



Town of Melbourne Beach

JOINT TOWN COMMISSION AND PLANNING & ZONING BOARD WORKSHOP THURSDAY, JUNE 8, 2017

MINUTES

Town Commission

Mayor Jim Simmons

Commissioner Tom Davis

Commissioner Wyatt Hoover

Commissioner Sherri Quarrie

Commissioner Steve Walters

Planning & Zoning Board

David Campbell, Chair

Kurt Belsten

April Evans

Doug Hilmes

Paul Rumbley

Daniel Gonzalez, Alternate

Christian Lindbaek, School Board Representative/Alternate

Town Manager Timothy Day

Town Clerk Nancy Wilson

**The Town Commission and Planning & Zoning Board conducted a
Joint Workshop
at 6:30 p.m. on June 8, 2017
in the Masny Room – 507 Ocean Avenue**

I. Call to Order – Led by Mayor Simmons

Mayor Simmons called the meeting to order at 6:30 p.m.

II. Roll Call

Town Clerk Wilson led roll call:

Present:

Mayor Simmons
Vice Mayor Davis
Commissioner Quarrie
Chairman Campbell
Member Belsten
Member Hilmes
Member Evans
Alternate Member Gonzalez

Staff Present:

Town Manager Day
Town Clerk Wilson

Absent:

Commissioner Walters
Commissioner Hoover
Member Rumbley

III. Pledge of Allegiance and Moment of Silence

Led by Mayor Simmons

IV. Public Comment

There was no public comment

V. Old Business

A. Final review of the Land Development Code

Ordinance 2017-01 addresses the update made to the LDC that created version February 7, 2017. The text added was “and (iv) where the bed and breakfast operation is conducted by an owner or operator of the bed and breakfast inn who physically resides on the premises” By consensus, both the Commission and the Board agreed to leave in the change.

Mayor Simmons said the reason a joint meeting was requested was to ensure that both the Commission and Planning & Zoning Board are on the same page regarding future action items.

The following issues were discussed and future actions were agreed upon :

1) Fill height standards, p.12. The Mayor said the Town has a lot of low lots and when houses are demolished and new houses are built on those lots, they often flood adjacent properties. Building requirements state that the floor level must be 18" above the crown of the road. He wasn't addressing that, rather he was addressing how we get to the 18". Currently, each site plan states that the Building Official must approve water drainage and retention plans, but, there are no objective standards. A small swale between the properties is inadequate to keep the water on site, and in cases where the driveway goes up to the lot line, the drainage issue is worse. The question was: how can lower-lying, existing properties be protected from the runoff of new, higher elevation construction? The Mayor added that some municipalities and counties are limiting the maximum slope of added fill; if the slope is greater, the new homeowner must come up with another solution (e.g., a stem wall with a conventional slab). Mayor Simmons would like to see standards that protect existing properties.

Chairman Campbell said drainage is not a problem throughout the community. His neighbor's house is below the crown of the road and because she lives on a sand dune that is incredibly pervious, she doesn't have to deal with flooding. He said that the problem with stem walls is that you have to have stairs. Member Belsten stated that, if the driveway is sloped, stairs aren't necessary; he also stated that building a stem wall is often cheaper than fill.

It was agreed by Commission consensus for the issue of fill height standards to go before the Planning and Zoning Board for a recommendation.

2) Chapter 3A-40(b). 92 gallons per person, per day is still the adopted minimum level of service standard for capacity in the wastewater treatment facility.

The Commission agreed by consensus to close this item.

3) Chapter 4A-238(1). This section covers minor grading and minor fill for which a definition is needed. Mayor Simmons asked what is considered "minor". Planning and Zoning Board Chairman answered that we don't have a definition and added that it depends on how much fill is used in the first place. Mayor Simmons suggested we use a percentage value. Member Belsten said the question is answered in section 2 where it states, "Nonstructural fill with finished slopes that are steeper than one unit vertical to five units horizontal will be permitted only if an analysis prepared by a qualified registered design professional demonstrates no harmful diversion of floodwaters or wave run-up and wave reflection that would increase damage to adjacent buildings and structures." The Chairman added that most of the definitions for this chapter came from the State. It was decided to leave this item alone. Commissioner Quarrie suggested that some of the language found

in section 2 could be added in the definition section. The Chairman wants to find out if somebody else in the coastal area could define minor grading and fill. The Planning and Zoning asked for permission to ask the Town Planner the question about grading and fill.

The Commission agreed by consensus to allow the Planning & Zoning Board to expend Town funds by getting input from Town Planner.

4. Chapter 7A-50 (7): This section addresses driveways, minimum measurements for individual parking spaces and defining how they are constructed. Mayor Simmons asked if the Town requires driveways and the use of certain material for driveways to which the Chairman said currently we do not. Member Belsten said it all depends on perviousness. Mayor Simmons said that some driveway materials (e.g, marl) run into and fill up storm drains and that therefore, the Town has an interest in specifying allowable or restricted surfaces. This is a consideration for the Indian River Lagoon Protection Initiative and for maintenance of our storm drain system.

It was agreed by consensus to have the Planning & Zoning Board look at this issue and recommend to the Commission if driveways should be required, if minimum measurements for individual parking spaces should be defined, and what driveway materials should be permitted or prohibited .

5) Chapter 7A-85: Look into increasing the percentage for the current replacement value of buildings. Mayor Simmons thought the 10% value was low saying that if you change windows and a roof, you are at 50%. Member Belsten suggested the text be changed to read “....to an extent not exceeding 10% excluding roof and windows...”

The Commission agreed by consensus to request that the Planning and Zoning Board review 7A-85 and make recommendations to the Commission.

6) Chairman Campbell said the last Building Official asked them to take a look at possibly limiting the size of accessory structures; there is nothing in the Code addressing them. He added that another question has to do with lot coverage which is currently 30% for the principal structure. A detached garage isn't included in the 30%. The Chairman said we could include an accessory structure in the 30%.

The Commission agreed by consensus to request that the Planning and Zoning Board review options for lot coverage and accessory structure size. (It was agreed that, if the P&Z Board requires the services of the Town Planner, they will obtain Commission approval prior to contacting him.)

7) Mayor Simmons said a realtor asked him if the Town would allow an owner of a 150 foot property to split that one property into two 75 foot lots while retaining all current setbacks. The LDC does not allow this, however, there may be some advantages, especially in some areas of the Town. For instance, it may be better to have two smaller houses than one huge house in areas where smaller homes are the norm. An additional consideration is whether the Town wants to permit, restrict or prohibit aggregation of existing lots. Member Belsten said with more lots, there is more traffic. Commissioner Quarrie said that if we allow bigger lots to be split, someone is likely to come in years from now to ask for setbacks to be changed. The Mayor concluded the conversation by saying that Melbourne Beach is the only Town around with 15 foot setbacks and he thinks that is something we should maintain.

The Commission agreed by consensus to request that P&Z consider 1) allowing 75 ft lots and, if so, whether they should be restricted to certain zones, and 2) whether the Town should permit, restrict or prohibit the aggregation of existing lots and to make a recommendation to the Commission.

8) Member Belsten said our service station definition doesn't say anything about electrical car charging and it is not addressed anywhere. The question is if we want to regulate where they can be. Member Gonzalez made note of charging stations around the County and the different levels of charging. Commissioner Quarrie said the stations could be a revenue source for the Town. The conversation continued about electric charging stations and how/if they should be regulated and if permits should be required.

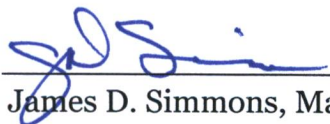
The Commission agreed by consensus to request that the Planning and Zoning Board review how other communities have handled the issue of electric charging stations and how the Town should move ahead on them.

VI. Adjournment

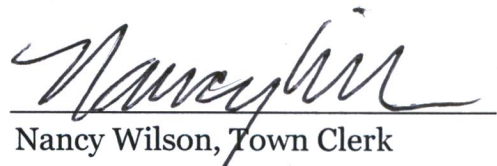
Vice Mayor Davis moved to adjourn; seconded by Commissioner Quarrie; Motion carried 8-0.

Meeting adjourned at 7:28 p.m.

ATTEST:



James D. Simmons, Mayor



Nancy Wilson, Town Clerk