

**VILLAGE OF PALMETTO BAY
MINUTES OF SEPTEMBER 17, 2007
SPECIAL MEETING OF THE VILLAGE COUNCIL**

Southwood Middle School
16301 SW 80 Avenue
Palmetto Bay, FL 33157

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

Mayor Flinn called the meeting to order at 6:35 p.m. The following individuals were present:

Mayor Eugene P. Flinn, Jr.
Vice Mayor Linda Robinson
Councilman Ed Feller, M.D.
Councilman Paul Neidhart
Councilwoman Shelley Stanczyk

Staff present:

Village Manager Ron E. Williams
Village Attorney Eve A. Boutsis
Village Clerk Meighan J. Rader
Director of Community Development Arleen Weintraub
Planning and Zoning Administrator Efren Nunez

II. ORDINANCES FOR FIRST READING

- A. **AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO THE VILLAGE'S CODE OF ORDINANCES, CHAPTER 30 ENTITLED "ZONING," CREATING DIVISION 60, ENTITLED "GENERAL REGULATIONS"; WHICH DIVISION SHALL BE PART OF THE VILLAGE'S LAND DEVELOPMENT CODE; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.**

Vice Mayor Robinson moved the item forward. Seconded by Councilman Feller.

Director Weintraub provided staff report.

Councilwoman Stanczyk stated that she was concerned with the section concerning vinyl coated fencing, as it is more expensive to replace. She also expressed concern for the L-shaped pool section. She asked if the standard for home offices provided in the ordinance is the same as the County standard.

Director Weintraub replied that it was.

Attorney Boutsis stated that a chain link fence that had over 25% damage would require replacement with a vinyl coated chain link fence. She advised that the County does not currently have this standard.

Councilwoman Stanczyk asked if the County standard was 50% damage.

Director Weintraub responded affirmatively. She clarified that the proposed change is twofold: one: upgrade the type of material used and; two: have a 25% level rather than 50%. She noted that the provision can be different in residential areas – lesser or more stringent.

Councilwoman Stanczyk asked for clarification regarding use of storage containers. She noted that some residents may use the “pods” when they are preparing for moving.

Director Weintraub explained that the intention is to prohibit long-term use of the storage container simply because a home may have limited garage space.

Councilwoman Stanczyk concurred, but suggested that the language should be modified to allow people to use them short-term. She asked for information regarding the times of front or rear loaded dumpster service. She suggested that the ordinance should contain enforcement and violation information.

Attorney Boutsis stated that staff is reviewing enforcement issues, such as who would be responsible – the dumpster service provider or the owner of the property. Discussion ensued.

Councilwoman Stanczyk raised the issue concerning boat storage and how the ordinance addresses maintaining your boat while on your property on a trailer. Councilmen Feller and Neidhart concurred.

Vice Mayor Robinson asked if the proposed Ordinance addressed mandating hedges to cover fencing.

Director Weintraub replied that it was not mandated in residential districts.

Mayor Flinn concurred with Councilwoman Stanczyk’s remarks concerning the 25% replacement rule on chain link fences and the vinyl coating. He also remarked that the height requirements on pool dome enclosures are too restrictive. He stated that with regard to temporary storage, he believes that the “pods” can be necessary and there should be a reasonable period of time to have one in your yard.

Director Weintraub noted that she would insure the 30-day provision was clarified.

Mayor Flinn remarked there are several homes that have been under construction for many years and he stated that these property owners are also holding onto their homestead extension. He stated that he is in favor of the provision that preserves the swales.

Discussion ensued. A roll call vote was taken, as follows: Mayor Flinn: no; Vice Mayor Robinson: yes; Councilman Feller: yes; Councilman Neidhart: yes; and, Councilwoman Stanczyk: no. The Ordinance passes to second reading (3 to 2).

B. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO THE VILLAGE'S CODE OF ORDINANCES, CHAPTER 30 ENTITLED "ZONING," CREATING DIVISION 70, ENTITLED "PARKING AND LOADING STANDARDS"; WHICH DIVISION SHALL BE PART OF THE VILLAGE'S LAND DEVELOPMENT CODE; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

Councilman Neidhart moved this item forward. Seconded by Vice Mayor Robinson.

Director Weintraub provided staff report.

Mayor Flinn asked if we are increasing the current County standard.

Director Weintraub stated that the Village is staying as stringent.

Councilwoman Stanczyk asked if the proposed Ordinance relates to the variance for a parcel in the Charrette area that was considered previously by Council.

Director Weintraub stated that the parking requirements are not being changed. The previous matter was to address the means by which a developer could request a variance.

Councilwoman Stanczyk asked if the Ordinance would address improving the loading of vehicles with the local car dealerships.

Director Weintraub stated that she would insure that "stacking" is addressed and the time limits.

All voted in favor of the proposed Ordinance. A public hearing shall be heard on October 1st.

III. NEXT MEETING AND ADJOURNMENT

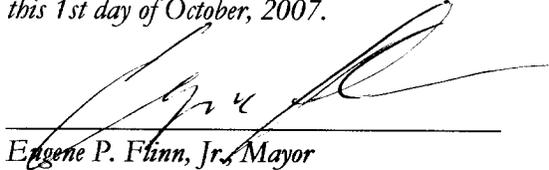
The Meeting was officially adjourned at 7:30 pm.

Prepared and submitted by:



*Meighan J. Rader, CMC
Village Clerk*

*Adopted by the Village Council on
this 1st day of October, 2007.*



Eugene P. Flinn, Jr., Mayor

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