

CITY OF EDGEWATER
Planning and Zoning Board
Regular Meeting - Wednesday, March 12, 2008
6:30 p.m.

1. CALL TO ORDER

Vice-Chairman Card called to order the Regular Meeting of the Planning and Zoning Board at 6:30 p.m., March 12, 2008 in the Community Center, 102 N. Riverside Drive, Edgewater, Florida.

2. ROLL CALL

Members present were Edwin Vopelak, David Ross, John Weiss, William Miller, Pat Card and Robert McIntosh. Also present were Development Services Director Darren Lear, Economic Development Board Chairman Robert Lott and Planning Technician Pat Drost.

3. APPROVAL OF MINUTES

Mr. Weiss moved to approve the minutes of December 12, 2007 as read, second by Mr. Card.

MOTION CARRIED 6-0

Mr. Weiss moved to approve the minutes of January 9, 2008 as read, second by Mr. Card.

MOTION CARRIED 6-0

PUBLIC HEARINGS

4. OLD BUSINESS

- a. VA-0713 – James Boren, applicant, is requesting a variance from the City of Edgewater Land Development Code Article V to eliminate the requirement for developing on an improved road, for property located along Old County Road, north of Park Avenue.

MOTION by Mr. Card to table this item to a later date, second by Mr. McIntosh.

MOTION CARRIED 6-0

- b. VA-0714 – Robert and Janet Brumbelow, applicants, are requesting a variance from the City of Edgewater Land Development Code Article V to eliminate the requirement for developing on an improved road, for property located along Old County Road, north of Park Avenue.

MOTION by Mr. Card to table this item to a later date, second by Mr. McIntosh.

MOTION CARRIED 6-0

5. NEW BUSINESS

- a. TA-0801 – The City of Edgewater requesting amendments to the Land Development Code to change “Occupational License” to “Business Tax Receipt” as per Florida Statutes.

Chairman Vopelak opened the public hearing. Mr. Lear provided background information and staff's recommendation.

There were no question from the Board or comments from the public. Mr. Vopelak closed the public hearing.

MOTION by Mr. Card to send a favorable recommendation to City Council for the amendment to the Land Development Code amending all references to “Occupational License” to “Business Tax Receipt”.

MOTION CARRIED 6-0

- b. VA-0709 – Marcia Barnett requesting variances from the Land Development Code to allow the construction of four (4) single family residential units on property located at the southeast corner of Beulah Drive and Flagler Avenue and the northeast corner of Beulah Drive and Ruth Drive.

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Chairman Vopelak opened the public hearing. Mr. Lear provided background information and staff's recommendation.

Ms. Marcia Barnett spoke in regard to the proposed development of these parcels and the benefits it would bring to the City. She stated that the owners were willing to extend the City sewer lines thereby giving access to other residences that are currently on septic tank.

Ms. Marie Nichols, 1016 Flagler Ave., spoke against the request, stating that she did not believe it met the criteria set forth in the City's Land Development Code for approval of a variance.

Mr. Russell Allen, 1036 Lake Ave., spoke against the request.

Mr. Frederick Peters, 1059 Beulah Dr., spoke against the request.

Mr. Card asked the citizens speaking against the request, if they were aware that if this request were approved, they would likely have access to City sewer service.

Mr. Coleman, 1065 Beulah Drive, spoke against the request.

Mr. Ross asked when the lots were purchased and the purchase price.

Mrs. Hope Pawlak, 925 Chickadee Dr., Port Orange, property owner discussed the purchase of the property and explained to the board their proposal to provide affordable housing in the area.

Mr. Card discussed the need for affordable housing and encouraged the Board members to take a look at how they could address that need, however, he stated that based on the Land Development Code criteria, he was unable to support the variance request.

Mr. Vopelak closed the public hearing.

MOTION by Mr. Card, SECOND by Mr. McIntosh to deny the following variance requests from the City of Edgewater Land Development Code:

Beulah Drive Property:

- **Section 21-50.02, Table V-1, to allow a minimum lot square footage of 6,116 SF in lieu of the required 8,625 SF;**
- **Section 21-50.02, Table V-1, to allow a minimum lot width of 50 feet in lieu of the required 75 feet; and**
- **Section 21-50.02, Table V-1, to allow a minimum front setback (side corner) of 10 feet in lieu of the required 30 feet.**

Ruth Drive Property:

- **Section 21-50.02, Table V-1, minimum lot square footage of 6,312 SF in lieu of the required 8,625 SF;**
- **Section 21-50.02, Table V-1, minimum lot width of 50 feet in lieu of the required 75 feet; and**
- **Section 21-50.02, Table V-1, minimum front setback (side corner) of 10 feet in lieu of the required 30 feet.**

MOTION CARRIED 6-0

- c. FP-0801 – River Colony Inc. and Barney Dillard requesting Final Plat approval of a fifteen (15) lot subdivision located at 181 Jones Fish Camp Road, known as the River Colony.

Chairman Vopelak opened the public hearing. Mr. Lear provided background information and staff's recommendation.

Mr. Weiss asked what the next step in the procedure is.

Mr. Danny Johns, P.E. 5889 S. Williamson Blvd. # 212, Port Orange, Project Engineer, explained the procedures once the Final Plat has been approve.

Mr. Vopelak closed the public hearing.

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MOTION by Mr. Card to send a favorable recommendation to City Council for final plat approval of the River Colony Subdivision based on the condition that prior to recording the final plat, all comments from City Staff are satisfactorily addressed, as well as the formal acceptance by the City of a bond/surety device for all infrastructure accepted by the City.

MOTION CARRIED 6-0

6. **OTHER BUISNESS**

a. Election of Chairman and Vice-Chairman

MOTION by Mr. Card to nominate Mr. Vopelak for another term as Planning and Zoning Board Chairman. Second by Mr. Ross.

MOTION CARRIED 6-0

MOTION by Mr. Ross to nominate Mr. Card for another term as Planning and Zoning Board Vice-Chairman. Second by Mr. Miller.

MOTION CARRIED 6-0

7. **DISCUSSION ITEMS**

a. Development Services Director's Report

Mr. Lear informed the Board that during a phone conversation with Mr. David Leonard, Mr. Leonard indicated that he was resigning from the Planning & Zoning Board. Mr. Lear asked Mr. Leonard to submit his resignation in writing to staff and followed up the telephone conversation with an email request for confirmation of the resignation. Mr. Leonard has failed to respond to Mr. Lear's' request.

After some discussion, Mr. Card stated that he felt the position should be filled as soon as possible so as to avoid any future meeting cancellations due to lack of a quorum.

MOTION by Mr. Card to recommend that City Council accept the verbal resignation of Mr. David Leonard and request Council fill the open position as soon as possible. The Board waives the right to recommend a new member. This action is a result of Mr. Leonard's' failure to reply to the email sent by Darren Lear.

MOTION CARRIED 6-0

b. Chairman's Report

None at this time.

c. Agency Members Report

Mr. McIntosh distributed a letter to the members urging the Board to begin work on creating a plan for the City's future development. There was much discussion, particularly on how City Council might receive such input. Mr. Card stated that as the liaison for the Board to the Economic Development Board, the feeling was that Council might be receptive to input from both Boards as to helping to create a vision for the City. Mr. Robert Lott was recognized by Chairman Vopelak. Mr. Lott agreed that it was important for the Planning and Zoning and Economic Development Boards to work together to design a vision to present to Council.

7. **ADJOURNMENT**

There being no further business to discuss, the meeting adjourned at 7:41 p.m.

Minutes respectfully submitted by:

Pat Drostén, Planning Technician