CITY OF COCOA
BOARD OF ADJUSTMENT
MEETING MINUTES
September 19, 2018

A regular meeting of the Board of Adjustment of the City of Cocoa was held on Wednesday, September 19, 2018 in the Council Chambers at 65 Stone Street, Cocoa, as publicly noticed.

I. OPENING MATTERS:

Chairman Robert Frey called the meeting to order at 6:00 P.M. The Board Secretary called the roll.

MEMBERS PRESENT:

Robert Frey	Chairman
Nancy Elliot	Vice Chairwoman
Connie Harvey	Board Member
Bruce Gilmore	Board Member
Alex (James) Goins	Board Member
Jane Jollay	Board Member
Matthew Ford	Board Member
Rip Dyal	Alternate Member

MEMBERS ABSENT:

OTHERS PRESENT:

Dodie Selig	Planning and Zoning Manager
Robert Loring	City Planner
Kristin Eick	Assistant City Attorney
Monica Arsenault	Board Secretary

II. APPROVAL OF AGENDA & MINUTES:

Approval of Agenda: September 19, 2018.

Approval of Meeting Minutes: February 21, 2018

Motion by Alternate member Dyal, seconded by Vice Chairwoman Elliott, to approve the agenda and the minutes with an amendment to move Election of Chair and Vice Chair to the end of the agenda. Vote on the motion carried unanimously.

III. OLD BUSINESS:

None.

IV. NEW BUSINESS:

A. PZ-18-00800002 – Variance (425 Bernard St.) (TABLED)
A request to reduce the side corner yard setback from fifteen (15') feet to nine (9') feet for a proposed new home in the RU-1-7, Single Family Residential zoning district. The property is identified as 425 Bernard Street, Cocoa, Florida. A request to allow relief from Appendix A Zoning, Article XI, Section 3(F) Minimum Yard Requirements of the City of Cocoa Code of Ordinances.

B. PZ-18-00800003 – Variance (1205 Princeton Rd.) (TABLED)
A request to allow relief from Appendix A Zoning, Article XI, Section 3(F) Minimum Yard Requirements of the City Code to reduce the side interior yard setback from eight (8') feet to five (5') feet for a proposed new garage in the RU-1-7, Single Family Residential zoning district. The property is identified as 1205 Princeton Road, Cocoa, Florida.

C. PZ-18-00000003 – Special Exception (225 King St.)
A Consideration of a Special Exception request from Appendix A, Zoning, Article XI, Section 13 (C)(6) of the City of Cocoa Code to allow for a bar or lounge to locate in the CBD-CVO (Central Business District – Cocoa Village Overlay) zoning district. The property is identified as 225 King Street, Cocoa, Florida.

Ms. Selig shared a presentation[1] and explained the project summary. She presented aerial photos of the property and an interior plan for the project. Additionally, she explained that the applicant is proposing a sports related themed bar with a limited food menu. The bar will also contain indoor entertainment and have a small pop-up stage for live music. Ms. Selig noted that a bar or lounge is permissible in the CBD-CVO zoning districts only when a Special Exception is first secured allowing the use.

She added that the building was constructed in 1930 as a Buick Car dealership. It has had a variety of commercial uses since that time. The building is approximately 13,400 square feet and the applicant will occupy a unit within the building that fronts onto King Street.

Ms. Selig explained that there are eleven performance criteria items that the applicant had to comply with to merit a Special Exception. Upon review of these performance items, it appears that the applicant has satisfactorily met the minimum criteria of the Special Exception regulations.

Furthermore, staff recommends approval of the Special Exception in accordance with Appendix A, Zoning, Article XI, Section 13(C)(6) of the City of Cocoa Code to allow for bars or lounge establishments, in the CBD (Central Business District) Zoning District, with the following conditions:

1. Special Exception shall not be effective until the applicant has secured all the permits and approvals necessary for the development related to the Special Exception; such permits shall be obtained within six (6) months of the Board's approval.

[1] BOA Presentation 9/19/18

2. If the use is extended, enlarged, or expanded, a new Special Exception approval shall be required.

Chairman Frey opened the discussion to the Board for questions.

The applicants of the project were sworn in to present information and answer questions from the Board. They explained that they realized that recreational activities inside of bars and lounges in the area were restricted so they wished to bring something else to the area. They noted that they will have a variety of games and activities in addition to having food and drinks. Their goal is to bring something unique to Cocoa Village and it was expressed that this is their dream.

Vice Chairwoman Elliott asked if they will have TV's or if their sports will be more hands on. In response, it was explained that they will have approximately eight to ten televisions throughout the bar but the sports games will be more hands on.

She also asked if they will consider pet regulations for outdoor seating. It was clarified that there is no outdoor seating but they will be adhering to state laws regarding service animals.

Board member Goins inquired about parking. It was explained they are working the issue out with the landlord. It was also noted that they will be updating the landscaping.

Walt Kostrzewa, 308 Willard St., pointed out that parking has always been a situation in the Village. He noted that to the west of this property there is an empty lot and asked if this is the lot that will be utilized for parking. In response, Ms. Selig clarified that they will more than likely utilize some of the lot, but not all. She further noted that, out of fairness, it is not the responsibility of the tenant to pave the lot as there are other tenants, and that is would fall under the responsibility of the landlord. She stated that they are in talks with the landlord at this time but it will ultimately be resolved.

Ms. Kostrzewa asked if there are assigned parking spaces. In response, Ms. Selig stated that she did not think so.

Board member Harvey asked if this establishment will allow smoking. It was clarified that they will not.

Board member Gilmore inquired about the name of the establishment. They explained that it is a working name and is not ready to be shared yet.

A representative of 26 Forrest Ave., Cocoa, wished to extend their support on this project.

There being no further questions or comments, the discussion was closed.

Motion by Board member Goins, seconded by Board member Harvey, to approve the item with the recommendations mentioned. Vote on the motion carried unanimously.

D. PZ-18-00000004 Special Exception (200 Willard St.)
A Consideration of a Special Exception request from Appendix A, Zoning, Article XI, Section 13 (C)(7) of the City of Cocoa Code to allow for a commercial recreation facility in the CBD (Central Business District) zoning district. The property is identified as 200 Willard Street, Suite C-1, Cocoa, Florida.

Mr. Loring provided a background summary of the project. He shared an image of the location and explained the definition of an escape room. He noted that this is currently allowed in the zoning in which it is being proposed. It meets all the criteria for a special exception.

Board member Goins asked if the tenant will occupy a unit of the building or the entire building. It was clarified that the escape room will only occupy a three-room unit within the building .

Board member Gilmore asked if this is a franchise. It was clarified that it is only an individually owned business.

Vice Chairwoman Elliott asked if this is where Brassas was located. In response, Ms. Selig clarified that it is not.

Vice Chairwoman Elliott also asked about renewal and or termination requirements and why recommendations were not included in the staff report. Mr. Loring explained that staff deemed that it was not necessary in this case. It was also pointed out that there is a staff recommendation for the applicant to complete all their permitting within six months.

Andrew Rosenow, 653 Lake Mobile Dr., Altamonte Springs, gave a brief history regarding escape rooms. He added that he has established around forty escape rooms in the Orlando area and explained that this is his passion as it entails various activities and is great for team building. He pointed out that he only needs to make minor repairs to the three rooms.

He mentioned that he grew up here and knows the area. Additionally, he stated that he knows what people look for in escape rooms.

Vice Chairwoman Elliott asked if Snug Pub is going away. It was clarified that they are not moving out, he will only be moving in next door.

She asked if his space will be multi-level. It was clarified that it is not multi-level.

Discussion was opened to the audience.

The representative of 26 Forrest Ave. spoke again to extend support for this project. He shared that he had participated in one in Orlando.

There being no further questions or comments, discussion was closed to the audience.

Motion by Board member Gilmore, seconded by Vice Chairwoman Elliott, to approve the item with the recommendations mentioned. Vote on the motion carried unanimously.

V. OTHER BUSINESS:

1. Election of Chair and Vice Chair

Motion by Vice Chairwoman Elliott, seconded by Alternate member Dyal to re-elect Robert Frey as Chairman of the Board. Vote on the motion carried unanimously.

Motion by Chairman Frey, seconded by Alternate member Dyal to re-elect Nancy Elliott as Vice Chairwoman of the Board. Vote on the motion carried unanimously.

Alternate member Dyal announced that Cocoa Community First will be holding their first Police Officer K9 Competition which will take place on October 13th beginning at 1pm at Cocoa High School. He added that there is a three dollar donation for parking but there will be food, vendors, and competitions to enjoy.

VI. NEXT MEETING DATE:

The Board members established that the next meeting would be held on October 17, 2018.

VII. ADJOURNMENT:

Motion by Vice Chairwoman Elliott, seconded by Alternate member Dyal to adjourn the regular meeting of September 19, 2018. Vote on the motion carried unanimously.

There being no further business the meeting adjourned at 6:35 P.M.

Approved on this 25 day of October, 2018.

Nancy Elliott
For Robert Frey, Chairman

Monica Arsenault, Board Secretary