

MINUTES

PLANNING AND ZONING BOARD

APRIL 15, 2009

6:00 P.M.

❖ **CALL TO ORDER:**

Chairperson Burt called the meeting to order at 6:00 p.m.

❖ **PLEDGE OF ALLEGIANCE:**

Board Member Percy directed the Pledge of Allegiance.

❖ **ROLL CALL:**

BOARD MEMBERS PRESENT: Board Member Percy
Board Member Brooks
Chairperson Burt

BOARD MEMBERS ABSENT: Board Member Davidson
Board Member Hall

STAFF PRESENT: Marisa Barmby (CFRPC)
Town Clerk DeLegge

TAB 1: APPROVAL OF MINUTES:

❖ **MARCH 18, 2009 MEETING MINUTES**

MOTION by Board Member Percy, seconded by Board Member Brooks to approve the minutes as corrected.

AYE: Percy, Brooks, Burt

NAY: None

TAB 2: DISCUSSION OF ELECTRONIC MESSAGE BOARDS:

Chairperson Burt started the discussion on electronic message boards without the assistance from Marisa Barmby who was late due to traffic congestion outside of Winter Haven. He questioned what electronic message boards can be if they do not move, revolve, rotate, have lights or illumination that flash, move, rotate, blink, flicker, or vary in intensity. He asked Town Clerk DeLegge if he was familiar with this.

Town Clerk DeLegge explained that from his knowledge of billboards, the latest is the LED billboard that is like a big television screen. The ad that is on the screen stays there for a time, then changes to the next message in a

matter of seconds. He explained that they can put numerous ads on one billboard; it does not flash or scroll.

There was general discussion concerning LED billboards while waiting for Ms. Barmby's arrival. She arrived at 6:12 p.m.

After the arrival of Ms. Barmby, discussion followed concerning LED billboards. Board Member Percy stated that he was not in favor of the billboards that are like a huge TV screen, but he is not opposed to the signs that can be changed electronically, like a gas station changing prices on the sign. It is not advertising as such, just an informational sign. Ms. Barmby pointed out that at the joint meeting that was held with the Town Council last year; they determined that digital billboards were not something they wanted to allow. Therefore, billboards were not something that needed to be addressed at this meeting. Ms. Barmby reminded the Board that according to our attorney, you cannot regulate what people can put on their signs you can only tell them size, height or no sign at all. There was also discussion about lighting intensity and lighting emission, and the difference between the amount of light coming from a large TV screen-like sign and an informational sign like a gas station might have.

Ms. Barmby informed the Board that there is nothing in the code that prohibits someone from getting a permit to put in an LED sign, as long as it does not flash or violate anything in the code. She stated that even if the Board wanted to keep everything status quo, language needs to be put in the code concerning electronic message boards and signs, and what is prohibited. She gave several options that would give more clarification in the code. Discussion followed.

Board Member Percy stated that he would like to see the Board regulate this type of sign to the point that they are specific to single color lighting. Ms. Barmby pointed out that light intensity and size are already specified in the code. Chairperson Burt stated that he was a little uncomfortable with the color red, simply because red is the stop signal.

Ms. Barmby asked the Board for direction and consensus on a possible definition of an electronic message board. There was a brief discussion concerning the definitions recommended by Ms. Barmby. It was the consensus of the Board to go with the second definition for electronic message boards which states "A sign or portion of a sign, that has light emitting diodes (LED), or other similar computer controlled multiple lights, on which the copy changes automatically". Ms. Barmby stated that this item will be brought back to the Board at their June meeting.

TAB 3: STATUS REPORTS:

A. REPORT ON STATUS OF ITEMS THAT HAVE BEEN HEARD BY PLANNING AND ZONING BOARD AT PREVIOUS MEETINGS.

Ms. Barmby pointed out that the vacation of Old Dundee Road is still on the report and that it still must be brought to the Town Council for their

consideration upon the recommendation of the Planning and Zoning Board. She also reported that the Town Council approved the Evaluation and Appraisal Report (EAR) at First Reading last night (April 14, 2009) and that it will be going for Second Reading at their next meeting (April 28, 2009).

DELEGATIONS- QUESTIONS & COMMENTS FROM THE FLOOR

(Each speaker shall be limited to three (3) minutes)

None.

REPORTS FROM OFFICERS

- **PLANNING DEPARTMENT COMMENTS**

Ms. Barmby apologized for being late and that she did not anticipate the traffic congestion on Highway 17.

- **BOARD MEMBER COMMENTS**

Board Member Percy stated that the only comment he had was concerning the Old Dundee Road. He said that if the Town does not want to vacate that property and donate it to the owners, that the Town should be responsible for blocking that road in its entirety or repairing it to make it useable. He pointed out that it was a liability to the Town and that he wanted to go on record with it.

- **CHAIRPERSON COMMENTS**

Chairperson Burt had a comment following up on what Board Member Brooks said the last time about abandoned signs. He stated that the Fruit Tree sign is clearly an abandoned sign. Ms. Barmby agreed and stated that the owner is going to get a letter informing them that it is a non-conforming sign. She is reviewing a draft letter from Building Manager Jeanette Raine concerning this matter.

ADJOURNMENT

MOTION by Board Member Percy, seconded by Board Member Brooks to adjourn.

AYE: Percy, Brooks, Burt

NAY: None

Chairperson Burt adjourned the meeting at 6:47 p.m.

Bob Burt, Chairperson

ATTEST:

Joseph J. DeLegge, Town Clerk