

DEVELOPMENT REVIEW AND PERMIT PROCESS ADVISORY COMMITTEE
(DRPPAC)

The Indian River County (IRC) Development Review and Permit Process Advisory Committee (DRPPAC) met at **9:00 a.m. on Wednesday, February 21, 2018**, in the County Administration Building, Building B, 1800 27th Street, Vero Beach, Florida. You may hear an audio of the meeting; review the agenda and the minutes on the IRC website – <http://www.ircgov.com/Boards/DRPPAC/2018.htm>

Present were: **Chairperson Debb Robinson**, District 1 (arrived at 9:10 a.m.); **Vice Chairman Joe Paladin**, District 2; **Wes Mills**, District 3; **Robert Banov**, District 4; **Chuck Mechling**, District 5; **John Blum**, District 5; and **Greg Burke** and **Christopher Murphy**, Members-at-Large; **Robin Raiff**, District 1, **Bruce Redus**, District 4; and **Stephen Melchiori**, Alternate.

Absent were: **Carter Taylor**, District 2; **Richard Brown**, District 3; and **Raymond Sheltra**, Members-at-Large (all excused).

Others present were **Jason Brown**, County Administrator; **Bill DeBaal**, Deputy County Attorney; **John King**, Emergency Services Director; **Stan Boling**, Director Community Development; **Rich Szpyrka**, Public Works Director; **Vincent Burke**, Director Utilities; **Jesse Roland**, Utilities Plans Reviewer; **Scott McAdam**, Building Official; **John McCoy**, Community Development Chief; **Patrick Murphy**, Current Development Planner; **Ryan Sweeney**, Senior Planner; **Debbie Phail**, Applications Specialist; **Lisa Patton**, Utilities Department Customer Service Supervisor and **Jim Vetter**, Kimley-Horn.

Call to Order and Welcome

Vice Chairman Paladin called the meeting to order at 9:08 a.m., at which time it was determined there was a quorum present.

Additions and Deletions to the Agenda

There were none.

Approval of Minutes of January 17, 2018 Meeting – *Action Required*

ON MOTION BY Mr. Redus, SECONDED BY Mr. Mechling, the Committee voted unanimously (10-0) to approve the minutes of January 17, 2018.

Old Business – Stan Boling, Community Development Director

Chairperson Robinson arrived at 9:10 a.m. and resumed chairing the meeting.

a) Follow-up on Final Plat and Security/Letter of Credit Items – Action Required

Mr. Stan Boling, Director Community Development summarized his memorandum dated February 15, 2018, with background information, including proposed changes to the Subdivision Ordinance, Chapter 913. A copy is on file in the Commission Office.

Mr. Bill DeBraal, Deputy County Attorney confirmed the proposed changes streamlined the process, making the process more workable to County Staff by reducing documentation when lining up the Bill of Sale, the Certificate of Competition and bonding items.

ON MOTION BY Mr. Mechling, SECONDED BY Vice Chairman Paladin, the Committee voted unanimously (11-0) to recommend to the Board of County Commissioners approval to incorporate Subdivision Ordinance changes, including (1) requiring final plat title certification to be a Florida licensed attorney only; (2) requiring use of a final plat checklist provided by the County Surveyor; (3) authorize staff to use a “stop-loss” (“stop-review”) process for grossly deficient final plat submittals; (4) providing for developer/county agreements and arrangements for posting security that guarantees construction and is then reduced to cover warranty/maintenance/bill of sale items; (5) allowing surveying and engineering costs to be excluded from the amount posted to secure warranty/maintenance/bill of sale items; (a) clarifying two options for obtaining final plat approval (before completion of construction or after completion), and line-up warrant maintenance (roads and drainage) and bill of sale (water and sewer) items; and (b) update Clerk of Court plat items based on a recently received request from the Clerk of Court office.

b) Follow-up on Affidavit of Exemption (AOE) Items – Action Required

ON MOTION BY Vice Chairman Paladin, SECONDED BY Mr. Mechling, the Committee voted unanimously (11-0) to recommend to the Board of County Commissioners approval of the proposed Affidavit of Exemption (AOE) process amendments, including (1) removing some existing language that is potentially confusing; (2) providing for the AOE layout to be prepared by a registered surveyor as a 24-inch by 36-inch recordable map; and (3) providing for AOE applications to follow the same review timeframes as preliminary plats.

c) Follow-up on Lot Drainage Plan and Related Items – Action Required

ON MOTION BY Vice Chairman Paladin, SECONDED BY Mr. Burke, to recommend to the Board of County Commissioners approval of the draft code changes and typical lot drainage plans.

UNDER DISCUSSION, Mr. Rich Szpyrka, Public Works Director confirmed the draft changes would move the process along faster and more efficiently. Mr. Boling asked the Committee to review the typical lot drainage sketches provided in the meeting agenda backup.

Mr. Szpyrka responded to Chairperson Robinson's inquiry about the previous increase in the grading from a 3-to-1 slope to a 4-to-1 slope, that the 3-to-1 grading slope was now able and met the Building Code and did not recommend a steeper slope than a 3-to-1 slope.

Chairperson Robinson inquired about the 2 percent minimum slope on a patio and deck, wherein Mr. Szpyrka explained the 2 percent was a cross slope for handicapped and a building standard in Florida. Chairperson Robinson also asked how tight Public Works would hold to the elevation drainage plan. Mr. Szpyrka responded Public Works would accept .07 percent, as long as the intent for drainage was met and it drained away from structure.

Chairperson Robinson suggested eliminating a minimum number (2 percent) from the lot drainage typical sketches. Mr. Szpyrka had no objection to the suggestion; however, would refer to the Building Department for any conflict with the Building Code. Mr. Scott McAdams, Building Official confirmed he would ensure whatever the Building

Code recommended.

THE MOTION AND SECOND DIED DUE TO A LACK OF A VOTE, RESULTING IN AN AMENDED MOTION.

ON MOTION BY Vice Chairman Paladin, SECONDED BY Mr. Blum, the Committee voted unanimously (11-0) to recommend to the Board of County Commissioners approval of the draft code changes and typical lot drainage plans, including and eliminating a minimum grading slope percentage number from the typical Lot Drainage sketches.

5) New Business

a) Discussion on Fines for Meter Box Tampering Violations

Mr. Boling summarized his memorandum dated February 15, 2018, a copy is on file in the Commission Office, and outlined three (3) proposed initiatives to stop water-meter box tampering with “super fines” attached, in addition to the issuance of a Stop Work Order (SWO).

ON MOTION BY Vice Chairman Paladin, SECONDED BY Mr. Blum, to recommend to the Board of County Commissioners to (1) establish increased fines with progressive and severe monetary penalties, and (2) establish closer coordination between Utilities Services and Building using a standard protocol for documenting violations and using the Building Official’s authority to issue a Stop Work Order (SWO) immediately upon receiving documented evidence of a water meter tampering violation.

UNDER DISCUSSION, Committee members and County Staff pondered the question of why meter boxes were being tampered with and when would be the best timing for providing the hookup to water.

Mrs. Lisa Patton, Utilities Customer Service Supervisor, suggested a partial cure to prevent damage done to meter boxes most commonly from being run over by equipment. She suggested the placement of stakes around the meter would help with identifying the meter box location for equipment operators.

Mrs. Patton stated public water safety and cross contamination were the biggest concerns and mentioned an on-going issue wherein the County's water meters and/or backflows were being removed from construction sites and hoses were being plugged directly into the water line.

Chairperson Robinson asked about the time period for a Stop Work Order, wherein Mr. Scott McAdam, Building Official responded as soon as the repair has been inspected by the Utilities Department and fines paid, they would release the Stop Work Order. Mr. McAdam stated there was not a set time frame because of the many variables involved with repair and inspection scheduling.

Chairperson Robinson suggested the Stop Work Order have time certain attached, providing additional emphasis on the cost of doing business.

Mr. DeBraal questioned whether the County required repairs to meters and/or hose assemblies by a licensed plumber. Mr. McAdam responded the job's contractor would be responsible to adhere to what the Utilities Department required and accepted as repaired. Mrs. Patton said the account holder for the water usage would be billed for the re-installment of the meter and/or repairs and labor, after the equipment was inspected by the Utilities Department.

Mr. McAdams explained the process for SWOs and proposed "super fines" would assist the County with curing the threat of the public water safety and cross contamination issue.

A brief discussion ensued regarding the use of the hose bib.

Mr. Boling explained placing a time limit on the SWO would probably be unnecessary because with a SWO, no one could work on that job site and adds uncertainty into the schedule. He also mentioned all the fines would be required to be paid before the SWO was lifted.

Mr. Greg Burke, Member-at-Large asked if the proposed use of SWOs and "super fines" was per house. Mrs. Patton explained when violations were found, they would be deemed individual instances and would apply per house and per contractor.

Mr. DeBraal mentioned he did not believe the County could condition payment of the fine on lifting the SWO, as there was a right to appeal/contest the violation. He suggested wording that the violator could appeal the violation or pay it before the SWO could be lifted. He further said during the appeal process, work could commence; however, the appeal would go to the Construction Board of Adjustments and Appeals, risking action against their business license.

THE CHAIRPERSON CALL FOR THE QUESTION and the vote was unanimous (11-0) in favor of the motion.

Mr. DeBraal discussed the issue brought up at the Board of County Commissioners meeting regarding Millstone Landing's Developer's Agreement. He explained the current status involving stopping the issuance of Certificates of Occupancy and Building Permits due to the developer's failure to comply with the Developer's Agreement.

Chairperson Robinson asked about utilizing the bond posted by the developer to finish the road work. Mr. Jason Brown informed the Committee the intersection being discussed was supposed to be completed by December 31st, leading to an issue of timeliness. He mentioned 350 homes already occupied in the subdivision, with the residents not able to get out of their development onto 27th Avenue.

Mr. Brown continued the bond could not be drawn upon until June 12, 2018, being of no use to remedy or speed the project to completion. He said the County attempted to remedy the issue by holding Certificates of Occupancy which had led to a would-be homeowner to spend seven (7) weeks in a hotel awaiting to occupy their home.

Mr. Mechling suggested the Developer's Agreement be a topic for review at a later Committee meeting. He said he would like to review the failure points and circumstances in an attempt to resolve future conflicts.

Mr. Burke said he would like to discuss and define time specifics involved in the Developer's Agreement; with work-arounds for utilities.

Mr. DeBraal requested Committee Members' input at a future meeting for a better way to draft a Developer Agreement with different type of timelines, considering technical levels, and whether there should be a different Developer/Builder Agreement for circumstances such as when the developer has sold the lots and still under the obligation to complete the required improvements.

A discussion ensued regarding who was responsible for moving utility poles within easements and right-of-ways.

Topics for Next Meeting

Mr. Boling suggested, and the Committee agreed, topics for the next meeting would include an "autopsy" of the Millstone Developer's Agreement, including building permits, commencement of mobilization, disclosure requirements between the developer and the builders, etc. He also suggested discussions to include water meter installation timing, dry

models, Building and Fire Prevention participation at TRC, initial review of the single-family building permit to identify any problem areas.

Mr. Mechling asked for a future agenda discussion, he would like to review landscaping requirements.

Mr. Burke requested future discussion and review of the impacts involving Certificates of Occupancy on a small business property wherein deficiencies were noted “after-the-fact” at inspections.

Chairperson Robinson added for a future agenda discussions, she would like to review: (1) tree survey timing and process; and, (2) lake designs; and, (3) littoral zones.

Chairperson Robinson reminded the Committee to continue submitting topics/ideas for future meetings.

Announcement of Next Meeting (Wednesday, March 21, 2018)

The next meeting of the Development Review and Permit Process Advisory Committee is scheduled for **Wednesday, March 21, 2018, at 9:00 a.m.**, in the Administrative Complex, Building B, First Floor, Conference Room B1-501, 1800 27th Street, Vero Beach, Florida.

Adjournment

There being no further business, Chairperson Robinson adjourned the meeting at 10:37 a.m.