

**MINUTES OF MEETING OF THE PLANNING AND ZONING BOARD HELD AT TOWN HALL, BELLEAIR, FLORIDA ON MAY 12, 2014 AT 5:30 PM**

**MEMBERS PRESENT:** Bonnie Sue Brandvik, Chairman  
Gloria Burton, Vice Chairman  
Rogers Haydon  
Allen Acken  
Jim Millspaugh (arrived at 5:40pm)  
Randy Ware

**MEMBERS ABSENT:** Peter Marich

**OTHERS PRESENT:** Micah Maxwell, Town Manager  
JP Murphy, Assistant Town Manager  
Stephen R. Fowler, Commission Advisor

Quorum present with Ms. Brandvik presiding; the meeting was called to order at 5:30 pm.

**APPROVAL OF MINUTES – MARCH 10, 2014**

Mrs. Burton moved approval of the minutes for the March 10, 2014 meeting as submitted. Motion was seconded by Mr. Ware and approved unanimously.

**CITIZEN'S COMMENTS**

There were no citizen's comments.

**DISCUSSION AND RECOMMENDATION OF ORDINANCE NO. 497 – AMENDING THE LAND DEVELOPMENT CODE**

Town manager Micah Maxwell stated that the purpose of the Planned Mixed Use (PMU) was to provide an alternative to the currently available zoning districts in order to allow for a combination of temporary lodging and multi-family residential use; that the intent was to encourage the reuse of the site to include some historic recognition component; that the use would include a hotel use or a smaller inn use.

Ms. Brandvik inquire about the special certificate of appropriateness.

Mr. Maxwell stated that the special certificate of appropriateness was part of the historic preservation ordinance; stated that there was a process in the ordinance that defined what needed to achieve that certificate; that once you receive the certificate it would allow you to remodel, demo or a number of different major items to a historic structure; that the special certificate of appropriateness would be required before a demo permit could be given; that a hearing would be done at the historic preservation board level and at the commission level and an approval of the special certificate of appropriateness would have to be given before staff could go through an actual technical demo permit and process.

**DISCUSSION AND RECOMMENDATION OF ORDINANCE NO. 497, cont.**

Discussion ensued regarding the special certificate of appropriateness; regarding the demolition permit.

David Ottinger, Town attorney, stated that the new zoning district would only be available if the special certificate of appropriateness was obtained; that the historic preservation ordinance stated that if you are going to substantially modify or improve or demolish historic property, you have to seek that special certificate of appropriateness; that this new district would accommodate a full or partial restoration of the hotel along with residential use; that it will accommodate some other kind of lodging if the hotel was demolished; stated that the applicant must submit the criteria and establish the bases as to why the application was entitled to the special certificate of appropriateness; that it would include a plan for the site if the application was for demolition; that it was a lengthy application and a lot information must be presented and heard by the historic preservation board and then by the town commission; spoke about the other zoning districts and the PMU category.

Mr. Haydon expressed his views on the hotel property; stated that he was in favor of the new PMU district.

Ms. Brandvik expressed her views regarding the hotel; stated that she was in favor of preserving the hotel; that she was also in favor of having some type of mixed use plan in place.

Mrs. Burton stated that she was very pleased with the proposed ordinance; stated that it offered great promised for the town and for any proposed developer in the future to look at regarding the current hotel property.

Mr. Maxwell reviewed the proposed ordinance by sections as it pertained to the Land Development Code in Sections 66-10, 74-82, 74-85.

Mr. Acken stated that he felt that the access to shops should be from the inside corridors of the hotel.

Discussion ensued regarding Section 1, Sec. 66-10, Definitions; regarding temporary lodging and maximum lodging; regarding the definition of "Inn" and "Hotel"; regarding access to shops from inside corridors of the hotel only; regarding number of units versus number of people.

Mr. Maxwell reviewed the schedule of dimensional regulations for the various zoning districts; reviewed the special regulations for the Planned Mixed Use (PMU) district in Section 74 – 85 of the Land Development Code.

Mr. Ware expressed his concerns regarding the requirements of the architectural design of the proposed temporary lodging; stated that he felt that it should be changed.

Discussion ensued regarding historic recognition component as it pertained to the architectural design of the proposed temporary lodging; regarding the height bonuses, regarding RM-10 parking requirements versus the PMU requirements; regarding the possibility of having the temporary lodging piece for a hotel/inn to also have condominiums placed on higher floors above the lodging structure.

**DISCUSSION AND RECOMMENDATION OF ORDINANCE NO. 497, cont.**

Mr. Millspaugh suggested to change the word “shall” to “should” in Section 4., (j) (2) Specific Design Criteria.

Mr. Ware left at 7:25 PM.

Mr. Maxwell reviewed Section 5, pertaining to the creation of a new section 74-86, Development Agreements; stated that this the language in this section was taken directly from the Florida Statutes.

Discussion ensued regarding the procedures of the development agreement; regarding the duration of the agreement; regarding the number of public hearings needed; regarding the noticing of affected property owners.

Mr. Maxwell reviewed Section 6, regarding the land development Section 74 -112 – Impervious surface coverage.

Discussion ensued regarding impervious surface ratio percentages.

Mr. Maxwell stated that Sections 7 and 8 of the proposed ordinances were standard sections needed in an ordinance.

Ms. Brandvik opened the floor for citizens to speak regarding the agenda item.

Mr. Jim White, 3 Seaside Lane, stated that he represented the RPD board; stated that the board was in favor of the new PMU district; that he was in favor of interior access to the shops through the hotel.

Mrs. Burton moved that the planning and zoning board recommend to the commission the approval of Ordinance 497 contingent upon the many concerns and changes coming from the planning and zoning board. Motion died for a lack of a second.

Mr. Maxwell restated the suggestions and recommendations made by the board:

1. The board was in favor of using hotel or hotel/inn, and potentially eliminating the 100 person requirement in the current definition found in 66-10.
2. The board asked for clarification for access to temporary lodging unit be by interior only.
3. The board inquired about the parking requirements for PMU versus the RM-10.
4. The board recommended that in Section 4, 74-85 (j) (2), the work “shall” be changed to “should”.
5. The board recommended that in Section 5, 74-86 (c) (1) that the commission have two public hearings, and if was desired to have the planning and zoning hear it as well and to have a third public hearing instead of counting that meeting as one of the two required by the State.
6. The board recommended that in 74-86 (c) (2) (a) the second notification be published in the same manner as the first notification, and that affected property owners be mailed out notices for both the first and second notices at the same time of publication in the newspaper.

**DISCUSSION AND RECOMMENDATION OF ORDINANCE NO. 497, cont.**

Mrs. Burton moved that the Planning and zoning board recommend to the commission the approval of Ordinance No. 497 contingent upon the list of proposed amendments as listed herewith and given to town staff. Motion was seconded by Mr. Haydon and approved unanimously.

**OTHER BUSINESS**

Mr. Maxwell stated that staff received a letter from Scott Spencer concerning changing the setbacks for his property; stated that this item may be discussed by the board at next month's meeting.

**COMMISSION ADVISOR'S REPORT**

Commissioner Fowler stated that he had nothing to report.

**ADJOURNMENT**

There being no further business to come before the board the meeting was adjourned in due form at 7:55 p.m.

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**Chairman**