

TOWN OF MALABAR
PLANNING AND ZONING

AGENDA ITEM REPORT

AGENDA ITEM NO: 1
Meeting Date: May 10, 2017

Prepared By: Denine M. Sherear, Planning and Zoning Board Secretary

SUBJECT: Approval of Minutes

BACKGROUND/HISTORY:

The minutes must reflect the actions taken by the Board:

- Who made the Motion
- What is the motion
- Who seconded the motion
- What was the vote

Malabar has historically included discussion to provide the reader the understanding of how the Board came to their vote. It is not verbatim and some editing is done to convey the thought. People do not speak the way they write.

ATTACHMENTS:

Draft minutes of P&Z Board Meeting of April 12, 2017
Draft minutes of P&Z Board Meeting of April 26, 2017

ACTION OPTIONS:

Secretary requests approval of the minutes.

"The following draft minutes are subject to changes and/or revisions by the Planning and Zoning Board and shall not be considered the official minutes until approved by the P&Z Board."

**MALABAR PLANNING AND ZONING BOARD REGULAR MEETING
APRIL 12, 2017 7:30 PM**

This meeting of the Malabar Planning and Zoning was held at Town Hall at 2725 Malabar Road.

A. CALL TO ORDER, PRAYER AND PLEDGE:

Meeting called to order at 7:30 P.M. Prayer and Pledge led Chair Liz Ritter.

B. ROLL CALL:

CHAIR:	LIZ RITTER
VICE-CHAIR:	WAYNE ABARE
BOARD MEMBERS:	BUD RYAN, EXCUSED
	DOUG DIAL
	GEORGE FOSTER
ALTERNATE:	ALLEN RICE, VOTING
ALTERNATE:	MARY HOFMEISTER, EXCUSED
BOARD SECRETARY:	DENINE SHEREAR

ADDITIONAL ATTENDEES:
COUNCIL MEMBER

C. ADDITIONS/DELETIONS/CHANGE:

Ritter said that Rice will be voting in place of Ryan for this meeting.

D. CONSENT AGENDA:

- | | |
|------------------------|--|
| 1. Approval of Minutes | Planning and Zoning Meeting – 03/08/2017
Planning and Zoning Meeting – 03/22/2017 |
| Exhibit: | Agenda Report No. 1 |
| Recommendation: | Request Approval |

Motion: Abare/Dial to Approve Minutes for March 8, 2017 as presented, All Vote: Aye

Motion: Abare/Dial to Approve Minutes for March 22 with correction, All Vote: Aye

Corrections:

Dial:
Page 8/71 first bullet middle of page resurfaces should be resurface
Page 8/71 last parag. None should be 9 (nine)
Page 9/71 top of page 4th last sentence well should be will

E. PUBLIC:

Clebert Merat 1879 Ricardo Ave, Ft Myers, discussed property located at 2605 Malabar Road, (old day care). Mr. Merat would like to see what would be allowed for a business on this parcel of land.

Sherear explained to the Board that Mr. Merat had called and inquired about property, I did explain to him that the property is zoned Office Institution (OI) in the front, 400 feet in to the south and behind that is Rural Residential (RR-65), total of 24 acres.

Mr. Merat had three different ideas about businesses: dealership- used car, non-profit, and food bank/daycare.

Ritter explained that a dealership/car sales would not be allowed in this area. Ritter explained that a business must be compatible for the area.

Abare explained about the zoning change process. Sherear did give Mr. Merat zoning material information and explain the process.

F. ACTION:

- 2. **Recommend to Council Re: Ordinance 2017-02 on Medical Marijuana**
Exhibit: Agenda Report No. 2
Recommendation: Discussion/Action

The Board discussed the Ordinance 2017- 02 Medical Marijuana presented by Attorney Karl Bohn.

Motion: Abare/Foster To Recommend Council Approve the Medical Marijuana Ordinance 2017-02 as presented by Town Attorney Karl Bohne.

Roll Call Vote: Foster; Aye, Abare; Aye, Rice; Aye, Ritter; Aye, Dial; Aye.

Motion passed 5 to 0

G. DISCUSSION:

- 3. **Annual Review of Capital Improvement Plan (CIP)**
Exhibit: Agenda Report No. 2
Recommendation: Discussion

The PZ Board reviewed the Annual Review of the CIP.

Foster explained to the PZ Board about roundabouts in place of lights on Malabar Road at Weber & Corey Road. Foster said that Florida Department of Transportation (FDOT) would not approve traffic signals at Weber/Corey Road. Foster said that FDOT presentation was confusing about the description for the roundabouts.

Foster explained the presentation FDOT did at a previous Town Council Meeting, they (FDOT) would prioritize if they could get approval from Town Council.

The Board discussed extensively Malabar Road, roundabouts, and traffic lights (Corey/Weber Road).

Update list and bring for "Action" item for PZ Meeting on April 26.

- 4. **Review & Revise Table 1-19.18 "Zoning District Sign Regulations"**
Exhibit: Agenda Report No. 4
Recommendation: Discussion

The Board discussed the signage throughout the Town. Abare said that he had spoken to the Mayor about signs and the Route One Motorsports signage. Abare explained that the signage for this project was not in the original reviewed package for site plan approval. The Council has approved the signage and there is no panic, the reason for this review of signage is because the Town does not have a Commercial Sign Ordinance.

Ritter/Board discussed the requirements but these are not listed out. Ritter asked staff to get actual pictures of signs for the next PZ Meeting.

Ritter explained that the Board needs to get some sort of structure plan to revise Table 1-19.18 for Commercial signage. Abare asked what Malabar is trying to prevent in this Ordinance. Ritter said flashing lights, multiple signs, etc.

Foster/Board discussed the different municipalities signage, i.e. Indian Harbour Beach.

H. ADDITIONAL ITEMS FOR FUTURE MEETING

I. PUBLIC

J. OLD BUSINESS/NEW BUSINESS:

Old Business:

Board discussed the roundabouts along Malabar Road at Corey and Weber Road.

Next Meeting - April 26, 2017

New Business:

K. ADJOURN

There being no further business to discuss, MOTION: Abare/ Dial to adjourn this meeting. Vote: All Ayes. The meeting adjourned 9:23P.M.

BY:

Liz Ritter, Chair

Denine Sherear, Board Secretary

Date Approved: as presented/corrected

“The following draft minutes are subject to changes and/or revisions by the Planning and Zoning Board and shall not be considered the official minutes until approved by the P&Z Board.”

**MALABAR PLANNING AND ZONING BOARD REGULAR MEETING
APRIL 26, 2017 7:30 PM**

This meeting of the Malabar Planning and Zoning was held at Town Hall at 2725 Malabar Road.

A. CALL TO ORDER, PRAYER AND PLEDGE:

Meeting called to order at 7:30 P.M. Prayer and Pledge led Chair Liz Ritter.

B. ROLL CALL:

CHAIR:	LIZ RITTER
VICE-CHAIR:	WAYNE ABARE
BOARD MEMBERS:	BUD RYAN, EXCUSED DOUG DIAL GEORGE FOSTER, EXCUSED
ALTERNATE:	ALLEN RICE
ALTERNATE:	MARY HOFMEISTER
BOARD SECRETARY:	DENINE SHEREAR

ADDITIONAL ATTENDEES:
COUNCIL MEMBER

C. ADDITIONS/DELETIONS/CHANGE:

Ritter said that Ryan & Foster is excused and Hofmeister & Rice will be voting in their places for this meeting.

D. CONSENT AGENDA:

- | | |
|-------------------------------|--|
| 1. Approval of Minutes | Planning and Zoning Meeting – 04/12/2017 |
| Exhibit: | Agenda Report No. 1 |
| Recommendation: | Request Approval |

not ready

E. PUBLIC:

Robin Reese, 1975 Corey Road, moved to Malabar 2003. Reese explained to the PZ Board about her current property location frontage a about 260 feet on Corey Road and depth approx.600 feet, about 200 feet back land ends and water begins. There was a very large body of water, due to some circumstances and change of ownership at 2045 Corey Road the former Eden Residence. Reese was assured when they moved here, not by anyone official (Paul Eden) showed us a 4” artisan well on the land, and said he (Eden) had a fire well fitted with adapters to draw water for the Fire Department. The past couple of months Paul Eden has passed away and the property was sold. There has been a well company on the property and they discovered the artesian well was leaking and Reese was told concrete was poured down the well and sealed.

Ms. Reese came to the Town, to offer the Town if they are looking or interested in a fire well or want a continued water resource that used to be behind our home, Reese added that in 2008 “Mother’s Day Fires” the helicopter came and dipped water from their pond to assist with fires. (approx. three times). Reese said at this time the pond is bone dry. The artesian well had been running 24/7 for many years and kept water in that area. Since then everything has dried up.

Reese said, if the Town is interested in a fire well in this area and continues to use this area as a reservoir. They (Reese's) would be interested in talking to the Town.

Ritter suggested that Ms. Reese speak with Doug TA and Fire Chief to see if a fire well is needed in that particular area. Reese said that she did speak to Doug last week and he recommended coming speak to PZ Board to let you know this offer is known. Debby Franklin did some research on the well that was on Eden's property and nothing was known, it could have been left from the orange grove times a long time ago.

Rice, asked about if she was looking for the Town to pay to have the well done and Reese said yes and that they would offer the use of their land.

Reese explained if the area where the pond used to be remains dry, she would make it a pasture area for her animals. Reese said that a neighbor called Florida Wild Life Conservation (FWC) about diverting water to this pond area, there used to be many cranes in this area.

Ritter said that the TA might talk to Fire Dept there does not appear to be a fire well in that area.

Ms. Reese said she would be willing to work with the Town, but the Town would have to drill the well and they would have access to the water reservoir.

Ms. Reese said she is happy with the ditches being mowed.

F. ACTION:

- 2. **Recommend Approval to Council Re: Annual Review of Capital Improvement Plan (CIP)**

Exhibit:	Agenda Report No. 2
Recommendation:	Discussion/Action

Ritter added under "Land Acquisition" #2- Town Hall/ Community Center.

Motion: Abare/ Rice Recommend to Council as Amended Annual Review of Capital Improvement Plan (CIP) All Vote: Aye

G. DISCUSSION:

- 3. **Review & Revise Table 1-19.18 "Zoning District Sign Regulations"**

Exhibit:	Agenda Report No. 3
Recommendation:	Discussion

Ritter said that Board is favorable on how Indian Harbour Beach has there are many descriptions. The Board discussed different definitions and made comparisons.

The Board discussed the different size signs in the Town that the Town Engineer Morris Smith went and measured throughout the Town and measured. The Board asked why there is such a variety of sizes and why the sign sizes were not enforced according to Code. Sherear explained that there were not allowances made in our code for areas throughout the Town in accordance for size of structure and type of roadway it abuts.

Sherear showed PZ Board a slide show of signs throughout Town of Malabar that were taken by staff and Board Member Abare. The Board discussed the different signs and sizes.

The Board discussed and asked Staff to find out size of signs for Route 1 Motor Sports.

Ritter and the Board requested staff to email "Word" version of Indian Harbour Beach Codes to use this as a working document to alter and make suggestions for next meeting.

H. ADDITIONAL ITEMS FOR FUTURE MEETING

I. PUBLIC

Andrew Lankan 989 Hwy1 Indialantic explained he owns property on corner of Malabar Road and Corey Road (NW corner). The Board and Mr. Lankan discussed the different uses of this property, it was suggested by the PZ Board for Mr. Lankan to attend the Council Meeting in which the R/LC changes will be discussed. Mr. Lankan discussed about building a small shopping center with a few office bays. Sherear said the proposal for this property is R/LC.

Abare added that he thought it is exciting that people want to build businesses on these corridors.

J. OLD BUSINESS/NEW BUSINESS:

Old Business:

New Business:

Next Meeting – May 10 & May 24, 2017

- Ritter will not be here next meeting May 10 and maybe not May 24.
- Doug will not be here May 24 meeting

Board discussed the May 24; they moved this meeting to May 31, 2017.

K. ADJOURN

There being no further business to discuss, MOTION: Abare/ Dial to adjourn this meeting. Vote: All Ayes. The meeting adjourned 8:52P.M.

BY:

Liz Ritter, Chair

Denine Sherear, Board Secretary

Date Approved: as presented/corrected

**TOWN OF MALABAR
AGENDA ITEM REPORT**

AGENDA ITEM NO: 2
Meeting Date: May 10, 2017

Prepared By: Denine Sherear, Planning & Zoning Board Secretary

SUBJECT: Review & Revise Table 1-19.18 "Zoning District Sign Regulations"

BACKGROUND/HISTORY:

The Council requested Planning and Zoning review the Sign Regulation, Table 1-19.18 and make some recommendations. I have attached Table 1-19.18 from the Town of Malabar Code book. You previously received the memo from the Building Official that said there should be considerations given in the code for the size of the structure and the type of roadway it abuts.

At the last PZ Meeting on 4/26/2017 the Board discussed the different sign structures located in the Town and reviewed pictures from a slide show presented by staff and PZ Member Wayne Abare. The PZ Board reviewed the codes that Indian Harbour Beach has in place and would like to include these suggestions in their revision. The Board is working on verbiage and suggestions to revise Table 1-19.18 "Zoning District Sign Regulations".

Reminder for each PZ Board Member to bring working documents containing ideas for suggestion to meeting of 5/10/2017.

Please bring your packets from the 4/12/2017 & 4/26/2017 PZ Meetings

ATTACHMENTS: none

ACTION OPTIONS: Discussion/Action