

# DRAFT

## BOARD OF ADJUSTMENT AGENDA

Board of Adjustment Regular Meeting - Thursday, January 28, 2016 - 6:00 p.m.  
City Hall - City Commission Chambers, 100 North U.S. #1, Fort Pierce, Florida

### 1. CALL TO ORDER

### 2. PRAYER and PLEDGE OF ALLEGIANCE

### 3. ROLL CALL

Present: **Bennie Clark; Joyce Calvert; James Crist; Chairman Bret McCain**

Absent: **William Nunn**

Staff Present: **Kori Benton, Senior Planner**  
**Alicia Rosenthal, Administrative Assistant**

Attendees: **Steve McCain, Assistant City Attorney**

### 4. CONSIDERATION OF ABSENCES

**Motion was made by James Crist, and seconded by Bennie Clark to excuse the absence of Mr. Nunn.**

**AYE: Joyce Calvert, James Crist, Bennie Clark, Chairman Bret McCain**

Passed

### 5. CERTIFICATION OF ALTERNATE MEMBER(S)

Ms. Rosenthal stated there are no alternates available for the meeting and Mr. Nunn will be moved up from an alternate member to a regular member.

Mr. Benton stated Mr. Clem Benton has resigned from the Board after 30 plus years of service and the City is seeking applications for two alternates to the Board.

Mr. McCain stated the alternate who has served the most time in that position is elevated up to fill the seat created by any vacancy due to resignation, death etc.

### 6. APPROVAL OF MINUTES

#### a. Minutes of the July 23, 2015 meeting

**Motion was made by Bennie Clark, and seconded by Joyce Calvert to approve the minutes from the July 23, 2015 meeting.**

**AYE: Bennie Clark, Joyce Calvert, James Crist, Chairman Bret McCain**

Passed

## 7. NEW BUSINESS

### a. Variance - Hayek Residence - 1705 Rio Vista Drive

Mr. Benton gave an overview of the application and answered questions from the Board.

Mr. McCain explained to the applicant, Mr. Hayek, that the concurring vote of four members of the Board shall be necessary to grant an application for a Variance. Mr. Hayek asked if a five member Board would be a simple majority vote. Mr. McCain explained 4 out of the 5 votes are needed to receive approval for a Variance. Mr. McCain asked Mr. Hayek if he wanted to proceed or continue with the matter at a meeting in which five members can attend.

Mr. Hayek provided additional information on the Variance and stated there are a number of houses on Rio Vista that have exceeded lot coverage.

Mr. McCain asked Mr. Benton if the similar cases that Mr. Hayek spoke about, came before the Board of Adjustment for a Variance and if the Variance applications were approved. Mr. Benton said the Variance applications were approved.

**Motion was made by Bennie Clark, and seconded by James Crist to approve the Variance based on Section 22-108 of the City Code.**

AYE: **James Crist, Joyce Calvert, Bennie Clark, Chairman Bret McCain**  
Passed

## 8. DISCUSSION / OTHER BUSINESS

Ms. Calvert asked about the absence of Ms. Beavin. Mr. Benton stated that Ms. Beavin resigned several months ago.

Mr. Benton said that due to limited staff resources, Board of Adjustment meeting packets will need to be retrieved from City Hall.

## 9. ADJOURNMENT

Any person seeking to appeal any decision by the Board of Adjustment with respect to any matter considered at this meeting is advised that a record of proceedings is required in any such appeal and that such person may need to insure that a verbatim record of the proceedings is made including the testimony and evidence upon which the appeal is to be based.

Persons who require special accommodations under the Americans with Disabilities Act (ADA) should contact the Planning Department at (772) 467-3729, at least five (5) days prior to the meeting. Persons who are hearing or speech impaired may use the Florida Relay System by dialing 711.