

**Board of Adjustments and Appeals  
Regular Meeting  
February 25, 2004**

The Board of Adjustment and Appeals (BAA) of the City of Titusville, Florida, met in regular session in the Council Chambers, on Wednesday, February 25, 2004.

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Chairman Prather called the meeting to order at 6:30 p.m. Present were Vice Chairman Sheldon Brown, Members Richard Thornburg, Robert Donaldson and Alternate Member Michael Boggs. Member Chehayeb arrived at 6:39 p.m. Also in attendance were Planner Don Land and Recording Secretary Tammy Holton. It was determined that a quorum was present.

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Chairman Prather asked the entire assembly to recite the Pledge of Allegiance to the Flag.

*XXX*

Chairman Prather informed Alternate Member Boggs that he would be voting as a regular member.

*XXX*

First item of business was the approval of the minutes from the January 28, 2004 regular meeting. Member Thornburg made a motion to approve the minutes as submitted. Vice Chairman Brown seconded the motion. There was a unanimous voice vote.

*XXX*

Chairman Prather confirmed the quasi-judicial procedures verifying that all persons wishing to speak before the board have signed an oath card; confirmed that all agenda items had been properly advertised and call for members' statements, if they have visited any of the sites. The members confirmed that they had visited the sites and spoke to no one.

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**New Business:**

Variance #7-2004 Forward Design and Development - The applicant has requested a Variance to:

- a. Section 39-40(b)(1), Street right of way width requirements.

- b. Section 39-91(b)(1), 20' utility easement requirements.
- c. Section 59-168(f), 10' minimum landscape easement required.
- d. Section 59-168(i), 5-acre minimum land area required.

Located east of Royal Oak Drive and north of Country Club Drive.

Don Land relayed to BAA that due to an emergency the applicant called and requested tabling the item until the next regular BAA meeting. Discussion followed.

Vice Chairman Brown made a motion that due to emergency situation Variance #7-2004 be tabled per applicant's request until such time as a written notice is received from the applicant with his intent to have the item heard. Member Donaldson seconded the motion.

Chairman Prather – yes  
Vice Chairman Brown – yes  
Member Thornburg – yes  
Member Boggs – yes  
Member Donaldson –yes

Variance #6-2004 James W. Garrison - The applicant is requesting a Variance to Section 59-146(b)(2), Townhouse height yard and area requirements. Located at 1961 and 1965 Dipol Courtway. Don Land gave a brief overview of the request. Discussion followed.

Jim Garrison 149 Harrison Street – In favor. Presented BAA with an aerial view of the location and relayed his intentions for the project. Without a variance, the property would not be able to develop as multiple unit complexes as is currently there.

Discussion followed.

Member Chehayeb made a motion for approval of Variance #6-2004. Vice Chairman Brown added with staff recommendation and seconded the motion. Member Chehayeb accepted the addition.

Chairman Prather – yes  
Vice Chairman Brown – yes  
Member Thornburg – yes  
Member Donaldson – yes  
Member Chehayeb - yes

XXX

**Reports:**

Staff – Informed BAA that Code Enforcement is actively citing temporary carport structures, such as the ones with four poles and a canvas or aluminum top. These carport structures are becoming a problem as they are being placed in the right-of-way. Informed BAA of the instruction from City Council to draft a 90-day moratorium on all land use change applications. Told BAA that Randy Woodruff, Senior Planner had accepted a position with a private firm in Orlando and would be leaving the city. Discussion followed.

Member Thornburg – Questioned the request to table Variance #7-2004 is Loys Ward the applicant or the representative. Discussion followed.

*XXX*

**Adjournment:**

The meeting adjourned at 7:00 p.m.