

Town of Melbourne Beach

TOWN COMMISSION WORKSHOP

**MONDAY, OCTOBER 7, 2020, 6:00 p.m.
COMMUNITY CENTER, 509 OCEAN AVENUE**

MINUTES

Commission Members:

Mayor Jim Simmons
Vice Mayor Wyatt Hoover
Commissioner Steve Walters
Commissioner Sherrie Quarrie
Commissioner Corey Runte

Staff Members:

Town Manager Elizabeth Mascaro
Town Clerk Jennifer Torres
Town Attorney Cliff Repperger
Finance Manager Jennifer Kerr

1. Call to Order

Mayor Simmons called the meeting to order at 6:00 p.m.

2. Roll Call

Commissioners Present:

Mayor Jim Simmons
Vice Mayor Wyatt Hoover
Commissioner Steve Walters
Commissioner Sherrie Quarrie
Commissioner Corey Runte

Staff Present:

Town Manager Elizabeth Mascaro
Town Clerk Jennifer Torres
Finance Manager Jennifer Kerr
Town Attorney Cliff Repperger

Planning & Zoning Board Present:

Vice Chairman Kurt Belsten
Member Doug Hilmes
Member April Evans
Member Daniel Gonzalez

Planning & Zoning Members not present

Chairman Dave Campbell

3. Pledge of Allegiance and Moment of Silence

Led by Mayor Simmons

Mayor Simmons noted that Dave Campbell, the Chair of the Planning & Zoning Board was not in attendance.

4. Public Comments

*Chris Schultz
409 Hibiscus Trail*

Mr. Schultz asked the Mayor to clarify a comment from the last meeting related to a conflict of a Commission member with voting on Ordinance 2020-03.

Mayor Simmons clarified that voting is mandatory unless there is a direct financial benefit to a Commissioner involved – and that is not the case in this event.

*Steve Strauss
429 Riverview Lane*

Mr. Strauss wanted clarification on the Ordinance 2020-03. He wanted to know if the location on the property of the RV or the boat has to be behind the building line.

Mayor Simmons said Mr. Strauss was off topic and out of order because this is public comment for items that are not on the agenda this evening.

The Mayor explained that the Commission agreed to table the second reading of Ordinance 2020-03 in order to have further discussion. He explained the informal platform of the joint workshop with invited members of the Planning & Zoning Board.

He then asked Planning & Zoning Board Vice Chairperson Belsten to share and explain his thoughts on the Ordinance.

Vice Chair Belsten said the board wanted split out Boats from RV. They realized the length of boats should be increased but felt the length suggested for RVs was too much.

Mayor Simmons asked if the specific request from the Planning & Zoning Board was to allow the extension of maximum boat size – but not allow an extension in length of RVs to 45-feet.

Vice Chairman Belsten said they are willing to discuss the length of RVs but feels 45-feet is too much

The Mayor then gave a rundown as to what other municipalities are doing as far as restrictions, etc. related to boats and RVs which predominately include longer length allowances for both boats and RVs. Given this information, he felt the Town of Melbourne Beach was the outlier here.

Commissioner Quarrie distributed some papers reflecting that the property owners are already adhering to concealment with hedges etc.

Planning and Zoning Member April Evans said she would like the Commission to consider splitting up boats and RVs into separate Ordinances and felt that the increase in time allowed for loading and unloading is good stuff – but the size allowed for RVs was the big issue and she would like to see it come back to the Planning & Zoning Board so they can work on the size issues.

Planning and Zoning Member Daniel Gonzalez said you can't really dictate what goes in your neighbor's yard and that's why he dissented in his vote.

Planning and Zoning Member Doug Hilmes said this ordinance allows an RV to be parked on the property line and there is no setback here. He went on to say that setbacks provide air and space between houses and a more uniform look. Also, they provide public safety – in the event of a fire we have to be able to reach the back yard. He went over several items he felt could be implemented to tighten up the Ordinance.

Commissioner Steve Walters said it's about the noise as well and breathing in diesel. He was also concerned about people living in them and added the Town had spent thousands of tax dollars on this controversy when most people are against it.

Vice Mayor Hoover distributed a printout of several of his own suggestions, adding he was fine with separating boats and RVs in the Ordinance.

His suggestions included:

- Limited capacity to enforce length (codes)
- Any group of homeowners can create an HOA and create more restrictive rules if they choose to do so – it's an option.
- The issue with RVs is height – not really the length. He suggests mitigating the issue of height by being allowed to put in a 10-foot vegetative barrier.
- The concept of vegetative barrier is a good solution

Planning & Zoning Member Gonzalez said he liked the idea of vegetative barrier because it would provide some kind of setback.

Vice Mayor Hoover advised they be careful of how much more work they are asking our Town Staff to do. It is a small staff and they are very busy.

Planning & Zoning Member Evans said a big issue is code enforcement because they can't go on the property and if they can't see it on the street they can't enforce code.

Commissioner Runte said he does not like the idea of permits or special exceptions because it's too hard to keep up with every application for special exception.

Planning & Zoning Member Hilmes felt that for RVs – along with screening – there should be a setback and a limit on the number of vehicles. He also felt they should make sure there is a valid license/tag on the vehicle and it is registered to the occupant of the home. He also feels the special exception for corner lots should be removed.

Vice Mayor Hoover said his concern was with how the Town would be able to enforce these things. There is no practical way for a code enforcement officer to check registrations on RVs- so he's hesitant to go down that line of thinking.

Further discussion ensued related to vegetative barriers, setbacks, and regulating – or overregulating the community.

Mayor Simmons suggested the group go through each of Vice Mayor Hoover's suggestions. After which some discussion took place and the Town Attorney advised that some of these suggestions – if enacted - would result in many more residents becoming noncompliant with the code.

Public Comments

Justin Piller
304 S. Palm

Mr. Piller suggested a fence or shrubs on either side and require boats or RVs to be registered.

John England
514 Avenue B

Mr. England discussed setbacks and suggested some residents could be grandfathered in.

Tina Coppok
505 Avenue B

Ms. Coppok said she moved from a less desirable place to live in this town and she objects to RVs -but not boats and feels these issues need to be separated. She suggested the issue be placed on the ballot.

Chris Schultz
409 Hibiscus Trail

Mr. Schultz suggested the Town give some thought to easements. Safety issues can be problematic. Somebody may get hurt.

Jean Hilmes
443 Riverview Lane

Ms. Hilmes asked question about enforcement.

Brian Troy
509 Hibiscus Trail

Mr. Troy said there is a lot of fear mongering going on and the sensationalism is overzealous because there are just a few bad apples – adding that we are a coastal community.

Pam Lindenberger
514 Banyon Way

Mr. Lindenberger questioned who will handle code enforcement for vegetative screening and will they address how many vehicles in total you can have.

Pete Peterson
305 6th Avenue

Mr. Peterson said a 16-foot boat can end up over 30- feet in length.

Thjs Shelling
Mango Drive

Mr. Shelling there are no storage facilities available. And, he can see having a 10-foot hedge or setbacks if you have the room, but many people don't.

Jean Lewis
506 Hibiscus Trail

Ms. Lewis suggested permits which would allow code enforcement on the property.

Neil Tewksberry
398 Riverview Lane

Mr. Tewksberry objected to people living inside their RVs and said many are an eyesore.

Mike Kalajian
524 Sunset Blvd.

Mr. Kalajian commented on adding vegetation as a buffer.

Joyce Barton
322 Third Avenue

Ms. Barton felt that RVs and boats should be in different categories. Boats are bigger these days and people want to use them more frequently. RVs are not synonymous with costal living. She said the Commission needs to think it through a little more.

Dave Stein
507 Andrews Drive

Mr. Stein said that length seems like a bad way to do this. A fence height of six feet won't allow anyone to have something in their side yard – so perhaps they should increase the height limit.

Frank LaGrassa
412 First Ave.

Mr. LaGrassa said everybody's feelings are valid. Property values are affected by appearance. Views affect property value. Neighborhoods not loaded with boats, RVs and cars are nicer. He would also hate to see compliance dependent on neighbors.

Michael Ottomanelli
510 Avenue A

Mr. Ottomanelli said people want to enjoy their freedoms. He had issues with extra vegetation and asked what right does someone have to take the right away from someone else?

Bruce Morgan
512 Magnolia Avenue

Mr. Morgan felt that views related to property values are subjective and he did not agree with taking away anyone else's right.

Brad Molander
211 2nd Avenue

Mr. Molander said they should focus on fixing the very few issues that exist and let the rest of the residents enjoy. Don't complicate this.

Cynthia Lagrassa
412 First Avenue

Ms. LaGrassa said setbacks are important but no one is talking about limiting the number of RVS and boats. She felt the issue should be added to the ballot for residents to vote on.

Mayor Simmons said they are not limiting the number of boats and RVs.

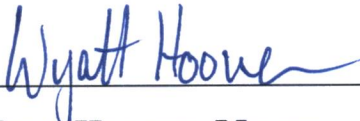
Member Doug Hilmes said that Planning & Zoning had suggested not allowing the slide outs to remain open overnight. Discussion ensued that slide outs on RVs should be collapsed between 12 midnight and 7 a.m. He also said they needed to define the measurement of length.

After some further discussion and suggestion, the Town Attorney confirmed that a boat shall be measured from the tongue of the trailer to the tip of the extension or propeller of attached engine. The Commission agreed.

Vice Mayor Hoover moved to adjourn; Commissioner Quarrie seconded; Motion carried 5-0.

Meeting adjourned at 8:55 p.m.

ATTEST:



Wyatt Hoover, Mayor



Jennifer Torres, Town Clerk