

CITY OF PALM BAY, FLORIDA

**BOARD OF ADJUSTMENT
REGULAR MEETING NO. 2009-3**

Held on Monday, March 2, 2009, in the City Hall Council Chambers, 120 Malabar Road, SE, Palm Bay, Florida.

This meeting was properly noticed pursuant to law; the minutes are on file in the Land Development Division, Palm Bay, Florida. The minutes are not a verbatim transcript but a brief summary of the discussions and actions taken at this meeting.

Mr. Bob Williams, Chairperson, called the meeting to order at approximately 7:00 p.m.

Mr. Williams led the Pledge of Allegiance to the Flag.

ROLL CALL:

CHAIRPERSON:	Bob Williams	Present
VICE CHAIRPERSON:	Frank Illich	Present
MEMBER:	Richard Charshafian	Present
MEMBER:	John De Vivo	Present
MEMBER:	Ann King-Smith	Present
MEMBER:	Rodney White	Present
MEMBER:	Lawrence Repking	Present

CITY STAFF: Present were Robert Loring, Planner; Nick Tsamoutales, City Attorney Emeritus; Glenda Hege, Land Development Recording Secretary.

ELECTION OF CHAIRMAN AND VICE CHAIRMAN:

Motion by Mr. De Vivo, seconded by Mr. Illich to elect Mr. Bob Williams as Chairman. The motion carried with members voting as follows: Mr. Charshafian, aye; Mr. De Vivo, aye; Mr. Illich, aye; Mrs. King-Smith, aye; Mr. Repking, aye; Mr. White, aye; Mr. Williams, aye.

Motion by Mr. De Vivo, seconded by Mr. Charshafian to elect Mr. Frank Illich as Vice Chairman. The motion carried with members voting as follows: Mr. Charshafian, aye; Mr. De Vivo, aye; Mr. Illich, aye; Mrs. King-Smith, aye; Mr. Repking, aye; Mr. White, aye; Mr. Williams, aye.

ADOPTION OF MINUTES:

1. Regular Meeting No. 2009-2, February 2, 2009. Motion by Mr. De Vivo, seconded by Mr. Illich to approve the minutes as presented. The motion carried with members voting as follows: Mr. Charshafian, aye; Mr. De Vivo, aye; Mr. Illich, aye; Mrs. King-Smith, aye; Mr. Repking, aye; Mr. White, aye; Mr. Williams, aye.

ANNOUNCEMENTS:

1. Mr. Williams addressed the audience on the meeting procedures and explained that the Board of Adjustment was a quasi-judicial board made up of seven volunteers appointed by the City Council.
2. Mr. Williams stated that Mr. Illich and Mr. Charshafian were reappointed by Council and welcomed the new Board member Mr. Repking.

NEW BUSINESS:

1. V-4-2009 – MICHAEL AND CATHERINE KNOCHE

The applicant had requested a variance to the Zoning Ordinance to allow a proposed screened porch to encroach the 25 foot rear setback by a maximum of 4.6 feet in the RS-2, Single Family Residential Zoning District.

Mrs. Catherine Knoche (applicant) was present and agreed with the staff report. The applicant gave the Board pictures of the area for the proposed porch.

Mr. Tsamoutales asked the applicant if the neighbors objected to a screened porch being added and Mrs. Knoche answered no.

Mr. Williams asked the Board members if they had contact with anyone pertaining to the case and the Board answered no.

The Board questioned the applicant about what had been behind the home and violation to the scrub jay rule. Ms. Knoche stated landscaping had been behind the home. Mr. Loring stated it would not interfere with the scrub jay habitat.

There were no comments from the audience. There were no letters in the file.

Motion by Mr. De Vivo, seconded by Mrs. King-Smith to grant V-4-2009 a variance to the Zoning Ordinance to allow a proposed screened porch to encroach the 25 foot rear setback by a maximum of 4.6 feet in the RS-2, Single Family Residential Zoning District. The motion carried with members voting as follows: Mr. Charshafian, aye; Mr. De Vivo, aye; Mr. Illich, aye; Mr. Repking, aye; Mr. White, aye; Mr. Williams, aye; Mrs. King-Smith, aye.

2. V-5-2009 – ROY BEARD

The applicant had requested a variance to the Zoning Ordinance to allow a porch to encroach the 25 foot rear setback by a maximum of 4 feet 11 inches in the RS-2, Single Family Residential Zoning District.

Mr. Williams asked the Board members if they had contact with anyone pertaining to the case and the Board answered no.

Mr. Roy Beard (applicant) was present and agreed with the staff report.

The Board asked the applicant what direction the proposed porch would be and how the porch would connect to the home. Mr. Beard replied that the porch would be directly behind the home and that the contractor had not decided on how the porch and home would connect.

There were no comments from the audience. There were no letters in the file.

Motion by Mr. De Vivo, seconded by Mr. Charshafian to grant V-5-2009 a variance to the Zoning Ordinance to allow a porch to encroach the 25 foot rear setback by a maximum of 4 feet 11 inches in the RS-2, Single Family Residential Zoning District. The motion carried with members voting as follows: Mr. Charshafian, aye; Mr. De Vivo, aye; Mr. Illich, aye; Mr. Repking, aye; Mr. White, aye; Mr. Williams, aye; Mrs. King-Smith, aye.

ADJOURNMENT:

The meeting adjourned at approximately 7:20 p.m.

Bob Williams, CHAIRPERSON

Attest:

Glenda Hege, SECRETARY