CITY OF COCOA
BOARD OF ADJUSTMENT
MEETING MINUTES
APRIL 21, 2021

A regular meeting of the Board of Adjustment of the City of Cocoa was held on Wednesday, April 21, 2021 in the Council Chambers at 65 Stone Street, Cocoa, as publicly noticed.

I. OPENING MATTERS:

Chairperson Gilmore called the meeting to order at 6:00 P.M. The Board Secretary called the roll.

ROLL CALL:

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

MEMBERS PRESENT:

Bruce Gilmore	Chairperson
Nancy Elliott	Vice Chairperson
Connie Harvey	Board Member
Dan Quattrocchi	Board Member
Pam Shaia	Board Member
Patricia Weeks	Board Member
Kaitlyn Aliano	Alternate Member

MEMBERS ABSENT:

Randal Hiester	Alternate Member

OTHERS PRESENT:

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

II. APPROVAL OF AGENDA & MINUTES:

Motion by Board member Shaia, seconded by Board member Quattrocchi, to approve the agenda as written and to approve the December 16, 2020 minutes with the recommended corrections. Vote on the motion carried unanimously.

III. OLD BUSINESS:

None.

IV. NEW BUSINESS:

A. PZ-21-00700001 – Waiver (3 Forrest Ave.)

Ms. Selig provided a presentation[1] and shared the project summary. She explained that the applicants have purchased the property with the intent to establish a new restaurant, "Tin Whiskey" at this location. In addition to renovating and utilizing the existing building and outdoor seating area, they will be expanding the outdoor seating, resulting in the need for eighteen (18) parking spaces. Ms. Selig also shared a map depicting the subject property's location.

In addition, she pointed out that in 2015 the City completed a streetscape project that included the installation of raised curbs and sidewalks along Forrest Ave. The curb and sidewalk now extend the full length of the subject property's eastern property line, thus eliminating direct vehicle access from Florida Ave.

It also made the former access from Oleander Street and the several parking spaces located in front of the building non-compliant with the City Code standards for access of parking spaces because of the lack of sufficient drive aisle space. Furthermore, it eliminated the ability for vehicles entering from Oleander Street to drive to the former parking area to the north of the building. As a result, the approximately seven parking spaces located on site in front of the building became unusable after the 2015 streetscape project. The subject property now effectively has no vehicle access to a parking area on-site that meets the City Code design standards.

Ms. Selig pointed out the site access points as well as various views of the building elevations.

Furthermore, she explained staff's initial finding which is the need for the proposed waiver arises out of the physical surroundings, shape, topographical condition or other physical or environmental conditions that are unique to the specific property. Those conditions are as follows:

- A City streetscaping project on Forrest Ave. resulted in the loss of vehicles access to the former parking area on the subject property.
- Existing access from SR 520 will be eliminated as part of an upcoming FDOT roadway project.
- The inability to provide the parking spaces is directly related to the roadway projects that have cut off access to the property and prevented its use for parking.

[1] Exhibit A: Presentation – Waiver - 3 Forrest Ave.

- There are several issues related to practical difficulty that prevent the former parking area from being used for parking.

- The remaining physical access from the Oleander Street right-of-way is too narrow to meet City Code for an access aisle following the streetscape project of 2015, which also cut off all access points along Forrest Avenue.

- Therefore, there is no practical and feasible way to provides the required 18 parking spaces on the property.

Ms. Selig stated that staff is recommending approval of the waiver request from Appendix A. Zoning, Article XII of the City of Cocoa Code to reduce the number of required off-street parking spaces in the C-C (Core Commercial) zoning district for 18 parking spaces.

Ms. Selig read an e-comment[2] into the record from Michael DiChristopher.

Stevie Whittaker and Randal Whittaker, 32 South Street, Rockledge, explained that they have run Murdock's for the last twenty years with only three or four parking spaces in the back of the current location and they have had a very successful business. They do not foresee this new location creating any hardships.

Additionally, Mr. Whittaker pointed out that the old restaurant that they are taking over, Norman's, needed a face lift and that is what they are trying to do. They want to plant grass, shrubs and other green spaces along the outside of the property.

Gregg Stoll, 2203 Salem Dr., Cocoa, shared he feels this project will be welcomed in the City. He pointed out that parking is already an issue, however, he does not visit Cocoa Village very often but if there should be a requirement for a parking garage, he only hopes that he would not have to pay for it.

There being no further questions or comments, the public portion of the meeting was closed.

Motion by Board member Shaia, seconded by Board member Weeks to approve the waiver request. The Board Secretary called the roll. 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.

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[2] E-mail from Michael DiChristopher

VII. ADJOURNMENT:

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

There being no further business the meeting adjourned at 6:23 P.M.

Approved on this 11e day of June, 2021.

Bruce R. Gilmore

Bruce Gilmore, Chairperson

Monica Arsenault, Board Secretary