

DRAFT



CITY OF FORT PIERCE BOARD OF ADJUSTMENT

Board of Adjustment Minutes

OF THE REGULAR MEETING OF THE FORT PIERCE CITY BOARD OF ADJUSTMENT HELD ON THURSDAY, **APRIL 28, 2016**, IN FORT PIERCE CITY HALL, COMMISSION CHAMBERS, 100 NORTH US HIGHWAY 1, FORT PIERCE, FLORIDA.

1. **CALL TO ORDER**

2. **PRAYER and PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**

Present: **Bennie Clark; Joyce Calvert; Jim Crist; Brett McCain, Chairman**

Absent: **William Nunn**

Staff Present: **James Walker, Assistant City Attorney**
Kori Benton, Senior Planner
Alicia Rosenthal, Administrative Assistant

4. **CONSIDERATION OF ABSENCES**

Motion was made by Joyce Calvert, and seconded by Bennie Clark to approve the absence of Mr. Nunn.

AYE: Joyce Calvert, Jim Crist, Bennie Clark, Chairman Brett McCain

Passed

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

There are no alternate members.

6. **APPROVAL OF MINUTES**

- a. Minutes of the January 28, 2016 meeting.

Motion was made by Jim Crist, and seconded by Bennie Clark to approve the minutes from the January 28, 2016 meeting.

AYE: Jim Crist, Bennie Clark, Joyce Calvert, Chairman Brett McCain

Passed

7. NEW BUSINESS

a. Variance - 1722 Coconut Drive

Mr. Benton gave an overview of the application.

Mr. Tetrick, owner, provided additional information and answered questions from the Board.

Chairman McCain explained a Variance requires four votes to approve the application and historically the Board has given applicants the option to postpone the meeting to wait for a fifth member to attend or proceed forward.

Mr. Tetrick asked if the Variance can be brought up at a later date instead of it being postponed, if the quota is not met.

Mr. Benton explained if the Variance is denied, there is a six month deferment. If the Board has reservations regarding the application, the Board members have the ability to make a motion to table the application pending a new agenda and five board members.

Mr. Walker stated that within the meeting, after the vote is taken, any person who voted for the measure would have the ability to move for a reconsideration and that would supersede the six month requirement.

Motion was made by Bennie Clark, and seconded by Jim Crist to approve the Variance.

AYE: Jim Crist, Joyce Calvert, Bennie Clark, Chairman Brett McCain

Passed

8. DISCUSSION / OTHER BUSINESS

Chairman McCain voiced that he read an article about the new city attorney not possibly covering all the Boards. Chairman McCain asked if there were any concerns or discussion regarding the potential outcome for the impact of this Board from the incoming city attorney.

Mr. Benton stated the City Attorney, Mr. Meeser, has hired two assistant city attorneys, that have yet to begin, which he will be delegating authority to. Mr. Benton said developing arrangements are being made between the existing legal team and the incoming legal team to cover next months meetings. Mr. Benton communicated that staff had advocated that the quasi-judicial boards, which include the Board of Adjustments, need legal representation from the City of Fort Pierce.

Mr. Walker expressed there has been ongoing discussions between his firm and the City Attorney regarding further representation, of most notably the quasi-judicial Boards. Mr. Walker indicated the city is aware of the need to maintain legal services to its Boards to the extent that it is feasible.

Mr. Benton stated there are no pending applications but there has been discussions about a Variance application request.

9. ADJOURNMENT

