CITY OF COCOA
BOARD OF ADJUSTMENT
MEETING MINUTES
June 16, 2021

A regular meeting of the Board of Adjustment of the City of Cocoa was held on Wednesday, June 16, 2021 in the Council Chambers at 65 Stone Street, Cocoa, as publicly noticed.

I. OPENING MATTERS:

Chairperson Gilmore called the meeting to order at 6:01 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
Dan Quattrocchi	Board Member
Patricia Weeks	Board Member
Robert Dyar	Alternate Member

MEMBERS ABSENT:

Pam Shaia	Board Member
Randal Hiester	Alternate Member

OTHERS PRESENT:

Alix Bernard	Senior Planner
Sandra Leone	Planner
Kristin Eick	Assistant City Attorney
Charlene Neuterman	Interim Community Services Director

II. APPROVAL OF AGENDA & MINUTES:

Motion by Patricia Weeks, seconded by Nancy Elliot, to approve the agenda as written. Vote on the motion carried unanimously.

Motion by Patricia Weeks, seconded by Nancy Elliot, to approve the April 21, 2021 minutes as written. Vote on the motion carried unanimously.

III. OLD BUSINESS:

None.

IV. NEW BUSINESS:

A. Special Exception (3041 Oxbow Cir.)

Ms. Leone shared information on the project and explained that the applicant is requesting approval of a Special Exception in order to construct a proposed automotive repair shop on approximately 0.72 acres. This parcel is in the M-2 zoning district. The applicant has submitted a conceptual plan showing the proposed facility. The proposed building will be 11,150 sq. ft. with 5 work bays, a detailing bay and a "showroom" bay in the western portion of the building and 2 large auto repair bays in the eastern portion of the building. The M-2 zoning district regulations requires this type of use to orient all repair bays so that they do not face a right-of-way. The site layout shows that the repair bays will all open to the north and therefore will not be visible from the right-of-way.

Additionally, staff has found that the subject property is located on the northeast side of Oxbow Circle. Currently this parcel is vacant industrial land, with access from Grissom Parkway onto Oxbow Circle, which is a two-way road and has little to no foot traffic. Once the parcel is developed it will have paved sidewalks along the building, as well as a paved parking area.

The applicant is providing parking spaces, including 1 handicapped space, for a total of 17 spaces. Appendix A, Article XII, Sec. 1 of the Code requires the following off-street parking: Automotive service stations, automotive repair facilities, truck stops/large vehicle services stations and automotive body shops. Two (2) spaces for each service bay and one (1) space for each employee per maximum shift. Service bays shall not be counted as a parking space towards this requirement.

Ms. Leone noted that the applicant has provided the required amount of parking spaces with an estimated 7 employees per maximum shift and 5 service bays. All repair work must be done within the building, and as the bays face north towards a stormwater pond area, there should be minimal noise or odor impacts to the neighboring properties.

Staff has also found that the dumpster enclosure is depicted on the concept plan at the northwest side of the property. This should provide enough refuse capacity for the intended use.

In regard to utilities, the property can be served by the City of Cocoa Utilities Department for water, sewer, and reclaimed service. The proposed use would not require additional utilities. Upon development of the site, it would connect to service available at Grissom Industrial Parkway.

Ms. Leone pointed out that the proposed building has been oriented to provide screening. In addition, a landscape buffer will be required along Oxbow Circle frontage, and reviewed during site-plan review. Signage has not been indicated on the submitted concept plan. As the applicant has indicated, signage would be installed to follow rules in relations to signs. Staff will review photometrics during site plan review, and make sure light pollution does not expand beyond the property line. Signage is not anticipated to result in adverse impacts to neighboring properties, which are located in an industrial subdivision.

The M-2 zoning district maximum lot coverage is 100%, except for required yards, retention areas, and off-street parking and loading requirements. The Comprehensive Plan allows a maximum 0.75 impervious surface ratio. The proposed site layout provides for 22,800 square feet of impervious area, which is less than the 26,831 square feet permitted. The proposed site layout meets all yard and open space requirements, which are a front back of 25 feet and a rear setback of 15 feet. The M-2 zoning district has a maximum building height of 60 feet. The applicant has indicated the building ceiling height would be no more than 20 feet. This detail will be reviewed during the site plan review.

Furthermore, Art. XIII Sec 22: 4 (A) of the code requires one (1) tree for each fifty (50) lineal feet adjacent to abutting right-of-way. Per the landscaping plans provided with the site-plan application, the Oxbow Circle frontage requires 2 trees. The plans depict two Eastern Redbud tree and a hedge in the front of the building. In addition, trees are provided along the north and east property line. The proposed automotive facility is an industrial use allowed by special exception in the M-2 zoning district.

Normal hours of operation will be from Monday thru Saturday 8am 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 industrial subdivision.

In conclusion, staff is recommending approval of the Special Exception in accordance with Appendix A, Zoning, Article XI, Section Section:19(C)(6) to allow a "Automotive repair facility" use in the M-2 (Manufacturing and Industrial) 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 as site plan approval. Such permits shall be obtained within one (1) year of the Board's approval.

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

Jake Ruddick, 3062 Oxbow Cir, the applicant spoke about how he is currently located on Oxbow and is looking to expand his business across the street.

Nancy Elliot asked how would the hazardous waste be handled? The applicant explained that all hazardous waste is handled in accordance with local and state law.

There was no one else was in the audience wanting to speak unregards this item.

Motion by Patricia Weeks, seconded by Robert Dyar 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 Patricia Weeks, seconded by Kaitlyn Aliano to adjourn. Vote on the motion carried unanimously.

There being no further business the meeting adjourned at 6:18 P.M.

Approved on this 15 day of September, 2021.

Bruce R. Gilmore

Bruce Gilmore, Chairperson

Monica Arsenault, Board Secretary