

**CITY OF PALM BAY, FLORIDA**  
**PLANNING AND ZONING BOARD/**  
**LOCAL PLANNING AGENCY**  
**REGULAR MEETING 2021-10**

Held on Wednesday, September 1, 2021, in the City Hall Council Chambers, 120 Malabar Road SE, Palm Bay, Florida.

This meeting was properly noticed pursuant to law; the minutes are on file in the Land Development Division, Palm Bay, Florida. The minutes are not a verbatim transcript but a brief summary of the discussions and actions taken at this meeting.

Mr. Philip Weinberg called the meeting to order at approximately 7:00 p.m.

Ms. Leeta Jordan led the Pledge of Allegiance to the Flag.

**ROLL CALL:**

<b>CHAIRPERSON:</b>	Philip Weinberg	Present	
<b>VICE CHAIRPERSON:</b>	Leeta Jordan	Present	
<b>MEMBER:</b>	Donald Boerema	Present	
<b>MEMBER:</b>	James Boothroyd	Present	
<b>MEMBER:</b>	Richard Hill	Absent	(Excused)
<b>MEMBER:</b>	Khalilah Maragh	Present	
<b>MEMBER:</b>	Rainer Warner	Absent	(Excused)
<b>NON-VOTING MEMBER:</b>	David Karaffa	Absent	(Excused)
	(School Board Appointee)		

The absence of Mr. Hill and Mr. Warner were excused.

**CITY STAFF:** Present were Mr. Patrick Murphy, Acting Growth Management Director; Mr. Christopher Balter, Senior Planner; Mr. Grayson Taylor, Planner; Ms. Chandra Powell, Recording Secretary; Ms. Jennifer Cockcroft, Deputy City Attorney; Mr. Christopher Little, Utilities Director.

**ADOPTION OF MINUTES:**

1. **Regular Planning and Zoning Board/Local Planning Agency Meeting 2021-09 August 4, 2021.**

Motion to approve the minutes as presented.

Motion by Ms. Jordan, seconded by Mr. Boothroyd. Motion carried with members voting as follows:

**Aye:** Weinberg, Jordan, Boerema, Boothroyd, Maragh.

#### **ANNOUNCEMENTS:**

1. Mr. Weinberg addressed the audience on the meeting procedures and explained that the Planning and Zoning Board/Local Planning Agency consists of volunteers who act as an advisory board to City Council.

#### **OLD/UNFINISHED BUSINESS:**

1. **\*\*FD-30-2021 - Cypress Bay West Phase II - Benjamin E. Jefferies, Waterstone Holdings, LLC and Waterstone Farms, LLC / Chris Tyree, Forestar (USA) Real Estate Group (Jake Wise, P.E. and Rochelle W. Lawandales, FAICP, Reps.) - A Final Development Plan to allow a proposed PUD for a 570-unit residential development called Cypress Bay West Phase II. Part of Tax Parcels 500, 5, and 1 of Section 4, Township 30, Range 37, and Part of Tract 750 of San Sebastian Farms, Section 5, Township 30, Range 37, Brevard County, Florida, containing approximately 185.74 acres (West of and adjacent to Babcock Street, in the vicinity south of Mara Loma Boulevard SE)**

Mr. Balter presented the staff report for Case FD-30-2021. Staff recommended Case FD-30-2021 for approval, subject to the staff comments contained in the staff report.

Mr. Jake Wise with Construction Engineering Group, LLC (civil engineer for the project and representative for the applicant) described how Phase II of the overall development included 124 townhomes in addition to single-family homes. Mara Loma Boulevard would be looped on the southside and utilized by other projects in the vicinity for significant improvements in traffic flow north to Babcock Street SE and south to St. Johns Heritage Parkway SE. He said that there were no attendees at the Citizen Participation Plan (CPP) meeting. Roads would be built to City standards but privately maintained; utilities would be extended for City water and

wastewater; and the project would benefit from the traffic signal at the intersection of Mara Loma Boulevard and Babcock Street proposed by a separate development. He stated that an updated traffic study was in progress with real trip counts, and the applicant was in agreement with all staff comments.

Ms. Maragh asked if the developer planned to dedicate Mara Loma Boulevard and Journey Drive SE to the City. Mr. Wise indicated that this was correct once road construction and all testing and as-built surveys were completed.

Mr. Boerema commented on the plans to access St. Johns Heritage Parkway, which was not yet built beyond Babcock Street west. Mr. Wise explained that the proposal was for the project to be extended to Mara Loma Boulevard.

Mr. Boothroyd inquired about the possibility of a traffic light at the St. John Heritage Parkway. Mr. Wise explained that Brevard County was already requiring a traffic signal to be installed by the City at St. Johns Heritage Parkway as a condition of the driveway permit for the intersection.

The floor was opened for public comments.

Mr. Bill Battin (resident at Ocean Spray Street SW) spoke about the need for new studies for the proposed development since many changes had occurred in the area since the project began in 2004. He appreciated that the proposal would not be at maximum density; however, the density being proposed was higher than what was originally planned. He inquired about the commitments the City had made for the wastewater plant expansion to accommodate new growth in the area and the source of funding. He wanted to know how traffic from the development would be able to cross the canal to access Babcock Street.

Ms. Maragh asked if there was specific information from 2004 that Mr. Battin wanted addressed. Mr. Battin reiterated how decisions were being made based on outdated information. There were prior discussions regarding the Project Development and Environmental (PD&E) study for where the Parkway would connect west of Babcock Street that had not happened. Existing traffic on Babcock Street was entirely different from what was conducted in the 2004 traffic study, so a new traffic study should be completed before granting approval to the proposed project.

In response to the public comments, Mr. Wise stated that old data was not being relied upon. The project had evolved since 2004 with many citizen and homeowner association meetings, revised shared maintenance agreements, and a 2017 traffic study that was based on anticipated Parkway traffic trips. An updated traffic study would capture actual St. Johns Heritage Parkway traffic, which could be less than previously anticipated. In working with Brevard County and the City, the Parkway would accommodate potential hurricane routes. He stated how the reduced density and high-end amenities planned for the development were based on current circumstances and market conditions.

Mr. Boerema inquired whether the proposed multiple-family housing would be duplexes. Mr. Wise indicated that there would be a small area for townhomes.

Mr. Boothroyd asked if there would be a single builder for the development. Mr. Wise stated that there were four homebuilders presently involved for variety.

The floor was closed for public comments, and there was no correspondence in the file.

Motion to submit Case FD-30-2021 to City Council for approval, subject to the staff comments contained in the staff report.

Motion by Ms. Maragh, seconded by Mr. Boerema. Motion carried with members voting as follows:

**Aye:** Weinberg, Jordan, Boerema, Boothroyd, Maragh.

City Council will hear Case FD-30-2021 on September 16, 2021.

## **NEW BUSINESS:**

1. **\*\*V-31-2021 - Ida and Scott Miller - A variance to grant a proposed detached garage relief from the requirement that no accessory structure shall exceed the size of the principal structure's living area in an RS-2, Single-Family Residential District, as established by Section 185.118(C) of the Palm Bay Code of Ordinances. Lot 3, Block 748, Port Malabar Unit 16, Section 16, Township 29, Range 37, Brevard County, Florida, containing approximately**

**1.17 acres. Southeast corner of Valencia Street SE and Van Camp Avenue SE, specifically at 1398 Valencia Street SE**

Mr. Taylor presented the staff report for Case V-31-2021. The board had to determine, based on the facts presented, the degree of minimal relief, if any, to meet the needs of the variance request, as required by Section 169.009 of the City of Palm Bay Code of Ordinances.

Ms. Ida Miller (applicant) stated that the requested detached four-car garage would allow her to park three cars inside.

Mr. Boerema asked whether the garage would be painted and textured to match the home, and if the structure would be hidden within the trees on the property. Ms. Miller explained that a possible structure and builder would not be decided upon until the variance was obtained. Many of the trees on the property had been cleared; however, the garage would not be too visible or a monstrosity.

Ms. Maragh asked if the applicant would be able to comply with the requirement that should a metal structure be chosen for the garage, the structure would have to match the color or texture of the home. Ms. Miller stated that she would comply with the requirement, and that many of the garage builders had a special paint to match metal buildings to homes.

Mr. Weinberg asked if a driveway would be located off Valencia Street. Ms. Miller described how the garage would utilize her existing driveway off Valencia Street.

The floor was opened and closed for public comments; there were no comments from the audience, and there was no correspondence in the file.

Motion to submit Case V-31-2021 to City Council for approval, subject to the staff condition that requirements of 185.188(G) must be met if a metal building was installed.

Motion by Ms. Maragh, seconded by Mr. Boothroyd. Motion carried with members voting as follows:

**Aye:** Weinberg, Jordan, Boerema, Boothroyd, Maragh.

2. **\*\*PD-32-2021 - Cypress Bay West Phase III - Benjamin E. Jefferies, Waterstone Farms, LLC (Chris Tyree, Forestar (USA) Real Estate Group, Rochelle W. Lawandales, FAICP, and Jake Wise, P.E., Reps.) - Preliminary Development Plan to allow a proposed PUD for a 544-unit residential development called Cypress Bay West Phase III. Part of Tax Parcel 500 of Section 4, Township 30, Range 37, and Tracts 750, 752, and Part of 1 of San Sebastian Farms, Section 5, Township 30, Range 37, Brevard County, Florida, containing approximately 190.5 acres. In the vicinity west of Babcock Street and west of Mara Loma Boulevard SE**

Mr. Balter presented the staff report for Case PD-32-2021. Staff recommended Case PD-32-2021 for approval, subject to the staff comments contained in the staff report.

Mr. Jake Wise with Construction Engineering Group, LLC (civil engineer for the project and co-representative for the applicant) stated that the subject project would be a mix of different single-family residential lot sizes, and the amenities would be shared by three phases of the master development. The density would be less than three units per acre; roads would be built to City standards and privately maintained; City utilities would be extended; and an updated traffic study would be completed. The applicant was in agreement with staff comments with the exception of two technical comments by the Public Works Department that did not pertain to the subject project. Mr. Balter stated that the Public Works Department had confirmed the elimination of the two technical items.

Mr. Boothroyd asked about the properties west of the project that would be landlocked. Mr. Wise stated that the project surveyor was working with staff so that no adjacent properties would be landlocked.

The floor was opened for public comments.

Mr. Bill Battin (resident at Ocean Spray Street SW) stated that his comments under Case FD-30-2021 coincided with the subject case. The east side of Babcock Street was not part of the initial master development plan, but both the west and east sides of Babcock Street were now being treated as same identity items. The projects were separate and made a difference in the density of population. He wanted to know what commitments the City had made for the wastewater plant expansion to

accommodate new growth in the area. He asked if the development would be a gated community or would public access facilities be available to the general public.

In response to the public comments, Mr. Balter explained that in 2004, total entitlements were obtained for the Waterstone development on both the east and west sides of Babcock Street in entirety and deemed interchangeable densities. Mr. Wise stated that this was correct, and in response to the City's regional expansion of its water and wastewater plants, he explained that utility mains would be extended by the developer of the subject project to the subject site. The mains would also benefit other developments in the area and the neighborhoods to the north. He stated that the communities would be gated, but Mara Loma Boulevard would be open to the public. Mr. Chris Tyree with Forestar (USA) Real Estate Group (Cypress Bay West and East landowner and co-representative for the applicant) added that the amenities within the development would be private and managed by a homeowner's association.

The floor was closed for public comments, and there was no correspondence in the file.

Motion to submit Case PD-32-2021 to City Council for approval, subject to the staff comments contained in the staff report.

Motion by Ms. Jordan, seconded by Ms. Maragh. Motion carried with members voting as follows:

**Aye:** Weinberg, Jordan, Boerema, Boothroyd, Maragh.

3. **\*\*FD-33-2021 - Gardens at Waterstone Phase II - Benjamin E. Jefferies, Waterstone Farms, LLC (Jake Wise, P.E., P. Michael Evans, Rochelle W. Lawandales, FAICP, Reps.) - Final Development Plan to allow a proposed PUD for a 174-unit residential development called Gardens at Waterstone Phase II. Tract 1, San Sebastian Farms, Section 5, Township 30, Range 37, and Part of Tax Parcel 250, Section 4, Township 30, Range 37, Brevard County, Florida, containing approximately 52.26. In the vicinity west of Mara Loma Boulevard SE and south of Melbourne Tillman Water Control District Canal 38**



Mr. Balter presented the staff report for Case FD-33-2021. Staff recommended Case FD-33-2021 for approval, subject to the staff comments contained in the staff report.

Mr. Jake Wise with Construction Engineering Group, LLC (civil engineer for the project and co-representative for the applicant) stated that the density for the subject development was just over three units per acre, and there had been no attendees to the Citizen Participation Plan (CPP) meeting. He indicated how proposed Phase II of the overall development would have small pocket parks since Phase I had a larger amenity center. An update to the 2017 traffic study would be completed, and a traffic signal would be installed at the Mara Loma Boulevard and Babcock Street intersection. Roads would be built to City standards and privately maintained, and water and wastewater utilities would be extended to the gated community. He noted how the technical comments by the Public Works Department that did not pertain to the subject request would be removed prior to the City Council hearing. He also wanted relief from the condition that required the traffic signal at Mara Loma Boulevard and Babcock Street to be constructed and operational before the issuance of the Certificate of Completion of Phase II since delays could be caused by the Brevard County permitting process, the City's review, and shortages in construction materials. Bonding the traffic signal at 125 percent of cost estimate would be a solution for situations that could occur outside the development's control.

Mr. Balter stated that in speaking with the City Traffic Engineer, staff could not recommend the traffic signal for bonding. Completion of the roads, infrastructure, stormwater ponds, and all utilities prior to issuance of a Certificate of Completion was a sufficient and reasonable amount of time to meet the traffic signal deadline. Mr. Wise commented that scarce products and hurricanes were uncontrollable factors that had caused projects in the past to undergo nine-month delays. He did not want the subject project to be delayed so that house permits could not be issued based on circumstances that the development could not control. Mr. Balter stated that the applicant could ask City Council to remove the condition in the future if a timing problem was to arise.

Ms. Maragh asked for clarification on the timing of the traffic signal. Mr. Balter explained that the signal warrant analysis for the project required a traffic signal to be operational at the completion of 354 units. The City wanted the traffic signal to



be operational prior to the issuance of the Certificate of Completion for the project, and prior to any homes being built.

Mr. Boothroyd inquired whether a temporary traffic signal could be installed if there were delays.

Ms. Cockcroft advised the board that the traffic signal fell under the purview of the Public Works Department. Land Development staff could not opine upon bonding and other suggestions regarding the signal.

The floor was opened for public comments.

Mr. Bill Battin (resident at Ocean Spray Street SW) stated that public roads in a gated community that were inaccessible to the public must be maintained privately and not with City funds. He was concerned about the thousands of acres with Babcock Street as the sole access point out of the area. He questioned whether there was a plan to allow traffic to cross the canal to travel north. A secondary access would help the subject area, but the southwest residential areas of Palm Bay would be impacted by the large amount of traffic.

In response to the public comments, Mr. Balter stated that all roads in the development would be private except for Mara Loma Boulevard that might become a public road in the future subject to Section 182 of the Code of Ordinances. He said that the St. Johns Heritage Parkway would eventually extend to the north once all studies were completed and funding was secured. There would be additional traffic trips onto Babcock Street; however, most of the traffic would travel the Parkway to reach Interchange 95 directly, which was now open.

Mr. Wise asked the board to consider allowing the traffic signal to be installed and operational by the issuance of the project's 354th Certificate of Occupancy; prior to the first issuance of a Certificate of Occupancy for Gardens at Waterstone Phase II; and with the ability to revisit the timeframe if there were uncontrollable delays. Mr. Murphy stated that the condition as proposed by the Public Works Department was reconfirmed by the City Engineer earlier in the day; thus, the stated condition could not be superseded by the Land Development staff. The board, however, had the ability to make recommendations.

Mr. Weinberg stated that the board could approve the request with the condition that the case could come back in the future regarding the timeline for the traffic signal. Mr. Wise stated that he was amendable to the suggestion and would work with the City Engineer.

Ms. Jordan questioned whether the City Engineer had made changes to the conditions earlier. Mr. Murphy stated that no changes had been made. The City Engineer had confirmed his stance and had explained that the condition was based on the need for a traffic signal with a timeframe because of the multiple subdivisions developing in the vicinity that would impact the subject intersection.

Mr. Balter advised the board that a condition was not necessary for the applicant to approach City Council in the future to modify the timeline for the traffic signal.

Mr. Michael Evans (developer for the project and representative for the applicant) stated that there would not be any homes built for months in the Courtyards at Waterstone Phase I or the Gardens at Waterstone Phases I and II to generate traffic. He wanted to come back before the board and City Council in the future to give an update on the status of permits, which were done through Brevard County and reviewed by the City. He did not want uncontrollable delays in receiving a Certificate of Completion to risk a \$4 million project. Mr. Weinberg was in favor of a proviso to give the applicant the ability to come back before City Council to amend the timeline.

The floor was closed for public comments, and there was no correspondence in the file.

Motion to submit Case FD-33-2021 to City Council for approval, subject to the staff comments contained in the staff report with the condition that the applicant could petition City Council in the future to remove the timing condition for the traffic signal.

Motion by Ms. Maragh, seconded by Mr. Boerema.

Mr. Wise asked if the motion could also stipulate the removal of the technical comments by the Public Works Department that did not apply to the project.

Following discussion to clarify the motion, Ms. Cockcroft suggested potential language to approve the request.

Motion amended to submit Case FD-33-2021 to City Council for approval, subject to the staff comments contained in the staff report, with the exception of an option for the applicant to come back before City Council to remove the timing of the installation of the traffic signal, and a condition to remove all inapplicable staff comments.

Motion amended by Ms. Maragh, seconded by Mr. Boerema. Motion carried with members voting as follows:

**Aye:** Weinberg, Jordan, Boerema, Boothroyd, Maragh.

4. **\*\*PD-34-2021 - Malabar Springs - Sadique Jaffer, Malabar Holdings Group, LLC (BSE Consultants, Inc., Rep.) - Preliminary Development Plan to allow a proposed PUD for an 879-unit residential development called Malabar Springs. Tax Parcels 250, 251, 252, and 500 of Section 32, Township 28, Range 36, Brevard County, Florida, containing approximately 294.70 acres. North of and adjacent to Malabar Road NW, in the vicinity west of St. Johns Heritage Parkway NW amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 185: Zoning Code, Section 185.045, to modify provisions within the LI, Light Industrial and Warehousing District to allow for tree and landscape businesses as a conditional use**

Mr. Murphy presented the staff report for Case PD-34-2021. Staff recommended Case PD-34-2021 for approval, subject to the staff comments.

Mr. Boothroyd asked who would be responsible for paving the dirt road from Malabar Road to the subject site. Mr. Murphy stated that the developer was required to complete the paving from Malabar Road to their entrance and possibly to the end of the parcel.

Ms. Ana Saunders, P.E. with BSE Consultants, Inc. (representative for the applicant) stated that all conditions of approval would be complied with, and a Citizen Participation Plan meeting was held with one resident in attendance.

The floor was opened for public comments.

Mr. Tom Velie (resident at Malabar Road West) stated his concern about the approximate 1,600 cars he believed the project would bring into the area. The additional traffic would also increase the current morning and evening congestion at Heritage High School. He suggested a second access for the development.

Mr. Kevin Velie (resident at Seeley Circle NW) stated that there was traffic congestion each morning at the Malabar Road and St. Johns Heritage Parkway intersection, and cars were usually backed up during evening events at Heritage High School.

In response to comments from the audience, Ms. Saunders stated that the traffic study required for the project would include in its analysis the traffic from the high school and the surrounding communities to the north and east to determine traffic improvements and timing thresholds. The methodology of the analysis would be agreed upon prior to the study. She noted that the St. Johns Preserve community located east of Heritage High school had installed a locked emergency access that would allow the school to bypass the busy intersection during emergencies.

The floor was closed for public comments, and there was no correspondence in the file.

Motion to submit Case PD-34-2021 to City Council for approval, subject to the staff comments.

Motion by Ms. Jordan, seconded by Mr. Boerema. Motion carried with members voting as follows:

**Aye:** Weinberg, Jordan, Boerema, Boothroyd, Maragh.

5. **T-36-2021 - Tree and Landscape Recycling in LI - Michael and Lisa Cram - A textual amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 185: Zoning Code, Section 185.045, to modify provisions within the LI, Light Industrial 185: Zoning Code, Section 185.045, to modify provisions within the LI, Light Industrial use**

Mr. Taylor presented the staff report for Case T-36-2021. Staff recommended Case T-36-2021 for approval.

Mr. William Alcock (representative for the applicant) stated that the applicant wanted to expand their Palm Bay landscaping business to include land clearing recycling, and staff was cooperative in determining LI as the appropriate zoning district for the proposed use. The land clearing debris that was currently being dumped in landfills could now be recycled into mulch, landscaping, and biofuels. He stated that the applicant was in agreement with the conditions in the amendment.

Mr. Boothroyd asked if the applicant had a specific location for the subject recycling. Mr. Alcock stated that a site was being considered. Mr. Weinberg clarified that the applicant would still have to apply for conditional use approval to permit the subject use on any LI property.

Ms. Maragh commented that noise would be a concern that would need to be addressed during conditional use reviews. Mr. Alcock stated that the noise data submitted to staff regarding the subject use was in compliance with the code.

The floor was opened for public comments.

Mr. Bill Battin (resident at Ocean Spray Street SW) wanted to know if the mulch material would be maintained onsite and in a secondary containment because of the degrading that would be caused by the biowaste material. He was also concerned about ongoing noise from mulching machinery.

In response to public comments, Mr. Taylor explained that although mulch could be stored near property lines, there was a 100-foot setback requirement between any operation of machinery and property lines. LI properties adjacent to residential land would have to meet a 250-foot buffer between machinery and residential lines. In addition, the City's noise ordinance must be met.

Mr. Michael Cram (applicant and owner of Flawless Lawn Care & Landscaping, Inc.) stated that at approximately 150 feet of distance, the largest recycling machinery would be quieter than the average consistent traffic on Babcock Street. He wanted to expand his business and create a hub for the City to bring landscape debris during

hurricanes. He explained that mulch would be trucked offsite as soon as possible with no onsite storage for more than 60 days, which would not allow for decomposition or odors.

Mr. Taylor stated that the board and City Council could add conditions to the proposed amendment, and that site-specific conditions could be added when conditional use applications were submitted for the subject use.

The floor was closed for public comments, and there was no correspondence in the file.

Motion to submit Case T-36-2021 to City Council for approval.

Motion by Mr. Boerema, seconded by Ms. Jordan. Motion carried with members voting as follows:

**Aye:** Weinberg, Jordan, Boerema, Boothroyd, Maragh.

6. **\*\*CU-37-2021 - Cabot Drive Lift Station Relocation - City of Palm Bay (Utilities Department) - A conditional use to allow a proposed public utilities facility/equipment (lift station) in an RS-2, Single-Family Residential District. Lot 22, Block 9, Port Malabar Unit 2, Section 25, Township 28, Range 37, Brevard County, Florida, containing approximately .29 acres. South of and adjacent to Cabot Drive NE, in the vicinity east of Bianca Drive NE**

Mr. Balter presented the staff report for Case CU-37-2021. Staff recommended Case CU-37-2021 for approval.

Ms. Maragh asked if the proposed facility would be hidden in the center of the property and fenced, and she wanted to know about potential noise. Mr. Balter indicated the relocation of the lift station from the southwest portion of the site to the center of the parcel. The facility would be camouflaged and would meet the Utilities Department's standard guidelines for lift stations.

Mr. Clayton McCormack, P.E. with Infrastructure Solution Services, LLC (engineer for the project) stated that in 2007 the Utilities Department had indicated the subject site as one of their worst lift station sites because of its location in an easement in

the rear of a residential backyard. The homeowner's driveway had to be used to access the lift station.

Mr. Weinberg wanted to know what would be done with the old lift station equipment. Mr. McCormack explained that the wet well where the pumps were located would be converted into a manhole and the concrete structure that housed the old pumps and electrical gear would be demolished. He stated that lift stations did not generally create a lot of noise as the pumps were submerged. Noise might occur when the emergency generator underwent monthly testing and during hurricane and power outages. He said that the large station serviced about 1,000 homes.

The floor was closed for public comments, and there was no correspondence in the file.

Motion to submit Case CU-37-2021 to City Council for approval.

Motion by Ms. Jordan, seconded by Mr. Boothroyd. Motion carried with members voting as follows:

**Aye:** Weinberg, Jordan, Boerema, Boothroyd, Maragh.

## **OTHER BUSINESS:**

- 1. Amendment to the Planning and Zoning Board By-Laws - Proposed amendment to the Planning and Zoning Board By-Laws, Article VI Meetings, to establish guidelines for tardiness and early departures**

Mr. Weinberg stated that the proposed amendment was based on Ordinance 2021-41 that was recently adopted by City Council.

Ms. Maragh inquired how the attendance of 50 percent of a meeting would be determined. Mr. Weinberg and Mr. Murphy explained that the percentage would be based on the length of the meeting, and that an absence of 50 percent of a meeting would be counted as an unexcused absence.

Motion to submit to City Council for approval of an amendment to the Planning and Zoning Board By-Laws, Article VI Meetings, Section 11, Attendance.



Motion by Ms. Jordan, seconded by Mr. Boothroyd. Motion carried with members voting as follows:

**Aye:** Weinberg, Jordan, Boerema, Boothroyd, Maragh.

City Council will consider the bylaws on September 16, 2021.

2. By consensus, the board agreed that the Planning and Zoning Board meeting tentatively scheduled for Monday, November 15, 2021, would be held at 6:00 p.m. The meeting was based on an expected overflow of cases in November due to Florida House Bill 59.

**ADJOURNMENT:**

The meeting was adjourned at approximately 9:01 p.m.

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Philip Weinberg, CHAIRPERSON

Attest:

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Chandra Powell, SECRETARY

**\*\*Quasi-Judicial Proceeding**