

PLANNING AND ZONING COMMISSION

There was a meeting of the Indian River County (IRC) Planning and Zoning Commission (PZC) on Thursday, May 25, 2017 at 7:00 p.m. in the Commission Chambers of the County Administration Building, 1801 27th Street, Vero Beach, Florida. You may hear an audio of the meeting; review the meeting agenda, backup material and the minutes on the Indian River County website www.ircgov.com/Boards/PZC/2015.

Present were members: Chairman Alan Polackwich Sr., District 2 Appointee; Patrick Grall, District 1 Appointee; Chip Landers, District 3 Appointee; Dr. Jonathan Day, District 4 Appointee; Angela Waldrop, District 5 Appointee; and Jordan Stewart, Member-at-Large.

Vice Chairman Todd Brognano, Member-at-Large, and Shawn Frost, non-voting School Board Liaison, were absent.

Also present was IRC staff: Bill DeBaal, Deputy County Attorney; Stan Boling, Community Development Director; John McCoy, Chief of Current Development; and Lisa Carlson, Recording Secretary.

Call to Order and Pledge of Allegiance

The meeting was called to order at 7:00 p.m. and all stood for the Pledge of Allegiance.

Additions and Deletions to the Agenda

There were none

Approval of Minutes

ON MOTION BY Dr. Day, SECONDED BY Mr. Grall, the members voted unanimously (6-0) to approve the minutes of the April 13, 2017 meeting as presented.

Public Hearings

Chairman Polackwich read the following into the record:

- A.** Request by Hal & Martha McAdams for a 5' Side yard Setback Variance for a Pool Enclosure on Lot 3, Block 1, Diana Park Subdivision. Located at 540 61st Avenue. Zoning: RS-3 (Residential Single-Family up to 3 units/acre). Land Use Designation: L-2 (Low

Density 2 up to 6 units/acre). [VAR-17-05-01 / 92080125-78723]
[Quasi-Judicial]

Chairman Polackwich asked the Commissioners to reveal any ex-parte communication with the applicant or any conflict that would not allow them to make an unbiased decision. The members stated that they had not had any ex-parte communication.

The secretary administered the testimonial oath to those present who wished to speak at tonight's meeting on this matter.

Mr. Stan Boling, Community Development Director, explained that this is the first time that the Planning & Zoning Commission (P&Z) will consider a variance request, a responsibility given to them after the Board of Adjustment (BOA) committee was sunsetted in 2015. He gave a PowerPoint presentation, copies of which are on file in the Board of County Commissioners (BCC) Office. He discussed the history of variances in Indian River County and gave a brief overview of how they work. He concluded that Land Development Regulations (LDR) were set up to anticipate a wide variety of situations and approval of this variance could have county wide implications by setting a precedent.

Mr. John McCoy, Chief of Current Development, continued the PowerPoint presentation by describing the variance process and outlining the eight criteria that must be met for a variance to be warranted. He detailed the request by the Applicants, reviewed Staff's evaluation of how the request failed to meet all eight criteria, and recommended that the P&Z Commission not grant the variance request.

Applicants Hal and Martha McAdams provided letters of support for the variance from property owners living adjacent to the Subject Property. These letters are labeled Exhibit 1, copies of which are on file in the Board of County Commissioners Office. They reviewed the history of the Subject Property and asked the commissioners for their consideration in approving the variance.

Lengthy discussion followed between the commissioners with Staff clarifying several inquiries regarding LDR's and zoning changes, including consideration of whether or not an LDR change was an appropriate solution.

**ON MOTION BY Dr. Day, SECONDED BY Mr. Grall,
the members voted (4-2) to accept staff
recommendations on this Quasi-Judicial matter. Mr.
Stewart and Ms. Waldrop were the opposing votes.**

Chairman Polackwich read the following into the record:

B. Consideration of Land Development Regulation (LDR) Amendment to Chapter 926, Establishing Provision and Criteria for Reducing Landscape Requirements for Projects in Remote Agricultural Areas [Legislative]

Mr. Stan Boling, Community Development Director, reviewed information regarding the proposed Land Development Regulation amendment and gave a PowerPoint presentation, copies of which are on file in the Board of County Commissioners (BCC) Office. He recommended that the Commission recommend that the BCC adopt the proposed landscape requirement ordinance.

ON MOTION BY Dr. Stewart, SECONDED BY Ms. Waldrop, the members voted unanimously (6-0) to accept staff recommendations on this Legislative matter.

Chairman Polackwich read the following into the record:

C. Consideration of Land Development Regulations (LDR) Amendment to Chapter 915 for Mixed Use Regulations Consistent with Proposed Policy 5.6 Provisions for SR60 / IRSC (Indian River State College) Mixed Use Development [Legislative]

Mr. Stan Boling, Community Development Director, reviewed information regarding the proposed Land Development Regulation amendment and gave a PowerPoint presentation, copies of which are on file in the Board of County Commissioners (BCC) Office. He recommended that the Commission recommend that the BCC adopt the proposed ordinance consistent with BCC action on the proposed changes to Policy 5.6.

Attorney Mr. Christopher Marine of Gould Cooksey Fennell, representing Vero 12 LLC and the Greenfield Trust which is the owner of the Subject Property adjacent to IRSC, spoke in favor of the proposed amendment.

ON MOTION BY Dr. Day, SECONDED BY Ms. Waldrop, the members voted unanimously (6-0) to accept staff recommendations on this Legislative matter.

Commissioner's Matters

There were none.

Planning Matters

Mr. Stan Boling updated the commissioners on the status of the FPL Blue Cypress Solar Energy Center and the Commercial Lot Split LDR amendment that they recommended at the previous meetings.

Attorney's Matters

There were none.

Adjournment

There being no further business, the meeting adjourned at 8:39 p.m.