



MINUTES
WORKSHOP CITY COUNCIL MEETING
LAND DEVELOPMENT REGULATIONS
NOVEMBER 22, 1999 AT 7:00 P.M.
CITY HALL, 116 FIRST STREET
NEPTUNE BEACH, FLORIDA

Pursuant to proper notice a Workshop Meeting of the City Council of the City of Neptune Beach was held November 22, 1999, at 7:00 p.m., in the Council Chambers, City Hall, 116 First Street, Neptune Beach, Florida.

Attendance:

IN ATTENDANCE:

Mayor George F. Vaughn, Jr.
Vice Mayor Edward S. Jones
Councilor Thomas A. Tankersley
Councilor Robert D. Shimp
City Manager Richard A. Linn
Acting City Clerk Lisa Volpe

Building Official Dan Arlington
Assistant to Building Official Piper Turner

ABSENT:

Councilor Ronald Patronik
City Attorney Christopher A. White

Call to Order/Roll Call The Mayor called the meeting to order at 7:00 p.m.

For the Record City Manager Linn read the following letter from Councilor Patronik into the record.

Dear Mr. Linn,

Please read this into the record. I am unable to attend tonight's meeting because I will be out of town due to my full time job.

I am requesting a copy of all tapes of this meeting so that I can listen to all of the comments that are made concerning the land use development regulations. Let it be known that I am also concerned with some of the proposed changes. This appears to have gone beyond the intent of the original scope of work.

Sincerely,
Ronald D. Patronik, Councilor

Land Development
Regulations

LAND DEVELOPMENT REGULATIONS: Amy Skinner McClure with Ivey, Harris and Walls, Inc. gave a presentation on the proposed land development regulations.

Public Comments

COMMENTS FROM THE PUBLIC:

John Weldon, Chairman of the Planning and Development Review Board, 108 Oak Street, stated that the Board had been working hard for the last year. The Board decided to hire a consultant and out of eight potential companies, Ivy, Harris and Walls won the

contract. Mr. Weldon further stated that everyone involved in the process was trying to make Neptune Beach a better place to live. Mr. Weldon also stated that the current code does not protect the city from what was going in south Florida and other places where the density had dramatically increased.

Buddy Crout, 1074 Kings Road, complemented the Council for tackling the problem. He disagreed with some changes and stated that somewhere along the line something could be worked out. He also thanked John Weldon and the Planning and Development Board for their long hours. He suggested Council go over each Article with the public. He then stated his concern for certain Articles.

Robert West, 106 Hall Place, did not like the whole concept, didn't think that residents fully understood it. What concerned him most was restaurants serving alcohol with open air seating. He had concerns with subjective wording, no set hours, and no reasonable limits. He suggested that the whole section be deleted.

Bee Jay Lester, 907 Second Street, stated that she had seen a letter to the editor stating something about animals, and that was why she was present. Commented that she hoped that whatever decisions were made that they were not so prohibited to make life in Neptune Beach unbearable.

Kirk Cobb, 112 Orange Street, owns 219, 217, and 215 Midway, 125 Yucca, and 114 Cherry, stated his concern over proposed new roof pitches, current parking and taxes.

Judy Bost, 115 Walnut Street, thanked council for paying close attention to the subject, and felt council was doing an excellent job dealing with these issues. Her concerns were the word "Platted" and how to reduce density in R4.

Pat Lynch, 700 Valley Forge Road North, was concerned about a particular corner property with an abundance of commercial vehicles and a huge recreational vehicle in the driveway on the side lot. Ms. Lynch also stated concern about parking in general.

Mary Truta, 701 Valley Forge Road North, had the same concerns as Ms. Lynch, and asked the following question about "Section 27.332" Home Occupations. On a corner property, if there is a home occupation, what is the distance from the corner that the vehicles can legally park?

Lynwood Heath, 616 Penman Road, stated concern about accessory buildings, restrictions on parking, storage and use of major recreational equipment. Mr. Heath felt that if a resident had room in the driveway they should be able to park their recreational vehicles in it.

Jose Hixon, 212 Oceanfront, felt that something needed to be done.

Stan Christovich, 110 Seagate Avenue, questioned if the modifications of the code represent guidelines or if they would be concrete, with citizens having no recourse?

William (Bill) Geruais, 740 Penman Road, was concerned about off street parking.

Recess / Reconvene Mayor Vaughn called for a recess at 9:30 p.m., the Public Hearing reconvened at 9:50.

Mayor Vaughn asked Gary Dickens of Ivey, Harris and Walls to inform the public of how much longer the meeting may last.

Gary Dickens of Ivey, Harris and Walls reported that there were three more articles left to be discussed: accessories structures and uses, off street parking and loading, and non-conforming lot structure uses. The Council decided to allow the public hearing to continue.

Fred DeSapio, 114 North Nineteenth Avenue, Jacksonville Beach, stated that he owned two properties east of Third Street in Neptune Beach, and two vacant lots west of Third Street. Mr. DeSapio thanked the Planning and Review for their efforts. He stated he felt that the Building Official and Consultants had come at this as if they were drafting subdivision rules for virgin land and that trying to adopt rules that would apply to virgin lands would raise issues. Mr. DeSapio stated that he would like to see some documentation entailing problems caused by density and non-conformities, listing properties involved rather than relying on the survey. Felt that some of the revisions being discussed on lot size might create a conflict between the new land use code and the existing comprehensive plan. He proposed that council leave alone the grandfather provisions that are the current city code.

Rae Brady, 223 and 225 Lora Street, stated she had heard that some landlords did not receive a survey because their tenants paid the water bill, and that the city should not rely on a survey that many landlords had never seen. She was concerned that if a hurricane hit that people may not be able to rebuild in a 24 month period and the language on the non-conformity issue.

Jo Anne Waddill, 115 Oleander Street, asked about Section 27.237 and requested council to strike out everything in non-conforming because it was ambiguous and rewrite it.

Carol Inman, 115 Orange Street, thanked council for allowing the public to speak. Ms. Inman was concerned with the use of word "urban", and stated there was no urban area in Neptune Beach. She also stated that she did not receive a copy of the survey. Ms. Inman read a statement concerning her opposition about outdoor dining.

Harriet Pruette, 217 ½ Magnolia Street, thanked Mr. Weldon and the Board for their hard work. Ms. Pruette thought that there were some good things to the changes and some of them were needed. She was concerned with people on the east side of Third Street being able to rebuild to the footprint of what they have. She didn't like the limitation on household pets. Asked Council to please consider every word in the new plan regulations. Ms. Pruette stated her disappointment that several citizens that had showed up to speak had left.

Jean Marie Powers, 1309 West Neptune Grove Drive, stated that the demographic statistics showed that 32% of the population in Neptune Beach were retirees, 6% were at poverty level, and 50 % made up the labor force, the average income was 18,000, and if one can only afford to have a flat roof then they should be entitled to have a flat roof. Ms. Powers was also concerned with some of the language and pet restrictions.

Kelley Elwer, 404 McCullom Circle, commented he had close to ¾ of an acre of property and had wanted to build a 16 x 16 building better than what his house was and went to City Hall to get a permit and was told that he could not build a 16 x 16 without a variance.

John Kennedy, 2010 Acacia Road, asked about number 27.335, recreational vehicles not exceeding 28 feet and was curious as to how they came up with the 28 feet limit. Mr. Kennedy was also concerned about number 27.336, defining heavy commercial vehicles as any truck, bus, tractor, trailer or semi trailer having a weight rating in excess

of 12,000 pounds, he owns a F-350 pick up truck that weighs 12,500 pounds and according to this code he would not be able to park it in his yard. Mr. Kennedy suggested adding the language "used for business purposes."

Claire Zaiser, 109 Davis Street, asked what was meant by Section 27.231, front yard set back requirements. Ms. Zaiser also stated concern about density. Suggested that the City Attorney define in writing the definition of lawful and non conforming.

Lynda Padrta, 1113 First Street, had to leave, Acting City Clerk read the following for Ms. Padrta. I have to leave but raising population density is a real mistake consider South Florida where used to live, it's not a neighborhood. Garage apartments are a mistake.

John Kowkabany, 110 Palm Place, asked council to give the audience as to how they were thinking along the lines of what the citizens were complaining about particularly on the footprint issue.

The council all gave their ideas that they were not opposed to the footprint bill but did not think the rewrite took any rights away from the citizens.

The Council discussed the purpose of the meeting was to have public comments. They decided to forego any more presentations by the consultants at this meeting due to the late hour. City Manager Linn stressed that staff had no hidden agenda by staff concerning these regulations.

Harriet Pruette, 217 1/2 Magnolia Street, restated that ten people left and more opportunity should be given to the public to speak.

Adjournment

There being no further business, the meeting adjourned at 11:30 p.m.

George F. Vaughn, Jr., Mayor

ATTEST:

Lisa Volpe, Acting City Clerk

Approved: _____