

# DRAFT



## CITY OF FORT PIERCE PLANNING BOARD

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### Planning Board Minutes

OF THE REGULAR MEETING OF THE FORT PIERCE CITY PLANNING BOARD HELD ON TUESDAY, **JANUARY 10, 2017**, IN FORT PIERCE CITY HALL, COMMISSION CHAMBERS, 100 NORTH US HIGHWAY 1, FORT PIERCE, FLORIDA.

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**

Present: **Tim O'Connell; Robert Poitier; Al Bernetti; Charles Hayek; Eloise Cumings; Mike Dahan; Marcia Baker; Frank Creyaufmiller; John George; Steve Weaver; Bob Burdge, Chairman**

Absent: **Brian Paul**

Staff Present: **Jim Messer, City Attorney  
Rebecca Grohall, Planning Director  
Kori Benton, Senior Planner  
Vennis Gilmore, Planning Analyst  
Alicia Rosenthal, Administrative Assistant**

4. **CONSIDERATION OF ABSENCES**

Mr. Paul was unexcused.

5. **CERTIFICATION OF ALTERNATE MEMBER VOTING STATUS**

Mr. Bernetti was made a voting member for the meeting.

6. **APPROVAL OF MINUTES**

- a. Minutes from the December 13, 2016 meeting

**Motion was made by Robert Poitier, and seconded by John George to approve the minutes from the December 13, 2016 meeting.**

AYE: **Mike Dahan, Marcia Baker, Frank Creyaufmiller, John George, Tim O'Connell, Robert Poitier, Al Bernetti, Charles Hayek, Eloise Cumings, Chairman Bob Burdge**

Passed

**7. HEARING OF THE LOCAL PLANNING AGENCY**

**a. Comprehensive Plan Future Land Use Map Amendment - Collins Corner - 2496 Edwards Road**

Mr. Benton gave an overview of the application and answered questions from the Board. No one spoke for or against the application.

**Motion was made by Al Bernetti, and seconded by John George to forward a recommendation of approval to the City Commission.**

AYE: **John George, Frank Creyaufmiller, Marcia Baker, Mike Dahan, Eloise Cumings, Charles Hayek, Al Bernetti, Robert Poitier, Tim O'Connell, Chairman Bob Burdge**

Passed

**8. NEW BUSINESS**

**a. Conditional Use - Dufault Dwelling Rental - 1138 Hernando Street**

Mr. Benton gave an overview of the application and answered questions from the Board.

Mike McCarty, Attorney for the Applicant, and Shawn Dufault, Owner, provided additional information and answered questions from the Board.

Diane Jennings, Property Manager in absence of Ms. Dufault, and Rick Ross spoke in favor of the application.

Charlene Adair provided a list of policies to adapt for all dwelling rentals.

Mr. Broderick spoke against the application.

Mr. Messer stated if policies are going to be promulgated, they should originate in the Planning department and staffed through the legal department and then turned into an ordinance and presented to the City Commission for a public hearing. Mr. Messer expounded by saying general policies cannot be developed at the meeting and the Planning Board is not a policy making Board. Mr. Messer went on to say that each case has to be decided on its own merits and the Planning Board should not put restrictions on one applicant that are not going to be put on another applicant. Mr. Messer explained that the general law is that the city cannot regulate the duration and frequency of dwelling rental situations.

Ms. Baker stated in 1991, the City of Fort Pierce passed dwelling rental regulations that are operating now. Ms. Baker proceeded to say, since then the state has passed new regulations and if any changes are made to the city code that effects dwelling rental units, the city will lose the grandfathering from 1991. In addition, Ms. Baker added, if guidelines are put as recommendations on a case by case basis, the grandfathering will not be lost.

After hearing Ms. Baker's concerns, Mr. Weaver asked Mr. Messer his opinion on making a restriction on the number of occupants, since it would place further limitations on dwelling rentals.