

**VILLAGE OF PALMETTO BAY**  
**Minutes of the Local Planning Agency Meeting of September 10, 2012**  
**Village Hall Chambers**  
**9705 East Hibiscus Street**

**1. CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE**

Mayor Shelley Stanczyk  
Vice Mayor Brian W. Pariser  
Council Member Patrick Fiore  
Council Member Howard Tendrich  
Council Member Joan Lindsay

Staff present:  
Village Manager Ron E. Williams  
Village Attorney Eve A. Boutsis  
Village Clerk Meighan J. Alexander  
Director of Planning and Zoning Darby Delsalle

Mayor Stanczyk called the meeting to order at 7:10 p.m. Mayor Stanczyk asked the Council to briefly recess the meeting and allow for a public hearing under the Regular Council Meeting to be held. The Council concurred. The Local Planning Agency Meeting was recessed and re-convened at 9:30 p.m.

**2. ORDINANCE FOR SECOND READING (PUBLIC HEARING)**

A. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ZONING; AMENDING THE LIST OF PERMITTED USES FOR THE LIMITED BUSINESS DISTRICT (B-1) TO PROVIDE FOR CHILD CARE FACILITIES; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE. [Sponsored by Council Person Howard Tendrich].

Councilman Tendrich moved this item forward. Seconded by Vice Mayor Pariser.

Director Delsalle provided staff report, noting that the matter was not modified from first reading to this final reading.

Mayor Stanczyk opened the public hearing. No one wished to be heard.

Mayor Stanczyk called the question. The Ordinance passed unanimously to the Regular Council Meeting (5-0), following roll call vote: Vice Mayor Pariser: yes; Mayor Stanczyk: yes; Councilman Fiore: yes; Councilman Tendrich: yes; and Councilwoman Lindsay: yes.

- B. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AMENDING SECTION 30-50.18, RELATING TO THE PROVISION PRECLUDING OUTDOOR STORAGE WITHIN THE FT&I DISTRICT; PERMITTING OUTDOOR STORAGE TANKS UNDER SPECIFIC CONDITIONS FOR THOSE BUSINESSES WHICH PROVIDE FOR ANCILLARY SALE OF PROPANE AND CHLORINE; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE. [Sponsored by Council Person Patrick Fiore].

Councilman Tendrich moved this item forward. Seconded by Councilman Fiore.

Director Delsalle advised that there were no modifications from first reading and the item was discussed at a Committee of the Whole meeting.

Attorney Boutsis noted that the tanks would have to be located at the rear of the building, screened from view.

Mayor Stanczyk opened the public hearing. Mr. Eric Tullberg, 7884 SW 179 Terrace, spoke concerning safety precautions and appropriate regulations.

Councilwoman Lindsay expressed that prohibition of this use was expressly stated in the Ordinance and a Charette was conducted for this area of the Village. She expressed her opposition, noting that Charettes intend to improve areas and allowing this modification does not offer an improvement.

Mayor Stanczyk concurred, stating that positive changes should only be considered.

Councilman Tendrich stated that several former Council people were contacted and no one recalls why this use was specifically excluded. He noted that Mr. Breder had previously provided several examples of these types of companies operating within the Village.

Mayor Stanczyk replied that there is a pool supply near her place of business. She explained that the public has access to pool stores; however, the use of tanks is limited in this one area of the Village.

Mayor Stanczyk called the question. The Ordinance failed to pass (3-2), following roll call vote: Mayor Stanczyk: no; Councilman Fiore: yes; Councilman Tendrich: yes; Councilwoman Lindsay: no; and Vice Mayor Pariser: no.

- C. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, PURSUANT TO SECTION 30-30.7(b) RELATING TO CHAPTER 30, DIVISION 100, ENVIRONMENTAL

REGULATIONS, REPEALING THE EXISTING PROVISIONS OF 30-100.6 TO REPLACE SAME WITH THE MODEL FLOODPLAIN ORDINANCE REQUIRED BY THE STATE LEGISLATURE; PROVIDING FOR RESPONSIBILITIES OF THE BUILDING OFFICIAL AS FLOODPLAIN COORDINATOR' WHICH MODIFICATIONS ARE MANDATED BY THE STATE TO BE INCLUDED IN THE VILLAGE'S ORDINANCE 30-100.6, RELATING TO SAME; ADOPTING A NEW SECTION 30-100.6; ALSO REPEALING CHAPTER 18 RELATING TO SAME; ADOPTING FLOOD HAZARD MAPS, DESIGNATING A FLOODPLAIN ADMINISTRATOR, ADOPTING PROCEDURES AND CRITERIA FOR DEVELOPMENT IN FLOOD HAZARD AREAS, AND FOR OTHER PURPOSES; ADOPTING LOCAL ADMINISTRATIVE AMENDMENTS AND LOCAL TECHNICAL AMENDMENTS TO THE FLORIDA BUILDING CODE PERTAINING TO THE DESIGN AND CONSTRUCTION OF BUILDINGS AND STRUCTURES IN FLOOD HAZARD AREAS; PROVIDING FOR ORDINANCES IN CONFLICT, REPEALER, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE. (Deferred to date certain of September 10, 2012)

Councilman Tendrich moved this item forward. Seconded by Vice Mayor Pariser.

Attorney Boutsis provided staff report.

Vice Mayor Pariser asked if adoption of this ordinance triggers the flood audit that is ongoing.

Manager Williams advised that the Village has contracted with an engineering firm for the CRS and the audit is in progress and not part of this ordinance.

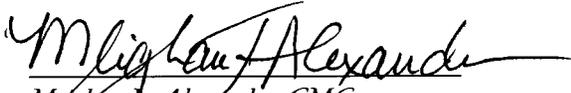
Mayor Stanczyk opened the public hearing. No one wished to be heard. The public hearing was closed.

Mayor Stanczyk called the question. The Ordinance was passed unanimously to the Regular Council Meeting (5-0), following roll call vote: Councilman Fiore: yes; Councilman Tendrich: yes; Councilwoman Lindsay: yes; Vice Mayor Pariser: yes; and Mayor Stanczyk: yes.

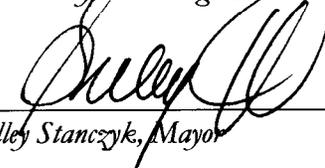
Mayor Stanczyk asked for the status of CRS. Manager Williams advised that the Village is working to change our Community Rating System number, which will assist the residents with flood insurance costs. He noted that the Village has commissioned a study that is ongoing.

### 3. NEXT MEETING AND ADJOURNMENT

*Prepared and submitted by:*

  
Meghan J. Alexander, CMC  
Village Clerk

*Approved by the Village Council on this 1<sup>st</sup> day of October, 2012.*

  
Shelley Stanczyk, Mayor

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