



**PLANNING & ZONING BOARD MEETING
MINUTES
MAY 7, 2012
7:30 P.M.
TOWN OF LAKE PARK**

CALL TO ORDER

The Planning & Zoning Board Meeting was called to order at 7:30 p.m. by Chair Judith Thomas.

ROLL CALL

Chair Judith Thomas	Present
Robin Maibach	Present
Natalie Schneider	Present
Roger Michaud	Present (Arrived late at 7:35 p.m.)
Mason Brown	Present
Edie McConville	Excused
Anthony Bontrager	Excused

APPROVAL OF AMENDED AGENDA

Chair Thomas asked for a motion to approve the amended agenda as submitted. Board Member Schneider made a motion to approve the amended Agenda, and the motion was seconded by Board Member Brown. The vote was as follows:

	Aye	Nay
Robin Maibach	X	
Natalie Schneider	X	
Mason Brown	X	
Judith Thomas	X	

The Motion carried 4-0 and the amended Agenda was unanimously approved.

APPROVAL OF MINUTES

Chair Thomas asked for a motion to approve the Minutes of the November 7, 2011, Planning & Zoning Board Meeting as submitted. Board Member Schneider made a motion to approve the Minutes, and the motion was seconded by Board Member Brown. The vote was as follows:

	Aye	Nay

Robin Maibach	X	
Natalie Schneider	X	
Mason Brown	X	
Judith Thomas	X	

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The Motion carried 4-0 and the Minutes of the November 7, 2011, Planning & Zoning Board Meeting were unanimously approved.

Board Member Roger Michaud arrived at 7:35 p.m.

APPOINTMENT OF VICE-CHAIR

Chair Thomas asked for nominations for the appointment of a Vice-Chair. Board Member Brown made a motion to nominate Robin Maibach, and Board Member Schneider seconded the motion. Chair Thomas asked if there were any other nominations. Board Member Maibach then nominated Board Member Schneider and Board Member Michaud seconded. The vote for Robin Maibach as Vice-Chair was as follows:

	Aye	Nay
Robin Maibach		
Natalie Schneider		
Mason Brown	X	
Judith Thomas	X	
Roger Michaud	X	

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The Motion carried 3-0 and Board Member Robin Maibach was appointed as Vice-Chair of the Planning & Zoning Board.

NEW BUSINESS- PUBLIC HEARING

A. CONSIDERATION OF A SPECIAL EXCEPTION USE filed by Automotive Litigation Consultants, LLC, d/b/a Auto CG, to allow for the use of a motor vehicle sales facility within the C-2 Business District, for a property located at 1430 10th Court.

Florentina Hutt, Town Planner, addressed the P&Z Board with a Staff Report presentation explaining the details of the Application:

The Request: A request by Robert Richardson ("Applicant") and Jane Anderson Groot Marital Trust ("Property Owner") for the approval of a 6,784 square-foot motor vehicle sales facility special exception use at 1430-1432 10th Court (0.3145 acres) in the C-2 Zoning District.

Future Land Use: Commercial/Light Industrial.

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Adjacent Zoning:

North: C-2
South: C-2
East: C-2
West: C-4

Adjacent Existing Land Use:

North: Commercial/Light Industrial: Motor Vehicle Repair
South: Commercial/Light Industrial: Motor Vehicle Repair
West: Commercial/Light Industrial: Motor Vehicle Repair
East: Commercial: Retail/Bicycle Repair

Ms. Hutt explained that the Applicant is currently operating the motor vehicle repair component at 1432 10th Court, but is requesting the Town Commission to approve a motor vehicle sales special exception use for the building located at 1430 10th Court. Ms. Hutt explained that the 1430 10th Court building consists of two (2) units: 1430 and 1432 10th Court. 1430 10th Court is currently being operated as an auto body/repair shop, known as Ron's Auto Body Repair. The Applicant, a motor vehicle sales and repair business known as Auto CG, proposes to continue to operate its business at 1432 10th Court with the potential to expand it into 1430 10th Court. The Applicant submitted a Zoning Certificate on March 13, 2012, requesting zoning approval for a motor vehicle sales and repair business. The Town's business tax receipt files indicate that the motor vehicle repair use has been operating continuously at 1430 and 1432 10th Court since October 1992 and is therefore a legal non-conforming use. However, the motor vehicle sales use has never been operated at this location and, accordingly, in order to operate a motor vehicle sales use at this location, the Applicant must be granted a special exception use pursuant to the criteria established in Section 78-72 (2)(j) of the Town Code. Ms. Hutt stated that all of the special exception criteria as set forth in the Town Code have been met, and therefore, Staff is recommending the approval with the following conditions:

- Paving/stripping in the front the property must be improved. A building permit for the paving/stripping must be applied for within 14 days of the approval of the special exception use.
- Due to accessibility constraints, the rear side of the building shall only be utilized for storage purposes and be adequately screened from public view per Town Code requirements. All required parking shall be in the front of the building and shall meet the parking requirements as set forth in the Town Code at all times. Given the current building configuration whereby a maximum of 4 employees; 2 service bays and a total of 1,000 square feet is set aside as a customer service area in both units located within 1430 10th Court, a maximum of one (1) display space is permitted within the nine (9) available spaces.

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- Foundation planting shall be provided along the east side façade that directly abuts the front parking area (excluding entryways, doorways or other building access points). Planting selections shall be included with the paving/stripping permit requirement set forth in Condition #1.

James Marola, an attorney and the Registered Agent for Auto CG, addressed the P&Z Board and indicated that he is appearing as a friend of the Applicant, and not as their legal representative. Mr. Marola stated that the proposed request would be a complimentary use as an auto sales business of approximately 3-4 cars, that the Applicant would not store vehicles outside, and that the complimentary use would be consistent with existing surrounding businesses.

There were no public comments on this item. Chair Thomas questioned the dealership license status, and clarified that the intent is not to make this a used car lot and that there would be no outside auto sales. Chair Thomas called for a motion for the approval of the Special Exception Use. Board Member Brown made a motion to approve the request for a Special Exception Use by Automotive Litigation Consultants, LLC, d/b/a Auto CG, to allow the use of a motor vehicle sales facility within the C-2 Business District, for a property located a 1430 10th Court, as recommended by Staff. Board Member Maibach seconded the motion and the vote was as follows:

	Aye	Nay
Robin Maibach	X	
Natalie Schneider	X	
Mason Brown	X	
Judith Thomas	X	
Roger Michaud	X	

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The Motion carried 5-0.

ITEMS FOR DISCUSSION

- 1. Request for the Planning & Zoning Board to Review the Hedge Plant Material for Landscaped Downtown Alleyways within the CRA District. Richard Pittman, CRA Project Manager**

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Richard Pittman, CRA Project Manager, addressed the P&Z Board and stated that he was present this evening upon the request of the CRA Board and provided background on the matter. Mr. Pittman explained that on March 7, 2012, he presented a request to the CRA Board for discussion and selection of a hedge plant material to be utilized in the alleyway which is being reconstructed south of Park Avenue between 7th and 8th Streets. Mr. Pittman explained that there are numerous landscaped alleyways in the CRA District and that Town Code requires that a visual barrier be constructed between commercial and residential areas. Currently included in the landscape pallet is Ficus, which was planted in the 2008/2009 timeframe, and which has become high maintenance due to the expensive and on-going treatment of a Ficus Whitefly epidemic. Now that the 7th to 8th Street alleyway is being

159 reconstructed, a Ficus hedge similar to that currently being utilized in the other Downtown
160 alleyways is being proposed. However, Mr. Pittman expressed that the use of Ficus in the
161 CRA landscape needs to be discontinued due to the Ficus Whitefly issue. Mr. Pittman
162 explained that the CRA Board requested that the item be brought to the P&Z Board for a
163 recommendation on the hedge material because the CRA Board did not want to make any
164 decisions associated with landscaping that might impact the Planning Board's review on
165 landscaping requirements on development of vacant parcels adjacent to the Town's
166 alleyways.

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168 Mr. Pittman recommended that the P&Z Board select a 1st, 2nd and 3rd choice of hedge
169 material to be utilized in the 7th to 8th Street alleyway, and also to be used to replace the
170 existing hedge material in the alleyways as they need to be replaced. Mr. Pittman suggested
171 that Coco Plum and Schefflera Arboricola are top choices, and that Silver Buttonwood,
172 Hibiscus and Seagrape might be considered as well. Included in the back-up material
173 provided to the Planning & Zoning Board was the Town's Preferred Plant List and
174 recommendation information provided by local Florida Registered Landscape Architect, Jeff
175 Blakely, ASLA. Mr. Pittman mentioned that the Director of Community Development had
176 indicated that this issue is typically not a Planning & Zoning Board function.

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178 There was discussion amongst the Board Members during which comments/concerns were
179 expressed, including clarification as to what type of direction is needed from the Planning &
180 Zoning Board; concerns that there is too wide of a variety of plant choices and better defined
181 parameters are needed; root systems should be considered; utilizing a native plant and
182 keeping the area uniform, low maintenance and low cost. Board Member Schneider stated
183 that a hedge material which is drought tolerant and "Florida Friendly" by the South Florida
184 Water Management District standpoint and that the recommendations made by Landscape
185 Architect Jeff Blakely should be considered. Ms. Schneider stated that that the South Florida
186 Water Management District does not have a listing of preferred drought tolerant plants, but
187 there is a website through the University of Florida and the Department of Environmental
188 Protection "*Florida Friendly Landscaping*" which has suggestions for drought tolerant, low
189 maintenance plants. There was also discussion regarding the height consideration for Coco
190 Plum and that it should be removed from the list of considered plant materials. Board
191 Member Brown suggested the Cherry and Board Member Thomas suggested Evergreen.
192 Upon conclusion of the discussion, there was not a consensus on which plant material
193 should be recommended, but that further suggestions should be brought back to the P&Z
194 Board with a selection of low maintenance, drought resistant plants for their review.

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196 **2. Consideration of Extension of Existing Earl Stewart Toyota Vehicular Storage**
197 **Lots and Temporary Office Trailer Use, and a New Request for a 340' Flag**
198 **Pole. Nadia Di Tommaso, Community Development Director.**

199
200 Nadia Di Tommaso, Community Development Director, addressed the Planning & Zoning
201 Board. She explained that this request is for the extension of the permit for the use of the
202 existing lot as a vehicular storage lot and the temporary office trailer on the Earl Stewart site
203 located south of the Earl Stewart Toyota Dealership. Ms. Di Tommaso stated that the initial
204 request for the temporary uses did not come before the P& Z Board, but that Staff believes it

205 is necessary for the P&Z Board to review this extension request as it is directly tied to the
206 timeline for the future development plans and incorporates within it a landscape and
207 irrigation plan, as well as a request for a 340' flag pole which is significantly higher than the
208 height limitations prescribed by Town Code. Ms. Di Tommaso provided history on the
209 temporary use permit and the site. In May, 2010, Earl Stewart Toyota went before the Town
210 Commission and was granted a temporary permit for a parking and storage lot for new and
211 used vehicles at what were then the Journey's Inn and El Colonial restaurant sites. This was
212 considered a special use because the Code does not allow this type of accessory use as a
213 permanent use on a vacant lot, thereby requiring Town Commission approval. The Town
214 Commission granted approval for the vehicular lot contingent upon Earl Stewart improving
215 it with crushed asphalt and landscaping with a minimum of 18 trees around the perimeter of
216 the lot and the demolition of the Journey's Inn and the El Colonial Restaurant. These
217 improvements have been made. Late last year, Earl Stewart came back to the Town
218 Commission and requested permission to place a temporary office trailer on the site using
219 the same prescribed timeline as was originally approved for the vehicular use site – these
220 being April 30, 2012, as the expiration date for the vehicular storage lot and temporary
221 office trailer, and May 5, 2012, for the submittal of development plans. The requirements for
222 improving the parking and storage lot were codified in Resolution 20-05-10 which was
223 approved unanimously by the Town Commission. Pursuant to the Resolution, Earl Stewart
224 Toyota had until April 30, 2012, to secure the necessary approvals from the Town to start
225 the construction of the dealership expansion. If construction did not commence before May
226 5, 2012, the lot was conditioned to be fully landscaped pursuant to Resolution 20-05-10
227 which was agreed to by Earl Stewart Toyota. These dates have now expired and Earl
228 Stewart is requesting an extension of the permit to October 1, 2013, for the use of the lot as a
229 vehicular storage lot and temporary office trailer, with the development plans for the site
230 being submitted by December 31, 2012.

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232 *EXTENSION REQUEST*

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234 Ms. Di Tommaso explained that Earl Stewart is requesting the extension of the permit for
235 the use of the lot as a vehicular storage lot and the temporary office trailer to October 1,
236 2013, with the development plans for the site being submitted by December 31, 2012. She
237 stated that although Earl Stewart's intention was to address the Boards in April, prior to the
238 expiration of both the permit for the vehicular storage lot and the temporary office trailer,
239 the complete request letter was received via e-mail on April 3, 2012, and Staff was unable to
240 review and process the item for the April 18th Town Commission Meeting. In exchange,
241 although Earl Stewart is not proposing to fully landscape the site per the original condition
242 of approval, Earl Stewart is proposing pursuant to plans VLP-1, VLP-2 and IR-1, a
243 Cocoplum hedge along certain perimeter landscape buffers specifically, North Federal
244 Highway, Lake Shore Drive, and partially along of East Ilex Drive. Additionally, Earl
245 Stewart is proposing to add Buttonwood trees along the Lake Shore Drive landscape buffer,
246 extending partly into the East Ilex Drive landscape buffer. In order to satisfy Town Code
247 Section 78-253 (c)(4) and (h)(9), Staff is recommending that the hedge material be installed
248 at a minimum 30" in height and be extended around the entire property and to be maintained
249 at a minimum 4' in height at maturity. Staff is also recommending the Applicant revise Plans
250 VLP-1, VLP-2 and IR-1 to comply with Town Code Section 78-253 (h) (2), whereby the

251 maximum spacing of planted trees along public streets is 20 linear feet. This would require
252 the Applicant to install a minimum of:

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- 254 (a) 14 shade trees along North Federal Highway (*5 existing*),
- 255 (b) 14 shade trees along Lake Shore Drive (*11 proposed*),
- 256 (c) 19 shade trees along East Jasmine Drive (*4 existing; 1 proposed*), and
- 257 (d) 19 shade trees along East Ilex Drive (*6 existing; 2 proposed*).

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259 Town Code Section 78-253 (a) (3) requires all vehicular use areas to be landscaped pursuant
260 to Section 78-253 (c) (1) of the Town Code so that no parking space is more than 40' from
261 the center of a shade tree and also requires under Section 78-253 (h)(1) that all landscape
262 buffers abutting streets be a minimum of 15 feet wide (all sides meet this requirement with
263 the exception of West Jasmine Drive which is currently 10 feet wide in order to
264 accommodate the north side of the vehicular storage lot). Although Resolution 20-05-10
265 required that the site be fully landscaped if the original timeline was not respected, Staff
266 does not feel it would be logical to impose these additional requirements if the P&Z Board
267 chooses to recommend approval of the extension. Ms. Di Tommaso stated that Staff prefers
268 to focus on enhancing the perimeter buffers at this time by enforcing its recommendations in
269 the previous paragraph and that the final landscape plan which is made part of the
270 development package will need to meet all sections of the landscape code. This extension
271 request would allow Earl Stewart Toyota to submit Development plans by December 31,
272 2012, and in doing so, they would be allowed to extend the current use of the site until
273 October 1, 2013.

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275 *NEW REQUEST FOR 340' FLAG POLE*

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277 Ms. Di Tommaso explained that Earl Stewart is also requesting the permanent installation of
278 a 340' flag pole at the southwest corner of the property for a 30' x 60' American Flag. The
279 Town Code Section 78-79 (*General Provisions*) provides that flagpoles may be erected
280 above the height limits set forth in the respective zoning districts, although the Code does
281 not provide any further dimensional requirements. The subject site is located in the
282 Commercial-1 (C-1) Zoning District. The C-1 Zoning District under Section 78-71 has a
283 maximum building/structure height of 30'. The proposed flagpole is structurally 11 times
284 higher than the allowable height in the C-1 Zoning District and resembles the approximate
285 height of a 23-story building. The American Flag is also being proposed at 30 feet by 60
286 feet. The proposed flag is out of character with the general commercial area. For
287 comparison purposes, a 340' flag pole would be almost 3 times the height of a typical 2-user
288 telecommunications tower and if it were a condominium it would be an approximate 23
289 story building. Such a structure is significantly inconsistent with the character of any of the
290 surrounding structures.

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292 In reviewing other sections of the Town Code of Ordinances, the Northlake Boulevard
293 Overlay Zone (NBOZ) under Appendix Table 5-5 (the NBOZ is an overlay zone located just
294 north of the subject site incorporating parcels on the south side of Northlake Boulevard)
295 limits a freestanding flagpole to a maximum of 20 feet in height with a maximum flag size
296 of 5 feet by 10 feet. Furthermore, the setback requirement for the flagpole in the NBOZ is

297 also listed at 103% of the pole height. The idea behind this setback requirement is that
298 should a pole structure ever snap, it typically falls to the ground in one piece. In order to
299 avoid that the structure falls onto a neighboring property, a 103% setback is secured. The
300 Park Avenue Downtown District (PADD) under Section 78-70-1, located at the southwest
301 corner of the subject site, also references flagpoles and sets their maximum height at 50 feet,
302 unless the flag is located on an approved telecommunications tower. Either way, this
303 section of the Code notes that the flag size shall be proportionate to the size and height of
304 the flagpole. Ms. DiTommaso stated that Staff is recommending the approval of a flagpole
305 up to 50' with a 15'x 30' flag, which is proportionate to the 50' flagpole. The 103% setback
306 required is recommended, which represents a setback of 52'. If approved, a building permit,
307 along with signed and sealed engineering plans, would be required.

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309 Ms. Di Tommaso stated that Staff is recommending approval of the extension request for the
310 use of a vehicular storage lot, temporary office trailer, and for the installation of the flagpole
311 based on the following conditions:

- 312
313 1) Development plans for the dealership shall be submitted on or before December 31, 2012,
314 until October 1, 2013.
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316 2) The temporary office trailer shall be removed two months following the issuance of a
317 development order for authorizing the expansion of the dealership.
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319 3) The flagpole shall be maintained per Town Code standards and at a height not exceeding
320 50', with an American flag with dimensions not exceeding 15'x 30', and which has a
321 minimum setback of 52' from any property line. A building permit, including signed and
322 sealed engineering plans, will be required.
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324 4) The Applicant shall amend Plans VLP-1, VLP-2 and IR-1 to comply with Section 78-253
325 (h) (2) of the Town Code regarding the maximum spacing of planted trees and the hedge
326 requirement along public streets (20 linear feet). The Applicant shall provide a total number
327 of shade trees as follows:
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329 • 14 shade trees along North Federal Highway,
330 • 14 shade trees along Lake Shore Drive,
331 • 19 shade trees along East Jasmine Drive,
332 • 19 shade trees along East Ilex Drive.
333
334 5) The Applicant shall revise Plans VLP-1, VLP-2 and IR-1 so that the shrubs or hedge
335 materials for the perimeter buffers comply with Section 78-253 (c)(4) and (h) (9) of the
336 Town Code whereby the hedge material must be installed around the entire property at a
337 minimum 30 inches in height and be maintained at a minimum 4 feet in height at maturity.
338
339 6) Following the expiration of the temporary office trailer permit, the only freestanding
340 signage permitted is one monument sign which shall require a permit and meet the standards
341 of the Town Code.
342

343 7) If these conditions are not met, the permit for the temporary vehicular storage lot and the
344 office trailer shall be void and the vehicles stored on the lot and the trailer shall be removed
345 within 10 business days.

346 The Applicant representative, Jason Stewart, was present and addressed the P&Z Board.
347 Mr. Stewart expressed that they are fine with bringing the permit up to full landscaping
348 code, but would like it noted that in the final expansion plan the parking garage will cross
349 East Jasmine Drive and that line of property will be demolished, so anything they will plant
350 now on East Jasmine Drive would be a waste of money since it will be destroyed. He
351 requested that they grant the extension with the requirement of bringing East Ilex, Lake
352 Shore Drive and North Federal Highway up to full landscape code. Chair Thomas
353 questioned if the final site plan had been approved. Ms. Di Tommaso stated that the site
354 plan has not been approved and will need to go through the public hearing process.

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356 Mr. Stewart requested an extension until March of 2014 for submittal of the final expansion
357 plan in order to give them a buffer. Mr. Stewart stated that the 340' flag pole would be the
358 largest flag in the Country and would put the Town of Lake Park on the map with national
359 attention. The flag would be dedicated to Veterans and the fallen and injured, and would
360 become the tallest American Flag in the world. Chair Thomas questioned that since the
361 height is substantial, if this request should go in front of the Board of Adjustment since it is
362 a height variance, but Ms. Di Tommaso stated that it is not a height variance since there is
363 no height prescribed in the Code. Board Member Michaud stated that the proposed flagpole
364 would be excessive and an eyesore. Board Member Schneider agrees with the staff
365 recommendations and would agree to an amendment for the landscaping requirement on
366 East Jasmine Drive to be a coco plum hedge rather than 19 shade trees. Robin Maibach
367 agreed with the coco plum hedge instead of the shade tree and is not in favor of the 340'
368 flagpole. Mr. Brown agreed with the coco plum hedge rather than the shade trees, but
369 because he is a Vietnam Veteran he would be in favor of the large American Flag. Board
370 Member Thomas questioned how many times Earl Stewart has requested an extension.
371 There was discussion about whether the lot is being used only for vehicular storage lot or is
372 the trailer being used for used car sales? Chair Thomas stated that it is being advertised as a
373 used car sales site and perhaps the language should be amended to reflect what is consistent
374 with what is actually taking place on the lot, a used car sales site, and asked the opinion of
375 the Town Attorney. The Town Attorney stated that the use sounds as if it has morphed into
376 something else and he doesn't know if Staff has evaluated the impact of a used car facility
377 on that proposed site, or if it meets Code criteria for a used car facility. Board Member
378 Thomas stated that the temporary office trailer (Condition #2) should be stricken, and that
379 she agrees that the proposed landscaping along East Jasmine Drive should not be required,
380 but that perhaps the shade trees could be utilized somewhere else on the site.

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382 The Planning and Zoning Board, through their discussion leading up to their motion, had
383 concerns regarding a strict limitation on the timeline for the vehicular storage lot and office
384 trailer for used car sales. Staff expanded on Condition #1 in order to make the limitations
385 more clear. Furthermore, the office trailer was previously approved by the Town
386 Commission with a definition explaining that the trailer would be used as an office for the
387 used car sales that are already being parked onsite through the vehicular storage lot
388 temporary approval. The "used car sales" terminology had also been added to the "office

389 trailer" heading previously and will be re-inserted. Staff will revise plans VLP-1, VLP-2
 390 and IR-1 to include a total of 47 shade trees along the North Federal, Lake Shore Drive, and
 391 East Ilex perimeter landscape buffers. More trees will be proposed along East Ilex and Lake
 392 Shore Drive than North Federal Highway in order to preserve the residential uses on the
 393 opposite sides of these streets while allowing for more visibility along North Federal
 394 Highway. Complete landscape plans will be made part of the overall development
 395 application and this will be conditioned.

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 397 Chair Thomas called for a motion. Board Member Maibach made a motion to approve the
 398 Earl Stewart extension request for the use of a vehicular storage lot, temporary office trailer
 399 and for the installation of a flagpole, subject to the seven (7) Conditions recommended by
 400 Staff, amending Condition 4(c) from 19 shade trees on East Jasmine Drive to a Coco Plum
 401 Hedge. Board Member Brown seconded. Chair Thomas requested that based on what the
 402 Resolution stated, that the language reads vehicle sales trailer as opposed to temporary
 403 office trailer so that it is clear and consistent with what the Applicant is requesting. Board
 404 Member Maibach amended the motion to include vehicle sales use to the temporary office
 405 trailer use. Board Member Brown seconded and the vote was as follows:

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	Aye	Nay
Robin Maibach	X	
Natalie Schneider	X	
Mason Brown	X	
Judith Thomas		X
Roger Michaud	X	

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408 **The Motion carried 4-1.**

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410 **3. Discussion of 10th Street (north of Northern Drive) Parking Problems. (Added**
 411 **at the Request of the Town Commission)**

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413 William Wood, owner of the property located at 1432-1434 10th Street, addressed the
 414 Planning & Zoning Board with his concern regarding the curbing in front of the 50' wide
 415 building, specifically in front his business, the *All Tennis* store. Mr. Wood stated that
 416 because of the narrow frontage, only two cars can pull in properly at one time. In light of
 417 this issue, there is a severe parking issue with the next door neighbors to the south (the
 418 Veterinary Office) and that they have towed 3 of their customers' vehicles. Mr. Wood
 419 stated that he has spoken with the Public Works Department regarding this matter and that is
 420 was suggested that he consider striping the parking lot, to which he has no objection. There
 421 is enough space in front of his store for 6 parking spaces. Mr. Wood is requesting the curb
 422 be removed, making it easier for patrons to pull in and out safely. Nadia Di Tommaso
 423 explained that this item was commented on at the last Town Commission Meeting, and that
 424 the Town Commission requested the issue be brought in front of the Planning & Zoning
 425 Board for their discussion. Ms. Di Tommaso stated that there have been discussions with
 426 the Town Manager's Office and the Public Works Department, and that this is not only an
 427 issue in front of Mr. Wood's building, but with the entire corridor north of Northern Drive
 428 on 10th Street. Chair Thomas stated that she feels that they are operating in the dark, and

429 would find it difficult to have a discussion without any direction from the Town
430 Commission. Also, Ms. Thomas suggested this matter be given over to the Town Staff and
431 Engineer, as well as possibly the FDOT, to study/investigate, and then be brought back to
432 the P&Z Board with a recommendation. Board Member Brown asked Mr. Wood if he has
433 investigated the requirements of the FDOT and whose financial responsibility it would be to
434 pay the costs of removing the curb. Mr. Wood stated that because the sidewalk and the curb
435 are on Town property he contacted the Public Works Department last summer and he was
436 told that there are budgetary restraints. Public Works suggested that there might be a
437 possibility of sharing the costs and that they would get back to him, but he never heard
438 anything further. Mr. Wood stated that he has the smallest frontage of any of the tenants and
439 the parking problem has recently escalated and he would like to resolve the issue. Ms.
440 Thomas suggested there be a site plan drawn up and brought back to P&Z Board, along with
441 a recommendation for addressing the problem for the entire 10th Street corridor.
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443 Mr. Perry Carrell, the owner of *All Tennis* located at 1434 10th Street, addressed the P&Z
444 Board. Mr. Carrell stated that it has been very frustrating and difficult to do business on 10th
445 Street due to the parking situation which needs to be addressed. He noted that things have
446 been done recently to improve and draw in business on Park Avenue, but what about 10th
447 Street? Mr. Carrell stated that he has been dealing with this situation for three (3) years and
448 his customers complain constantly about the parking situation. Mr. Wood stated that he has
449 consulted a contractor who indicated that the entire job could be completed in one (1) day
450 for less than \$10,000. Additionally, Mr. Wood stated that he would have a site plan drawn
451 up.
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453 Chair Thomas stated that since there is more than one jurisdiction which governs this
454 roadway that the Town would speak to the proper authorities and get back to him. Ms.
455 Thomas stated that there should be a discussion as to how the Town addresses properties
456 which are currently non-conforming properties related to parking and landscaping that have
457 high volume uses and the need for some type of policy or provision for uses on heavily
458 traversed non-conforming roadways.
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460 **COMMENTS FROM THE COMMUNITY DEVELOPMENT DIRECTOR**

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462 There were no comments from the Community Development Director.
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464 **ADJOURNMENT OF MEETING**

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466 Chair Thomas called for a motion to adjourn. Vice-Chair Maibach made a motion to
467 adjourn the meeting, and the motion was seconded by Board Member Schneider. The
468 meeting was adjourned at 9:12 p.m.
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475 Respectfully Submitted,

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480 Kimberly Rowley

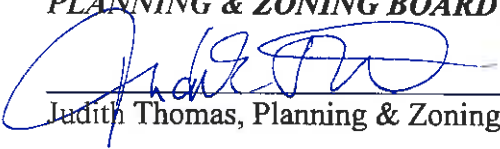
481 Planning & Zoning Board Secretary

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483 **PLANNING & ZONING BOARD APPROVAL:**

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Judith Thomas, Planning & Zoning Board Chair

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488 DATE:

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