

CITY OF COCOA
BOARD OF ADJUSTMENT
MEETING MINUTES
October 25, 2018

A regular meeting of the Board of Adjustment of the City of Cocoa was held on Wednesday, October 25, 2018 in the Council Chambers at 65 Stone Street, Cocoa, as publicly noticed.

I. OPENING MATTERS:

Vice Chairwoman Elliott called the meeting to order at 6:14 P.M. The Board Secretary called the roll.

MEMBERS PRESENT:

Nancy Elliot	Vice Chairwoman
Bruce Gilmore	Board Member
Alex (James) Goins	Board Member
Jane Jollay	Board Member
Rip Dyal	Alternate Member

MEMBERS ABSENT:

Robert Frey	Chairman
Connie Harvey	Board Member
Matthew Ford	Board Member

OTHERS PRESENT:

Dodie Selig	Planning and Zoning Manager
Robert Loring	City Planner
Kristin Eick	Assistant City Attorney (via telephone)
Monica Arsenault	Board Secretary

II. APPROVAL OF AGENDA & MINUTES:

Approval of Agenda: October 25, 2018.

Approval of Meeting Minutes: September 19, 2018

Motion by Alternate member Dyal, seconded by Board member Goins, to approve the agenda and the minutes as written. Vote on the motion carried unanimously.

III. OLD BUSINESS:

None.

IV. NEW BUSINESS:

A. PZ-18-00800003 – Variance (1205 Princeton Rd.)

A request for a Variance from Appendix A Zoning, Article XI, Section 3(F) Minimum Yard Requirements of the City Code to reduce the side interior yard setback from eight (8') feet to five (5') feet for a proposed new garage in the RU-1-7, Single Family Residential zoning district. The property is identified as 1205 Princeton Road, Cocoa, Florida (Parcel ID: 24-36-20-50-14-17).

Mr. Loring provided a presentation¹. He provided an aerial photo of the property as well as the architectural plan. He shared a brief summary of the subject property and noted that the applicant is seeking relief from the 8' side interior setback by a maximum of 3' for a proposed garage. The garage is desired to house a vintage pick-up truck that the applicant owns.

Mr. Loring explained that the applicant applied for, and was granted a building permit for a concrete slab in this location in 2017. The slab was designed and poured with steel reinforcement to support a future structure. Staff reviewed the original building application which shows that the applicant had intended to construct a garage at a later date. Setback requirements for a future garage however were not considered when the permit for the concrete slab was issued. Furthermore, the concrete slab has a setback requirement of only 5', but any kind of accessory building would be required to meet the 8' side interior setback requirement. He explained that staff believes the applicant meets all the minimum criteria to warrant a variance, and the proposed garage does not constitute any kind of health, safety, or welfare issue for the surrounding community.

Mr. Loring stated that staff recommends approval of the variance with the following conditions:

- The variance shall not be effective until the applicant has secured all the permits and approvals necessary for any development related to the variance. Such permits shall be obtained within six (6) months of the Board's approval.
- Approval of this variance shall cease if the proposed structure is ever removed or destroyed.
- There shall be no expansion to the proposed structure into the side interior setback as a result of approval for the variance.

Mr. Loring opened the discussion to the Board for questions.

Board member Gilmore asked if the proposed garage would be a single car garage or a two car garage. In response, Mr. Loring stated that he believed this would be a one car garage.

Mr. Stephen English, 1205 Princeton Rd., Cocoa, explained that he is the applicant and provided a brief history of how the variance came about. He noted that he is looking for a 3' variance and is ready to move forward with the Board's approval. He noted that this process began about a year and a half ago.

¹ BOA Power Point Presentation 10/25/18

Vice Chairwoman Elliott asked Mr. English if he is prepared to begin. In response, Mr. English replied affirmatively.

Board member Gilmore asked if the location of the subject property is north of Dixon Boulevard. In response, it was clarified that it is north of Dixon Boulevard.

Board member Goins inquired about the location of the driveway. In response, Mr. English clarified that the driveway is pre-existing, however he would like to eventually extend the driveway to the garage.

Board member Gilmore asked if the driveway could be a part of the motion. It was clarified that it could not as a variance would not be required.

Motion by Board member Goins, seconded by Alternate member Dyal to approve the Variance request from Appendix A, Zoning, Article XI, Section 3(e), RU-1-7, to allow for a three (3)-foot reduction to the required eight (8') foot side interior setback, with the recommended conditions stated by staff. Vote on the motion carried unanimously.

B. PZ-18-00000005 – Special Exception (409 Delannoy Ave) (TABLED)

A request for a Special Exception from Appendix A, Zoning, Article XI, Section 13 (C)(19) of the City of Cocoa Code to allow for outdoor sales kiosks in the CBD-CVO (Central Business District - Cocoa Village Overlay) Zoning District. The property is identified as 409 Delannoy Avenue, Cocoa, Florida. (Parcel ID: 24-36-33-39-B-3)

Discussion was held regarding a motion to table this item.

Mr. Troy Stephan asked that this item be addressed sooner rather than later.

Motion by Board member Goins; seconded by Alternate member Dyal to table Item B to Monday, November 5, 2018.

V. OTHER BUSINESS:

None.

VI. NEXT MEETING DATE:

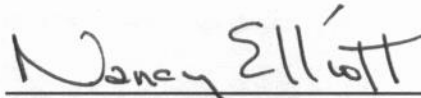
The Board members established that the next meeting would be held on November 5, 2018.

VII. ADJOURNMENT:

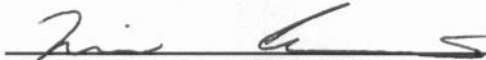
Motion by Alternate member Dyal, seconded by Board member Goins to adjourn the regular meeting of October 25, 2018. Vote on the motion carried unanimously.

There being no further business the meeting adjourned at 6:32 P.M.

Approved on this 5 day of November, 2018.

Handwritten signature of Nancy Elliott in black ink.

Nancy Elliott, Vice Chairwoman

Handwritten signature of Monica Arsenault in black ink.

Monica Arsenault, Board Secretary