

Jay G. Foy, Mayor
Lawrence Gordon, Vice Mayor
Mark C. Uptegraph, Council Member
Remar M. Harvin, Council Member
Daniel H. Sohn, Council Member
Janice C. Rutan, Town Administrator
John Fenn Foster, Town Attorney



**Town Council
Workshop
Town Hall Council Chambers
4585 Charlotte Street
Haverhill
Tuesday, June 5, 2018
NOON**

AGENDA

- I. Call to Order
- II. Presentations/Proclamations
- III. Council, Attorney and Staff Reports
- IV. New Business
- IV. Old Business
 - a. Discuss Variance request for 1128 Melinda Lane (hook up to sewer)
 - b. Discuss Variance request for 550 Tall Pines Road (Carport)
 - c. Review of proposed zoning text/subdivision amendments (staff presentation)
- VI. Adjournment

Notice: If any person decides to appeal any decision of the Town Council at this meeting, he/she will need a record of the proceedings and for this purpose; he/she needs to ensure that a verbatim record of the proceedings is made. The record must include the testimony and evidence upon which the appeal is to be based, pursuant to F.S. 286.0105. The Town of Haverhill does not prepare nor provide such verbatim record.

In accordance with the provisions of the American with disabilities Act (ADA), this document can be made available in an alternate format (large print) upon request. Special accommodations can be provided upon request with three (3) days advance notice of any meeting, by contacting Janice C. Rutan, Town Administrator, at the Haverhill Town Hall, 4585 Charlotte Street, Haverhill, Florida. Phone Number (561) 689-0370 Facsimile Number (561) 689-4317

**TOWN OF HAVERHILL
Town Council Workshop
June 5, 2018
Town Hall – 4585 Charlotte Street**

OFFICIAL MINUTES

Pursuant to the foregoing notice, a Haverhill Town Council Workshop was held on Tuesday, June 5, 2018 at Town Hall, 4585 Charlotte Street, Haverhill. Those present were Mayor, Jay Foy; Vice Mayor, Lawrence Gordon; Council Member, Remar M. Harvin; Council Member, Mark Uptegraph; Town Attorney, John Foster; Town Administrator Janice Rutan; Deputy Town Clerk, Jean Wible, Director of Public Services, Joseph Roche and Town Planner, Josh Nichols

I. CALL TO ORDER

Mayor Foy called the Workshop to order at 12:10 p.m.

II. PRESENTATIONS/PROCLAMATIONS

- a. Town Administrator Janice Rutan introduced Conrado Barrio & Nathali Cuellar, owners of 1128 Melinda Lane and Patrick Aceti owner of 550 Tall Pines Road. Both are here for a variance request discussion with Town Council and Staff.

III. COUNCIL, ATTORNEY AND STAFF REPORTS

- a. Town Administrator Janice Rutan stated Director of Public Services, Joseph Roche would like to recommend an increase in the minimum fee due to the Town of Haverhill regarding property owners that come before Special Magistrate for code enforcement assessment hearings. The current minimum fee due the Town is \$1,040.00 and Mr. Roche proposed a minimum increase to \$1,500.00. Discussion ensued.
- b. Town Administrator Rutan also stated Director of Public Services, Joseph Roche would like to discuss the fact that there is approximately 65 to 70ft of sidewalk on Richmond Mews in Briarwood that are a tripping hazard and need to be repaired. Mr. Roche will be meeting with Todd McLeod, the Towns engineer, tomorrow regarding this matter. Mr. Roche provided photographs of the sidewalks for today's workshop. Mr. Roche has closed off the particular sidewalks to pedestrian traffic until repairs can be done. Discussion ensued.

IV. OLD BUSINESS

- a. **Variance Request for 1128 Melinda Lane – Hook up to sewer:** Town Administrator Rutan explained that under The Town's terms of Ordinance, we recognize a Congregate Living Facility as a residential property and although it is not specifically a permitted use, the purpose of a Congregate Facility is considered a residential property and we require

that property owners have a full house generator, hook into the sewer, etc. In this case, the owner's Mr. Barrio and Ms. Cuellar have gone before the Board of Health to find out that although they are hooked up to Palm Beach County Water, sewer is not available to them at this residence. They are requesting a variance to the requirement that states they are required to be hooked up to sewer, although it was made clear that it is not available. Mayor Foy reminded the residents this is a Town Council Workshop for discussion purposes only. Mayor Foy stated no decisions can be made at a workshop. Mayor Foy asked Town Attorney John Foster if he had any input regarding this. Town Attorney Foster stated he and Town Administrator Rutan had spoken about this on several occasions. Town Attorney Foster first stated that he wanted to emphasize specifically to the applicants present today, that Town Council may express some opinions and ask some questions however, they cannot and will not take official action today because they simply can't at a Town Council Workshop as Mayor Foy first stated. Town Attorney Foster stated basically his conclusion was if waste water and water is available to the site, it may tie in. If not available, that creates a hardship not by their own doing and to the extent that that meets one of the criteria of a variance, it should be granted. Discussion ensued.

- b. **Variance Request for 550 Tall Pines Road – Carport:** Town Administrator Rutan stated there is a pre-existing non-conforming cement slab (located on right side of home) that is four (4) inches away from property line. Mr. Aceti (homeowner) would like to place a carport over the pre-existing non-conforming slab so he can park his boat and truck under the carport to protect from the elements. However, Town Administrator Rutan explained the request for variance is actually two-fold. One would be to increase the use of the pre-existing non-conforming slab and secondly, carports are considered accessory uses and the Town's ordinances state that accessory uses must meet setbacks so therefore, the carport (slab) must be 10ft from property line. She stated the first request would be to allow for a four (4) inch separation for the carport and then also to allow expansion of the non-conforming slab. Vice Mayor Gordon asked Mr. Aceti if the slab was installed with a permit and Mr. Aceti responded the slab was already there when he purchased home. Town Administrator Rutan explained staff went through the homeowner file and could not find a submitted permit for the slab. However, a survey in the file does show the slab was there in 1993. Discussion ensued.
- c. **Review of proposed zoning text/subdivision amendments (staff presentation):** Town Administrator Rutan stated she will be meeting with Town Attorney John Foster, Town Planner Josh Nichols, Director of Public Services Joseph Roche, Town Engineer Todd McLeod and the applicants of Haverhill Townhome proposal tomorrow. Town Planner Nichols presented a purely fit test on a prototypical 24x36 unit (density not considered in this presentation) as follows:

Draft Code:

1. **Minimum lot size: 5,445 sq. ft.**
2. **Minimum Lot Width: 45 feet**
3. **Maximum Lot Coverage: 50%**
4. **Minimum Front Set back: 100' separation**

5. Minimum Side Setback: 0 for TH

6. Corner Lots:

a. Minimum Front: 30'

b. Minimum Side: 15'

Proposed Changes:

1. Interior TH lots 1,500 sq. ft., end lots 2,500 sq. ft.

2. Consider 20' to 25' for interior and 30' for end lots

3. Consider 60% to 70%

4. Consider 90' for TH due to attached nature of the structures and setbacks

5. Consider 10' side setback for end units creating a 20' separation between TH blocks

6(a). Consider adding that 30' for single family and 25' for TH

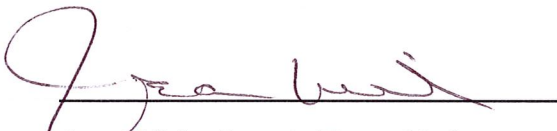
6(b). Consider adding 15' for single family and 10' for TH

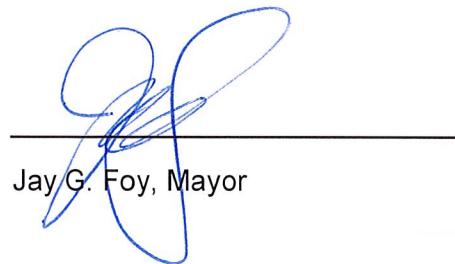
Discussion ensued

V. ADJOURNMENT

There being no further business to be discussed, the workshop ended at 1:45 p.m.

Approved: June ~~28~~ 2018


Jean Wible, Deputy Town Clerk

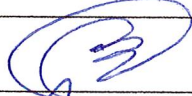
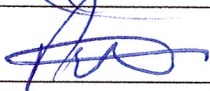

Jay G. Foy, Mayor

SIGN IN SHEET

TOWN OF HAVERHILL COUNCIL WORKSHOP

June 5, 2018

Noon

Name	E- Mail Address	Signature
Conrado Barrio	lopeztania@ bellsouth.net	
Patrick Aceti	cheerbarzi@gattoc.com	
Jay Foy		
Lawrence Gordon		
Mark Uptegraph		
Renar Harwin		
Josh Nichols		
John Foster		
Sean Wible		
Janice Rutan		
Joseph Roche		
Nathali Cuellar	naty2782@gmail.com	