



DRAFT

**DEVELOPMENT REVIEW OFFICER OVERSIGHT COMMITTEE (DROOC)
MINUTES OF THE APRIL 24, 2009 SUBCOMMITTEE MEETING**

PREPARED BY EILEEN PLATTS

On Friday, April 24, 2009 at 2:00 p.m. the DROOC Subcommittee met in the Second Floor Conference Room (VC-2E-12), at 2300 North Jog Road, West Palm Beach, Florida.

Attendance:

Chairman Jeff Brophy called the meeting to order at 2:05 p.m.

Members Present – 11

Jeff Brophy – LDS - Chairman
Scott Mosolf – UDKS – Vice Chair
Bradley Miller – MLPC
Kevin McGinley – Land Research Mgmt.
Jan Polson – Cotleur & Hearing
Gladys DiGirolamo – GL Homes
Ron Last – Last Devenport, Inc.
Chris Barry for Jon Schmidt – Jon Schmidt & Assoc.
Chris Roog – GCBA
Pat Lentini – Gentile, Holloway, et al
Bill Whiteford – Team Plan Inc.

Members Absent – 1

Collene Walter – UDKS

County Staff Present:

Barbara Alterman (PZ&B, Director)
Jon MacGillis (Zoning Director)
Carol Glasser (Zoning)
Anthony Wint (Zoning)
Eileen Platts (Zoning)
Wendy Hernandez (Zoning)
Joanne Koerner (Land Development)
Ron Sullivan (Zoning)
Carrie Rechenmacher (Zoning)
DG McGuire (Zoning)
Andrea Harper (Zoning)
Barbara Pinkston-Nau (Zoning)
Donna Adelsperger (Zoning)

Audience:

Grace Turner – Miller Leg
Chris Betancourt – Miller Leg
Anne Perry – LWDD
Rosemary Rayman – LWDD

Motion to Adopt Agenda

Jeff Brophy, Chairman, asked if there was a motion to adopt the Agenda. The motion passed unanimously (11-0).

A) REVIEW OF JANUARY 23, 2009 MINUTES – (ATTACHMENT A)

Jeff Brophy then addressed the Minutes from the 1/23/09 meeting. There was one Amendment from Bill Whiteford to add the sentence "The DROOC Members agreed to have Bill Whiteford be a member of the DROOC subcommittee." The motion to adopt the amended minutes passed unanimously (11-0).

B) MEMO FROM CHAIR ON DROOC ACCOMPLISHMENTS – (ATTACHMENT B)

Jeff Brophy briefed the members on the memo he wrote to Commissioner Koons which was basically an outline of the history of the DROOC and the changes to the process that the DROOC

implemented. He stated he is meeting with Mike Jones, Economic Board, next week to see how DROOC can help County and Municipalities and address the review process to encourage business to County.

C) ONGOING LIST OF DROOC TASKS – UPDATE – (ATTACHMENT C)

Jon MacGillis reviewed each task on the 2008 chart and advised the members that the chart is going to be updated for 2009. Jon requested the members to recommend any new tasks that they would like placed on the chart.

DRO/Building Permit process- Barbara Pinkston-Nau updated the members on the progress of the LDRAB DRO Subcommittee on getting DRO, Platting, and Building Permit process drafted as alternative process in the ULDC in 2009-01 Round. The DRO Subcommittee that meets on this was asked by one of the Commissioners to add Platting to the mix of process, so there will be two options for the Final DRO process. Jon explained that he spoke with some of the Commissioners and they agreed to give staff more authority at the DRO level to approve other DRO changes. He requested the members to comment on DRO authority amendments or any other item related to DRO that can be tweaked on this process prior to the May LDRAB meeting.

EAC applications – Jon stated that the EAC applications issue was added in 2008 to the list of tasks, Collene brought up issue of agencies adding conditions to EAC with no rational nexus. Jon stated the EAC process will stay on the DROOC list and be discussed at the next meeting. Members were concerned with Agencies adding on conditions that have nothing to do with what is being applied for on the EAC. Jon stated that Collene will be giving an example of this issue and at the next meeting. He will bring the exact code language so members and staff can go through it and see why this is happening and if the code needs to be changed to be more specific.

EAC Fees – Gladys DiGirolamo asked that we also look at how Zoning currently determines fees for EAC, they are too high. Jon said he would add this topic to the task list for 2009.

Proposed Amended PZB Fee Codes - Wendy Hernandez reviewed each of the amended fees in revised ordinance going to May BCC, and explained how and why they were being amended. Jon indicated that Barbara Alterman and Pat Rutter had met with Gold Coast Builders Association representative this week to go over minor fee amendments. Chris Roog agreed, they did meet with Gold Coast. Jon stated that we will add, on our next agenda, the EAC and how we calculate the fees for that and if there is any room for adjustment.

D) 2009-01 ROUND AMENDMENTS – UPDATE

Discussed in item C under DRO/Building Permit process and Fee Codes.

E) STATUS OF URA AND INFILL ORDINANCE – DROOC INPUT

Wendy Hernandez updated the members on the Commissioners responses to March 24th BCC Infill Redevelopment Workshop. She explained that there are still ongoing Infill/Redevelopment Subcommittee meetings with the next one being held on May 13th. At the proposed June BCC Workshop for the Infill/Redevelopment, there will be discussion on the proposed changed to the Use Matrix and exactly how the streamlining of the process will take place. Staff will set up a special meeting with the DROOC to provide the members with the draft and to get input. Jon suggested that if the members were interested in what is happening at the Infill/Redevelopment Subcommittee meetings, they can view the 2008 and 2009 Minutes and Exhibits on the Zoning Web Page under News Release, click on Agenda and Minutes and it will take you to the links for both 2008 and 2009 (which are located in the LDRAB Subcommittee web page).

The direct path to the Agenda and Minutes:

http://www.pbcgov.com/pzb/Zoning/LDRAB/infill_redev_level1.htm

F) CHANGES TO PROCESS

Wendy Hernandez explained that the staff reports are done two weeks prior to the hearing which gives her and Jon MacGillis two days to review before they go to graphics on Tuesday. The Commissioners receive the packet on Thursday and the staff reports are available for the agents to review on the web the Monday after. Jon stated that staff should be able to get the staff reports to the agents by the Friday after they go to graphics.

The members brought up concerns on getting the conditions in a timely manner. Wendy stated that the conditions are available on ePZB as soon as the Agency finalizes them, if you cannot view them contact that agency and ask them to finalize their conditions. Jon explained that the problem is that staff are sometimes opening the conditions and not clicking the finalize button again before closing out. He is working with ITS to place a pop-up on the screen that will remind them to finalize before exiting the conditions screen. Donna Adelsperger suggested that any time there is a problem with ePZB to send a screen shot to staff so the problem can be addressed.

Carrie Rechenmacher distributed a handout of the draft for the All Petition Condition. Wendy explained that there are two options for the All Petition Condition. The first condition is more restrictive it will be used, for example, with limiting the uses or site design with no changes allowed unless in accordance with the conditions. The second condition is more specific in that it allows flexibility based on changes to the uses/changes to the site design in accordance with the ULDC. Bill Whiteford questioned the second All Petition Condition. He asked if that second condition was on the original Resolution for a special exception/specific use with conditions and the use changes to a permitted use would there be a need to change the resolution. Jon replied that the resolutions have to be updated even if you are putting in a permitted use. If the resolutions are not updated it is assumed that the property is still under the special exception/specific use and the conditions that were put on it are still valid. Bradley Miller questioned if the same applied if switching a permitted use with another permitted use. Carrie Rechenmacher answered that with the modified All Petition Condition a Permitted use can be switched with another Permitted use per DRO approval, the original didn't give DRO authority to do so.

Subcommittee update – Jon MacGillis listed all of the Subcommittees that are currently meeting for 2009 – Round of ULDC Amendments and advised the members that all of the information for these subcommittees is on the Code Revision Web Page.

The direct path to their web page is:

http://www.pbcgov.com/pzb/zoning/LDRAB/subs/subcom_meetings.htm

Jeff Brophy stated that the members had some questions on the Administrative Amendment/Zoning Review Process. Jan Polson stated that she is waiting much longer than the one day. Staff are now holding on to Plans until the Principal Site Planner signs off, sometimes days later. Jon stated that he asked Alan Seaman to become more involved in checking the applications until he feels comfortable that all staff are clear on Code requirements and which applications need to be held for closer review and which could be signed off at submittal.

G) OPEN DISCUSSION

Scott Mosolf reported that he was having difficulty with the owner information from PAPA being different than the Deed. Since the resolution merges the name from PAPA it merged wrong and now he is having a problem with getting the ownership on the resolution fixed. Donna Adelsperger explained that the problem was with PAPA because they put the owners names in backwards. Wendy Hernandez stated that staff will be looking at the names merged from PAPA more closely.

Jeff Brophy suggested that the DROOC Subcommittee meetings be moved to another day due to some offices being closed on Fridays. The members will discuss and bring suggestions to the next DROOC meeting. Jon MacGillis explained that Friday is the only day that is good for staff but we can do a survey on which day would be best for everyone.

H) ADJOURNMENT

The next DROOC meeting is on July 17, 2009 from 2:00-4:00 p.m.

The meeting was adjourned at 3:35 p.m.