



MINUTES OF THE MEETING OF THE PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY OF THE TOWN OF BRINY BREEZES, FLORIDA HELD ON THURSDAY, MARCH 11, 2010 AND MARCH 12, 2010 AT 4:00 P.M. IN THE TOWN HALL, 4802 NORTH OCEAN BOULEVARD, BRINY BREEZES, FLORIDA.

IN ATTENDANCE:

Members of the Planning and Zoning Board; Resident from District I, Barbara Orfe; Resident from District III, Jerry Lower (Chairman); Resident at Large, Ira Friedman; Alternate Member #1, Jim Phillippi; Alternate Member #2, James Leming

Absent with notice is Lee Godby, Resident from District IV

Also present are: Town Clerk Pro Tem, Kathleen Bray; and Town Attorney, Jerome Skrandel

CALL TO ORDER, PLEDGE OF ALLEGIANCE & ROLL CALL

Chairman Jerry Lower called the meeting to order at 4:00 p.m. Roll call was taken by Town Clerk Pro Tem Bray.

ADDITIONS, WITHDRAWALS, DEFERRALS, ARRANGEMENT OF AGENDA ITEMS

Attorney Skrandel asked to add a discussion on annexation. Chairman Lower added annexation to item VII.

EX-PARTE COMMUNICATIONS

None

MINUTES FOR APPROVAL

A motion to approve the minutes for the February 11, 2010 meeting was made and seconded (Leming/Friedman). Motion carried.

CORRESPONDENCE

Attorney Skrandel asked to have a letter he received just prior to the P&Z meeting, that Mayor Bennett wrote to County Commissioners and other city managers regarding annexation, be made available to the Board.

ANNOUNCEMENTS

None

REPORT FROM BRINY BREEZES, INC. – DIRECTOR AND/OR MANAGER

No representative is present. Dave Bayless, a member of the Briny Breezes, Inc P&Z Board, is present.

REPORT FROM TOWN ATTORNEY

Attorney Skrandel explained chapter 171 of the Florida Statutes. This chapter deals with annexation of property. This subject came up as a result of an action that Boynton Beach took in January 2010 that proposes intent to annex enclaves and unincorporated pockets that were located west of the intracoastal. When the discussion reached the County Commissioners meeting, the Commissioners asked Boynton to consider the unincorporated pockets to the east of the intracoastal and while they are at it they might also consider Briny Breezes. The Florida Statutes have a provision that prevents annexation of an already existing municipality. However, the pocket to the south of Briny Breezes and the enclaves located within Briny Breezes boundaries, the bank, the gas station and the real estate office, could possibly be considered for annexation at some point down the road. It is the opinion of Attorney Skrandel, that the Town of Briny Breezes should be included in the discussions regarding annexation and should take the necessary actions to assure that this occurs. While it is entirely up to the residents of the unincorporated land as to whether they want to be annexed, Briny Breezes could provide an option to those residents, of who they want to be annexed by, when and if they decide to do so.

ITEMS FOR ACTION

A motion to recommend that the Town of Briny Breezes participate in the discussions about annexation of the county pockets and enclaves was made and seconded (Stanley/Friedman). Motion carried.

Attorney Skrandel asked the council and the audience a series of questions that pertain to parking problems in the Town of Briny Breezes. The answers the public provided suggest that parking is limited and in some cases may be a hazardous situation and would benefit from the Town passing a uniform parking ordinance that would make assigned parking a safer and preferred situation.

Attorney Skrandel will prepare Ordinance 1-2010, Establishing Parking Permits, and the answers the public provided to the attorneys questions will be included in the ordinance.

A recess was called at 5:33 and a continuation of this meeting will be tomorrow, Friday, March 12, 2010 @ 4:00.

Chairman Lower called the meeting to order at 4:00 p.m and led the pledge of allegiance.

RESOLUTION P&Z 2010-1 A RESOLUTION OF THE PLANNING AND ZONING BOARD OF THE TOWN OF BRINY BREEZES, FLORIDA, DIRECTED TO THE BRINY BREEZES TOWN COUNCIL RECOMMENDING THAT THE COUNCIL PARTICIPATE IN THE GOVERNMENTAL PROCESS FOR CREATING AN INTERLOCAL SERVICE BOUNDARY AGREEMENT INITIATED BY THE CITY OF BOYNTON BEACH WITH PALM BEACH COUNTY FOR THE UNINCORPORATED COUNTY POCKETS AND ENCLAVES LYING EAST OF THE INTRACOASTAL WATERWAY; AND PROVIDING FOR AN EFFECTIVE DATE.

By action of the P&Z Board at yesterdays meeting, Resolution P&Z 2010-1 was prepared by Attorney Skrandel.

Chairman Lower called the meeting to order at 4:00 p.m and led the pledge of allegiance. A list of questions was sent to the Board of Directors of Briny Breezes, Inc for their input on the EAR. The B.O.D. responded to those questions and the Towns P&Z Board discussed those responses. The changes that were agreed upon will be incorporated into a revised EAR and published on the town's web-site. These revisions will be discussed at the next regularly scheduled meeting and the public is welcome to participate.

Attorney Skrandel will rewrite the paragraph referring to annexation in the EAR, to incorporate the actions that the P&Z Board took recommending the Town Council participate in the governmental process with Palm Beach County and the city of Boynton Beach and the creation of an Interlocal Service Boundary Agreement.

PUBLIC COMMENTS:

None

ANNOUNCEMENTS

The next scheduled P&Z Board meeting is April 8, 2010 @ 4:00 in the Town Hall.

A motion to adjourn the meeting was made and seconded (Leming/Friedman). Motion carried Meeting adjourned at 5:08 P.M., Friday, 3/12/2010.

These minutes were **approved** by the Briny Breezes
Planning & Zoning Board on April 12, 2010

Jerry Lower, Chairman

TOWN SEAL

ATTEST:

Kathleen Bray, Town Clerk Pro Tem