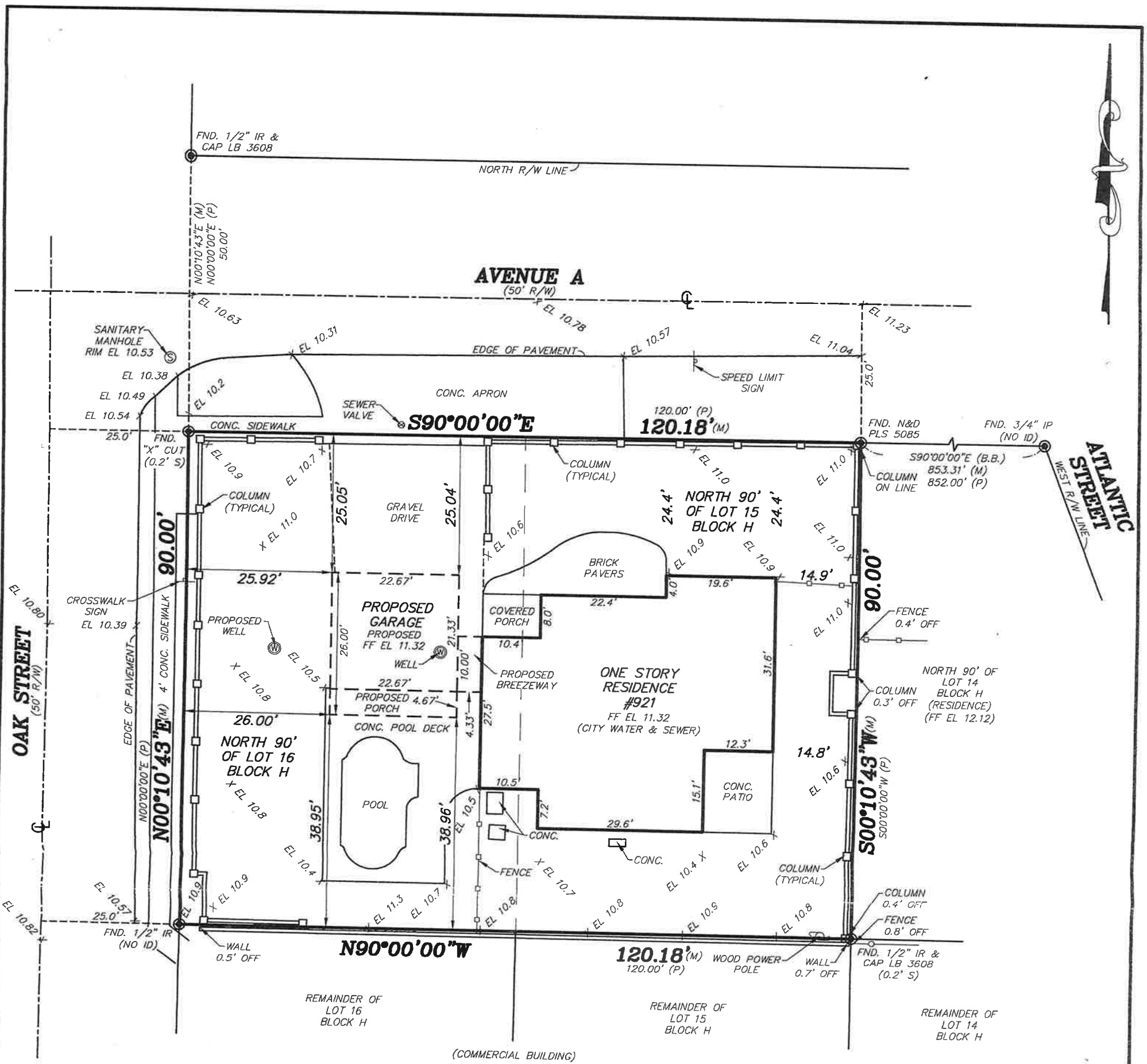
SHEET:
A2



SBS SERVICES, LLC

THIS PLAN HAS BEEN ELECTRONICALLY SIGNED AND SEALED BY BEN S. SCHWARTZ, P.E., ON THE DATE INDICATED THEREON. THE SEAL IS VALID FOR THE AUTHORIZATION CODE. PRINTED COPIES OF THIS DOCUMENT ARE NOT VALID UNLESS SIGNED AND SEALED AND THE SIGNATURE AND SEAL ARE VERIFIED ON ANY ELECTRONIC COPY.

PROFESSIONAL ENGINEER
BEN S. SCHWARTZ
LICENSE NO. 25378
STATE OF FLORIDA
DATE: 11/02/22
PROJECT: 23-0250
SHEET: A2



SURVEY PREPARED FOR:
BLUE HORIZON RENOVATIONS LLC
ERIC DIJAN
GARY L. STEEL AND JEANNETTE S. STEER

DESCRIPTION: THE NORTH 90 FEET OF LOTS 15 AND 16, BLOCK H, GRAVES PLAT OF MELBOURNE BEACH, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 38, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

PROJECT BENCHMARK
 NGS BENCHMARK G 649
 PID DK6602
 SURVEY DISK IN CONCRETE
 STAMPED "G 648 2006"
 EL 11.24 (NAVD 88)
 EL 12.67 (NGVD 29)

AAL LAND SURVEYING SERVICES, INC.

ACCORDING TO F.I.R.M. #12009C 0608 H, DATED JANUARY 29, 2021 THIS PROPERTY IS LOCATED WITHIN FLOOD ZONE X.

TYPE OF SURVEY:
 BOUNDARY

SCALE: 1" = 20'

REVISE PLOT PLAN: 11-15-22
PLOT PLAN: 10-12-22
FIELD DATE: 10-07-22

SECTION 08, TOWNSHIP 28 SOUTH, RANGE 38 EAST

PROJECT #47946

GENERAL NOTES:

1. THIS SURVEY AND DRAWING HAS BEEN PREPARED TO CONFORM WITH APPLICABLE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTES.
2. THIS SURVEY AND DRAWING IS FOR THE SOLE USE AND BENEFIT OF THE PARTIES NAMED HEREON AND FOR THE SPECIFIC PURPOSE AS NOTED, AND SHOULD NOT BE RELIED UPON BY ANY OTHER ENTITY, AND IS NOT TRANSFERABLE UNDER ANY CIRCUMSTANCES.
3. THIS SURVEY IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE SEAL OF THE SURVEYOR, AND ANY REPRODUCTION OF THIS DRAWING WITHOUT WRITTEN PERMISSION OF THE SURVEYOR IS HEREBY FORBIDDEN.
4. NO OPINION OF TITLE OR OWNERSHIP IS HEREBY EXPRESSED OR IMPLIED BY THE SURVEYOR.
5. THIS SURVEY WAS PREPARED FROM INFORMATION FURNISHED TO THE SURVEYOR BY THE CLIENT, AND MAY BE SUBJECT TO EASEMENTS OR LIMITATIONS EITHER RECORDED OR IMPLIED.
6. BEARINGS ARE BASED ON AN ASSUMED DATUM AND ON THE LINE SHOWN AS BEING THE BASIS OF BEARINGS.
7. NO UNDERGROUND IMPROVEMENTS HAVE BEEN LOCATED UNLESS OTHERWISE SHOWN.
8. ELEVATIONS, IF SHOWN, ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988, UNLESS OTHERWISE NOTED.
9. "NO WELLS" AND "NO SEPTICS" ARE DEFINITIONS TO SHOW AN ATTEMPT BY THE SURVEYOR TO LOCATE POSSIBLE EXISTING WELLS AND SEPTICS, HOWEVER NONE WERE FOUND USING STANDARD SURVEY LOCATING EQUIPMENT.

3970 MINTON ROAD, WEST MELBOURNE, FL 32904 L.B. #6623
PHONE: (321)768-8110 FAX: (321)952-9771 EMAIL: frontdesk@aalsurvey.com

LEGEND	
(B.B.)	- BEARING BASIS
B.S.L.	- BUILDING SETBACK LINE
CB	- CHORD BEARING
CH	- CHORD LENGTH
CL	- CENTERLINE
C.M.	- CONCRETE MONUMENT
C.M.P.	- CORRUGATED METAL PIPE
CONC.	- CONCRETE
(D)	- DEED
D	- DELTA
D.E.	- DRAINAGE EASEMENT
EL	- ELEVATION
EP	- EDGE OF PAVEMENT
FF	- FINISH FLOOR
FND	- FOUND
IP	- IRON PIPE
IR	- IRON ROD
L	- ARC LENGTH
LB	- LICENSE BUSINESS
(M)	- MEASURED
N&D	- NAIL AND DISK
N&TT	- NAIL AND TIN TAB
OHW	- OVERHEAD WIRE
(P)	- PLAT
PC	- POINT OF CURVATURE
PLS	- PROFESSIONAL LAND SURVEYOR
P.O.L.	- POINT ON LINE
PP	- POWER POLE
PT	- POINT OF TANGENCY
P.U.	- PUBLIC UTILITY
R	- RADIUS
R.C.P.	- REINFORCED CONCRETE PIPE
R/W	- RIGHT OF WAY
XX.XX	- PROPOSED GRADE

Andrew W. Powshok
ANDREW W. POWSHOK
 P.L.S. No. 5383

Daniel D. Garner
DANIEL D. GARNER
 P.L.S. No. 6189



TOWN OF MELBOURNE BEACH

BREVARD COUNTY'S OLDEST BEACH COMMUNITY ESTABLISHED 1883

Site Plan Review

Applicable Codes

Town of Melbourne Beach Land Development Code

Current Florida Building Code

Date: December 15, 2022
Owner: Stojanovski, Hihail M; Devaux, Mikaela E.
Owner Address: 419 Riverview Lane, Melbourne Beach, FL
Site Address: 419 Riverview Lane, Melbourne Beach, FL
Parcel ID: 28-38-07-JV-*-123
Zoning: Zoning District 2RS

Project: Room addition to existing two story single family dwelling.

Reference: Town of Melbourne Beach Code of Ordinances: 7A-32.

Request: Approval by the Planning and Zoning Board and the Town Commission for an addition to a two story single family dwelling.

Staff Review:

- 1).The project is: an addition to a two story single family dwelling. No trees or out Buildings will be demolished for this project.
- 2). The Building Lot Zoning District requirements of min. lot area, width and depth.
 Lot area is 12,196 sq. ft. (min. 11,250 sq. ft.)
 Lot width is 138 ft. (min. 90 ft.)
 Lot depth is 149 ft. (min. 100 ft.)
- 3). Lot coverage has a maximum of 30% for principle structure.
 Lot coverage per plan is 27.7%
 Footprint of Primary Structure is 2,763 sq. ft. with the addition.
 Max allowed for Primary Structure is 3,659 sq. ft. for Lot Area of 12,196 sq. ft.
 Minimum pervious area per lot is 30%. Pervious area is 62 %
- 4). Structure maximum height for zoning district is 28 ft.
 The proposed height provided is 17'2" from FFE.
 Flood Zone X/AE

5). Zoning District Setback requirements

Proposed Primary Structure Front Setback 30'2" (min. 25 ft.)

Proposed Primary Structure Rear Setback is 72" (min. 25 ft.)

Proposed Primary Structure South Side Setback 15'4" (min. 15 ft.)

Proposed Primary Structure North Side Setback 18'1" (min. 15 ft.)

6). Sediment and erosion control measures shall be met and approved by the Building Official in accordance with the Town of Melbourne Beach's Code of Ordinances, Chapter 27 Stormwater and the current Florida Building Code.

7). On-site stormwater retention control measures shall be met and approved by the Building Official in accordance with the Town of Melbourne Beach's Code of Ordinances, Chapter 27 Stormwater and the current Florida Building Code.

8). Town Engineer will submit a review of the drainage plan per Ordinance 2019-06. The Town Engineer will require a final inspection before a Certificate of Occupancy will be issued. This applies to new home construction and construction values greater than 50% of the existing structure. Minimum landscaping standards will be met.

Based on the above review, I find the proposed site plan for the referenced property is in compliance with The Town of Melbourne Beach Code of Ordinances.

**Robert Bitgood
Building Official**

ADDRESS

IMPERVIOUS		PERVIOUS	
Primary Structure	2763	Shed space	54
Pool	360	Open areas	7476
Decks	192	Other	
Driveway	1048		
Accessory Bldg			
Concrete areas		TOTAL PERVIOUS	7530
Pavers areas	303		
Other			
TOTAL IMPERVIOUS	4666		
		Lot Total Sq Footage	12196
		TOTAL % PERVIOUS	62%



TOWN OF MELBOURNE BEACH DEVELOPMENT APPLICATION

I. SUBMITTAL REQUIREMENTS:

1. Fees per current schedule.
2. Deed to property.
3. Pre-Application meeting is mandatory. Contact the Building Official or Building Clerk to submit information required and to schedule a pre-application meeting.
4. Application deadlines are determined annually by the Boards and will be provided at the pre-application meeting.
5. All applicants must complete pages 1-3 and the section(s) as applicable to the request (refer to section II. below). All materials listed in the applicable sections must be provided, and fees paid.

II. REQUEST:

- | | |
|---|--|
| <input type="checkbox"/> Land Use Plan Amendment | <input type="checkbox"/> Rezoning |
| <input type="checkbox"/> Special Exception | <input type="checkbox"/> Coastal Construction Variance |
| <input type="checkbox"/> Variance | <input type="checkbox"/> Appeal (Application must be filed within 30 days) |
| <input type="checkbox"/> Site Plan Review Single Family (1RS, 2RS, 3RS) | <input type="checkbox"/> Site Plan Review Multifamily (4RM, 5RMO) |
| <input type="checkbox"/> Site Plan Review Commercial (6B, 7C, 8B, 9I) | <input type="checkbox"/> Amendment to the Land Development Code |
| | <input type="checkbox"/> Other (specify) _____ |

III. PROPERTY INFORMATION:

General Location: Melbourne Beach

Address: 419 Riverview Lane

Parcel Number(s): LOT 123, Plat Book 23, Page 35 / 28-35-07-1V+12

Area (in acreage): .28 Area (in square feet): 12,196.8

Current Zoning: Single family Proposed Zoning: _____

Current Future Land Use: _____ Proposed Future Land Use: _____

Brief Description of Application: Interior Remodel, Additions

Date of Mandatory Pre-Application Meeting (attach meeting minutes if applicable): _____

IV. APPLICANT INFORMATION:

Property Owner

Name: _____

Phone: _____

Address: _____

Fax: _____

Email: _____

Applicant (if other than property owner)

Name: _____

Phone: _____

Address: _____

Fax: _____

Email: _____

V. OWNER AUTHORIZATION:*

The undersigned hereby affirms the following:

1. That I/we are the fee simple title owner/contract purchaser (circle one) of the property described in this application.
2. That I/we have read and understands the entire application and concurs with the request.
3. That I/we have appointed the Applicant to represent the application, and empowers the Applicant to accept any and all conditions of approval imposed by the Town of Melbourne Beach.

Signature: *Mikaela Devaux*

Date: 11/16/2022

Print Name: Mikaela Devaux

Title: _____

*Must sign in front of notary.

State of Florida
County of Brevard.

The foregoing application is acknowledged before me
this 16 day of November, 2022, by Mikaela Devaux,
who is/are personally known to me, or who has/have produced personally known
as identification.

[Signature]

Signature of Notary Public, State of Florida

NOTARY SEAL



X

VI. APPLICANT CERTIFICATION:*

I/we affirm and certify that I/we understand and will comply with the land development regulations of the Town of Melbourne Beach, Florida. I/we further certify that the application and support documents are fully complete and comply with the requirements of the land development regulations of the Town of Melbourne Beach, Florida. I/we further certify that the statements and/or diagrams made on any paper or plans submitted here with are true to the best of my/our knowledge and belief that this application, attachments and application filing fees become part of the official public record of the Town of Melbourne Beach, Florida and are not returnable or refundable.

Under penalties of perjury, I/we declare that I/we have read the foregoing application and that to the best of my/our knowledge and belief the facts stated in the application are true.

Signature: *[Handwritten Signature]* Date: 11/16/2022
Print Name: Mikaela Devaux Title: _____

*Must sign in front of notary.

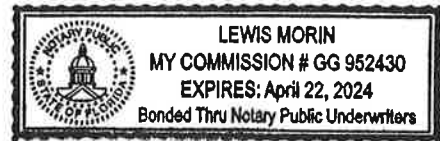
State of Florida
County of Brevard.

The foregoing application is acknowledged before me this 16 day of November, 2022 by Mikaela Devaux who is/are personally known to me, or who has/have produced Personal Known as identification.

[Handwritten Signature]

Signature of Notary Public, State of Florida

NOTARY SEAL



VII. PROJECT DESCRIPTION:

Describe Application: Additions to Rear of House.

Provide attachment if more space is needed.

Describe Existing Conditions: _____

Provide attachment if more space is needed.

X

**DEVAUX
STOJANOVSKI
RESIDENCE**
419 RIVERVIEW LANE
MELBOURNE BEACH, FL 32951

issued for date
PERMIT SET 4/28/2022

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Casa Mia Design Studio shall not be responsible for construction means and methods, techniques, sequence, procedure or for safety execution and programs in connection with the work for the acts or omissions of the contractor, subcontractors or any other persons performing any of the work; or for the failure of any of them to carry out work in accordance with the Contract Documents and current code, Construction Admin. not in contract.



revisions

item	description	date

scale as noted

sheet title

**EXTERIOR
ELEVATIONS**

sheet number

A3

drawn by: LFC checked by: LFC



321.600.0900
casamiadesign321@gmail.com

**DEVAUX
STOJANOVSKI
RESIDENCE**
419 RIVERVIEW LANE
MELBOURNE BEACH, FL 32951

issued for _____ date _____
PERMIT SET 10/10/2022

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revisions		
item	description	date

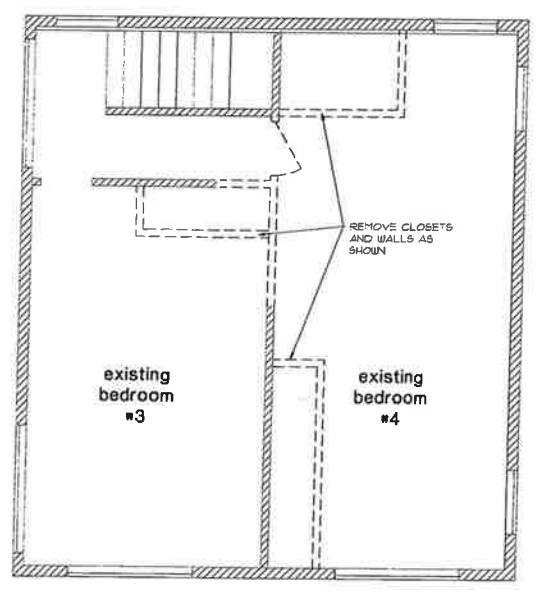
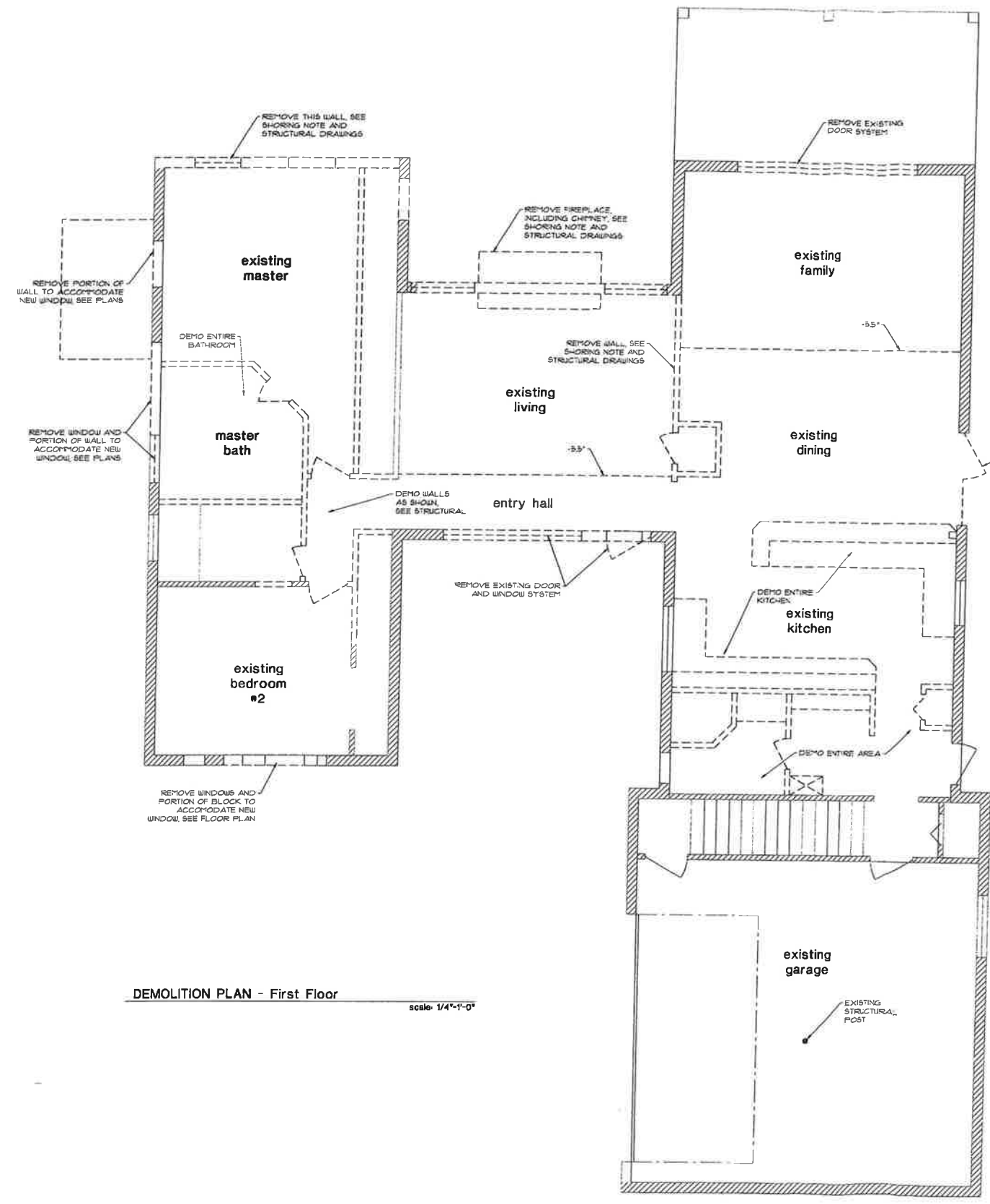
scale as noted

sheet title
DEMO PLAN

sheet number
D1

drawn by: LFC checked by: LFC

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casa mia
RESIDENTIAL DESIGN STUDIO

321.600.0900
casamiadesign321@gmail.com

**DEVAUX
STOJANOVSKI
RESIDENCE**

419 RIVERVIEW LANE
MELBOURNE BEACH, FL 32951

Issued for _____ date _____
PERMIT SET 10/10/2022

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Casa Mia Design Studio shall not be responsible for construction means and methods, techniques, sequences, procedures or for safety precautions or programs in connection with the work for the acts or omissions of the contractor, subcontractors or any other persons performing any of the work, or for the failure of any of them to carry out work in accordance with the Construction Documents and current code. Construction Admin. not in contract.

revisions		
item	description	date

scale as noted

sheet title

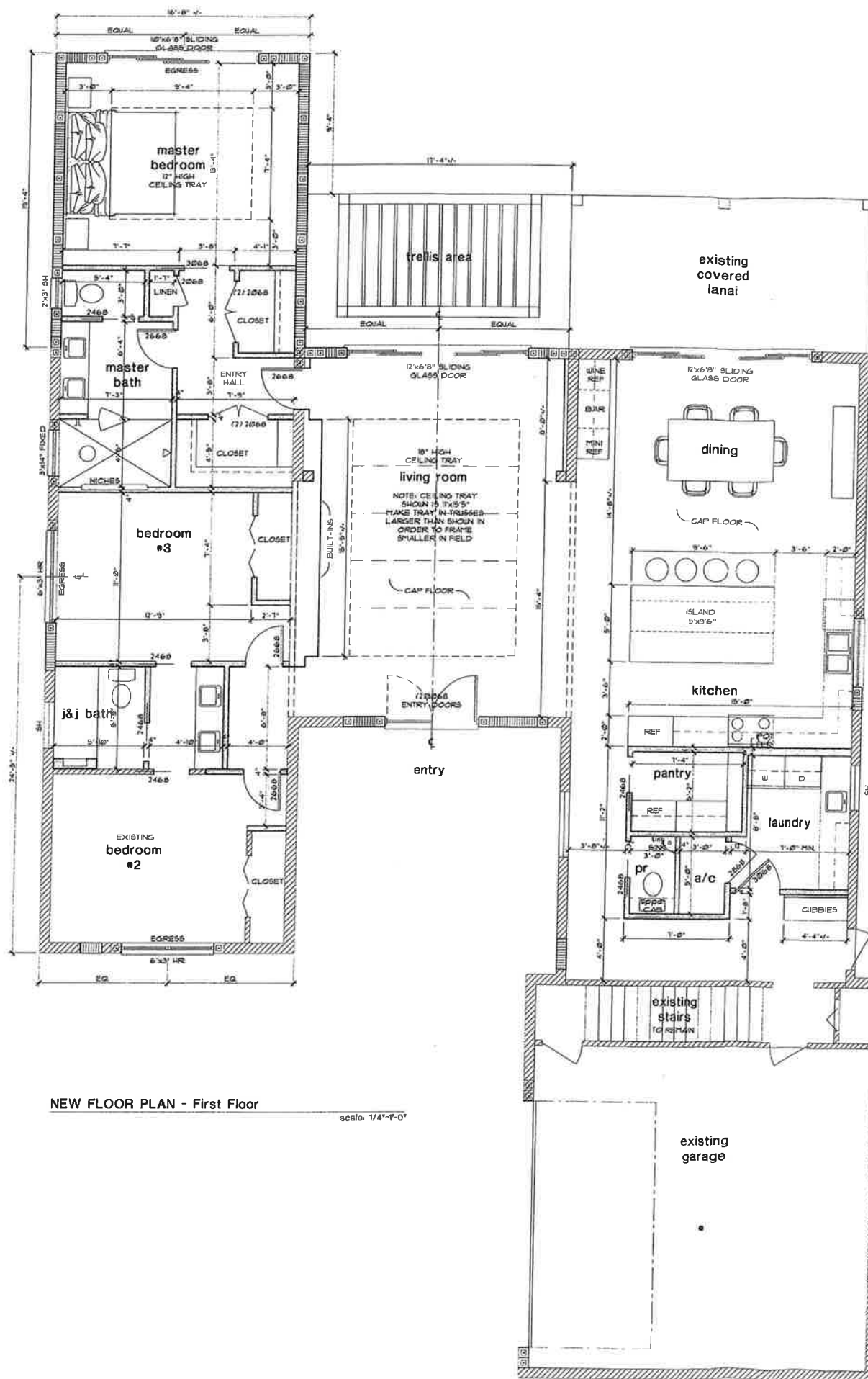
NEW FLOOR PLAN

sheet number

A1

drawn by: LFC checked by: LFC

by Casa Mia Design Studio. all rights reserved.
NEW FLOOR PLAN SET 10/10/2022 10/10/2022



NEW FLOOR PLAN - First Floor
scale: 1/4"=1'-0"

NOTES:

CONTRACTOR TO CONFIRM ALL DIMENSIONS PRIOR TO COMMENCEMENT OF WORK.

CONTRACTOR TO VERIFY ALL DOORS AND WINDOWS PRIOR TO ORDERING. CONFIRM INTERIOR DOOR SIZES IN EXISTING FRAMED WALLS. VERIFY ENOUGH SPACE FOR CASING.

ALL EXISTING WINDOWS TO BE REPLACED WITH SINGLE HUNG, IMPACT RATED, AS SELECTED BY OWNER.

CONTRACTOR TO VERIFY TRUSS SIZE, PITCH, OVERHANG, ETC. PRIOR TO ORDERING.

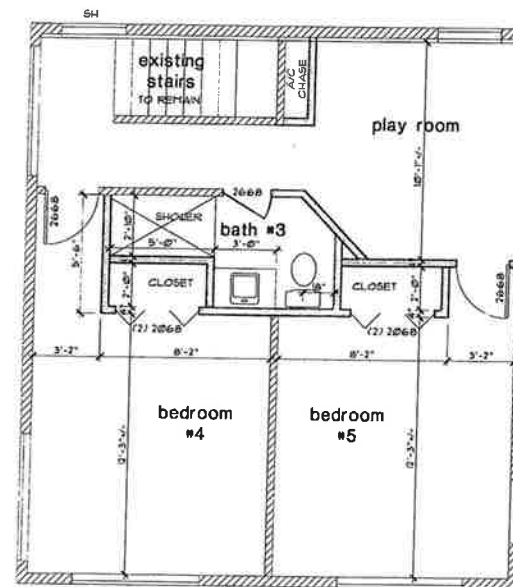
IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO REVIEW ALL DRAWINGS AND SITE CONDITIONS PRIOR TO COMMENCING CONSTRUCTION. ANY DISCREPANCIES IN THE CONSTRUCTION DOCUMENTS AND/OR IN ANY NON-EXISTING SITE CONDITIONS MUST BE BROUGHT TO THE ATTENTION OF THE DESIGNER AND STRUCTURAL ENGINEER IMMEDIATELY.

WALL LEGEND

- EXISTING WALLS TO REMAIN
- NEW WOOD FRAMED WALL
- NEW BLOCK WALL. SEE STRUCTURAL FOR ALL FILLED CELL LOCATIONS

NOTE 111
PROVIDE SHORING TO SUPPORT LOADS AND ADJACENT MEMBERS PRIOR TO REMOVING ANY STRUCTURAL MEMBERS. SHORING SHALL REMAIN IN PLACE UNTIL COMPLETION OF REMODEL. SEE STRUCTURAL DRAWINGS.

NEW FLOOR PLAN - Second Floor
scale: 1/4"=1'-0"



**DEVAUX
STOJANOVSKI
RESIDENCE**

419 RIVERVIEW LANE
MELBOURNE BEACH, FL 32951

issued for date
PERMIT SET 10/10/2022

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revisions

item	description	date

scale as noted

sheet title

**EXTERIOR
ELEVATIONS**

sheet number

A2

drawn by: LFC checked by: LFC



NEW FRONT ELEVATION
scale: 1/4"=1'-0"



NEW BACK ELEVATION
scale: 1/4"=1'-0"

Survey w/ Flood Zone

FFE 6.2

PAGE 1 OF 1
BOUNDARY SURVEY

LEGAL DESCRIPTION:

GLELOT 123, HARBOR EAST SECTION THREE AMENDED, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 23, PAGE 35, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND ABORTION OF GOVERNMENT LOT 1, SECTION 18, TOWNSHIP 28 SOUTH, RANGE 38 EAST, BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 123 SAID CORNER BEING ON THE NORTH LINE OF SAID GOVERNMENT LOT 1, THENCE S. 5°37'09" WEST ALONG THE SOUTHERLY EXTENSION OF THE EAST BOUNDARY LINE OF SAID LOT 123, A DISTANCE OF 63 FEET, MORE OR LESS, TO AND INTO THE WATERS OF THE INDIAN RIVER; THENCE NORTHWESTERLY MEANDERING THE WATERS OF THE INDIAN RIVER, A DISTANCE OF 135 FEET, MORE OR LESS, TO THE NORTH LINE OF THE AFORESAID GOVERNMENT LOT 1; THENCE EAST ALONG THE NORTH LINE OF GOVERNMENT LOT 1, A DISTANCE OF 128 FEET, MORE OR LESS, TO THE POINT OF BEGINNING. BEING THE SAME PROPERTY CONVEYED TO MIHAIL M. STOJANOVSKI AND MIKAELA E. DEVAUX, HUSBAND AND WIFE BY WARRANTY DEED FROM ASHLEY E. WALDORF AND MICHELLE G. WALDORF, HUSBAND AND WIFE, INDIVIDUALLY, RECORDED 06/12/2018, OF RECORD IN OFFICIAL RECORDS BOOK 8187, PAGE 329, INSTRUMENT NUMBER 2018131919, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

ORIGINATION BENCHMARK
BREVARD COUNTY BRASS DISK
N.A.V.D. 1988 ELEVATION = 9.829

FLOOD ZONE: X/AE
COMMUNITY NUMBER: 125128
PANEL: 12009C0616
SUFFIX: H
F.I.R.M. DATE: 1/29/2021
FIELD DATE: 8/15/2022

PROPERTY ADDRESS:
419 RIVER VIEW LANE MELBOURNE
BEACH, FLORIDA 32951

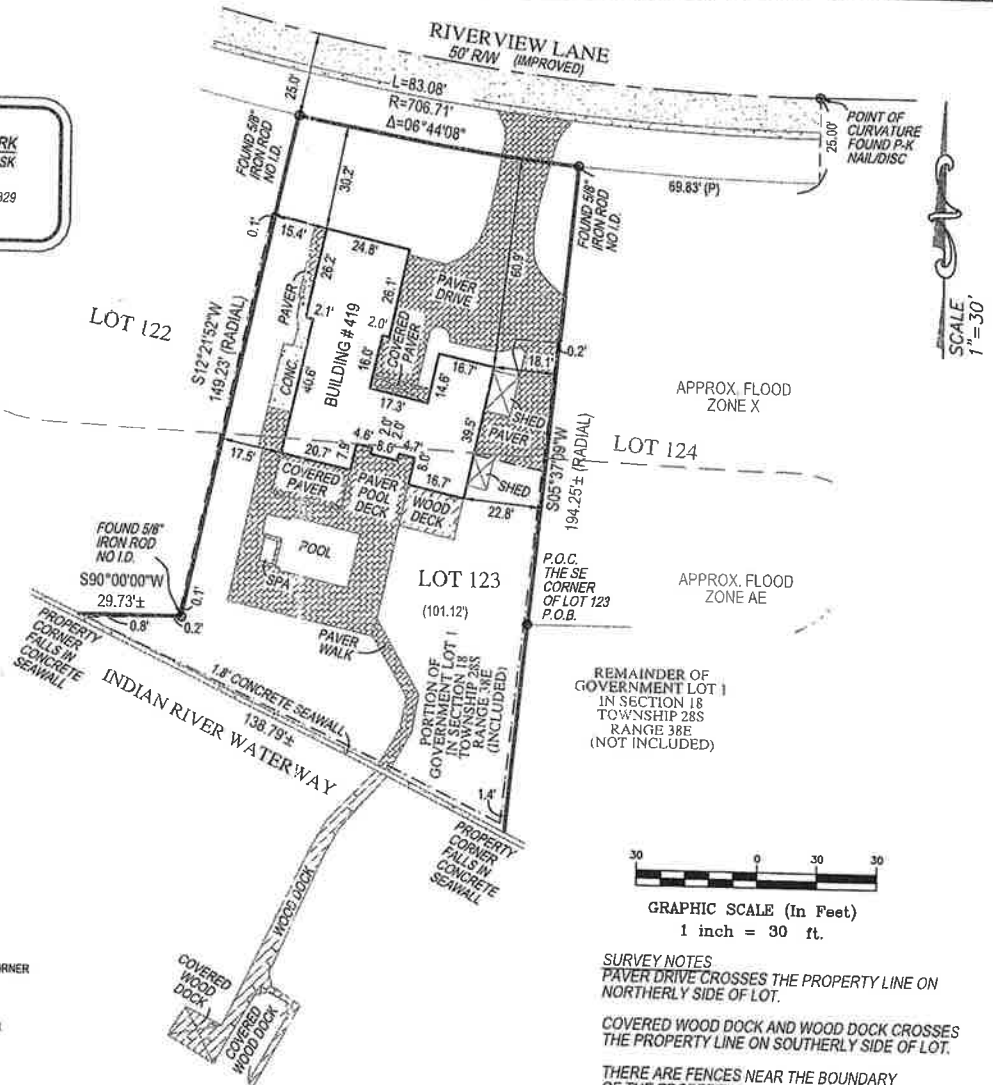
SURVEY NUMBER: 499747
CLIENT FILE NUMBER:

ABBREVIATION DESCRIPTION:

AC	AIR CONDITIONER
C	CENTERLINE
Δ	CENTRAL / DELTA ANGLE
I.D.	IDENTIFICATION
L	LENGTH
LB	LICENSED BUSINESS
N.A.V.D.	NORTH AMERICAN VERTICAL DATUM
N.G.V.D.	NATIONAL GEODETIC VERTICAL DATUM
OHL	OVERHEAD UTILITIES
P.C.	POINT OF CURVATURE
P.C.C.	POINT OF COMPOUND CURVE
P-K	PARKER KYLON NAIL
P.R.C.	POINT OF REVERSE CURVE
PSM	PROFESSIONAL SURVEYOR MAPPER
P.T.	POINT OF TANGENCY
R	RADIAL / RADIUS
RW	RIGHT OF WAY

SYMBOL DESCRIPTIONS:

	= CATCH BASIN		= MISC. FENCE
	= CENTERLINE ROAD		= PROPERTY CORNER
	= COVERED AREA		= UTILITY BOX
	= EXISTING ELEVATION		= UTILITY POLE
	= HYDRANT		= WATER METER
	= MANHOLE		= WELL
	= METAL FENCE		= WOOD FENCE



SCALE:
1" = 30'



GRAPHIC SCALE (In Feet)
1 inch = 30 ft.

SURVEY NOTES
PAVER DRIVE CROSSES THE PROPERTY LINE ON NORTHERLY SIDE OF LOT.

COVERED WOOD DOCK AND WOOD DOCK CROSSES THE PROPERTY LINE ON SOUTHERLY SIDE OF LOT.

THERE ARE FENCES NEAR THE BOUNDARY OF THE PROPERTY.

GENERAL NOTES:

- LEGAL DESCRIPTION PROVIDED BY OTHERS
- THE LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS OR OTHER RECORDED ENCUMBRANCES NOT SHOWN ON THE PLAT.
- UNDERGROUND PORTIONS OF FOOTINGS, FOUNDATIONS OR OTHER IMPROVEMENTS WERE NOT LOCATED.
- WALL TIES ARE TO THE FACE OF THE WALL AND ARE NOT TO BE USED TO RECONSTRUCT BOUNDARY LINES.
- ONLY VISIBLE ENCROACHMENTS ARE LOCATED.

- DIMENSIONS SHOWN HEREON ARE PLAT AND MEASURED UNLESS OTHERWISE NOTED
- FENCE OWNERSHIP NOT DETERMINED
- ELEVATIONS, IF SHOWN, ARE BASED ON N.G.V.D. 1929 DATUM, UNLESS OTHERWISE NOTED.
- IN SOME INSTANCES, GRAPHIC REPRESENTATION HAVE BEEN EXAGGERATED TO MORE CLEARLY ILLUSTRATE RELATIONSHIPS BETWEEN PHYSICAL IMPROVEMENTS AND/OR LOT LINES. IN ALL CASES, DIMENSIONS SHALL CONTROL THE LOCATION OF THE IMPROVEMENTS OVER SCALED POSITIONS.

REVISIONS:

LB #7883
SERVING FLORIDA
6250 N. MILITARY TRAIL, SUITE 102
WEST PALM BEACH, FL 33407
PHONE (561) 640-4800
STATEWIDE PHONE (800) 226-4807
STATEWIDE FACSIMILE (800) 741-0576
WEBSITE: <http://targetsurveying.net>



SURVEYORS CERTIFICATE:
I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY PREPARED UNDER MY DIRECTION, NOT VALID WITHOUT A RAISED EMBOSSED SEAL AND SIGNATURE.

Digitally signed by Kenneth J. Osborne
Date: 2022.08.19 13:37:00-0000
Kenneth J. Osborne
(SIGNED)
KENNETH J. OSBORNE
PROFESSIONAL SURVEYOR AND MAPPER #6415



TOWN OF MELBOURNE BEACH

BREVARD COUNTY'S OLDEST BEACH COMMUNITY ESTABLISHED 1883

Site Plan Review

Applicable Codes

Town of Melbourne Beach Land Development Code

Current Florida Building Code

Date: January 12, 2023
Owner: Davis, Clinton
Owner Address: 404 Colony Street, Melbourne Beach, Florida
Site Address: 404 Colony Street, Melbourne Beach, Florida
Parcel ID: 28-38-06-77-6-2
Zoning: Zoning District 1RS

Project: A front porch addition to an existing single family home.

Reference: Town of Melbourne Beach Code of Ordinances: 7A-31.

Request: Approval by the Planning and Zoning Board and the Town Commission for the construction of an addition to an existing single family home.

Staff Review:

- 1). The project is an addition to a single family home as a principal residence.
- 2). The Building Lot Zoning District requirements of min. lot area, width and depth.
 Lot area is 12,605 sq. ft. (min. 12,000 sq. ft.)
 Lot width is 105.4 ft. (min.100 ft.) Front Building Line
 Lot depth is 120 ft. (min. 120 ft.)
- 3). Lot coverage has a maximum of 30% for principle structure.
 Lot coverage per plan is 19.3%
 Footprint of Primary Structure is 2,440 sq. ft. with the addition.
 Max allowed for Primary Structure is 3781.5 sq. ft. for Lot Area of 12,605 sq. ft.
 Minimum pervious area per lot is 30%. Pervious area is 56%
- 4). Structure maximum height for zoning district is 28 ft.
 The proposed height provided is 12'2" from FFE
 Flood Zone X

5). Zoning District Setback requirements

Proposed Primary Structure Rear Setback 25.34 ft. (min. 25 ft.)

Proposed Primary Structure Front Setback is 25.9 ft. (min. 25 ft.)

Proposed Primary Structure West Side Setback 15.6 ft. (min. 15 ft.)

Proposed Primary Structure East Side Setback 14.7 (min. 15 ft.)

Existing non- conforming.

6). Sediment and erosion control measures shall be met and approved by the Building Official in accordance with the Town of Melbourne Beach's Code of Ordinances, Chapter 27 Stormwater and the current Florida Building Code.

7). On-site stormwater retention control measures shall be met and approved by the Building Official in accordance with the Town of Melbourne Beach's Code of Ordinances, Chapter 27 Stormwater and the current Florida Building Code.

8). Town Engineer will submit a review of the drainage plan per Ordinance 2019-06. The Town Engineer will require a final inspection before a Certificate of Occupancy will be issued. This applies to new home construction and construction values greater than 50% of the existing structure. Minimum landscaping standards will be met.

Based on the above review, I find the proposed site plan for the referenced property is in compliance with The Town of Melbourne Beach Code of Ordinances.

**Robert Bitgood
Building Official**

404 Colony St.

IMPERVIOUS		PERVIOUS	
Primary Structure	2,440	Shed space	
Pool	452	Open areas	
Decks	1560	Other	
Driveway	1034		
Accessory Bldg			
Concrete areas		TOTAL PERVIOUS	7,107
Pavers areas			
Other			
TOTAL IMPERVIOUS	43.00%	Lot Total Sq Footage	12,605
		TOTAL % PERVIOUS	56%



**TOWN OF MELBOURNE BEACH
DEVELOPMENT APPLICATION**

I. SUBMITTAL REQUIREMENTS:

1. Fees per current schedule.
2. Deed to property.
3. Pre-Application meeting is mandatory. Contact the Building Official or Building Clerk to submit information required and to schedule a pre-application meeting.
4. Application deadlines are determined annually by the Boards and will be provided at the pre-application meeting.
5. All applicants must complete pages 1-3 and the section(s) as applicable to the request (refer to section II. below). All materials listed in the applicable sections must be provided, and fees paid.

II. REQUEST:

- | | |
|---|--|
| <input type="checkbox"/> Land Use Plan Amendment | <input type="checkbox"/> Rezoning |
| <input type="checkbox"/> Special Exception | <input type="checkbox"/> Coastal Construction Variance |
| <input type="checkbox"/> Variance | <input type="checkbox"/> Appeal (Application must be filed within 30 days) |
| <input type="checkbox"/> Site Plan Review Single Family (1RS, 2RS, 3RS) | <input type="checkbox"/> Site Plan Review Multifamily (4RM, 5RMO) |
| <input type="checkbox"/> Site Plan Review Commercial (6B, 7C, 8B, 9I) | <input type="checkbox"/> Amendment to the Land Development Code |
| | <input type="checkbox"/> Other (specify) _____ |

III. PROPERTY INFORMATION:

General Location: Front of House

Address: 404 Colony St. Melbourne Bch

Parcel Number(s): 28-38-06-77-G-2

Area (in acreage): _____ Area (in square feet): 60

Current Zoning: SFR Proposed Zoning: _____

Current Future Land Use: SFR Proposed Future Land Use: _____

Brief Description of Application: Add Front Porch

Date of Mandatory Pre-Application Meeting (attach meeting minutes if applicable): 8-17-22

IV. APPLICANT INFORMATION:

Property Owner

Name: Clinton Davis Phone: 321-759-7533

Address: 404 Colony St Fax: —

Melbourne Bch, FL Email: _____

Applicant (if other than property owner)

Name: Brian Ferr/BFAIR Contracting Phone: 321-444-6446

Address: 3500 Aloma Ave C-6 Fax: —

WP FL 32792 Email: bfferrcontracting.com

V. OWNER AUTHORIZATION:*

The undersigned hereby affirms the following:

- 1. That I/we are the fee simple title owner/contract purchaser (circle one) of the property described in this application.
- 2. That I/we have read and understands the entire application and concurs with the request.
- 3. That I/we have appointed the Applicant to represent the application, and empowers the Applicant to accept any and all conditions of approval imposed by the Town of Melbourne Beach.

Signature: [Signature] Date: 7-11-22

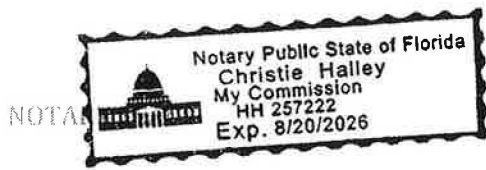
Print Name: Clinton Davis Title: owner

*Must sign in front of notary.

State of Florida
County of Brevard.

The foregoing application is acknowledged before me this 11 day of 7, 2022, by Clinton Davis who is/are personally known to me, or who has/have produced _____ as identification.

[Signature]
Signature of Notary Public, State of Florida



VI. APPLICANT CERTIFICATION:*

I/we affirm and certify that I/we understand and will comply with the land development regulations of the Town of Melbourne Beach, Florida. I/we further certify that the application and support documents are fully complete and comply with the requirements of the land development regulations of the Town of Melbourne Beach, Florida. I/we further certify that the statements and/or diagrams made on any paper or plans submitted here with are true to the best of my/our knowledge and belief that this application, attachments and application filing fees become part of the official public record of the Town of Melbourne Beach, Florida and are not returnable or refundable.

Under penalties of perjury, I/we declare that I/we have read the foregoing application and that to the best of my/our knowledge and belief the facts stated in the application are true.

Signature: [Handwritten Signature] Date: 7-11
Print Name: Brian Ferr Title: Mayor

*Must sign in front of notary.

State of Florida
County of Brevard.

The foregoing application is acknowledged before me this 11 day of 7, 2022, by Brian Ferr who is/are personally known to me, or who has/have produced _____ as identification.

[Handwritten Signature]
Signature of Notary Public, State of Florida



VII. PROJECT DESCRIPTION:

Describe Application: Add Front Porch

Provide attachment if more space is needed.

Describe Existing Conditions: _____

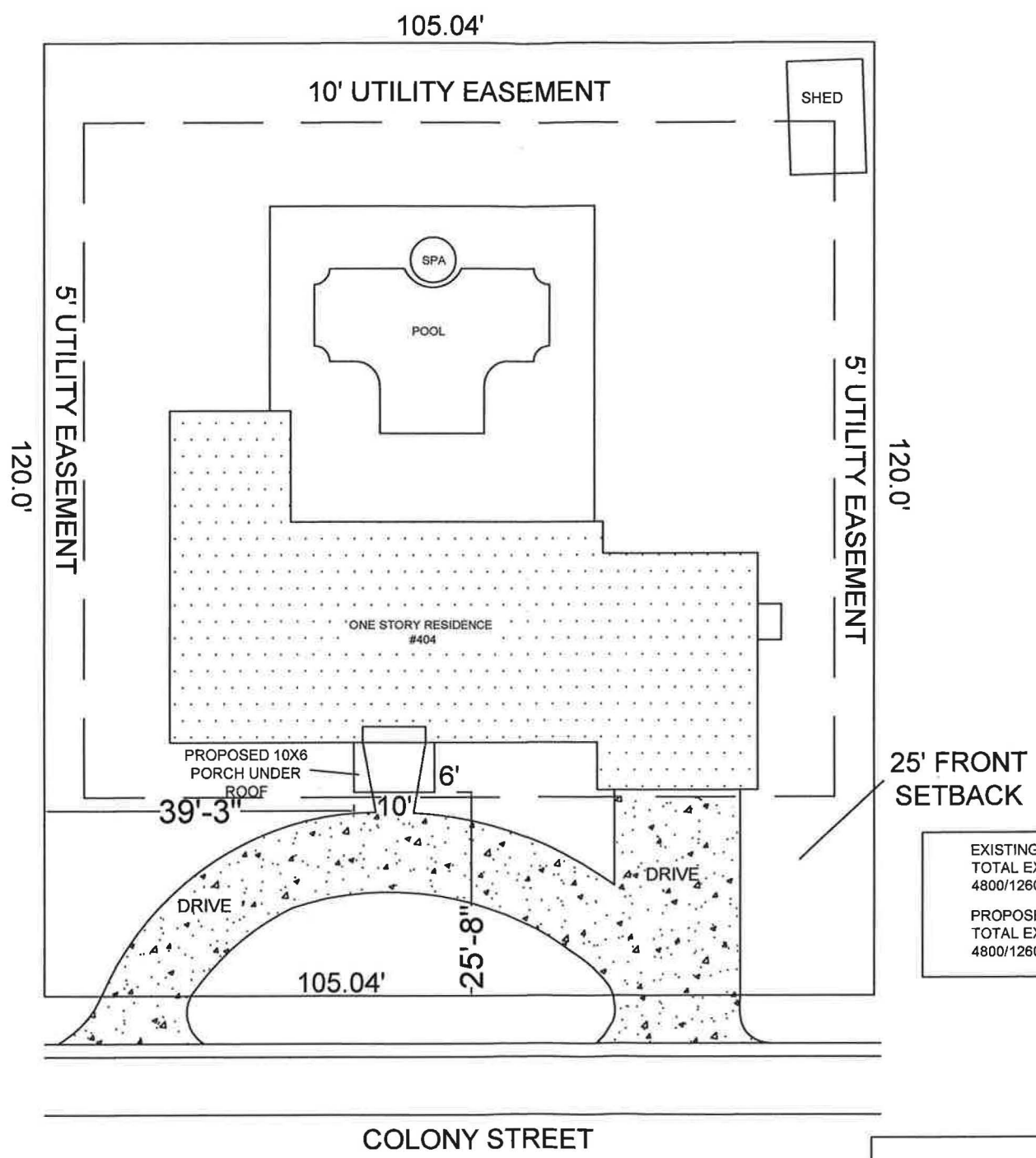
Provide attachment if more space is needed.

PROJECT:
PROPOSED PORCH UNDER ROOF
404 COLONY ST
MELBOURNE, FL

JOB #: 22049
DATE: 1-9-23
PAGE: C1



FBPE REGISTRY # 28736
1648 Taylor Road #7400
Port Orange, FL 32128
WWW.SCES.CO



EXISTING: TOTAL LOT AREA: 12605 SF
TOTAL EXISTING COVERAGE: 4800 SF
4800/12605= 38% COVERAGE

PROPOSED: TOTAL LOT AREA: 12605 SF
TOTAL EXISTING COVERAGE: 4860 SF
4800/12605= 38.56% COVERAGE

RESIDENCE SF UNDER AIR: 1734 SF
EXISTING TOTAL SF: 2380 SF
PROPOSED SF NOT UNDER AIR: 60 SF
TOTAL PROPOSED SF: 2440

PROPOSED SITE PLAN
SCALE: 1:20

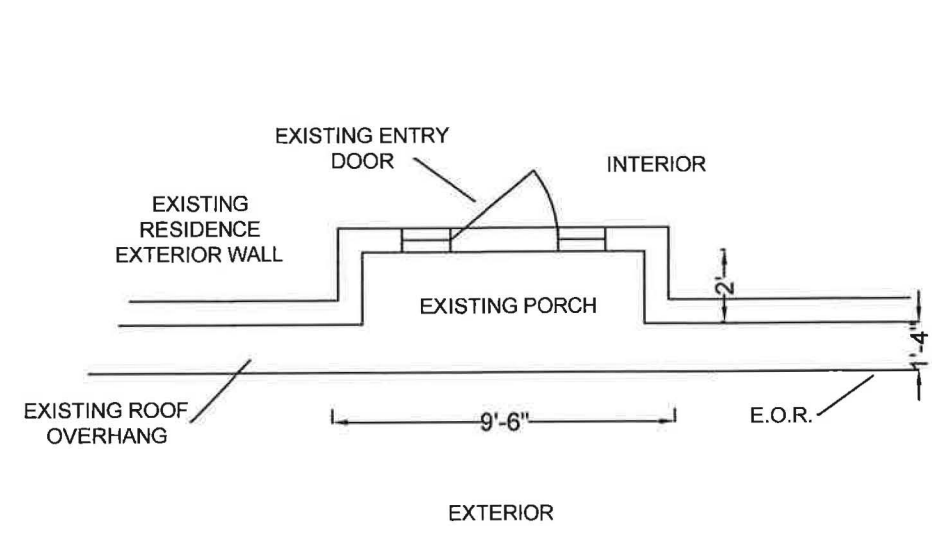


Applicable Codes
1. FLORIDA BUILDING CODE 2020 (7TH ED.)
2. ASCE 7-16
3. NEC 2017

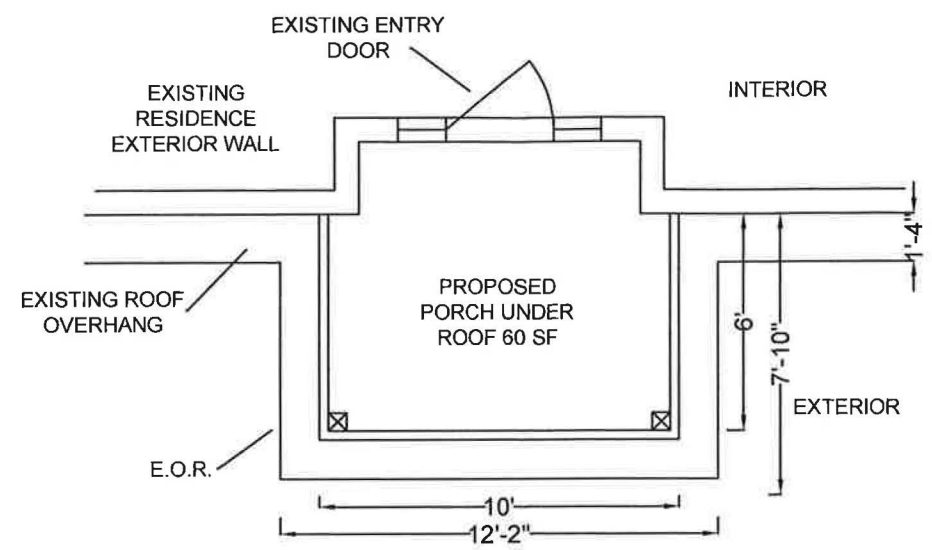
SCOPE OF WORK
1. PROVIDE APPROVED CONSTRUCTION PLANS AND DETAILS FOR PROPOSED PORCH UNDER ROOF.
2. STRUCTURAL AND ELECTRICAL INCLUDED.
3. CIVIL ASPECTS NOT INCLUDED.
4. COMPLY WITH REFERENCED CODES.

PROJECT:
PROPOSED PORCH UNDER ROOF
404 COLONY ST
MELBOURNE, FL

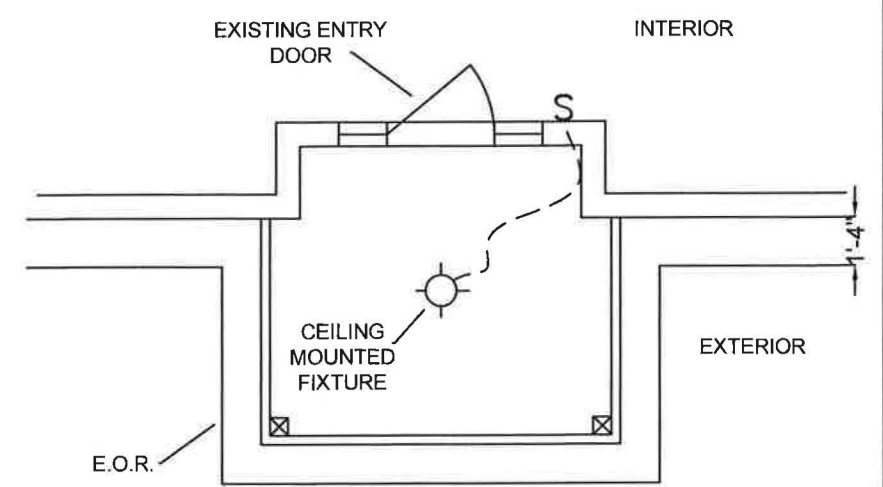
JOB #: 22049
DATE: 1-9-23
PAGE: A1



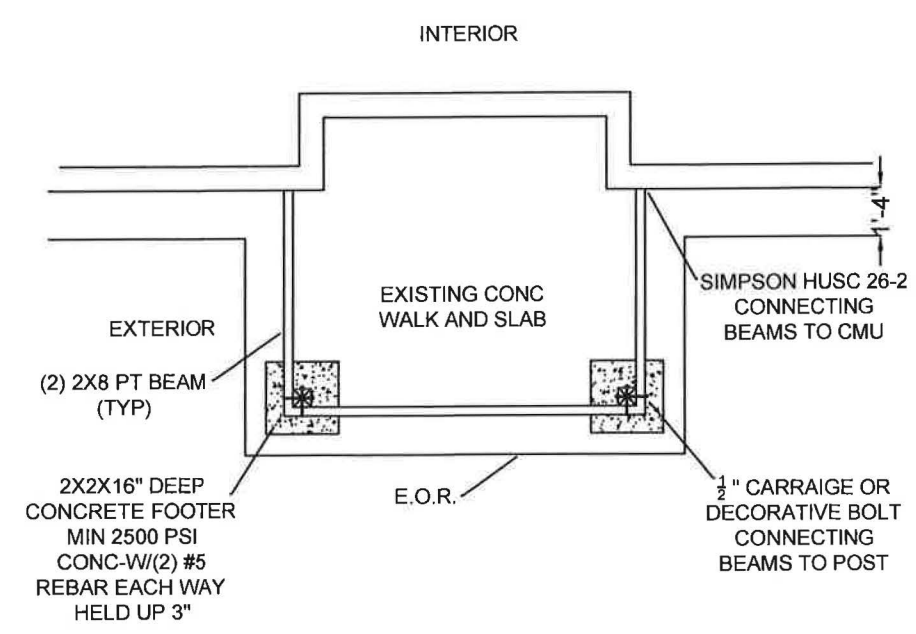
EXISTING FRONT PORCH PLAN
SCALE: 3/16" = 1'



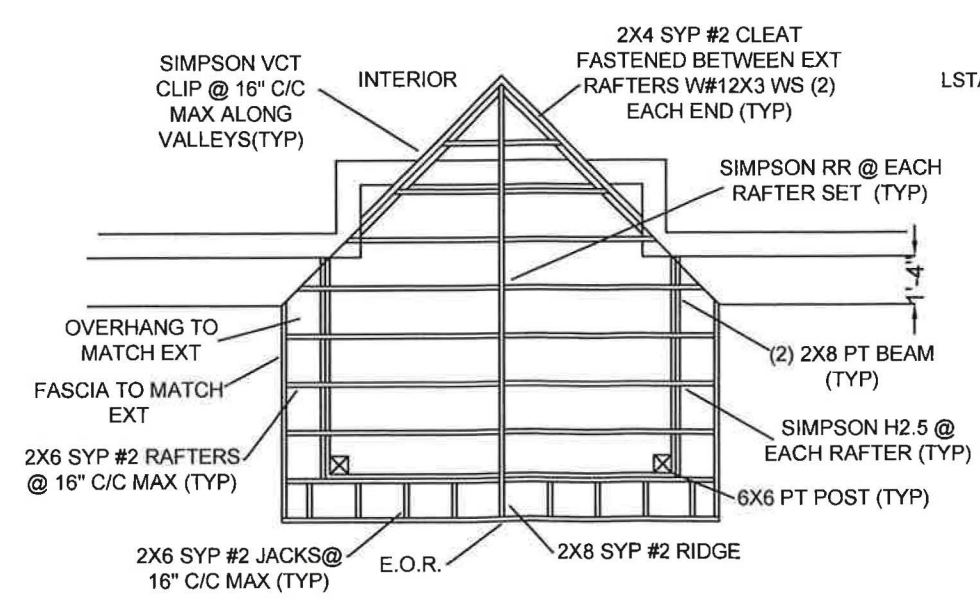
PROPOSED PORCH PLAN
SCALE: 3/16" = 1'



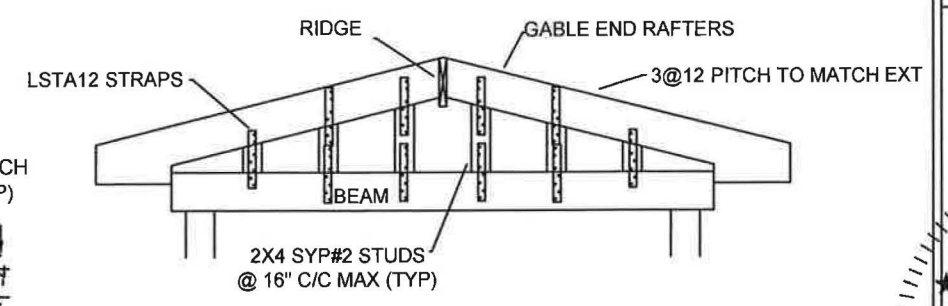
PROPOSED ELECTRIC PLAN
SCALE: 3/16" = 1'



PROPOSED FOUNDATION PLAN
SCALE: 3/16" = 1'



ROOF FRAMING PLAN
SCALE: 3/16" = 1'



GABLE FRAMING DETAIL
SCALE: NTS



SCES
STRUCTURAL & COASTAL ENGINEERING SERVICES, LLC

FBPE REGISTRY # 28736
1648 Taylor Road #7400
Port Orange, FL 32128
WWW.SCES.CO

GENERAL NOTES CONCRETE

1. ALL CONCRETE CONSTRUCTION, WORKMANSHIP AND MATERIAL SHALL COMPLY WITH THE REQUIREMENTS OF ACI 301 "SPECIFICATIONS FOR THE STRUCTURAL CONCRETE FOR BUILDINGS."
 2. ALL CONCRETE SHALL BE TYPE I OR II PORTLAND CEMENT COMPLYING WITH ASTM C150 AND SHALL HAVE A 28 DAY COMPRESSIVE STRENGTH SHOWN BELOW:

FOUNDATION SLAB AND BEAMS	2500 PSI
MASONRY GROUT	3000 PSI
OTHER	3000 PSI

3. ALL REINFORCING STEEL SHALL BE DEFORMED BARS CONFORMING TO ASTM A615, GRADE 40 BARS. BARS SHALL BE FREE OF COATING THAT WILL REDUCE CONCRETE BOND.
 4. ALL CONCRETE REINFORCEMENT SHALL BE DETAILED, FABRICATED, LABELED, SUPPORTED AND SPACED IN FORMS AND SECURED IN PLACE IN ACCORDANCE WITH ACI 315. "DETAILS AND DETAILING OF CONCRETE REINFORCEMENT."
 5. ALL BAR SPLICES, DOWELS AND CONCRETE COVERAGE SHALL MEET THE REQUIREMENTS OF ACI 318/318R "BUILDING CODE AND COMMENTARY FOR REINFORCED CONCRETE."
 6. CAST IN PLACE BEAMS SHALL HAVE CONTINUOUS TOP AND BOTTOM REINFORCEMENT. LAP SPLICES IN BOTTOM BARS SHALL OCCURE OVER SUPPORTS. TOP BARS SHALL LAP AT MID-SPAN.
 7. CONCRETE BEAMS AND SLABS SHALL BE FINISHED LEVEL AND TO ELEVATIONS SHOWN ON DRAWINGS.
 8. CALCIUM CHLORIDE SHALL NOT BE USED IN ANY FORM.
 9. UNLESS OTHERWISE PERMITTED OR SPECIFIED, CONCRETE SHALL BE PRODUCED TO HAVE A SLUMP OF 4" +/- 1".

ENGINEERING NOTES:

- THE FOUNDATION SHALL MEET ALL FLORIDA CODE REQUIREMENTS.
- REINFORCING BARS TO BE GRADE 40 WITH 25" LAP MINIMUM. (ASTM A-615)
- SLAB & FOUNDATION CONCRETE TO BE MIN 2500 PSI @ 28 DAYS.
- CEILINGS TO BE 1/2" STRUCTURAL DRYWALL.
- ALL MASONRY WALLS ARE TO BE CONSIDERED SHEARWALLS.
- CROSS REFERENCES BETWEEN "HUGHES", "SIMPSON", @ "SEMCO" IS ACCEPTABLE PROVIDED UPLIFT VALUES ARE SATISFIED.
- ANY CHANGES OR DISCREPANCIES IN THE PLANS MUST BE BROUGHT TO THE ATTENTION OF THE ENGINEER OR OWNER PRIOR TO CONSTRUCTION.
- DIMENSIONS SHOULD BE USED IN LIEU OF SCALING WHERE EVER POSSIBLE.
- ENGINEER CERTIFIES STRUCTURE ONLY.
- ALL WOOD IN CONTACT WITH THE GROUND OR EMBEDDED IN CONCRETE ARE TO BE PRESSURE TREATED.
- LUMBER FOR STRUCTURAL FRAMING SHALL BE #2 S.Y.P.
- ALL #2 S.Y.P. IN CONTACT WITH CONCRETE IS TO UTILIZE AN APPROVED MOISTURE/TERMITE BARRIER.
- NOTE: ALL TIE DOWN ANCHORS SHALL BE INSTALL IN A CONTINUOUS LOAD PATH FROM THE ROOF TO THE FOUNDATION.
- ADD ADDITIONAL STRAPS UP TO 3 TOTAL TO MEET UPLIFTS EXCEEDING 1490# DEDUCT 10% FROM UPLIFT VALUE IF MORE THAN ONE STRAP IS USED.

GENERAL NOTES FOR WOOD FRAME CONSTRUCTION:

- GF1 DESIGN PARAMETER
 (A) DESIGNED FOR 140 MPH WIND VELOCITY.
 (B) DESIGN LOADS:
 (1) ROOF LOADS: 10# DEAD LOAD 20# LIVE LOAD
- GF2 LUMBER EXPOSED TO WEATHER OR CONTACTING CONCRETE OR STEEL SHALL BE PRESSURE TREATED (P.T.)
- GF4 THE GENERAL CONTRACTOR SHALL COORDINATE ARCHITECTURAL, STRUCTURAL, ELECTRICAL, AND MECHANICAL WORK FOR ANCHORED, EMBEDDED, AND SUPPORTED ITEMS, WHICH AFFECT STRUCTURAL INTEGRITY. NOTIFY ENGINEER OF ANY DISCREPANCIES IMMEDIATELY PRIOR TO ANY CONTINUATION OF WORK.
- GF5 ANCHOR POSITIONS ARE +/- 1/2"
- GF6 STEEL IN CONTACT WITH P.T. LUMBER SHALL BE HOT DIPPED GALVANIZED OR STAINLESS STEEL.

ENGINEERING NOTES

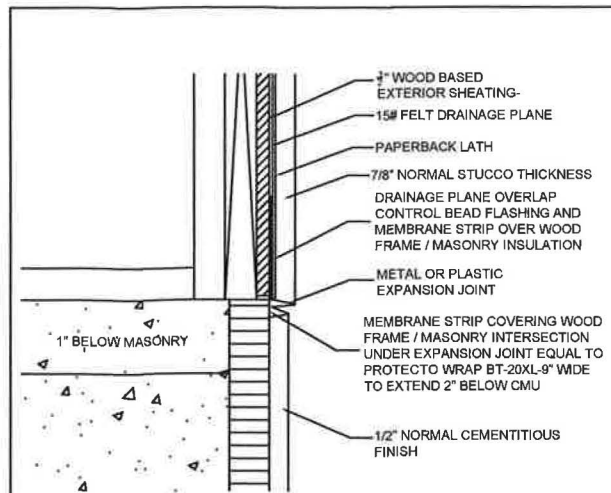
- CROSS REFERENCES BETWEEN "HUGHES", "SIMPSON", @ "SEMCO" IS ACCEPTABLE PROVIDED UPLIFT VALUES ARE SATISFIED.
- ANY CHANGES OR DISCREPANCIES IN THE PLANS MUST BE BROUGHT TO THE ATTENTION OF THE ENGINEER OR OWNER PRIOR TO CONSTRUCTION.
- DIMENSIONS SHOULD BE USED IN LIEU OF SCALING WHERE EVER POSSIBLE.
- ENGINEER CERTIFIES STRUCTURE ONLY.

GENERAL NOTES

- DESIGN AND LOADING:
 - ALLOWABLE UNIT STRESS AND DESIGN CRITERIA.
 - BUILDING CODE REQUIREMENTS FOR REINFORCED CONCRETE ACI 318
 - FLORIDA BUILDING CODE 2020
- SOIL:
 - NET ALLOWABLE SOIL BEARING PRESSURE USED IN DESIGN 2000 PSF (ASSUMED VALUE) FOR CONTINUOUS WALL FOOTINGS. THE EOR SHALL BE HELD HARMLESS IN THE CASE OF SOIL DEFICIENCIES DISCOVERED LATER
- CONCRETE AND REINFORCING:
 - ALL CONCRETE WORK SHALL BE IN ACCORDANCE WITH ACI 318 AND WITH SPECIFICATIONS FOR STRUCTURAL CONCRETE BUILDING ACI 301.
 - ALL CONCRETE SHALL DEVELOP MINIMUM COMPRESSIVE STRENGTH OF 3000 PSI IN 28 DAYS.
 - REINFORCING BARS SHALL CONFORM TO ASIM A615, A616 OR A617-GRADE 60
- ALL STRUCTURAL LUMBER SHALL BE #2 SYP. #2 GRADE OR BETTER SPF (ALL LUMBER EXPOSED TO WEATHER OR AGAINST SOIL, CONCRETE OR MASONRY SHALL BE PRESSURE TREATED).
- STEEL IN CONTACT WITH P.T. LUMBER SHALL BE HOT DIPPED GALVANIZED

LIVE LOADS:

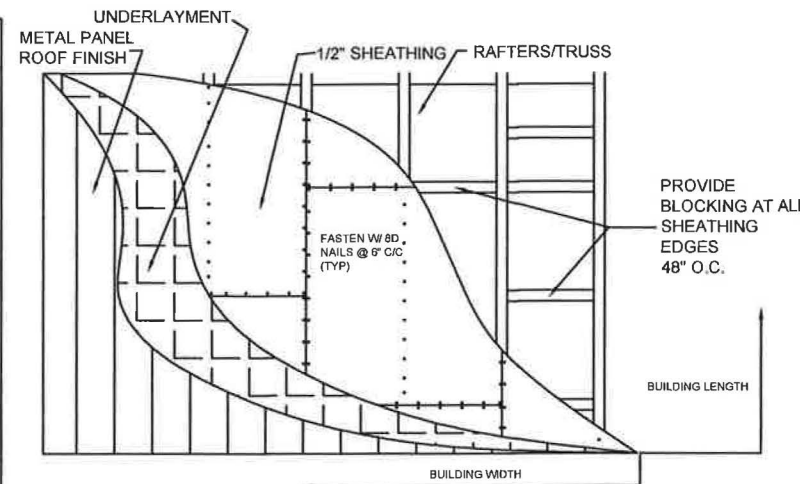
- UNINHABITABLE ATTIC WITHOUT STORAGE: 10PSF,
- UNINHABITABLE ATTIC WITH LIMITED STORAGE: 20PSF,
- HABITABLE ATTICS AND ATTICS SERVED WITH FIXED STAIRS: 30PSF,
- BALCONIES (EXTERIOR) AND DECKS: 40PSF,
- GUARDS AND HANDRAILS: 200PSF,
- GUARD IN-FILL COMPONENTS: 50PSF,
- PASSENGER VEHICLE GARAGES: 50PSF,
- ROOMS OTHER THAN SLEEPING ROOM: 40PSF,
- SLEEPING ROOMS: 30PSF,
- STAIRS: 40PSF. (FBC-RESIDENTIAL R301, TABLE R301.5)



EXTERIOR WALL FINISH TO BE PAINTED STUCCO FINISH COLOR & FINISH PER OWNER REQUIREMENTS FOR THE APPLICATION OF FULL THICKNESS PORTLAND CEMENT-BASED PLASTER FOR EXTERIOR (STUCCO) AND INTERIOR (IF REQUIRED) CLADDING ASSEMBLIES SHALL COMPLY WITH ASTM C926 AND ASTM C1063.

STUCCO DETAIL

SCALE: NTS

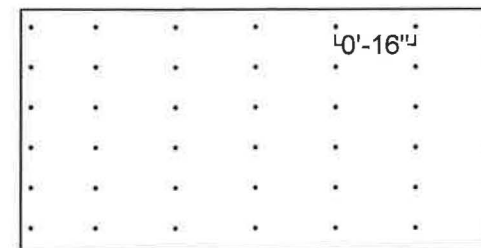


UNDERLAYMENT NOTE

- SLOPE ROOF UNDERLAYMENT TO BE PEEL & STICK UNDERLAYMENT (SELF-ADHERED) BY GRAF STORM GUARD OR APPROVED EQUAL. TO CONFORM TO SECTION 1507.1.1 OF THE 7TH EDITION (2020) FBC AND SECTION R905.1.1. OF THE 7TH EDITION (2020) FBCR
- (OR) SLOPE ROOF UNDERLAYMENT TO CONFORM TO SECTION 1507.1.1 OF THE 7TH EDITION (2020) FBC AND SECTION R905.1.1. OF THE 7TH EDITION (2020) FBCR

ROOF LAYERS

SCALE: NTS



ROOF/GABLE SHEATHING

SCALE: NTS

ROOF SHEATHING:
1/2" CDX PLYWOOD OR OSB

NAILING SCHEDULE:
8d RINGSHANK, 6" OC
4" OC @ GABLE

ENGINEERING NOTES:
 1. ENGINEERING MEETS OR EXCEEDS 2020 FLORIDA BUILDING CODE, RESIDENTIAL, PER SECTION R301, USING ASCE 7- 10, 140 mph BASIC WIND SPEED (Vult), RISK CATEGORY II, Vasd = 108 mph.
 2. EXPOSURE C
 INTERNAL PRESSURE COEFFICIENT = +_ 0.18

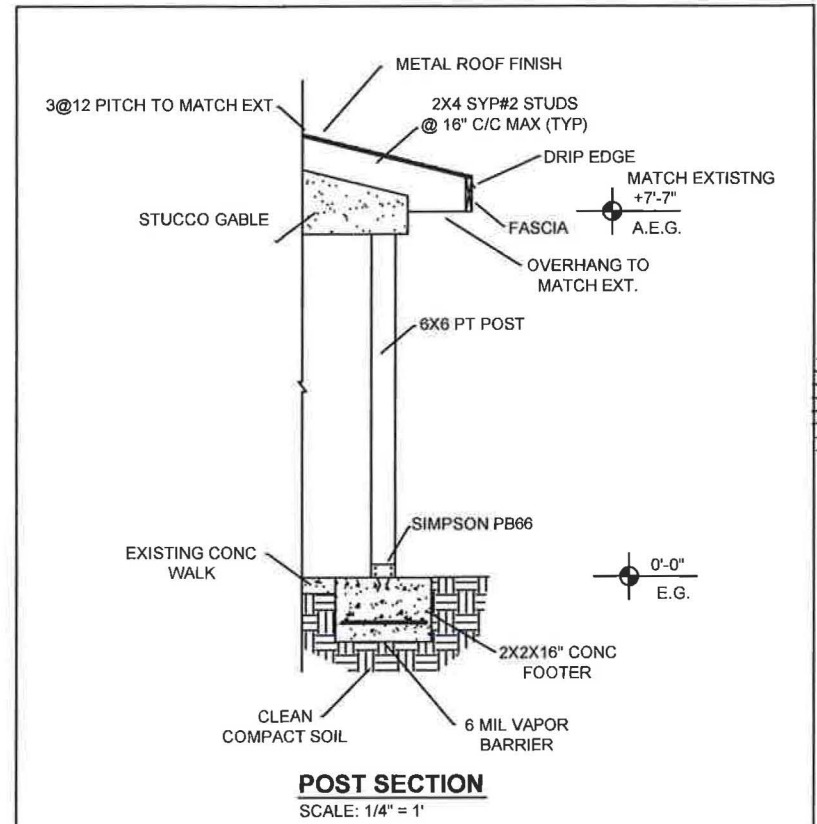
ROOF VENTILATION NOTES

The total net free ventilating area shall not be less than 1 to 300 of the area of the space ventilated, provided at least 50% and not more than 80% of the required ventilating area is provided by ventilators located in the upper portion of the space to be ventilated at least 3 feet above eave or cornice vents with the balance of the required ventilation provided by eave or cornice vents.

PORCH 60 SF / 300 = .02 SF VENT REQUIRED
 SUPPLY 4' OF COBRA RIDGE RUNNER VENTS OR RIDGE VENTS (LIKE EQUIVALENT) INSTALL AS PER MANUFACTURER'S SPECS

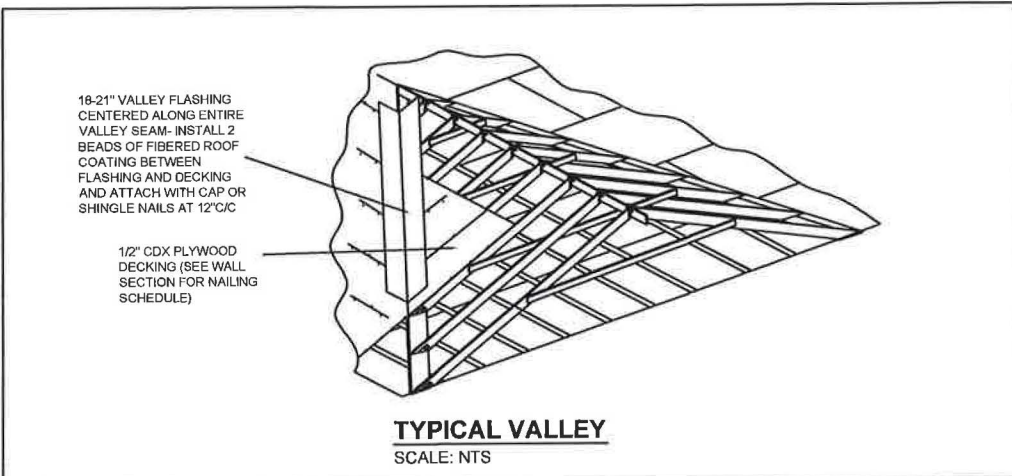
SOFFIT CALC.

WORST CASE WIND PRESSURE: -.89#/SF
 SOFFIT @ 16" 1.33X10FT=13.3'
 13.3'X-.89#=-1183.7#
 #10X1-1/4"=209# PULLOUT
 -1183.7# / 209# = 5.6 OR 6 SCREWS PER 10 LINEAR FEET
 USE #10X1-1/4" WS @ 1.5' C/C INSIDE & OUT TRACK OF SOFFIT
 TOTAL UPLIFT PRE 10 LINEAR FEET OF SOFFIT: -1183.7# WORST CASE
 PROVIDED 6 FASTENERS PER SIDE FOR TOTAL OF 12 PER 10 LINEAR FEET
 12 FASTENERS X 209# = -2,508# > -1183.7# F.S. = 2.1



POST SECTION

SCALE: 1/4" = 1'



TYPICAL VALLEY

SCALE: NTS

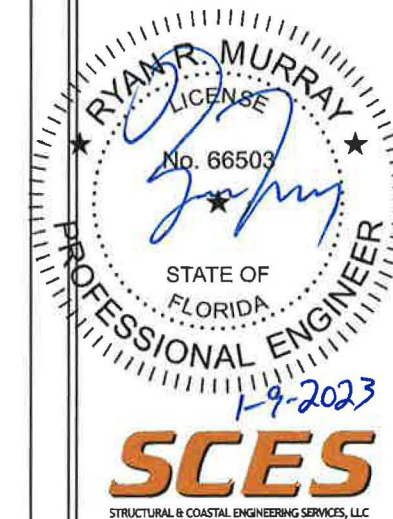


PROJECT:
 PROPOSED PORCH UNDER ROOF
 404 COLONY ST
 MELBOURNE, FL

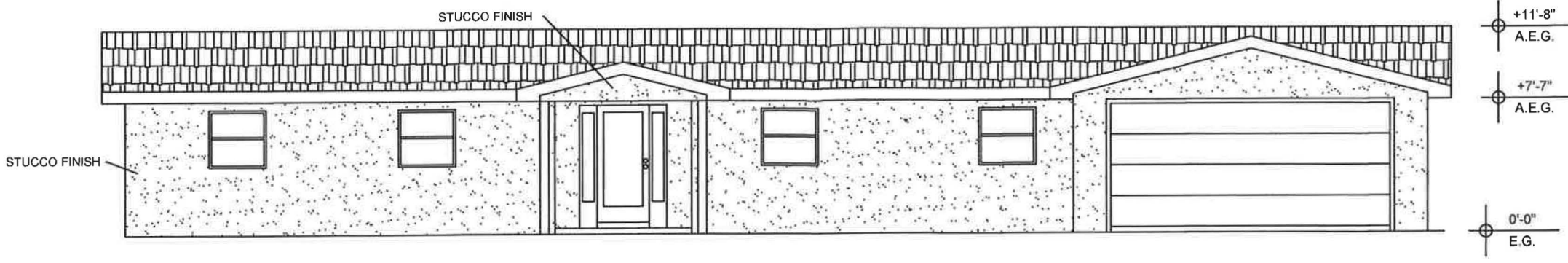
JOB #:22049

DATE: 1-9-23

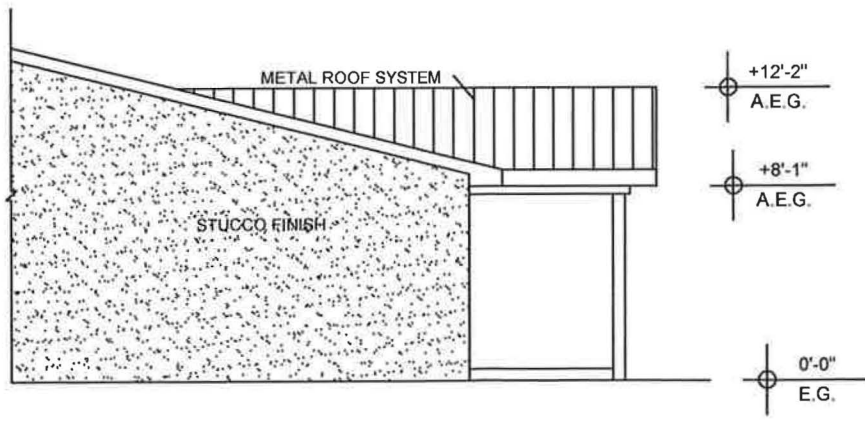
PAGE: A2



FBPE REGISTRY # 28736
 1648 Taylor Road #7400
 Port Orange, FL 32128
 WWW.SCES.CO



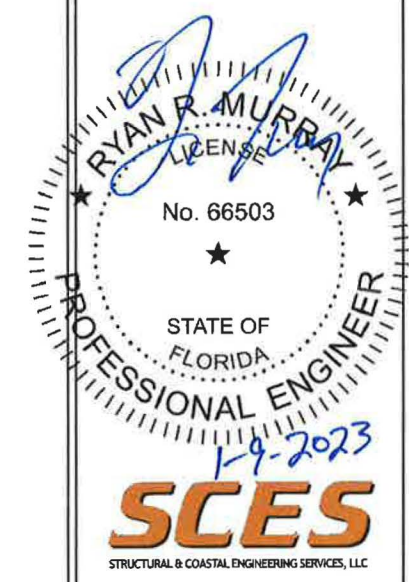
PROPOSED FRONT ELEVATION
SCALE: 1/8" = 1'



PROPOSED SIDE ELEVATION
SCALE: 1/8" = 1'

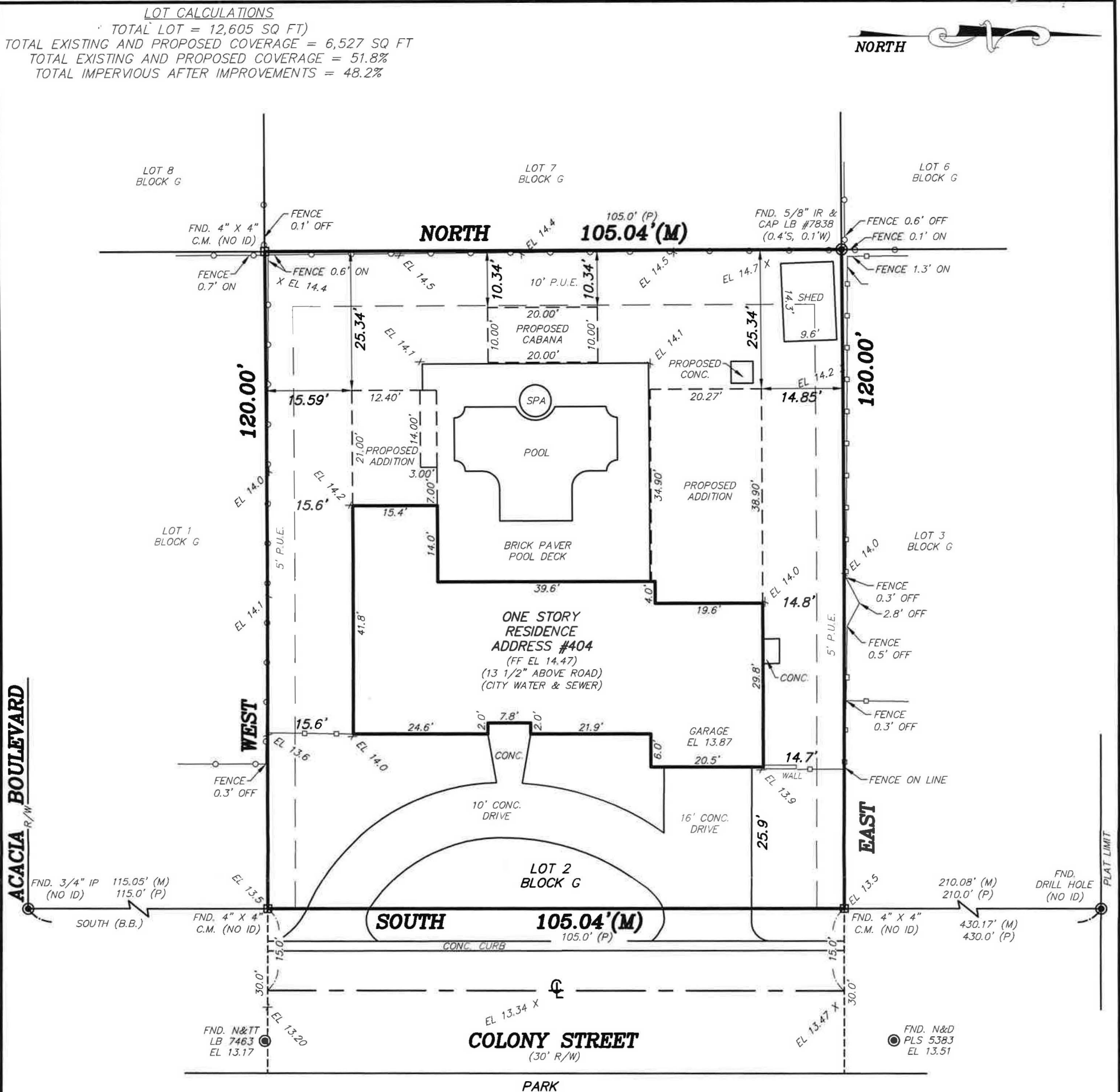
PROJECT:
PROPOSED PORCH UNDER ROOF
404 COLONY ST
MELBOURNE, FL

JOB #: 22049
DATE: 1-9-23
PAGE: A3



SCES
STRUCTURAL & COASTAL ENGINEERING SERVICES, LLC

FBPE REGISTRY # 28736
1648 Taylor Road #7400
Port Orange, FL 32128
WWW.SCES.CO



AAL LAND SURVEYING SERVICES, INC.

ACCORDING TO F.I.R.M. #12009C 0608 H, DATED JANUARY 29, 2021 THIS PROPERTY IS LOCATED WITHIN FLOOD ZONE X.

TYPE OF SURVEY:
BOUNDARY

SCALE: 1" = 20'

TOPOGRAPHIC: 08-12-21
PLOT PLAN: 03-12-21
FIELD DATE: 03-09-21

SECTION 06, TOWNSHIP 28 SOUTH, RANGE 38 EAST

PROJECT #44266

GENERAL NOTES:

- THIS SURVEY AND DRAWING HAS BEEN PREPARED TO CONFORM WITH APPLICABLE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTES.
- THIS SURVEY AND DRAWING IS FOR THE SOLE USE AND BENEFIT OF THE PARTIES NAMED HEREON AND FOR THE SPECIFIC PURPOSE AS NOTED, AND SHOULD NOT BE RELIED UPON BY ANY OTHER ENTITY, AND IS NOT TRANSFERABLE UNDER ANY CIRCUMSTANCES.
- THIS SURVEY IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE SEAL OF THE SURVEYOR, AND ANY REPRODUCTION OF THIS DRAWING WITHOUT WRITTEN PERMISSION OF THE SURVEYOR IS HEREBY FORBIDDEN.
- NO OPINION OF TITLE OR OWNERSHIP IS HEREBY EXPRESSED OR IMPLIED BY THE SURVEYOR.
- THIS SURVEY WAS PREPARED FROM INFORMATION FURNISHED TO THE SURVEYOR BY THE CLIENT, AND MAY BE SUBJECT TO EASEMENTS OR LIMITATIONS EITHER RECORDED OR IMPLIED.
- BEARINGS ARE BASED ON AN ASSUMED DATUM AND ON THE LINE SHOWN AS BEING THE BASIS OF BEARINGS.
- NO UNDERGROUND IMPROVEMENTS HAVE BEEN LOCATED UNLESS OTHERWISE SHOWN.
- ELEVATIONS, IF SHOWN, ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988, UNLESS OTHERWISE NOTED.
- "NO WELLS" AND "NO SEPTICS" ARE DEFINITIONS TO SHOW AN ATTEMPT BY THE SURVEYOR TO LOCATE POSSIBLE EXISTING WELLS AND SEPTICS, HOWEVER NONE WERE FOUND USING STANDARD SURVEY LOCATING EQUIPMENT.

3970 MINTON ROAD, WEST MELBOURNE, FL 32904 L.B. #6623
PHONE: (321)768-8110 FAX: (321)952-9771 EMAIL: frontdesk@aalsurvey.com

ANDREW W. POWSHOK
P.L.S. No. 5383

DANIEL D. GARNER
P.L.S. No. 6189

LEGEND	
(B.B.)	BEARING BASIS
B.S.L.	BUILDING SETBACK LINE
CB	CHORD BEARING
CH	CHORD LENGTH
CL	CENTERLINE
C.M.	CONCRETE MONUMENT
C.M.P.	CORRUGATED METAL PIPE
CONC.	CONCRETE
(D)	DEED
DELTA	DELTA
D.E.	DRAINAGE EASEMENT
EL	ELEVATION
EP	EDGE OF PAVEMENT
FF	FINISH FLOOR
FND	FOUND
IP	IRON PIPE
IR	IRON ROD
L	ARC LENGTH
LB	LICENSE BUSINESS
(M)	MEASURED
N&D	NAIL AND DISK
N&TT	NAIL AND TIN TAB
OHW	OVERHEAD WIRE
(P)	PLAT
PC	POINT OF CURVATURE
PLS	PROFESSIONAL LAND SURVEYOR
P.O.L.	POINT ON LINE
PP	POWER POLE
PT	POINT OF TANGENCY
P.U.	PUBLIC UTILITY
R	RADIUS
R.C.P.	REINFORCED CONCRETE PIPE
R/W	RIGHT OF WAY
XX.XX	PROPOSED GRADE



Commission approved 2/21/18 2yr term

TOWN BOARD VOLUNTEER APPLICATION
Town of Melbourne Beach
507 Ocean Avenue
Melbourne Beach, Florida 32951
Phone: (321) 724-5860 Fax: (321) 984-8994

- 1. Name: Steven M. Doles Home Phone: Don't Have!
- 2. Home Address: 323 AVE. A, Melbourne Bch., FL. 32951-2231
- 3. Mobile Phone: (863) 224-4779 E-mail address: Don't have!
- 4. Business Name: _____ Business Phone: _____
- 5. Resume or Education & Experience: Been on the History Board for years!
(Use additional sheets if necessary or submit resume)
- 6. Date of birth: 24 Jan., 1943 (to verify voter registration)
(optional)
- 7. Are you a qualified elector of the town? YES NO
- 8. Are you a resident of the town? YES NO
- 9. Do you reside in the town for at least ten (10) months of each calendar year? YES NO
- 10. Do you hold a public office? YES NO
- 11. Do you currently serve on a Town board? YES NO

If yes, which board? History Center Board

12. Please check the board(s) you are interested in serving on:
- | | |
|---|--|
| <input type="checkbox"/> Audit Committee | <input checked="" type="checkbox"/> History Center Board |
| <input type="checkbox"/> Board of Adjustment | <input type="checkbox"/> History Preservation and Awareness |
| <input type="checkbox"/> Civil Service Board | <input type="checkbox"/> Parks Board |
| <input type="checkbox"/> Code Enforcement Board | <input type="checkbox"/> Planning and Zoning Board |
| <input type="checkbox"/> Environmental Advisory Board | <input type="checkbox"/> Police Pension Fund Board of Trustees |

13. Why do you think you are qualified to serve on this board? Years of Experience!

14. Would you consider serving on another board other than the one(s) you have selected above?
 YES NO

Note: Persons appointed to certain town boards must file a financial disclosure form with the Brevard County Supervisor of Elections and Florida Commission on Ethics. If you have any questions, please call the Town Clerk's office at 724-5860.

Signature: Steve M. Doles

Date: Jan. 19, 2018



TOWN BOARD VOLUNTEER APPLICATION

Town of Melbourne Beach

507 Ocean Avenue

Melbourne Beach, Florida 32951

Phone: (321) 724-5860 Fax: (321) 984-8994

1. Name: ROBIN POTERSON ^{COU} Home Phone: 321-693-4364 ^{COU}
2. Home Address: 324 BANYAN WAY, MEL BCH 32951
3. Mobile Phone: see above E-mail address: RPOTERSON@AOL.COM
4. Business Name: ESTATE PLANNING & ESTATE LAW CANTON OF BREVARD Business Phone: 321/729-0087
5. Resume or Education & Experience: OVER 35 YRS SPECIALIZING IN
(Use additional sheets if necessary or submit resume) ESTATE PLANNING of
an ATTORNEY
6. Date of birth: 10/26/56 (to verify voter registration) (optional)
7. Are you a qualified elector of the town? YES NO
8. Are you a resident of the town? YES NO
9. Do you reside in the town for at least ten (10) months of each calendar year? YES NO
10. Do you hold a public office? YES NO
11. Do you currently serve on a Town board? YES NO
- If yes, which board? _____
12. Please check the board(s) you are interested in serving on:
- | | |
|---|---|
| <input type="checkbox"/> Audit Committee | <input type="checkbox"/> History Center Board |
| <input type="checkbox"/> Board of Adjustment | <input type="checkbox"/> History Preservation and Awareness |
| <input type="checkbox"/> Civil Service Board | <input type="checkbox"/> Parks Board |
| <input type="checkbox"/> Code Enforcement Board | <input type="checkbox"/> Planning and Zoning Board |
| <input type="checkbox"/> Environmental Advisory Board | <input checked="" type="checkbox"/> Police Pension Fund Board of Trustees |
13. Why do you think you are qualified to serve on this board? INTEREST + EXPERIENCE
IN INVESTMENT STRATEGIES. SERVED ON THIS BOARD FOR
INDIAN FLORIDA
14. Would you consider serving on another board other than the one(s) you have selected above?
 YES NO BOARD OF ADJUSTMENT

Note: Persons appointed to certain town boards must file a financial disclosure form with the Brevard County Supervisor of Elections and Florida Commission on Ethics. If you have any questions, please call the Town Clerk's office at 724-5860.

Signature: _____

Date: 12/7/22

Town Commission Agenda Item

Section: Public Hearing

Meeting Date: February 15, 2023

Subject: Proposed Ordinance 2023-01 (Landscaping and Trees Section 9A)

Submitted By: Town Attorney Repperger

Background Information:

On June 15, 2022, the Town Commission directed that Town Staff develop an Ordinance improving regulation regarding landscaping and trees.

On February 7, 2023, the Planning and Zoning Board/LPA continued its consideration of the proposed ordinance to March 7, 2023

Summary of Proposed Ordinance Amendments:

- Amends Section 9A-4 to require permitting, removal standards, and exempt trees posing and unacceptable risk in accordance with Florida Law.
- Amends Section 9A-5 to regarding number of tree removal plans required.
- Amends Section 9A-6 to provide for dimensions for replacement trees.
- Amends Section 9A-7 to revise minimum tree plantings for new construction.
- Amends Section 9A-10 to provide for clarified exemptions in accordance with State Law.
- Amends Section 9A-12 to provide for enhanced penalties for mature tree removal without a permit.
- Amends Section 7A-53 to allow for fences/walls extending beyond the front building line on residential lots abutting A1A and Oak Street south of Ocean Avenue to be erected to a maximum height of six (6) feet with required plantings and corner lot limitations.
- Amends Section 7A-53 to clarify references to fences and walls.
- Amends Section 7A-58 to clarify references to fences and walls.

Attachments:

- Draft Ordinance 2023-01.
- Minutes from Town Commission Meeting of June 15, 2022
- Email from Town Planner Corey O’Gorman regarding additional considerations.

ORDINANCE NO. 2023-01

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 SECTION 9A-5, APPLICATION FOR PERMIT; REVIEW OF APPLICATION; 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.

WHEREAS, the Town of Melbourne Beach desires to amend the Land Development Code of the Town of Melbourne Beach regarding Landscaping and Trees and Fences and Walls within the Town of Melbourne Beach; and

WHEREAS, the Town Commission of the Town of Melbourne Beach, after duly noticed public hearings, has determined that the amendments various sections of Chapter 9A and Section 7A-53 of the Land Development Code proposed in this Ordinance will provide for the improved regulation of required Landscaping and Trees and Fences and Walls in the Town of Melbourne Beach; and

WHEREAS, the Town Commission of the Town of Melbourne Beach, after duly noticed public hearings, has determined that the amendments to various sections of Chapter 9A and Section 7A-53 of the Land Development Code proposed in this Ordinance are consistent with the Comprehensive Plan, are in the best interests of its citizens of the Town of Melbourne Beach, and promote the general health, safety, and welfare of the residents of the Town of Melbourne Beach; and

WHEREAS, on February 7, 2023 the Planning and Zoning Board/Local Planning Agency (collectively the “LPA”) at a duly noticed public hearing, reviewed and considered the proposed

amendments to Chapter 9A and Section 7A-53 of the Land Development Code and took public comment regarding the same; and

WHEREAS, the LPA has determined that the proposed amendments to Chapter 9A and Section 7A-53 of the Land Development Code are consistent with the Town’s Comprehensive Plan and are in the best interest of the Town of Melbourne and has recommended that the Town Commission approve of the same.

NOW, THEREFORE, BE IT ENACTED BY THE TOWN OF MELBOURNE BEACH, FLORIDA:

SECTION 1. That Article I, Chapter 9A, of Appendix “A,” of the Town Code of the Town of Melbourne Beach, Florida, Land Development Code, is hereby amended to read as follows:

* * *

§9A-4. PERMIT REQUIRED FOR CUTTING DOWN TREE.

No person, organization, society, association or corporation, or any agent or representative thereof, directly or indirectly, shall cut down, destroy, remove, move or effectively destroy through damaging any tree situated on property in any zoning district without first obtaining a permit as herein provided. Tree removal on any property in any zoning district shall be in accordance with the standards mandated in the most recent edition of the Best Management Practices - Tree Risk Assessment published by the International Society of Arboriculture or a certification from an arborist certified by the International Society of Arboriculture or a Florida licensed landscape architect as to substantial compliance with such standards. A Town tree removal permit is not required for the removal of any tree which poses an unacceptable risk pursuant to Fla. Stat. Sec. 163.045 or as such section may be amended.

§9A-5. APPLICATION FOR PERMIT; REVIEW OF APPLICATION.

(a) Application. Permits for removal, relocation, or replacement of trees covered herein, shall be obtained by making application for a permit to the Building Official. The application shall be accompanied by a written statement indicating the reason for removal, relocation, or replacement of trees and ~~four~~ two copies of a legible site plan drawn to a minimum scale of one inch equals 20 feet, indicating the following:

- (1) Location of all existing or proposed structures, improvements, and sites used, properly dimensioned and referenced to property lines, setback, and yard requirements;
- (2) Location of existing or proposed utility services, when known;
- (3) The location of all trees on the site designating the trees to be retained, removed, relocated, or replaced. Groups of trees in close proximity may be designated as clumps of trees with the predominant type and estimated number and average diameter noted. Only those trees to be removed, relocated, or replaced must be named (common or botanical name) on the site plan;

(4) The tree information required above shall be summarized in legend form on the plan and shall include the reason for the proposed removal, relocation, or replacement; and

(5) An application involving developed properties may be based on drawings showing only that portion of the site directly involved, and adjacent structures and landscaping or natural growth incidental thereto.

(b) Application review. Upon receipt of a proper application, the Building Official shall review the application, which will include a field check of the site and referral of the application to others concerned as necessary, to determine any adverse effect upon the general public welfare, adjacent properties, or Town services and facilities.

§9A-6. ON-SITE INSPECTION.

(a) On-site inspection. Prior to the issuance of a permit for tree removal or relocation, the Building Official or his agent shall conduct an on-site inspection to determine whether or not such a removal or relocation conforms to the requirements of this chapter.

(b) Issuance.

(1) Removal. No permit shall be issued for tree removal unless one of the following conditions exists:

a. The tree is located in a buildable area or yard where a structure or improvements may be placed and it unreasonably restricts the permitted use of the property;

b. The tree cannot be relocated on or off the site because of age, type, or size of tree;

c. The tree is diseased, dead, injured, in danger of falling, too close to existing or proposed structures, interferes with utility service, creates unsafe vision clearance, or conflicts with other ordinances or regulations; or

d. It is in the welfare of the general public that the tree be removed for a reason other than set forth above.

(2) Relocation or replacement. As a condition to the granting of a permit, the applicant may be required, where practical, to relocate the tree being removed or be required to replace the tree being removed with a tree somewhere within the site of the type that will attain an overall height of at least ~~15~~ twelve feet (12') and have a trunk caliper of at least two inches (2") at planting, measured ~~six inches~~ four and one half feet (4.5') above grade. The green areas left after all building and parking lot requirements have been met shall contain a tree density equal to or greater than that existing on the overall site before the beginning of construction.

§9A-7. MINIMUM TREE PLANTINGS.

(a) Trees in residential zoning districts. ~~A minimum of three trees must exist or must be planted on each newly developed residential lot.~~ Trees planted must be of a variety which is compatible with the existing soil and drainage-conditions and must be provided with adequate water and food materials to encourage growth. Trees shall be planted in locations so as not to cause danger to nor interference with existing structures at the time of maturity.

(b) Buffer and tree planting requirements for all non-residential and multiple family residential uses.

(1) A landscape buffer with a minimum of ten feet in width shall be provided between any residentially zoned property and a property utilized for a non-residential or multiple family residential use. Responsibility for providing a landscape buffer shall be upon the nonresidential or multifamily use. The landscape buffer shall include a minimum of one canopy tree for every 40 linear feet, or fraction thereof. In addition one ornamental tree or palm shall be planted for each 50 linear feet, or fraction thereof.

(2) A landscape buffer with a minimum of ten feet in width shall be provided along all road frontage of the site. The landscape buffer shall include a minimum of one canopy tree for every 25 feet of frontage, or fraction thereof.

(3) A continuous hedge shall be planted in all perimeter landscape buffer areas.

(4) Parking areas shall be designed so that there is a minimum of 200 square feet of open space, not including perimeter landscape buffer areas, at the end of each row of parking. In addition a minimum of 200 square feet of open space shall be provided in the interior of the parking lot for each ten parking spaces, or fraction thereof. These open spaces shall be distributed throughout the parking lot in a manner that no more than ten parking spaces in a row shall be allowed without an intervening landscaped area.

(5) Minimum specifications for trees and hedge material shall be as follows:

a. Canopy trees at the time of planting shall have a trunk diameter of two inches measured four and one-half feet above ~~the ground grade~~. The trees shall be a minimum of eight feet in height and have a minimum spread of five feet. The trees are not required to be spaced evenly along property lines.

b. Ornamental trees at the time of planting shall have a trunk diameter of one and one-half inches measured four and one-half feet above ~~the ground grade~~. The trees shall be a minimum of six feet in height and have a minimum spread of four feet.

c. Palms at the time of planting shall have a minimum clear trunk of eight feet.

d. Hedge material at the time of planting shall be a minimum of 18 inches in height when planted. Individual plants shall be planted a maximum of 24 inches on center.

(6) All plant material shall be Florida Number 1 in quality and shall be planted according to sound landscape installation standards.

(7) All landscaping shall be maintained to present a neat and orderly appearance. Dead, deteriorating or missing landscape material shall be replaced with substantially equivalent landscaping as permitted by the Land Development Code. Replacement of landscaping material shall occur within 60 days, unless said time is extended by the Town Manager for good cause shown.

(8) Exceptions shall be considered on an individual basis when obstacles such as overhead power lines or other conditions inhibit the ability to comply.

(9) Canopy trees shall be those that develop a crown spread of 25 feet or greater at maturity. Trees with less than 25 feet of crown spread at maturity shall be considered ornamental trees.

(10) Clusters of three palms shall be an acceptable substitute for up to 50% of the required canopy trees and 50% of the required ornamental trees.

(11) Landscape material should be drought tolerant to the extent practical and feasible. A water source shall be available to ensure the plant material can be watered while it is being established and during drought occurrence. Automatic irrigation systems may be utilized.

(12) Currently developed sites that do not meet the landscape requirements will not be considered non-conforming. Landscaping consistent with the regulations shall be installed at these sites, to the extent practical, as redevelopment occurs. Unless complete reconstruction or rehabilitation that results in closure of a building or buildings for a period of over six months occurs, full compliance with this section shall not be required.

(c) Minimum replacement standards for new construction. Any trees that are removed for new construction shall be replaced by the same or similar species. Specifically for mature oak trees, replacement of one (1) similar species for each tree removed shall be required which at a minimum will attain an overall height of at least twelve feet (12') and have a trunk caliper of at least two inches (2") at planting, measured six inches four and one half feet (4.5') above grade.

* * *

§9A-10. EXCEPTIONS.

(a) In the event that any tree shall be determined to pose an unacceptable risk as provided for in § 9A-4 or to be in a hazardous or dangerous condition so as to endanger the public health, welfare or safety and requires immediate removal without delay, ~~authorization may be given by the Public Works Department, and the such tree may removed without first~~ obtaining a written permit as herein required. ~~Such authorization shall be given in writing.~~

(b) During a period of emergency, such as a hurricane, tropical storm, flood, or any other act of God, the requirements of this Article may be waived by the Town Commission.

(c) All licensed plant or tree nurseries shall be exempt from the terms and provisions of this Article only in relation to those trees planted and growing on the premises of the licensee, which are so planted and growing for sale or intended sale to the general public in the ordinary course of the licensee's business.

(d) The types of trees included on the current Florida Noxious Weed List and Florida Exotic Pest Council's List of Invasive Plant Species shall be exempt from the terms and provisions of this article and shall not be used to meet any replacement or planting requirements.

* * *

§9A-12. PENALTY.

The improper removal of each tree shall constitute a separate offense under this chapter. Violation of this chapter and imposition of the penalty shall be determined and imposed by the Code Enforcement Board Special Magistrate or by a court of proper jurisdiction.

Removal of any mature oak or similar trees without first obtaining a permit from the Town as required in § 9A-4 shall constitute prima facie evidence of a violation which is irreparable or irreversible in nature for the purposes of enhanced fine assessment provided for in §11-21(b)(1) or as otherwise amended.

* * *

SECTION 2. That Article IV, Chapter 7A, Section 7A-53, of Appendix "A," of the Town Code of the Town of Melbourne Beach, Florida, Land Development Code, is hereby amended to read as follows:

§7A-53. FENCES AND WALLS.

* * *

- (2) Fence/wall height - all zoning districts except as otherwise provided.
 - a. Fences/walls on rear property lines may be erected up to a maximum height of six (6) feet.
 - b. Fences/walls on interior side lot lines may be erected up to a maximum height of six (6)feet from the rear property line up to the front building line.
 - c. Portions of fences/walls that extend beyond the front building line may be erected up to a maximum height of four (4) feet, except that on residentially zoned lots abutting State Road A1A

and Oak Street south of Ocean Avenue fences/walls that extend beyond the front building line may be erected up to maximum height of six (6) feet. For any fence/wall installed on any lot beyond the front building line on or after March 16, 2023, any portion of the fence/wall running parallel to any right-of-way frontage shall have no less than four feet (4') of vegetation planted on the right-of-way side of the fence/wall.

d. Fences/walls on corner side lot lines may be erected up to a maximum height of six (6) feet from the rear property line up to the front building line.

e. Portions of fences/walls on corner side lot lines that extend beyond the front building line may be erected up to a maximum height of four (4) feet, except that on residentially zoned lots abutting State Road A1A and Oak Street south of Ocean Avenue fences/walls that extend beyond the front building line may be erected up to maximum height of six (6) feet. For any fence/wall installed on any lot beyond the front building line on or after March 16, 2023, any portion of the fence/wall running parallel to any right-of-way frontage shall have no less than four feet (4') of vegetation planted on the right-of-way side of the fence/wall. Any fence/wall installed on any corner side lots that extend beyond the front building line must meet the sight triangular clearance requirements of §7A-53(4) and §7A-58 as may be amended.

f. Chain link fences, to a maximum height of ten (10) feet, may be erected around tennis courts. The fences may be erected on the property line, behind the front building line, or on the rear property line, if the fence does not encroach upon any easements, rights-of-way, or similar encumbrances.

g. Ornamental entrances, fountains, plant containers, and similar architectural features exceeding the wall height restriction will be permitted, provided that:

i. No such feature shall exceed in height the wall height restriction for that district plus one (1) foot; and

ii. There shall be only one such feature in any front, side or rear yard, except that there may be two (2) entrance gates.

(3) Fence/wall height measurement. The required fence/wall height is measured from the finished grade of the land where the fence/wall is located prior to berming or placement of fill in excess of that required by the Code of Ordinances, to the highest point of the fence/wall, including posts and ornamental and architectural features. A survey prepared by a licensed Florida mapper and surveyor with reference elevations shall be submitted with all wall and fence permit applications. Fence/wall height shall be measured from the surveyed elevation prior to placement of fill.

(4) Vision clearance at corners. Fences/walls on corners lots shall not be located within the triangular clearance area formed by lines that are measured from the point of intersection of the rights-of-way a distance of 25 feet, along the lot lines, parallel to each street and the line that connects the endpoints of the two lines measured from the point of intersection of the rights-of-way.

(5) Maintenance. All fences/walls shall be continuously maintained in a good and non-deteriorated condition, free of graffiti, peeling or blistering paint, broken or missing boards or posts, broken concrete block masonry, and the like.

(6) Submission of plans and building permits. Plans showing the exact location of all walls, fences, and hedges, and the proposed height, construction, and materials to be used, shall be submitted to the Building Official for approval, and the issuance of a permit for same upon payment for the permit. Termite and rot-resistant durable wood or rust and corrosion resistant material (or finish) shall be used.

(7) ~~Fencing~~ Enclosing of easements, rights-of-way, and sidewalks.

(a) In the event a lot owner fences or encloses any utility easement, as a condition of any fence/wall permit, the lot owner agrees and understands that utilities, rights-of-way, and sidewalks may need repair, maintenance, installation or removal, from time to time, and that to do so it may be necessary for utility companies or public and governmental agencies, or their respective employees, agents, or independent contractors, to remove certain portions of a lot owner's fence/wall. The lot owner/occupant agrees as a permit condition to hold harmless the Town, any other governmental agencies, and any utility company, and their respective employees, agents, officials, and independent contractors, in both their official and individual capacities, from any costs related to fencing/walls or damages to fencing/walls arising from removal, repair, installation or maintenance of any utilities, rights-of-way, sidewalks or fences/walls. As used in this paragraph, the term utilities shall include cable television companies.

(b) Prior to issuance of a building permit for a fence or wall constructed on an easement or right-of-way the property owner shall sign an affidavit stating agreement with the conditions of this section.

(8) Installation. Fencing/walls shall be installed in such a manner as not to detract from the value of the adjoining residential property; in particular, the fence/wall shall have the finished side face the adjoining property. Walls and fences shall be installed abutting the property line in such a manner that they are located entirely on the property of the owner of the structure.

(9) Fences/walls abutting beach or river access way or rights-of-way. Fences/walls up to a height of six (6) feet are allowed adjacent to and abutting any public or private motor vehicle or pedestrian access or right-of-way connecting to the Indian River Lagoon or the beach along the Atlantic Ocean. Said fence/wall may be located forward of the front building line; provided that said fence shall not be of a chain-link type. All of said fence/wall shall be setback a minimum of five (5) feet from any right-of-way line.

* * *

SECTION 3. That Article IV, Chapter 7A, Section 7A-58, of Appendix “A,” of the Town Code of the Town of Melbourne Beach, Florida, Land Development Code, is hereby amended to read as follows:

§7A-58. VISION CLEARANCE AT CORNERS.

Vision clearance at corners. Fences/walls on corner lots shall not be located within the triangular clearance area formed by lines that are measured from the point of intersection of the rights-of-way a distance of 25 feet, along the lot lines, parallel to each street and the line that connects the endpoints to the two lines measured from the point of intersection of the rights-of-way.

SECTION 4. Severability/Interpretation Clause.

(a) In the event that any term, provision, clause, sentence or section of this Ordinance shall be held by a court of competent jurisdiction to be partially or wholly unenforceable or invalid for any reason whatsoever, any such invalidity, illegality, or unenforceability shall not affect any of the other or remaining terms, provisions, clauses, sentences, or sections of this Ordinance, and this Ordinance shall be read and/or applied as if the invalid, illegal, or unenforceable term, provision, clause, sentence, or section did not exist.

(b) In interpreting the provisions of this Ordinance, the following rules and symbols shall apply:

- (1) Words underlined are additions to existing text.
- (2) Words ~~stricken through~~ are deletions from existing text.
- (3) Asterisks (* * *) indicates a deletion from the Ordinance of text existing in the Code of Ordinances. It is intended that the text in the Code of Ordinance denoted by the asterisks and not set forth in this Ordinance shall remain unchanged from the language existing prior to adoption of this Ordinance.

SECTION 5. Codification. The provisions of this Ordinance shall be codified as, and become and be made a part of, the Town of Melbourne Beach Code of Ordinances. The sections of this Ordinance may be renumbered or re-lettered to accomplish such intention.

SECTION 6. Ordinances and Resolutions in Conflict. All ordinances or resolutions or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 7. Effective Date. This Ordinance shall become effective upon adoption.

SECTION 8. Adoption Schedule.

PASSED by the Town Commission of the Town of Melbourne Beach on first reading on the 16th day of February, 2023, and ADOPTED by the Town Commission of the Town of Melbourne Beach, Florida, on final reading on the 16th day of March, 2023.

TOWN OF MELBOURNE BEACH, FLORIDA

By: _____
WYATT HOOVER, Mayor

ATTEST:

(TOWN SEAL)

Amber Brown,
Town Clerk

Town of Melbourne Beach
REGULAR TOWN COMMISSION MEETING
JUNE 15, 2022 at 6:00 p.m.
COMMUNITY CENTER – 509 OCEAN AVENUE

MINUTES

Commission Members:

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

Staff Members:

Town Manager Elizabeth Mascaro
Town Attorney Cliff Repperger
Finance Manager Jennifer Kerr
Building Official Robert Bitgood
Fire Chief Gavin Brown
Police Chief Melanie Griswold
Public Works Director Tom Davis
Interim Town Clerk Amber Brown

1. Call to Order

Mayor Wyatt Hoover called the meeting to order at 6 p.m.

2. Roll Call

Interim Town Clerk Amber Brown conducted roll call

Commission Members Present

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

Staff Members Present

Town Manager Elizabeth Mascaro
 Town Attorney Clifford Repperger
 Finance Manager Jennifer Kerr
 Building Official Robert Bitgood
 Fire Chief Gavin Brown
 Police Chief Melanie Griswold
 Public Works Director Tom Davis
 Interim Town Clerk Amber Brown

Commission Members Absent

None

3. Pledge of Allegiance and Moment of Silence

Mayor Wyatt Hoover led the Pledge of Allegiance

4. Presentation

- A. Police Chief Melanie Griswold presented Officer Leon Bennett with the Meritorious Service Award.

5. 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.

Mike Slaughter
321 Ocean Ave

Mike Slaughter stated he is here representing the Melbourne Beach Rotary Club to provide a donation of money to the Fire Department. The Fire Department is in need of the Scott RIT pack fast attack system which is used to help save firefighters in a burning building. The funds were raised on Founder's Day.

Ali Dennington
413 Surf Rd

Ali Dennington stated Amber is doing a great job on the minutes. She asked if there is anything the Commission can do for the parents who want to volunteer at the school because they have to drive to Viera to take a computer-based test. Ali asked about getting Town emails for interns to make sure nothing is lost.

Mayor Wyatt Hoover stated the School Board is in Viera which is probably why they do it there, but we can look into it.

Jude Wilson
526 Sunset

Jude Wilson stated she brought pictures of the median on Sunset. She stated these pictures are from a couple different days when it rained. She asked for public works to continue cutting the curb to allow the rain to drain. She stated she had engineers go to her house and they stated the street was built higher than her lot. Jude asked the Commission to look into this more as this is an infrastructure problem.

Sheila Tyre
532 Sunset

Sheila Tyre stated she also has concerns about Sunset Blvd possibly because of flooding. She thought years ago there was a baffle system to help drain water down towards the river. She asked if there is a baffle system there and if it is working. Sheila stated she is fine without the curb, but now it looks funny with only sections of the curb cut out. What about taking out the whole curb. She stated water control is more important than esthetics

Mayor Wyatt Hoover stated this is an ongoing project where steps are being taken and they assess the results before proceeding. He stated they will continue to look into it.

Town Manager Elizabeth Mascaro stated there was a baffle system installed, but she does not know what its current status is.

Todd Shier
1708 Atlantic St

Todd Shier asked what the definition of recovery funds that were mentioned and if we have any in the budget and what amount.

Mayor Wyatt Hoover stated that the funds mentioned are the ARPA funds which is the American Recovery Plan Act. ARPA funds were provided to the municipalities from the Federal Government based on the stimulus plan. The 1.8 million ARPA dollars in the budget are restricted by the Federal Government on how the funds can be used.

Todd Shier asked where he can find the Federal restrictions.

Finance Manager Jennifer Kerr stated on their website, treasury.gov.

6. Approval of the Agenda

Commissioner Corey Runte moved to approve the Agenda; Commissioner Sherri Quarrie seconded; Motion carried 5-0.

7. Consent Agenda

- A. Approval of Special Town Commission Meeting minutes for June 1, 2022
- B. Approval of Regular Town Commission Meeting minutes for May 18, 2022
- C. Approval of Regular Town Commission Meeting minutes for April 20, 2022
- D. Approval of the site plan for 309 Fifth Ave
- E. Approval of the site plan for 527 Sunset Blvd

Jude Wilson
526 Sunset Blvd

Jude Wilson stated that 527 Sunset is a tear-down property that was recently purchased. They are planning to build a pool and pave the front lawn in order to build a driveway. She stated they are at least four inches above her property, the road is lower, and the median is overflowing and her property is on the other side. At this time she asked if the Commission is about to approve a site plan which includes building a pool that will drain directly in front of her house.

Mayor Wyatt Hoover stated any site plan goes through a rigorous review in the building department. The Commission does not have the authority to prohibit any construction that is allowed per our Code. Any new construction is subject to the new stormwater requirements which is six inches in twenty four hours.

Commissioner Corey Runte stated not only does the Building Official review the fully engineered drawings, but they also go through the consulting engineers and planning and zoning for approval then it goes to the Commission.

Jude Wilson asked who is responsible for the water when it comes from the median.

Mayor Wyatt Hoover stated the drainage situation on Sunset is under review and is an ongoing project that is being worked on to improve it.

Vice Mayor Joyce Barton moved to approve the Consent Agenda; Commissioner Corey Runte seconded; Motion carried 5-0.

8. Old Business

- A. Discussion on Brevard County's Code of Ordinances allowing a second kitchen for single-family residences

Town Manager Elizabeth Mascaro stated the Commission asked her to look at the ordinances for the county regarding multigenerational kitchens. Provided the code

from Brevard County which allows for a second kitchen and the code for guest houses; the other document is from the Property Appraisers Office which allows families to get an additional tax benefit for having a grandparent suite. The kitchen seems to be the common denominator with other municipalities to be a single family.

Mayor Wyatt Hoover reviewed the background to this item. Planning and Zoning asked for a more detailed definition of kitchen. The purpose was to prevent having more than one living space on a single-family property, with the intent to prevent vacation rentals. Unfortunately the State legislature has prevented almost all chances of regulating vacation rentals in any capacity. After further discussion, the Commission felt prohibiting families from having a separate space for adult kids or grandparents was counterproductive since the original intent was related to vacation rentals which it now has no effect on. He stated the two parts from the property appraiser document that apply to Melbourne Beach would be they must have an existing homestead exemption, and the construction must be properly permitted.

Commissioner Sherri Quarrie asked if we should put in a different age group.

Mayor Wyatt Hoover stated he does not think the age is relevant. He then read the Brevard County's Ordinance. He recommended increasing the square footage requirement to 800 or 1000 square feet.

Commissioner Sherri Quarrie stated this section is referring to something under the same roof, so the setbacks and lot coverage would limit the size.

Mayor Wyatt Hoover stated that section two could be removed, as well as sections three through six that are related to vacation rentals, since the State legislature dictates regarding vacation rentals

Commissioner Corey Runte stated it is common in other municipalities to allow multigenerational suites. He provided an example regarding if a family member ended up needing full-time care and the family cannot afford an assisted living facility, currently in Melbourne Beach you would not be able to have an additional kitchen to allow the family member to have their own space.

Mayor Wyatt Hoover asked if any Commissioners were in opposition to a detached guesthouse.

Commissioner Sherri Quarrie stated she is against it because the purpose of this is to accommodate seniors or young families who are having a difficult time affording a house. Allowing a detached structure would open the door on detached structures being rented out.

Mayor Wyatt Hoover stated he doesn't think it would make a difference if it was attached or not because you can rent out the attached space out just as easily. The best way to prevent duplex like situations is requiring a single electric and water service.

Commissioner Corey Runte stated you can rent anything out including just a couch or air mattress. Also, if a detached structure wasn't allowed, the owner could just connect the structures with a canopy. He is fine with attached and detached as long as they maintain the homestead exemption and all of the code requirements for lots.

Mayor Wyatt Hoover stated this agenda item is discussion orientated, so this is just to begin the process of making any changes that would require a first and second reading to the ordinance changes.

Nancy Haney
181 Ocean Ridge Dr

Nancy Haney stated she is confused on attached and detached because couldn't you just say attached if you only attached the roof.

Mayor Wyatt Hoover stated that is correct.

Nancy Haney stated her property backs up to a community that is allowing daily rentals.

Commissioner Corey Runte stated that is not allowed in unincorporated Brevard County.

Mayor Wyatt Hoover asked that we stick to things that pertain the Town of Melbourne Beach.

Greg Wilson
526 Sunset Blvd

Greg Wilson stated he just wanted to make sure everyone received and got to look at the photos provided by Jude Wilson earlier in the meeting.

Chuck Cain
309 Surf Rd

Chuck Cain stated on the discussion regarding attached or detached, whether they are connected by a roof line or not, a detached building would have to meet certain requirements. What happens when the grandparents pass? Then they are just going to rent it out. However, if it was in the house they might be less likely to rent it out.

Mayor Wyatt Hoover stated the Town would define it as an accessory structure.

Carol Crispen
205 Elm Ave

Carol Crispen stated she is dealing with an AirBnB that is very loud. It sounds like we are opening ourselves up, and just because Brevard County is doing it, doesn't mean we should. We need to do what is best for Melbourne Beach.

Mayor Wyatt Hoover stated he has received her emails and has driven the streets, but unfortunately, the State has prevented us from being able to regulate AirBnBs at all. This is about keeping people in their homes rather than them selling it and people buy it only as a vacation rental.

Carol Crispen asked what is going to prevent someone from putting a wall in the middle and now they can rent out a duplex instead of a single family. This is going to open us up for other issues because people will find ways around it.

Commissioner Corey Runte stated short term rentals are allowed in the Town of Melbourne Beach. Whether we like it or not there is nothing we can do because of the State Legislature. The Town does have a registration process, however, there is nothing stopping someone from buying fifteen houses on the same street and turning all of them into vacation rentals. The goal is to help the elderly and families to be able to afford to stay together. AirBnBs are allowed no matter, so this would not enable it because you would have to live there.

Ali Dennington
413 Surf Rd

Ali Dennington stated why not change the code to allow for the second kitchen if you get a conditional use, but you also have to sign a development order that says you will not rent it. She stated development orders run with the land and get filed with the County, so even if they sell it, the development order stay in effect. It wouldn't effect the homes that currently have a second kitchen.

Jude Wilson
526 Sunset Blvd

Jude Wilson stated since this is about accommodating multigenerational families; would it be possible to incentivize those who are developing it the way the Commission wants it.

Mayor Wyatt Hoover stated there is a ton of good that could come from this; from aging parents that want to stay in place, to adult kids that cannot afford a house, to live-in caretakers, etc. There will always be people that find a way to take advantage of everything.

Kyle Stark
209 Surf Rd

Kyle Stark stated he lives with his grandparents and his father. Today he took care of his nephews while his sister is dealing with other things. He stated it is very important to remember that the country is changing. His family lives in a multigenerational home. If something harms one person even though they don't deserve it, you also have to think of the good it is doing by allowing families to live a dignified life.

Town Attorney Clifford Repperger stated the County allows for the second kitchen facility as a conditional use, and likely what you would see is a conditional use permit. Also, with the County, the guest house is for larger lots, so as this moves along that will need to be evaluated. As far as the vacation rentals, the County codes that restrict vacation rentals was passed before the preemption was in effect. The preemption has been in effect for quite some time 509.302 (7) preempts local government from prohibiting vacation rentals. You cannot limit the duration of the stay; unless it was in effect before the preemption. The Town does have a regulatory ordinance for vacation rentals.

Vice Mayor Joyce Barton made a motion to move forward with the language for the code of ordinances for multigenerational living areas attached and detached; Commissioner Marivi Walker seconded; Motion carried 5-0.

9. New Business

A. Discussion on a beachfront dog park

The Town received emails from the following residents regarding the discussion on a beachfront dog park:

Hans Rittinger
Diane White
Deborah Aftung
Jamie Guth
Caren Byrd
John & Marie Heck
Donna Bardell
Michael Workman
Donald Thomas
Matt Giammarino
John Mauzer
Vicky Busch

Town Manager Elizabeth Mascaro stated Loggerhead Park was developed through a grant, and no further development can be done to it.

Commissioner Sherri Quarrie stated the reason this was put on the agenda was to find out what the safety and grant limitations are, and to open up the discussion of a dog park. A lot of residents already bring their dogs to the parks or the beach.

Does the Town want to have a safe place for dogs to be able to run on a leash? This was to get input from residents. Are residents interested in a dog park, or allowing dogs in the parks or on the beach? She stated the reason she proposed Loggerhead Park was because it is at the end of the Town, and because of limited parking, it would be limited to residents.

Commissioner Corey Runte stated any Commissioner can put anything up for discussion, which is what this is, strictly just a discussion. A lot of residents have contacted Commissioners about having a safe place for dogs. That being said, he does not support development of the park.

Commissioner Marivi Walker stated she appreciates the idea, but questioned if the Town even has space to put a dog park.

Commissioner Corey Runte stated what about asking the County to put one in at Flutie Field.

Further discussion ensued

Town Manager Elizabeth Mascaro stated we can also contact Indialantic, who recently allowed dogs on the beach in a certain area at certain times.

NEW ACTION ITEM: Dog park research

***Barbara Strutman
802 Pine St***

Barbara Strutman stated although it has already been resolved about Loggerhead, but she would like to add her input. She is against the Loggerhead dog park because this is the last piece of oceanfront property in the Town of Melbourne Beach that is not already concrete. Would the dog park bring more traffic to Town? Would it increase annual taxes? Why does it have to be oceanfront property? Please consider these things.

***Ali Dennington
413 Surf Rd***

Ali Dennington stated she loves dogs, but she doesn't think a dog park is a good idea. When you say Dog Park, most people think of a fenced in area. What about having two poles on the beach and during certain times you can walk your dog on the beach between the poles? To help the residents, what about a time restriction of only from sunset to 9am? The stormwater drainage area by the tennis courts could be a good area to put something up once a week to allow dogs to run.

Curtis Byrd
306 Surf Rd

Curtis Byrd stated he, along with the Environment Advisory Board, assisted in the purchase of the land for Loggerhead Park. The two things the State wanted was to protect the native vegetation and education. There are quite a few events they plan, including education and planting throughout the year. In the application process of the grant, it was written that there would only be pedestrian and bicycles, with no parking areas.

Neal Tompkins
2004 Neptune Dr

Neal Tompkins stated he is glad Loggerhead was taken off the table. He also stated the speed limit there is forty miles per hour, so golf carts cannot be driven down that road. Exploring ideas is a good idea, but he suggests you take the beach off as well. No other municipalities have a dog beach park.

Christian Stumpt
1708 Atlantic

Christian Stumpt stated currently enforcement and taking care of the park is not being done. He stated golf carts are parking there, there is ongoing graffiti, and garbage in the park.

Mayor Wyatt Hoover stated the Town staff is very responsive to things like that, so please snap a picture and send it to townmanager@melbournebeachfl.org, and our public works team will handle it.

Patrick Hagerty
1702 Atlantic St

Patrick Hagerty stated in 2015, Indialantic and Cocoa were both trying to establish a beachfront dog park. They were ultimately shut down because the habitat is considered sea turtle nesting areas. In 2019, an eleven-mile stretch of beachfront south of Melbourne Beach did the same thing. The Brevard County Attorney's Office wanted the County Commissioners to be aware of the potential liability under the Federal Endangered Species Act if they allowed dogs on the beaches in the Archie Carr National Wildlife Refuge. The Act protects threatened and endangered plants and animals, as well as the habitats in which they are found, including sea turtles and sea turtle nesting areas. Lastly, people are already bringing their dogs on the beach against the rules. The Commission should take into effect that people always push boundaries. Opening up to allow dogs on the beach will just allow people to take advantage of it.

Jude Wilson
526 Sunset Blvd

Jude Wilson stated when she first moved here it was wonderful to be able to take her dog to the beach in the early morning when no one was around. There are also more than a dozen people here that she has seen with a dog on the beach. The Commission should consider allowing dogs on the beach in the early morning hours when tourists are not there and people are not sun bathing. She stated she grew up in a different small town which allowed dogs on the beach during certain times and the dogs had to get a special tag. People outside of the Town would not be able to get the tag, so everyone that had the tag was a resident and was responsible. Is there any land that the Town could acquire to have a dog park?

Margie Hoffman
The Breakers

Margie Hoffman stated laws are there to protect everyone and to be followed. In Melbourne Beach dogs are not allowed on the beach, but many times she can see dogs on the beach from her patio. She is concerned when dogs are off leash and barrel down the beach at kids.

Mike McGraw
2005 Atlantic St

Mike McGraw asked what are the rules and regulations regarding dogs on the beach. Dogs are already on the beach. If allowed, people would push the rules. He just wants to protect what we have out there.

Mayor Wyatt Hoover stated no dogs are allowed on the beach at all.

Doug W
1712 Atlantic St

Doug W stated Loggerhead is not a park, it is a preserve. He has surfed all over the place and Loggerhead is a jewel. He went down there today and counted nine turtle nests. That area needs to be left alone.

Commissioner Corey Runte stated if anyone sees a light violation, to take a picture and write the address and send it to our Code Enforcement.

Building Official Robert Bitgood stated if anyone replaces windows on the beach, or if anything is built, that is enforced as well.

- B. Consideration of the updated Interlocal Agreement with Indialantic for fire-rescue dispatch services

Town Manager Elizabeth Mascaro stated this is the seventh update to the agreement with Indialantic, and the fee has increased by \$200.00 making the total \$5,400.00.

Commissioner Corey Runte moved to approve the Interlocal agreement with Indialantic as presented; Commissioner Marivi Walker seconded; Motion carried 5-0.

- C. Discussion on revisions to the landscape and tree ordinance

Building Official Robert Bitgood stated this is something that has been in the works for the past six month. This is just to open up a dialogue and get any input. He met with the Fire Department to make sure there wouldn't be any issues with allowing taller shrubs in front yards. One idea to define the houses directly on A1A would be to use the words along the state road. The governor is about to pass new legislation, so to match it, consider adding to our ordinance "must meet the standards set in tree risk assessment, second edition (2017)."

Commissioner Corey Runte asked what the repercussion is if someone removes a tree that would not normally be allowed without a permit.

Building Official Robert Bitgood stated he would red tag it meaning he would issue a stop work order. They then have thirty days to go through the process of getting a tree permit. Under the new fee schedule, he has the ability to assess up to four times the cost of the permit for doing work without a permit, however, because the tree permit does not cost anything that would need to be reviewed.

Commissioner Corey Runte would like to see the repercussions increased to include a fine for illegal tree removal, and have those fees go towards replacement trees.

Commissioner Sherrie Quarrie asked if some of the money could go towards education, because some of the homeowners truly do not know what they can or cannot cut, and what requires a permit.

Commissioner Corey Runte stated coming up with something simple like call before you cut to put on social media and the Town website that goes to the permit application.

Building Official Robert Bitgood stated 9A-4 (a) change four copies to two copies which is sufficient. Add "trees that are removed for new construction shall be replaced by same or similar species. For mature oaks two similar species will be required. Twelve inches in height above grade." The section 9A-10 change the authorization from Public Works Department to the Building Official or Town Manager. 9A-5 (b) just to stress the requirement of the field check of the site. 9A-6 (b2) twelve feet in height and 4.5 feet above grade to make sure they have a good healthy tree. 9A-7 (a) Remove "minimum of three trees" and defer to other more

specific areas of the code. 9A-7(5a) add the words “above grade” after eight feet in height to be more specific.

Mayor Wyatt Hoover asked if section 7A-53 (2c) need to be amended to a maximum of six feet for homes along state road A1A.

Building Official Robert Bitgood stated that is correct and also section e. Other municipalities have also required full front four-foot vegetation be planted in front of the wall or fence.

Commissioner Sherrie Quarrie asked if the setback requirement would be to the vegetation or to the wall.

Building Official Robert Bitgood stated it would be to the wall because the vegetation is removable, but they would still need to adhere to the twenty-five-foot triangle.

Mayor Wyatt Hoover stated he doesn't think the hedges should be restricted to State road A1A. He would be in favor of striking the maximum four foot hedge in the front yard.

Commissioner Corey Runte and Marivi Walker agreed.

Building Official Robert Bitgood stated this is the only jurisdiction that does not have a setback for a shed to keep them off of the property line. 7A-57 add “shed roof line cannot place water on the neighbor's property”.

Crystal Cain
309 Surf Rd

Crystal Cain stated that if someone bought a property, is there a picture to know what trees are present at that time? Is there a way to know that or have it on a site plan?

Building Official Robert Bitgood stated currently no there is no picture or anything showing current trees.

Commissioner Corey Runte stated when site plans are submitted vegetation is included. As part of the site plan, the caliper and type of tree are required.

Building Official Robert Bitgood stated for new construction a tree permit is not issued until he has walked the property with them, and as part of the site plan, he requires an architectural drawing showing what is there and what is being removed before they can do anything. At the time of the onsite walk he takes pictures.

Ali Dennington
413 Surf Rd

Ali Dennington asked where on the agenda does it say that shed setbacks would be discussed at this meeting.

Building Official Robert Bitgood stated the setbacks are not being talked about, just the water that is being displaced.

Mayor Wyatt Hoover clarified nothing about setbacks would be changed, just the proposed verbiage of “shed roof line cannot place water on a neighbor’s property.”

Nancy Haney
181 Ocean Ridge Dr

Nancy Haney asked about the 1.8 million in ARPA funds. Are there any proposals, and who decides it, and do residents get any input?

Mayor Wyatt Hoover stated the majority of the funds will be used for storm water upgrades and improvements. The requirements are established at a federal level, but the Commission locally decides on how to use the funds. Every time a decision such as an ordinance change is made, it has been discussed in at least three or four meetings, which can take around six months.

Nancy Haney asked if the stormwater issue has already been determined to be the most appropriate and important way to use the money.

Mayor Wyatt Hoover stated that the money is already in the works for several projects, so yes.

Town Manager Elizabeth Mascaro stated for the record the amount is 1.6 million not 1.8 million.

Commissioner Corey Runte made a motion to move forward with the landscape and tree ordinance revisions as presented and discussed; Commissioner Marivi Walker seconded; Motion carried 5-0.

D. Consideration to close Town Hall at noon on Friday, July 1st.

Town Manager Elizabeth Mascaro stated this would be a nice time for team building with a pot luck lunch and get to learn things about each other.

Vice Mayor Joyce Barton made a motion to approve the team building event on July 1st in the afternoon; Commissioner Marivi Walker seconded; Motion carried 5-0.

E. Consideration of a Tourism Lagoon Project Grant

Town Manager Elizabeth Mascaro stated she received a call regarding the Tourism Lagoon Project Grant for up to \$50,000.00 without the requirement for matching funds. They mentioned painting storm drains. She stated we could do a mural guide to get people to find and take pictures with around the Town. It has to be to promote tourism, and the drop dead date for submission is June 22nd.

Mayor Wyatt Hoover stated he would love to see the walls that enclose the beach accesses, boat ramp, Ryckman Park painted with different ecosystems.

Commissioner Corey Runte stated businesses might be interested as well.

Nancy Haney
181 Ocean Ridge Dr

Nancy Haney asked if it is possible to get an extension of the June 22nd due date.

Town Manager Elizabeth Mascaro stated they do not generally allow that.

Nancy Haney stated she has access to a lot of very good artists in town and would be willing to help.

Ali Dennington
413 Surf Rd

Ali Dennington stated she has seen a guy that paints surfboards online, so maybe get some longboards to paint and put them around town.

Neal Tompkins
2004 Neptune

Neal Tompkins stated that all of the ideas are great, but maybe not the storm drains, as that is where all of the stormwater goes to the lagoon. He stated as part of the S.E.A project it was mentioned painting crosswalks, which became a tourist attraction.

Kyle Stark
209 Surf Rd

Kyle Stark stated that what is being talked about would be a great opportunity for kids to not only enjoy the beauty of the decorations, but to also have some sort of educational aspect to it. He suggested coming up with a mission statement of what the art means to the Town.

Commissioner Corey Runte made a motion to approve proceeding with the tourist lagoon grant; Vice Mayor Joyce Barton seconded; Motion carried 5-0.

F. Consideration and approval of Ordinance 2022-01 on low-speed vehicles

Town Attorney Clifford Repperger stated this is the first reading of ordinance 2022-01 an ordinance of the Town of Melbourne Beach, Brevard County, Florida relating to the traffic code of the town; making findings; creating sections 30-100 through 30-109, Town Code of ordinances, authorizing the operation of low speed vehicles within the town; providing legislative intent and definition; providing for authorized use and operation of low speed vehicles; providing for permits, applications, decals, inspection, and permit revocation; setting forth required equipment; providing for waiver of claims; setting forth unlawful conduct and prohibitions; providing parking regulations; creating provisions for enforcement; providing for reciprocity with the Town of Indialantic; providing for severability; providing for repeal of conflicting ordinances and resolutions; providing an effective date; and providing an adoption schedule.

Town Attorney Clifford Repperger stated this is the low speed vehicle ordinance. It is substantially similar to what Indialantic has with a few tweaks. It is placed into the Town's Traffic Code to allow for low speed vehicles via decal in the Town of Melbourne Beach. Again these are specifically defined low speed vehicles, they are not golf carts by definition, with the required equipment and with the required driver's license. Operation within the Town and providing with reciprocity for those who have decals in Indialantic can operate within the jurisdictional boundaries of the Town of Melbourne Beach. There is no need for an Interlocal agreement with Indialantic since reciprocity is written into the ordinance.

Police Chief Melanie Griswold stated she spoke with Indialantic's Town Manager and Chief of Police, and they are going to make some amendments to their ordinance.

Vice Mayor Joyce Barton moved to approve and pass Ordinance 2022-01 on the first reading for low speed vehicle ordinance; Commissioner Marivi Walker seconded; Motion carried 5-0.

10. Staff Reports

A. Town Attorney Report

No Report

B. Town Manager Report

Town Manager Elizabeth Mascaro stated she was contacted by the EAB who would like to set up an educational demonstration on rain barrels, to encourage residents to use them. She wanted to make sure the Commission is okay with it and if they wanted them painted or designed.

Vice Mayor Joyce Barton stated it would be nice to show them decorated, or blended in to the surrounding area. It would be a great learning experience.

Mayor Wyatt Hoover stated a great place to put one is the South West corner where the bathrooms are in the park here.

Crystal Cain
309 Surf Rd

Crystal Cain stated you want to place it where you can use the water from it as well. She relayed that Leslie with the EAB is heading this up.

C. Town Clerk Report

No Report

D. Departmental Reports

1. Building Department

No additions to the report

2. Public Works Department

Public Works Director Tom Davis stated for the most part Sunset is finished. He will assess the changes to see if they are effective or not. He prefers the style of light that is in the ground. He also recently purchased a water tote to be able to water the plants and trees around town.

3. Code Enforcement

No additions to the report

4. Police Department

Police Chief Melanie Griswold stated she would like to give kudos to Corporal Martin and Administrative Assistant Megan for the recent movies in the park event, which had to end up being in the community center. Also, thank you to Amber for helping out the Police Department on Founder's Day. Sergeant Sadler, Officer Tejada, Chaplain Finlayson, and Megan helped out with Melbourne Square Mall's Hometown Heroes event.

5. Fire Department

Fire Chief Gavin Brown stated when he sent in his monthly report he sent in the abbreviated version, so there is one page missing. The highlights from the missing pages included the Fire Department assisting with Founder's Day where there were no incidents, not even for bandaids. The Fire Department's

CPR instructors taught BLS courses to certify all of the Melbourne Beach and Indian River Police Officers in CPR. The instructors also took a high performance CPR course through Brevard County Fire Rescue to help improve patient outcomes. The Department also went to Indian Harbour Beach last month to discuss the shared training center which is slowly progressing. Currently the Department has twenty four state certified firefighters and on average, approx. eleven volunteers show up to each call for service, ten of which are State certified firefighters / volunteer firefighters.

6. Finance Department

Vice Mayor Joyce Barton moved to approve the Finance Report as presented; Commissioner Corey Runte seconded; Motion carried 5-0.

11. Town Commission Comments

A. Review of Commission Action Item List

New

- **Dog Park Research**

Updated

- **Permanent Tree Lighting:** PW installed two types of lights to evaluate. – Report will be given next month.
- **Community Center Audio:** Received quotes from companies: one quote was for \$16,000-\$19,000, a second quote was for just under \$27,000, a third quote was for just over \$8,500. The other option would be for us to purchase the items and install them ourselves which could cost around \$5,000. – Next month bring 3 breakdowns of the potential products
- **S.E.A. Project:** Town Manager spoke with Neal and now has two proposed dates in August. – Next month she will have the final date
- **Multi-generational Suites:** Add to old business for next month for proposed language, then it will go to planning and zoning, then back to the Commission. - August
- **Charging Stations:** Town Manager spoke with James Moore (he is NOT associated with the auditors) who has a company that installs charging stations he recommended putting a charging station in a pay-to-park spot. Vice Mayor Joyce Barton stated one of his charging stations was just installed at Grace Lutheran. – August

Closed

- **Drown Zero Stations:** Provided related documents from Cocoa Beach when they approved the drown zero stations - Closed
- **Low-Speed Vehicle:** First reading of the ordinance today – Closed

B. General Comments

None

12. Adjournment

Commissioner Corey Runte moved to adjourn; Commissioner Marivi Walker seconded; Motion carried 5-0.

Meeting adjourned at 9:38 p.m.

ATTEST:



Wyatt Hoover, Mayor



Amber Brown, Interim Town Clerk



From: [Corey OGorman](#)
To: [Cliff Repperger](#); [Building Official \(buildingofficial@melbournebeachfl.org\)](#); [Melbourne Beach Town Manager](#)
Subject: RE: Draft Ordinances for Landscaping and Second Kitchens
Date: Thursday, February 2, 2023 7:12:59 AM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good morning Cliff,

Thanks for copying me, I had a chance to take a look at the draft ordinance for 2nd kitchens and my initial thoughts and comments are:

- I currently see a lot of outdoor kitchens in covered patio areas that is more of an outdoor BBQ area. If there are a lot of these in Melbourne Beach, you may want to make a distinction between an outdoor BBQ area and an indoor 2nd kitchen. Perhaps this could be addressed in the intent section where a 2nd kitchen is proposed to enable an accessory living area within the home to be occupied by an extended family member ... or something like that.
- Many of the codes I have read with this ability talk about this situation in terms of an “accessory dwelling unit” rather than a 2nd kitchen. And although I think the 2nd kitchen approach is fine, it might make sense to consider discussing the intent to allow an accessory dwelling with its own cooking facilities. In the MB Code, an Accessory Use is one that is clearly incidental and subordinate to the principal use, and that may be a way of limiting square footage, etc.
- Other codes that I have read also include language that the accessory unit is not considered a dwelling unit for density purposes under the comp plan or a second unit under the zoning code, neither of which would be approved.
- In a committee that I participate on in PB County has also reviewed this issue and found that some provisions in the PBC Code are not enforceable. For instance, the county has the same provision for electric meters and the restriction on not renting, but there is always the ability for a property owner to install a sub-meter. Also, where paragraph 1 says that direct access to the kitchen is from the living area or quarters of the SF residence, the language does not prohibit an exterior access.

Regarding the trees, my initial thoughts are:

- Section 9A-4 references a “Best Practices” document, and I have often seen where the document is kept on file with the town clerk and can be provided to applicants if needed.
- I don’t recall seeing in the existing or proposed code language anything regarding protected species of trees which I normally see. I see an exemption for exotic species, but there are often codes which specify what are the most desirable tree species for preservation and planting. I also see that there is reference to native vegetation and Florida Friendly, although it might be helpful to define the species that are desirable in MB, or at a minimum keep those documents/references with the clerk for distribution to applicants if needed. Also, I usually see that permits are typically not required for trees under a certain caliper or overall size. For

instance if there is a sapling that is less important than a 100 year old oak that has a 36" DBH.

Just food for thought, I hope it helps! THANKS!

Corey W. O'Gorman AICP
Place Planning

700 US Highway One, Suite C
North Palm Beach, FL 33408
561-863-2722 Phone
561-863-2733 fax
561-801-2461 cell

Town Commission Agenda Item

Section: Public Hearing

Meeting Date: February 15, 2023

Subject: Proposed Ordinance 2023-02 (Second Kitchens)

Submitted By: Town Attorney Repperger

Background Information:

On June 15, 2022, the Town Commission directed that Town Staff develop an Ordinance improving regulation regarding second kitchens within single family residences (1-RS, 2-RS, and 3-RS).

On February 7, 2023, the Planning and Zoning Board/LPA voted to recommend approval of the proposed ordinance by a vote of 4-1.

Summary of Proposed Ordinance Amendments:

- Amends Section 1A-3 to add a definition for “Kitchen” or “Kitchen Facility” which excludes outdoor barbeque areas without a range or stove.
- Amends Section 7A-31 to cite to appropriate supplementary regulations.
- Amends Section 7A-32 to cite to appropriate supplementary regulations.
- Amends Section 7A-33 to cite to appropriate supplementary regulations.
- Creates Section 7A-72 to allow for second kitchens in 1-RS, 2-RS, and 3-RS zoning districts with permitting and regulatory conditions.

Attachments:

- Draft Ordinance 2023-02.
- Minutes from Town Commission Meeting of June 15, 2022
- Email from Town Planner Corey O’Gorman regarding additional considerations.

ORDINANCE NO. 2023-02

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.

WHEREAS, the Town of Melbourne Beach desires to amend the Land Development Code of the Town of Melbourne Beach regarding second kitchens in residential zoning districts in the Town of Melbourne Beach within the Town of Melbourne Beach; and

WHEREAS, the Town Commission of the Town of Melbourne Beach, after duly noticed public hearings, has determined that amendments to Sections 7A-31, Section 7A-32, and Section 7A-33 of the Land Development Code to permit second kitchens in 1-RS, 2-RS, and 3-RS zoning districts and creation of standards for second kitchens in a new Section 7A-72 of the Land Development Code are consistent with the Comprehensive Plan, are in the best interests of its citizens of the Town of Melbourne Beach, and promote the general health, safety, and welfare of the residents of the Town of Melbourne Beach; and

WHEREAS, on February 7, 2023 the Planning and Zoning Board/Local Planning Agency (collectively the “LPA”) at a duly noticed public hearing, reviewed and considered the proposed amendments to Sections 7A-31, Section 7A-32, and Section 7A-33 of the Land Development Code to permit second kitchens in 1-RS, 2-RS, and 3-RS zoning districts and the creation of standards for second kitchens in a new Section 7A-72 of the Land Development Code and took public comment regarding the same; and

WHEREAS, the LPA has determined that the proposed amendments to Sections 7A-31, Section 7A-32, and Section 7A-33 of the Land Development Code to permit second kitchens in 1-RS, 2-RS, and 3-RS zoning districts and the creation of standards for second kitchens in a new Section 7A-72 of the Land Development Code are consistent with the Town’s Comprehensive

Plan and are in the best interest of the Town of Melbourne and has recommended that the Town Commission approve of the same.

WHEREAS, the Town Commission and LPA have determined that an amendment to Section 1A-3 of the Land Development Code to add the definition of the terms “kitchen” or “kitchen facility” is necessary to allow for the desired regulatory changes and that such definition shall specifically exclude outdoor barbeque areas without a stove or range.

NOW, THEREFORE, BE IT ENACTED BY THE TOWN OF MELBOURNE BEACH, FLORIDA:

SECTION 1. That Article I, Chapter 1A, Section 1A-3, of Appendix “A,” of the Town Code of the Town of Melbourne Beach, Florida, Land Development Code, is hereby created to read as follows:

§1A-3. DEFINITIONS.

* * *

KITCHEN OR KITCHEN FACILITY. A room or area within a room whose primary purpose is to store, prepare and cook food. A kitchen will have a refrigerator to store food, counter space and a sink to prepare food, and a stove and/or range to cook food. An outdoor or external barbeque area with no stove or range shall not constitute a kitchen or kitchen facility.

* * *

SECTION 2. That Section 7A-31 of Appendix “A,” of the Town Code of the Town of Melbourne Beach, Florida, Land Development Code, is hereby amended to read as follows:

§7A-31. 1-RS SINGLE FAMILY RESIDENTIAL DISTRICT.

* * *

(g) Supplementary regulations: As provided in §§ 7A-50 through 7A-6972, and Chapter 9A.

SECTION 3. That Section 7A-32 of Appendix “A,” of the Town Code of the Town of Melbourne Beach, Florida, Land Development Code, is hereby amended to read as follows:

§7A-32. 2-RS SINGLE FAMILY RESIDENTIAL DISTRICT.

* * *

(g) Supplementary regulations: As provided in §§ 7A-50 through 7A-6972, and Chapter 9A.

SECTION 4. That Section 7A-33 of Appendix “A,” of the Town Code of the Town of Melbourne Beach, Florida, Land Development Code, is hereby amended to read as follows:

§7A-33. 3-RS SINGLE FAMILY RESIDENTIAL DISTRICT.

* * *

(g) Supplementary regulations: As provided in §§ 7A-50 through 7A-6972, and Chapter 9A.

SECTION 5. That Article IV, Chapter 7A, Section 7A-72, of Appendix “A,” of the Town Code of the Town of Melbourne Beach, Florida, Land Development Code, is hereby created to read as follows:

§7A-72. SINGLE-FAMILY RESIDENTIAL SECOND KITCHEN FACILITY.

A second kitchen facility may be incorporated into a single-family residence located in the 1-RS, 2-RS, and 3-RS zoning districts, provided the second kitchen facility meets the following conditions:

(1) The second kitchen facility and the area or quarters it serves shall be integrated architecturally, both internally and externally, with the single-family residence. Externally, the structure shall have the appearance of one residence. Internally, there shall be direct access to the kitchen facility and its area from the living area or quarters of the single-family residence. Access to the second kitchen shall not be solely via exterior access.

(2) A permit for construction must be obtained, and a floor plan of the entire single-family residence, including the additional kitchen facility, demonstrating compliance with the conditions set forth in this section, shall be submitted to the Building Official for plan review and approval prior to construction of any second kitchen. The approved floor plan shall be binding upon all future construction plans in regard to the single-family residence and the second kitchen facility.

(3) No portion of the single-family dwelling unit shall be utilized for rental purposes, and the single-family dwelling unit shall be served by only one electrical and water meter.

(4) The single-family dwelling unit shall continue to be utilized by no more than one family.

(5) The property upon which the second kitchen is planned to be installed must have a valid Brevard County property tax homestead exemption at the time of permit application. A second kitchen facility must be removed within one year of the loss or removal of the homestead exemption maintained on the property.

SECTION 6. Severability/Interpretation Clause.

(a) In the event that any term, provision, clause, sentence or section of this Ordinance shall be held by a court of competent jurisdiction to be partially or wholly unenforceable or invalid for any reason whatsoever, any such invalidity, illegality, or unenforceability shall not affect any of the other or remaining terms, provisions, clauses, sentences, or sections of this Ordinance, and this Ordinance shall be read and/or applied as if the invalid, illegal, or unenforceable term, provision, clause, sentence, or section did not exist.

(b) In interpreting the provisions of this Ordinance, the following rules and symbols shall apply:

(1) Words underlined are additions to existing text.

(2) Words ~~stricken through~~ are deletions from existing text.

(3) Asterisks (* * *) indicates a deletion from the Ordinance of text existing in the Code of Ordinances. It is intended that the text in the Code of Ordinance denoted by the asterisks and not set forth in this Ordinance shall remain unchanged from the language existing prior to adoption of this Ordinance.

SECTION 7. Codification. The provisions of this Ordinance shall be codified as, and become and be made a part of, the Town of Melbourne Beach Code of Ordinances. The sections of this Ordinance may be renumbered or re-lettered to accomplish such intention.

SECTION 8. Ordinances and Resolutions in Conflict. All ordinances or resolutions or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 9. Effective Date. This Ordinance shall become effective upon adoption.

SECTION 10. Adoption Schedule.

PASSED by the Town Commission of the Town of Melbourne Beach on first reading on

the 16th day of February, 2023, and ADOPTED by the Town Commission of the Town of Melbourne Beach, Florida, on final reading on the 16th day of March, 2023.

TOWN OF MELBOURNE BEACH, FLORIDA

By: _____
WYATT HOOVER, Mayor

ATTEST:

(TOWN SEAL)

Amber Brown,
Town Clerk

Town of Melbourne Beach
REGULAR TOWN COMMISSION MEETING
JUNE 15, 2022 at 6:00 p.m.
COMMUNITY CENTER – 509 OCEAN AVENUE

MINUTES

Commission Members:

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

Staff Members:

Town Manager Elizabeth Mascaro
Town Attorney Cliff Repperger
Finance Manager Jennifer Kerr
Building Official Robert Bitgood
Fire Chief Gavin Brown
Police Chief Melanie Griswold
Public Works Director Tom Davis
Interim Town Clerk Amber Brown

1. Call to Order

Mayor Wyatt Hoover called the meeting to order at 6 p.m.

2. Roll Call

Interim Town Clerk Amber Brown conducted roll call

Commission Members Present

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

Staff Members Present

Town Manager Elizabeth Mascaro
 Town Attorney Clifford Repperger
 Finance Manager Jennifer Kerr
 Building Official Robert Bitgood
 Fire Chief Gavin Brown
 Police Chief Melanie Griswold
 Public Works Director Tom Davis
 Interim Town Clerk Amber Brown

Commission Members Absent

None

3. Pledge of Allegiance and Moment of Silence

Mayor Wyatt Hoover led the Pledge of Allegiance

4. Presentation

- A. Police Chief Melanie Griswold presented Officer Leon Bennett with the Meritorious Service Award.

5. 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.

Mike Slaughter
321 Ocean Ave

Mike Slaughter stated he is here representing the Melbourne Beach Rotary Club to provide a donation of money to the Fire Department. The Fire Department is in need of the Scott RIT pack fast attack system which is used to help save firefighters in a burning building. The funds were raised on Founder's Day.

Ali Dennington
413 Surf Rd

Ali Dennington stated Amber is doing a great job on the minutes. She asked if there is anything the Commission can do for the parents who want to volunteer at the school because they have to drive to Viera to take a computer-based test. Ali asked about getting Town emails for interns to make sure nothing is lost.

Mayor Wyatt Hoover stated the School Board is in Viera which is probably why they do it there, but we can look into it.

Jude Wilson
526 Sunset

Jude Wilson stated she brought pictures of the median on Sunset. She stated these pictures are from a couple different days when it rained. She asked for public works to continue cutting the curb to allow the rain to drain. She stated she had engineers go to her house and they stated the street was built higher than her lot. Jude asked the Commission to look into this more as this is an infrastructure problem.

Sheila Tyre
532 Sunset

Sheila Tyre stated she also has concerns about Sunset Blvd possibly because of flooding. She thought years ago there was a baffle system to help drain water down towards the river. She asked if there is a baffle system there and if it is working. Sheila stated she is fine without the curb, but now it looks funny with only sections of the curb cut out. What about taking out the whole curb. She stated water control is more important than esthetics

Mayor Wyatt Hoover stated this is an ongoing project where steps are being taken and they assess the results before proceeding. He stated they will continue to look into it.

Town Manager Elizabeth Mascaro stated there was a baffle system installed, but she does not know what its current status is.

Todd Shier
1708 Atlantic St

Todd Shier asked what the definition of recovery funds that were mentioned and if we have any in the budget and what amount.

Mayor Wyatt Hoover stated that the funds mentioned are the ARPA funds which is the American Recovery Plan Act. ARPA funds were provided to the municipalities from the Federal Government based on the stimulus plan. The 1.8 million ARPA dollars in the budget are restricted by the Federal Government on how the funds can be used.

Todd Shier asked where he can find the Federal restrictions.

Finance Manager Jennifer Kerr stated on their website, treasury.gov.

6. Approval of the Agenda

Commissioner Corey Runte moved to approve the Agenda; Commissioner Sherri Quarrie seconded; Motion carried 5-0.

7. Consent Agenda

- A. Approval of Special Town Commission Meeting minutes for June 1, 2022
- B. Approval of Regular Town Commission Meeting minutes for May 18, 2022
- C. Approval of Regular Town Commission Meeting minutes for April 20, 2022
- D. Approval of the site plan for 309 Fifth Ave
- E. Approval of the site plan for 527 Sunset Blvd

Jude Wilson
526 Sunset Blvd

Jude Wilson stated that 527 Sunset is a tear-down property that was recently purchased. They are planning to build a pool and pave the front lawn in order to build a driveway. She stated they are at least four inches above her property, the road is lower, and the median is overflowing and her property is on the other side. At this time she asked if the Commission is about to approve a site plan which includes building a pool that will drain directly in front of her house.

Mayor Wyatt Hoover stated any site plan goes through a rigorous review in the building department. The Commission does not have the authority to prohibit any construction that is allowed per our Code. Any new construction is subject to the new stormwater requirements which is six inches in twenty four hours.

Commissioner Corey Runte stated not only does the Building Official review the fully engineered drawings, but they also go through the consulting engineers and planning and zoning for approval then it goes to the Commission.

Jude Wilson asked who is responsible for the water when it comes from the median.

Mayor Wyatt Hoover stated the drainage situation on Sunset is under review and is an ongoing project that is being worked on to improve it.

Vice Mayor Joyce Barton moved to approve the Consent Agenda; Commissioner Corey Runte seconded; Motion carried 5-0.

8. Old Business

- A. Discussion on Brevard County's Code of Ordinances allowing a second kitchen for single-family residences

Town Manager Elizabeth Mascaro stated the Commission asked her to look at the ordinances for the county regarding multigenerational kitchens. Provided the code

from Brevard County which allows for a second kitchen and the code for guest houses; the other document is from the Property Appraisers Office which allows families to get an additional tax benefit for having a grandparent suite. The kitchen seems to be the common denominator with other municipalities to be a single family.

Mayor Wyatt Hoover reviewed the background to this item. Planning and Zoning asked for a more detailed definition of kitchen. The purpose was to prevent having more than one living space on a single-family property, with the intent to prevent vacation rentals. Unfortunately the State legislature has prevented almost all chances of regulating vacation rentals in any capacity. After further discussion, the Commission felt prohibiting families from having a separate space for adult kids or grandparents was counterproductive since the original intent was related to vacation rentals which it now has no effect on. He stated the two parts from the property appraiser document that apply to Melbourne Beach would be they must have an existing homestead exemption, and the construction must be properly permitted.

Commissioner Sherri Quarrie asked if we should put in a different age group.

Mayor Wyatt Hoover stated he does not think the age is relevant. He then read the Brevard County's Ordinance. He recommended increasing the square footage requirement to 800 or 1000 square feet.

Commissioner Sherri Quarrie stated this section is referring to something under the same roof, so the setbacks and lot coverage would limit the size.

Mayor Wyatt Hoover stated that section two could be removed, as well as sections three through six that are related to vacation rentals, since the State legislature dictates regarding vacation rentals

Commissioner Corey Runte stated it is common in other municipalities to allow multigenerational suites. He provided an example regarding if a family member ended up needing full-time care and the family cannot afford an assisted living facility, currently in Melbourne Beach you would not be able to have an additional kitchen to allow the family member to have their own space.

Mayor Wyatt Hoover asked if any Commissioners were in opposition to a detached guesthouse.

Commissioner Sherri Quarrie stated she is against it because the purpose of this is to accommodate seniors or young families who are having a difficult time affording a house. Allowing a detached structure would open the door on detached structures being rented out.

Mayor Wyatt Hoover stated he doesn't think it would make a difference if it was attached or not because you can rent out the attached space out just as easily. The best way to prevent duplex like situations is requiring a single electric and water service.

Commissioner Corey Runte stated you can rent anything out including just a couch or air mattress. Also, if a detached structure wasn't allowed, the owner could just connect the structures with a canopy. He is fine with attached and detached as long as they maintain the homestead exemption and all of the code requirements for lots.

Mayor Wyatt Hoover stated this agenda item is discussion orientated, so this is just to begin the process of making any changes that would require a first and second reading to the ordinance changes.

Nancy Haney
181 Ocean Ridge Dr

Nancy Haney stated she is confused on attached and detached because couldn't you just say attached if you only attached the roof.

Mayor Wyatt Hoover stated that is correct.

Nancy Haney stated her property backs up to a community that is allowing daily rentals.

Commissioner Corey Runte stated that is not allowed in unincorporated Brevard County.

Mayor Wyatt Hoover asked that we stick to things that pertain the Town of Melbourne Beach.

Greg Wilson
526 Sunset Blvd

Greg Wilson stated he just wanted to make sure everyone received and got to look at the photos provided by Jude Wilson earlier in the meeting.

Chuck Cain
309 Surf Rd

Chuck Cain stated on the discussion regarding attached or detached, whether they are connected by a roof line or not, a detached building would have to meet certain requirements. What happens when the grandparents pass? Then they are just going to rent it out. However, if it was in the house they might be less likely to rent it out.

Mayor Wyatt Hoover stated the Town would define it as an accessory structure.

Carol Crispen
205 Elm Ave

Carol Crispen stated she is dealing with an AirBnB that is very loud. It sounds like we are opening ourselves up, and just because Brevard County is doing it, doesn't mean we should. We need to do what is best for Melbourne Beach.

Mayor Wyatt Hoover stated he has received her emails and has driven the streets, but unfortunately, the State has prevented us from being able to regulate AirBnBs at all. This is about keeping people in their homes rather than them selling it and people buy it only as a vacation rental.

Carol Crispen asked what is going to prevent someone from putting a wall in the middle and now they can rent out a duplex instead of a single family. This is going to open us up for other issues because people will find ways around it.

Commissioner Corey Runte stated short term rentals are allowed in the Town of Melbourne Beach. Whether we like it or not there is nothing we can do because of the State Legislature. The Town does have a registration process, however, there is nothing stopping someone from buying fifteen houses on the same street and turning all of them into vacation rentals. The goal is to help the elderly and families to be able to afford to stay together. AirBnBs are allowed no matter, so this would not enable it because you would have to live there.

Ali Dennington
413 Surf Rd

Ali Dennington stated why not change the code to allow for the second kitchen if you get a conditional use, but you also have to sign a development order that says you will not rent it. She stated development orders run with the land and get filed with the County, so even if they sell it, the development order stay in effect. It wouldn't effect the homes that currently have a second kitchen.

Jude Wilson
526 Sunset Blvd

Jude Wilson stated since this is about accommodating multigenerational families; would it be possible to incentivize those who are developing it the way the Commission wants it.

Mayor Wyatt Hoover stated there is a ton of good that could come from this; from aging parents that want to stay in place, to adult kids that cannot afford a house, to live-in caretakers, etc. There will always be people that find a way to take advantage of everything.

Kyle Stark
209 Surf Rd

Kyle Stark stated he lives with his grandparents and his father. Today he took care of his nephews while his sister is dealing with other things. He stated it is very important to remember that the country is changing. His family lives in a multigenerational home. If something harms one person even though they don't deserve it, you also have to think of the good it is doing by allowing families to live a dignified life.

Town Attorney Clifford Repperger stated the County allows for the second kitchen facility as a conditional use, and likely what you would see is a conditional use permit. Also, with the County, the guest house is for larger lots, so as this moves along that will need to be evaluated. As far as the vacation rentals, the County codes that restrict vacation rentals was passed before the preemption was in effect. The preemption has been in effect for quite some time 509.302 (7) preempts local government from prohibiting vacation rentals. You cannot limit the duration of the stay; unless it was in effect before the preemption. The Town does have a regulatory ordinance for vacation rentals.

Vice Mayor Joyce Barton made a motion to move forward with the language for the code of ordinances for multigenerational living areas attached and detached; Commissioner Marivi Walker seconded; Motion carried 5-0.

9. New Business

A. Discussion on a beachfront dog park

The Town received emails from the following residents regarding the discussion on a beachfront dog park:

Hans Rittinger
Diane White
Deborah Aftung
Jamie Guth
Caren Byrd
John & Marie Heck
Donna Bardell
Michael Workman
Donald Thomas
Matt Giammarino
John Mauzer
Vicky Busch

Town Manager Elizabeth Mascaro stated Loggerhead Park was developed through a grant, and no further development can be done to it.

Commissioner Sherri Quarrie stated the reason this was put on the agenda was to find out what the safety and grant limitations are, and to open up the discussion of a dog park. A lot of residents already bring their dogs to the parks or the beach.

Does the Town want to have a safe place for dogs to be able to run on a leash? This was to get input from residents. Are residents interested in a dog park, or allowing dogs in the parks or on the beach? She stated the reason she proposed Loggerhead Park was because it is at the end of the Town, and because of limited parking, it would be limited to residents.

Commissioner Corey Runte stated any Commissioner can put anything up for discussion, which is what this is, strictly just a discussion. A lot of residents have contacted Commissioners about having a safe place for dogs. That being said, he does not support development of the park.

Commissioner Marivi Walker stated she appreciates the idea, but questioned if the Town even has space to put a dog park.

Commissioner Corey Runte stated what about asking the County to put one in at Flutie Field.

Further discussion ensued

Town Manager Elizabeth Mascaro stated we can also contact Indialantic, who recently allowed dogs on the beach in a certain area at certain times.

NEW ACTION ITEM: Dog park research

***Barbara Strutman
802 Pine St***

Barbara Strutman stated although it has already been resolved about Loggerhead, but she would like to add her input. She is against the Loggerhead dog park because this is the last piece of oceanfront property in the Town of Melbourne Beach that is not already concrete. Would the dog park bring more traffic to Town? Would it increase annual taxes? Why does it have to be oceanfront property? Please consider these things.

***Ali Dennington
413 Surf Rd***

Ali Dennington stated she loves dogs, but she doesn't think a dog park is a good idea. When you say Dog Park, most people think of a fenced in area. What about having two poles on the beach and during certain times you can walk your dog on the beach between the poles? To help the residents, what about a time restriction of only from sunset to 9am? The stormwater drainage area by the tennis courts could be a good area to put something up once a week to allow dogs to run.

Curtis Byrd
306 Surf Rd

Curtis Byrd stated he, along with the Environment Advisory Board, assisted in the purchase of the land for Loggerhead Park. The two things the State wanted was to protect the native vegetation and education. There are quite a few events they plan, including education and planting throughout the year. In the application process of the grant, it was written that there would only be pedestrian and bicycles, with no parking areas.

Neal Tompkins
2004 Neptune Dr

Neal Tompkins stated he is glad Loggerhead was taken off the table. He also stated the speed limit there is forty miles per hour, so golf carts cannot be driven down that road. Exploring ideas is a good idea, but he suggests you take the beach off as well. No other municipalities have a dog beach park.

Christian Stumpt
1708 Atlantic

Christian Stumpt stated currently enforcement and taking care of the park is not being done. He stated golf carts are parking there, there is ongoing graffiti, and garbage in the park.

Mayor Wyatt Hoover stated the Town staff is very responsive to things like that, so please snap a picture and send it to townmanager@melbournebeachfl.org, and our public works team will handle it.

Patrick Hagerty
1702 Atlantic St

Patrick Hagerty stated in 2015, Indialantic and Cocoa were both trying to establish a beachfront dog park. They were ultimately shut down because the habitat is considered sea turtle nesting areas. In 2019, an eleven-mile stretch of beachfront south of Melbourne Beach did the same thing. The Brevard County Attorney's Office wanted the County Commissioners to be aware of the potential liability under the Federal Endangered Species Act if they allowed dogs on the beaches in the Archie Carr National Wildlife Refuge. The Act protects threatened and endangered plants and animals, as well as the habitats in which they are found, including sea turtles and sea turtle nesting areas. Lastly, people are already bringing their dogs on the beach against the rules. The Commission should take into effect that people always push boundaries. Opening up to allow dogs on the beach will just allow people to take advantage of it.

Jude Wilson
526 Sunset Blvd

Jude Wilson stated when she first moved here it was wonderful to be able to take her dog to the beach in the early morning when no one was around. There are also more than a dozen people here that she has seen with a dog on the beach. The Commission should consider allowing dogs on the beach in the early morning hours when tourists are not there and people are not sun bathing. She stated she grew up in a different small town which allowed dogs on the beach during certain times and the dogs had to get a special tag. People outside of the Town would not be able to get the tag, so everyone that had the tag was a resident and was responsible. Is there any land that the Town could acquire to have a dog park?

Margie Hoffman
The Breakers

Margie Hoffman stated laws are there to protect everyone and to be followed. In Melbourne Beach dogs are not allowed on the beach, but many times she can see dogs on the beach from her patio. She is concerned when dogs are off leash and barrel down the beach at kids.

Mike McGraw
2005 Atlantic St

Mike McGraw asked what are the rules and regulations regarding dogs on the beach. Dogs are already on the beach. If allowed, people would push the rules. He just wants to protect what we have out there.

Mayor Wyatt Hoover stated no dogs are allowed on the beach at all.

Doug W
1712 Atlantic St

Doug W stated Loggerhead is not a park, it is a preserve. He has surfed all over the place and Loggerhead is a jewel. He went down there today and counted nine turtle nests. That area needs to be left alone.

Commissioner Corey Runte stated if anyone sees a light violation, to take a picture and write the address and send it to our Code Enforcement.

Building Official Robert Bitgood stated if anyone replaces windows on the beach, or if anything is built, that is enforced as well.

- B. Consideration of the updated Interlocal Agreement with Indialantic for fire-rescue dispatch services

Town Manager Elizabeth Mascaro stated this is the seventh update to the agreement with Indialantic, and the fee has increased by \$200.00 making the total \$5,400.00.

Commissioner Corey Runte moved to approve the Interlocal agreement with Indialantic as presented; Commissioner Marivi Walker seconded; Motion carried 5-0.

- C. Discussion on revisions to the landscape and tree ordinance

Building Official Robert Bitgood stated this is something that has been in the works for the past six month. This is just to open up a dialogue and get any input. He met with the Fire Department to make sure there wouldn't be any issues with allowing taller shrubs in front yards. One idea to define the houses directly on A1A would be to use the words along the state road. The governor is about to pass new legislation, so to match it, consider adding to our ordinance "must meet the standards set in tree risk assessment, second edition (2017)."

Commissioner Corey Runte asked what the repercussion is if someone removes a tree that would not normally be allowed without a permit.

Building Official Robert Bitgood stated he would red tag it meaning he would issue a stop work order. They then have thirty days to go through the process of getting a tree permit. Under the new fee schedule, he has the ability to assess up to four times the cost of the permit for doing work without a permit, however, because the tree permit does not cost anything that would need to be reviewed.

Commissioner Corey Runte would like to see the repercussions increased to include a fine for illegal tree removal, and have those fees go towards replacement trees.

Commissioner Sherrie Quarrie asked if some of the money could go towards education, because some of the homeowners truly do not know what they can or cannot cut, and what requires a permit.

Commissioner Corey Runte stated coming up with something simple like call before you cut to put on social media and the Town website that goes to the permit application.

Building Official Robert Bitgood stated 9A-4 (a) change four copies to two copies which is sufficient. Add "trees that are removed for new construction shall be replaced by same or similar species. For mature oaks two similar species will be required. Twelve inches in height above grade." The section 9A-10 change the authorization from Public Works Department to the Building Official or Town Manager. 9A-5 (b) just to stress the requirement of the field check of the site. 9A-6 (b2) twelve feet in height and 4.5 feet above grade to make sure they have a good healthy tree. 9A-7 (a) Remove "minimum of three trees" and defer to other more

specific areas of the code. 9A-7(5a) add the words “above grade” after eight feet in height to be more specific.

Mayor Wyatt Hoover asked if section 7A-53 (2c) need to be amended to a maximum of six feet for homes along state road A1A.

Building Official Robert Bitgood stated that is correct and also section e. Other municipalities have also required full front four-foot vegetation be planted in front of the wall or fence.

Commissioner Sherrie Quarrie asked if the setback requirement would be to the vegetation or to the wall.

Building Official Robert Bitgood stated it would be to the wall because the vegetation is removable, but they would still need to adhere to the twenty-five-foot triangle.

Mayor Wyatt Hoover stated he doesn't think the hedges should be restricted to State road A1A. He would be in favor of striking the maximum four foot hedge in the front yard.

Commissioner Corey Runte and Marivi Walker agreed.

Building Official Robert Bitgood stated this is the only jurisdiction that does not have a setback for a shed to keep them off of the property line. 7A-57 add “shed roof line cannot place water on the neighbor's property”.

Crystal Cain
309 Surf Rd

Crystal Cain stated that if someone bought a property, is there a picture to know what trees are present at that time? Is there a way to know that or have it on a site plan?

Building Official Robert Bitgood stated currently no there is no picture or anything showing current trees.

Commissioner Corey Runte stated when site plans are submitted vegetation is included. As part of the site plan, the caliper and type of tree are required.

Building Official Robert Bitgood stated for new construction a tree permit is not issued until he has walked the property with them, and as part of the site plan, he requires an architectural drawing showing what is there and what is being removed before they can do anything. At the time of the onsite walk he takes pictures.

Ali Dennington
413 Surf Rd

Ali Dennington asked where on the agenda does it say that shed setbacks would be discussed at this meeting.

Building Official Robert Bitgood stated the setbacks are not being talked about, just the water that is being displaced.

Mayor Wyatt Hoover clarified nothing about setbacks would be changed, just the proposed verbiage of “shed roof line cannot place water on a neighbor’s property.”

Nancy Haney
181 Ocean Ridge Dr

Nancy Haney asked about the 1.8 million in ARPA funds. Are there any proposals, and who decides it, and do residents get any input?

Mayor Wyatt Hoover stated the majority of the funds will be used for storm water upgrades and improvements. The requirements are established at a federal level, but the Commission locally decides on how to use the funds. Every time a decision such as an ordinance change is made, it has been discussed in at least three or four meetings, which can take around six months.

Nancy Haney asked if the stormwater issue has already been determined to be the most appropriate and important way to use the money.

Mayor Wyatt Hoover stated that the money is already in the works for several projects, so yes.

Town Manager Elizabeth Mascaro stated for the record the amount is 1.6 million not 1.8 million.

Commissioner Corey Runte made a motion to move forward with the landscape and tree ordinance revisions as presented and discussed; Commissioner Marivi Walker seconded; Motion carried 5-0.

D. Consideration to close Town Hall at noon on Friday, July 1st.

Town Manager Elizabeth Mascaro stated this would be a nice time for team building with a pot luck lunch and get to learn things about each other.

Vice Mayor Joyce Barton made a motion to approve the team building event on July 1st in the afternoon; Commissioner Marivi Walker seconded; Motion carried 5-0.

E. Consideration of a Tourism Lagoon Project Grant

Town Manager Elizabeth Mascaro stated she received a call regarding the Tourism Lagoon Project Grant for up to \$50,000.00 without the requirement for matching funds. They mentioned painting storm drains. She stated we could do a mural guide to get people to find and take pictures with around the Town. It has to be to promote tourism, and the drop dead date for submission is June 22nd.

Mayor Wyatt Hoover stated he would love to see the walls that enclose the beach accesses, boat ramp, Ryckman Park painted with different ecosystems.

Commissioner Corey Runte stated businesses might be interested as well.

Nancy Haney
181 Ocean Ridge Dr

Nancy Haney asked if it is possible to get an extension of the June 22nd due date.

Town Manager Elizabeth Mascaro stated they do not generally allow that.

Nancy Haney stated she has access to a lot of very good artists in town and would be willing to help.

Ali Dennington
413 Surf Rd

Ali Dennington stated she has seen a guy that paints surfboards online, so maybe get some longboards to paint and put them around town.

Neal Tompkins
2004 Neptune

Neal Tompkins stated that all of the ideas are great, but maybe not the storm drains, as that is where all of the stormwater goes to the lagoon. He stated as part of the S.E.A project it was mentioned painting crosswalks, which became a tourist attraction.

Kyle Stark
209 Surf Rd

Kyle Stark stated that what is being talked about would be a great opportunity for kids to not only enjoy the beauty of the decorations, but to also have some sort of educational aspect to it. He suggested coming up with a mission statement of what the art means to the Town.

Commissioner Corey Runte made a motion to approve proceeding with the tourist lagoon grant; Vice Mayor Joyce Barton seconded; Motion carried 5-0.

F. Consideration and approval of Ordinance 2022-01 on low-speed vehicles

Town Attorney Clifford Repperger stated this is the first reading of ordinance 2022-01 an ordinance of the Town of Melbourne Beach, Brevard County, Florida relating to the traffic code of the town; making findings; creating sections 30-100 through 30-109, Town Code of ordinances, authorizing the operation of low speed vehicles within the town; providing legislative intent and definition; providing for authorized use and operation of low speed vehicles; providing for permits, applications, decals, inspection, and permit revocation; setting forth required equipment; providing for waiver of claims; setting forth unlawful conduct and prohibitions; providing parking regulations; creating provisions for enforcement; providing for reciprocity with the Town of Indialantic; providing for severability; providing for repeal of conflicting ordinances and resolutions; providing an effective date; and providing an adoption schedule.

Town Attorney Clifford Repperger stated this is the low speed vehicle ordinance. It is substantially similar to what Indialantic has with a few tweaks. It is placed into the Town's Traffic Code to allow for low speed vehicles via decal in the Town of Melbourne Beach. Again these are specifically defined low speed vehicles, they are not golf carts by definition, with the required equipment and with the required driver's license. Operation within the Town and providing with reciprocity for those who have decals in Indialantic can operate within the jurisdictional boundaries of the Town of Melbourne Beach. There is no need for an Interlocal agreement with Indialantic since reciprocity is written into the ordinance.

Police Chief Melanie Griswold stated she spoke with Indialantic's Town Manager and Chief of Police, and they are going to make some amendments to their ordinance.

Vice Mayor Joyce Barton moved to approve and pass Ordinance 2022-01 on the first reading for low speed vehicle ordinance; Commissioner Marivi Walker seconded; Motion carried 5-0.

10. Staff Reports

A. Town Attorney Report

No Report

B. Town Manager Report

Town Manager Elizabeth Mascaro stated she was contacted by the EAB who would like to set up an educational demonstration on rain barrels, to encourage residents to use them. She wanted to make sure the Commission is okay with it and if they wanted them painted or designed.

Vice Mayor Joyce Barton stated it would be nice to show them decorated, or blended in to the surrounding area. It would be a great learning experience.

Mayor Wyatt Hoover stated a great place to put one is the South West corner where the bathrooms are in the park here.

Crystal Cain
309 Surf Rd

Crystal Cain stated you want to place it where you can use the water from it as well. She relayed that Leslie with the EAB is heading this up.

C. Town Clerk Report

No Report

D. Departmental Reports

1. Building Department

No additions to the report

2. Public Works Department

Public Works Director Tom Davis stated for the most part Sunset is finished. He will assess the changes to see if they are effective or not. He prefers the style of light that is in the ground. He also recently purchased a water tote to be able to water the plants and trees around town.

3. Code Enforcement

No additions to the report

4. Police Department

Police Chief Melanie Griswold stated she would like to give kudos to Corporal Martin and Administrative Assistant Megan for the recent movies in the park event, which had to end up being in the community center. Also, thank you to Amber for helping out the Police Department on Founder's Day. Sergeant Sadler, Officer Tejada, Chaplain Finlayson, and Megan helped out with Melbourne Square Mall's Hometown Heroes event.

5. Fire Department

Fire Chief Gavin Brown stated when he sent in his monthly report he sent in the abbreviated version, so there is one page missing. The highlights from the missing pages included the Fire Department assisting with Founder's Day where there were no incidents, not even for bandaids. The Fire Department's

CPR instructors taught BLS courses to certify all of the Melbourne Beach and Indian Harbour Beach Police Officers in CPR. The instructors also took a high performance CPR course through Brevard County Fire Rescue to help improve patient outcomes. The Department also went to Indian Harbour Beach last month to discuss the shared training center which is slowly progressing. Currently the Department has twenty four state certified firefighters and on average, approx. eleven volunteers show up to each call for service, ten of which are State certified firefighters / volunteer firefighters.

6. Finance Department

Vice Mayor Joyce Barton moved to approve the Finance Report as presented; Commissioner Corey Runte seconded; Motion carried 5-0.

11. Town Commission Comments

A. Review of Commission Action Item List

New

- **Dog Park Research**

Updated

- **Permanent Tree Lighting:** PW installed two types of lights to evaluate. – Report will be given next month.
- **Community Center Audio:** Received quotes from companies: one quote was for \$16,000-\$19,000, a second quote was for just under \$27,000, a third quote was for just over \$8,500. The other option would be for us to purchase the items and install them ourselves which could cost around \$5,000. – Next month bring 3 breakdowns of the potential products
- **S.E.A. Project:** Town Manager spoke with Neal and now has two proposed dates in August. – Next month she will have the final date
- **Multi-generational Suites:** Add to old business for next month for proposed language, then it will go to planning and zoning, then back to the Commission. - August
- **Charging Stations:** Town Manager spoke with James Moore (he is NOT associated with the auditors) who has a company that installs charging stations he recommended putting a charging station in a pay-to-park spot. Vice Mayor Joyce Barton stated one of his charging stations was just installed at Grace Lutheran. – August

Closed

- **Drown Zero Stations:** Provided related documents from Cocoa Beach when they approved the drown zero stations - Closed
- **Low-Speed Vehicle:** First reading of the ordinance today – Closed

B. General Comments

None

12. Adjournment

Commissioner Corey Runte moved to adjourn; Commissioner Marivi Walker seconded; Motion carried 5-0.

Meeting adjourned at 9:38 p.m.

ATTEST:



Wyatt Hoover, Mayor



Amber Brown, Interim Town Clerk



From: [Corey OGorman](#)
To: [Cliff Repperger](#); [Building Official \(buildingofficial@melbournebeachfl.org\)](#); [Melbourne Beach Town Manager](#)
Subject: RE: Draft Ordinances for Landscaping and Second Kitchens
Date: Thursday, February 2, 2023 7:12:59 AM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good morning Cliff,

Thanks for copying me, I had a chance to take a look at the draft ordinance for 2nd kitchens and my initial thoughts and comments are:

- I currently see a lot of outdoor kitchens in covered patio areas that is more of an outdoor BBQ area. If there are a lot of these in Melbourne Beach, you may want to make a distinction between an outdoor BBQ area and an indoor 2nd kitchen. Perhaps this could be addressed in the intent section where a 2nd kitchen is proposed to enable an accessory living area within the home to be occupied by an extended family member ... or something like that.
- Many of the codes I have read with this ability talk about this situation in terms of an “accessory dwelling unit” rather than a 2nd kitchen. And although I think the 2nd kitchen approach is fine, it might make sense to consider discussing the intent to allow an accessory dwelling with its own cooking facilities. In the MB Code, an Accessory Use is one that is clearly incidental and subordinate to the principal use, and that may be a way of limiting square footage, etc.
- Other codes that I have read also include language that the accessory unit is not considered a dwelling unit for density purposes under the comp plan or a second unit under the zoning code, neither of which would be approved.
- In a committee that I participate on in PB County has also reviewed this issue and found that some provisions in the PBC Code are not enforceable. For instance, the county has the same provision for electric meters and the restriction on not renting, but there is always the ability for a property owner to install a sub-meter. Also, where paragraph 1 says that direct access to the kitchen is from the living area or quarters of the SF residence, the language does not prohibit an exterior access.

Regarding the trees, my initial thoughts are:

- Section 9A-4 references a “Best Practices” document, and I have often seen where the document is kept on file with the town clerk and can be provided to applicants if needed.
- I don’t recall seeing in the existing or proposed code language anything regarding protected species of trees which I normally see. I see an exemption for exotic species, but there are often codes which specify what are the most desirable tree species for preservation and planting. I also see that there is reference to native vegetation and Florida Friendly, although it might be helpful to define the species that are desirable in MB, or at a minimum keep those documents/references with the clerk for distribution to applicants if needed. Also, I usually see that permits are typically not required for trees under a certain caliper or overall size. For

instance if there is a sapling that is less important than a 100 year old oak that has a 36" DBH.

Just food for thought, I hope it helps! THANKS!

Corey W. O'Gorman AICP
Place Planning

700 US Highway One, Suite C
North Palm Beach, FL 33408
561-863-2722 Phone
561-863-2733 fax
561-801-2461 cell

Town Commission Meeting

Section: New Business
Meeting Date: February 15, 2023
From: Amber Brown, Town Clerk
Subject: Updates to Town Boards

Background Information:

The status of the Historical Preservation and Awareness Board is a continued discussion.

Term lengths among the different Town Boards is inconsistent. The Board of Adjustment, and Planning and Zoning have three-year terms. The Environmental Advisory Board, History Center Board, and Parks Board have two-year terms.

Parks Board is allowed to have members from outside of Town, but the other Boards are not.

The number of members for the boards is inconsistent. The History Center Board consists of seven members plus two alternates. The Parks Board and Environmental Advisory Board consist of five members plus two alternates. A draft resolution for the Historical Preservation and Awareness Board proposed the Board consist of five members plus two alternates and allow up to three non-residents to serve as non-voting, ex officio members of the Board.

The History Center Board would like to change their meeting date and time to the first Wednesday at 5:00 pm.

Recommendation:

Consider reinstating the Historical Preservation and Awareness Board.

Consider changing the terms for the Environmental Advisory Board, History Center Board, Historical Preservation and Awareness Board, and Parks Board to three-year terms to be consistent with the Board of Adjustment, and Planning and Zoning Board.

Consider allowing the Environmental Advisory Board, History Center Board, and Historical Preservation and Awareness Board to have non-resident members on the Board.

Consider changing the number of members for the Environmental Advisory Board, History Center Board, Historical Preservation and Awareness Board, and Parks Board to consist of seven members plus two alternates.

Consider allowing the History Center Board to change their meeting date and time from the first Thursday at 5:30 pm to the first Wednesday at 5:00 pm.

Attachments:

- Previously proposed draft of resolution 2021-03 related to the Historical Preservation and Awareness Board
- Town Code for the Board of Adjustment
- Town Code for the Environmental Advisory Board
- Town Code for the History Center Board
- Town Code for the Parks Board
- Town Code for Planning and Zoning Board

RESOLUTION 2021-03

A RESOLUTION OF THE TOWN OF MELBOURNE BEACH, BREVARD COUNTY, FLORIDA, RELATING TO CREATION OF A TOWN HISTORICAL PRESERVATION AND AWARENESS BOARD; MAKING FINDINGS; CREATING THE BOARD AND PROVIDING PURPOSE AND DUTIES; PROVIDING FOR APPOINTMENT AND SPECIFYING TERMS; PROVIDING FOR OFFICERS AND RULES AND PROCEDURES; SPECIFYING DURATION; PROVIDING FOR THE REPEAL OF CERTAIN INCONSISTENT RESOLUTIONS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Commission has determined a need to provide a mechanism through which matters involving historical preservation and awareness regarding Melbourne Beach's rich history can be implemented in the community;

WHEREAS, the Town Commission finds that the history of the community and preservation of the community's historical assets are of growing concern to the community;

WHEREAS, the Town Commission created the Historical Preservation and Awareness Board on February 18, 2004 by Resolution 730 and it has been meeting and affirmed yearly, it now sees the need to make the Board official by this Ordinance.

WHEREAS, the Town Commission finds that this Resolution will promote the public welfare and economic order of the community by providing a board to provide advice to the Town Commission with regard to preservation of historical structures, such as the Ryckman House, the Town Community Center, and other historical structures not covered by established Boards, as well as historical events and dates and other issues related to the Town's history.

NOW, THEREFORE, BE IT RESOLVED by the Town of Commission of the Town of Melbourne Beach, Brevard County, Florida:

SECTION 1. ESTABLISHMENT; PURPOSE AND DUTIES. There is hereby created a special Board of the Town to be as the HISTORICAL PRESERVATION AND AWARENESS BOARD. The Board shall be viewed as advisory in nature and not as a standing Board.

Said Board is created and shall have the power and authority to:

(1) Upon request by the Town Commission, review and make advisory comments with regard to ordinances, resolutions, historical preservation programs, and grants relating to the Town's history and preservation of historical structures within the Town;

- (2) Work through and coordinate with the Town Manager's office in identification of matters relating to the Town's history in which the Town government should be logically involved;
- (3) After consideration of the costs involved, effect on the Town's tax structure and funding sources, as appropriate advise the Town Manager and the Town Commission with regard to matters of interest, including programs to preserve historical structures; and
- (4) Undertake tasks relating to making the Town aware of its history and providing for the preservation of historical Town buildings, as may from time to time, be requested by the Town Commission.

SECTION 2. APPOINTED MEMBERS; TERMS.

- (a) The Board shall consist of five (5) members, plus 2 alternate members and up to 3 non-residents, ex officio members. The alternate members will have a voice but not a vote in all Board deliberations, unless one or more regular members is absent, in which case the alternate members are authorized to vote in accordance with their designation. All voting members of the Board shall during their term of service be residents of the Town. Up to three (3) non-residents of the Town may be appointed to serve as non-voting, ex officio members of the Board.
- (b) Members shall be appointed for a three year term and shall be eligible for reappointment.

SECTION 3. OFFICERS; RULES AND PROCEDURES.

- (a) Members of the Board shall annually select one of the voting members as Chairperson and a voting member as Vice-Chairperson and a voting member as Secretary.
- (b) The presence of three (3) voting members shall constitute a quorum.
- (c) The Board will meet on the second (2nd) Tuesday of each month and otherwise as necessary to conduct its business.
- (d) The Board shall formulate its own rules, policies, and procedures as needed. In absence of formulation of said rules, Roberts' Rules of Order shall be utilized.
- (e) All meetings of the Board and an agenda of said meeting shall be advertised at least three (3) days prior to said meeting by posting a notice at Town Hall setting forth the time, place, and date of said meeting, and agenda of said meeting.
- (f) Minutes shall be taken at all Board meetings, and consistent with the Government-in-the-Sunshine Act, Section 286.011, Florida Statutes, all meetings shall be open to the public.

SECTION 4. DURATION. The Board shall come into existence upon approval of this resolution. The Board's existence shall terminate as directed by the Commission.

SECTION 5. SEVERABILITY. In the event that any term, provision, clause, sentence or section of this Ordinance shall be held by a court of competent jurisdiction to be partially or wholly unenforceable or invalid for any reason, whatsoever, any such invalidity, illegality, or unenforceability shall not affect any of the other or remaining terms, provisions, clauses, sentences, or sections of this Ordinance, and this Ordinance shall be read and/or applied as if the invalid, illegal, or unenforceable term, provision, clause, sentence, or section did not exist.

SECTION 6. RESOLUTIONS IN CONFLICT. All resolutions or parts thereof that may be determined to be in conflict herewith.

SECTION 7. EFFECTIVE DATE. This Resolution shall become effective upon adoption.

PASSED AND ADOPTED by the Town Commission of the Town of Melbourne Beach, Florida at a regular meeting held this _____.

DRAFT

ARTICLE IX. BOARD OF ADJUSTMENT

§ 7A-150. ESTABLISHMENT; TERMS AND MEMBERSHIPS.

(a) There is hereby established a Board to be called the Board of Adjustment. The Board of Adjustment is a five-member body plus two alternates established by the Town Commission. Such Board shall be composed of, when reasonably possible, one architect, one engineer, one member at large from the building industry, one building contractor and one member at large from the public. The term of office of the first members of the Board shall be one year for one member, two years for two members, three years for two members, and three years for each alternate with appointment thereafter to be for a term of three years for each member. The alternates will have a voice but not a vote in all Board of Adjustment deliberations, unless one or more regular members are absent, in which case the alternates are authorized to vote in accordance with their designation as alternate number one and alternate number two, in that order.

(b) Members and alternates shall be appointed by the Town Commission and may be removed by the Commission for cause and after a public hearing held on written charges. Vacancies shall be filled by the Town Commission for the unexpired term of the members affected.

(c) The Board of Adjustment shall appoint the Chairperson of the Board on a yearly basis.

(d) Three members of the Board shall constitute a quorum. In varying the application of any provisions of this code or in modifying an order of the Building Official, affirmative votes of the majority present, but not less than three affirmative votes, shall be required. If the Planning and Zoning Board member designated to attend Board of Adjustment meetings pursuant to § 7A-137 shall fail to attend a meeting of the Board of Adjustment, any action taken by the Board of Adjustment in the absence of said Planning and Zoning Board member shall not be invalid or void by reason of said absence.

(`75 Code, Appendix A, Art. IX) (Ord. passed 9-26-72; Am. Ord. 85-7, passed 11-12-85; Am. Ord. 2017-05, adopted 12-20-17)

§ 7A-151. PROCEEDINGS OF BOARD.

The Board of Adjustment shall adopt rules necessary to the conduct of its affairs, and in keeping with the provisions of the Land Development Code. Meetings shall be held at the call of the Chairperson and at such other times as a majority of Board members may determine. The Chairperson, or in his absence the acting Chairperson, may administer oaths and compel the attendance of witnesses. All meetings shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating other official actions, all of which shall be a public record and be immediately filed in the office of the Town Clerk for the Board. The Town Clerk or said individuals designee shall act as Secretary to the Board.

(`75 Code, Appendix A, Art. IX § 1) (Ord. passed 9-26-72; Am. Ord. 2017-05, adopted 12-20-17)

§ 7A-152. POWERS AND DUTIES.

(a) The Board of Adjustment shall have the power necessary to effectuate, within the constraint of federal, state and local law, all of the duties set forth in this section.

(b) Administrative Review. The Board of Adjustment shall have the authority to hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by the Building Official or the Zoning Official in the interpretation or enforcement of this Land Development Code.

(1) Appeal to Board of Adjustment. Appeals to the Board of Adjustment may be taken by any person aggrieved by any decision of the Building Official or the Zoning Official in the interpretation or enforcement of any portion of this Land Development Code. Appeals to the Board of Adjustment, relating to any decision of the Building Official or the Zoning Official in the interpretation or enforcement of any portion of the Land Development Code, may also be taken by the Town Manager or any Town Commissioner. As utilized in this sub-section, a "person aggrieved" shall be:

- a. An individual requesting the interpretation;
- b. Any person having a legally recognizable interest in the interpretative opinion, which interest is directly and adversely affected by the interpretation, and which is different than the interest of the community as a whole; or
- c. Any person having a definite interest exceeding the general interest in the community good shared in common with all citizens.

Factors to be considered in determining the sufficiency of a person's interest include, but shall not be limited to: (i) proximity of the person's property to the property subject to the interpretative opinion; (ii) character of the neighborhood including the existence of common restrictive covenants and set-back requirements that directly relate to the interpretative opinion; and (iii) the fact that the person is among those entitled to receive notice of a rezoning, special exception, comprehensive plan amendment, site plan approval, or variance called for by the interpretative opinion.

(2) Initiation of appeal. Such appeal shall be taken within a reasonable time not to exceed 30 days following the date of rendition of the interpretation by filing with the Building Official and with the Secretary to the Board of Adjustment a notice of appeal specifying the grounds thereof.

(3) Notice. The Building Official, in cases of an appeal from the determination or interpretation of the Building Official,

and the Zoning Official, in cases of an appeal from the determination or interpretation of the Zoning Official, shall within 15 days thereafter transmit to the Board of Adjustment all papers constituting the record upon which the action appealed from was taken. The Secretary to the Board of Adjustment, after receipt of the record, shall fix a time for hearing of the appeal giving public notice thereof at least 15 days in advance of the public hearing as well as due notice to the parties in interest. Any party may appear in person or by agent or attorney at the hearing.

(4) Stay of proceeding. An appeal stays all proceedings in furtherance of the action appealed from unless the Building Official or Zoning Official, as the person from whose determination or interpretation an appeal is being taken, certifies to the Board of Adjustment after the notice of appeal is filed, that by reason of facts stated in the certificate, a stay would, in the Building or Zoning Official's opinion, cause imminent peril to life and property. In such cases proceedings shall not be stayed other than by a restraining order which may be granted by the Board of Adjustment or a court of record on application.

(`75 Code, Appendix A, Art. X, § 1) (Ord. passed 9-26-72; Am. Ord. 85-7, passed 11-12-85; Am. Ord. 99-02, passed 2-17-99; Am. Ord. 2004-02, adopted 7-21-04)

(c) Special Exceptions.

(1) Limitations. The Board of Adjustment shall have the authority to hear and decide only such special exceptions as it is specifically authorized to pass on by the terms of this Land Development Code; to decide such questions as are involved in determining whether special exceptions should be granted; and to grant special exceptions with such conditions and safeguards as are appropriate under this chapter or other applicable ordinances; or to deny special exceptions when not in harmony with the purpose and intent of the Land Development Code. A special exception shall not be granted by the Board unless and until:

a. A written application for a special exception is submitted by the applicant indicating the section of this chapter under which the special exception is sought and stating the grounds on which it is requested.

b. Notice shall be given by the Town at least 15 days in advance of the public hearing. The owner of the property for which a special exception is sought or his agent shall be notified by U.S. first class mail with return receipt requested. Notice of such hearing shall be posted on the property for which a special exception is sought, at the Town Hall, and shall be published in a newspaper of general circulation within the Town.

c. A courtesy notice shall be mailed by the Town to the property owners of record within a radius of 500 feet. The Town's failure to mail or the fact that the intended recipient shall not receive a courtesy notice shall in no way invalidate any action taken by the Town or its boards and commissions.

d. Any party may appear in person or be otherwise represented at the public hearing. The Board shall make such findings and determinations as it is empowered under the various sections of this chapter so to do.

(2) Submittal requirements.

a. Development plans that include complete architectural drawings of all faces of a building and an overhead view shall be submitted with all special exception applications that include a new building(s), facade renovations, or substantial improvements to an existing building. The drawings shall be submitted in color and at the minimum shall include:

1. Architectural style.
2. Exterior construction material specifications.
3. Color charts.
4. A site plan (§ 7A-51).
5. Structure dimensions and setbacks from all property lines.
6. Refuse service area location.
7. Mechanical outdoor equipment location.
8. Master outdoor lighting plan.
9. Screening devices.
10. Master signage plan.
11. Master landscaping plan.
12. Wall or fence details.

13. Other information determined necessary by the Town to ensure consistency with the purpose and intent and the provisions of the Land Development Code.

14. Specific requirements found in § 7A-152(c)(3), and § 7A-52 relating to walls and fences, and Chapter 9A relating to landscaping and trees, all in the Land Development Code.

b. Applications that propose a change of use in an existing building to a special exception use where architectural changes are not required or planned shall not be subject to architectural requirements with the exception of paint color. The building and site shall be retrofitted to meet other special exception criteria to the extent determined by the Board of

Adjustment. Landscaping of any existing open space areas and compliance with the signage and lighting requirements shall be required.

c. The applicant shall also submit as a part of the application a narrative that explains how the use and the development will be compatible with surrounding uses in its function, its hours of operation, the type and amount of traffic to be generated, building size and setbacks, its relationship to land values and other factors that may be used to measure compatibility.

(3) Review criteria. Before any special exception shall be issued the Board of Adjustment shall make written findings certifying compliance with the specific rules governing individual special exceptions, and that the grant of the special exception as depicted on the development plans meets or exceeds the following standards:

a. Architectural style. Building design and construction, including but not limited to, exterior building materials specifications, shall conform to the Bungalow, Frame Vernacular, 1800's Tidewater Style, Key West or Gothic Revival architecture. Other historical architectural styles may be permitted upon application to the Board of Adjustment, if the applicant demonstrates and the Board of Adjustment determines that the utilization of such style contributes positively to the historic character of the Town and is consistent with the intent of the Land Development Code. Examples of architectural style shall be available in the office of the Building Official.

b. Compatibility. The special exception, as depicted on the development plans, is compatible with adjacent and nearby uses, developments, structures, and neighborhoods and will not alter the character of the community and neighborhood or be contrary to emerging development trends in the community and the neighborhood.

c. Building orientation. Buildings shall be oriented so as to enhance the appearance of the streetscape.

1. All facades of a building that face a road shall have an entrance to the building that is parallel to the roadway. The building shall not be limited to entrances facing roadways. Alternative entrances facing parking lots, driveways, or open space are permitted. The entrance to the building shall face parallel to the public right-of-way.

2. Each facade that is visible from a public right-of-way shall be designed with full architectural treatment including door and window placements, facade architectural treatments and detail, roof design and building materials applications necessary to give the appearance that each visible facade is a primary facade.

3. The architectural treatment requirements shall also be applied to any building facade that is situated where it is clearly visible from a public area of an adjoining site, unless the Board of Adjustment allows landscape buffering to serve as an alternative to the architectural treatment.

4. Building orientation shall ensure that service areas are placed out of view from public rights-of-way, parking areas, and adjacent properties. Where, because of site constraints service areas cannot be so located, such areas shall be screened from view by vegetative or structural means. Any structural screening shall be architecturally compatible with the principal building in terms of style, color, construction materials and finish.

5. Mass, bulk and scale of all structures shall be compatible with other structures and uses both in the same zoning district and in the neighborhood.

d. Exterior materials and colors. Exterior building materials and colors contribute significantly to the visual impact of a building on a community which in turn, reflects upon the visual character and quality of a community. In order to protect an image of high quality Town aesthetics, exterior building materials and colors shall conform to the following requirements:

1. All buildings shall be faced with materials that exhibit a durable, high quality appearance.

2. Acceptable exterior facing materials shall include those that are consistent with the architectural style of the building.

3. Exterior colors shall be historically consistent colors used along Ocean Avenue. These colors are dominated by pastels and shades of white. Accent colors and colors consistent with the proposed architectural style may be approved if determined to be compatible with the character of surrounding and nearby structures.

4. Building materials and colors shall be consistent around the entire building. The application may include proposed exceptions to this requirement. The Board of Adjustment may grant exceptions, if it is demonstrated that the proposal remains compatible with the Ocean Avenue corridor and adjacent residential uses.

5. Once a final development plan has been approved a change in color(s) shall be made only after application to, and approval by, the Board of Adjustment.

e. Roof design. Roofs are an integral part of building design, and shall be designed and constructed to compliment the character of the building. Roof design and construction shall conform to the following requirements:

1. Roofs shall be constructed of durable high quality material in order to enhance the appearance and attractiveness of the Town. Roofing materials shall be similar in appearance with materials that are historically consistent with the architectural style of the building.

2. The design of roof structures shall be consistent with the architectural style of the building and shall extend to all sides of the building.

3. Roofs shall be designed to be of a height, bulk, and mass so as to appear structural even when the design is

non-structural.

f. Refuse service areas.

1. Refuse service areas shall be located in a manner that minimizes impacts to adjacent residential areas.

2. Refuse service areas shall be screened from adjacent properties and rights-of-way by an enclosure that is constructed of durable building materials such as concrete, stone, or brick. The enclosure shall be faced with the same style as the facade of the primary structure on the site. The gate to the enclosure shall have a similar appearance as the facade of the building. The enclosure shall be the same color as the primary structure.

3. Enclosures shall be large enough and located in a manner that service vehicles can access the dumpster while it is in the enclosure.

g. Mechanical equipment operation and location.

1. Mechanical equipment shall be located in a manner that minimizes impacts to adjacent residential properties.

2. Mechanical equipment, including equipment located on roofs shall be screened from view of adjacent residential properties and rights-of-way. Screening shall be of a material that is consistent with the architecture of the building.

h. Lighting.

1. Outdoor lighting shall be arranged so that the light source is shielded from adjacent residential properties and rights-of-way. Light fixtures shall be a type that directs the light downward.

2. Outdoor lighting shall be arranged so that no portions of adjacent residential properties are covered by the light shadow. There shall be no glare or spillover effect of lighting from the property on which a special exception is approved to adjacent properties, and all lighting shall comply with §§ 46-91 through 46-97, Brevard County Code, relating to safeguarding nesting female and hatchling marine turtles from sources of artificial light.

i. Landscaping and trees. Landscaping and trees are subject to specific requirements for special exceptions found in Chapter 9A of this Land Development Code.

j. Signs. Signs are subject to specific requirements for special exceptions found in §7A-52 of this Land Development Code.

k. Walls and fences. Walls and fences are subject to specific requirements for special exceptions found in §7A-53 of this Land Development Code.

l. Comprehensive plan. No special exception shall be granted unless it is first determined by the Board of Adjustment that the special exception and development plans are consistent with the Comprehensive Plan. A special exception shall not be presumed to be consistent with the Comprehensive Plan merely because it is listed in the Land Development Code as a special exception in a given zoning district.

(4) Prohibited activities. Special exception uses that include the following activities shall not be approved:

a. Utilizes shared parking from a zoning district that allows a higher intensity use.

b. Combines the property with property in a zoning district that allows a higher intensity of use where it will result in a larger structure on the property proposed for the special exception than otherwise would be permitted.

c. Has a drive-in, drive-up, drive through, or any other similar feature that provides for receipt of goods, services, food, or information from a motor vehicle.

(5) Site plans. No special exception shall be effective unless it conforms to a site plan in compliance with the requirements of § 7A-51, which site plan is approved by the Town Commission. All development shall comply with the site plans considered by the Board of Adjustment, unless the site plan is otherwise modified and approved by the Planning and Zoning Board and/or the Town Commission.

(6) Conditions and safeguards. In granting any special exception, the Board of Adjustment may prescribe appropriate conditions and safeguards in conformity with this Land Development Code. Violation of such conditions and safeguards, when made a part of the terms under which the special exception is granted, shall be deemed to be a violation of this Land Development Code and punishable as provided by this code. The Board shall prescribe a time limit within which the action for which the special exception is required shall be begun or completed, or both. Failure to begin or complete, or both, such action within the time limit set shall void the special exception.

(75 Code, Appendix A, Art. X, § 2) (Ord. passed 9-26-72; Am. Ord. 85-7, passed 11-12-85; Am. Ord. 2008-08, adopted 9-3-08)

(d) Variances to the provisions of Chapter 7A of the Land Development Code.

(1) When granted. A variance from the terms of Chapter 7A may be granted when it will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of these regulations would result in unnecessary and undue hardship; provided specifically, however, that financial or self-imposed reasons shall not be considered as grounds for establishing undue hardship sufficient to qualify an applicant for a variance.

(2) A variance is authorized only for area, size of structure, size of yards, and open spaces. Establishment or expansion of a use otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of nonconformities in the zoning district or uses in an adjoining zoning district. Variances to maximum building heights are not authorized.

(3) Under no circumstances shall the Board of Adjustment grant a variance to permit a use not generally or by special exception permitted in the district involved, or any use expressly or by implication prohibited by the terms of the Land Development Code.

(4) No nonconforming use of neighboring lands, structures or buildings in the same district, and no permitted use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

(5) Conditions governing applications. A variance shall not be considered by the Board of Adjustment unless and until a written application for a variance is submitted demonstrating:

a. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, buildings or structures in the same district;

b. That literal interpretation of the provisions of this Land Development Code would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Land Development Code; and

c. That the special conditions and circumstances referred to in division (5)a. above, do not result from the actions of the applicant.

d. If a variance is granted with regard to a condition relating to a structure, the variance shall terminate when the structure, or all of that portion of the structure specifically affected by the variance, is razed or otherwise removed from the affected property, unless the Board of Adjustment otherwise specifies in its final order. With regard to any variance granted before January 1, 2015, no term of said variance shall be construed to be limited, unless the Board of Adjustment's order specifically so provides.

(6) Procedures:

a. Notice of the public hearing shall be given as specified for special exceptions.

b. The applicant shall be required to supply to the Town Clerk a certified list from the Brevard County Property Appraiser of all property owners within a radius of 500 feet from the subject property. A courtesy notice shall be mailed U.S. first mail class with return receipt requested by the Town Clerk to all property owners within that area. The Town's failure to mail or the fact that the intended recipient shall not receive a courtesy notice shall in no way invalidate any action taken by the Town or its boards and commissions.

c. Any party may appear in person, or be otherwise represented at the public hearing.

d. The Board of Adjustment shall make findings as to whether the requirements of division (5) above have been met by the applicant for a variance.

e. The Board of Adjustment shall determine whether the reasons set forth in the application justify the granting of the variance and whether the variance is the minimum variance that will make possible the reasonable use of the land, building or structure.

f. The Board of Adjustment shall further determine whether the granting of the variance will be in harmony with the general cure and intent of this Land Development Code, will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

g. In no case shall the Board of Adjustment grant a variance which will result in a change of land use as set forth in the Comprehensive Plan that would not be permitted in the applicable land use classification.

h. When a portion of a nonconforming structure is to be demolished or razed as a part of a variance application, the percent of the structure to be demolished or razed shall be stated in the variance application.

(7) In granting any variance, the Board of Adjustment may prescribe appropriate conditions and safeguards which will be in conformity with this Land Development Code. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this Land Development Code and punishable as provided by this Land Development Code. Under no circumstances shall the Board of Adjustment grant a variance to permit a use not generally or by special exception permitted in the district involved, or any use expressly or by implication prohibited by the terms of this Land Development Code in that district.

(e) Variances to the Provisions of Article IX, Chapter 4A may be granted as provided in §§4A-198 through 4A-205.

(f) Variances to the Provisions of coastal setback line established by Chapter 5A of this Land Development Code; provided that the standards for granting a variance thereunder which are set forth in this § 7A-152 shall not apply.

(g) Building Code; Plumbing Code; Mechanical Code; and Gas Code. Variances from provisions of, or appeals from decisions of the Building Official related to, the standard building and construction codes adopted in §§ 4A-20, 4A-21, 4A-65, 4A-81, and 4A-83, of this code, may be granted by the Board of Adjustment pursuant to the specific procedures and based on the standards set forth in the aforementioned standard building and construction related codes.

(h) Unsafe Building Abatement Code. Appeals from decisions of the Building Official related to the Standard Unsafe Building Abatement Code adopted in § 4A-63 of this code, may be granted by the Board of Adjustment pursuant to the specific procedures and based on the standards set forth in the aforementioned code.

('75 Code, Appendix A, Art. X, § 3) (Ord. passed 9-26-72; Am. Ord. 87-02, passed 5-12-87; Am. Ord. 96-01, passed 4-17-96; Am. Ord. 96-03, passed 4-17-96; Am. Ord. 2006-08, adopted 8-30-06; Am. Ord. 2017-05, adopted 12-20-17)

§ 7A-153. HEARINGS.

All hearings for special exceptions or variances before the Board of Adjustment shall be initiated by either:

- (1) The owner or owners of at least 75% of the property described in the application;
- (2) The tenant or tenants, with the owner's sworn-to consent;
- (3) Duly authorized agents evidenced by a written power of attorney;
- (4) Town Commission;
- (5) Planning and Zoning Board; or
- (6) Any department or agency of the Town.

('75 Code, Appendix A, Art. X, § 4) (Ord. passed 9-26-72; Am. Ord. 87-02, passed 5-12-87; Am. Ord. 2017-05, adopted 12-20-17)

§ 7A-154. DECISIONS OF BOARD.

(a) In exercising any of the powers listed in this article, the Board of Adjustment may, so long as the action is in conformity with the terms of this article, reverse or affirm wholly or partly, or may modify the order, requirement, decision, or determination appealed from and may make such order, requirement, decision or determination as should be made and to that end shall have all the powers of the Building or Zoning Official from whom the appeal was taken.

(b) The concurring vote of a majority of the members of the Board shall be necessary to reverse any order, requirement, decision or determination of the Building Official or Zoning Official, or to decide in favor of the applicant on any matter upon which it is required to pass, or to effect any variation in the application of the Land Development Code.

('75 Code, Appendix A, Art. X, § 5) (Ord. passed 9-26-72; Am. Ord. 87-02, passed 5-12-87; Am. Ord. 2004-02, adopted 7-21-04; Am. Ord. 2017-05, adopted 12-20-17)

§ 7A-155. REHEARINGS.

The Board of Adjustment shall not rehear a special exception, appeal from a determination of the Building Official or Zoning Official, or variance once decided unless an error in substantive or procedural law is found following the decision, or unless the Board makes a finding based on presentation by the applicant that new evidence, not discoverable by the applicant prior to the initial hearing, is found. A different or more effective presentation or clarification of the same evidence or matters considered at the initial hearing shall not be grounds for a rehearing before the Board of Adjustment. All proceedings to rehear a variance, special exception, appeal from a determination of the Building Official or Zoning Official, including entering a granting or denial of a rehearing, must be completed, if at all, within 30 days from the date of rendition of the Board's order being reheard.

(Ord. 87-02, passed 5-12-87; Am. Ord. 2004-02, adopted 7-21-04; Am. Ord. 2017-05, adopted 12-20-17)

§ 7A-156. INFORMING BOARD OF POWERS AND DUTIES.

The Town Attorney shall annually review and advise the members of the Board of Adjustment as to the powers and duties of the Board as defined in §§ 7A-150 through 7A-156 and applicable state statutes.

('75 Code, Appendix A, Art. X, § 6) (Ord. passed 9-26-72; Am. Ord. 87-02, passed 5-12-87; Am. Ord. 2017-05, adopted 12-20-17)

§ 7A-157. REPEALED.

§§ 7A-158. – 7A-169. RESERVED.

ARTICLE VIII. ENVIRONMENTAL ADVISORY BOARD

§ 11-100. ESTABLISHMENT; APPOINTED MEMBERS.

There is hereby created the Melbourne Beach Environmental Advisory Board, which shall consist of five members plus two alternate members. The alternate members will have a voice but not a vote in all Environmental Advisory Board deliberations, unless one or more regular members is absent, in which case the alternate members are authorized to vote in accordance with their designation as alternate member number one and alternate member number two, in that order. Each member and alternate member shall be at all times a resident and registered voter of the town.

(Ord. 92-02, passed 4-15-92)

§ 11-101. TERMS.

The members and the alternate members of the town Environmental Advisory Board shall be appointed for two year terms. Successor members and alternate members shall be appointed for a period of two years, whether for a new term or to replace a member or alternate member who resigned or passed away, who was removed from membership on the Board, or whose term expired prematurely.

§ 11-102. OFFICERS; RULES AND PROCEDURES.

(a) Members of the Environmental Advisory Board shall annually select one of the members as Chairperson and another member as Vice-Chairperson.

(b) The presence of three members shall constitute a quorum.

(c) The Board shall formulate its own rules, policies, and procedures as needed. In absence of formulation of said rules, Roberts' Rules of Order shall be utilized.

(d) All meetings of the Board and an agenda of said meeting shall be advertised at least three days prior to said meeting by posting a notice at Town Hall setting forth the time, place, and date of said meeting, an agenda of said meeting, and notice that parties aggrieved by determinations of the Board in order to appeal to a court may need to ensure that a transcript of said meeting is prepared. Preparation of any transcript shall be the responsibility of and at the cost and expense of the aggrieved party.

(e) Minutes shall be taken at all Board meetings, and consistent with the Government-in-the-Sunshine Act, Section 286.011, Florida Statutes, all meetings shall be open to the public.

(Ord. 92-02, passed 4-15-92)

§ 11-103. POWERS AND DUTIES.

The Environmental Advisory Board is created and shall have the power and authority to:

(1) Upon request by the Town Commission, the Planning and Zoning Board, or the Local Planning Agency, review and make advisory comments with regard to environmental ordinances and resolutions, or provisions thereof, including but not limited to the Town's Comprehensive Plan;

(2) Work through and coordinate with the Town Manager's office the identification of Town properties needing improved stormwater retention/detention;

(3) Work through and coordinate with the Town Manager's office to identify environmentally sensitive properties and consider the means to protect said properties;

(4) Work through the Town Manager's office and develop a program and coordinate with area schools to educate students concerning the need to preserve and protect the environment;

(5) Coordinate through the Town Manager's office in an effort to create a citizens' "adoption" program by which citizens can adopt, provide for, and fund the beautification, cleaning, or maintenance of the cleanliness of portions of beaches, roads, or other natural resources, subject to the ownership and control of the Town;

(6) After consideration of the costs involved and funding sources, recommend to the Town Manager and the Town Commission specific environmental protection measures; and

(7) Undertake such tasks relating to the environment as may from time to time be requested by the Town Commission.

(Ord. 92-02, passed 4-15-92)

§§ 11-104. – 11-109. RESERVED.

ARTICLE X. HISTORY CENTER BOARD

§ 11-120. ESTABLISHMENT; APPOINTED MEMBERS.

There is hereby created the Melbourne Beach History Center Board, which shall consist of seven members plus two alternate members. The alternate members will have a voice but not a vote in all History Center Board deliberations, unless one or more regular member is absent, in which case the alternate members are authorized to vote in accordance with their designation as alternate member number one and alternate member number two, in that order. Each member and alternate member shall be at all times a resident and registered elector of the town.

(Ord. 2006-16, adopted 12-13-06)

§ 11-121. TERMS.

The members and the alternate members of the History Center Board shall be appointed for two-year terms. Successor members shall be appointed for the remainder of a term, whether to replace a member or alternate member who has resigned or passed away, who was removed from membership on the Board or whose term expired prematurely.

(Ord. 2006-16, adopted 12-13-06)

§ 11-122. OFFICERS; RULES AND PROCEDURES.

(a) Members of the History Center Board shall annually select one of the members as Chairperson and another member as Vice Chairperson.

(b) The presence of four members shall constitute a quorum.

(c) The Board shall formulate its own rules, policies, and procedures as needed. In the absence of formulation of said rules, Robert's Rules of Order shall be utilized.

(d) All meetings of the Board and an agenda of its meetings shall be advertised as least 24 hours prior to a meeting by posting a notice at Town Hall setting forth the time, place, and date of said meeting, an agenda of said meeting, and notice that parties aggrieved by determinations of the Board in order to appeal to a court they may need to ensure that a transcript of said meeting is prepared. Preparation of any transcript shall be the responsibility of and at the cost and expense of the aggrieved party.

(e) Minutes shall be taken at all Board meetings, and consistent with The Government - In The Sunshine Act, Section 286.011, Florida Statutes, all meetings shall be open to the public.

(Ord. 2006-16, adopted 12-13-06)

§ 11-123. POWERS, DUTIES AND AUTHORITY.

The History Center Board is created and shall have the power, duty, and authority to:

(a) Consider matters relating to preservation of the Old Town Hall Building as directed by the Town Commission;

(b) To work through and coordinate with the Town Manager's Office in preparing budgetary items for or related to the Old Town Hall Building;

(c) To give consideration to, review and make advisory comments and recommendations to the Town Commission with regard to operations and use of the Old Town Hall Building as directed by the Town Commission, or as provided by resolution which may be adopted by the Town Commission from time to time.

(Ord. 2006-16, adopted 12-13-06)

ARTICLE VII. TOWN PARKS BOARD

§ 11-90. ESTABLISHMENT; APPOINTED MEMBERS.

There is hereby created the Melbourne Beach Parks Board, which shall consist of five members plus two alternate members established by the Town Commission. The alternate members will have a voice but not a vote in all Town Parks Board deliberations, unless one or more regular members are absent, in which case the alternate members are authorized to vote in accordance with their designation as alternate member No. 1 and alternate member No. 2, in that order. Each member and alternate member shall be at all times a resident and registered voter of the Town.

(Ord. 87-17, passed 12-8-87; Am. Ord. 90-3, passed 3-14-90)

§ 11-91. TERMS.

The members and the alternate members of the town Parks Board shall be appointed for two-year terms. Successor members and alternate members shall be appointed for a period of two years whether for a new term or to replace a member whose term expired prematurely.

(Ord. 87-17, passed 12-8-87; Am. Ord. 90-3, passed 3-14-90)

§ 11-92. OFFICERS; RULES AND PROCEDURES.

Members of the Parks Board shall annually appoint one of the members as Chairperson. The presence of three members shall constitute a quorum. The Board shall formulate its own rules, policies, and procedures as needed.

(Ord. 87-17, passed 12-8-87)

§ 11-93. POWER AND AUTHORITY.

The Park Board is created and shall have the power and authority to research and study all resources and assets available to the town in an effort to furnish recommendations and suggestions to the Town Commission and Town Manager to improve, enhance, and manage existing parks and to create and develop new parks and park facilities. In addition, said Board shall give its recommendations to the Town Manager as to approval or denial of each special events permit request.

(Ord. 87-17, passed 12-8-87)

Cross-reference:

Special events, see Chapter 52

§ 11-94. PARKS AND PARK FACILITIES.

Parks and park facilities shall include the town pier, parks and beach accesses, community center building and recreational facilities, and any other facilities which may in the future be used for museums, zoological gardens, observatories or such other facilities utilized for cultural events.

(Ord. 87-17, passed 12-8-87)

§§ 11-95. – 11-99. RESERVED.

ARTICLE VIII. PLANNING AND ZONING BOARD

§ 7A-135. ESTABLISHMENT; TERMS AND MEMBERSHIP.

(a) The Planning and Zoning Board is a five- member body plus two alternates established by the Town Commission. The term of office of the first members of the Board shall be one year for one member, two years for two members, three years for two members and three years for each alternate with appointments thereafter to be for a term of three years for each member. The alternates will have a voice but not a vote in all Planning and Zoning Board deliberations, unless one or more regular members are absent, in which case the alternates are authorized to vote in accordance with their designation as alternate number one and alternate number two, in that order.

(b) Members and alternates shall be appointed by the Town Commission and may be removed by the Commission for cause and after a public hearing held on written charges. Vacancies shall be filled by the Town Commission for the unexpired term of the members affected.

(c) The Planning and Zoning Board shall appoint the Chairperson of the Board on a yearly basis.

(d) Three members of the Planning and Zoning Board shall constitute a quorum.

(`75 Code, Appendix A, Art. IX) (Ord., passed 9-26-72; Am. Ord. 85-7, passed 11-12-85; Am. Ord. 87-01, passed 1-20-87; Am. Ord. 2017-05, adopted 12-20-17)

§ 7A-136. PROCEEDINGS OF BOARD.

The Planning and Zoning Board shall adopt rules necessary to the conduct of its affairs, and in keeping with the provisions of the Land Development Code. Meetings shall be held at the call of the Chairperson and at such other times as a majority of Board members may determine. The Chairperson, or in his absence the acting Chairperson, may administer oaths and compel the attendance of witnesses. All meetings shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating other official actions, all of which shall be a public record and be immediately filed in the office of the Town Clerk for the Board. The Town Clerk or said individuals designee shall act as Secretary to the Board.

(Ord. 2017-05, adopted 12-20-17)

§ 7A-137. POWERS AND DUTIES.

(a) The Planning and Zoning Board shall have the powers and duties set forth herein.

(b) The Planning and Zoning Board shall study the resources, possibilities and needs of the Town, land development regulations, and the comprehensive plan, and prepare plans and maps for the systematic future development and betterment of the Town and from time to time make such recommended changes as are deemed advisable.

(c) Any building construction that differs from single-family inclusive of accessory buildings, is by definition to be identified as a commercial structure. A commercial structure is further differentiated from residential construction by stricter building codes (reference Standard Building Code) and a higher state rated contractors' licensing. (See § 489.105, Fla. Stat.)

(d) A member of the Planning and Zoning Board selected by the Planning and Zoning Board may attend all meetings of the Board of Adjustment for the purpose of providing input to the Board of Adjustment with regard to applicable provisions of the Land Development Code. However, if said Planning and Zoning Board member fails to attend a meeting of the Board of Adjustment any action taken by the Board of Adjustment in the absence of said Planning and Zoning Board member shall not be invalid or void by reason of said absence. Said member of the Planning and Zoning Board will have no vote and will not be considered to be a member of the Board of Adjustment, ex officio or otherwise.

(e) The Planning and Zoning Board at public hearings is expected to advise the Town Commission on all matters relating to proposed changes in this Land Development Code.

(f) The Planning and Zoning Board will at all times also operate as the Town's land development regulation commission and the Town's Local Planning Agency, all in accordance with and as provided for by the Community Planning Act (§§ 163.3161 et seq., Fla. Stat.) and § 2A-17 of this code.

(g) The Planning and Zoning Board shall review site plans for all multi-family residential and commercial construction as provided by § 7A-51 to determine compliance with the Land Development Code, compliance with all height and setback regulations and § 7A-59 of the Town of Melbourne Beach Code of Ordinances, and to prepare written recommendations for the Town Commission. If the Town Commission has directed from time to time that the Planning and Zoning Board undertake review of site plans for development within the 1-RS, 2-RS, and 3-RS zoning districts as provided by § 7A-51.1, the Planning and Zoning Board will review site plans for single-family residential and other development as provided by § 7A-51.1 to determine compliance with the Land Development Code and to prepare written recommendations for the Town Commission.

(h) No permit for building, remodeling, or building expansion shall be issued on any multi- family residential or commercial structure until a site plan required to be reviewed pursuant to § 7A-51 is reviewed and approved by the Zoning Official for compliance with all provisions of the Town of Melbourne Beach Code of Ordinances.

(`75 Code, Appendix A, Art. IX) (Ord., passed 9-26-72; Am. Ord. 85-7, passed 11-12-85; Am. Ord. 87-01, passed 1-20-87;

Am. Ord. 2004-01, adopted 9-15-04; Am. Ord. 2006-06, passed 5-17-06; Am. Ord. 2010-01, adopted 3-17-10; Am. Ord. 2017-05, adopted 12-20-17)

§§ 7A-138. – 7A-149. RESERVED.

Town Commission Agenda Item

Section: New Business

Meeting Date: February 15, 2023

Subject: Dolphin Tree Restoration

Submitted By: Public Works Director Tom Davis

Background Information: Our signature carved dolphin tree stump has lasted 30 years and they are starting to show their years. There is no way to even estimate how many photos have been taken of that landmark. It has become a part of our Park. Only guess but I imagine photos of kids at the dolphins are all over the country. One resident's Mother always placed the red ribbons on the dolphins at Christmas. He and his now adult daughters continue to carry on that tradition.

After months of searching for the original artist who had done the carving we succeeded. Phil Bryan had actually helped remove the dead tree. Once it was cut to the current level he carved the dolphins. His intent was to make the dolphins appear to be rising from the water. Over the years he had approached the Town and offered to maintain them for a nominal fee of a few hundred dollars. Those efforts proved fruitless.

Public Works cleaned and sealed them about 2 years ago which was not restoration it was a preservation effort.

I met with Phil at the Dolphins and we discussed the restoration of our dolphin tree. He suggested the following actions to fully restore our piece:

- Completely fill in the center area that is damaged by time
- Re-carve the features on the dolphins so they are more distinct
- He would stain the trunk in colors similar to what the tree originally looked like
- Resin filler would be used to replace broken areas and fill cracks
- He would repaint the dolphins themselves with a more natural color
- And create a copper top over the top area and form it to look more like waves and it also adds protection

As I mentioned earlier in this writing the "Dolphin" tree is a unique landmark for Mel Beach and Ryckman Park. The cost of this total restoration is \$4000.00 or less. We could opt out of the copper top which could reduce the cost.

Recommendation: Seriously consider the significance of our Dolphin Tree and totally renovate them





Town Manager Report for January-February 2023

1. Brewer Paving & Development, LLC is scheduling us Rosewood & Cherry for late February –March. The project will not qualify for FEMA funding. FEMA is still coming out to evaluate the pier bracing.
2. Attended P&Z meeting. 3 Site plans and 2 Ordinances reviewed. P&Z approved the 2nd Kitchen Ordinance and tabled the Tree Ordinance.
3. Attended a two day remote conference hosted by ICMA on Servant Leadership.
4. PW Supervisor and I met with Kyle Shasteen from Bowman Engineering to discuss possible improvements for the boat ramp and having Bowman manage the RFP for the Riverside paving. Kyle will provide me with an estimated cost for both projects. (Action item)
5. Submitted 50 need stormwater project to Division of Environmental Assessments & Restoration regarding our BMP (Basin Management Action Plan) required to satisfy grant requirements. These additional projects will give the Town “Credits” toward our ongoing obligations to DEP.
6. Parks Board hosted the movie Casablanca in Ryckman Park. Due to very cold temperature there was no (practically) attendance. The movie will be rescheduled for a later date.

The Parks Board is also held their Star Gazing in Ryckman Park on Saturday 2/10.

The Parks Board’s March –Entrepreneurial event has 50 booths registered. The Town has received very positive feedback from the participants.
7. Crystal Cain and I meet with Stacy Mattrazzo from Florida Wildflowers at Old Town Hall. Stacy was here to review the Florida Native plantings and site management for the Viva Florida Wild Flower Grant Old Town Hall/ EAB received. Stacy was very impressed with the site and the flowers.
8. Discussed with Elizabeth Harris the ongoing appeals process for the Code Enforcement Action on Beau Jean.
9. The departments within Town Hall have been diligently making process improvements to their department and reviewing policies and procedures for upgrades.



TOWN OF MELBOURNE BEACH

BREVARD COUNTY'S OLDEST BEACH COMMUNITY ESTABLISHED 1883

Building Department Report

January 2023

- 42 permits issued
- Construction value of the 42 permits totaled \$2,387,725.20
- Total permit fees \$23,160.32
- 123 inspections completed
- 51 plans reviewed
- 3 site plan review for P&Z
- 2 vacation rental inspections
- No new homes
- No stop work order

Melbourne Beach Permit List

Permit	Type	Address	Applicant	Issued	Expired
PPL23-0001	Pool	202 SECOND AVE	INTERCOASTAL POOL AND SPA	01/26/202	07/25/202
PM23-0005	Mechanical	322 3RD AVE	cormier, wayne	01/27/202	08/01/202
PRB22-0053	Res Building	422 THIRD AVE	SAKARIS, CHRISTOPHER PETER	01/05/202	07/05/202
PM23-0002	Mechanical	311 FOURTH AVE	Theodore Doukas	01/17/202	08/06/202
PRR23-0005	Reroof	200 FIFTH AVE B	FLORIDA FIRST ROOFING LLC	01/23/202	08/01/202
PRR23-0006	Reroof	200 FIFTH AVE C	FLORIDA FIRST ROOFING LLC	01/23/202	08/01/202
PRR23-0004	Reroof	200 FIFTH AVE A	FLORIDA FIRST ROOFING LLC	01/23/202	08/01/202
PRB22-0048	Res Building	401 ANDREWS DR	Sun Quality Builders LLC	01/03/202	07/02/202
PRR22-0051	Reroof	1205 ATLANTIC ST	FLORIDA ROOF BROS LLC	01/19/202	07/18/202
PF22-0019	Fence	1427 ATLANTIC ST	Viking Fence & Deck Inc.	01/12/202	07/11/202
PAS23-0001	Accessory Structure	517 AVENUE A	INNOVATIVE HOME SOLUTIONS OF BREVARD	01/26/202	08/02/202
PM22-0075	Mechanical	215 BIRCH AVE	John T Arrigo	01/03/202	07/02/202
PRR22-0044	Reroof	404 COLONY ST	BFARR CONTRACTING	01/24/202	07/23/202
PRR23-0002	Reroof	205 DOGWOOD AVE	DR Roofers DOUGLAS BENOIT	01/26/202	07/30/202
PP23-0002	Plumbing	209 FIR AVE	STEPHEN MCANALLY	01/13/202	07/19/202
PM23-0001	Mechanical	321 HIBISCUS TRL	Richard D Baird	01/18/202	07/17/202
PRB22-0052	Res New Construction	414 HIBISCUS TRL	KIRSCHNER CONSTRUCTION INC.	01/05/202	07/04/202
PE22-0031	Electrical	414 HIBISCUS TRL	Stanley M Kirschner	01/05/202	07/05/202
PE23-0003	Electrical	606 HIBISCUS TRL	MYERS, JOSEPH	01/24/202	08/02/202
PRR22-0052	Reroof	413 MAGNOLIA AVE	RALPH CARPENTER ROOFING INC	01/26/202	07/25/202
PRB23-0003	Res New Construction	513 MAGNOLIA AVE	BRUNOSSON, CARL	01/20/202	08/08/202
PWS23-0001	Window, Door, & Shutter	606 OAK ST	SUNSET VIEW WINDOWS AND DOORS RYAN BITGOOD	01/12/202	07/23/202
PRB23-0002	Res Building	419 OCEAN AVE 101	NEALON, HELEN FRANCES	01/19/202	07/18/202
PG23-0001	Generator	509 OCEAN AVE	Eau Gallie Electric, Inc	01/20/202	07/19/202
PRB22-0047	Res Building	306 S PALM AVE	Sun Quality Builders LLC	01/03/202	07/02/202
PRB23-0001	Res Building	1508 PINE ST	CK Development LLC	01/10/202	07/09/202
PE23-0005	Electrical	502 POINSETTIA RD	All Pro Electrical Services LLC	01/30/202	08/01/202
PE23-0004	Electrical	442 RIVER VW	ERASMO TORRES	01/26/202	07/30/202
PP23-0004	Plumbing	387 RIVER VIEW LN	STEPHEN MCANALLY	01/26/202	08/05/202
PMB22_020	Construction	400 RIVER VIEW LN	BATCHELLOR CONSTRUCTION LLC	01/06/202	06/06/202
PM22-0028	Mechanical	400 RIVER VIEW LN	ATLAS AIR AND ICE LLC	01/06/202	07/11/202
PRR23-0009	Reroof	445 RIVER VIEW LN	DC ROOFING	01/31/202	08/06/202

Melbourne Beach Permit List

129
02/09/2023
2/2

Permit	Type	Address	Applicant	Issued	Expired
PF23-0001	Fence	201 RIVERSIDE DR	American Fence of Brevard	01/11/202	07/10/202
PRO23-0001	Propane	405 RIVERSIDE DR	DIRTYWORK ENVIRONMENTAL SERVICE LLC	01/06/202	07/10/202
PMC22-0011	Miscellaneous	407 RIVERSIDE DR	GLODDY, SEAN L	01/05/202	07/04/202
PP23-0003	Plumbing	413 RIVERVIEW LN	DOUG HERRELL	01/26/202	07/25/202
PWS23-0004	Window, Door, & Shutter	502 SECOND AVE	Armorvue of Orlando LLC	01/20/202	07/29/202
PRR23-0001	Reroof	505 SECOND AVE	EP6 GROUP INC EVANS, HEATH	01/18/202	08/01/202
PWS23-0002	Window, Door, & Shutter	536 SUNSET BLVD	PARADISE GARAGE DOOR SERVICES INC	01/11/202	07/10/202
PCD23-0001	Paver, Concrete, & Deck	215 SURF RD	WATERS, KIMBERLEY	01/09/202	07/08/202
PP23-0001	Plumbing	307 SURF RD	WILLIAM HONEYCUTT	01/09/202	07/09/202
PE23-0001	Electrical	307 SURF RD	Hamilton, Bruce	01/06/202	07/05/202

Total Permits: 42

Inspection Totals

Building	8
Building - Final	4
Building Inspection	3
Column & Tie Beam	2
Dry-In	10
Drywall	7
Electrical	3
Equipotential	2
Fence Footer	1
Final Building	7
Final Electrical	7
Final Fence	10
Final Mechanical	7
Final Miscellaneous	1
Final Paver, Concrete, & Deck	3
Final Plumbing	1
Final Pool Resurface	2
Final Propane	3
Final Reroof	4
Final Seawall	1

Inspection Totals

Final Sewer & Water	1
Final window, Door, & Shutter	8
Fire Inspection	1
Framing	1
In Progress	1
In-Progress	4
Insulation	2
Mechanical	1
Plumbing Underground	1
Rough Electrical	5
Rough Mechanical	1
Rough Plumbing	1
Sheathing	2
Slab	2
Steel & Ground	2
Tie Beam	1
Tie-Downs	1
Truss, Bracing & Strapping	1
Underground Plumbing	1

Total # of Inspections: 123

Public Works Activities

January 2023

*Filled area around Ryckman House – covered roots/sodded/rebuilt irrigation system

*Built boardwalk pathway on north side Ryckman House restrooms connecting sidewalk

*Built boardwalk from street sidewalk south to mulched area Ryckman swings

Completed installation of security cameras, pier, ryckman/ocean parks and crossovers (26)

Installed “snow/sand” fence crossovers

Removed “Snow/sand” fence crossovers

Began rope lines on crossovers

Filled problem swale areas Orange and Ash

Had large stumps in Ryckman Part removed

Met with original wood carver reference Dolphin tree in Ryckman

Removed fence around Beaujean House/PO

Replaced flashing curve light southbound on Riverside/Ocean

Repaired numerous toilets/urinals PD, Town Hall and Ocean Park

Repaired stop sign Orange and Rosewood

Ground down trip hazards sidewalks various locations

Trash and debris pick up Monday thru Friday each day

Disposed of “refugee boat” found on beach

Removed and disposed of tree that washed into 6th ave. boat ramp

*Denotes jobs that required days of work to complete



Melbourne Beach Police Department

Monthly Report

January 2023



Operations:

In January 2023, The Department responded to 1417 calls for service and house checks.

Activity:

- 47 Citations
- 205 Traffic Stops
- 327 Traffic Enforcement
- 3 Traffic Complaint
- 21 Parking Citations

Our radar trailer continues to be placed in various location throughout the town.

PD News

- Police Department office hours and phone numbers:
 1. The Police Department services the Town of Melbourne Beach 24/7 and there is always an officer on duty.
 2. Admin Hours: Monday thru Friday 8:00am to 5:00pm. Admin Office number is 321-723-4343
 3. Non-emergency (Dispatch) calls for service 321-773-7212
 4. Dial 911 for all Emergency calls.

We do not have an inhouse dispatch, we contract through The Brevard County Sheriffs Department.

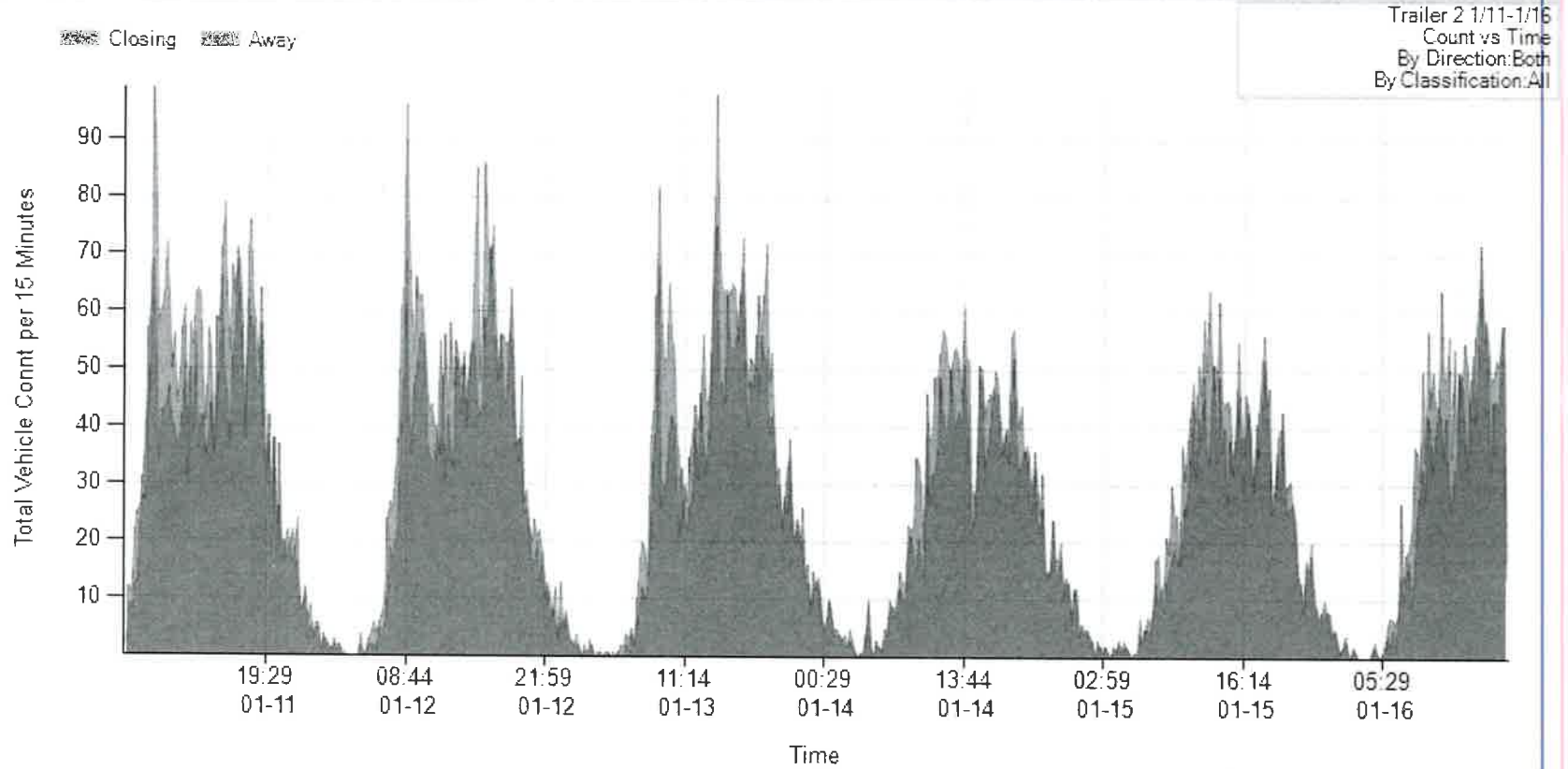
The Melbourne Beach Police Officers and I are committed to community policing and keeping our Town safe, which is our #1 priority.

Please see the attachments:

- Radar Speed Trailer Reports
- Sergeant's monthly reports

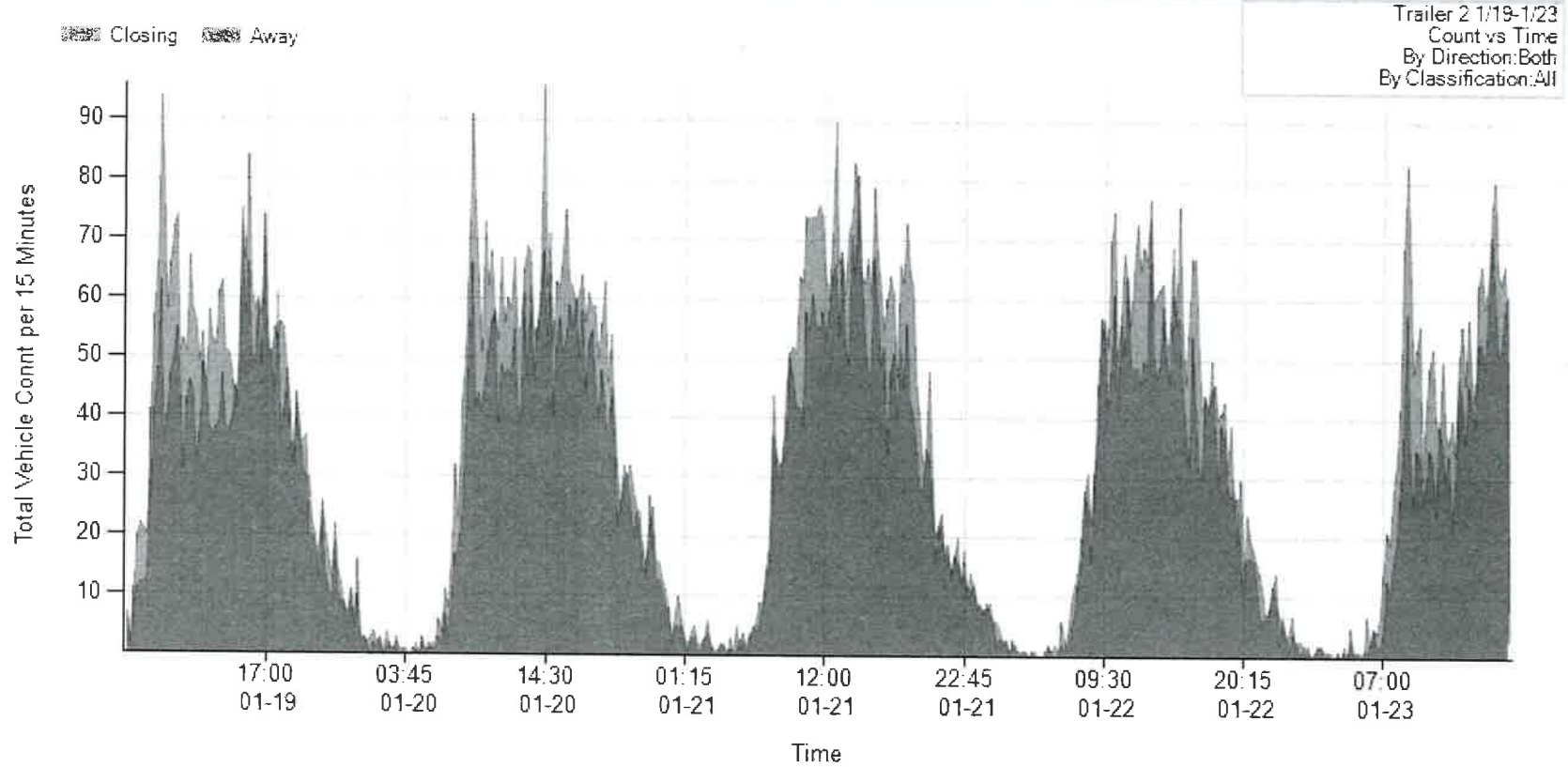
Stay Safe, Chief Melanie Griswold

Survey Name	Trailer 2 1/11-1/16	Location	Oak street/ Third Avenue, Mel...	Speed Unit	Miles/Hour
Start	2023-01-11 06:14	Traffic Direction	Undefined	Speed Limit	35
Stop	2023-01-16 17:18	Zone	Normal	Min Speed Threshold	10
Operator		Min Following Time	0.0	Max Speed Threshold	120
Survey Direction	Both	Time Resolution	1	Speed Resolution	1



Total Vehicle Count	29533	100%	Average Speed	29.3	MPH	In Pace Count	23409	79%
Under Limit Count	28213	95%	Minimum Speed	8	MPH	10 mph Pace	25 - 34	MPH
Over Limit Count	1320	5%	Maximum Speed	70	MPH	Standard Deviation	3	MPH
10 Over Limit Count	81	0%	85Speed Percentile	33	MPH	Average Speed Over Limit	38.6	MPH

Survey Name	Trailer 2 1/19-1/23	Location	Oak street/ Third Avenue, Mel...	Speed Unit	Miles/Hour
Start	2023-01-19 06:15	Traffic Direction	Undefined	Speed Limit	35
Stop	2023-01-23 16:46	Zone	Normal	Min Speed Threshold	10
Operator		Min Following Time	0.0	Max Speed Threshold	120
Survey Direction	Both	Time Resolution	1	Speed Resolution	1



Total Vehicle Count	26769	100%	Average Speed	29.1	MPH	In Pace Count	21140	78%
Under Limit Count	25686	95%	Minimum Speed	6	MPH	10 mph Pace	25 - 34	MPH
Over Limit Count	1083	5%	Maximum Speed	75	MPH	Standard Deviation	3	MPH
10 Over Limit Count	64	0%	85Speed Percentile	33	MPH	Average Speed Over Limit	38.6	MPH



MELBOURNE BEACH POLICE DEPARTMENT
Jason Hinchman
Sergeant

507 Ocean Ave, Melbourne Beach, FL 32951
 Phone: (321) 723-4343 Fax: (321)725-3253



Monthly Report January 2023

House Checks: 87

- 01/01: Vehicle burglary in the 500 block of Ocean Avenue. The victim had items stolen out of his vehicle. The victim signed a decline to prosecute.
- 01/01: Battery domestic violence in the 200 block of Fifth Avenue. The male subject was placed under arrest for battery.
- 01/06: Traffic crash at Oak Street and Colony Street. (2) Vehicles involved with minor damage. No injuries were reported on scene. Both vehicles were drove away by the drivers.
- 01/09: Drug arrest in the 1900 block of Atlantic Street. The male suspect was stopped for a traffic violation. The male suspect was placed under arrest for drugs and given a citation for the traffic violation.
- 01/15: Traffic arrest in the 300 block of Ocean Avenue. The male suspect was stopped for a traffic violation. The male was placed under arrest for driving while license was expired and giving a false name to law enforcement.
- 01/15: Assist other agency in the 100 block of Ocean Avenue for a missing endangered adult female. After searching female was located. She was checked out and cleared medically.
- 01/16: Traffic arrest in the 400 block of Oak Street. The male suspect was stopped for no license plate on the trailer. The male was given a court date for failure to register vehicle. The trailer was towed from the scene.
- 01/17: Violation of injunction arrest in the 200 block of Sixth Avenue. The male suspect was a passenger in a vehicle pulled over for a traffic violation. The male suspect was placed under arrest for violation of injunction.
- 01/23: Traffic arrest in the 300 block of Ocean Avenue. The male suspect was stopped for a traffic violation. The male subject had a suspended driver's license. The male was issued a traffic citation and a court date for the suspended license.
- 01/31: Traffic crash in the 300 block of Ocean Avenue. A vehicle hit a building. No injuries were reported. The vehicle was towed from the scene. The driver was issued a citation.



MELBOURNE BEACH POLICE DEPARTMENT
Jason Sadler
Sergeant

507 Ocean Ave, Melbourne Beach, FL 32951
Phone: (321) 723-4343 Fax: (321)725-3253



Sgt. Sadler Monthly Report January 2023

- 1/03-** Traffic crash in the area of Atlantic Street and First Avenue. No injuries or major damage.
- 1/06-** Traffic crash in the area of Oak Street and Colony Street. No injuries or major damage.
- 1/10-** Disturbance between neighbors in the 1900 blk of Atlantic Street. Only verbal in nature.
- 1/13-** Fraud in the 700 blk of Pine Street. Case turned over to the victim's banking institution.
- 1/18-** Indecent / Lewd Act in 500 blk of Ocean Avenue. No charges due to uncooperative victim.
- 1/20-** Verbal domestic in the 1600 block of Pine Street between boyfriend and girlfriend. Only verbal in nature.
- 1/20-** Single vehicle traffic crash in the 300 blk of Third Avenue. No injuries or major damage.
- Total House Checks - 74



**Melbourne Beach
Vol. Fire Department**
507 Ocean Avenue
Melbourne Beach, FL 32951
(321)724-1736
FireChief@MelbourneBeachFL.org

FIRE DEPARTMENT MONTHLY REPORT ***January 2023***

Incident Response

For the month of January 2023, the Melbourne Beach Volunteer Fire Department responded to 21 calls for service. The average number of responding volunteer personnel per paged out call for the month was 12.

Breakdown:

- 15 Fire/Rescue 911 Calls (Paged out)
- 1 Vehicle vs Building - Damage Assessment
- 1 Cover Assignment – Indian Harbour Beach
- 2 Public Service – Lockout & Gemini Fire Drill
- 2 Special Incidents (Fire/life safety inspections)

Department Membership

- Certified Firefighters: 23
- Support Services Personnel: 6
- Administrative Personnel: 2
- Probationary Personnel: 5

Notable Incidents

- 01/01/2023 – Possible Structure Fire in 400 Blk of Surf Road. Trash fire on side of house caused by improper disposal of fireworks. Fire out upon arrival, no injuries, no major structural extension/damage.
- 01/14/2023 – Mutual Aid to BCFR for 2 Structure Fires in South Beaches. 1 Engine & 1 Chief Officer provided.
- 01/15/2023 – Multi-agency search for missing person w/ special needs. Subject located in South Melbourne Beach in stable condition.
- 01/29/2023 – Mutual Aid to BCFR for Structure Fire in South Beaches. 1 Engine & 1 Chief Officer provided.
- 01/31/2023 – Vehicle vs. Building in 300 Blk of Ocean Ave. No injuries and no major structural damage.
- 1/31/2023 – Mutual Aid to IHBVFD for Structure Fire in Indian Harbour Beach. 1 Engine provided.

Notable Events

The Department conducted multiple training events at a donated structure in Melbourne Beach. Property owners can temporarily “donate” their existing structure to be used by the Fire Department for training purposes before the structure is demolished, allowing for realistic firefighter training exercises. Huge thanks to the Building Department and Mr. Carlow (the property owner) for working together to allow us the great training opportunity.

District 58 went in for emergency lighting and storage upgrades to increase safety and functionality of the apparatus.

Chief Brown attended the quarterly Space Coast Fire Chiefs Meeting in Satellite Beach.

6 Members of the Fire Department attended the Fire Rescue East Expo in Daytona Beach.

Fire Department leadership continues to work with the Volunteer Firefighters Association Board of Directors and multiple marine contractors to discuss potential ideas and funding options for the construction of a dock & boat lift for the Fire Department’s marine rescue boat. The Association agreed to consider funding the project, and ideas will be brought to the Town Commission Workshop in March.

6 Department CPR Instructors are working to become dual certified to teach for both the AHA and American Red Cross. The dual certification will offer options to the public for CPR certification as well as allow the Department to teach the Red Cross Emergency Medical Responder course.

A few members of the Fire & Police Department have teamed up to help raise money for childhood cancer research as part of the St. Baldrick’s Space Coast Conquers event in Viera. Statistically more children are lost to cancer in the U.S. than to any other disease, with about 1 in every 263 children (under the age of 20) being diagnosed. People can read more about the event and join our team or donate at www.stbaldricks.org/teams/melbeach.

Melbourne Beach VFD

Melbourne Beach, FL

This report was generated on 2/9/2023 1:01:42 PM



Incident Address and Type for Date Range (Landscape)

Incident Status(s): All Incident Statuses | Start Date: 01/01/2023 | End Date: 01/31/2023

INCIDENT #	DATE	LOCATION TYPE	ADDRESS	INCIDENT TYPE	ALARM	CLEARED SCENE
2023-1	01/01/2023		402 Surf RD , Melbourne Beach, FL, 32951	Trash or rubbish fire, contained	01/01/2023 01:27	01/01/2023 02:09
2023-2	01/01/2023		519 Ocean AVE , Melbourne Beach, FL, 32951	Lock-out	01/01/2023 19:33	01/01/2023 19:47
2023-3	01/04/2023		333 5th AVE , Indialantic, FL, 32903	Arcing, shorted electrical equipment	01/04/2023 03:10	01/04/2023 03:20
2023-4	01/06/2023		1005 Atlantic ST , Melbourne Beach, FL, 32951	Special type of incident, other	01/06/2023 11:54	01/06/2023 13:26
2023-5	01/09/2023		315 1st AVE , Melbourne Beach, FL, 32951	Smoke detector activation, no fire - unintentional	01/09/2023 14:40	01/09/2023 14:54
2023-6	01/14/2023		12 Cove RD , Melbourne Beach, FL, 32951	Building fire	01/14/2023 03:27	01/14/2023 03:53
2023-7	01/14/2023		2207 Atlantic ST , Melbourne Beach, FL, 32951	Removal of victim(s) from stalled elevator	01/14/2023 17:17	01/14/2023 17:38
2023-8	01/14/2023		4200 S Hwy A1A , Melbourne Beach, FL, 32951	Building fire	01/14/2023 21:57	01/14/2023 22:10
2023-9	01/15/2023		190 Ocean AVE , Melbourne Beach, FL, 32951	Search for person on land	01/15/2023 20:58	01/15/2023 22:52
2023-10	01/16/2023		402 Riverview LN , Melbourne Beach, FL, 32951	Passenger vehicle fire	01/16/2023 11:42	01/16/2023 12:23
2023-11	01/16/2023	Intersection	Atlantic ST / Ave B, Melbourne Beach, FL, 32951	Arcing, shorted electrical equipment	01/16/2023 19:25	01/16/2023 20:24
2023-12	01/17/2023		442 Riverview LN , Melbourne Beach, FL, 32951	Special type of incident, other	01/17/2023 13:30	01/17/2023 14:13
2023-13	01/18/2023		1005 Atlantic ST , Melbourne Beach, FL, 32951	Alarm system activation, no fire - unintentional	01/18/2023 08:52	01/18/2023 08:58
2023-14	01/18/2023		200 Ocean AVE 1, Melbourne Beach, FL, 32951	Breakdown of light ballast	01/18/2023 12:46	01/18/2023 13:36
2023-15	01/20/2023		2100 Oak ST , Melbourne Beach, FL, 32951	Public service	01/20/2023 09:12	01/20/2023 09:57
2023-16	01/21/2023		1116 Pine Tree DR , Indian Harbour Beach, FL, 32937	Cover assignment, standby, moveup	01/21/2023 17:48	01/21/2023 21:54
2023-17	01/22/2023		190 Atlantic ST , Melbourne Beach, FL, 32951	No incident found on arrival at dispatch address	01/22/2023 16:05	01/22/2023 16:21
2023-18	01/29/2023		6645 S Hwy A1A , Melbourne Beach, FL, 32951	Building fire	01/29/2023 15:19	01/29/2023 15:29
2023-19	01/30/2023		1005 Atlantic ST , Melbourne Beach, FL, 32951	Smoke detector activation, no fire - unintentional	01/30/2023 19:00	01/30/2023 19:25
2023-20	01/31/2023		317 Ocean AVE , Melbourne Beach, FL, 32951	Motor vehicle accident with no injuries.	01/31/2023 14:01	01/31/2023 14:59
2023-21	01/31/2023		118 Marion ST , Indian Harbour Beach, FL, 32937	Building fire	01/31/2023 18:31	01/31/2023 19:10

Location Type is only filled in when it is marked Intersection, Directions, or National Grid on Basic Info 3.



Melbourne Beach VFD

Melbourne Beach, FL

This report was generated on 2/9/2023 1:00:28 PM



Personnel Count per Incident for Date Range

Start Date: 01/01/2023 | End Date: 01/31/2023

INCIDENT				NUMBER OF PEOPLE		
NUMBER	DATE	INCIDENT TYPE	FDID	ON APPARATUS	NOT ON APPARATUS	TOTAL
** 2023-1	1/1/2023 01:27:07	118 - Trash or rubbish fire, contained	19112	13	0	13
2023-2	1/1/2023 19:33:57	511 - Lock-out	19112	1	1	2
** 2023-3	1/4/2023 03:10:06	445 - Arcing, shorted electrical equipment	19112	5	6	11
2023-4	1/6/2023 11:54:56	900 - Special type of incident, other	19112	1	0	1
** 2023-5	1/9/2023 14:40:00	743 - Smoke detector activation, no fire - unintentional	19112	5	6	11
** 2023-6	1/14/2023 03:27:03	111 - Building fire	19112	4	6	10
** 2023-7	1/14/2023 17:17:18	353 - Removal of victim(s) from stalled elevator	19112	4	4	8
** 2023-8	1/14/2023 21:57:01	111 - Building fire	19112	1	8	9
** 2023-9	1/15/2023 20:58:33	341 - Search for person on land	19112	12	0	12
** 2023-10	1/16/2023 11:42:48	131 - Passenger vehicle fire	19112	5	10	15
** 2023-11	1/16/2023 19:25:39	445 - Arcing, shorted electrical equipment	19112	6	7	13
2023-12	1/17/2023 13:30:38	900 - Special type of incident, other	19112	1	0	1
** 2023-13	1/18/2023 08:52:06	745 - Alarm system activation, no fire - unintentional	19112	1	11	12
** 2023-14	1/18/2023 12:46:09	443 - Breakdown of light ballast	19112	8	2	10
2023-15	1/20/2023 09:12:45	553 - Public service	19112	1	0	1
2023-16	1/21/2023 17:48:19	571 - Cover assignment, standby, moveup	19112	4	0	4
** 2023-17	1/22/2023 16:05:57	622 - No incident found on arrival at dispatch address	19112	7	7	14
** 2023-18	1/29/2023 15:19:30	111 - Building fire	19112	1	14	15
** 2023-19	1/30/2023 19:00:38	743 - Smoke detector activation, no fire - unintentional	19112	6	8	14
2023-20	1/31/2023 14:01:44	324 - Motor vehicle accident with no injuries.	19112	3	0	3
** 2023-21	1/31/2023 18:31:59	111 - Building fire	19112	4	14	18

TOTAL # OF INCIDENTS: 21

AVERAGES:

4.4

5.0

9.4

Total # of incidents
paged out for
volunteer response: 15

** Without EMS Assist or Service Calls:
(Paged out calls only)

5.5

6.9

12.3

Only REVIEWED incidents included

Note: 900 series "Special Incidents" include fire inspections performed.



emergencyreporting.com

Doc Id: 358

Page # 1 of 1



Town of Melbourne Beach
Finance Department

Memo

To: Mayor, Vice Mayor and Commissioners
 From: Jennifer Kerr, Finance Manager
 Date: February 9, 2022
 Re: January Fiscal Year 2023

We are in the fourth month of our fiscal year 2023. The target expenditure rate for December is 33.33%. All departments are managing their expenditures well at this time. All budget items highlighted in green are over the target rate but within the anticipated spending of that budget line. Items highlighted in yellow are being monitored, and items highlighted in red are over expended. Some budget lines are fully expended early in the budget year while other lines like salaries and health insurance are paid on a monthly basis. The total General Fund expenditure rate, year to date is 29.09%. The Departmental expenditure rate breakdown is as follows:

Legislative:	21.55%
Executive:	29.41%
Finance:	29.92%
Legal:	30.98%
Comp & Plan:	13.59%
General Services:	24.28%
Law Enforcement:	32.59%
Fire:	16.27%
Code:	22.55%
Public Works:	32.84%
Grounds Keeping:	31.89%
Parks:	77.28%

Discussion Items:

The Town received Parking Revenue in January in the amount of \$11,411.45

We are currently working with FEMA for funding for Hurricane Nicole.

EXPENDITURE FOR TOWN OF MELBOURNE BEACH
Balance As Of 01/31/2023

Fund: 001 GENERAL FUND

Account Category: Expenditures	Description	ORIGINAL BUDGET	Amended	Encumbrance	Available	% Used
Total Dept 11 - LEGISLATIVE						
001-11-500.11.00	EXECUTIVE SALARIES	16,200.00	16,200.00	0.00	10,800.04	33.33
001-11-500.12.00	REGULAR SALARIES	56,710.00	56,710.00	0.00	40,351.37	28.85
001-11-500.21.00	FICA TAXES - EMPLOYER PORTION	4,338.00	4,338.00	0.00	2,731.40	37.04
001-11-500.22.20	RETIREMENT TOWN EMPLOYEES	6,754.00	6,754.00	0.00	4,808.12	28.81
001-11-500.23.01	HEALTH INSURANCE	5,940.00	5,940.00	0.00	3,464.75	41.67
001-11-500.23.02	LIFE INSURANCE	68.00	68.00	0.00	45.48	33.12
001-11-500.25.00	UNEMPLOYMENT COMPENSATION	181.00	181.00	0.00	139.73	22.80
001-11-510.31.00	PROFESSIONAL SERVICES	2,902.00	2,902.00	0.00	1,402.00	51.69
001-11-510.40.00	TRAVEL & MEETINGS	3,640.00	3,640.00	0.00	2,644.46	27.35
001-11-510.40.10	TRAVEL & MEETINGS - STAFF	2,788.00	2,788.00	0.00	1,449.17	48.02
001-11-510.47.00	PRINTING	5,015.00	5,015.00	0.00	4,911.36	2.07
001-11-510.48.00	PROMOTIONAL ACTIVITIES	800.00	800.00	0.00	507.15	36.61
001-11-510.48.40	LEGAL NOTICES	10,000.00	10,000.00	0.00	10,000.00	0.00
001-11-510.49.50	ELECTION EXPENSE	2,500.00	2,500.00	0.00	2,095.81	16.17
001-11-510.54.00	DUES & SUBSCRIPTIONS	875.00	875.00	0.00	450.00	48.57
001-11-510.54.10	TRAINING & SCHOOLS	4,410.00	4,410.00	0.00	4,410.00	0.00
001-11-510.64.00	MACHINERY & EQUIPMENT	2,000.00	2,000.00	0.00	1,947.66	2.62
001-11-510.64.01	CAPITAL OUTLAY	50,000.00	50,000.00	0.00	50,000.00	0.00
001-11-543.00.00	LICENSES & FEES	7,421.00	7,421.00	0.00	1,046.14	85.90
						21.55

	Description	ORIGINAL BUDGET	Amended	Encumbrance	Available	% Used
Department: 12 EXECUTIVE						
001-12-500.12.00	REGULAR SALARIES	143,243.00	143,243.00	0.00	102,689.15	28.31
001-12-500.14.00	SALARIES OVERTIME	0.00	0.00	0.00	(80.57)	100.00
001-12-500.21.00	FICA TAXES - EMPLOYER PORTION	10,958.00	10,958.00	0.00	7,584.35	30.79
001-12-500.22.01	RETIREMENT - ICMA	17,060.00	17,060.00	0.00	13,395.47	21.48

001-12-500.22.20	RETIREMENT TOWN EMPLOYEES	4,436.00	4,436.00	0.00	3,232.20	27.14
001-12-500.23.01	HEALTH INSURANCE	25,561.00	25,561.00	0.00	15,661.05	38.73
001-12-500.23.02	LIFE INSURANCE	749.00	749.00	0.00	499.48	33.31
001-12-500.25.00	UNEMPLOYMENT COMPENSATION	458.00	458.00	0.00	360.02	21.39
001-12-510.40.00	TRAVEL & MEETINGS	1,320.00	1,320.00	0.00	852.33	35.43
001-12-510.52.50	GAS & OIL	2,400.00	2,400.00	0.00	1,600.00	33.33
001-12-510.54.00	DUES & SUBSCRIPTIONS	3,595.00	3,595.00	0.00	2,151.00	40.17
001-12-510.54.10	TRAINING & SCHOOLS	450.00	450.00	0.00	450.00	0.00

29.41

Description	ORIGINAL BUDGET	Amended	Encumbrance	Available	% Used
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Department: 13 FINANCE

001-13-500.12.00	REGULAR SALARIES	109,053.00	109,053.00	0.00	77,595.38	28.85
001-13-500.21.00	FICA TAXES - EMPLOYER PORTION	8,343.00	8,343.00	0.00	6,023.78	27.80
001-13-500.22.20	RETIREMENT TOWN EMPLOYEES	12,988.00	12,988.00	0.00	9,300.77	28.39
001-13-500.23.01	HEALTH INSURANCE	14,824.00	14,824.00	0.00	8,647.40	41.67
001-13-500.23.02	LIFE INSURANCE	136.00	136.00	0.00	90.96	33.12
001-13-500.25.00	UNEMPLOYMENT COMPENSATION	349.00	349.00	0.00	268.15	23.17
001-13-510.31.00	PROFESSIONAL SERVICES	5,300.00	5,300.00	0.00	5,300.00	0.00
001-13-510.32.00	AUDITING SERVICES	26,600.00	26,600.00	0.00	17,600.00	33.83
001-13-510.32.90	BANKING FEES	6,900.00	6,900.00	0.00	3,888.05	43.65
001-13-510.40.00	TRAVEL & MEETINGS	1,200.00	1,200.00	0.00	1,200.00	0.00
001-13-510.47.00	PRINTING	180.00	180.00	0.00	180.00	0.00
001-13-510.54.00	DUES & SUBSCRIPTIONS	60.00	60.00	0.00	60.00	0.00
001-13-510.54.10	TRAINING & SCHOOLS	800.00	800.00	0.00	686.00	14.25
001-13-764.10.00	Filing Fee Clerk-Parking Ticke	50.00	50.00	0.00	50.00	0.00

29.92

Description	ORIGINAL BUDGET	Amended	Encumbrance	Available	% Used
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Department: 14 LEGAL COUNSEL

001-14-510.31.00	PROFESSIONAL SERVICES	96,000.00	96,000.00	0.00	64,556.50	32.75
001-14-510.31.01	CODE ENFORCEMENT ATTORNEY	10,000.00	10,000.00	0.00	8,600.00	14.00

30.98

	Description	ORIGINAL BUDGET	Amended	Encumbrance	Available	% Used
Department: 15 COMPREHENSIVE						
001-15-510.31.00	PROFESSIONAL SERVICES	20,000.00	20,000.00	0.00	17,281.25	13.59
						13.59

Department: 16 FEMA - HURRICANE						
001-16-510.51.00	OFFICE SUPPLIES	0.00	0.00	0.00	(542.20)	100.00
001-16-530.46.12	MAINTENANCE SUPPLIES	0.00	0.00	0.00	(325.55)	100.00
001-16-530.46.40	GROUNDS MAINTENANCE	0.00	0.00	0.00	(2,376.56)	100.00
						100.00

	Description	ORIGINAL BUDGET	Amended	Encumbrance	Available	% Used
Department: 19 GENERAL SERVICES						
001-19-500.24.00	WORKERS COMPENSATION	2,618.00	2,618.00	0.00	2,618.00	0.00
001-19-510.31.00	PROFESSIONAL SERVICES	4,020.00	4,020.00	0.00	2,513.75	37.47
001-19-510.31.11	SECURITY	3,308.00	3,308.00	0.00	(1,589.50)	148.05
001-19-510.34.10	JANITORIAL SERVICES	17,000.00	17,000.00	0.00	10,705.00	37.03
001-19-510.35.00	PRE-EMPLOYMENT EXP	300.00	300.00	0.00	160.00	46.67
001-19-510.41.00	TELEPHONE	18,240.00	18,240.00	0.00	9,938.20	45.51
001-19-510.41.10	COMMUNICATION SERVICES	43,056.00	43,056.00	0.00	27,631.98	35.82
001-19-510.43.00	STREET LIGHTS	47,000.00	47,000.00	0.00	31,014.24	34.01
001-19-510.43.10	ELECTRICITY	38,500.00	38,500.00	0.00	29,379.60	23.69
001-19-510.43.20	WATER & SEWER	3,520.00	3,520.00	0.00	2,656.42	24.53
001-19-510.43.50	WASTE TAX SERVICE	3,300.00	3,300.00	0.00	1,031.09	68.75
001-19-510.45.00	GENERAL LIABILITY INSURANCE	85,728.00	85,728.00	0.00	64,047.25	25.29
001-19-510.45.01	FLOOD INSURANCE	3,751.00	3,751.00	0.00	3,751.00	0.00
001-19-510.45.02	PROPERTY INSURANCE	69,960.00	69,960.00	0.00	53,970.50	22.86
001-19-510.45.03	AUTO INSURANCE	8,172.00	8,172.00	0.00	6,129.75	24.99
001-19-510.46.10	OFFICE EQUIPMENT MAINTENANCE	4,232.00	4,232.00	0.00	2,682.30	36.62
001-19-510.46.15	EQUIPMENT MAINTENANCE	25,000.00	25,000.00	0.00	9,903.00	60.39
001-19-510.46.36	PEST CONTROL	3,000.00	3,000.00	0.00	2,057.68	31.41
001-19-510.47.00	PRINTING	500.00	500.00	0.00	236.69	52.66
001-19-510.49.90	ADOPT AN AREA	1,500.00	1,500.00	0.00	1,298.84	13.41
001-19-510.49.98	CONTINGENCY	25,000.00	25,000.00	0.00	25,000.00	0.00
001-19-510.49.99	MISCELLANEOUS	300.00	300.00	0.00	300.00	0.00

001-19-510.51.00	OFFICE SUPPLIES	11,000.00	11,000.00	0.00	8,079.89	26.55
001-19-510.51.10	POSTAGE	1,400.00	1,400.00	0.00	901.15	35.63
001-19-510.52.10	JANITORIAL SUPPLIES	3,500.00	3,500.00	0.00	1,805.42	48.42
001-19-510.54.00	DUES & SUBSCRIPTIONS	325.00	325.00	0.00	325.00	0.00
001-19-510.64.01	CAPITAL OUTLAY	39,916.00	39,916.00	0.00	23,804.69	40.36
001-19-543.00.00	LICENSES & FEES	21,286.00	21,286.00	0.00	19,311.09	9.28
001-19-581.00.00	TRANSFER OUT	115,000.00	115,000.00	0.00	115,000.00	0.00

24.28

	Description	ORIGINAL BUDGET	Amended	Encumbrance	Available	% Used
Department: 21 LAW ENFORCEM						
001-21-500.12.00	REGULAR SALARIES	627,879.00	627,879.00	0.00	418,114.87	33.41
001-21-500.12.50	HOLIDAY PAY	20,000.00	20,000.00	0.00	1,389.49	93.05
001-21-500.14.00	SALARIES OVERTIME	15,000.00	15,000.00	0.00	10,672.70	28.85
001-21-500.14.16	HURRICANE PAY	18,000.00	18,000.00	0.00	5,992.94	66.71
001-21-500.15.00	EDUCATION INCENTIVE PAY	6,800.00	6,800.00	0.00	4,240.00	37.65
001-21-500.15.01	FIRST RESPONDER	8,000.00	8,000.00	0.00	6,150.00	23.13
001-21-500.21.00	FICA TAXES - EMPLOYER PORTION	52,087.00	52,087.00	0.00	33,778.14	35.15
001-21-500.22.02	POLICE PENSION	206,912.00	206,912.00	0.00	151,912.00	26.58
001-21-500.22.20	RETIREMENT TOWN EMPLOYEES	5,217.00	5,217.00	0.00	3,619.44	30.62
001-21-500.23.01	HEALTH INSURANCE	210,119.00	210,119.00	0.00	175,439.43	16.50
001-21-500.23.02	LIFE INSURANCE	2,700.00	2,700.00	0.00	1,940.78	28.12
001-21-500.23.10	STATUTORY AD&D	1,000.00	1,000.00	0.00	1,000.00	0.00
001-21-500.24.00	WORKERS COMPENSATION	16,853.00	16,853.00	0.00	8,426.50	50.00
001-21-500.25.00	UNEMPLOYMENT COMPENSATION	2,179.00	2,179.00	0.00	1,556.78	28.56
001-21-520.31.00	PROFESSIONAL SERVICES	725.00	725.00	0.00	525.00	27.59
001-21-520.34.40	DISPATCHING SERVICES	17,785.00	17,785.00	0.00	(533.55)	103.00
001-21-520.40.00	TRAVEL & MEETINGS	3,324.00	3,324.00	0.00	3,098.34	6.79
001-21-520.41.10	COMMUNICATION SERVICES	5,388.00	5,388.00	0.00	4,520.28	16.10
001-21-520.46.10	OFFICE EQUIPMENT MAINTENANCE	5,500.00	5,500.00	0.00	3,965.68	27.90
001-21-520.46.15	EQUIPMENT MAINTENANCE	5,500.00	5,500.00	0.00	5,500.00	0.00
001-21-520.46.16	RADAR CALIBRATION	700.00	700.00	0.00	600.00	14.29
001-21-520.46.20	VEHICLE MAINTENANCE	17,000.00	17,000.00	0.00	3,674.06	78.39
001-21-520.48.00	PROMOTIONAL ACTIVITIES	3,000.00	3,000.00	0.00	3,000.00	0.00

001-21-520.48.50	CRIME PREVENTION	2,100.00	2,100.00	0.00	618.74	70.54
001-21-520.49.99	MISCELLANEOUS	100.00	100.00	0.00	100.00	0.00
001-21-520.51.10	POSTAGE	150.00	150.00	0.00	144.60	3.60
001-21-520.52.00	UNIFORMS	7,000.00	7,000.00	0.00	5,248.34	25.02
001-21-520.52.05	PROTECTIVE GEAR	8,328.00	8,328.00	0.00	8,225.40	1.23
001-21-520.52.50	GAS & OIL	40,000.00	40,000.00	0.00	35,446.15	11.38
001-21-520.52.70	MEDICAL	500.00	500.00	0.00	174.57	65.09
001-21-520.52.90	OPERATING SUPPLIES	4,320.00	4,320.00	0.00	3,664.55	15.17
001-21-520.54.00	DUES & SUBSCRIPTIONS	935.00	935.00	0.00	100.60	89.24
001-21-520.54.10	TRAINING & SCHOOLS	6,400.00	6,400.00	0.00	5,800.00	9.38
001-21-520.64.01	Capital Outlay	18,400.00	18,400.00	93,436.00	(99,473.80)	132.81
001-21-543.00.00	LICENSES & FEES	13,837.00	13,837.00	0.00	6,069.90	56.13
001-21-581.00.00	TRANSFER OUT	13,479.00	13,479.00	0.00	13,479.00	0.00
						32.59

Description		ORIGINAL BUDGET	Amended	Encumbrance	Available	% Used
Department: 22 FIRE CONTROL						
001-22-500.12.00	REGULAR SALARIES	88,036.00	88,036.00	0.00	61,674.95	29.94
001-22-500.14.50	STIPEND PAYROLL	38,689.00	38,689.00	0.00	36,799.00	4.89
001-22-500.21.00	FICA TAXES - EMPLOYER PORTION	9,695.00	9,695.00	0.00	7,489.85	22.75
001-22-500.22.01	RETIREMENT - ICMA	7,513.00	7,513.00	0.00	5,193.20	30.88
001-22-500.22.20	RETIREMENT TOWN EMPLOYEES	2,973.00	2,973.00	0.00	2,219.33	25.35
001-22-500.23.01	HEALTH INSURANCE	25,626.00	25,626.00	0.00	17,194.21	32.90
001-22-500.23.02	LIFE INSURANCE	136.00	136.00	0.00	90.96	33.12
001-22-500.23.10	STATUTORY AD&D	207.00	207.00	0.00	207.00	0.00
001-22-500.24.00	WORKERS COMPENSATION	16,750.00	16,750.00	0.00	16,750.00	0.00
001-22-500.25.00	UNEMPLOYMENT COMPENSATION	282.00	282.00	0.00	213.96	24.13
001-22-520.34.40	DISPATCHING SERVICES	5,400.00	5,400.00	0.00	4,100.00	24.07
001-22-520.35.00	PRE-EMPLOYMENT EXPENSE	2,060.00	2,060.00	0.00	1,887.00	8.40
001-22-520.36.00	ANNUAL PHYSICALS	4,375.00	4,375.00	0.00	3,375.00	22.86
001-22-520.40.00	TRAVEL & MEETINGS	750.00	750.00	0.00	750.00	0.00
001-22-520.41.10	COMMUNICATION SERVICES	1,644.00	1,644.00	0.00	960.15	41.60
001-22-520.46.15	EQUIPMENT MAINTENANCE	9,152.00	9,152.00	0.00	6,621.50	27.65
001-22-520.46.20	VEHICLE MAINTENANCE	26,100.00	26,100.00	0.00	23,761.92	8.96

001-22-520.46.30	BUILDING MAINTENANCE	1,000.00	1,000.00	0.00	952.65	4.74
001-22-520.48.55	FIRE PREVENTION	4,600.00	4,600.00	0.00	3,475.00	24.46
001-22-520.51.00	OFFICE SUPPLIES	400.00	400.00	0.00	104.01	74.00
001-22-520.52.00	UNIFORMS	7,135.00	7,135.00	0.00	7,135.00	0.00
001-22-520.52.02	S.C.B.A.	1,975.00	1,975.00	0.00	435.14	77.97
001-22-520.52.05	PROTECTIVE GEAR	2,925.00	2,925.00	0.00	2,455.14	16.06
001-22-520.52.10	JANITORIAL SUPPLIES	1,000.00	1,000.00	0.00	447.91	55.21
001-22-520.52.20	TOOLS & HARDWARE	2,000.00	2,000.00	0.00	1,930.86	3.46
001-22-520.52.50	GAS & OIL	6,600.00	6,600.00	0.00	5,339.11	19.10
001-22-520.52.70	MEDICAL	1,400.00	1,400.00	0.00	1,400.00	0.00
001-22-520.54.00	DUES & SUBSCRIPTIONS	435.00	435.00	0.00	414.00	4.83
001-22-520.54.10	TRAINING & SCHOOLS	7,525.00	7,525.00	0.00	7,075.00	5.98
001-22-520.54.12	TRAINING MATERIALS	1,960.00	1,960.00	0.00	1,470.00	25.00
001-22-520.64.01	Capital Outlay	82,369.00	82,369.00	30,000.00	52,369.00	0.00
001-22-543.00.00	LICENSES & FEES	13,304.00	13,304.00	0.00	6,384.10	52.01
001-22-581.00.00	TRANSFER OUT	15,277.00	15,277.00	0.00	15,277.00	0.00
						16.27

Description		ORIGINAL BUDGET	Amended	Encumbrance	Available	% Used
Department: 29 CODE ENFORCEN						
001-29-500.12.00	REGULAR SALARIES	14,898.00	14,898.00	0.00	11,316.94	24.04
001-29-500.21.00	FICA TAXES - EMPLOYER PORTION	1,140.00	1,140.00	0.00	875.23	23.23
001-29-500.22.20	RETIREMENT TOWN EMPLOYEES	1,774.00	1,774.00	0.00	1,345.04	24.18
001-29-500.23.10	STATUTORY AD&D	21.00	21.00	0.00	21.00	0.00
001-29-500.24.00	WORKERS COMPENSATION	230.00	230.00	0.00	230.00	0.00
001-29-500.25.00	UNEMPLOYMENT COMPENSATION	48.00	48.00	0.00	38.34	20.13
001-29-520.40.00	TRAVEL & MEETINGS	35.00	35.00	0.00	35.00	0.00
001-29-520.46.12	MAINTENANCE SUPPLIES	50.00	50.00	0.00	50.00	0.00
001-29-520.46.20	VEHICLE MAINTENANCE	150.00	150.00	0.00	150.00	0.00
001-29-520.51.00	OFFICE SUPPLIES	125.00	125.00	0.00	104.81	16.15
001-29-520.51.10	POSTAGE	350.00	350.00	0.00	298.82	14.62
001-29-520.51.20	RECORDING COSTS	120.00	120.00	0.00	120.00	0.00
001-29-520.52.00	UNIFORMS	150.00	150.00	0.00	150.00	0.00
001-29-520.52.50	GAS & OIL	150.00	150.00	0.00	150.00	0.00

001-29-520.54.10	TRAINING & SCHOOLS	75.00	75.00	0.00	75.00	0.00
						22.55

Department: 41 PUBLIC WORKS		ORIGINAL BUDGET	Amended	Encumbrance	Available	% Used
001-41-500.12.00	REGULAR SALARIES	207,196.00	207,196.00	0.00	147,674.84	28.73
001-41-500.14.00	SALARIES OVERTIME	0.00	0.00	0.00	(2,023.59)	100.00
001-41-500.21.00	FICA TAXES - EMPLOYER PORTION	15,850.00	15,850.00	0.00	11,193.39	29.38
001-41-500.22.20	RETIREMENT TOWN EMPLOYEES	24,677.00	24,677.00	0.00	17,329.16	29.78
001-41-500.23.01	HEALTH INSURANCE	31,953.00	31,953.00	0.00	20,342.36	36.34
001-41-500.23.02	LIFE INSURANCE	236.00	236.00	0.00	106.53	54.86
001-41-500.23.10	STATUTORY AD&D	83.00	83.00	0.00	83.00	0.00
001-41-500.24.00	WORKERS COMPENSATION	2,618.00	2,618.00	0.00	2,618.00	0.00
001-41-500.25.00	UNEMPLOYMENT COMPENSATION	663.00	663.00	0.00	529.90	20.08
001-41-530.40.00	TRAVEL & MEETINGS	150.00	150.00	0.00	150.00	0.00
001-41-530.43.10	ELECTRICITY	5,000.00	5,000.00	0.00	(64.48)	101.29
001-41-530.43.50	DUMP SERVICE	2,000.00	2,000.00	0.00	2,000.00	0.00
001-41-530.46.12	MAINTENANCE SUPPLIES	6,500.00	6,500.00	0.00	5,076.69	21.90
001-41-530.46.15	EQUIPMENT MAINTENANCE	5,000.00	5,000.00	0.00	1,781.42	64.37
001-41-530.46.20	VEHICLE MAINTENANCE	9,500.00	9,500.00	0.00	8,037.63	15.39
001-41-530.46.30	BUILDING MAINTENANCE	8,500.00	8,500.00	0.00	5,755.44	32.29
001-41-530.46.31	MAINTENANCE OLD TOWN HALL	600.00	600.00	0.00	550.00	8.33
001-41-530.46.32	RYCKMAN HOUSE	700.00	700.00	0.00	700.00	0.00
001-41-530.46.35	PIER MAINTENANCE	1,500.00	1,500.00	0.00	28.32	98.11
001-41-530.46.40	GROUNDS MAINTENANCE	7,000.00	7,000.00	0.00	6,107.39	12.75
001-41-530.52.00	UNIFORMS	3,125.00	3,125.00	0.00	1,345.43	56.95
001-41-530.52.05	PROTECTIVE GEAR	1,000.00	1,000.00	0.00	304.83	69.52
001-41-530.52.20	TOOLS & HARDWARE	4,750.00	4,750.00	0.00	2,616.52	44.92
001-41-530.52.25	TOOL RENTALS	3,500.00	3,500.00	0.00	3,147.24	10.08
001-41-530.52.50	GAS & OIL	5,800.00	5,800.00	0.00	4,553.02	21.50
001-41-530.53.10	STREET REPAIR	7,500.00	7,500.00	0.00	1,905.54	74.59
001-41-530.53.20	STREET SIGNS	8,500.00	8,500.00	0.00	3,333.83	60.78
001-41-530.54.10	TRAINING & SCHOOLS	1,500.00	1,500.00	0.00	1,400.20	6.65
001-41-530.57.25	WELDING	500.00	500.00	0.00	321.54	35.69

001-41-530.64.01	CAPITAL OUTLAY	10,000.00	10,000.00	0.00	0.00	100.00
001-41-581.00.00	TRANSFER OUT	16,927.00	16,927.00	0.00	16,927.00	0.00
						32.84

	Description	ORIGINAL BUDGET	Amended	Encumbrance	Available	% Used
Department: 42 GROUNDS KEEP						
001-42-500.14.00	SALARIES OVERTIME	0.00	0.00	0.00	(408.53)	100.00
001-42-500.21.00	FICA TAXES - EMPLOYER PORTION	2,625.00	2,625.00	0.00	1,946.60	25.84
001-42-500.22.20	RETIREMENT TOWN EMPLOYEES	4,088.00	4,088.00	0.00	2,999.12	26.64
001-42-500.23.01	HEALTH INSURANCE	10,722.00	10,722.00	0.00	7,148.28	33.33
001-42-500.23.02	LIFE INSURANCE	68.00	68.00	0.00	68.00	0.00
001-42-500.23.10	STATUTORY AD&D	21.00	21.00	0.00	21.00	0.00
001-42-500.24.00	WORKERS COMPENSATION	654.00	654.00	0.00	654.00	0.00
001-42-500.25.00	UNEMPLOYMENT COMPENSATION	110.00	110.00	0.00	87.63	20.34
001-42-530.34.91	LANDSCAPING	22,300.00	22,300.00	0.00	21,410.08	3.99
001-42-530.46.12	MAINTENANCE SUPPLIES	1,000.00	1,000.00	0.00	887.53	11.25
001-42-530.46.15	EQUIPMENT MAINTENANCE	2,500.00	2,500.00	0.00	2,421.07	3.16
001-42-530.46.40	GROUNDS MAINTENANCE	25,910.00	25,910.00	0.00	23,558.08	9.08
001-42-530.46.43	TREE EXPENSE	2,000.00	2,000.00	0.00	(1,975.00)	198.75
001-42-530.52.00	UNIFORMS	3,125.00	3,125.00	0.00	3,031.60	2.99
001-42-530.52.05	PROTECTIVE GEAR	575.00	575.00	0.00	575.00	0.00
001-42-530.52.20	TOOLS & HARDWARE	500.00	500.00	0.00	240.15	51.97
001-42-530.54.10	TRAINING & SCHOOLS	300.00	300.00	0.00	300.00	0.00
001-42-530.64.01	CAPITAL OUTLAY	0.00	0.00	0.00	(10,859.00)	100.00
						31.89

	Description	ORIGINAL BUDGET	Amended	Encumbrance	Available	% Used
Department: 72 PARKS & RECREA						
001-72-570.48.10	FOUNDER'S DAY	7,000.00	7,000.00	0.00	7,000.00	0.00
001-72-570.48.50	MOVIES IN THE PARK	1,800.00	1,800.00	0.00	870.00	51.67
001-72-570.48.52	FOURTH OF JULY	500.00	500.00	0.00	500.00	0.00
001-72-570.48.53	CHRISTMAS DECORATIONS PARK	3,000.00	3,000.00	0.00	(1,898.02)	163.27
001-72-570.48.60	EASTER EGG HUNT	200.00	200.00	0.00	200.00	0.00
001-72-570.48.90	RECREATION PROGRAMS	5,000.00	5,000.00	0.00	4,459.06	10.82

001-72-570.63.01	TENNIS COURT EXPEDITURES	500.00	500.00	0.00	(185.97)	137.19
001-72-570.63.02	BBALL & VBALL COURTS	500.00	500.00	0.00	(175.79)	135.16
001-72-570.63.05	BOCCE COURT EXPENDITURES	500.00	500.00	0.00	430.02	14.00
001-72-570.64.01	CAPITAL OUTLAY	32,600.00	32,600.00	0.00	525.00	98.39
						77.28

General Fund Overall Expenditure Rate:

29.09

Fund: 104 ENVIRONMENTAL ADV

	Description	ORIGINAL BUDGET	Amended	Encumbrance	Available	% Used
Department: 72 PARKS & RECREATION						
104-72-570.31.00	PROFESSIONAL SERVICES	2,000.00	2,000.00	0.00	2,000.00	0.00
104-72-570.40.00	TRAVEL & MEETINGS	0.00	0.00	0.00	(44.97)	100.00
104-72-570.46.12	MAINTENANCE SUPPLIES	0.00	0.00	0.00	(65.00)	100.00
104-72-570.46.40	GROUNDS MAINTENANCE	960.00	960.00	0.00	671.44	30.06
104-72-570.51.00	OFFICE SUPPLIES	0.00	0.00	0.00	(81.98)	100.00
104-72-570.52.50	GAS FOR COMPOSTING TRUCK	1,092.00	1,092.00	0.00	638.43	41.54
104-72-570.64.01	CAPITAL OUTLAY	8,000.00	8,000.00	0.00	6,579.48	17.76
						19.54

Fund: 125 BUILDING DEPT

	Description	ORIGINAL BUDGET	Amended	Encumbrance	Available	% Used
Department: 24 PROTECTIVE INSI						
125-24-500.12.00	REGULAR SALARIES	141,440.00	141,440.00	0.00	93,682.29	33.77
125-24-500.14.00	SALARIES OVERTIME	0.00	0.00	0.00	(768.00)	100.00
125-24-500.21.00	FICA TAXES - EMPLOYER PORTION	10,820.16	10,820.16	0.00	7,364.76	31.93
125-24-500.22.20	RETIREMENT TOWN EMPLOYEES	16,845.50	16,845.50	0.00	11,048.13	34.41
125-24-500.23.01	HEALTH INSURANCE	27,083.00	27,083.00	0.00	19,689.46	27.30
125-24-500.23.02	LIFE INSURANCE	136.00	136.00	0.00	85.33	37.26
125-24-500.23.10	STATUTORY AD&D	42.00	42.00	0.00	42.00	0.00
125-24-500.24.00	WORKERS COMPENSATION	655.00	655.00	0.00	655.00	0.00
125-24-500.25.00	UNEMPLOYMENT COMPENSATION	452.61	452.61	0.00	334.47	26.10
125-24-520.40.00	TRAVEL & MEETINGS	300.00	300.00	0.00	300.00	0.00
125-24-520.51.00	OFFICE SUPPLIES	500.00	500.00	0.00	277.65	44.47
125-24-520.51.10	POSTAGE	75.00	75.00	0.00	75.00	0.00

125-24-520.52.00	UNIFORMS	260.00	260.00	0.00	19.08	92.66
125-24-520.52.20	TOOLS & HARDWARE	75.00	75.00	0.00	75.00	0.00
125-24-520.52.50	GAS & OIL	500.00	500.00	0.00	387.78	22.44
125-24-520.54.00	DUES & SUBSCRIPTIONS	4,200.00	4,200.00	0.00	3,140.00	25.24
125-24-520.54.10	TRAINING & SCHOOLS	350.00	350.00	0.00	350.00	0.00
125-24-520.64.01	Capital Outlay	16,000.00	16,000.00	0.00	5,359.95	66.50
125-24-543.00.00	LICENSES & FEES	350.00	350.00	0.00	237.05	32.27
						35.32

Fund: 172 OCEAN PARK PARKING FUND

	Description	ORIGINAL BUDGET	Amended	Encumbrance	Available	% Used
Department: 75 TOWN PARKS						
172-75-500.12.00	REGULAR SALARIES	34,000.00	34,000.00	0.00	25,266.10	25.69
172-75-575.31.02	LIFEGUARD CONTRACT	21,945.00	21,945.00	0.00	21,945.00	0.00
172-75-575.32.90	BANKING FEES	5,500.00	5,500.00	0.00	4,493.59	18.30
172-75-575.34.10	JANITORIAL CLEANING	1,800.00	1,800.00	0.00	1,050.00	41.67
172-75-575.34.91	LANDSCAPING	3,500.00	3,500.00	0.00	3,371.36	3.68
172-75-575.41.10	IPS COMMUNICATIONS FEE	4,020.00	4,020.00	0.00	2,450.40	39.04
172-75-575.43.10	ELECTRICITY	2,700.00	2,700.00	0.00	1,833.09	32.11
172-75-575.43.20	WATER & SEWER	1,700.00	1,700.00	0.00	1,468.59	13.61
172-75-575.43.50	DUMP SERVICE	660.00	660.00	0.00	660.00	0.00
172-75-575.46.12	MAINTENANCE SUPPLIES	1,500.00	1,500.00	0.00	997.44	33.50
172-75-575.46.31	BUILDING MAINT RESTROOMS	1,200.00	1,200.00	0.00	1,135.16	5.40
172-75-575.46.40	GROUND MAINTENANCE	3,000.00	3,000.00	0.00	3,000.00	0.00
172-75-575.46.41	MOWING CONTRACT	9,000.00	9,000.00	0.00	8,066.25	10.38
172-75-575.46.43	TREE EXPENSE	500.00	500.00	0.00	500.00	0.00
172-75-575.52.10	JANITORIAL SUPPLIES	350.00	350.00	0.00	350.00	0.00
172-75-575.53.15	PARKING LOT REPAIRS	1,500.00	1,500.00	0.00	683.91	54.41
172-75-575.53.20	SIGNS	300.00	300.00	0.00	300.00	0.00
172-75-575.63.03	VOLLEYBALL COURT	2,000.00	2,000.00	0.00	844.59	57.77
172-75-575.64.01	CAPITAL OUTLAY	16,000.00	16,000.00	0.00	16,000.00	0.00
172-75-581.00.00	TRANSFER OUT	1,400.00	1,400.00	0.00	1,400.00	0.00
172-75-764.10.00	Filing Fee Clerk-Parking Ticke	30.00	30.00	0.00	10.00	66.67
						14.90

Fund: 175 RYCKMAN CROSSOVER

		ORIGINAL BUDGET	Amended	Encumbrance	Available	% Used
Department: 75 TOWN PARKS						
175-75-500.12.00	REGULAR SALARIES	320.00	320.00	0.00	320.00	0.00
175-75-500.21.00	FICA TAXES - EMPLOYER PORTION	2,625.00	2,625.00	0.00	2,625.00	0.00
175-75-500.22.20	RETIREMENT TOWN EMPLOYEES	4,088.00	4,088.00	0.00	4,088.00	0.00
175-75-500.23.01	HEALTH INSURANCE	7,967.00	7,967.00	0.00	7,967.00	0.00
175-75-575.32.90	BANKING FEES	2,000.00	2,000.00	0.00	1,329.05	33.55
175-75-575.32.95	IPS BANKING FEE	4,200.00	4,200.00	0.00	4,200.00	0.00
175-75-575.41.15	IPS COMMUNICATION FEE	2,500.00	2,500.00	0.00	2,062.70	17.49
175-75-575.50.00	RECREATION PROGRAMS	10,500.00	10,500.00	0.00	7,750.00	26.19
175-75-581.00.00	TRANSFER OUT	31,500.00	31,500.00	0.00	31,500.00	0.00
						5.87

Fund: 351 BEAUTIFICATION

		ORIGINAL BUDGET	Amended	Encumbrance	Available	% Used
Department: 41 PUBLIC WORKS						
351-41-500.23.01	HEALTH INSURANCE	2,755.00	2,755.00	0.00	2,755.00	0.00
351-41-500.23.02	LIFE INSURANCE	68.00	68.00	0.00	68.00	0.00
351-41-500.23.10	STATUTORY AD&D	21.00	21.00	0.00	21.00	0.00
351-41-500.24.00	WORKERS COMPENSATION	653.00	653.00	0.00	653.00	0.00
351-41-500.25.00	UNEMPLOYMENT COMPENSATION	110.00	110.00	0.00	110.00	0.00
351-41-570.31.00	PROFESSIONAL SERVICES	15,000.00	15,000.00	0.00	15,000.00	0.00
351-41-570.34.91	LANDSCAPING	30,000.00	30,000.00	0.00	30,000.00	0.00
351-41-570.43.15	ELECTRICAL WORK	3,000.00	3,000.00	0.00	3,000.00	0.00
351-41-570.46.40	GROUNDS MAINTENANCE	2,500.00	2,500.00	0.00	2,108.84	15.65
351-41-570.53.20	STREET SIGNS	1,500.00	1,500.00	0.00	(1,968.83)	231.26
351-41-570.64.01	CAPITAL OUTLAY	0.00	0.00	7,597.00	(7,597.00)	0.00
						6.94

REVENUE FOR TOWN OF MELBOURNE BEACH
Balance As Of 01/31/2023

Fund: 001 GENERAL FUND

Account Category: Revenues

	Description	ORIGINAL BUDGET	Year to Date	Available	% Used
001-00-311.00.00	AD VALOREM TAXES	2,418,002.00	2,141,434.68	276,567.32	88.56
001-00-312.41.00	LOCAL OPTION COUNTY GAS TAX	93,000.00	7,491.32	85,508.68	8.06
001-00-314.10.00	UTILITY SERVICES TAX FPL	248,000.00	72,999.73	175,000.27	29.44
001-00-314.30.00	UTILITY SERVICES TAX WATER	52,500.00	12,865.66	39,634.34	24.51
001-00-314.40.10	UTILTIY GAS TAX AMERIGAS	7,700.00	17,461.06	(9,761.06)	226.77
001-00-314.40.20	UTILITY GAS TAX SUBURBAN	1,000.00	44.84	955.16	4.48
001-00-314.40.30	UTILTIY GAS TAX FERRELL	2,800.00	900.25	1,899.75	32.15
001-00-315.00.00	COMMUNICATIONS SERVICE TAX	137,000.00	23,246.46	113,753.54	16.97
001-00-316.00.00	OCCP. LIC	16,000.00	13,290.34	2,709.66	83.06
001-00-323.10.00	FRANCHISE FEES FPL	190,000.00	35,162.90	154,837.10	18.51
001-00-323.70.00	FRANCHISE FEES SOLID WASTE	40,000.00	10,599.77	29,400.23	26.50
001-00-323.70.10	SOLID WASTE COMMERCIAL	13,500.00	3,741.79	9,758.21	27.72
001-00-329.20.00	BONFIRE PERMIT	900.00	0.00	900.00	0.00
001-00-329.50.00	LOW SPEED VEHICLE REGISTRATION	0.00	300.00	(300.00)	100.00
001-00-329.50.10	LOW SPEED VEHICLE PERMIT FEE	0.00	300.00	(300.00)	100.00
001-00-334.40.00	FMIT SAFETY GRANT	7,500.00	0.00	7,500.00	0.00
001-00-335.12.00	STATE REVENUE SHARING PROCEEDS	87,000.00	32,104.24	54,895.76	36.90
001-00-335.15.00	ALCOHOLIC BEVERAGE LICENSES	4,600.00	0.00	4,600.00	0.00
001-00-335.18.00	HALF CENT SALES TAX LOCAL GOV	192,000.00	37,629.04	154,370.96	19.60
001-00-342.20.00	SAFETY INSPECT FEE VAC RENTAL	800.00	(85.00)	885.00	(10.63)
001-00-342.20.10	SAFETY RENEWAL-VAC RENTALS	800.00	0.00	800.00	0.00
001-00-345.10.00	VAC RENTAL APP FEE-INITIAL	5,000.00	550.00	4,450.00	11.00
001-00-345.10.10	VAC RENEWAL FEE - RENTALS	2,500.00	3,250.00	(750.00)	130.00
001-00-361.10.00	INTEREST ON INVESTMENTS	4,000.00	6,509.83	(2,509.83)	162.75
001-00-369.00.00	MISCELLANEOUS REVENUE	2,500.00	1,246.32	1,253.68	49.85
001-00-369.00.49	INSURANCE RECOVERY	350.00	0.00	350.00	0.00

68.63

	Description	ORIGINAL BUDGET	Year to Date	Available	% Used
Department: 21 LAW ENFORCEMENT					
001-21-312.52.00	INSURANCE PREMIUM TAX	45,500.00	0.00	45,500.00	0.00
001-21-337.20.00	SCHOOL RESOURCE OFFICER	65,000.00	32,500.00	32,500.00	50.00
001-21-337.25.01	STATE LE COMPUTER GRANT	1,000.00	0.00	1,000.00	0.00
001-21-347.90.01	SPECIAL EVENTS	1,000.00	0.00	1,000.00	0.00
001-21-351.00.00	FINES - LAW ENFORCEMENT	7,500.00	1,515.82	5,984.18	20.21
001-21-351.13.00	PARKING TICKETS	600.00	200.00	400.00	33.33
001-21-351.13.10	ACCIDENT REPORT	100.00	106.00	(6.00)	106.00
001-21-369.00.00	MISCELLANEOUS REVENUE	0.00	44.00	(44.00)	100.00
					28.47
Department: 22 FIRE CONTROL					
001-22-322.30.00	FIRE PROTECTIVE SERVICES	5,000.00	1,455.00	3,545.00	29.10
001-22-369.00.00	MISCELLANEOUS REVENUE	500.00	0.00	500.00	0.00
001-22-369.55.10	SHARED TRAINING	1,000.00	0.00	1,000.00	0.00
					22.38
Department: 29 CODE ENFORCEMENT					
001-29-359.00.00	OTHER FINES AND FORFEITURES	800.00	0.00	800.00	0.00
			0.00		0.00
Department: 72 PARKS & RECREATION					
001-72-347.41.00	FOUNDER'S DAY	6,000.00		6,000.00	0.00
001-72-347.50.00	FACILITY RENTALS	8,000.00	1,240.00	6,760.00	15.50
					8.86
General Fund Overall Revenue Rate:					66.99

Fund: 104 ENVIRONMENTAL ADVISORY BOARD

	Description	ORIGINAL BUDGET	Year to Date	Available	% Used
Department: 00					
104-00-271.00.99	CARRY FORWARD	4,904.00	0.00	4,904.00	0.00
104-00-337.90.01	OTHER GRANTS	568.00	0.00	568.00	0.00
104-00-366.47.00	DONATIONS	5,000.00	5,000.00	0.00	100.00
104-00-381.00.00	TRANSFERS IN	5,374.00	0.00	5,374.00	0.00
					31.55

Fund: 125 BUILDING DEPT

	Description	ORIGINAL BUDGET	Year to Date	Available	% Used
Department: 24 PROTECTIVE INSPECTIONS					
125-24-322.00.00	BUILDING PERMITS	160,000.00	62,917.71	97,082.29	39.32
125-24-322.10.00	ZONING PLAN REVIEW	1,000.00	31.25	968.75	3.13
125-24-322.10.10	SITE PLAN REVIEW P&Z	12,000.00	1,000.00	11,000.00	8.33
125-24-322.20.00	BUILDING PLAN REVIEW	12,000.00	0.00	12,000.00	0.00
125-24-322.31.00	ADVERTISING COSTS	250.00	0.00	250.00	0.00
125-24-322.31.20	P&Z ADVERTISING	100.00	0.00	100.00	0.00
125-24-329.00.00	OTHER LICENSES, FEES & PERMITS	700.00	3,108.50	(2,408.50)	444.07
125-24-329.00.10	BOA VARIANCE FEES	2,000.00	0.00	2,000.00	0.00
125-24-354.00.00	LOCAL ORDINANCE VIOLATION	8,000.00	5,092.00	2,908.00	63.65
					36.80

Fund: 172 OCEAN PARK PARKING FUND

	Description	ORIGINAL BUDGET	Year to Date	Available	% Used
Department: 00					
172-00-271.00.99	CARRY FORWARD	62,536.22	0.00	62,536.22	0.00
					0.00

Description	ORIGINAL BUDGET	Year to Date	Available	% Used
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Department: 75 TOWN PARKS

172-75-342.10.00	PARKING TICKET REVENUE	15,000.00	2,100.00	12,900.00	14.00
172-75-344.50.00	PARKING METER REVENUE	98,000.00	18,848.73	79,151.27	19.23
					18.54

Fund: 175 RYCKMAN CROSSOVER PARKING FUND

Description		ORIGINAL BUDGET	Year to Date	Available	% Used
Department: 00					
175-00-271.00.99	CARRY FORWARD	97,998.78	0.00	97,998.78	0.00
					0.00

Department: 75 TOWN PARKS

Description		ORIGINAL BUDGET	Year to Date	Available	% Used
175-75-342.10.00	PARKING TICKET REVENUE	9,500.00	650.00	8,850.00	6.84
175-75-344.50.00	PARKING METER REVENUE	60,500.00	22,490.32	38,009.68	37.17
175-75-344.50.10	PARK PASS REVENUE	3,000.00	1,100.00	1,900.00	36.67
					33.21

JANUARY 2023 ACTION ITEMS

ITEM	OPENED	DUE DATE	CLOSED	REQUESTER	ASSIGNED TO
Research potential 140-year celebration events	10/19/2022	CLOSED	1/18/2023	Corey Runte	Town Manager
DATE	DIRECTION/NOTES				
1/18/2023	Town Manager – Spoke about adding more things to current events, but waiting for a bigger year to do new events				
11/16/2022	Added to the December TCW				
10/19/2022	Added to Action Items				
ITEM	OPENED	DUE DATE	CLOSED	REQUESTOR	ASSIGNED TO
Research Dog Park Options	6/15/2022	CLOSED	1/18/2023	Mayor Hoover	Town Manager
DATE	DIRECTION/NOTES				
1/18/2023	Commissioner Corey Runte – Ask if the County would put one in at Flutie Field.				
7/20/2022	TM – Indialantic just finished their 6 month trial period and so far so good so they will be renewing it.				
6/15/2022	Added to Action Items				
ITEM	OPENED	DUE DATE	CLOSED	REQUESTER	ASSIGNED TO
Research permanent tree lighting (up lighting) along Ocean Ave, nicer street signs & new trash cans	2/16/2022	CLOSED	1/18/2023	Commissioner Walker	Town Manager/Public Works
DATE	DIRECTION/NOTES				
1/18/2023	Tree lighting only along the sidewalk, colored lights seasonally, everything else can be part of the S.E.A Project				
11/16/2022	PW Director – Received the additional signs but not the hardware, looking into solar options Town Manager – Someone spray-painted all of the uplighting lenses brown, public works was able to clean them.				
10/19/2022	PW Director – Additional signs were ordered for the intersection of Ocean and Pine				

JANUARY 2023 ACTION ITEMS

9/21/2022	Waiting to meet with Commissioner Walker, can get rid of signs at the Pine and Ocean regarding the school zone – pushed to next month				
8/17/2022	Do a sign survey for the north side of the road and the intersection at Pine				
7/20/2022	PW Director – The in ground light is the best, will proceed with that one.				
6/15/2022	PW Director – 2 Test lights installed, evaluate and come back next month.				
5/18/2022	PW Director will buy two different types of lights to try them out.				
4/20/2022	PW Supervisor investigating up lighting on Ocean Ave in front of Ryckman Park sidewalk. Has decorative street poles for Commission to review for purchase.				
2/16/2022	Added to Action Items - Update in March				
ITEM	OPENED	DUE DATE	CLOSED	REQUESTER	ASSIGNED TO
<i>Town Newsletter</i>	<i>1/18/2023</i>	<i>2/15/2023</i>		Corey Runte	
DATE	DIRECTION/NOTES				
1/18/2023	Added to Action Items – Get costs for a single page or bifold, potential content, schedule, and production options				
ITEM	OPENED	DUE DATE	CLOSED	REQUESTOR	ASSIGNED TO
Sixth Ave boat ramp improvements	8/17/2022	2/15/2023		Commissioner Runte	Town Manager/ PW Director
DATE	DIRECTION/NOTES				
1/18/2023	Tom Davis – installed the geogrid and painted the wall, considering installing a kayak rack Commissioner Corey Runte – come up with future vision plans and get concept drawings/proposals to beautify it and address parking				
11/16/2022	Joyce Barton – Spoke about possible grant options Corey Runte – Research funding options Mayor Hoover – Start with fixing the seawall				
9/21/2022	Discussed under new business agenda item D.				
8/17/2022	Research what the exact issue is with parking that prevents the Town from getting grant money				

JANUARY 2023 ACTION ITEMS

ITEM	OPENED	DUE DATE	CLOSED	REQUESTOR	ASSIGNED TO
Research the term multi-generational in terms of building code and its use in other municipalities, aka “Granny Suites.”	1/17/2022	2/15/2023		Commission	Town Manager
DATE	DIRECTION/NOTES				
1/18/2023	Town Attorney Clifford Repperger – First reading will be in February				
10/19/2022	Town Manager – The Town Attorney is working on the language				
8/17/2022	Town Manager – The proposed language needs to go to Planning and Zoning Board then will come back to the Commission.				
6/15/2022	Add to old business next month for the proposed language, then to PNZ, then back to the Commission				
5/18/2022	Town Manager – Came from PNZ to define kitchen. Our code prohibits two kitchens. Mayor Hoover requested an agenda item next month to review what in our code would prohibit this				
4/20/2022	Provide definition of multi-generational, how County manages Granny Suites and what other towns and cities are doing to accommodate the return of multi-generational living.				
2/16/2022	Town Attorney and Town Manager will discuss “granny suites” and bring their findings to the next RTCM.				
1/17/2022	The Town Commission directed the Town Manager to research the use of the term multi-generational in relation to “granny suites.”				
7/21/2021	<i>Update at August RTCM</i>				
6/16/2021	<i>PWD will ask FDOT if subcontractor (who is restriping cross walks) can also paint stanchions</i>				
5/19/2021	<i>PWD update at June RTCM</i>				
ITEM	OPENED	DUE DATE	CLOSED	REQUESTOR	ASSIGNED TO
Investigate options to isolate access to the dunes	11/16/2022	2/15/2023		Mayor Hoover	Town Manager and Tom Davis

JANUARY 2023 ACTION ITEMS

DATE	DIRECTION/NOTES				
1/18/2023	Tom Davis – Installing wood snow fence				
11/16/2022	Added to Action Items				
ITEM	OPENED	DUE DATE	CLOSED	REQUESTER	ASSIGNED TO
S.E.A. PROJECT	2/17/2021	3/15/2023		Mayor Hoover	Town Manager
Date	Directions/Notes				
1/18/2023	Town Manager – Waiting on the concept drawings from Bowman.				
11/16/2022	TM – Next step is the concept drawings and sidewalks Corey Runte – Get a quote from the Town’s secondary civil engineering company				
9/21/2022	Waiting to hear back from BSE				
7/20/2022	TM – The workshop is scheduled for August 24 th at 6:30 pm.				
6/15/2022	Town Manager – Spoke with Neal, 2 proposed dates in August, bring final date next month				
5/18/2022	Town Manager – additional parking spots are done, planting in Bicentennial Park was done, new poles along Ocean Ave are in the works. The next big-ticket item is underground retention for stormwater Mayor Hoover – FDOT will be doing their portion of A1A fiscal year 2026. Schedule a public workshop in July.				
04/20/2022	Town will have a tent during Founders Day to discuss the S.E.A. Vision and get feedback from the residents. Waiting on estimates for new Town signs from Fast Signs. Flowers planted at the very north end of Bi-Centennial. Flowers also planted around Ryckman House. Established 4 more spaces for golf cart parking.				
2/16/2022	Town Manager Mascaro has met with the resident volunteer and they are currently working on the plan – she will provide another update again in March. Mayor Hoover suggested researching FDOT funding for Bicentennial Park and making it an entrance to the Town with a more impressive sign.				
1/17/2022	Vision statement was approved. An update will be given at February RTCM.				
12/15/2021	Update at January RTCM with Dix Height information.				
10/20/2021	Discussed during meeting in depth. Update at Nov. RTCM				
9/15/21	Currently working on RFP for gardening services and will present it at next RTCM as an agenda item. TM has not been able to make contact with Susan Hall				
8/18/2021	Added landscaping of Parks to Action item – and discussed RFP for landscaping services				
7/21/2021	Check in with Susan (include VM Barton) and update at August RTCM				

JANUARY 2023 ACTION ITEMS

6/16/2021	Commission will no longer pursue FDOT grant but will continue research of other funding and grants.				
4/21/2021	Commission approved increasing payment. Grant will be awarded in June. Update July RTCM				
3/17/2021	VM Barton researched FDOT landscape grant. Commission approved \$5,000 to begin landscape design process with an architectural designer. Discuss at April TCW and April RTCM.				
2/17/2021	Explore grants, etc. Discuss at TCW on March 3, 2021				
12/2/2020	<i>Mayor Hoover suggested they do the necessary research and reach out to landlords and business owners, starting with the area east of the traffic light on both sides of the road north and south – and then meet again to discuss in February. Plan for workshops with business owners and PNZ involvement</i>				
12/16/2020	<i>Commissioner Walters requested the Town research a better microphone system, including the option of wireless microphones. He feels the sound quality of the current microphones is very poor. Dual timers were also requested by the Commission (we have one and need one more).</i>				
ITEM	OPENED	DUE DATE	CLOSED	REQUESTER	ASSIGNED TO
Options and costs for live streaming	9/21/2022	3/15/2023		Joyce Barton	Town Clerk
DATE	DIRECTION/NOTES				
1/18/2023	Town Clerk – Contacted several companies who advised not interested, cannot get the products, or didn't respond. Will start contacting individuals that use audio visual equipment rather than companies.				
11/16/2022	Town Clerk - contacted other municipalities to see how they stream and what they use and also reaching out to private companies. This item ties into the upgrades to the audio system that was approved, but not done yet to make sure the systems are compatible.				
9/21/2022	Added to Action Items				
ITEM	OPENED	DUE DATE	CLOSED	REQUESTOR	ASSIGNED TO
Research Charging Stations	11/20/20	3/15/2023		Simmons	Town Manager/PWD
DATE	DIRECTION/NOTES				
11/16/2022	Town Manager – Received feedback that without a fast charger, a car would have to be there all day				
10/19/2022	Town Manager – Got other quotes which has raised additional questions				
8/17/2022	Town Manager – having a very hard time getting companies to come out				

JANUARY 2023 ACTION ITEMS

6/15/2022	Town Manager met with James Moore (NOT associated with the auditors) who has a company that installs charging stations he recommended putting a charging station in a pay-to-park spot. Vice Mayor stated James Moore's company installed a station Grace Lutheran
12/15/2021	TM said new charging companies are coming out and installing their own stations with incentives and it may be a good idea to wait and see what they are. Rapid charge is 3-4 times the cost.
10/20/2021	Commissioner Runte reached out to two vendors he works with update Nov. 2021
9/15/2021	TM does not have an update. Commissioner Runte explained the companies are hard to reach or non-responsive- still working on it. Update next month
8/18/2021	Update at September RTCM
7/21/2021	Update at August RTCM
6/16/2021	Follow up on "Electrify" a company that leases charging stations
5/19/2021	Update at June RTCM
4/21/2021	Town Manager was given a list by Commissioner Runte to evaluate and update again at May RTCM.
1/20/2021	Update again at April RTCM
12/16/2020	<i>Town Manager Mascaro said there is a lot to understand about these charging stations that effect cost and what's included. Update again at January 2021 RTCM.</i>
11/18/2020	<i>Commission advised to keep this item open until the stations are installed</i>
10/21/2020	<i>Commission approved cost to replace breaker box and TM to get vendor contacts from Comm. Runte</i>
8/19/2020	<i>PWS said breaker box must be replaced at cost of \$3,000-\$4,000. Commission asked TM to find install/generic cost for Sept RTCM.</i>
7/15/2020	<i>TM shared that the offer from Tesla no longer available, they cost \$500. TM is looking at other options and will come back in August with information. Commission asked TM to look for similar offers and/or grants as Tesla was offering.</i>
6/17/2020	<i>Electricians scheduled Wed. Parking spot for bikes and two for charging stations. Update July RTCM</i>
3/18/2020	<i>Commission suggested TM get with Tesla to see what they may offer - including getting one at no cost. Tobe discussed again at May TCW.</i>
6/3/2020	<i>Commission asked TM to contact Tesla to see what they have to offer. Update June RTCM.</i>

Newsletter Information by Municipality

Cocoa Beach

- Does not have a newsletter

Indialantic

- Published quarterly – Summer, Fall, Winter, and Spring
- Published electronically and on paper
- Created in-house and sent out for printing and mailing
- 1750 copies in color on 11x17 folds in half cost about \$1,200.00

Indian Harbour Beach

- Published every two months
- Paper only
- Content created in-house and sent out for formatting and printing
- 5000 printed in color 2 ledger size pages folded in half about \$4,000.00

Malabar

- Published monthly
- Published to their website only
- Created in-house

Melbourne Village

- Published semi-annually moving toward quarterly
- Paper mailing
- Printed and assembled in-house, content created by commissioners/volunteers
- 300 copies cost about \$500

Palm Shores

- Does not have a newsletter

Satellite Beach

- Published bi-monthly
- Published electronically and on paper
- Created in-house and sent out for printing and mailing
- 5300 printed and 5057 mailed cost about \$3,100.00

West Melbourne

- Published six times per month
- Published electronically and on paper
- Created in-house and sent out for printing
- 5800 copies in black and white on 11x17 folded in half cost about \$990, mailed with the utility bill