

**CITY OF PALM BAY, FLORIDA**

**BOARD OF ADJUSTMENT  
REGULAR MEETING NO. 2009-11**

Held on Monday, November 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.

Mrs. King-Smith led the Pledge of Allegiance to the Flag.

**ROLL CALL:**

<b>CHAIRPERSON:</b>	Bob Williams	Present
<b>VICE CHAIRPERSON:</b>	Frank Illich	Absent (Excused)
<b>MEMBER:</b>	Richard Charshafian	Present
<b>MEMBER:</b>	John De Vivo	Present
<b>MEMBER:</b>	Ann King-Smith	Present
<b>MEMBER:</b>	Rodney White	Present
<b>MEMBER:</b>	Lawrence Repking	Present

Chairperson Williams excused the absence of Mr. Illich.

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

**ADOPTION OF MINUTES:**

1. Regular Meeting No. 2009-9, September 14, 2009. Motion by Mr. De Vivo, seconded by Mrs. King-Smith to approve the minutes as presented. The motion carried with members voting as follows: Mr. Charshafian, aye; Mr. De Vivo, 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.

**NEW BUSINESS:**

1. V-14-2009 – RICHARD DUSO

The applicant had requested a variance to the Zoning Ordinance to allow a proposed screen room to encroach the 25 foot rear setback by a maximum of 8 feet in the RS-2, Single Family Residential Zoning District.

The Board asked if the original slab had been permitted. Mr. Paul Kessler (contractor) replied yes and that the home had been built in a poor location and that the new slab encroached into the setback for the proposed screen room.

Ms. Nancy Dusco (applicant) agreed with the staff report. She stated she was the original owner.

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

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

Motion by Mr. White, seconded by Mr. De Vivo to grant Case V-14-2009, a variance to the Zoning Ordinance to allow a proposed screen room to encroach the 25 foot rear setback by a maximum of 8 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; Mrs. King-Smith, aye; Mr. Repking, aye; Mr. White, aye; Mr. Williams, aye.

**ADJOURNMENT:**

The meeting adjourned at approximately 7:15 p.m.

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Bob Williams, CHAIRPERSON

Attest:

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Glenda Hege, SECRETARY