CITY OF COCOA
BOARD OF ADJUSTMENT
MEETING MINUTES
February 1, 2023

A Special meeting of the Board of Adjustment of the City of Cocoa was held on Wednesday, February 1, 2023 in the Council Chambers at 65 Stone Street, Cocoa, as publicly noticed.

I. OPENING MATTERS:

Chairperson Elliott called the meeting to order at 5:00 P.M. The Board Secretary called the roll.

ROLL CALL:

Nancy Elliott	Chairperson
Pam Shaia	Vice Chairperson
Kaitlyn Aliano	Board Member
Bruce Gilmore	Board Member
Robert Dyar	Board Member
Dan Quattrocchi	Board Member
Patricia Weeks	Board Member

MEMBERS PRESENT:

Nancy Elliott	Chairperson
Pam Shaia	Vice Chairperson
Kaitlyn Aliano	Board Member
Bruce Gilmore	Board Member
Robert Dyar	Board Member
Dan Quattrocchi	Board Member
Patricia Weeks	Board Member

MEMBERS ABSENT:

OTHERS PRESENT:

Bryant Smith	Interim Growth & Economic Dev. Director
Justin Lee	Senior Planner
Luci Ribeiro	Planner
Rip Dyal	Board Liaison
Kristin Eick	Assistant City Attorney
Monica Arsenault	Recording Secretary

II. APPROVAL OF AGENDA & MINUTES:

* **Motion by Board member Weeks; Seconded by Board member Dyar, to approve the February 1, 2023 agenda as written.**

Vote on the motion carried unanimously (7-0).

AYES: Elliott, Shaia, Aliano, Gilmore, Dyar, Quattrocchi, Weeks

* **Motion by Board member Aliano; Seconded by Board member Quattrocchi, to approve the November 16, 2022 minutes as written.**

Vote on the motion carried unanimously (7-0).

AYES: Elliott, Shaia, Aliano, Gilmore, Dyar, Quattrocchi, Weeks

III. OLD BUSINESS:

None.

IV. NEW BUSINESS:

A. PZ-23-00000001 – Special Exception for Expansion and Extension of Existing Use for a Child Care Center (825 Forrest Ave)

Mr. Smith provided a presentation[1] and explained that there is a request from Appendix A, Zoning, Article XI, Section 5 and 6 (C) (7) of the City of Cocoa Code to allow for expansion and extension of an existing use.

Mr. Smith provided a map showing the site location as well as a zoning and future land use map.

He explained that there will be no staged parking in the road so there will be no traffic interruptions that will create unsafe conditions.

He shared that staff is recommending approval of the Special Exception with the following conditions:

1. The Special Exception shall not be effective until the applicant has secured all the permits and approvals necessary for any development related to the Special Exception. Such permits shall be obtained within twelve months of the Board's approval.

2. If the use is extended, enlarged, or expanded, a new Special Exception approval shall be required. Hours of operation shall be limited to 7:30am to 6:00pm and there shall be a maximum number of forty-nine students.

Scott Billue, the applicant, shared some information about the school. He explained that the preschool/daycare will be open to the public, however homeless and low-income families will be prioritized first. They are based out of Winter Garden and they have been operating Matthew's Hope Ministries for almost thirteen years. The school itself has

[1] Exhibit A: 02/01/2023 BOA Presentation

been operating for eight years and seven out of those eight years they have been voted the number one school in their area.

Chairperson Elliott asked if they will be serving food. In response, Mr. Billue shared that while they do have a commercial kitchen with people who are capable of cooking, they will not be serving food at this time.

Chairperson Elliott opened the hearing to the public. There being no questions or comments the public portion of the hearing was closed.

* **Motion by Board member Weeks; Seconded by Vice Chairperson Shaia, to approve the Special Exception with the conditions recommended by staff.**

The Recording Secretary called the roll.

Vote on the motion carried unanimously (7-0).

AYES: Elliott, Shaia, Aliano, Gilmore, Dyar, Quattrocchi, Weeks

V. OTHER BUSINESS:

None.

VI. NEXT MEETING DATE:

It was established that the next meeting would be on Wednesday, February 15, 2023.

VII. ADJOURNMENT:

* **Motion by Board member Weeks; seconded by Vice Chairperson Shaia to adjourn the Special meeting of February 1, 2023.**

Vote on the motion carried unanimously (7-0).

AYES: Elliott, Shaia, Aliano, Gilmore, Dyar, Quattrocchi, Weeks

There being no further business the meeting adjourned at 5:14 P.M.

Approved on this 19 day of April, 2023.

Nancy Elliott

Nancy Elliott, Chairperson

Monica Arsenault, Board Secretary

Exhibit A: BOA Presentation 02/01/2023



BOARD OF ADJUSTMENT
February 1, 2023

PZ-23-00000001 – Special Exception – 825 Forrest Ave

Child care centers, day nurseries, or kindergartens

SPECIAL EXCEPTION

Request from Appendix A, Zoning, Article XI, Section 5 and 6 (C) (7) of the City of Cocoa Code to allow for expansion and extension of an existing use for child care center.

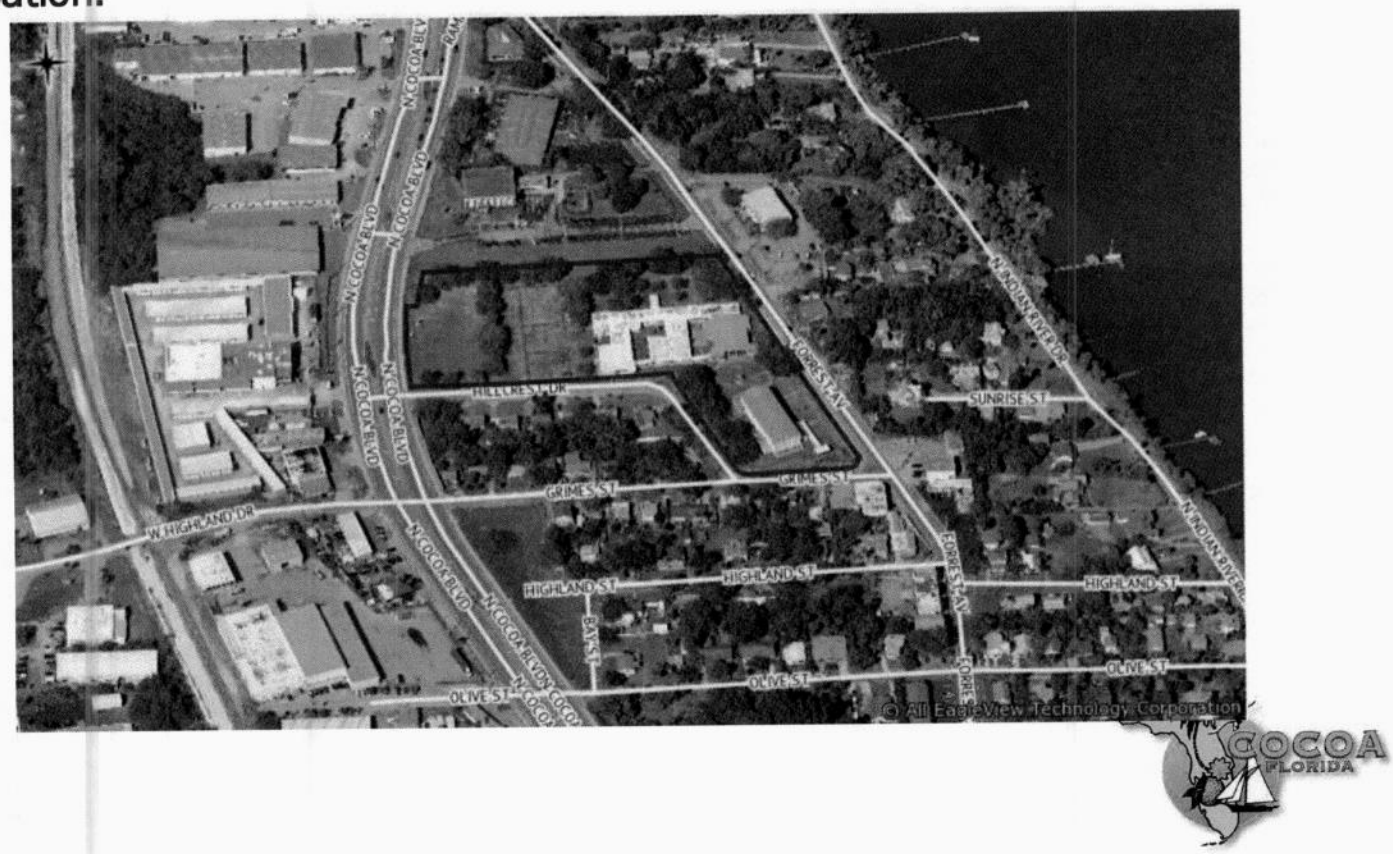
The property has an existing special exception in the RU-2-15 and RU-2-25 zoning districts and the applicant is seeking to expand this use. As part of the original approval from July 17, 1996, any expansion of the use requires a new special exception.

The applicant is proposing an increase in the student body from 40 to 49 and hours of operation from 9:00 AM – 12:00 PM to 7:30 AM – 6:00 PM.

PZ-23-00000001 – Special Exception – 825 Forrest Ave

Child care centers, day nurseries, or kindergartens

Site Location:



PZ-23-00000001 – Special Exception – 825 Forrest Ave

Child care centers, day nurseries, or kindergartens

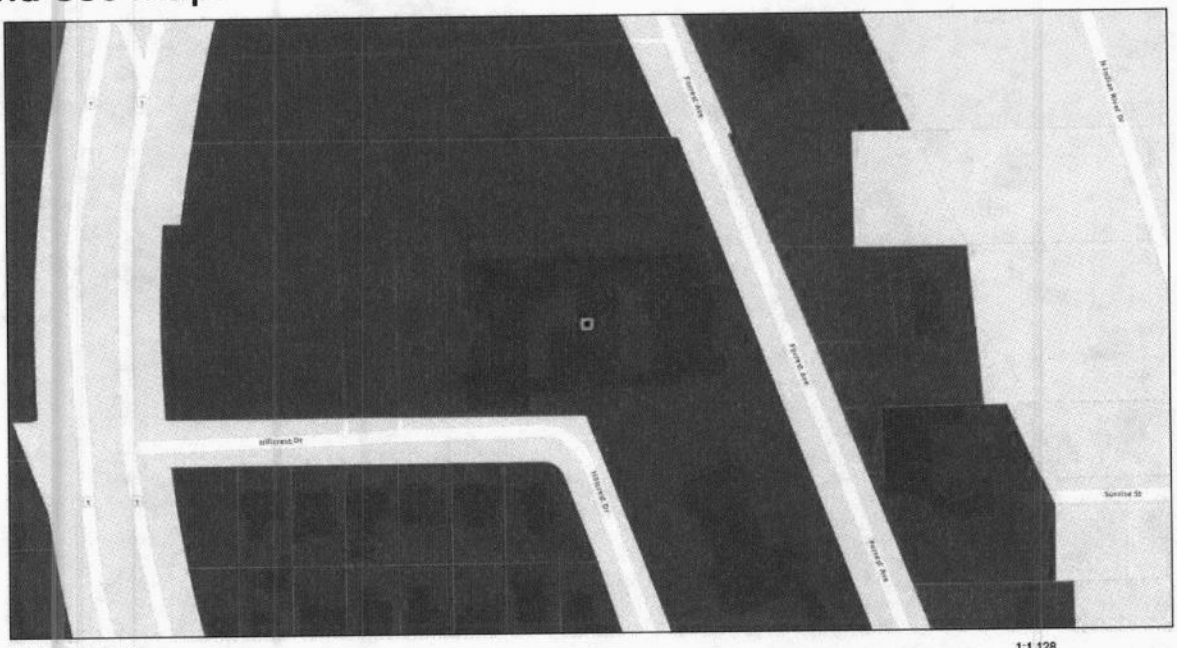
Zoning Map:



PZ-23-00000001 – Special Exception – 825 Forrest Ave

Child care centers, day nurseries, or kindergartens

Future Land Use Map:



1/27/2023, 12:54:54 PM

FLU

- Very Low Density Residential
- Low Density Residential
- Neighborhood Commercial
- Commercial

1:1,128

0 0.01 0.03 0.05 mi

0 0.02 0.04 0.07 km

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COCOA FLORIDA

PZ-23-00000001 – Special Exception – 825 Forrest Ave

Child care centers, day nurseries, or kindergartens

Site Layout:



PZ-23-00000001 – Special Exception – 825 Forrest Ave

Child care centers, day nurseries, or kindergartens

Recommendation:

Staff recommends **approval** of the Special Exception in accordance with Appendix A, Zoning, Article XI, Section 5 and Section 6 (C)(7) of the City of Cocoa Code for an expansion and extension of an existing use for a child care center, in the RU-2-15 and RU-2-25 (Multiple Family Dwelling) Zoning District, with the following conditions:

1. The Special Exception shall not be effective until the applicant has secured all the permits and approvals necessary for any development related to the Special Exception. Such permits shall be obtained within twelve (12) months of the Board's approval.

2. If the use is extended, enlarged, or expanded, a new Special Exception approval shall be required. Hours of operation shall be limited to 7:30 a.m. to 6:00 p.m., and there shall be a maximum number of 49 students.