

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, **JANUARY 26, 2023, IN FORT PIERCE CITY HALL, COMMISSION CHAMBERS, 100 NORTH US HIGHWAY 1, FORT PIERCE, FLORIDA.**

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Ms. Davis entered the meeting at 2:09 PM.

Present: KeAndrea Davis; Darrell Drummond; James Crist; Jaimebeth Galinis, Madam Chair

Absent: Charles Hayek

Staff Present: Sara Hedges, Assistant City Attorney
Ryan Altizer, Senior Planner
Alicia Rosenthal, Planning and Development Organizer

4. CONSIDERATION OF ABSENCES

Motion was made by Darrell Drummond, and seconded by James Crist to excuse the absence of Mr. Hayek.

AYE: Darrell Drummond, James Crist, Madam Chair Jaimebeth Galinis
Passed

5. APPROVAL OF MINUTES

- a. Minutes from the June 23, 2022 meeting

Motion was made by Darrell Drummond, and seconded by James Crist to approve the minutes from the June 23, 2022 meeting.

AYE: James Crist, Darrell Drummond, Madam Chair Jaimebeth Galinis
Passed

6. PUBLIC HEARINGS

a. Variance - Central Florida Treatment Center - 1302 N. Lawnwood Circle

The clerk introduced the Variance for the Central Florida Treatment Center located at 1302 N. Lawnwood Circle.

The chair asked the Board attorney to explain the Quasi-Judicial Hearing procedures.

Before commencing this Quasi-Judicial Hearing, the City Attorney, explained to the Board of Adjustment that they serve in both a legislative and quasi-judicial role. When acting as a legislative body, the Board engages in law-making activity by passing laws and establishing policies. When acting as a quasi-judicial body, the Board applies those laws and policies and is held to stricter procedural requirements. Quasi-judicial proceedings are less formal than proceedings before a circuit court but are more formal than the normal Board meeting. Quasi-judicial proceedings must follow basic standards of notice and due process; and, decisions must be made based on competent substantial evidence. Therefore, Board members have a duty to conduct the quasi-judicial proceedings more like judges than legislators. That is why the Commission has established the uniform procedures for quasi-judicial hearings that will be followed today.

The Chair called the proceeding to order.

The clerk confirmed the City complied with advertisement and notice requirements.

The Chair inquired with the Board regarding ex-parte communications and asked the Clerk to call the roll:

Ms. Davis- no
Mr. Drummond - no
Mr. Crist - no
Madam Chair Galinis - no

The Chair opened the public hearing.

The clerk was asked to swear in those wanting to speak during this Quasi-Judicial hearing. Individuals in the audience intending to speak on this item were asked to stand, raise their right hand, and administered an oath to tell the truth, the whole truth, and nothing but the truth. Those that were sworn in were asked to clearly state their name for the record and confirm they were sworn in at such time as they were asked to come forward to testify.

Staff Presentation:

Ryan Altizer, Senior Planner, gave an overview of the application. The applicant is requesting to deviate from city code to allow for a reduction for the side yard buffer for five feet along the southerly property line and seven feet along the northerly property line. The subject 0.65-acre site has twelve (12) parking spaces on the property, which the applicant says are not an adequate number of spaces for their clients as well as not enough space for people to maneuver. Mr. Altizer noted there are no offsite parking areas in which patients could leave their cars while receiving treatment at the center. Mr. Altizer stated the Variance will allow for an additional 16 parking spaces, make the ADA parking spaces more accessible and provide

better flow and movement in the parking area. It is the recommendation of staff to grant approval of the requested variance based upon the justification presented by the applicant with respect to the criteria for granting a Variance.

Board questions for Staff:

Applicant questions for Staff: None

Applicant presentation: Nathaniel Holt, Applicant Representative, sworn, stated they looked at several alternatives to the dead end parking lot. Mr. Holt said this is a good design that functions well and is an improvement to the parking area.

Board questions for Applicant: Mr. Crist asked about the plans for stormwater run off and if the green space buffer is going to be used for onsite mitigation. Mr. Drummond asked if the mitigation for stormwater run off will meet the Engineering code requirements.

Public comment: None

Board comment: None

Applicant final comment: None

The Chair, seeing no one else, closed the public hearing.

Motion was made by Darrell Drummond, and seconded by James Crist to approve the requested variance to deviate from City Code 123-37(6)(a) to allow for a reduction for the side yard buffer for five feet along the southerly property line and seven feet along the northerly property line for the Central Florida Treatment Center, located at 1302 N. Lawnwood Circle, with the condition that the stormwater run off meets current code requirements.

AYE: KeAndrea Davis, Darrell Drummond, James Crist, Madam Chair Jaimebeth Galinis
Passed

7. DISCUSSION / OTHER BUSINESS

8. COMMENTS FROM THE PUBLIC

There were no comments from the public.

9. ADJOURNMENT