

TOWN OF CINCO BAYOU  
PLANNING & ZONING MEETING MINUTES  
OCTOBER 13, 2011 – 5:30 PM

Mayor Farley called the Planning & Zoning meeting to order at 5:30 P.M. on Thursday, October 13. Following a moment of silence and Pledge of Allegiance, roll call was taken:

**ROLL CALL:**

MAYOR FARLEY  
COUNCILMAN CHUBB  
COUNCILMAN BRATTON

MAYOR PRO-TEM KOCH  
COUNCILMAN DRIVER  
COUNCILMAN THRASH

Also present at the meeting were: Town Manager/Clerk Nell Dykes, Asst. Town Manager/Clerk Monika Gillette, Town Attorney Jeff McInnis, Engineer Joe Rector Jack Dorman, and guests.

**Action Item:**

Matt Parker representing property owners of Yacht Club 90, LLC located at 90 Yacht Club Drive and corner of Opp Blvd in Cinco Bayou, FL approached the council to ask for a Special Exception: The Special Exception is from Article II, Zoning Districts, Division 4, District Regulations, Section 94-112 (c) Building Site Area of the Town of Cinco Bayou's current land development code which reads as follows:

*(c) "Building site area. The minimum building site area shall be one lot or parcel of land 5,000 square feet in area for each single-family dwelling; for each two-family dwelling, 3,000 square feet; and, for each multiple family dwelling, 1,500 square feet. Such parcels or lots shall have a minimum front width of at least 50 feet. Where a lot or parcel of land has an area of less than the minimum required by this subsection and was recorded as such at the time of the passage of this Code, the lot may be occupied by a one-family dwelling; provided, however, that the minimum side and front yard requirements set out in this section are conformed with."*

Attorney McInnis entered in the record a copy of the legal advertisement stating the meeting time and Special Exemption Request as submitted.

Engineer Parker stated the Special Exception request was for a 20' front width for each parcel or lot, rather than a 50' front width for each parcel or lot. Engineer Parker stated that there were examples of town homes within the Town's limits at 20' widths and that the code included provisions for multi-family in that zoning district. Attorney McInnis stated that the plans for the development had not been submitted and that the only consideration was for the Special Exception request.

Public Input – Mayor Farley stated that several people were on the agenda to speak and stated they would be limited to 5 minutes each.

Resident Joe Skelly and president of his homeowner's association addressed the council to voice his concern over granting the Special Exception stating that he had concerns over traffic and density.

Property owner Barrett Brooks representing the Fleming/Brooks Estate addressed the council to

also state his objection to the Special Exception request. He reiterated the density and traffic concerns as well as stating that he felt that the development would not fit into the surrounding land use.

Resident Patrick Lett also approached the council stating that he did not have an opinion either way but that he also had concerns with parking especially along Yacht Club Drive.

Resident Elizabeth Skelly addressed the council also stated her concern over density and parking.

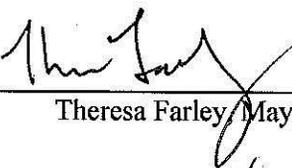
Mayor Farley recessed the Planning & Zoning Meeting at 6 pm to open the scheduled Regular Council meeting. She reconvened the Planning & Zoning immediately.

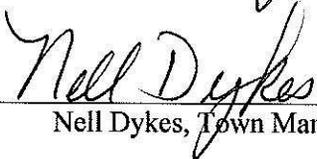
Mayor Farley read a letter submitted by Fleming Brooks stating his opposition to granting the Special Exception. There were no further public comments.

Attorney McInnis stated that he had reviewed the Town's code section 94-112 and discussed it with Mr. Jack Dorman, the Town's planning consultant. Both Attorney McInnis and Mr. Dorman recommended not granting the Special Exception but rather review and amend the code to clarify it. Mr. Dorman stated that there seems to be a phrase missing from the code and agrees granting a Special Exception would not be the correct way to make policy determination. He also stated that if the code is not corrected that current property owners who do not meet the current code could not rebuild their homes. Attorney McInnis stated the procedure for updating the Town's code through Ordinance. Councilman Bratton made a motion to table the Special Exception request until after the next Planning & Zoning meeting in order for staff to research and make recommendations for a possible code change. Councilman Driver seconded the motion. The motion passed unanimously.

**Adjourn** – There being no further business, the meeting adjourned at 6:34 pm.

ATTEST:

  
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Theresa Farley Mayor

  
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Nell Dykes, Town Manager/Clerk