

**CITY OF TREASURE ISLAND, FLORIDA
PLANNING AND ZONING BOARD
Sitting as the
LOCAL PLANNING AGENCY
February 15, 2007**

1. ROLL CALL:

Ron DeBiase	Present
Stephen Gingrich	Absent
Susan Givens	Present
Daniel Helton	Present
Heidi Horak (Vice-Chair)	Absent
Parker Lilya	Present
Harry Long	Present
Pam MacIntyre	Present
Joel Manings	Absent
Frank McConnell (Chair)	Present
Kathy McCreary	Absent
Joe Roberts	Present
Robert Shogren	Absent
Christopher Sierra	Present
Ruthie Starkey	Present

Chair Frank McConnell called the meeting to order at 3:12 pm and noted that the City Attorney, Maura Kiefer, the City Planner, Lynn Rosetti, and the Planning Associate, Steve DeMerritt were present.

2. MINUTES

Minutes of the meeting of November 16, 2006 were approved as printed by unanimous consent of those present.

3. ITEMS OF BUSINESS

a. Community Appearance Codes – Informational Handout

The City Planner began discussion by explaining that the reason the Board is receiving the Community Appearance Code handout today rather than in the packet was to not preempt the City Commission who would receive draft three in their packets on Friday.

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She explained that the handout contains three drafts which would constitute the evolution of the Community Appearance Codes since it left the Board. Ms. Rosetti directed the Board to the third draft. She explained that most of the changes that were made were very minor.

Beginning with page 4, under gravel lawns the City Planner noted that the sentence *The installation of such material shall require a grounds improvement permit from the City to ensure permeability* was added to ensure that if a gravel lawn was installed that it would be permeable and that it could be monitored.

The City Planner moved on to addressing the addition of number 5 (Vacant Land) and number 6 (Construction Fences). Beginning with Vacant Land, Ms. Rosetti explained that there have been code enforcement issues with several vacant lots in the City and it was felt that including Vacant Land in the Code would allow for a more speedy enforcement. It was suggested by Mr. McConnell that perhaps the word *while* could replace the word *if* in the last sentence to denote that ongoing construction would indicate an active permit.

Discussion ensued regarding the concerns with an active building permit and its enforceability. Ms. Rosetti felt very certain that our building officials were very clear on what constitutes an active building permit. The City Attorney offered an opinion that the City Manager's office compiles administrative regulations which interpret the codes that are drafted and approved. The City Planner again explained the reason for the Vacant Land regulation and discussion continued regarding concerns with vacant land left in disrepair. Mr. Sierra offered an opinion regarding several issues discussed by Board members.

Mr. Helton distributed a handout which noted the Palm Beach County Ordinance regarding construction sites. The Board continued discussion of the Palm Beach County Ordinance and a favorable opinion was stated by both Board Members and the City Attorney. The City Planner suggested that sections of the Palm Beach Ordinance could be added under Construction Fences.

Mr. Sierra left the meeting at 3:39 pm.

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After further discussion it was decided to insert (*while*) in place of (*it*) in the last sentence of Vacant Land to read: *This requirement shall be waived while there is an active building permit on record.*

The City Planner moved on to number 6 (Construction Fences). After reading number 6, it was decided that it was acceptable as written.

After some discussion, it was decided to add a number 7 (Construction Site) in order to incorporate the Palm Beach County Ordinance. Number 7 would read: *All construction sites shall be adequately maintained and shall meet the following requirements:* Then the three sections of the Palm Beach Ordinance would be inserted as a, b, c. Section a (General Duty to Maintain Site) would read: *During the entire construction period, commencing at the time a building permit is issued and continuing until the construction is completed, it shall be the duty and responsibility of the builder to complete and maintain the entire construction site, both sides of the construction fence, as well as both sides of the street, clean and free of debris, trash, litter, refuse, and all such matter except that which is deposited in approved containers for collection.* Section b (Notice Requiring Cleanup) reads: *If at any time the town, through the building official or the director, shall notify the builder that the construction site or any part thereof is in an unsatisfactory state of cleanliness setting forth in particularity why the site is unsatisfactory, the builder shall correct the situation immediately,* language approved as printed and Section c (Failure to comply with Notice Requiring Cleanup) to read: *If the builder does not satisfactorily correct the situation as set forth in section b, all construction and related work shall be halted immediately until the unsatisfactory conditions have been eliminated,* language approved as printed.

Upon a voice vote it was approved by unanimous consent to refer to the City Commission the three recommended additions.

The Board moved on to the parking and use of commercial and domestic equipment.

The City Planner began discussion of commercial and domestic equipment by explaining that the City Commission preferred to have commercial and domestic equipment regulations separate rather than lumping them together. She indicated the areas of concern were the 72 hour restriction within a seven day period and also the number of pieces of equipment that could be parked in the side yard.

Ms. Rosetti indicated that the height of the equipment was also discussed and that it was agreed that 7 feet would be the limit.

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The Chair stated that in addition to the concern of removing equipment from the front yard, there is a concern to putting bigger things in the side yard. He also noted that a fundamental issue would be what the residents of the RU-75 areas preferred. Mr. McConnell suggested that the Board allow Mr. Julian Fant to present his perceptions.

Mr. Julian Fant addressed the Board. He explained that he is in attendance as an emissary of the single-family residents who have conveyed a concern regarding the issues being discussed, namely parking commercial and domestic equipment in the side yard. Mr. Fant expressed a concern with the equipment in the side yard behind a 7 foot fence. He stated that he did not believe that the single family residents were pushing to have these regulations adopted and that they preferred to keep the present codes in place. Mr. Fant indicated to the Board that he felt petitions would be signed and perhaps a referendum placed on the ballot if the side yard regulation was adopted.

Ms. Starkey expressed her understanding of the purpose of the LPA meeting and suggested the Board move on to reviewing the section on commercial and domestic equipment as requested by the City Commission.

The City Planner explained the options of the Board regarding the review of the section on commercial and domestic equipment.

Mr. Lilya expressed his concern with safety issues with side yard storage and suggested the Board continue to review this section.

Mr. Roberts stated that he agreed that the Board should continue to review this section on commercial and domestic equipment storage and he thanked Mr. Fant for his input.

The Chair suggested that the Board address the concerns that were discussed today with a continued review of this section on commercial and domestic equipment storage.

Ms. Starkey suggested particular items of discussion should be advertised extensively to allow the public to attend the meetings.

The City Planner explained that the idea to move storage of commercial and domestic equipment to the side yard was a result of about a dozen meetings

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she attended with the Community.

The Board decided to continue with discussion of this topic after the P & Z meeting in March.

4. Adjournment

Motion was made by Ms. Givens to adjourn.

Meeting was adjourned at 4:25 pm.

The next meeting of the P & Z Board will be held March 15, 2007 at 2:00 pm with the LPA meeting to follow.

A J. Sarko
Recording Secretary

Frank McConnell
Chair