

**Board of Adjustments and Appeals
Regular Meeting
July 23, 2003**

The Board of Adjustment and Appeals (BAA) of the City of Titusville, Florida, met in regular session in the Council Chambers, on Wednesday, July 23, 2003.

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Chairman Donald Prather passed the gavel to Vice Chairman Brown due to eyesight problems; Vice Chairman Sheldon Brown conducted the meeting. Vice Chairman Sheldon Brown called the meeting to order at 6:30 p.m. Present were Chairman Donald Prather, Members Richard Thornburg, Robert Donaldson, Sid Chehayeb, and Alternate Member Mike Boggs. Alternate Member John Hudgens was excused. Also in attendance were Water Resources Director Raynetta Grant, Water Resources Engineering Manager Janet Elrod, Senior Planner Randy Woodruff, and Recording Secretary Tammy Holton. It was determined that a quorum was present.

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

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First item of business was the approval of the minutes from the June 25, 2003 regular meetings. Member Thornburg made a motion to approve the minutes as corrected. Member Donaldson seconded the motion. There was a roll call vote.

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

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Vice Chairman Sheldon Brown 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 #34-2003 Oaks Development Group for Amville Investments - The applicant requests a variance to Section 21-290(b), Connection to reclaimed water system required, City Code. Located on the east side of Holder Road north of Prescott Street. Vice Chairman Brown reported to BAA that two letters had been received regarding this item, one from the applicant requesting tabling of the item for thirty days and a letter from Titusville City Council requested tabling. Discussion followed.

Chairman Prather made a motion to table Variance #34-2003 for 30 days until the regular BAA meeting in August 2003. Member Thornburg seconded the motion.

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

Variance #35-2003 Honeycutt & Associates (for Marbella Investments, Inc.) - The applicant is requesting a variance to Section 59-166(a), Height, yard and area requirements. Located on the southwest side of Columbia Boulevard (S.R. 405) across from Kirkwood Trail. Randy Woodruff gave a brief overview of the request. Member Chehayeb questioned where this request fails under the criteria for BAA to grant a variance. Discussion followed. Randy Woodruff told BAA that the current code of ordinances states the board will consider the criteria when rendering a decision for variances, the criteria are not mandatory. Discussion followed.

Woody Rice, Honeycutt and Associates, 5185 South Washington Avenue – In favor. Reported to BAA that in the staff report several departments within the city had comments but did not object to the variance. Mr. Rice stated that the architectural design of the building would drastically affect the project if variance were denied. Stated that by granting the variance for increased height, the roofline design would enable the project to adhere to the visual impact of the adjacent buildings. Variance is for height in order to meet roof shingle requirements.

Discussion followed by BAA members.

Member Thornburg made a motion for approval of Variance #35-2003 with staff recommendations and that it meets the criteria for granting a variance. Member Chehayeb seconded the motion.

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

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Adjournment:

The meeting adjourned at 6:58 p.m.