

TOWN OF CINCO BAYOU
SPECIAL COUNCIL MEETING & PUBLIC HEARING MINUTES
OCTOBER 31, 2011 – 5:30 PM

Mayor Farley called Special Council Meeting and Public Hearing to order at 5:30 P.M. on Thursday, October 31, 2011. Following a moment of silence and Pledge of Allegiance, roll call was taken:

ROLL CALL:

MAYOR FARLEY	MAYOR PRO-TEM KOCH
COUNCILMAN CHUBB	COUNCILMAN DRIVER
COUNCILMAN BRATTON (absent)	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 guest Matt Parker.

Public Hearing:

1. Attorney McInnis read by title Ordinance 223: *AN ORDINANCE OF THE TOWN OF CINCO BAYOU, FLORIDA RELATING TO ELECTION DAY; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR MODIFYING THE 2012 TOWN OF CINCO BAYOU TOWN COUNCIL ELECTION DAY; PROVIDING THE ELECTION DAY FOR COUNCIL MEMBERS TO BE HELD TO COINCIDE WITH THE PRESIDENTIAL PREFERENCE PRIMARY ELECTION IN JANUARY 2012; PROVIDING FOR THE QUALIFYING PERIOD FOR THE MUNICIPAL ELECTION IN 2012 TO BE NOVEMBER 21, 2011 THROUGH NOVEMBER 25, 2011; PROVIDING FOR TERMINATION OF EXISTING AND COMMENCEMENT OF FUTURE TOWN COUNCIL MEMBERS TERMS; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.*

Councilman Chubb made a motion to accept the reading and adopt Ordinance 223. Councilman Koch seconded the motion. Mayor Farley asked for public comments and there were none. A roll call vote was taken:

Councilman Chubb	yes
Councilman Driver	yes
Councilman Koch	yes
Councilman Thrash	yes

The motion passed unanimously.

Action Item:

Ms. Dykes stated that a staff recommendation had been submitted to the Council which outlined three options to address Section 94-112 (c), Zoning and Land Use Controls, of the Cinco Bayou Code of Ordinances:

1. Take no action on Code revision.

2. Revise Code Section 94-112(c) as follows:

(c) *Building site area.* The minimum building site area shall be one lot or a 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, for single-family detached dwellings, 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.

3. Revise Code Section 94-112(c) as follows:

(c) *Building site area.* The minimum building site area shall be one lot or a 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, for single-family detached dwellings, shall have a minimum front width of at least 50 feet. Such parcels or lots, for multi-family attached dwellings, shall have a minimum front width of at least 20 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.

The staff recommended that the Council take action to amend Section 94-112(c) of the LDC. Between options 2 and 3 above, it was recommended that Option 2 be most favorably considered. The current provisions of the LDC and Comprehensive Plan that regulate density, building setbacks, parking, and other site developments requirements strictly control the number of units that can actually be permitted and built on a site. Additionally, the amendment set forth in Option 2 not only clarifies the application of the 50-foot lot front requirement, but also insures a more clear regulation for the re-construction of any multi-family dwellings that might otherwise be considered non-conforming structures under the current LDC.

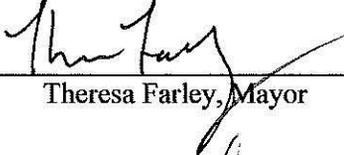
Mr. Jack Dorman stated that he had researched other cities within Okaloosa County to determine what lot width standards for townhomes were in their codes and concluded that Mary Esther and Fort Walton Beach had lot widths stated and that Crestview, Niceville and Shalimar had no minimum width requirements. Councilman Koch made a motion to recommend amending Chapter 94, Zoning and Land Use Controls to not state a minimum front lot width requirement for attached multi-family dwellings (Staff Recommendation 2) and have staff prepare an ordinance. Councilman Driver seconded the motion. Mayor Farley asked for public comments and there were none. A roll call vote was taken:

Councilman Chubb	nay
Councilman Driver	yes
Councilman Koch	yes
Councilman Thrash	nay

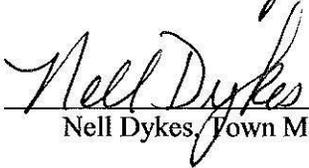
With a tie vote, Mayor Farley cast the deciding vote in favor of the motion and the motion passed.

Adjourn – There being no further business, the meeting adjourned at 5:50 pm.

ATTEST:



Theresa Farley, Mayor



Nell Dykes, Town Manager/Clerk