

VILLAGE OF PALMETTO BAY  
Minutes of the Special Council Meeting of Thursday, August 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 (CONTINUED FROM MEETING OF AUGUST 10, 2009 - 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 SUPPLEMENTING THE PROPOSED JULY 20, 2009 AMENDMENTS TO THE COMPREHENSIVE PLAN TO INCLUDE TWO ADDITIONAL PROPOSED MODIFICATIONS TO THE FUTURE LAND USE MAP (FLUM), TO CHANGE THE ESTATE DENSITY DESIGNATIONS TO LOW DENSITY DESIGNATIONS; PROVIDING FOR TRANSMITTAL OF THE ENTIRE COMPREHENSIVE PLAN AMENDMENT 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.

Mayor Flinn thanked all the members of the public who had attended and participated in these important meetings.

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

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

Councilman Tendrich called the question. All voted in favor of the Ordinance on first reading (5-0.)

### 3. ORDINANCES FOR THIRD 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 to incorporate the record, staff report, and all public comments made at the Local Planning Agency Meeting of August 20, 2009, into this proceeding. Seconded by Councilwoman Stanczyk.

Mayor Flinn opened the public hearing. Mr. Eric Tullberg, 7884 SW 179 Terrace, and Stanley Stanczyk, 8800 SW 181 Terrace, addressed the Council.

Mayor Flinn asked if agricultural setbacks would be changed. Attorney Boutsis noted that they are not. The public hearing was closed.

Councilman Tendrich moved to adopt the Ordinance as brought forward from the Local Planning Agency meeting of August 20, 2009. Councilwoman Stanczyk seconded. All voted in favor of the Ordinance (5-0.)

- B. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, ACTING IN ITS CAPACITY AS THE LOCAL PLANNING AGENCY, AND AS THE VILLAGE COUNCIL RELATING TO THE VILLAGE'S CODE OF ORDINANCES, CHAPTER 30 ENTITLED "ZONING" CREATING DIVISION 10, ENTITLED "PURPOSE AND APPLICABILITY"; WHICH DIVISION SHALL BE PART OF THE VILLAGE'S 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; PROVIDING FOR ORDINANCES IN CONFLICT; CODIFICATION; SEVERABILITY; AND AN EFFECTIVE DATE.

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

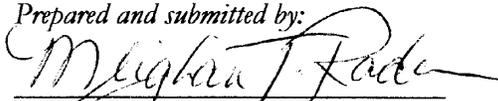
Mayor Flinn opened the public hearing. No one wished to be heard. The public hearing was closed. Mayor Flinn thanked Mr. Tullberg for his input.

Councilman Feller moved to adopt the Ordinance as brought forward from the Local Planning Agency meeting of August 20, 2009. Councilman Tendrich seconded. All voted in favor of the Ordinance (5-0.)

#### 4. NEXT MEETING AND ADJOURNMENT

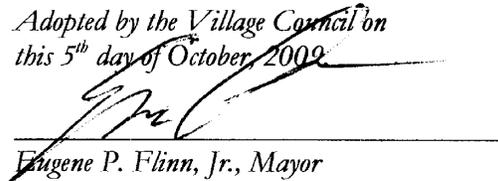
The Meeting was officially adjourned at 9:50 pm.

*Prepared and submitted by:*



*Meighan J. Rader, CMC  
Village Clerk*

*Adopted by the Village Council on  
this 5<sup>th</sup> day of October, 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.