

**Planning and Zoning Commission  
Regular Meeting  
May 19, 2004**

The Planning and Zoning Commission (P&Z) of the City of Titusville, Florida met in regular session in the Council Chamber of City Hall, located at 555 South Washington Avenue on Wednesday, May 19, 2004 at 7:00 p.m.

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Vice Chairman Taylor called the meeting to order at 7:02 p.m. Present were Secretary Shafer, Members Banks, Cipolletti, Tulley, Fuller and Williams. Chairman Fayson, Members Beasley and Secor were excused. Also present were City Attorney Richard Rogers, Interim Community Development Director Hugh Williams, Planning Administrator Keith Cunningham, Senior Planner Don Land and Recording Secretary Tammy Holton.

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The first item of business was the approval of the minutes for the May 5, 2004 regular meeting. Member Banks moved to accept the minutes with corrections. Member Fuller seconded the motion. There was a unanimous voice vote approval.

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Vice Chairman Taylor called a ten-minute recess at the request of the public present in order to discuss conditions set by staff for Old Business Items One and Two. Vice Chairman Taylor reconvened the meeting at 7:16 p.m.

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Vice Chairman Taylor reviewed the quasi-judicial procedures verifying that all persons wishing to speak have signed an oath card; that all agenda items have been properly advertised; and member's comments if they have visited sites; or spoken to any members of the public regarding an item to be reviewed.

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**Old Business:**

Member Banks made a motion to remove AIP #5-2003 and CUP #23-2003 from the table. Member Tulley seconded the motion. There was a unanimous voice vote.

AIP #5-2003 Consulting Civil Engineers, Inc. (CCEI) – An application has been submitted to amend the Area Impact request on behalf of Maurice Kodsi, Tricon Real

Estate, Inc., for River Palms a mid-rise condominium project. The amended area now includes the current Howard Johnson Hotel property, which is located just north of the area described in previous AIP request. Don Land informed P&Z that the applicant had requested tabling AIP #5-2003 and CUP #23-2003 until June 16, 2004 and gave a history of the application submittals. Mr. Land told P&Z that staff recommends tabling until June 16, 2004 and listed staff conditions for tabling. Discussion followed. Secretary Shafer stated she would abstain from voting on AIP #5-2003 and CUP #23-2003 as she works on the site.

Conditional Use Permit # 23-2003 Sid Chehayeb, P.E., on behalf of Maurice Kodsi - The applicant requests an amendment to Conditional Use Permit #23-2003 for additional building height and a Conditional Use Permit for Additional Density 19.79 units per acre. Located at 2001, 2051, and 2103 South Washington Avenue. Don Land gave an overview of the request.

Ron Norris, 1240 Riverside Drive – Against. Told P&Z that neighbors had an impromptu meeting and they had agreed to the proposal from staff but would like a date certain for August. Requested that Mr. Kodsi pay attention to neighbors at the community meetings relating to height and closure of streets. Mr. Kodsi should come with a better attitude; full submittal packet and all neighbors should be notified on Indian River Avenue and Riverside Drive. If these conditions cannot be meet then the neighbors would like to proceed with the current meeting schedule.

John Wheeler, 3511 Constitution – In favor. Felt what has been done for other developers should be done for this developer. What makes these neighbors more special than any other citizens in Titusville. Addressed the issue of proper notification. Mr. Land clarified for P&Z that the notification Mr. Norris spoke of were sent out by the applicant.

Jim Ball, 921 Indian River Avenue – Against. Stated he agreed with the neighborhood association. Asked for clarification on mid-rise condominiums.

Discussion followed with P&Z members and staff. Member Tulley asked Mr. Norris about conditions for tabling specifically the applicant listening to the neighbors concerns, how should P&Z address that condition? Mr. Norris stated that comment should have been addressed to Mr. Kodsi. Discussion followed. Mr. Norris clarified that neighbors would like to have the builder notify applicants of neighborhood meetings not P&Z or staff. Mr. Kodsi stated he would agree to the conditions of notifying the neighbors on Indian River Avenue and Riverside Drive. Discussion followed. Mr. Norris stated he understood if the applicant did not submit a completed package the August date could be extended.

Member Banks made a motion to accept staff's recommendation to table AIP #5-2003 and CUP #23-2003 for 60 days. Member Williams seconded the motion. Discussion followed. Member Banks amended the motion to state with staff conditions as outlined. Member Williams seconded the amendment.

Vice Chairman Taylor - yes  
Secretary Shafer – abstained  
Member Tulley – yes  
Member Banks – yes  
Member Fuller – yes  
Member Williams - yes

**New Business:**

Conditional Use Permit #6-2004 George David for Stephen R. Corbett - The applicant is requesting a Conditional Use Permit to allow manufacturing, assembly and fabrication of products within a completely enclosed structure in a Light Industrial Services and Warehousing (M-1) zoning district. Located at 875 Buffalo Road. Don Land gave an overview of the request. Discussion followed.

George David, 875 Buffalo Road – In favor. Told P&Z that he had spoken to the Fire Marshal and is working to bring the bays up to code. Mr. David stated he agreed to the staff condition for commercial vehicles accessing the site. Discussion followed.

Member Tulley made a motion for approval of CUP #6-2004 with staff recommendation and conditions. Member Fuller seconded the motion.

Member Tulley – yes  
Secretary Shafer – yes  
Vice Chairman Taylor – yes  
Member Banks – yes  
Member Fuller – yes  
Member Williams - yes

Easement Vacation #2-2004 - The existing bank located at 2605 Barna Avenue is being demolished in order to combine this property with property to the east for the construction of a Walgreen’s Drug Store. Don Land gave an overview of the request.

Dennis Seliga, 7586 West Sand Lake Road, Orlando – In favor. Informed P&Z that he represented the applicant and would answer any questions that the board had.

Discussion followed.

Secretary Shafer made a motion for approval of Easement Vacation #2-2004. Member Banks seconded the motion.

Member Banks – yes  
Secretary Shafer – yes  
Vice Chairman Taylor – yes  
Member Tulley – yes  
Member Williams – yes  
Member Fuller - yes

Ordinance #36-2004 Ordinance to allow outdoor storage as a permitted use and mini-warehouses as a conditional use within the Industrial (M-2) zoning district - At its March 23<sup>rd</sup> meeting, City Council directed staff to move forward with an ordinance to permit outdoor storage of trailers, boats, and RV's within the Industrial (M-2) zoning classification. The proposed ordinance also contains performance standards for the CUP including screening/buffering, landscaping, setbacks etc. Don Land gave an overview of the request. Discussion followed.

Secretary Shafer made a motion to accept Ordinance #36-2004. Member Banks seconded the motion.

Secretary Shafer – yes

Vice Chairman Taylor – yes

Member Tulley - yes

Member Banks – yes

Member Fuller – yes

Member Williams - yes

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**Reports:**

Vice Chairman Taylor – Stated he would be out of the Country for the first meeting in June at would not be able to attend.

Member Tulley – Discussed with P&Z the proposed ordinance that Mr. Myjak and Ms. Burson would be presenting to City Council at their next regular meeting. Proposed that P&Z conduct a workshop to address zoning in undeveloped areas of the City. Discussion followed. Vice Chairman Taylor suggested that Member Tulley put something in writing so that the board can review and comment.

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**Adjournment:**

The meeting adjourned 8:06 p.m.