

**DRAFT MINUTES
CITY OF PALMETTO
PLANNING AND ZONING BOARD
JULY 19, 2012 – 5:30 P.M.**

516 8th Avenue West
Palmetto, FL 34221

www.palmettofl.org
941-723-4570

PLANNING AND ZONING BOARD MEMBERS

ERIC GILBERT, Absent
JAMES PASTOR

JON MOORE
CHARLIE UGARTE

Staff

Lorraine Lyn, City Planner
Scott Rudacille
Char Patterson

Anyone wishing to speak before the Planning and Zoning Board must sign in prior to the meeting, stating name, address and topic to address. All comments will be limited to two minutes.

“Do you swear or affirm that the evidence or factual representations that you are about to give or present to the Planning and Zoning Board on this 19th day of July 2012 are truthful?”

ORDER OF BUSINESS:

1.  **Approval of June 21, 2012 Meeting Minutes** Tab 1

Mr. UgarTE moved to approve the June 21, 2012 meeting minutes. Mr. Moore seconded. **MOTION CARRIED UNANIMOUSLY.**

2.  **Roy Family Ranches Project DA-2012-01** Tab 2

This is a Development Agreement for 8.0+ acres of land located at 2007 and 2011 21st Street W, on which 6 single family homes were approved. SWFWMD approved a master drainage Permit which defers the construction of drainage facilities until each of the remaining 4 residences is constructed.

Mr. Rudacille explained that this is a Development Agreement related to the Roy Family Ranches Subdivision. The agreement provides for the future installation of drainage.

He noted that there is a minor issue with the Public Notice and suggested that the Public Hearing be opened and continued to a date and time certain. This will allow time to re-advertise.

VICE CHAIR PASTOR OPENED THE PUBLIC HEARING

Leo Mills Jr. spoke regarding the Roy Family Ranches project and the reason for tonight's meeting was to discuss the development agreement with the City which provides for four individual SWFMD permits that allows deferment of the development of the draining systems on the remaining vacant lots. The City and SWMD then would work in concert to develop the lots, create the drainage, erect the structures and acquire the CO (Certificate of Occupancy).


Mr. Mills requested that the P&Z Board reconvene on August 9th, 2012 at 5:30 p.m. to hear this project again which will allow plenty of time for due public notice.

Mr. Peter Harrlee at 1803 21st Street W, Palmetto FL 34221 spoke in opposition to the Development Agreement and shared his concern regarding water drainage, possible flooding of his property, and the absence of a master plan of the development.

Mr. Ugarte indicated that he would be interested in seeing the construction plans for this development since Mr. Mills indicated that to his knowledge, this was the first agreement which deferred drainage facilities.

VICE CHAIR PASTOR CLOSED THE PUBLIC HEARING

Mr. Urgarte motioned to continue the public hearing on August 9th, 2012 at 5:30 P.M. Mr. Moore seconded. **MOTION CARRIED UNANIMOUSLY**

3.  **Palmetto Land Co., LLC CU 2012-02**
Tab 3

This is a request for a Conditional Use Permit Application (CU2012-02) by Palmetto Land Company, LLC., located at 413 12th St W & 501 11th St W to bring existing farm worker housing into conformance with the City's Zoning Ordinance.

Ms. Lyn, City Planner explained the conditional use request is for farm worker housing zoned RM-6 and located at two addresses, 413 12th Street W and 501 11th Street W. The City's Zoning Code requires a CU in the RM-6 district for farm worker housing. The applicant has already completed the CPTED reviews of the properties and provided surveys.

She explained that the City Attorney's office requested that each location be reviewed separately.

The property at 413 12th Street W (CU-2012-02) has 3 units, 412 12th Street W/single-family house (1 unit of farm worker housing) and 415 12th Street W & 415A 12th Street W/duplex (2 units of farm worker housing).

Ms. Lyn pointed out that the property located at 413 12th Street W has been accessing through the adjacent lot to the west, 425 12th Street W, owned by Atlantic Land & Improvement Company, Jacksonville, FL.

Mr. Rudacille commented that it has historically been used as access for this property but it cannot be assumed that they have any rights to the property. A stipulation is included which says, if access off 5th Avenue W is ever terminated they would have to install a 12' driveway off 12th Street W.

Ms. Lyn discussed the proposed conditions for 413 12th Street W including one parking space per unit; compliance with CPTED recommendations and stated that the applicant may have some minor conditions to propose.

Mr. Urgarte noted that the RM-6 district does not allow duplexes. The RM-5 district can have single, duplex and multifamily and questioned how that happened.

Ms. Lyn responded that this will be addressed with the next code amendment; to allow duplexes in the RM-6 district.

Mr. Rudacille directed the board to conduct separate hearings and motions for each property address.

VICE CHAIR PASTOR OPENED PUBLIC HEARING FOR 413, 415 & 415A 12TH STREET WEST.

Ms. Petruff with Dye, Deitrich, and Petruff & St. Paul, P.L. representing Palmetto Land Co. spoke regarding the 413 12th Street W property and said that it appears to be non conforming structures, and we are here to ask for a conforming use in those non conforming structures.

She addressed the safety issues of the farm worker residents, meeting the intensions of the City's new Farm Worker ordinance and going through the CPTED review. She stated she was in agreement with the stipulations proposed by the staff, except for front and rear doors being equipped with wide angle peep holes and suggested that future recommendations be uniform for all farm worker housing conditional use applications.

Discussion continued regarding the following:

1. wide-angle peephole viewers on the back doors: Ms. Lyn indicated that Lieutenant Tyler is requiring peep holes in all doors with the exception of those with windows;
2. driveway access: whether there was enough room for access off 12th Street W;
3. shell driveway: possible easement through 425 12th Street W;
4. duplexes being allowed in the RM-6 district.

Ms. Petruff requested two additional conditions; one related to the Department of Health density/capacity allowance and the other to the time frame of 60 days being adequate to complete the CPTED recommendations to the properties.

VICE CHAIR PASTOR CLOSED PUBLIC HEARING FOR 413, 415 & 415A 12TH STREET WEST.

Motion by Mr. Ugarte to approve 413 & 415 and 415A 12th Street W for a conditional use permit (CU-2012-02) for farm worker housing with the following conditions:

1. The property owner shall maintain doors and windows in good working order with locking hardware, locks and pry guards.
2. Front and rear doors shall be equipped with wide-angle peephole viewers.
3. Install large limestone rocks to create border definition for the perimeter of the property especially along the western and southern property lines.
4. Install and maintain wall mounted flood lights on the front of the units, facing the parking lot to illuminate the front doors and the parking area;
5. Provide motion activated security lights for the rear corners of the buildings, to illuminate these areas when there is movement.
6. Installation of video surveillance is strongly encouraged for all entrances, parking areas, and the rear of the buildings, for the protection of the residents and to aid the protective efforts of the Police Department.
7. If access through the adjacent lot to the west is ever cut off, the property owner shall provide a shell drive off 12th Street W.
8. The required parking, one 9'x20' parking space for each housing unit shall be shown on the site plan/survey.
9. The farm worker housing units may be occupied in accordance with the permit issued by the Florida Department of Health.
10. The owner shall have sixty (60) days from the date of approval of the Conditional use permit to complete required site improvements.

Mr. Moore Seconded. **MOTION CARRIED UNANIMOUSLY.**

VICE CHAIR PASTOR OPENED PUBLIC HEARING FOR 501 11th STREET WEST.

Ms. Petruff indicated that her client agrees with the stipulations of the CPTED review and requested the addition of the two previously stated conditions.

VICE CHAIR PASTOR CLOSED PUBLIC HEARING FOR 501 11th STREET WEST.

Motion by Mr. Ugarte to approve 501, 501A, 501B, 501C, 503B and 503C 11th Street W for a conditional use permit (CU-2012-03) for farm worker housing with the following conditions:

1. The property owner shall maintain doors and windows in good working order with locking hardware, locks and pry guards.
2. Front and rear doors shall be equipped with wide-angle peephole viewers.
3. Install and maintain wall mounted flood lights on the front of the units, facing the parking lot to illuminate the front doors and the parking area.
4. Provide motion activated security lights for the rear corners of the buildings, to illuminate these areas when there is movement.
5. Installation of video surveillance is strongly encouraged for all entrances, parking areas, and the rear of the buildings, for the protection of the residents and to aid the protective efforts of the Police Department.
6. The required parking, one 9'x20' parking space for each housing unit shall be shown on the site plan/survey.
7. The farm worker housing units may be occupied in accordance with the permit issued by the Florida Department of Health.
8. The owner shall have sixty (60) days from the date of approval of the Conditional use permit to complete required site improvements.

Mr. Moore Seconded. **MOTION CARRIED UNANIMOUSLY.**

4. Old Business
 - a. None

5. New Business
 - a. Mr. Ugarte introduced Leon Kotecki and stated he will be the newest member of the board and that he looked forward to him joining them at the next Planning & Zoning Board meeting.

6. Adjournment at 6:53pm