



# West Melbourne

F L O R I D A

Board of Adjustment

## MINUTES

March 23, 2017

7:00 P.M.

City Council Chambers

### 1. CALL TO ORDER

Chairman Schroeder called the meeting to order at 7:00 p.m. followed by the Pledge of Allegiance.

### 2. ROLL CALL

Present were, Chairman Daniel Schroeder, Vice Chair Rachel McCreary, Board Members, Rob Beckner, Steve Hinson, Dave Menzel, Claudia Sprague and Catherine Ziebell.

Also present was City Attorney Morris Richardson, Planning Director Christy Fischer and Planner Denise Curry.

### 3. MINUTES

Board of Adjustment Meeting Minutes of January 26, 2017

Motion to approve the minutes was made by Member Beckner, seconded by Member Ziebell – motion carried 7-0.

### 4. PUBLIC HEARING(S) – City Attorney will discuss quasi-judicial procedures

City Attorney Morris Richardson briefed the board on quasi-judicial procedures.

#### a. Couture Law P.A Office – Variance Request (VAR-2017-01)

A request for a variance as provided in Chapter 66, Article VI, Division, 3. – Variances of the Code of Ordinances to allow for a variance from Sec. 98-1001. – Building setback lines, to allow a 90 ft. building setback from the centerline of New Haven Avenue instead of the 100 ft. required at 2930 West New Haven Avenue.

*Applicant:* Brent Couture, Couture Development LLC  
*Location:* 2930 West New Haven Avenue

Planner Curry presented the staff report. She explained the location, size, zoning, future land use, and the existing conditions regarding the property. She stated the owner would like to construct a 10 x 14 foot building addition to the front of the building. She explained that code requires the building to be setback from the centerline of New Haven Avenue a distance of 100 feet but the building currently does not meet that requirement since the building was constructed prior to New Haven Avenue being widened. She stated the minimum variance requested in order to construct the building addition to the front is 10.61 feet. She gave a brief history/timeline of the widening of New Haven Avenue and the specific reasons for the applicant's request. She presented the recent history of variances

that had been granted along New Haven Avenue by the City's Board of Adjustment along with some side by side pictures of how those properties had been improved since granting variances. She added that the city encourages redevelopment and building enhancement in the Community Redevelopment Area. She presented staff analysis regarding the variance approval criteria and stated the criteria for approval has been met. She recommended the board approve the variance based on the analysis in the staff report with the following condition:

1. Should the building be destroyed and reconstruction occurs, it will be built to the road building setback from New Haven Avenue's centerline or to the setback that exists at the time of reconstruction; and this variance ceases to exist.

The applicant, Mr. Brent Couture stated the reasons for the addition are to increase the visibility and beautify the site. He explained his is a growing business and they would like to add staff to his office and the building addition would free up space in the building for additional staff or office area. He further explained the addition would be used for a waiting area for his clients. He added the parking lot would not be changed but this would give him a chance to revitalize the building and increase the visibility of his business.

City Attorney Richardson explained the variance process and there are practical reasons for granting this one. He briefed the board regarding what qualifies as a hardship.

Chairman Schroeder closed the public hearing and there was general Board of Adjustment discussion about the requested variance.

Motion by Board Member Beckner, seconded by Board Member Hinson to approve the variance based on the analysis in the staff report with the following condition:

1. Should the building be destroyed and reconstruction occurs, it will be built to the road building setback from New Haven Avenue's centerline or to the setback that exists at the time of reconstruction; and this variance ceases to exist.

Motion passed 7-0.

## 5. REPORTS


1. Planning Director – Planning Director Fischer spoke about various development projects throughout the city.
2. Board Members – No Reports

## 6. PUBLIC COMMENTS

No public comments.

## 7. ADJOURN

There being no further business, the meeting was adjourned at 7:42 p.m.

  
Denise Curry, Planner

  
Daniel Schroeder, Chairman