
ROCKLEDGE BOARD OF ADJUSTMENT & APPEALS MEETING MINUTES

Tuesday, July 24, 2012 - 5:30 p.m.

1. CALL TO ORDER

The Rockledge Board of Adjustment & Appeals met on July 24, 2012, at 5:30 p.m. in the Council Chamber at Rockledge City Hall, 1600 Huntington Lane, Rockledge, Florida.

- Item 5A, Election of Officers, was held at this time.

MEMBERS PRESENT: Earl Coggin, Jr.
James Griffin
J. Travis Kerr
Justin Morton

MEMBERS ABSENT: Eddie Lebron (excused)

STAFF PRESENT: Dennis Clements Building Official
Joseph Miniclier City Attorney
Deanna Pomichter Recording Secretary

With a quorum present Chairman Kerr called the meeting to order.

City Attorney Joseph Miniclier explained the procedures to the new Board members

2. APPROVAL OF MINUTES

Meeting of January 23, 2001

Motion by J. Travis Kerr to approve the Minutes of the January 23, 2001 meeting. Second by Justin Morton. All in favor. Motion carries.

3. PUBLIC HEARINGS

None

4. UNFINISHED BUSINESS

None

5. NEW BUSINESS

A. Election of Officers – taken out of order and held earlier in the meeting.

Earl Coggin Jr. nominated J. Travis Kerr for Chairman.

No other nominations were heard. By acclamation, J. Travis Kerr was elected as Chairman.

Earl Coggin Jr. nominated Justin Morton for Vice Chairman.

No other nominations were heard. By acclamation, Justin Morton was elected as Vice Chairman.

B. Peldan, LLC – 400 Barton Boulevard – LED Sign

Building Official Clements explained that the LED sign was installed without a permit and after the property owner was notified and the permit application was submitted in May 2011 a plan review was done denying the permit, per National Electric Code (NEC) Article 600.3 and Article 600.4, which states that the sign must be UL listed, have the manufacturers name, voltage and current rating in accordance with UL48 standards.

In speaking with representatives of the sign manufacturer, Olive LED Lighting, Inc., they indicated the product has no listing by a qualified testing laboratory and they may pursue such a listing in the future.

The City decided to postpone further action at the time to pursue additional sources regarding the interpretation of the Code requirements. Building Officials Association of Brevard County (BOABC) Electrical Code Committee met in August 2011 and agreed that the sign must be listed as required by the NEC.

Daniel Pellechio, 651 Rockledge Drive, owner of Peldan, LLC at 400 Barton Boulevard stated at the time he was not aware that a permit was required and applied when notified. There have been no issues with the sign since it has been installed with regards to safety.

Mr. Pellechio is asking the Board to consider his appeal and allowing the sign to remain.

Building Official Clements stated that if the sign receives a UL listing and meets all permit requirements, a permit can be reapplied for and issued.

City Attorney Miniclier explained if the property does not come into compliance it can go before the Code Enforcement Board where fines can be issued.

Discussion followed:

Motion by Earl Coggin Jr. to deny the LED sign located at 400 Barton Boulevard. Second by James Griffin. All in favor. Motion carries.

6. ADJOURN

There being no further business to come before the Board of Adjustment & Appeals, Chairman Kerr declared the meeting to be adjourned at 6:12 p.m.

Submitted by:

Recording Secretary

Approved by:

Board of Adjustment & Appeals Chairman