

## PLANNING AND ZONING COMMISSION

There was a meeting of the Indian River County (IRC) Planning and Zoning Commission (P&Z) on Thursday, February 14, 2008 at 7:00 p.m. in the Commission Chambers of the County Administration Building, 1801 27<sup>th</sup> Street, Vero Beach, Florida. You may hear an audio of the meeting; review the meeting agenda, backup material and the minutes on Indian River County website [www.ircgov.com/Boards/PZC/2008](http://www.ircgov.com/Boards/PZC/2008).

Present were members: Chairman George Hamner, Member-at-Large; Donna Keys, District 1 Appointee; Gerard Weick, District 2 Appointee; Craig Fletcher, District 3 Appointee; Greg Smith, District 4 Appointee; George Lawrence, District 5 Appointee; Dr. Richard Baker, Member-at-Large; and Ann Reuter, non-voting School Board Liaison.

Also present was IRC staff: George Glenn, Assistant County Attorney; Bob Keating, Community Development Director; Stan Boling, Planning Director; Brian Freeman, Senior Planner; and Reta Smith, Recording Secretary.

### **Call to Order and Pledge of Allegiance** (7:15:30)

Chairman Hamner called the meeting to order and led all in the Pledge of Allegiance. He thanked IRC Community Development staff for the mining tour conducted to lead the P&Z down the path to workshops to resolve issues connected with sand mining.

### **Approval of Minutes** (7:16:14)

**ON MOTION BY Mr. Fletcher, SECONDED BY Dr. Baker, the members voted unanimously (7-0) to approve the minutes of the meeting of January 24, 2008, as presented.**

### **Items on Consent** (7:16:27)

Chairman Hamner read the following into the record:

- A. T-Mobile (Vero Beach Moose Lodge):** Request for administrative permit use approval to construct a stealth (80' flagpole) wireless communications tower. Vero Beach Moose Lodge #1822, Owner. Glotel Inc., Agent. Located at 226 43rd

Avenue. Zoning Classification: CG, General Commercial. Land Use Designation: CI, Commercial/Industrial. (AA-08-02-25/2007090058-60729) **[Quasi-Judicial]**

- B. SR60 Industrial Park:** Request to modify a preliminary plat condition of approval for Moto, Inc. Subdivision now known as SR60 Industrial Park. Vero Beach Business Park, LLC, Owner. MBV Engineering, Inc., Agent. Located on the south side of State Road 60, west of 98<sup>th</sup> Avenue. Zoning Classification: CG, General Commercial, and IL, Light Industrial. Land Use Designation: C/I, Commercial/Industrial. (AA-08-04-43/2002040092-61000) **[Quasi-Judicial]**

Chairman Hamner asked if anyone cared to pull either of the Consent items. None of the members did.

7:16:54

**ON MOTION BY Ms. Keys, SECONDED BY Mr. Lawrence, the members voted unanimously (7-0) to approve the Items on Consent.**

**Public Hearing** (7:17:21)

Chairman Hamner read the following into the record:

- A. The Church of Jesus Christ of Latter Day Saint's:** Request for special exception use approval to expand an existing church. The Church of Jesus Christ of Latter Day Saints, Owner. MBV Engineering, Inc., Agent. Located at 3866 12th Street. Zoning Classification: RS-6, Residential Single-Family (up to 6 units/acre). Land Use Designation: L-2, Low Density Residential 2 (up to 6 units/acre). (SP-MA-07-11-40/2004090200-59928) **[Quasi-Judicial]**

The secretary administered the testimonial oath to those present who wished to speak at tonight's meeting on any quasi-judicial items.

Brian Freeman, IRC Senior Planner, reviewed the information contained in his memorandum dated January 31, 2008, a copy of which is on file in the Commission Office (7:18:02).

Discussion followed about the how many trees would remain on the property and what would be mitigated.

Ms. Keys wondered why dry stormwater retention was proposed instead of wet. Mr. Robin Boles, MBV Engineering, explained when doing a wet pond the control elevation was based on the existing normal water table elevations, and because it was down at a certain depth they could not outfall to the adjacent swale system.

Chairman Hamner opened the public hearing at 7:23 p.m.

Mr. Jim Collins, 1240 39<sup>th</sup> Avenue, Vero Beach (7:36:12), stated about four years ago the applicant had removed shrubs from the back of the parking lot and had never replaced them, and right now there were openings that people cut through and used as a short cut.

Chairman Hamner advised the plan called for a Type "B" buffer, which was 25 feet and fairly thick. Mr. Freeman added the existing parking lot was only 10 feet off the property line and when the property was redeveloped the church would tear out the existing parking lot, and the new one would be 25 feet off the property line. This meant the area for the new landscaping would be two and one half times wider than the existing condition for installation of the landscape buffer.

Discussion ensued about the feasibility of installing a four foot high chain link fence in addition to the landscaping where the parking lot abutted Mr. Collins' property.

Mr. Franz Joseph Shropa, Architect for the applicant, said they would prefer to use Spanish bayonet or bougainvillea, which had thorns and would serve as a deterrent.

Mrs. Rhea Jeppson, 1215 37<sup>th</sup> Avenue, Vero Beach (7:47:15), submitted a letter outlining her concerns into evidence, a copy of which is on file in the Commission Office. She was not in favor of the project.

Discussion followed about what else could be developed on the property if the expansion did not take place.

Mr. Shropa described what was planned to improve the site.

Mr. Joe Carroll, 1160 38<sup>th</sup> Avenue, Vero Beach (7:59:30), voiced his concern about existing red tailed hawks on the property.

Mr. Milton Guy, 1225 37<sup>th</sup> Avenue, Vero Beach (8:01:15) read a letter signed by neighboring residents into the record, a copy of which is on file in the Commission Office.

Ms. Claire Chase, 1235 37<sup>th</sup> Avenue, Vero Beach (8:03:21) asked about the two vacant lots on the east side of the site. Mr. Freeman confirmed it would become a single parcel with one residence. He clarified the only way it could be subdivided was by doing a subdivision plat, which would have to meet all the requirements and would probably not be economically feasible.

Ms. Joanne McCoy, 1215 40<sup>th</sup> Avenue, inquired if there was any chance of 13<sup>th</sup> Street coming through into the property, and was told it was very unlikely.

Chairman Hamner closed the public hearing at 7:53 p.m.

Mr. Fletcher wondered if the applicant would be willing to look at buffering the air conditioning units. Mr. Shropa said in lieu of putting a PVC fence in front they could install landscaping that would help absorb the sound. Mr. Fletcher advised there was a special buffering material that was relatively inexpensive and efficient made specifically for air-to-air units, and suggested the applicant look into this alternative. Mr. Shropa agreed to explore this, and if they felt it would work they would incorporate it into the plan.

Dr. Baker asked if anything could be done about the red tail hawks. Mr. Shropa noted the new retention area would almost equal what was there at present and would be enhanced with native hardwoods, adding the birds' nesting season would be over by the time the new church was built.

(8:13:14)

**ON MOTION BY Mr. Fletcher, SECONDED BY Mr. Lawrence, the members voted unanimously to approve the Special Exception Use, with the recommendation some deterrent plants be installed for the 330 feet of buffer between the parking lot and the adjacent residences.**

**Commissioner's Matters** (8:13:42)

There were none.

**Planning Matters** (8:14:02)

Mr. Boling reviewed his memorandum dated February 7, 2008 on existing County regulations on windmills, contained in the backup on file in the Commission Office.

The proposed schedule for holding upcoming mining workshops was discussed.

**Attorney's Matters** (8:22:28)

There were none.

There being no further business, the meeting was adjourned at 8:10 p.m.

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George Hamner, Chairman

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Date

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Reta Smith, Recording Secretary

\_\_\_\_\_  
Date