

**Planning and Zoning Commission
Regular Meeting
August 6, 2003**

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, August 6, 2003 at 7:00 p.m.

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Chairman George Fayson called the meeting to order at 7:00 p.m. Present were Secretary Thomas Taylor, Members Lorene Shafer, John Beasley, Fred Banks, and Keith Cox. Vice Chairman Crowell was excused. Alternate Member Paul Secor arrived at 7:25 p.m. Also present were City Attorney Dwight Severs, Planning Administrator Keith Cunningham, Development Supervisor Dan Moretti, 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 July 16, 2003 regular meeting. Member Banks moved to approve the minutes with any necessary corrections. Member Beasley seconded the motion. The motion carried unanimously.

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Chairman Fayson 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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New Business:

Preliminary Plat Review for Country Club Estates - The development is located north of Country Club Drive approximately 110 feet east of Barna Avenue. The project will consist of 75 single-family lots on 27.17 acres which is zoned R-1b (Single-Family Medium Density). Don Land gave an overview of the request. Keith Cunningham presented to P&Z a letter received from the Homeowners Association of La Cita. Discussion followed.

Ana Glaubitz, BSE Consultants, 312 South Harbor City Blvd., Suite 4 – In favor. Gave an overview of the project and stated she would answer any questions. Member Cox asked for a response to the La Cita Homeowners Association letter, Ms. Glaubitz outlined the responses from her letter dated August 6, 2003. Discussion followed.

Coy Clark, 575 South Wickham Road, Suite E – In favor. Told P&Z that he is the developer. Stated community would be gated, and would answer any question. If project is delayed this would be an extreme hardship on him financially. The connection through Rancho on the plans shows usage only for emergency vehicles and would be secured with a key held by emergency staff.

Liz Lackovich, 2885 Las Palmas Drive - Neither. Requested tabling item until next P&Z meeting in order for the Shangri La residents to review the item further. Welcomes new neighbors, but would like to be assured that emergency entrance would be closed.

Tammy Neu, 1205 Rancho Avenue – Neither. Reported to P&Z that she is the President of the Shangri La Homeowners Association and did not know there was a preliminary plat. Reported that she had only received paperwork and information yesterday. Requested tabling item until further examination of the plat could be done by Shangri La residents. Told P&Z that one concern is with the emergency entrance. Member Banks asked if that was the only concern. Ms. Neu stated there were more concerns as well.

James Tully, 1305 Rancho Avenue – Neither. Reviewed letters from BSE, stated that lead-time is not consistent with application fee and hearing date. Concerned that the project is being rushed through, and does not comply with city procedures and timeframes. Requested tabling in order to have more time to review documentation.

Scott Glaubitz, 312 South Harbor City Blvd., Suite 4 - Told P&Z that if the connection is not made he would be happy, this is staff's requirement. Reported that this process started on December 21, 2002 and that staff has been extremely rigorist in reviewing this project. Staff is satisfied with compliance of setbacks and lot widths. Would like to continue and move through the process.

Keith Cunningham reported to P&Z the actual dates and fees paid by B.S.E., stating that the forty-five day requirement had been met. Secretary Taylor asked if the emergency exit would be paved and curbed. Keith Cunningham told P&Z that it would, that is a requirement in the city's codes of ordinances.

Member Cox made a motion for approval of Preliminary Plat for Country Club Estates. Member Shafer seconded the motion.

Member Beasley – yes

Member Shafer – yes

Secretary Taylor – yes

Chairman Fayson – yes

Member Banks - yes

Preliminary Plat Review for The Oaks at Meadow Woods - The development is located east of Holder Road approximately 122 feet north of Prescott Street. The project will consist of 96 single-family lots on 58.47 acres which is zoned R-1b (Single-Family Medium Density). Don Land gave an overview of the request. Member Cox asked about the south side of the road, would it connect to Yorktown. Keith Cunningham told P&Z that there is a gap and a stub-out to Yorktown. Discussion followed. Member Shafer voiced concerns about the name of project being very similar to another project on the south end of town.

Jack Spira, 5205 Babcock Street, Palm Bay – In favor. Informed P&Z that he is the attorney representing the applicant. Would abide by conditions set fort in staff's development letter dated July 30, 2003.

Richard Kern, 4760 N. US Highway One – In favor. Told P&Z that he is the civil engineer on the project. Stated that he has had several meetings with city staff reviewing the project. Member Cox asked of the project would be completed in phases. Mr. Kern told P&Z that all 96 lots would be in one phase. Discussion followed. Member Cox stated that the developer should not be

required to stub-out to a street that is not owned by the developer. Discussion followed. Staff is requiring the stub-out for emergency access. Discussion followed.

Member Shafer again suggested a name change for the project in order to avoid confusion of a subdivision with a similar name on the south end of town. Discussion followed.

Secretary Taylor made a motion for approval of Preliminary Plat for The Oaks at Meadow Woods with the stipulation that city staff find a solution for the stub-out, if needed for an emergency exit make sure from the property owner that it will be used as an emergency access and not blocked.

Member Cox seconded the motion.

Member Banks – yes

Member Cox – yes

Member Shafer – yes

Secretary Taylor – yes

Chairman Fayson – yes

Member Secor - yes

Rezoning #10-2003 Terry Crocker and Virginia Wright, dba C&D Golf Carts, Inc. - The applicants are requesting a rezoning from Office Professional (OP) to Community Commercial (CC). Located at 116 S. Park Avenue. Don Land gave an overview of the request.

Member Beasley made a motion for approval of Rezoning #10-2003. Motion was seconded by Member Banks.

Secretary Taylor – yes

Chairman Fayson – yes

Member Beasley – yes

Member Shafer – yes

Member Banks – yes

Member Cox – yes

Member Secor - yes

Rezoning #11-2003 Donald Boland - The applicant is requesting a rezoning from General Use (GU) and to Multi-Family High Density (R-3). Located on the west side of Rock Pit Road north of Collins Ave. Don Land gave an overview of the request. Discussion followed.

Member Banks made a motion for approval of Rezoning #11-2003 with staff recommendations. Motion was seconded by Secretary Taylor.

Member Cox – yes

Member Beasley – yes

Member Banks – yes

Secretary Taylor – yes

Member Shafer – yes

Chairman Fayson – yes

Member Secor - yes

Rezoning #8-2003 Duane A. Watson - The applicant is requesting a rezoning from Community Commercial (CC) to Light Industrial Services and Warehousing (M-1). Located on the East side of Grissom Parkway, south of Perimeter Road. Don Land gave an overview of the request. Mr. Land suggested that items 5 through 10 Rezoning #8-2003, #9-2003, and CUP's #14 through #18-2003 of the agenda be heard together as it relates to the same area, but vote on each item individually. Discussion followed.

Henry Minnebo, Jr., 335 South Plumosa, Merritt Island – In favor. Told P&Z that he would answer any questions. Discussed expanding Grissom Parkway and the new businesses for the area.

Member Banks made a motion for approval of Rezoning #8-2003. Secretary Taylor seconded the motion.

Secretary Taylor – yes
Member Beasley – yes
Chairman Fayson – yes
Member Shafer – yes
Member Banks – yes
Member Cox – yes
Member Secor - yes

Rezoning #9-2003 Duane A. Watson - The applicant is requesting a rezoning from Community Commercial (CC) to Regional Commercial (RC). Located on the west side of Grissom Parkway, south of Shepard Drive.

Member Cox made a motion for approval of Rezoning #9-2003. Member Beasley seconded the motion.

Member Beasley – yes
Member Shafer – yes
Secretary Taylor – yes
Chairman Fayson – yes
Member Banks – yes
Member Cox – yes
Member Secor - yes

Conditional Use Permit #14-2003 Duane A. Watson - The applicant is requesting a Conditional Use Permit to allow a drive-in restaurant in a Community Commercial (CC) zoning district. Located on the west of Grissom Parkway, south of Shepard Drive.

Member Beasley made a motion for approval of Conditional Use Permit #14-2003. Member Banks seconded the motion.

Member Banks – yes
Member Cox – yes
Member Shafer – yes
Secretary Taylor – yes
Chairman Fayson – yes
Member Beasley – yes
Member Secor – yes

Conditional Use Permit #15-2003 Duane A. Watson - The applicant is requesting a Conditional Use Permit to allow a mini-warehouse in a Light Industrial Services and Warehousing (M-1) zoning district. Located on the east of Grissom Parkway, south of Perimeter Road.

Member Secor made a motion for approval of Conditional Use Permit #15-2003 with staff recommendations. Member Banks seconded the motion.

Secretary Taylor – yes
Chairman Fayson – yes

Member Beasley – yes
Member Shafer – yes
Member Banks – yes
Member Cox – yes
Member Secor - yes

Conditional Use Permit #17-2003 Duane A. Watson - The applicant is requesting a Conditional Use Permit to allow a bank with drive-in facilities in a Community Commercial (CC) zoning district. Located on the west of Grissom Parkway, south of Shepard Drive.

Secretary Taylor made a motion for approval of Conditional Use Permit #17-2003 with staff recommendations. Member Beasley seconded the motion.

Member Cox – yes
Member Beasley – yes
Member Banks – yes
Secretary Taylor – yes
Member Shafer – yes
Chairman Fayson – yes
Member Secor - yes

Conditional Use Permit #18-2003 Duane A. Watson - The applicant is requesting a Conditional Use Permit to allow a drive-in restaurant in a Community Commercial (CC) zoning district. Located on the west of Grissom Parkway, south of Shepard Drive.

Member Shafer made a motion for approval of Conditional Use Permit #18-2003 with staff recommendations. Member Banks seconded the motion.

Secretary Taylor – yes
Member Beasley – yes
Chairman Fayson – yes
Member Shafer – yes
Member Banks – yes
Member Cox – yes
Member Secor - yes

Conditional Use Permit #19-2003 Christine M. Braddy - The applicant is requesting a Conditional Use Permit to allow a crematory in a Light Industrial Services and Warehousing (M-1) zoning district. Located at 685 Childre Avenue. Don Land gave an overview of the request. Member Cox asked if there were any inquiries from surrounding businesses. Don Land indicated that there had been no inquiries.

Member Secor made a motion for approval of CUP #19-2003 with staff recommendations. Member Banks seconded the motion.

Member Beasley – yes
Member Shafer – yes
Secretary Taylor – yes
Chairman Fayson – yes
Member Banks – yes
Member Cox – yes
Member Secor - yes

Small Scale Amendment #10-2003 Aspasia Stevens - Voluntary annexation and zoning of ±. 19 acres land with Residential Land Use and Single Family Medium Density (R-1B) zoning designation. Located at 6th Street (Sun Valley), west of Barna Avenue. Chairman Fayson stated that items 11 and 12 of the agenda SSA #10 and #11-2003 would be heard together. Don Land gave an overview of the request. Discussion followed.

Daphne Stevens, 920 Sandlewood Drive, Port Orange – In favor. Asked for clarification of Florida Statute requiring 30 days before effective date of use for the property. Mr. Severs clarified the Statutes for Ms. Stevens and told her he would examine the timeframes. Discussion followed.

Small Scale Amendment #11-2003 Aspasia Stevens - Voluntary annexation and zoning of ±2.13 acres land with Residential Land Use and Multi-family Medium Density (R-2) zoning designation. Located at Barna Avenue 1st Street and 10th Street, Sun Valley.

Member Cox made a motion for approval of SSA #10 and #11-2003. Member Shafer seconded the motion.

Member Banks – yes

Member Cox – yes

Member Shafer – yes

Secretary Taylor – yes

Chairman Fayson – yes

Member Beasley – yes

Member Secor - yes

Small Scale Amendment #12-2003 Robi Roberts & F. Kelley, Trustees - Voluntary annexation and zoning of ±2.15 acres land with Industrial Land Use and Industrial (M-2) zoning designation. Located at 5220 S. Washington Avenue. Chairman Fayson stated that items 14 and 15 of the agenda SSA #12 and #13-2003 would be heard together. Don Land gave an overview of the request. Discussion followed.

Small Scale Amendment #13-2003 Robi Roberts & F. Kelley, Trustees - Voluntary annexation and zoning of 10 acres land with Industrial Land Use and Industrial (M-2) zoning designation. Located on the north side of Golden Knights Boulevard, east of the FEC railroad.

Member Secor made a motion for approval of SSA #12 and #13-2003. Member Shafer seconded the motion.

Member Cox – yes

Member Beasley – yes

Member Banks – yes

Secretary Taylor – yes

Member Shafer – yes

Chairman Fayson – yes

Member Secor - yes

Reports:

City Staff - Reminded P&Z that the waiver of annexation fee expires the end of September 2003. Discussion followed.

Member Secor made a motion to encourage City Council to play the annexation video before all commission and council meetings. Motion was seconded by Member Beasley. There was a unanimous voice vote.

Chairman Fayson – Requested from staff a copy of the ordinances relating to subdivisions and fencing. Voiced concerns on zoning along Park Avenue.

Member Cox – Requested larger plats for subdivision review instead of the 11 x 17 sizes.

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Adjournment:

The meeting adjourned 8:55 p. m.