

VILLAGE OF PALMETTO BAY
Minutes of the Local Planning Agency Special Meeting of Monday, April 6, 2009
Deering Estate Visitor's Center
16701 SW 72 Avenue

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

Mayor Eugene P. Flinn, Jr.
Vice Mayor Brian W. Pariser
Council Member Ed Feller
Council Member Howard Tendrich
Council Member Shelley Stanczyk

Staff present:
Village Manager Ron E. Williams
Village Attorney Eve A. Boutsis
Village Clerk Meighan J. Rader

Mayor Flinn called the meeting to order at 7:00 p.m. He asked all to observe a moment of silent meditation for residents, Phil and Tara Ann Burke, who recently passed away in a tragic boating incident.

Mayor Flinn led the pledge of allegiance

2. ORDINANCES FOR SECOND READING AND PUBLIC HEARING

- A. **AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ZONING; CREATING A MORATORIUM ON THE ISSUANCE OF BUILDING PERMITS FOR DEVELOPMENTS OF MORE THAN FIVE CONTIGUOUS ACRES BY THE EARLIER OF SIX MONTHS OR THE FINAL ADOPTION OF THE VILLAGE'S LAND DEVELOPMENT CODE; SUCH TEMPORARY MORATORIUM TO APPLY TO ALL PROPERTIES OVER FIVE ACRES IN CONTIGUOUS SIZE LOCATED WITHIN THE VILLAGE OF PALMETTO BAY; EXEMPTING PUBLIC FACILITIES DEVELOPED FOR THE PUBLIC HEALTH, SAFETY, AND WELFARE; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE. (PUBLIC HEARING REQUIRED)**

Attorney Boutsis noted that the Statutes require extensive advertising; these provisions have been met and the item requires first reading and public hearing. She provided staff report and noted that the moratorium relates to construction on properties of five acres or more. She noted that the moratorium would not affect single family homes and would not affect repairs to properties. Attorney

Boutsis advised that the purpose of this matter would be to insure that status quo remains while the land development code is being completed.

Mayor Flinn remarked that the areas under the charrette should also be included. He opened the public hearing. No one wished to be heard. The public hearing was closed.

Councilwoman Stanczyk called the question. The Ordinance passed unanimously on first reading (5-0).

3. ORDINANCES FOR SECOND READING AND PUBLIC HEARING

- A. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, ACTING IN ITS CAPACITY AS THE LOCAL PLANNING AGENCY, RELATING TO ADOPTION OF AMENDMENTS TO THE COMPREHENSIVE PLAN TO INCLUDE A NEW WATER SUPPLY ELEMENT AND AMENDMENTS TO THE INTERGOVERNMENTAL COORDINATION, FUTURE LAND USE, CONSERVATION, AND CAPITAL IMPROVEMENTS ELEMENTS; PROVIDING FOR TRANSMITTAL OF COMPREHENSIVE PLAN AMENDMENTS TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS, TO OTHER UNITS OF LOCAL GOVERNMENT AND TO OTHER REVIEW AGENCIES AS REQUIRED BY LAW; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

Councilman Feller moved this item forward. Seconded by Councilwoman Stanczyk.

Attorney Boutsis provided staff report. She advised that this plan is consistent with the Miami-Dade County plan and had been forwarded to SFRPC and to DCA. She noted that two minor comments were made and incorporated in the document presented. She thanked Public Works Director Corrice Patterson and former Planning and Zoning Director Arleen Weintraub for their assistance.

Attorney Boutsis noted that Councilman Tendrich had suggested a revision to use the term "religious institution" or "houses of worship" in place of the term "church".

Mayor Flinn opened the public hearing.

Mr. Eric Tullberg, 7884 SW 179 Terrace, commented that water conservation should be encouraged, and 155 gallons of day is a large amount for permitted usage.

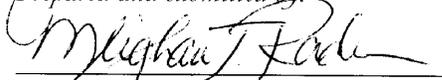
Mayor Flinn closed public hearing.

Councilman Feller moved to amend the Ordinance and use the term "houses of worship" in place of "churches". Seconded by Councilman Tendrich. All voted in favor of the amendment (5-0).

Mayor Flinn called the question. All voted in favor of adoption. The Ordinance was adopted unanimously (5-0).

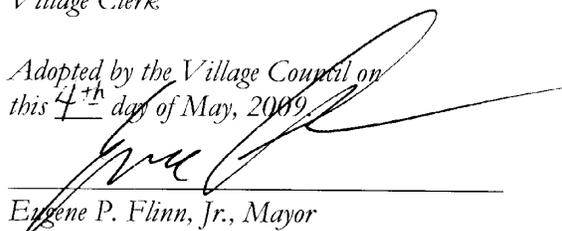
4. NEXT MEETING AND ADJOURNMENT: The meeting was adjourned at 7:20 p.m.

Prepared and submitted by:



*Meghan J. Rader, CMC
 Village Clerk*

*Adopted by the Village Council on
 this 4th day of May, 2009.*



Eugene P. Flinn, Jr., Mayor

PURSUANT TO FLORIDA STATUTES 286.0105, IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS. AND THAT FOR SUCH PURPOSE, THE AFFECTED PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE VILLAGE FOR THE INTRODUCTION OR ADMISSION OF OTHERWISE INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW. WHILE THE FLORIDA STATUTES DO NOT REQUIRE TAPE RECORDINGS, TO THE EXTENT THAT TAPE RECORDINGS ARE MADE, THE TAPES MAY BE REQUESTED FROM THE VILLAGE CLERK FOR REVIEW AND/OR COPYING. THE VILLAGE OF PALMETTO BAY CAN NOT GUARANTEE QUALITY OF ANY RECORDING.