

VILLAGE OF PALMETTO BAY  
Minutes of the Special Council Meeting of Monday, July 20, 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 9:35 p.m. Mayor Flinn led the pledge of allegiance.

**2. ORDINANCES FOR FIRST READING (PUBLIC HEARING)**

A. AN ORDINANCE RELATING TO CHAPTER 30 CREATING DIVISION 50 ENTITLED "ZONING DISTRICTS" OF THE VILLAGE'S LAND DEVELOPMENT CODE; REZONING THE DESIGNATED AREAS TO THE DELINEATED ZONING DISTRICTS UNDER THE FOLLOWING CATEGORIES: RESIDENTIAL SINGLE-FAMILY, ESTATE, AND TWO-FAMILY DISTRICTS; MULTI-FAMILY DISTRICTS; HOTEL DISTRICTS; BUSINESS DISTRICTS; AND OFFICE DISTRICTS; INCORPORATING THE VMU AND FT&I DISTRICTS INTO 30-50; PROVIDING FOR DEFINITIONS, USES, CHANGES IN USE, GENERAL BUILDING REQUIREMENTS (DENSITY, HEIGHT, PARKING), AND PROCEDURES FOR ADMINISTRATIVE SITE PLAN REVIEW.

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

Councilman Feller moved to incorporate the record, staff report, and all public comments made at the Local Planning Agency Meeting of July 20, 2009, into this proceeding. Seconded by Councilman Tendrich.

Mayor Flinn opened the public hearing. Mr. Eric Tullberg, 7884 SW 179 Terrace, commented with regard to overgrown hedges. No one else wished to be heard – the public hearing was closed.

Councilman Tendrich concurred that visibility is difficult with large hedges overgrown into the roads. Mayor Flinn remarked that many members of the public were angry when the Village tried to restrict growth into the swales.

Vice Mayor Pariser asked if this matter can be considered at a Committee of the Whole meeting.

Councilman Tendrich moved to approve the Ordinance on first reading, including any modifications made at the Local Planning Agency meeting. Seconded by Vice Mayor Pariser. The matter was approved on first reading unanimously (5-0).

- B. AN ORDINANCE CREATING CHAPTER 30, DIVISION 10, ENTITLED "PURPOSE AND APPLICABILITY" OF THE LAND DEVELOPMENT CODE; CREATING AND ADOPTING THE VILLAGE'S ZONING MAP FOR ALL PROPERTIES WITHIN THE VILLAGE FROM SW 136<sup>TH</sup> STREET TO THE NORTH, SW 184<sup>TH</sup> STREET TO THE SOUTH, US 1 TO THE WEST, AND BISCAYNE BAY TO THE EAST; PROVIDING FOR ADOPTION OF ALL RESIDENTIAL, SINGLE AND MULTIFAMILY ZONING DISTRICTS, HOTEL/MOTEL, AND BUSINESS DISTRICTS; INCORPORATING BY REFERENCE THE VMU AND FT&I ZONING DISTRICTS;

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

Councilman Feller moved to incorporate the record, staff report, and all public comments made at the Local Planning Agency Meeting of July 20, 2009, into this proceeding. Seconded by Councilman Tendrich.

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

Mayor Flinn called the question. The matter was approved by unanimous voted (5-0) on first reading, including any modifications made at the Local Planning Agency Meeting.

- C. AN ORDINANCE RELATING TO ADOPTION OF AMENDMENTS TO THE COMPREHENSIVE PLAN TO INCLUDE MODIFICATIONS TO THE FUTURE LAND USE MAP, INCLUDING PROVIDING FOR MEDIUM DENSITY AND MEDIUM - HIGH DENSITY DESIGNATIONS, MODIFYING CERTAIN ESTATE DENSITY DESIGNATIONS TO LOW - MEDIUM, MEDIUM, MEDIUM-HIGH DENISTY; MODIFYING SOME LOW DENSITY RESIDENTIAL TO MEDIUM AND MEDIUM-HIGH DENISTY; PROVIDING AMENDMENTS TO THE FUTURE LAND USE, HOUSING, PARKS AND RECREATION, INTERGOVERNMENTAL, CONSERVATION, AND CAPITAL IMPROVEMENTS ELEMENTS TO INCLUDE THE VILLAGE'S STREET TREE MASTER PLAN AND REFERENCES TO THE FLUM CHANGES, AS APPLICABLE.

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

Councilman Feller moved to incorporate the record, staff report, and all public comments made at the Local Planning Agency Meeting of July 20, 2009, into this proceeding. Seconded by Councilman Tendrich.

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

Councilman Tendrich moved to approve the matter on first reading, including any modifications made at the Local Planning Agency Meeting. Seconded by Councilman Feller. All voted in favor. The motion passed unanimously (5-0).

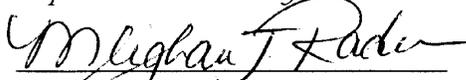
### 3. NEXT MEETING AND ADJOURNMENT

Manager Williams asked the Council to consider calling a Special Council meeting for August 6 at 6:30 p.m. (at the Palmetto Bay Community Room at Ludovici Park) to hear presentations from the top three finalist for the Village Hall project. The Council concurred and instructed the Clerk to notice same.

### 4. NEXT MEETING AND ADJOURNMENT

The Meeting was officially adjourned at 9:45 pm.

*Prepared and submitted by:*

  
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Meighan J. Rader, CMC  
Village Clerk

*Adopted by the Village Council on  
this 14<sup>th</sup> day of September, 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.