

**PLANNING & ZONING COMMISSION/LOCAL PLANNING AGENCY MEETING
WEDNESDAY JUNE 5, 2024 5:05PM**

MINUTES

1. **CALL TO ORDER:** Chair Akers called the meeting to order at 5:07PM
2. **PLEDGE OF ALLEGIANCE:** The Pledge was recited.
3. **ROLL CALL:**

Present: Commissioner Jose Cardozo, Commissioner Michael Barone, Commissioner Claudia Luna, Alternate Commissioner Dominic Foti, Alternate Commissioner Eric Boissat, City Attorney John Rhodeback, and Chair Buddy Akers

Not Excused: Commissioner Michael Ruehman

Also Present: Recording Secretary Miriam Bedolla, City Planner Robert Loring and City Clerk Maria Suarez-Sanchez

Alternate Commissioner Dominic Foti will be filling in for Commissioner Michael Ruehman
4. **APPROVAL OF MINUTES:**
 - a) May 15, 2024

Chairman Buddy Akers introduced the Minutes and commented that Commissioner Jose Cardozo made the motion but was left out as being present under roll call and asked if there were any other questions or changes to the minutes, being there were no other changes he recommended a motion to approve.

MOTION by Commissioner Dominic Foti, **SECONDED** by Commissioner Claudia Luna, to approve the minutes for May 15, 2024

ALL AYES:

MOTION CARRIED 5-0

City Clerk Maria Suarez-Sanchez stated that as of January 1, 2024 all appointed board members were required to file the Statement of Financial Interest Form 1, via an electronic filing system created and maintained by the Florida Commission on Ethics. She stated the form would no longer be needed to be sent to the Supervisor of Elections and told commissioners that they would be receiving an email from the Ethics Commission and she provided a packet with instructions on how to register. She encouraged all commissioners to visit the Florida Commission website for more information and to register and upon completion, turn in a receipt or verification of filing to her before July 1, 2024. She asked all commissioners if they had any questions to please contact her for any help.

5. **PUBLIC HEARING:**
 - a) **RESOLUTION NO. 2024-31/A** RESOLUTION OF THE PLANNING AND ZONING COMMISSION/LOCAL PLANNING AGENCY FOR THE CITY OF FELLSMERE, INDIAN RIVER COUNTY, FLORIDA, RECOMMENDING THE CITY COUNCIL ADOPT RESOLUTION NO. 2024-32 APPROVING THE CONDITIONAL USE PERMIT AND SITE PLAN FOR ONE (1) MOBILE FOOD VENDING UNIT LOCATED AT 1005 VERNON STREET IN THE C-1 ZONING DISTRICT.
/PUBLIC HEARING

Chairman Akers introduced the Resolution.

City Attorney John Rhodeback read Resolution No. 2024-31, by title only.

Chairman Akers asked all commissioners if they had any questions since this was something similar that they had seen before. He stated the plan was on the back of the packet for everyone to review.

City Planner Robert Loring stated the site was located on Vernon Street and it was a small site within a single-family home area but also had commercial uses. The property required certain relief from the code which he would be going over the conditions and the resolution. He stated the site was small that one of the reliefs required was from lot depth from 100ft minimum to 80ft which is what they have. The lot area is 12,000sqft minimum which is required by code, they only have 8,712sqft. He then went over each conditions for approval.

Conditions of approval

- 1) Applicant will get all permits.
- 2) Gives the board and council to look at the plan after some time to see what kind of activity and what kind of conditions exists on the property and allows the city to make some modification if the parking or us is not up enough.
- 3) Build develop plan that they are going to refer to when developing the property.
- 4) Anything built onsite will be at the expense of the applicant.
- 5) Architectural elevation will be submitted to the city for approval
- 6) Planting and maintenance of street trees along North Willow Street.
- 7) Interior trees will not be required as a result of the development provided since the existing trees found on site are kept and maintained consistent with code.
- 8) Landscape plan due within 6 months of the effective date of this Resolution.
- 9) Applicant shall build a handicap space that is ADA compliant.
- 10) Applicant shall obtain a driveway/patio permit for parking area.
- 11) Applicant shall remove all improvements upon the Property that are in conflict with the plan.
- 12) ADA compliant access to the proposed patio area from Vernon Street and from parking area.
- 13) Yes, millings are allowed as long as they are maintained.
- 14) Site lighting and signs on the property, they just have to meet code.
- 15) No outdoor sales shall be conducted from a vehicle, trailer, truck while on site.
- 16) Waste management – solid waste must be picked up from a franchise with the city and shall construct the required dumpster enclosure in Phase II, as shown in site plan.
- 17) 5.3DD is a Mobile Food Vending Unite criteria for how they operate.
- 18) Must have a Business Tax Receipt on site.
- 19) Parking
- 20) Indian River County Impact Fees. Phase I is \$4,037.22 and Phase II is \$7,340.40. The City collects this money on behalf of the County.
- 21) Any violations of the land development code.
- 22) Any violations

Chairman Akers asked if anyone had any questions. Commissioner Barone asked about landscaping and suggested the applicant on a certain plant that grows fast and is inexpensive.

Alternate Commissioner Boissat asked about lighting on site.

Chairman Akers asked the applicant to come forward and state her name and address for the records to answer the question.

Pastor Annie Mae Brown – 1051 Vernon Street, Fellsmere City resident - she stated she was the owner of the food truck and yes they have a solar panels for at night that they place on the food truck when needed, but they close at 8pm anyway.

Chairman Akers asked if anyone had any other questions for the applicant, hearing none he opened the public hearing, hearing none he closed the public hearing and wished the applicant good luck.

MOTION by Commissioner Michael Barone, **SECONDED** by Alternate Commissioner Dominic Foti to approve **Resolution No. 2024-31**.

ALL AYES:

MOTION CARRIED 5-0

6. PUBLIC COMMENTS:

7. NEXT MEETING: June 19th, 2024

8. ADJOURNMENT:

There being no further business Chairman Akers adjourned the meeting at 5:26 pm.

These minutes were approved by the City of Fellsmere Planning & Zoning Commission/Local Planning Agency at their meeting held on 19th day of June, 2024.



Miriam Bedolla