

CITY OF COCOA
BOARD OF ADJUSTMENT
MEETING MINUTES
April 17, 2024

A Regular meeting of the Board of Adjustment of the City of Cocoa was held on Wednesday, April 17, 2024 in the Council Chambers at 65 Stone Street, Cocoa, as publicly noticed.

I. OPENING MATTERS:

Chairperson Shaia called the meeting to order at 6:00pm.

The Recording Secretary called the roll.

ROLL CALL:

Pam Shaia	Chairperson
Patricia Weeks	Vice Chairperson
Kaitlyn Aliano	Board Member
Robert Dyar	Board Member
Dan Quattrocchi	Board Member
Robert Butler	Board Member
James Green	Board Member
Kristin Eick	Assistant City Attorney

MEMBERS PRESENT:

Pam Shaia	Chairperson
Patricia Weeks	Vice Chairperson
Robert Dyar	Board Member
Dan Quattrocchi	Board Member
Robert Butler	Board Member

MEMBERS ABSENT:

Kaitlyn Aliano	Board Member
James Green	Board Member

OTHERS PRESENT:

Luci Ribeiro	City Planner
Jennifer Webster	City Planner
Kristin Eick	Assistant City Attorney
Lori Chabot	Recording Secretary
Abigail Bass	Assistant City Clerk

II. APPROVAL OF AGENDA & MINUTES:

- * **Motion by Board Member Weeks; Seconded by Board member Butler to approve the April 17, 2024 Agenda as written.**

Ayes: Shaia, Weeks, Dyar, Quattrocchi, Butler

Motion Passed Unanimously (5-0).

- * **Motion by Board Member Dyar; Seconded by Board member Weeks, to approve the February 21, 2024 Minutes as written.**

Ayes: Shaia, Weeks, Dyar, Quattrocchi, Butler

Motion Passed Unanimously (5-0).

III. OLD BUSINESS:

None.

IV. NEW BUSINESS:

A. PZ 24-00000009– Special Exception (638 Brevard Ave.)

Consideration of a Special Exception request pursuant to Appendix A, Zoning, Article XI, Sec 13 (c)(6) and Section 22 (F) of the Cocoa Village Subdistrict of the Cocoa Waterfront Overlay of the City of Cocoa Code to allow for a “bar or lounge, with or without a package store” to operate a beer and wine bar. The property is identified as 638 Brevard Ave., Cocoa, Florida. Tax Parcel ID: 24-36-33-85-*--A. *Postponed to next meeting.*

Luci Ribeiro presented the item and requested the Board pass a motion to postpone to the May 15, 2024 meeting.

- * **Motion by Board Member Weeks; Seconded by Board Member Dyar to postpone the item to the May 15, 2024 meeting at 6:00 PM at Cocoa City Hall.**

Ayes: Shaia, Weeks, Dyar, Quattrocchi, Butler

Motion Passed Unanimously (5-0).

B. PZ 24-00700001– Waiver (638 Brevard Ave.)

A waiver request from Appendix A, Zoning Article XIII, Sec. 19 (1) of the City of Cocoa Code to waive the requirements to provide stormwater retention facilities to retain the runoff of water resulting from a ten-year storm event. The property is identified as 638

Brevard Ave, Cocoa, Florida. Tax Parcel ID: 24-36- 33-85-*--A. ***Postponed to next meeting.***

Luci Ribeiro presented the item and requested the Board pass a motion to postpone to the May 15, 2024 meeting.

Motion by Board Member Weeks; Seconded by Board Member Dyar to postpone the item to the May 15, 2024 meeting at 6:00 PM at Cocoa City Hall.

Ayes: Shaia, Weeks, Dyar, Quattrocchi, Butler

Motion Passed Unanimously (5-0).

C. PZ 24-0040001– Zoning Verification Letter Appeal (430 Cox Rd.)

An appeal relating to a zoning verification letter issued for a vacant lot in the Manufacturing and Industrial District (M-1), particularly related to a proposed Stay Connected: www.CocoaFL.org regional trucking and parking facility. The 9.8-acre property is identified as 430 Cox Road, Cocoa, Florida. Tax Parcel ID: 24-35-26-00-757.

Attorney Eick made the board aware of the unusual request of the item as it is an appeal of an administrative interpretation and elaborated on what exactly an appeal was and what the process was for this type of appeal. She explained what an M1 district entails. She also explained that the board is able to affirm or reverse in whole or in part the interpretation of the code.

Kimberly Rezanka of Lacey Lyons Rezanka law, representing council for the applicant, Clayton Castetter, presented a packet¹ to the board. She touched on the site plans and read the board members the code that coincided with their request.

Upon reviewal of the packet, Attorney Eick informed the board that she had some concerns as we had not received this documentation as the appellant had not provided this information to the board. She stated that it listed a building and maintenance shop with offices and other structures being on the property to offload freight in the packet that was not listed in the zoning verification letter that was sent to the city. She informed the board and representing attorney Rezanka that the appellant can re-request a zoning verification letter and have this postponed to a later meeting date.

Attorney Rezanka stated she didn't present any new information and asked the board to proceed with her original request.

¹ Exhibit A: Appeal Packet

- * **Motion by Board member Dyar; Seconded by Chairperson Shaia to take a five-minute recess to give the Board a chance to review the packet before proceeding².**

Ayes: Shaia, Weeks, Dyar, Quattrocchi, Butler

Motion Passed Unanimously (5-0).

At the end of the recess Attorney Rezanka came back in and requested five more minutes to discuss everything with her client as she believed she could resolve this with him³.

The meeting was called back to order at 6:30pm and Attorney Rezanka requested that the item be temporarily postponed to the next meeting as she believed they would be able to resolve this matter without going through a full hearing and possibly get the matter resolved and withdraw it.

Motion to accept postponement made by Board member weeks; Seconded by Board Member Quattrocchi.

Ayes: Shai, Weeks, Dyar, Quattrocchi, Butler

Motion Passed Unanimously (5-0).

V. OTHER BUSINESS:

VI. NEXT MEETING DATE:

The next meeting date for the Board of Adjustment is May 15, 2024.

VII. ADJOURNMENT:

Motion by Board Member Weeks; Seconded by Board Member Butler to adjourn the April 17, 2024 meeting.

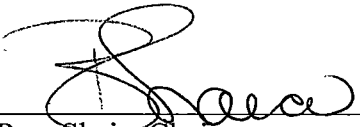
Motion Passed Unanimously (5-0).

Ayes: Shaia, Weeks, Dyar, Quattrocchi, Butler

There being no further business the meeting adjourned at 6:33 P.M.

² Five-minute recess taken from 6:20 PM to 6:25 PM

³ Recess extended from 6:25 PM to 6:30 PM

A handwritten signature in black ink, appearing to read 'Pam Shaia', written over a horizontal line.

Pam Shaia, Chairperson

A handwritten signature in black ink, appearing to read 'Abigail Bass', written over a horizontal line.

Abigail Bass, Assistant City Clerk