

# **Town of Melbourne Beach**

## **REGULAR TOWN COMMISSION MEETING MARCH 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, March 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 February 15, 2023
- B. Approval of the site plan for 410 Atlantic St – Garage addition
- C. Approval of the site plan for 214 Surf Rd – Building addition
- D. Approval of the site plan for 210 Second Ave – Cabana accessory structure
- E. Approval of the site plan for 320 Avenue A – Garage accessory structure

**7. Public Hearing**

- A. Second reading of proposed Ordinance 2023-01 – Landscaping and Trees Section 9A and Fences and Walls 7A-53 and 7A-58

**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.**

- B. Second reading of 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 EFFECTIV**

**8. Old Business**

**9. New Business**

- A. Consideration of Proclamation recognizing January 2023 as National Human Trafficking Awareness and Prevention Month
- B. Consideration of Proclamation recognizing April 2023 as Water Conservation Month
- C. Consideration of a special event permit application
- D. Consideration of the installation of a Clean-Up Station at Ocean Park
- E. Consider approving the new contract for Computer Experts
- F. Consideration of request for reduction of code enforcement fine CEB 2019-CE-054

**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**