CITY OF COCOA
BOARD OF ADJUSTMENT
MEETING MINUTES
September 15, 2021

A regular meeting of the Board of Adjustment of the City of Cocoa was held on Wednesday, September 15, 2021 in the Council Chambers at 65 Stone Street, Cocoa, as publicly noticed.

I. OPENING MATTERS:

Chairperson Gilmore called the meeting to order at 6:05 P.M. The Board Secretary called the roll.

ROLL CALL:

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

MEMBERS PRESENT:

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

MEMBERS ABSENT:

Dan Quattrocchi	Board Member
Randal Hiester	Alternate Member

OTHERS PRESENT:

Alix Bernard	Senior Planner
Sandra Leone	Planner
Kristin Eick	Assistant City Attorney

II. APPROVAL OF AGENDA & MINUTES:

Motion by Board Member Shaia, seconded by Board Member Weeks, to approve the agenda as written and the minutes of the June 16, 2021 meeting as presented. Vote on the motion carried unanimously.

III. OLD BUSINESS:

None.

IV. NEW BUSINESS:

A. PZ-21-00000004 – Special Exception (1139 Lake Dr)

Ms. Leone shared the project summary which is to consider a Special Exception request from Appendix A, Zoning, Article XI, Section 12 (C)(11) of the City of Cocoa Code to allow for a "child care center" use in the CG (General Commercial) zoning district, or Parcel ID:24-36-32-03-*19.01. She provided a map of the location and explained that the applicant is requesting approval of a Special Exception in order to remodel the existing building into a proposed child care center on approximately 0.17 acres. This parcel is in the General Commercial zoning district and the building has 2,919.84 sq. ft. This location will provide an after-school program (childcare) for local children ages five through twelve. There will be no adverse impact to the community since there is already a child care center to the West. The C-G zoning district allows this type of use by special exception.

Additionally, Ms. Leone pointed out that it is staff's understanding that the building currently has eight parking spaces. The parking requirements for child care center use are one space per 300 sq. ft and two drop-off spaces per one (1,000) sq. ft. of floor area. Therefore, the component of the use would require sixteen parking spaces. The applicant is going to provide fourteen spaces after some reconfiguring of the parking lot but since this still does not meet the sixteen required spaces, staff will be processing an administrative waiver application for the two parking spaces. This use would not increase noise, glare or have any odor effect to the surrounding area.

The proposed child care facility is allowed by special exception in the C-G zoning district. Normal hours of operation will be from Monday through Thursday 2pm to 6pm, and Fridays 1pm to 6pm.

The traffic generated should be comparable to the surrounding uses. Staff believes that the special exception use will be compatible with the surrounding commercial district.

Ms. Leone noted that staff is recommending approval of the Special Exception in accordance with Appendix A, Zoning, Article XI, Section Section:12(C)(11) to allow a "Child care center" use in the C-G (General Commercial) Zoning District, with the following conditions:

- 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 as site plan approval. Such permits shall be obtained within one (1) year of the Board's approval.

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

- The Special Exception shall not be effective unless the applicant receives an administrative waiver for the remaining two parking spaces.

- The applicant shall not be permitted to lead children across the City's Police Department driveway, which is located at 1143 Lake Drive and Tax Parcel ID 24-36-32-03-*-20.01, to access the playground or other facilities of the existing child care center located at 1149 Lake Drive.

Vice Chairperson Elliott inquired about the parking waiver and who approves it. In response, Ms. Leone stated that since it is only two parking spots an administrative waiver can be processed by staff and does not need to come back before the board.

James Box, 3505 Carter Rd., Mims, FL, the applicant, explained they have a child-care center next door already, however there is an abundance of elementary students, particularly students that come from low-income families. The purpose of this project is to take these kids in and give them a place to go and eat and to also learn and improve on various skills.

Board member Aliano asked if the fourteen parking spots include the two drop off spots. In response, Ms. Leone responded affirmatively.

Vice Chairperson Elliott asked how many students will be taken in. In response, Mr. Box shared approximately forty students and there will be three staff members.

Chairperson Gilmore asked Mr. Box how he became interested in running this type of facility. In response, Mr. Box explained that in the past he has had two students that were killed because they would explore the streets at night. He shared that his passion is solely for the benefit of the kids as this is not a money-making job. He expressed that his intention is to get children off the streets and to give them a safe place to go.

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

Motion by Board member Weeks, seconded by Board member Shaia to approve the special exception request with the recommended conditions proposed by staff. The vote on the motion carried unanimously.

V. OTHER BUSINESS:

None.

VI. NEXT MEETING DATE:

The Board members established that the next meeting would be determined at a later date.

VII. ADJOURNMENT:

Motion by Board member Weeks, seconded by Vice Chairperson Elliott to adjourn. Vote on the motion carried unanimously.

There being no further business the meeting adjourned at 6:20 P.M.

Approved on this 20 day of April, 2022.

Bruce R. Gilmore

Bruce Gilmore, Chairperson

Monica Arsenault, Board Secretary