

Verbatim

(JB  
PH  
S-O)

990715 Petition 173TCJ-99PB

Mayor: Are there any questions or comments from the Commission, do we have a motion on the floor?? I don't believe we do. Do you want to put a motion on the floor so I can open up take some public comment.

JB: Well there's 2 different recommendations aren't there, one's a Staff and one's City Plan Board.

Mayor: Well yes that's right.

JB: So we have to figure out which one we're gonna.....

Tom Saunders: If I can help with that, the only change to the Plan Board recommendation, Mr. Mimms can correct me if I'm wrong, is deleting the proposed minimum distance requirement between the principal and accessory structures, because staff realized that was covered elsewhere in the Code. There is no point in cluttering up again here. If you look at that very last comment, staff to City Commission, that it mentions that one change, the other point is to leave it the way the, on the other issue of retaining the requirement for the front set back for accessory structures, be the same as for principal structures, that goes with the Plan Board recommendation., the Plan Board recommendation, plus one variation.

Mayor: And that's #2. OK, Because No #1 is already covered, you said someplace else, is that what you said???

Tom Saunders: It's my understanding is it's the Plan Board recommendation, but also with the deletion of the proposed minimum distance requirement between principal and accessory structures.

JB: Madam Mayor, I'll move staff's recommendation.

Mayor: OK

PH: I'll second, although I'll admit to being pretty confused with this language.

Mayor: So wait, this is staff to the City Commission, which is different from the staff to the Plan Board. Is that correct?

Tom: Yeah

PH: The motion includes – The Plan Boards recommendation was actually different than the original staff recommendation, but the motion we just adopted incorporates the Plan Board's recommendation,

Mayor: With the new staff to City Commission comments.

Tom: That's the only reason we have that one additional blurb is that we realized after the fact that we didn't need that minimum distance requirement.

Mayor: But that's the motion then?? Is there anyone in the audience you would like to comment?

Robert Pearce – commented.

PH: So, just to understand, are you recommending that we address a change to side set back? Robert: Side Street:

Mayor: But the side was still 5 ft. is that correct?

PH: 5ft. here, but that doesn't allow room for the sidewalks and so forth

Robert: That's correct, if the property line is right on the curb, then the property owner could build a building 5 ft. from the curb.

PH: Is that the only substantive change that your're recommending.

Robert: Comments.

PH: If the rear lot line is actually facing a street, is that counted as a front?

Robert: Comments.

PH: Is that correct from staff. (Comments)

Robert: Comments:

PH: I understood the first change was with regarded to the side setback, the second change is with regard to being specific about an accessory dwelling unit being used for residential?

MIMMs: If you look at page 6 of the Plan Board minutes where the motion was made, under #2, it says delete the language in the multiple family table regarding the use of accessory structures as dwellings in RH1 and RH2 districts. If that happens, if it is deleted, then it kicks it in to these set backs. Which is quite contrary to what I think is desired.

JB: Can we ask staff why that was deleted? I mean they must have had a reason. Things are very confusing at the Plan Board meeting.

PH: Can't imagine why.

Ralph: The Plan Board guy might have got a little bit confused, in that the multi-family district allows more than one unit on a lot and so they got into a big discussion as to "why are we really deleting this" since more than unit is already allowed on the lot. Well there were some other things that staff probably didn't think about in that discussion, the way we've interpreted it, to prevent you from having a separate detached unit on that lot, so we really don't have a problem with what Mr. Pearce is recommending, in all actuality The Special Area Plan allows it to happen anyway, so there is, you know if you want to add that language back in here, allow the accessory dwelling unit, that's no problem.

PH: OK well I personally just to move this along don't have a problem with addressing the side set back issue that Mr. Pearce raised, particularly if there is a need, assuming the side is on the street face.

JB Side street set back, and other issue, I have a problem with going ahead and re-inserting that language if it says the staff said and it really, that makes sense to me, I thought that was the whole point, I thought it was part of the point as to why we're doing this, but, was John the maker of the motion?

Mayor: So we're going to delete the deleting language, so we're going to

JB

Mayor: Except the Clerk needs to know what we're doing.

PH It would be nice if we new what we were doing.

Mayor: So we had a motion to approve the Plan Board Recommendation as well as the staff to City Commission comments that said approve the following adjustments to the Plan Board Recommendation and there were 2 of them. That's what we did before? But what we're now saying is besides doing that, we're actually going to delete #2 which was the deletion of the language in the multi-family table regarding the use of accessory structures.

PH: And then would we change the side street to read more like what the front? Or how would the side street read.

“Same”

PH: How would it read though?

“The same as the front”

Mayor: So we would change the side street setback

PH: In Table 4, that’s the one is that right?

Mayor: to and that would be the same as the front? Does that sound right?

Ralph: Trying to make sure I’m on the same page that you’re on, are you using is says Petition 173TCH-99PB at the top Land Development Code changes?

PH: Yeah:

Ralph: Then you flip over to the second page, it starts with accessory structures at the top?

Mayor: Yes

Ralph: OK what is being proposed here, OK that’s page 2, if you look at page 3, then you see accessory dwelling, accessory structures on page 3 and says accessory structures can be used as residential, on the bottom chart. If you take that information, put that in the accessory structures chart on page 2, I think that will accomplish one of the recommendations.

Mayor: OK and where I was actually getting that language was on the motion page at the back where it said move to approve petition and it had one change, the requirements and 2 delete the language and that’s where I was getting that, it seems to be the same language.

Ralph: Right

Mayor: And it was written there, is that correct, that is the same language.

Ralph: That is the same language.

Mayor: It appears to be the same, that was what I was presuming that we were deleting the Plan Board language and so that would be included back in.

Ralph: Right

Mayor: Is that clear as mud Mr. Clerk????

Ralph: Take the Plan Board’s motion in the minutes and just forget number 2.

Mayor: Which is the last page 6 and we’re going add number 2 back in, where it says delete.

Kurt: OK

Mayor: We’re going to take away that delete language so that that language stands in.

Motion use

PH: We're approving the Plan Board recommendation with a change number 1 only. And also including the staff recommended change with the redundant language.

Mayor: As written on the agenda and changing the side street set back in table 4, to be the same as the front set back.

Ralph: Correct, that's what I understand from the board.

PH: Well is there an easier way of doing that. It seems like what we're trying to get to is room for sidewalks and street trees, this language is

JB Comment

PH: The average of the distance.....

Ralph: That's what happens when you got, like I keep saying, there's already language, in the Special Area Plan that deals with this. So your not going to go wrong and mess up anything here really, by just taking and saying the side street will be the same as the front, cause the Special Area Plan is going to deal with it.

PH: Lets go with it then

Ralph: Lets go with it.

Mayor: OK, so that's what I just stated is what the motion is, is there anyone else in the audience that would like to comment on this petition.

Robert Pearce: Did you want to address the maximum lot coverage limit, or the absence of for multiple family??

Mayor: I thought we did that.

PH: No we didn't, but you know

JB: The setbacks are going to limit that to a degree, except on a big lot.

Mayor: We just covered the size lot that could be.....

PH: Well I guess, I don't know, I mean I would have to look specifically at what zoning districts we're talking about, I mean I can imagine there are places it's OK to have large coverages, I mean look at the Chamber bldg. Proposal. I mean I think we should try and address, if you think that's a significant issue which it may very well be, we need to maybe address that in a separate discussion with some.....

Tom Saunders: I agree, right here is really not the time and place probably to do that.

PH: Right, why don't we bring that back.....

Mayor: OK is there anyone else who would like to speak on this petition.

990715

**Legislative Matter No. 990715. Petition 173TCH-99 PB. City Plan Board. Amend Sec. 30-55 of the Land Development Code with respect to dimensional requirements for principal and accessory structures in the residential high-density districts (RH-1 and RH-2). (B)**

*Chair Paula M. DeLaney recognized Chief of Comprehensive Planning Dean Mimms, Community Development Director Tom Saunders and Planning Manager Ralph Hilliard who gave presentations.*

*Chair Paula M. DeLaney recognized Citizen Robert Pearce who spoke to the matter.*

*AMENDMENT: Need to Listen. (see notes)*

**RECOMMENDATION** *City Plan Board to City Commission - The City Commission approve Petition 173TCH-99 PB. Plan Board vote 4-2*

*Staff to Plan Board - Approve*

*Staff to City Commission - Approve the following adjustments to the Plan Board recommendation: 1) deletion of proposed minimum distance requirement between principal and accessory structures; and 2) retention of the requirement that the front setback requirement for accessory structures be the same as that for principal structures.*

**A motion was made by Commissioner Hanrahan, seconded by Commissioner Barrow, that this matter be Approved as Amended (Petition). The motion carried by the following vote:**

**Votes:** Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney, John R. Barrow and Paula M. DeLaney

*Looks like to me they are approving both recommendations as is.*

# FAX

**Date** 03/02/2000

**Number of pages including cover sheet** 7

**TO:** Tom Saunders  
Ralph Hilliard

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**FROM:** Toni McVay  
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**CC:**

**REMARKS:**  Urgent  For your review  Reply ASAP  Please Comment

Please review these minutes and verbatim and return to me with any changes by 5:00 this evening or as soon as possible. Toni

990715

**Legislative Matter No. 990715. Petition 173TCH-99 PB. City Plan Board. Amend Sec. 30-55 of the Land Development Code with respect to dimensional requirements for principal and accessory structures in the residential high-density districts (RH-1 and RH-2). (B)**

*Chair Paula M. DeLaney recognized Chief of Comprehensive Planning Dean Mimms, Community Development Director Tom Saunders and Planning Manager Ralph Hilliard who gave presentations.*

*Chair Paula M. DeLaney recognized Citizen Robert Pearce who spoke to the matter.*

*AMENDMENT: Approve the Plan Board Recommendation as well as the staff's recommendation to delete item #2 which deletes the language in the multi-family table regarding the use of accessory structures.*

**RECOMMENDATION** *City Plan Board to City Commission - The City Commission approve Petition 173TCH-99 PB. Plan Board vote 4-2*

*Staff to Plan Board - Approve*

*Staff to City Commission - Approve the following adjustments to the Plan Board recommendation: 1) deletion of proposed minimum distance requirement between principal and accessory structures; and 2) retention of the requirement that the front setback requirement for accessory structures be the same as that for principal structures.*

**A motion was made by Commissioner Barrow, seconded by Commissioner Hanrahan, that this matter be Approved as Amended (Petition). The motion carried by the following vote:**

**Votes:** Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney, John R. Barrow and Paula M. DeLaney

*Run this by RH + TJ  
Send your verbal time*

G'VL CLERK OF COMM.

(AUTO)

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