

CITY OF PALM BAY, FLORIDA

PLANNING AND ZONING BOARD/  
LOCAL PLANNING AGENCY  
REGULAR MEETING 2022-03

Held on Wednesday, March 2, 2022, 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.

Ms. Leeta Jordan called the meeting to order at approximately 7:00 p.m.

Mr. Donald Boerema led the Pledge of Allegiance to the Flag.

**ROLL CALL:**

<b>CHAIRPERSON:</b>	Leeta Jordan	Present
<b>MEMBER:</b>	Philip Weinberg	Present
<b>MEMBER:</b>	Donald Boerema	Present
<b>MEMBER:</b>	Khalilah Maragh	Present
<b>MEMBER:</b>	Randall Olszewski	Present
<b>MEMBER:</b>	Rainer Warner	Present
<b>MEMBER:</b>	Vacant	
<b>NON-VOTING MEMBER:</b>	David Karaffa	Absent
	(School Board Appointee)	

Ms. Vicki Northrup mistakenly was in attendance as a member of the board. No board actions taken during the meeting were impacted by Ms. Northrup's presence.

**CITY STAFF:** Present were Ms. Alexandra Bernard, Growth Management Director; Ms. Joan Junkala, Deputy City Manager; Ms. Stephanie Kelly, Planner; Ms. Ximena Escobar, Recording Secretary; Ms. Jennifer Cockcroft, Deputy City Attorney.

**ELECTION OF VICE CHAIRPERSON:**

Nominations were made for election of Vice Chairperson.

Motion by Mr. Warner to elect Ms. Khalilah Maragh.

Motion by Mr. Boerema to elect Mr. Philip Weinberg.

Ms. Maragh, following board discussion, declined consideration for the position of Vice Chairperson.

Mr. Warner withdrew his motion to elect Ms. Maragh.

Motion restated to elect Mr. Philip Weinberg as Vice Chairperson.

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

**Aye:** Jordan, Weinberg, Boothroyd, Maragh, Olszewski, Warner.

#### **ADOPTION OF MINUTES:**

1. Regular Planning and Zoning Board/Local Planning Agency Meeting 2022-02; February 2, 2022.

Motion to approve the minutes as presented.

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

**Aye:** Jordan, Weinberg, Boothroyd, Maragh, Olszewski, Warner.

#### **ANNOUNCEMENTS:**

1. Ms. Jordan announced that Item 4 under New Business, Case PD-11-2022 – Cricket Drive Subdivision – Anthony Scotto, Whybrew Court, LLC (Jake Wise, P.E., Construction Engineering Group, LLC, Rep.), had been withdrawn by the applicant. No board action was required.
2. Ms. Jordan 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 the City Council.

**OLD/UNFINISHED BUSINESS:**

1. **CP-6-2022 - Palm Bay Number 3 - Robert Kittleson, Kit Investment of Florida / Carlos Gonzalez, Riverview Holdings Group, LLC / Eric Henry, Engineer Realty, LLC / Patrick and Kathleen Svoboda (Chad Riddle, WGI, Inc., Rep.) - A small-scale Comprehensive Plan Future Land Use Map amendment from Commercial Use and Multiple-Family Residential Use to Bayfront Mixed Use. Tract C, Port Malabar Unit 1, Section 25, Township 28, Range 37 along with Tax Parcels 503, 505, 507, and 544 of Section 30, Township 28, Range 38, Brevard County, Florida, containing approximately 12.4 acres. West of and adjacent to Dixie Highway NE, in the vicinity south of Vignoles Avenue NE**

Ms. Bernard presented the staff report for Case CP-6-2022. Staff recommended Case CP-6-2022 for approval. The case was a resubmittal to clarify that the desired request was for a BMU designation.

Mr. Weinberg asked staff to explain the difference between the BMU and BMUV districts. Ms. Bernard stated that the districts were similar; however, the applicant desired the commercial and residential allowances within the BMU designation.

Mr. Chad Riddle with WGI, Inc. (representative for the applicant) stated that the request was back before the board to acquire a BMU designation, but the project presented last month was the same.

Mr. Warner asked if the concerns raised at last month's board meeting by Mr. James Ritter had been addressed. Mr. Riddle stated that Mr. Ritter and other community members would be contacted once the proposed land use and zoning designations were in place. He confirmed that the applicant had no plans to access private neighborhood properties that were not included in the proposed development.

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 CP-6-2022 to City Council for approval.

Motion by Mr. Weinberg, seconded by Mr. Warner. Motion carried with members voting as follows:

**Aye:** Jordan, Weinberg, Boothroyd, Maragh, Olszewski, Warner.

2. **CPZ-6-2022 - Palm Bay Number 3 - Robert Kittleson, Kit Investment of Florida / Carlos Gonzalez, Riverview Holdings Group, LLC / Eric Henry, Engineer Realty, LLC / Patrick and Kathleen Svoboda (Chad Riddle, WGI, Inc., Rep.) - A Zoning amendment from an HC, Highway Commercial District and an RM-10, Single-, Two-, Multiple-Family Residential District to a BMU, Bayfront Mixed Use District. Tract C, Port Malabar Unit 1, Section 25, Township 28, Range 37 along with Tax Parcels 503, 505, 507, and 544 of Section 30, Township 28, Range 38, Brevard County, Florida, containing approximately 12.4 acres. West of and adjacent to Dixie Highway NE, in the vicinity south of Vignoles Avenue NE**

Ms. Bernard presented the staff report for Case CPZ-6-2022. Staff recommended Case CPZ-6-2022 for approval.

Mr. Chad Riddle with WGI, Inc. (representative for the applicant) stated that the subject case was the companion zoning request to Case CP-6-2022. The project overlay had not changed since last month's presentation to the board.

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 CPZ-6-2022 to City Council for approval.

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

**Aye:** Jordan, Weinberg, Boothroyd, Maragh, Olszewski, Warner.

**NEW BUSINESS:**

1. **\*\*V-8-2022 - Abnay and Joel Sanchez - A variance to allow a proposed 6-foot-high privacy fence to encroach 15 feet within a side corner property line by granting relief from the requirement that a 6-foot-high fence in a side corner yard area must be no closer than 15 feet from the side corner property line, as established by Section 170.114(A) of the Palm Bay Code of Ordinances. Lot 11, Block 2159, Section 26, Township 28, Range 36, Brevard County, Florida, containing approximately .26 acres. Located at the southwest corner of Nyack Street NW and Brookson Avenue NW, specifically at 966 Nyack Street NW**

Ms. Bernard presented the staff report for Case V-8-2022. 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. Abnay Sanchez (applicant) stated that the requested 6-foot-high fence was for privacy and to allow her two small children to play safely in the backyard. The corner subject property was purchased for its large size, and she had not been aware of the 15-foot distance requirement. She noted that the subject fence would line up with her rear neighbor's existing fence, and the neighbor had no objections regarding the request.

Mr. Warner asked if a wooden fence was being proposed. Ms. Sanchez noted that a dura-metal fence would be installed.

Ms. Maragh commented on the fence's location. Ms. Sanchez stated that the fence would not interfere with the adjacent stop sign or visibility.

Mr. Boerema inquired whether the fence would connect with the rear neighbor's fence. Ms. Sanchez indicated that this was correct.

Mr. Warner remarked on there being no opposition from the rear neighbor. Ms. Sanchez confirmed that this was correct, and that the rear neighbor also had a fence variance.

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-8-2022 to City Council for approval.

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

**Aye:** Jordan, Weinberg, Boothroyd, Maragh, Olszewski, Warner.

2. **\*\*CU-9-2022 - CONTINUED to 04/06 P&Z - Summit Shah, Sunshine Petro, Inc. (Carmine Ferraro, Crossover Commercial Group, Inc., Rep.) - A Conditional Use to allow retail automotive gasoline/fuel sales for a proposed fuel station, convenience store and drive-through, in a CC, Community Commercial District, in accordance with Section 185.043(D)(3) of the Palm Bay Code of Ordinances. Tax Parcel 603, Section 15, Township 29, Range 37, Brevard County, Florida, containing approximately 1.5 acres. Located at the northeast corner of Babcock Street SE and Valkaria Road**

Ms. Bernard informed the board that Case CU-9-2022 was continued to the April 6, 2022 Planning and Zoning Board meeting to meet sign notification requirements. No board action was required to continue the case.

Case CU-9-2022 would be heard by the City Council on May 5, 2022.

3. **\*\*CU-10-2022 - Palm Bay Storage – Richard and Marguerite Love (Barry Sherman, S3 Partners, Rep.) - A Conditional Use to allow a proposed self-storage facility in a CC, Community Commercial District, in accordance with Section 185.088(F) of the Palm Bay Code of Ordinances. Tax Parcels 752, 753, and 755, Section 36, Township 28, Range 36, Brevard County, Florida, containing approximately 6.09 acres. Located west of and adjacent to Minton Road NW, in the vicinity south of Chandler Road NW**

Ms. Bernard presented the staff report for Case CU-10-2022. Staff recommended Case CU-10-2022 for approval, subject to the staff comments contained in the staff report.

Mr. Barry Sherman with S3 Partners (representative for the applicant) stated that Legacy Development was the developer for the proposed single-story self-storage facility. The temperature-controlled, fully secured storage facility would be under class A management, and all screening, setbacks, and architectural standards would be met or exceeded. There would be no outside storage or noise and low lighting. The project would proceed to the site plan review stage of development.

Mr. Boerema asked if the applicant was in agreement with the code requirements indicated in the staff report. Mr. Sherman confirmed that the applicant agreed with the staff requirements and planned to work with staff during the site plan review process to determine whether a landscape buffer could meet the opaque screening requirement on the west side of the property facing the charter school.

Mr. Olszewski indicated a concern regarding stormwater retention based on the amount of concrete and impervious surfaces typically located at storage facilities. Mr. Sherman said that a local engineering group would work with City engineering staff, and the preliminary layout for the development had taken into consideration the runoff volume, rainfall events, and erosion control. There would also be a process in place to handle trash and debris. Mr. Olszewski encouraged the use of the City's Sustainability Action Plan.

Mr. Weinberg wanted to be sure that the subject site would have a driveway separate from Pineapple Cove Academy. Mr. Sherman confirmed that this was correct. The project would have its own driveway off Minton Road NW.

Mr. Weinberg noted that all developments required stormwater management systems to meet local codes and St. Johns River Water Management District regulations.

Mr. Warner inquired if there were other plans for the site if the conditional use was not granted. Mr. Sherman stated that the developer only dealt with storage facilities.

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

Motion to submit Case CU-10-2022 to City Council for approval, subject to the staff comments contained in the report.

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

**Aye:** Jordan, Weinberg, Boothroyd, Maragh, Olszewski, Warner.

4. **\*\*PD-11-2022 - Cricket Drive Subdivision – Anthony Scotto, Whybrew Court, LLC (Jake Wise, P.E., Construction Engineering Group, LLC, Rep.) - A Preliminary Development Plan to allow a proposed PUD for a 57-lot single-family residential development called Cricket Drive Subdivision. Tax Parcel 257 along with Lot 1 of Block 2177, Port Malabar Unit 29, Section 33, Township 28, Range 37, Brevard County, Florida, containing approximately 20.36 acres. Located north of and adjacent to Cricket Drive NE, in the vicinity between Nolan Street NE and Nogales Avenue NE, specifically at 825 Cricket Drive NE**

Case PD-11-2022 was discussed under Announcements, Item 1.

5. **CP-10-2022 - Hiawatha Bay – Rajeev Saxena (Scott Wotherspoon, Hiawatha Bay, LLC, Rep.) - A small-scale Comprehensive Plan Future Land Use Map amendment from Commercial Use and Single-Family Residential Use to Multiple-Family Residential Use. Lots 3 through 6 and 9 through 12, Block C, Hiawatha Gardens, Section 13, Township 28, Range 37, Brevard County, Florida, containing approximately 1.33 acres. Located adjacent to and between Wabun Street NE and Dixie Highway NE, in the vicinity north of Nokomis Avenue NE**

Ms. Bernard presented the staff report for Case CP-10-2022. Staff recommended Case CP-10-2022 for approval.

Mr. Scott Wotherspoon with Hiawatha Bay, LLC (representative for the applicant) stated how the proposed multiple-family residential designation fit better with the surrounding single-family residential neighborhood than the current commercial land use. He commented on the possibility of a shared driveway onto Dixie Highway NE with the multiple-family property to the north to reduce traffic issues. Drainage would



meet City and state requirements, and based on preliminary soil studies, there would be no percolation issues.

Ms. Maragh inquired about the development planned for the site. Mr. Boerema wanted to know the number of floors proposed. Mr. Wotherspoon stated that high-end rental units were planned for the site to take advantage of the view of the river. Building height and the number of floors had not yet been determined.

Mr. Warner questioned why the land use request was not for a BMU, Bayfront Mixed Use or BMUV, Bayfront Mixed Use Village designation. Mr. Wotherspoon stated that the residential project was not a mixed use.

The floor was opened for public comments.

Ms. Susan B. Connolly (resident of Castaway Cove Condominiums) spoke against the request. She stated that a one-acre property was too small for 26 potential units. The site was one of the few remaining properties on the riverfront that the public could access. The existing commercial and single-family land use made the land a unique, tiny property where the public could still view the river and enjoy nature. Commercial businesses that supported recreational use should be encouraged for the site.

Mr. Victor Farvet (resident of Castaway Cove Condominiums) stated that the exact number of units planned for the project should be known. He believed that developments in the area should provide improvements like bicycle paths and sidewalks. He said that additional residents would increase traffic problems with speeders and accidents.

Mr. Jerry Nessler (resident of Castaway Cove Condominiums) commented on a multiple-family project planned nearby on Robert J. Conlan Boulevard NE. He was concerned about the density of the subject proposal, and the speeding traffic with no sidewalks. He inquired about the developer's building track record.

Mr. Bill Battin (resident at Ocean Spray Street SW) remarked on how calculating the parks and recreational levels of service based on the regional-sized park in the City prevented the construction of any new local neighborhood parks.

In response to the comments from the audience, Mr. Wotherspoon stated that he along with investors would be developing the site, and that they had built similar multiple-family products together for years in the Martin County area. The subject development would consist of luxury rental apartments across the street from the river, and there was a park site within a block of the property. Possible sidewalks and traffic improvements would be addressed during the Florida Department of Transportation permitting process. Sidewalks could potentially be installed along the front and rear of the site. He explained that a site plan with the number of units would be prepared once the land use and rezoning amendments were assured. He stated that the project would generate substantial impact fees to fund parks and other infrastructure.

Ms. Maragh asked about the applicant's contact with the neighbors. Mr. Wotherspoon submitted seven letters from area property owners in support of the request. He had contacted the neighboring property owners individually.

The floor was closed for public comments.

Motion to submit Case CP-10-2022 to City Council for approval.

Motion by Mr. Weinberg, seconded by Mr. Boerema.

Mr. Warner stated that he was opposed to removing commercial land from U.S. Highway 1 in the Bayfront area and to the number of units being proposed for the 1.33-acre site. The proposed change seemed to be an incompatible land use for the area.

Ms. Maragh explained to the audience that developments approved by the board still underwent a rigorous administrative approval process that ensured the projects made sense for Palm Bay. The proposed project would offer a diversity in housing options in the City, and the land was not directly on the river.

Mr. Weinberg stated that luxury apartments were preferable to another deteriorating strip center with future vacancies, and that a residential or mixed-use development near the riverfront would be more advantageous.

A vote was called on the motion to submit Case CP-10-2022 to City Council for approval.

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

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

**Nay:** Warner.

6. **\*\*CPZ-10-2022 - Hiawatha Bay – Rajeev Saxena (Scott Wotherspoon, Hiawatha Bay, LLC, Rep.) - A Zoning amendment from an HC, Highway Commercial District to an RM-20, Multiple-Family Residential District. Lots 3 through 6 and 9 through 12, Block C, Hiawatha Gardens, Section 13, Township 28, Range 37, Brevard County, Florida, containing approximately 1.33 acres. Located adjacent to and between Wabun Street NE and Dixie Highway NE, in the vicinity north of Nokomis Avenue NE**

Ms. Bernard presented the staff report for Case CPZ-10-2022. Staff recommended Case CPZ-10-2022 for approval.

Mr. Scott Wotherspoon with Hiawatha Bay, LLC (representative for the applicant) stated how the area neighbors of the subject site were in favor of the proposed zoning change to residential without commercial. A commercial development would cause a greater impact on the traffic.

The floor was opened for public comments.

Ms. Susan B. Connolly (resident of Castaway Cove Condominiums) spoke against the request. She said that the neighborhood currently consisted of trailer parks and criminal activity, and that the neighbors in favor of the request were likely living in poverty. An environmentally friendly commercial project could be located on the site. The property was not on the river, but the river was visible. She felt that 26 units on 1.33 acres did not make sense. Development close to the lagoon should also meet standards regarding drainage runoff and permeable pavement. She wanted more details about the project prior to any approval.

Mr. Victor Farvet (resident of Castaway Cove Condominiums) inquired whether the applicant would be providing a bicycle path. He wanted to know the number of residential units proposed, cost, size, and if the units would be designed to attract families to the area. Future train stations would bring more families, and children would need a way to safely access Castaway Point Park. He stated that the board was the neighborhood's frontline of defense since area concerns would not be addressed until much later.

Ms. Louise Fortun (resident of Castaway Cove Condominiums) spoke against the request. She had moved from South Florida to escape ongoing development and congestion, and accessing Dixie Highway from Castaway Cove was already a challenge.

Mr. Jerry Nesseler (resident of Castaway Cove Condominiums) questioned whether Airbnbs would be permitted at the property, and if the units would be leased by week, month, or year.

In response to the comments from the audience, Mr. Scott Wotherspoon stressed that the apartments would be rentals with minimum yearly leases and Airbnbs were not proposed. The target market was for the type of renters who paid \$2,000 a month at apartments on Robert J. Conlan Boulevard NE. However, the subject site had a view of the river instead of railroad tracks. He commented on how Brazilian pepper trees and bushes along Wabun Avenue NE from Hiawatha Street NE currently blocked the view of the river. The subject property, however, was across the street from the river and did not block the view. A bicycle path would need to be worked out with the City and the Florida Department of Transportation.

The floor was closed for public comments. Mr. Wotherspoon had submitted seven letters from area property owners in support of the request.

Ms. Maragh asked staff to give the audience a brief explanation of the review steps that must occur prior to any development. Ms. Bernard explained that based on City Council approval of the subject land use and rezoning applications, a preapplication meeting would be held with the applicant and various City department staff to discuss site specifics. The applicant could then formally submit for site plan review. The site plan would be reviewed against all current regulations, including the

Comprehensive Plan and the Sustainability Plan. Traffic studies, environmental studies, stormwater, sidewalks, lighting, and landscape requirements were part of the review process.

Mr. Olszewski asked staff to share with the audience what the overall Bayfront Community Redevelopment Area was about and if the nature of the subject proposal would fit with the vision for the Bayfront area. Ms. Bernard explained that redevelopment districts addressed areas that was probable for blight by investing resources to revitalize the areas. She confirmed that the nature of the subject proposal would fit within the Bayfront redevelopment area.

Motion to submit Case CPZ-10-2022 to City Council for approval.

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

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

**Nay:** Warner.

7. **CP-11-2022 - Heritage Corners - Gary Smigiel, Ascot Palm Bay Holdings, LLC (Ana Saunders, P.E., BSE Consultants, Inc., Rep.) - A small-scale Comprehensive Plan Future Land Use Map amendment from Commercial Use to Multiple-Family Residential Use. Tax Parcel 500, Section 21, Township 28, Range 36, Brevard County, Florida, containing approximately 13.96 acres. Located north of and adjacent to Emerson Drive NW, in the vicinity east of St. Johns Heritage Parkway NW**

Ms. Bernard presented the staff report for Case CP-11-2022. Staff recommended Case CP-11-2022 for approval.

Ms. Ana Saunders, P.E., BSE Consultants, Inc. (representative for the applicant) stated that the subject request would provide the City with different options and opportunities for multiple-family development. The multiple-family use would also be a better transition to the north adjacent project where a section of land was proposed for single-family development.

Ms. Maragh was in favor of the multiple-family development, but she wanted commercial uses included to create a walkable community. Ms. Saunders noted that that there was approximately 62 acres in unified ownership of which the subject site modified about 14 acres for multiple-family use, and a companion case would rezone the remaining 48 acres to CC, Community Commercial. The commercial land was at the terminal point of the Emerson Drive NW and St. Johns Heritage Parkway NW intersection. There was approximately 121 acres of commercial land between the subject intersection and Malabar Road to the south.

Ms. Maragh wanted to know about the multiple-family use planned for the site. Ms. Saunders explained that there was not a specific plan at this time, but she envisioned a typical multiple-family product to offer an alternative in variety from the multiple-family component to the south that was recently approved for duplexes, fourplexes, and sixplexes.

Mr. Warner commented that the developer held a footprint on St. Johns Heritage Parkway and had a wonderful opportunity to be a driving force in its appropriate development of commercial projects. Ms. Saunders agreed and indicated the commercial properties proposed by the companion rezoning case with frontage on the parkway. There was a satisfactory amount of commercial land considering the 121 commercial acres within the pocket of development, and the significant commercial project occurring outside the City limits on U.S. 192. Commercial development would proceed responsibly to avoid oversaturation, but still provide walkability to live, work, and play in the communities.

Mr. Weinberg noted that the current case was for the land use request.

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 CP-11-2022 to City Council for approval.

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

**Aye:** Jordan, Weinberg, Boothroyd, Maragh, Olszewski, Warner.

8. **\*\*CPZ-11-2022 - Heritage Corners - Gary Smigiel, Ascot Palm Bay Holdings, LLC (Ana Saunders, P.E., BSE Consultants, Inc., Rep.) - A Zoning amendment from AU, Agricultural (Brevard County) to a CC, Community Commercial District and an RM-20, Multiple-Family Residential District. Tax Parcels 500, 501, 255, 503, and 504 of Section 21 Township 28, Range 36, along with Tax Parcels 751 and 750 of Section 20, Township 28, Range 36, Brevard County, Florida, containing approximately 61.79 acres. Located north and south of Emerson Drive NW, in the vicinity east and west of St. Johns Heritage Parkway NW**

Ms. Bernard presented the staff report for Case CPZ-11-2022. Staff recommended Case CPZ-11-2022 for approval.

Ms. Ana Saunders, P.E., BSE Consultants, Inc. (representative for the applicant) stated that most of the discussion regarding the proposed zoning change had occurred under Case CP-11-2022.

The floor was opened for public comments.

Mr. Bill Battin (resident at Ocean Spray Street SW) was glad to see some agricultural land being changed to commercial land.

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

Mr. Weinberg commented that the types of uses under the CC district, such as restaurants, banks, professional offices, and convenience stores, would be welcomed within the subject area.

Motion to submit Case CPZ-11-2022 to City Council for approval.

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

**Aye:** Jordan, Weinberg, Boothroyd, Maragh, Olszewski, Warner.

**OTHER BUSINESS:**

**1. Proposed amendment to the Planning and Zoning Board By-Laws, Article VI Meetings, to modify the start time for regular meetings.**

Mr. Weinberg stated that he had requested the by-laws change for board discussion as City Council had recently decided to change their meeting start time from 7:00 p.m. to 6:00 p.m. Beginning the Planning and Zoning Board meetings at 6:00 p.m. would be consistent with City Council.

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

Ms. Jordan noted that start times for most cities in Brevard County ranged between 5:30 p.m. and 6:30 p.m. She was in favor of beginning the meetings at 6:00 p.m. to assist staff.

Ms. Maragh wanted to keep the start time at 7:00 p.m. as she had designed her schedule around the meeting day and time. She preferred 6:30 p.m. as a start time over 6:00 p.m.

Mr. Warner was in favor of 6:30 p.m.

Mr. Boerema was fine with 6:00 p.m.

Mr. Olszewski preferred 6:00 p.m. for uniformity with City Council and to assist the public.

Motion to submit to City Council an amendment to the Planning and Zoning Board By-Laws, Article VI Meetings – Section 1, Regular Meetings, to change the meeting start time from 7:00 p.m. to 6:00 p.m.

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

**Aye:** Jordan, Weinberg, Boothroyd, Maragh, Olszewski, Warner.



Ms. Cockcroft advised the board that if approved by City Council, the 6:00 p.m. start time would be in effect for the May Planning and Zoning Board meeting.

The City Council will review the amendment for the Planning and Zoning Board By-laws on March 17, 2022.

2. Ms. Bernard introduced Ms. Stephanie Kelly as a new planner in the Land Development Division.
3. Ms. Cockcroft invited board members to contact her on questions regarding board procedures, conflicts of interests, or ex parte communications. She advised the board on quasi-judicial proceedings.

**ADJOURNMENT:**

The meeting was adjourned at approximately 9:18 p.m.

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Leeta Jordan, CHAIRPERSON

Attest:

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Chandra Powell, SECRETARY

\*\*Quasi-Judicial Proceeding