

PLANNING AND ZONING BOARD
AUGUST 25, 2004

1. ROLL CALL

The meeting was called to order at 7:06 p.m. Board members present were Chair Mike Bender, Vice-Chair Mimi Turin, Casey Lee, Scott McLaughlin (arrived at 7:14 p.m.), and John Stevens. Also present were Town Attorney Monroe Kiar, Development Services Director Mark Kutney, Planning and Zoning Manager Fernando Leiva and Board Secretary Janet Gale recording the meeting.

2. APPROVAL OF MINUTES: July 28, 2004

August 11, 2004

Mr. Stevens made a motion, seconded by Vice-Chair Turin, to approve the minutes of July 28, 2004. In a voice vote, with Mr. McLaughlin being absent, all voted in favor. **(Motion carried 4-0)**

Mr. Stevens made a motion, seconded by Vice-Chair Turin, to approve the minutes of August 11, 2004. In a voice vote, with Mr. McLaughlin being absent, all voted in favor. **(Motion carried 4-0)**

3. PLAT

3.1 P 9-1-02, Calamity Acres, SW 27 Street, west of 148 Avenue (A-1)

Gus Khavanin, representing the petitioner, was present. Mr. Leiva read the planning report and indicated that clarification was needed regarding the width in which to extend an existing 16-foot pavement area. Mr. Khavanin responded that the pavement area would be extended to 20 feet.

Ms. Lee questioned if improvements would be made by each builder abutting SW 148 Avenue as that road was "horrendous" in its present condition. Mr. Leiva advised that a traffic analysis was being outsourced and it would be determined where improvements were most needed within the network. Chair Bender cautioned that despite the present configuration of 148th Avenue, drag racing was a problem at this location and when improvements were made, this problem needs to be considered.

Mr. Stevens made a motion, seconded by Vice-Chair Turin, to approve. In a roll call vote, the vote was as follows: Chair Bender - yes; Vice-Chair Turin - yes; Ms. Lee - yes; Mr. McLaughlin - yes; Mr. Stevens - yes. **(Motion carried 5-0)**

4. OLD BUSINESS

There was no old business discussed.

5. NEW BUSINESS

Chair Bender requested that if there was only one item on the agenda that did not require a public hearing and no objection from an applicant, then it be put off to the next meeting whenever possible. Mr. Leiva responded that this was a good suggestion and they would keep it in mind and communicate with the applicant.

**PLANNING AND ZONING BOARD
AUGUST 25, 2004**

6. COMMENTS AND/OR SUGGESTIONS

Mr. Kutney advised the Board that the Town was moving forward with a major project regarding administrative rezoning of nonconforming properties. He explained the problems which exist in over 10,000 parcels of property and went through the various types of nonconformities. Mr. Kutney stated that in 1985, the Florida Legislature approved the Growth Management Act which gave municipalities the opportunity to correct all deficiencies in their Land Use Plans and to do their rezoning as it related to developing the new round of Comprehensive Plans. He indicated that for some reason, and then he extrapolated what the reason may have been, the Town had not taken any action and, therefore, had entire developments which were nonconforming in many ways including zoning designations.

Mr. Kutney indicated that this was a unique situation which needed to be addressed. He distributed a chart which showed the numerous Codes which still existed in the Town. Mr. Kutney added that the Town was not in compliance with Florida Statutes 171 which requires annexed property to have Town zoning after two years of that annexation. He mentioned other problems which were caused by nonconformity, especially when selling property.

Mr. Kutney stated that staff had done a lot of analyzing and divided the Town into five geographical districts which would be taken one by one. He indicated that the Town needed the support of the Board and that there would be a workshop to brief the Board members prior to reviewing these items. Mr. Kutney stated that on a case-by-case basis, the Town would try to accommodate the needs of the property owners while making the zoning conform to Code.

Board members expressed their interest in attending the workshops and asked to be notified of upcoming meetings. Mr. Leiva mentioned a time schedule that staff would like to follow. Chair Bender asked if some meetings could be planned for later in the day in order to have working people attend the workshops. There was some discussion about the way and means to notify residents of upcoming meetings so that there would be no misunderstandings or surprises to the community.

7. ADJOURNMENT

There being no further business and no objections, the meeting was adjourned at 7:45 p.m.

Date Approved _____

Chair/Board Member