

**PLANNING AND ZONING BOARD MINUTES  
THURSDAY, NOVEMBER 1, 2018 - 1:30 PM  
CITY HALL, COUNCIL CHAMBERS, VERO BEACH, FLORIDA**

**PRESENT:** Chairman, Lawrence Lauffer; Vice Chairman, John Carroll; Members: Honey Minuse, Steven Lauer, Alternate Member #1, Richard Cahoy and Alternate Member #2, Ken Daige **Also Present:** Principal Planner, Cheri Fitzgerald; Senior Planner, Gayle Lafferty; Assistant City Attorney, Kira Honse and Deputy City Clerk, Sherri Philo

**Unexcused Absence:** Robin Pelensky

**I. PRELIMINARY MATTERS**

**A) Agenda Additions and/or Deletions**

Mr. Lauffer said on behalf of the Planning and Zoning Board they would like to offer their condolences to Mr. Tim McGarry's family on his recent passing. He reported that Mr. McGarry recently retired after serving the City of Vero Beach as the Planning and Development Director since 2006. They are thankful for his service to the community of Vero Beach and their prayers are with his family.

At this time, the Board held a moment of silence in memory of Mr. McGarry.

**II. APPROVAL OF MINUTES**

**A) Regular Meeting – September 20, 2018**

**Mr. Carroll made a motion to approve the minutes of the September 20, 2018 Planning and Zoning Board meeting. Mr. Cahoy seconded the motion and it passed unanimously.**

**III. PUBLIC COMMENT**

Mr. Bruce Barkett said that he has enjoyed working with Mr. McGarry for the past 12 years. He said that Mr. McGarry was a true professional, he was a great person, and he had a great vision for Vero Beach. Mr. Barkett said there were many projects that he brought before the Board, but there were many more projects that he never brought before the Board because Mr. McGarry convinced him and his clients that they were not good for the City. He said that he has been doing planning and zoning work in the City for 30 years and Mr. McGarry was by far the best Planning and Development Director the City has ever had. Mr. McGarry was a true gentleman and a pleasure to work with.

**IV. PUBLIC HEARINGS**

**[Quasi-judicial]**

- A. 1. Site Plan Application Submitted by Mills, Short & Associates, LLC, for the Construction of 27 Multiple-Family Duplex Units and 1 Single Family Residence (55 Dwelling Units) Located at 1205 and 1245 11<sup>th</sup> Avenue (#SP18-000002)**

The Chairman read Site Plan Application #SP18-000002 submitted by Mills, Short & Associates,

LLC, by title only.

Ms. Kira Honse, Assistant City Attorney, said that she was unable to attend the last Board meeting and it is her understanding that there was some confusion about this project. She explained that although it is on the agenda as two (2) separate items because they need two (2) separate approvals they do have to be reviewed concurrently. They cannot stand alone as they are not independent of each other. The rules for the preliminary plat apply to the site plan and vice versa.

Mr. Lauer reported that he visited the site prior to the previous public hearing, which he disclosed at that hearing.

Ms. Honse explained that this is considered a new public hearing because the Board tabled it at their last meeting so any disclosures and comments have to be restated for the record.

Mr. Lauffer reported that he is familiar with the site and has been through the area several times, although he never made a particular site visit.

There were no other ex parte communications reported by the Board.

The Deputy City Clerk swore in staff and all witnesses present for today's meeting en masse.

Ms. Gayle Lafferty, Senior Planner, gave a brief overview of staff's report to the Board members (attached to the original minutes). Staff recommends approval of the site plan subject to the conditions listed in staff's report.

Mrs. Minuse asked that they point out in the plan where the sidewalk is located.

Mr. Wesley Mills, of Mills, Short, and Associates, showed on the screen the site plan and pointed out where the sidewalk starts at the property boundary and wraps around the entire site.

Mrs. Minuse asked does the sidewalk connect between the two (2) rows of homes that are located at the top of the site plan.

Mr. Mills answered no.

Mrs. Minuse asked what is the use of that property.

Mr. Mills pointed out on the site plan the area where the retention pond is located.

Mrs. Minuse said the road goes around the property, but the sidewalk stops.

Mr. Mills said that is correct. He said the two (2) units on the end of the property are not connected.

Mrs. Minuse said then the area where the sidewalk is not connected is part of the stormwater retention.

Mr. Mills answered yes.

Mr. Carroll asked what modifications have been made since their last meeting when the Board reviewed this project.

Ms. Lafferty said there have not been any modifications.

Mr. Carroll said then they are still going to be platted as single-family lots and that doesn't meet the required setbacks.

Ms. Lafferty said it meets the setback requirements, which is listed in Attachment A of their backup material (attached to the original minutes).

Mr. Lauer said Code Section 61.40 states the minimum lot width for multifamily in the RM-8 Zoning District is 100 feet. He asked are these lots 100 feet.

Ms. Lafferty explained the multifamily development is the entire site in that it is not looked at as individual lots.

Mr. Lauer said Code Section 61.41 states RM-8 requires 10,000 square feet for each family unit and it appears that this is 5,449 square feet per family unit.

Ms. Honse explained that the platted-over subdivision requirements and this subdivision's site plan goes together. The platted-over subdivision allows for deviations from the development requirements under multifamily. Therefore, it allows the development to have smaller lot sizes and smaller setbacks. Because these are duplexes they cannot have a setback between the two (2) units. The whole purpose of this platted-over subdivision plat and site plan is to allow for deviations from the requirements of the RM District.

Mr. Lauer asked who makes the decision that this meets the requirements. He asked who sets the lot sizes and the square footage. Who is responsible for that under the Code.

Ms. Honse answered the Planning and Development Department along with the developer.

Mr. Lauer questioned then the Planning and Development Department can decide that they want to have a 5,449 square foot per family unit when the Code requires 10,000 square feet.

Ms. Honse answered for this type of project, yes.

Mr. Lauer asked where does it say that in the Code.

Ms. Lafferty said it is under Code Section 70.14 (b), which states in part, "*All approved preliminary and final plats for a platted-over subdivision shall meet the following criteria: (1) Comply with criteria (a)(1) through (a)(4) and (a)(6) above; and ...*" She noted that this excludes Section 70.14 (a)(5), which states in part, "*Comply with the minimum lot size and dimensional standards of part III, land development regulations of this Code ...*"

Mr. Lauffer said this is the fourth time they have been through this and he felt the hang up is whether they receive the proper information as to whether this is legal. He felt that the Board is looking for a definitive answer that the Planning and Development Department and the developer, within the criteria of the laws and zoning regulations, have met the criteria available. He said if that has been done then he thinks they can quickly move forward. But, if that is not acceptable to the Board members then he felt they were going to have a difficult time.

Ms. Honse noted that the applicant also has the opportunity to provide their argument.

Mr. Lauffer said that Ms. Lafferty stated in her comments that they are in compliance. That is where he looks towards his Counsel, not from the Applicant.

Ms. Honse said the Board needs to keep in mind that this is a quasi judicial hearing so they have to have competent substantial evidence to make their decision. Right now their competent substantial evidence is the report from staff and their testimony stating that it is in compliance with the Code. Until or unless there is evidence showing that it is not in compliance with the Code, staff's report and testimony is their evidence of competent substantial evidence at this time.

Ms. Lafferty explained that in reviewing the site plan they are looking at it as one (1) development site. The square footage of land required per unit is 5,449 square feet and the applicant is providing 6,242 square feet per unit. Therefore, they have more than enough land for the proposed number of units. There are 55 units proposed and if they chose to they could have 63 units.

Mr. Lauer asked how did they get the figure of 5,549 square feet. He asked what is the mathematical formula.

Ms. Lafferty reported that is under Code Section 61.41, which is actually 5,545 square feet and it is for three (3) families and more.

Mr. Lauer said that is per family.

Ms. Lafferty said it is per family unit.

Mr. Lauer said then they would multiply that times three (3).

Ms. Lafferty explained that they divide the 5,445 square feet into the square footage of the entire property, which would allow them to have 63 units.

Mr. Lauer said staff's report states 5,449 square feet.

Ms. Lafferty said it should state 5,445 square feet.

Mr. Carroll asked what was the original plat that they are platting over.

Ms. Honse explained that platting over an existing plat is a replat. She said this property is its own parcel.

Mr. Carroll said they are telling him that this property has never been platted so he questioned why it would be in a replat.

Ms. Honse said it is not a replat. It is a platted-over subdivision, which the plat overlays the site plan.

Mr. Carroll said that did not make any sense to him.

Mrs. Minuse said it is kind of like an overlay.

Ms. Honse said that is correct. She explained that this is like the equivalent of a planned development where they agree with the Planning and Development Department in that they will deviate from the requirements and do a project because of the market even though the Code doesn't

necessarily fit this type of project. She said this is one (1) of the most unique parcels in the City in that there are not a lot of large parcels for development.

Mr. Carroll read in part Code Section 70.14 (c)(1), *“No resulting lot shall be smaller than the average lot width and lot area of existing platted lots located within 300 feet of the lots to be subdivided that are located within the same subdivision and zoning district...”* He asked what is the size of the adjacent lots with an area of 300 feet on either side of this parcel.

Ms. Honse explained that Code Section 70.14 (c) is not applicable because it is not the subdivision of an existing platted lot.

Mr. Carroll said what he is hearing is that there are no rules; that as long as the Planning and Development Department works with the developer they can do what they want.

Ms. Honse said to a degree, yes.

Mr. Bruce Barkett, Attorney representing the applicant, said an analogy is that they could take the same piece of property not showing any lot lines and stack the units one (1) on top of the other and call them condominiums. They could sell one (1) of those condominiums and the purchaser would have fee-simple title to that 5,500 square foot unit just like if it was a lot and it doesn't meet the minimum lot size either. The reason they can do that is because it is under a multifamily zoning district. They can take those same units that are stacked on top of each other, and put them side by side, which is what this project is. This allows a person to own their own piece of earth and home, which is how the Ordinance works and how it was designed to work. The question regarding what allows them to do that was answered correctly by Ms. Lafferty, which is under Code Section 70.14 (b), which states, *“All approved preliminary and final plats for a platted-over subdivision shall meet the following criteria: (1) comply with criteria (a)(1) through (a)(4) and (a)(6) above.”* He said it does not include (a)(5) because that is the minimum lot size. It is specific exemptions for platted-over subdivisions and what they are platting over is a site plan. He said this is exactly what the City's Code contemplates. He said his analogy of the condominium is the exact same thing. They are just dividing the property lines horizontally instead of vertically.

Mr. Carroll said that he appreciates the analogy, but his personal opinion is they have rules. He said that just because people can decide to make things work for individuals, he would not be comfortable with that. He said that he has seen these subdivisions in Dade County, Broward County, and Collier County and they are a mess because there is not enough parking. He said there is not enough parking on this site to allow for visitors.

Mr. Barkett said his (Mr. Carroll's) personal opinion doesn't really matter. The Board has to decide according to what the law requires.

Mr. Carroll said that he has to be convinced that the law allows this.

Mr. Barkett asked how is it that they are getting around the rule in the Code that states a platted-over subdivision doesn't have to comply with the minimum lot size. He said it could not be any clearer. He asked how could they get around that and say they want to apply minimum lot size.

Mr. Lauer asked where does it say in Code Section 70.14 (c) platted-over subdivision.

Mr. Barkett said that he is referring to Section 70.14 (b) of the Code, which he read, *“All approved preliminary and final plats for a platted-over subdivision shall meet the following criteria: (1)*

*Comply with criteria (a)(1) through (a)(4) and (a)(6).*” He said it skips Section (a)(5), which is that they are to comply with minimum lot size and dimensional standards. So Section (a) (5) does not apply to platted-over subdivisions.

Mr. Lauer read Code Section 70.04 (d)(4), *“Notwithstanding the provisions of part III, chapter 64 of this Code regarding site plan approvals, any preliminary and final plat approved pursuant to the procedures for a major subdivision shall require city council approval of the site plan governing the platted-over subdivision of land.”* He asked does that apply here.

Ms. Lafferty said this falls under Code Section 70.04 (e) – platted-over subdivision lots and development standards.

Mr. Lauer asked what is the difference between a platted-over subdivision, which is Section 70.14(d), and platted-over subdivision lots and development standards.

Ms. Honse explained that normally the City Council does not do site plans, but they have to approve plats so in this instance what the Planning and Zoning Board would be doing is recommending approval to the City Council.

Mrs. Minuse asked is this covered under the preliminary plat application.

Ms. Honse answered yes.

Mrs. Minuse said there are five (5) required steps listed, which the first step is the Planning and Zoning Board’s responsibility and then it goes to the City Council, then to the Engineer, etc.

Ms. Honse said that is correct.

Mr. Daige asked what is the approximate size of the back yard behind each unit.

Mr. Mills answered about 20-feet.

Mr. Daige asked what is the size in the front yard from the road to building.

Mr. Mills answered about 20-feet.

Mr. Daige asked is there common area green space that people can use.

Mr. Mills answered yes. He said there are several areas that will be open and maintained by the Home Owner’s Association (HOA).

Mr. Daige explained what he means about green is where people can walk around and gather together. He said that he is asking about open green space, not in the stormwater area.

Mr. Mills explained that the stormwater area is not just the water lines and there are green areas where people can gather.

Mr. Daige asked will the homes be open to all ages or will there be age restrictions.

Mr. Mills said there will not be an age restriction.

At this time, the Chairman opened the public hearing at 2:11 p.m.

Ms. Bonnie Olinger (spelling may be incorrect) said that she lives on the next block over from this property. She said this project is extreme density and the open spaces would all be underwater. The pond runs through the center and then there are the sidewalks. She said trailer parks have more than a tenth of an acre. She said the density is ridiculous. The traffic onto 12<sup>th</sup> Street is going to be horrendous and the children will have no place to play. She felt if they were going to open this up to families then they need to provide a playground and some spaces for the children to get together and play. She said that she doesn't see anything for people to do besides just going home.

Mr. Lauffer agreed that this is a dense community. However, this project meets the zoning criteria. They have met the rules that were in place when they made the application and whether he likes it or not the Board has to abide by the law.

Ms. Sandy Inman asked does the 5,445 square feet include what is underwater.

Ms. Honse said it is the total acreage.

Ms. Inman said then they are dividing the living space and adhering to the Code based on a lot of underwater land.

Ms. Lafferty said that is correct.

Ms. Inman said it was stated in staff's report that there is no room at Vero Beach High School for more students, but there is room at Sebastian River High School. She asked would the children have to attend Sebastian River High School.

Ms. Lafferty said according to the School District that would be the requirement at this time.

Ms. Inman said then if she was to purchase a duplex in this neighborhood her child would be required to go all the way to Sebastian River High School.

Ms. Lafferty said according to the School District that is correct.

Ms. Inman said that doesn't seem fair. She then referred to the traffic study. She asked have they driven through the area when school is in session. She said it is ridiculous. She lives on 13<sup>th</sup> Avenue and when the Waterford Lakes Subdivision was developed her street became a racetrack and so she made her children play in the back yard. She said traffic on 12<sup>th</sup> Street in the mornings is ridiculous. People are not going to want to come out of this neighborhood and turn left to get onto Old Dixie because they are going to have to wait too long so what they are going to do is they are going to turn right and go down her street and cut through the neighborhood. She asked once a property is sold, does the zoning allow them to turn it into rental property.

Mr. Lauffer answered yes. Anyone who owns a home has the right to rent it and she wouldn't want that right taken away from anyone.

Mr. Cahoy asked Ms. Inman if she participated in the neighborhood meeting that was held on March 7, 2016.

Ms. Inman answered no. She said that she doesn't recall being invited to that meeting.

Mr. Daige asked when was the traffic study done.

Mr. Mills said it was done in 2016 with their initial site plan application. He noted that they had to apply for a right-of-way permit prior to that meeting through the County, who reviews the traffic studies, and they did receive approval. They recently had to resubmit and the County has reviewed all the data.

Mr. Daige asked staff if they could make a recommendation that they have a playground area.

Ms. Lafferty said staff can make suggestions, but there is nothing in the Code that would require them to do it.

Mr. Daige said that he has concerns in that Mr. Carroll has seen these types of developments and as they move forward and get bought out they could have an adverse affect on the surrounding areas. He said if this project passes, he would hope going forward that the Board would make recommendations to the City Council to put more rules and regulations in place.

Mr. Cahoy asked Mr. Mills in consideration for community open space and recreation, what prevents them from connecting the sidewalk all the way around the property.

Mr. Mills didn't think there was anything preventing them from doing that.

At this time, the Deputy City Clerk swore in Mr. Nicholas Heine.

Mr. Heine said that he is the property owner, Developer, and Builder. Mr. Heine said he is not against that and felt it might be a good feature to the project.

Mr. Cahoy asked Mr. Heine if he would agree to do that.

Mr. Heine answered yes.

Ms. Lafferty reported that they are maxed out on open space.

Mr. Lauffer asked does this take away from the open space.

Ms. Lafferty answered yes.

Mr. Mills said they will take a serious look at possibly removing portions of the sidewalk that may be redundant and added in other areas that might be more efficient. He said they can't promise anything, but they will look at it.

Mr. Lauer said it was mentioned previously that the open space includes the retention pond.

Ms. Lafferty explained that was the calculation for the square footage of the units.

Mr. Lauer referred to Chapter 60, Appendix, Definitions of the Code. It states, "*Fifty percent of water bodies completely surrounded by uplands on a development site shall be considered open space. Bodies of water adjacent to a development site including submerged land owned by the same owner as the adjacent uplands shall be excluded from open space calculations.*" He said there is no adjacent land owner that has a pond so he would think 50% of the retention pond is open space according to Code.

Ms. Lafferty said that is correct.

Mr. Cahoy asked are they stating that 50% of the pond is open space. He asked does that satisfy his question for additional space for the sidewalk.

Ms. Lafferty said the applicants stated that they would look at the site as a whole to see if they could modify the arrangement of the sidewalks so they wouldn't have to worry about open space.

Mr. Cahoy asked if he is correct that in their landscape proposal there are not any canopy trees in the front or in the rear of the homes.

Mr. Mills said that is correct. The landscaping is focused around the perimeters.

Mr. Barkett said it was stated that there is extreme density, but if this were condominiums there would be more density with more families. So the density is lower with this project than if they were to have condominiums.

The Chairman closed the public hearing at 2:31 p.m., with no one else wishing to be heard.

Mr. Lauer said that he is concerned about several things, which rise to the level of not approving the site plan. He is concerned about the age of the traffic study, the age of the community involvement in that it is over two (2) years old, and the lack of capacity at Vero Beach Senior High School. He is also concerned about the provision in Code Section 70.04(d)(4) that he mentioned previously, which requires City Council approval of the site plan for platted-over subdivisions of land. He said this could meet the requirements of the Code except for the things he previously mentioned, but it may not be good for the City so he can see why the City Council would be involved.

Ms. Honse said that would be correct. However, it is not either/or. It comes before the Planning and Zoning Board for their recommendation and then it goes to the City Council for approval.

Mr. Lauer asked where does it say in Code Section 70.04(d)(4) that the Board approves it before the City Council.

Ms. Honse explained that is a standard operating procedure on land development that the Planning and Zoning Boards make recommendations to the City Council for approval of projects.

Ms. Lafferty pointed out that the Engineer did state that the traffic information was recently updated by the County.

Mr. Lauer said the Board doesn't have that information. They have an application from January, 2018.

Ms. Lafferty reported that the Planning and Development Director at that time felt the traffic study met the requirements, which was recently confirmed with the County.

Mr. Mills reported that they resubmitted the right-of-way application, which is the mechanism that the County uses for a traffic study. He said the new ITE rates, which are the basis for a traffic study, have been reduced so he felt they will find if a traffic study were updated that the actual demand is less than what was done in 2016. Also, back when they received the traffic report the traffic threshold for the County to want a report was 100 trips per day so any project that generated more

than 100 trips per day would warrant a full traffic study. The County has recognized that threshold is extremely low and has adopted a threshold of 400 trips per day and this project has 388 trips per day. Also with regards to school capacity, that number is an ever fluctuating number.

Mr. Cahoy felt this should be referred to the City Council. He also feels there is a problem with Code language, which he finds very confusing. He said that he has to yield to the experts and to the Planning and Development Department to interpret it for him and he doesn't like being in that position. He said that he is not happy about the density and understands there is a transition taking place between very low density commercial and very low density single-family. But, this seems to be excessive. He understands it falls within the Code, but he has a personal concern about it.

Mr. Lauffer felt the neighbors in the neighborhood nearby would rather have this project rather than what could alternatively be built in that area should someone else take over the property and build more density than what they have now, which would be approved because it meets the criteria. His point is that he doesn't know any legitimate reason to deny this project. He said this may not be his favorite project, but felt it would be better than something else that could go on the property.

**Mrs. Minuse made a motion to approve. Mr. Cahoy seconded the motion for discussion.**

Ms. Honse asked is the motion to approve with the conditions recommended by staff.

**Mrs. Minuse answered yes (motion that the Board approves Site Plan Application #SP18-000002 to construct twenty-seven duplex units and one single-family unit at 1205 & 1245 11<sup>th</sup> Avenue with the conditions listed in staff's report). Mr. Cahoy seconded the motion.**

Mrs. Cheri Fitzgerald, Principal Planner, asked is the motion to recommend approval by the City Council.

**Mrs. Minuse answered yes.**

Mr. Daige said the age of the neighborhood meetings has a long shelf life. He felt if a project is to take one (1) year and for some reason it doesn't move forward that they should be required to have another neighborhood meeting.

Mr. Cahoy asked that the Planning and Development Department aggressively attack this Code issue for clarification and submit something back to the Board for recommendations to the City Council.

**The motion passed 3-2 with Mr. Cahoy voting yes, Mr. Lauer no, Mrs. Minuse yes, Mr. Carroll no and Mr. Lauffer yes.**

**[Quasi-judicial]**

- 2. Preliminary Plat Application Submitted by Mills, Short & Associates, LLC, for a Proposed 55 Lot Subdivision Located at 1205 and 1245 11<sup>th</sup> Avenue (#SD18-000002)**

The Chairman read Preliminary Plat Application #SD18-000002 submitted by Mills, Short & Associates, LLC, by title only.

Mr. Lauffer reported that Mr. Lauer has the same disclosure he had with the previous application (that he visited the site prior to the previous public hearing, which he disclosed at that hearing).

Mr. Lauer said that is correct.

There were no other ex parte communications reported by the Board.

Ms. Honse said if everyone has been sworn in, that would carry over for this public hearing.

Ms. Lafferty gave a brief overview of staff's report to the Board members (attached to the original minutes). She noted that under Evaluation of staff's report, they failed to list Code Section 70.14 (b), which states, "*All approved preliminary and final plats for a platted-over subdivision shall meet the following criteria*" the report Code Section 70.14 (b) which states that it has to comply with all the criteria of Code Section 70.14 (a)(1) through (a)(4) and (a)(6) for the preliminary plat for a platted-over subdivision, which eliminates the Section regarding the lot sizes. Staff recommends approval of the preliminary plat application for submission to the City Council subject to the condition listed in staff's report.

Mrs. Minuse asked is the final plat the overall property or the last duplex to be built.

Ms. Lafferty said it is not the duplex; it is the plat.

Ms. Honse explained that what this allows for is that they can't sell the individual lots until the plat is approved.

Mrs. Minuse asked at what point does the HOA become responsible in taking over the entire subdivision.

Ms. Honse said they won't know until they receive the HOA documents.

Mr. Bruce Barkett, Attorney representing the applicant, requested that the Board approves staff's recommendation.

The Chairman opened the public hearing at 3:02 p.m.

Ms. Bonnie Olinger said this is an ecological nightmare. She said they will have 20-feet and there is not a single tree that will grow in 20-feet of space. They will have 55 houses without any shade.

The Chairman closed the public hearing at 3:04 p.m., with no one else wishing to be heard.

Mr. Daige said there is limited space in the yards and it is his understanding that the individual units will have a front and back yard. He asked will they be prohibited from planting trees in their front and back yard. He asked will there be deed restrictions.

Mr. Mills said that he didn't know if there will be specific deed restrictions. He didn't think the City would prohibit it.

Ms. Lafferty said there are small scale canopy trees that would fit in small yards like these.

Mr. Daige said his question is if a property owner will be allowed to plant trees on their property.

Mr. Lauffer said the HOA will tell them if they can or not.

Mr. Bruce Barkett said that he has drawn up a lot of HOA documents and he has never drawn up a

document that states the property owners cannot plant a tree in their own yard so he doesn't think there is going to be any such restrictions.

**Mrs. Minuse made a motion to move the recommendation to City Council (motion that the Board approves Preliminary Plat Application #SD18-000002 submitted by Mills, Shore & Associates, LLC, for a proposed 55 lot subdivision located at 1205 and 1245 11<sup>th</sup> Avenue). Mr. Cahoy seconded the motion and it passed 3-2 with Mr. Cahoy voting yes, Mr. Lauer no, Mrs. Minuse yes, Mr. Carroll no, and Mr. Lauffer yes.**

**[Quasi-judicial]**

**B. Site Plan Application Submitted by JP Aviation Investments, LLC for the Construction of a Two 11,520 Square Feet Conventional Hangars Located at 2665 and 2675 Airport North Drive (#SP18-000009)**

The Chairman read Site Plan Application #SP18-000009 submitted by JP Aviation Investments, LLC, by title only.

There were no other ex parte communications reported by the Board.

The Deputy City Clerk swore in all witnesses present for today's meeting en masse.

Ms. Lafferty gave a brief overview of staff's report to the Board members (attached to the original minutes). She referred to page two (2) of Attachment A stating that under Landscape Specifications, the proposed trees states 41 and it should state zero (0). Staff recommends approval of the site plan and conditional use subject to conditions listed in staff's report.

Mr. Lauffer noted that they did not include the considerations of staff in their motion to approve the previous application.

Mrs. Minuse said that she did not include staff's recommendation in her motion.

Ms. Honse felt because it wasn't the final approval; that they were recommending it to go on to the City Council; that they were okay.

Mrs. Minuse referred to page two (2) of staff's report. She said under Recommendation, it states the site plan and conditional use (*Staff recommends approval of the site plan and conditional use subject to the following conditions...*). She asked what are the conditions.

Ms. Lafferty said that was an error.

Mr. Tyler Spensor, of Carter and Associates, said this is a straightforward project. It is good for the Airport and the City as a whole.

Mr. Lauer asked where is the property located.

Mr. Eric Menger, Airport Director, showed an aerial view of the Airport and pointed out the area of the project (attached to the original minutes). He said this project is good overall for the Airport and is a plus for the community.

The Chairman opened and closed the public hearing at 3:23 p.m., with no one wishing to be heard.

**Mr. Carroll made a motion to approve with staff recommendations (motion to approve Preliminary Plat Application #SD18-000002 submitted by Mills, Short & Associates, LLC, for a Proposed 55 lot subdivision located at 1205 and 1245 11<sup>th</sup> Avenue). Mr. Lauer seconded the motion it passed 5-0 with Mr. Cahoy voting yes, Mr. Lauer yes, Mrs. Minuse yes, Mr. Carroll yes, and Mr. Lauffer yes.**

**V. PLANNING DEPARTMENT MATTERS**

Ms. Lafferty reported that the City's new Planning and Development Director will be starting on Tuesday. His name is Mr. Jason Jeffries and he is coming from Daytona Beach.

**VI. BOARD MEMBERS' MATTERS**

None

**VII. ADJOURNMENT**

Today's meeting adjourned at 3:28 p.m.

/sp