

The Local Planning Agency of the City of Monticello, Florida met in regular session conducted by teleconferencing on October 12, 2020 at 7:00 PM.

Chairman Rick Anderson called the meeting to order.

**ROLL CALL / DETERMINATION OF QUORUM – CITY CLERK**

Clerk Anderson called the roll of Board Members. The following members were present on the call:

Rick Anderson  
Tami Lester  
Carly Peary  
Merry Ann Frisby  
Julie Conley, Ex-Officio Member

Others present were:

Emily Anderson, City Clerk/Treasurer  
Bruce Leinback, City Attorney

**PRELIMINARY ANNOUNCEMENTS – CITY ATTORNEY BRUCE LEINBACK**

Attorney Leinback discussed the allowances and procedures for conducting government meetings under the Governor’s Emergency Executive Orders 20-69 and extended by 20-246 due to the ongoing COVID-19 pandemic. Mr. Leinback gave instructions for participating in the meeting.

**APPROVAL OF MINUTES** On motion of Merry Ann Frisby, seconded by Tami Lester, the Board voted unanimously, by roll call vote, to approve minutes of the 7/22/2020 meeting. On motion of Board Member Carly Peary, seconded by Merry Ann Frisby, the Board voted unanimously, by roll call vote, to approve the minutes of the 8/19/2020 meeting.

**BUILDING PERMIT REVIEWS UNDER SEC. 54-191(d)**

**-Four Homes on Kimberly Lane (Lots 4, 5, 6 and 9)**

The Board discussed the elevation drawings submitted for Lot 4 and Lot 5, noting that the home design presented appears appropriate for the neighborhood. On motion of Tami Lester, seconded by Merry Ann Frisby, the Board voted unanimously, by roll call vote, to approve the design presented for Lots 4 and 5. The Board discussed the elevation drawings for Lots 6 and 9, noting the appropriateness of the design. On motion of Merry Ann Frisby, seconded by Tami Lester, the Board voted unanimously, by roll call vote, to approve the design proposal for Lots 6 and 9.

**ATTORNEY UPDATE ON NOTICE REQUIREMENTS FOR LOCAL PLANNING AGENCY MEETINGS FOR SEC. 54-191(D) REVIEWS**

Attorney Leinback discussed requirements under the local code and under Florida Statute regarding meeting notice to the public. He reported that City Code Sec. 66-44 contains notice requirements for planning process functions of the Planning Agency, but not for

other actions, such as architectural review. Regarding state law notice requirements, Attorney Leinback noted that the Florida Attorney General has determined that notice must be given so that the general public and the media may attend a meeting, and seven-day notice is offered as a suggestion.

Attorney Leinback noted the City does give notice to the media and the general public and also provides notice to members of the public who have expressed interest. The attorney suggested that seven-day notice should be sufficient for meetings.

Board Members discussed that any vote on code amendment recommendations should be made at an in-person setting. There was also discussion regarding publication of a notice, especially in light of the fact that the newspaper is only published two days per week. It was noted that the Governor's Order allowing virtual meetings expires October 30<sup>th</sup>.

**REVIEW OF CODE AMENDMENTS TO CLARIFY ACCESSORY USE REGULATIONS AND SET STANDARDS FOR ACCESSORY DWELLING UNITS** Clerk Anderson reviewed conflicting sections of the code regarding accessory structures and accessory structures intended to be used as living quarters. Because the code does not adequately define accessory structures and has no definition or standards for accessory dwelling units, the Board has been reviewing code amendments to clarify definitions, establish standards, and create allowances and standards for accessory dwelling units.

Board Member Frisby opined that the suggested draft changes do clarify the code, and the Board can continue to review standards, and Board Member Lester noted that fence requirements should be reviewed, as well as the number of accessory dwelling units allowed.

Clerk Anderson noted the problem with fencing regulation, since the county does not require a permit for install a fence. She noted that historic district properties undergo review of fencing since that would be a material change in appearance, but there is no such physical mechanism for fence permitting in general. It was suggested that the fence permitting issue should be discussed more by the Chairman, the Clerk and the City Attorney to determine what, if any, regulations could be enacted and enforced and how information would be disseminated to the public.

Chairman Anderson also suggested that the dwelling unit definition should include the phrase "habitable space" to tie it to the Florida Building Code.

#### **PUBLIC COMMENT / OTHER BUSINESS**

With no public comment, Clerk Anderson reminded the Board of the next meeting on October 21<sup>st</sup> for a site plan review. She also noted that any meetings after expiration of the Governor's order allowing virtual meetings will be conducted at the Courthouse Annex, and all possible safety precautions will be taken for the public and the Board. She also noted the resignation of Tom Dunn.

With no additional old or new business, and no further public comment, Chairman Anderson adjourned the meeting.

Respectfully submitted,

Emily Anderson  
City Clerk/Treasurer