CITY OF COCOA
BOARD OF ADJUSTMENT
MEETING MINUTES
April 20, 2022

A regular meeting of the Board of Adjustment of the City of Cocoa was held on Wednesday, April 20, 2022 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:

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

MEMBERS PRESENT:

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

MEMBERS ABSENT:

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| Randal Heister | Alternate Member |
| Jenny Swisher | Alternate Member |

OTHERS PRESENT:

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| Cynthia Thurman | Planning & Zoning Manager |
| Paul Body | Senior Planner |
| Sandra Leone | 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 Shaia, to approve the agenda as written and the minutes of the September 15, 2021 meeting as presented. Vote on the motion carried unanimously.**

III. OLD BUSINESS:

None.

IV. NEW BUSINESS:

**A. Election of Chair and Vice Chair**

This item will be brought back to the next meeting.

**B. PZ-22-00000002 – Special Exception (StorQuest -24-35-23-00-505)**

Ms. Leone shared the project summary which is to consider a Special Exception request from Appendix A, Zoning, Article XII, Section 12 (C)(14) of the City of Cocoa Code to allow for a "Self-service storage facilities" use in the CG (General Commercial) zoning district. The current land use is vacant land, it has 11.35 acres and the current land use is General Commercial with a FLU of Commercial. The General Commercial allows for self-service storage with a special exception.

Ms. Leone showed a layout of the project as well as the elevations and a location map.

Additionally, she shared that staff recommends approval of the Special Exception in accordance with Appendix A, Zoning, Article XI, Section 12(C)(14) to allow a "Self-storage facilities" use in the CG (General Commercial) 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 and building permits. Such permits shall be obtained within one (1) year of the Board's approval.

2. Gates in fencing shall be of the same opaque material as the fence. Gates in a wall shall be of an opaque material.

3. Gate width for vehicle entry/exit and interior drive access aisles shall be sized to accommodate the turning radius needed for large vehicles.

4. Outdoor storage of vehicles such as cars or trucks shall not be permitted.

5. Outdoor storage of major recreational equipment exceeding thirteen and one-half (13½) feet in height shall not be permitted.

6. On-site light, minor maintenance and cleaning of any major recreational equipment is permitted. However, the following shall be strictly prohibited: refueling, oil and engine

fluid changes, major restoration, part salvage, major part replacement, engine repair, transmission repair, body repair, and other heavy and major repairs.

7. No major recreational equipment may be stored which is wrecked, being stripped for parts, awaiting salvage or recycling, or inoperable.

8. Major recreational equipment stored on the property shall not be used as living quarters.

9. The landscaping buffer shall consist of trees and high-profile shrubs together with suitable ground cover to include native grasses and mulching, where appropriate. Landscaping shall be designed, placed and maintained in such a manner as not to impair vehicle visibility at corner intersections. The landscaping requirements shall conform to article XIV, Landscaping Requirements of the zoning code, of the city.

10. An opaque fence or wall, at least six (6) feet in height shall be provided where the self-service storage facility abuts residentially-zoned property.

11. A sidewalk shall be required along SR 524 and Friday Road where feasible and pursuant to Policy 2.1.6.2 of the Comprehensive Plan to provide adequate pedestrian access along the property.

12. The site plan submitted as Exhibit A shall be binding upon use of the property as a self-service storage facility. However, given that the site plan in Exhibit A was prepared prior to the formal application for site plan approval and preparation of associated fully engineered plans, the Applicant may make reasonable modifications to the site plan to accommodate necessary changes discovered during the full engineering of the self-service storage facility project and to accommodate minor adjustments required by other permitting jurisdictions, such as the Florida Department of Transportation, Brevard County, and the St. John's River Water Management District. However, no modification to the site plan shall be permitted which results in noncompliance with the requirements of Appendix A, Zoning, Article XI, Section 12(C)(14), Self-Service Storage Facilities or in alteration of the general character of the project.

Kim McCann, 1011 E. Colonial Dr., Orlando, the architect for the project, asked to wait to speak until after the public has spoken in order to answer questions.

Dr. Courtney Tan, 5025 Saturday Pl., Cocoa, stated that she strongly opposes the approval of the special exception. She has conducted research through three hundred fifty-nine zip codes in Central Florida and the placement of storage facilities in residential communities has proven to increase crimes rates, burglaries, decreases in home values, etc. She read a statement[1] into the record.

Board member Shaia asked what zip codes she studied. In response, Dr. Tan shared that she looked at Central Florida zip codes which include Brevard County zip codes.

[1] Statement read by Courtney Tan

Board Attorney Eick pointed out that the Board should consider the qualifications of the person who is providing the information as they are a quasi-judicial board.

Dr. Tan was asked what her credentials are. Additionally, Board Attorney Eick asked Dr. Tan to explain what her profession and educational background entails. In response, Dr. Tan explained that she is an Assistant Professor at Embry-Riddle Aeronautical University, she has a PhD from Northeastern University and she is a trained statistician and geospatial analyst. She further clarified that all of the information she provided tonight was pulled from sites that are accessible to the public.

**Motion by Board member Dyar to consider Dr. Tan an expert witness. The vote on the motion died due to a lack of a second.**

Oliver Tan, 5025 Saturday Pl., Cocoa, read a statement[2] into the record and expressed his opposition to the project. He explained that the application does not meet the requirements for a special exception and the project does not meet the best interests of the public. He asked that the Board deny the request.

Board member Dyar questioned the applicant's response to several of the criteria on their application. He also asked that the applicant speak to the concerns brought forward by Dr. Tan and the Board.

Ms. McCann spoke to the claims made by Dr. Tan regarding crime and decreased property values and pointed out all of the various other factors that could contribute to crime and decreased property values. She added that this property is zoned for commercial use. She also noted that self-storage facilities have been around for over fifty years and asked at what point is a base line drawn as to whether a self-storage facility did or did not increase or decrease property values.

Board member Dyar asked how many jobs this facility will offer. In response, Ms. McCann shared that in general, not necessarily at this location, StorQuest hires about five employees.

Ms. McCann also spoke to the concern regarding traffic. She explained that self-storage facilities generate low traffic. On average, during peak time of traffic, the facility will attract approximately five cars. She further talked about the City's landscaping plan and pointed out that in their application they were only trying to state that they will be in full and complete compliance as to what the City requires without having to regurgitate the many pages of the City's code.

Board member Dyar asked how the City can be sure that this is followed through. Board Attorney Eick provided further clarification about the conditions staff recommended and pointed out that there is a detailed process that has to be followed.

Jeff Lightholder, 1831 Britt Rd., Cocoa, shared additional concerns regarding traffic and the number of accidents that have happened in that area. He pointed out that people are already cutting through the Shell station parking lot due to the amount of traffic and it is a

[2] Statement read by Oliver Tan

dangerous area. He is not opposed to the facility itself but feels as though the traffic issue needs to be resolved before they build.

Dave Schmitt, of Dave Schmitt Engineering, explained that a traffic study has already been completed and was required by the City as part of the process. Additionally, they have to obtain permits from FDOT which is a process in and of itself.

Pat Scott, 1350 Friday Rd., Cocoa, asked why a storage facility needs to go there as her property will abut this project. This is a rural area and this will cause a major traffic jam, and possibly will attract more homeless people as they will sleep there. She also has concerns regarding the drainage and more flooding. She feels this will depreciate the local neighborhoods and also asked about what kind of security the storage facility will have.

Julie Cook, 1255 Friday Rd., Cocoa, is located across from the proposed location of the facility and has concerns regarding potential noise. She is also concerned about property values decreasing, the traffic, the wildlife displacement and flooding.

Susan Rollins, 2770 Pine Milly Ln., Cocoa, is passionate about her neighborhood and is not opposed to development, however she too is concerned about the traffic. She pointed out that many of her neighbors work for SpaceX or Harris and are working from home right now, however once they return to work, which will be soon, those traffic reports will become irrelevant as they will no longer be accurate. Her only request is that the City resolve the issues that are currently going on before they develop anything else.

Chairperson Gilmore pointed out that the Board cannot always control the type of development that comes in if it is legal. Additionally, this project may be the lesser of evils as there are other types of businesses that could come in that could create major impacts on traffic whereas this project will have low impacts.

Ms. McCann reiterated that this will be a Class A facility and will be fenced, gated and will have 24-hour security. This developer only builds Class A facilities and she is very proud to work for this type of developer.

Ms. McCann also clarified that the property is 11.35 acres and the developer is only going to develop half of that. The other half will be left undeveloped and will be open area. They are also not seeking to develop anything further than what they are asking this evening.

Cheri White, 1665 Friday Rd., Cocoa, asked the Board to consider tabling the item until the traffic issues are resolved.

Board member Weeks wished to point out that SR524 is slated to become a four-lane road, to which Board Liaison Dyal added that there is currently no funding and will not be done until possibly 2026.

Ms. Thurman reiterated what staff and the applicant are requesting of the Board. She explained that the board is here tonight to consider a special exception use as permitted with conditions in this zoning classification. This is the beginning stage for the applicant

to move forward. From here, the applicant will have to submit fully engineered plans and it will eventually have to go before the Planning & Zoning Board.

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

**Motion by Vice Chairperson Elliott, seconded by Board member Weeks to approve the special exception request with the recommended conditions proposed by staff. The vote on the motion carried (6-1).**

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

**NAYES: Dyar**

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 Chairperson Gilmore; seconded by Board member Quattrocchi to adjourn. Vote on the motion carried unanimously.**

There being no further business the meeting adjourned at 7:34 P.M.

Approved on this 18 day of May, 2022.

Bruce R. Gilmore

Bruce Gilmore, Chairperson

Monica Arsenault, Board Secretary