

**City of Gulfport Florida**  
**Planning and Zoning Board/Local Planning Agency Meeting Minutes**  
**Wednesday, September 2, 2009**

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The Regular Meeting of the Planning and Zoning Board/Local Planning Agency was held on Wednesday, September 2, 2009, in the City Hall, City Council Chambers, 2401 53<sup>rd</sup> Street South, Gulfport, Florida.

Chairperson Reed called the meeting to order at 6:30 p.m. followed by the Pledge of Allegiance.

**Roll Call:**

Present were: Board Members Rudy Leopold, David Hastings and Bob Newcomb, Alternate Board Member Carol D'Alessandro, Vice Chairperson Marjory Milford, and Chairperson Jeri Reed.

City Staff Present: Community Development Director Fred Metcalf, Principal Planner Mike Taylor, Planner Myra Schwarz, Interim City Attorney Thomas Minkoff, and City Clerk Lesley DeMuth.

**1. Approval of Minutes – Planning and Zoning Board/Local Planning Agency Meeting of August 5, 2009.**

Motion by Board Member Hastings, second by Vice Chairperson Milford to approve the August 5, 2009 minutes.

UNANIMOUS APPROVAL BY ACCLAMATION.

**2. Consider a recommendation to the City Council on Application #S09-06: A Site Plan for a Change in Use from Trade Shop/Storage/Office to Commercial Retail Sales at 4929 9<sup>th</sup> Avenue South, Gulfport, Florida, 33707 (Parcel # 28/31/16/01458/006/0110) and legally described as Ardmore Heights Block F, Lot 11, according to the plat thereof, as recorded in Plat Book 009, Page 038, of the Public Records of Pinellas County Florida.**

Interim City Attorney Minkoff explained the reason why the request was back before the Board, stating the applicant had made a change from Mixed Use to Commercial Retail Sales. The amendment could have been approved by the City Council, but he requested it come back before the Board.

Board Member Hastings disclosed that he has previously prepared income tax returns for the applicant. Board Member Hastings stated he has not prepared nor been their client since April, 2008 and he has no financial interest in this entity. Interim City Attorney Minkoff advised the Board there is no requirement for Board Member Hastings to abstain from voting.

In response to a question by Vice Chairperson Milford, Interim City Attorney Minkoff advised that the Board needed to go through the Public Hearing procedures before a motion could be made.

Myra Schwarz, Planner, explained the applicant YABO, Inc., has applied for a site plan for a change in use from Trade Shop/Storage/Office to Commercial Retail Sales for the use of a flea market. Staff is recommending approval of the application subject to the following conditions: 1) the proposed project shall begin within one year of approval otherwise site plan will expire; 2) applicant shall coordinate with Public Works Department to install a backflow preventer in accordance with public works specifications; 3) all bay doors must remain open during all hours of operation, as required by the Fire Department; 4) all entryways and exits must be clearly marked both inside and outside the building with signage; 5) the existing shielding over the 6' chain link fence must be replaced with slatting or other fitted commercial covering or by solid opaque fencing prior to first day of requesting sales use; 6) all off-street parking spaces must be clearly marked with paint and wheel stops; and 7) the outdoor vendor sales area shall be designed by a physical barrier to limit pedestrian activity, and vehicle access ways shall be clearly marked.

Chairperson Reed opened the Public Hearing.

Pat Dunham, Pat Dunham Consulting, spoke on her knowledge of yard sales, and that she saw this request as a way to bring more business traffic into Gulfport and into this particular area.

Neither hearing nor seeing anyone else who wished to speak, Chairperson Reid closed the Public Hearing.

Motion by Vice Chairperson Milford, second by Board Member Hastings to approve Application #S09-06 with the conditions as stipulated in the Staff Report.

Board Member Newcomb stated he was a negative vote the last time they voted, and nothing has really changed that changes his opinion on the use. He felt based on some of the data included in this application, it is even clearer to him that they should probably not extend the non-conforming use of the parking facilities as they now exist under Section 22-9.01.

Alternate Board Member D'Alessandro stated she was also a descending vote at the last meeting, but it appears clearer, in the new information provided, what the parking arrangements are with the daycare and this makes her more comfortable.

VOTE:	BOARD MEMBER. LEOPOLD	YES
	BOARD MEMBER HASTINGS	YES
	BOARD MEMBER NEWCOMB	NO
	VICE CHAIRPERSON MILFORD	YES
	CHAIRPERSON REED	YES

MOTION CARRIED: 4 TO 1.

**3. Any other business.**

Alternate Board Member D'Alessandro expressed a concern of the properties along 58<sup>th</sup> Street and 7<sup>th</sup> Avenue where there are always several cars for sale and question if this was residentially or commercially zoned. Chairperson Reed suggested Board Member D'Alessandro contact Code


Enforcement regarding this.

4. Adjournment.

On a motion by Board Member Hastings, the meeting was adjourned.

UNANIMOUS APPROVAL BY ACCLAMATION.

10-7-09  
Date Approved

  
Chairperson Jeri Reed

  
Lesley DeMuth, City Clerk