

**Board of Adjustments and Appeals
Regular Meeting
September 24, 2003**

The Board of Adjustment and Appeals (BAA) of the City of Titusville, Florida, met in regular session in the Council Chambers, on Wednesday, September 24, 2003.

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

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Chairman Donald Prather 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 August 27, 2003 regular meeting. Member Chehayeb made a motion to approve the minutes. Member Donaldson seconded the motion. There was a unanimous voice vote.

Chairman Prather asked about Variance #34-2003 which was tabled until this meeting. Don Land told BAA that the applicant had resolved the issues with the Water Resources Department and subsequently had withdrawn the request.

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Chairman Donald 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 #39-2003 D&R Signs for CVS 5864 Florida LLC – The applicant is requesting a variance to Sections 39-172(b) and 39-173(a)(2) to allow additional signage at this site (the new CVS Pharmacy). Located at 1820 Cheney Highway (SR 50). Don Land gave an overview of the request.

Steve Hanks, 133 Thomasson Avenue Daytona Beach (D&R Signs) – In favor. ID sign on SR 50 /Cheney Highway square footage is referenced on the permit as 9.1 square feet which is correct, requested to have the secondary sign to be consistent with the 9.1 square feet. For the ground sign the reader board would be omitted. This would also allow conformance to CVS prototype specs. Would like to keep the front of the building the same and add to the side to have signs consistent. Member Donaldson asked if Barna Avenue would have a reader sign. Mr.

Hanks stated that was deleted from the plan. Discussion followed. Mr. Hanks reviewed with BAA the calculations for square footage of signs. Member Donaldson asked Don Land if the calculations seemed correct. Mr. Land told BAA that he did not have a calculator to determine the exact computations but they seemed correct. Discussion followed.

Member Chehayeb asked on the actual sign how is the square footage measured. Don Land told BAA that the reading portion of the sign provides the measurements; sign structure is only measured for height.

Member Boggs made a motion for approval of Variance #39-2003 Part A and B for 9 square feet for the main ID sign as requested by the petitioner. Member Donaldson seconded the motion.

Member Boggs – yes
Member Donaldson – yes
Member Chehayeb – yes
Member Hudgens – yes
Chairman Prather - yes

Variance #40-2003 Kevin Hodges – The applicant is requesting a variance to Section 59-46(b), Height, yard and area requirements. Located at 4110 Iona Street. Don Land gave an overview of the request. Discussion followed.

Member Donaldson made a motion for approval of Variance #40-2003 with staff recommendation and conditions. Member Boggs seconded the motion.

Member Chehayeb – yes
Member Hudgens – yes
Chairman Prather – yes
Member Boggs – yes
Member Donaldson - yes

Variance #41-2003 Douglas Husted – The applicant is requesting a variance to Section 59-32(d), Accessory buildings and structures. Located at 3460 South Park. Don Land gave an overview of the request.

Douglas Husted, 3460 South Park Avenue – In favor. Original plans called for concrete block garage with stucco, but estimates ranged to high and he could not obtain financing for the block project. That is why the metal structure was a good option. Discussion followed.

Member Boggs made a motion for approval of Variance #41-2003 as requested by the applicant. Member Chehayeb seconded the motion.

Member Hudgens – yes
Chairman Prather – yes
Member Boggs – yes
Member Donaldson – yes
Member Chehayeb - yes

Variance #42-2003 Carolyn G. Tant – The applicant is requesting a variance to Section 59-106(b), Height yard and area requirements. Located at 2350 Christine Drive. Don Land gave an overview of the request.

Member Donaldson made a motion for approval of Variance #42-2003 as requested by the applicant due to the unique settings and small portion. Member Hudgens seconded the motion.

Member Boggs – yes
Member Donaldson – yes
Member Chehayeb – yes
Member Hudgens – yes
Chairman Prather - yes

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Adjournment:

The meeting adjourned at 7:22 .m.