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## ROCKLEDGE BOARD OF ADJUSTMENT MEETING MINUTES

Tuesday, October 19, 2021 - 6:00 p.m.

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### 1. CALL TO ORDER / ROLL CALL

The Rockledge Board of Adjustment met on Tuesday, October 19, 2021, at 6:00 p.m. in the Council Chamber at Rockledge City Hall, 1600 Huntington Lane, Rockledge, Florida.

MEMBERS PRESENT: Robert LaMarr (Chairman)  
Kenrick Bisnath (Vice Chairman)  
Bruce Beitman  
Alvin Gipson  
Gail Morris  
Randy Stevenson

MEMBERS ABSENT: None

STAFF PRESENT: Joseph Miniclier, City Attorney  
Dr. Brenda Fettrow, City Manager  
John Cooper, Building and Planning Director  
Deanna Pomichter, Recording Secretary  
Melissa Cochie, Receptionist

With a quorum present, the meeting was called to order by Chairman Robert LaMarr.

### 2. APPROVAL OF MINUTES & ATTENDANCE RECORD

#### A. Meeting of August 17, 2021

**Board Member Bisnath moved to approve the minutes and attendance record of the August 17, 2021 meeting; seconded by Board Member Morris. The motion passed by unanimous vote.**

### 3. PUBLIC HEARINGS

#### A. Special Exception SE-21-04

*Applicant: Jennifer and Alvin Smith*

*Location: 824 Pennsylvania Avenue*

*Request: Single-family dwelling in MH (Mobile Home) District per LDR Section 62.72(c)*

Planning Director Cooper introduced the application for a Special Exception for 824 Pennsylvania Ave. The applicant is seeking approval for the special exception to allow the construction of a single-family residence.

The subject property is a developed parcel of land located north on Pennsylvania Avenue and west of Cedar Street. The existing structure is a 1,152 square foot manufactured home built in 1980. The current zoning is MH – Mobile Home District and the future land use is RMU-Redevelopment Mixed Use.

Staff is recommended approval from the Board to allow a single-family dwelling at 824 Pennsylvania Avenue.

At 6:04 p.m., Chairman LaMarr opened the meeting to the public

At 6:05 p.m., Chairman LaMarr closed the public hearing.

Discussion followed.

**Board Member Gipson moved to approve the special exception (SE-21-04) located at 824 Pennsylvania Ave as it meets the requirements of Section 23.20(5)(a-f) of the Rockledge Land Development Regulations. Seconded by Board Member Beitman. The motion passed by unanimous vote.**

B. Special Exception SE-21-05

*Applicant: Cecil and Ava Cook/Robert Leland Smith (Agent)*

*Location: 1922 Murrell Road*

*Request: Permit open storage yard in M1 (General Industrial) District per LDR Section 62.142(c)(14)*

Planning Director Cooper introduced the application for the Special Exception for 1922 Murrell Road. The applicant is seeking approval for the Special Exception to allow the construction of an open storage yard for recreational vehicles.

The subject property located at 1922 Murrell Road is an undeveloped parcel of land approximately 2.54 acres located east of Murrell Road. The current zoning is M1-General industrial and the future land use is MUPD5- Mixed Use Planning District 5.

Staff recommended approval from the board to allow an open storage yard located at 1922 Murrell Road.

At 6:07p.m., Chairman LaMarr opened the meeting to the public

At 6:08 p.m., Chairman LaMarr closed the public hearing.

Discussion followed.

**Board Member Beitman moved to approve the special exception (SE-21-05) located at 1922 Murrell Road as it meets the requirements of Section 23.20(5)(a-f) of the Rockledge Land Development Regulations. Seconded by Board Member Bisnath. The motion passed by unanimous vote.**

C. Variance V-21-01

*Applicant: Angel and Rosa Valentin*

*Location: 1095 Newton Circle*

*Request: Reduce rear setback requirement to allow for installation of screen enclosure*

Planning Director Cooper introduced the application for a variance located at 1095 Newtown Circle. The applicant is seeking approval for a variance to allow relief of the rear setback in order to build an aluminum screen enclosure.

The subject property is an 1846 square foot single family detached dwelling located on the west side of Newton Circle. The current zoning is C2 – General Commercial with the residential standards described in Section 80-20 – Single Family medium density subdivision. The lot size is 55 x 95 feet with the primary structure 15.2 feet from the rear property line.

Staff has reviewed the application and does not find sufficient information to grant a variance. There are no special conditions or circumstances peculiar to the land, structure or buildings that would cause a hardship on the applicant or the property. The interpretation of the provisions within the Land Development Regulations would not deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the term of City regulations and would not work unnecessarily or create an undue hardship on the applicant.

Staff recommended that the board deny the variance for 1095 Newton Circle.

At 6:12p.m., Chairman LaMarr opened the meeting to the public.

Angel Valentin, owner, located at 1095 Newton Circle stated he has grandkids and would like more space to spend time outside to be away from the bugs and drainage issues he has on his property.

Tom Barker owner of 945 Newton Circle stated that he lives behind the applicant. States if he puts up the structure, he will only be 20 feet from his property. Said in the future it would have an adverse effect on his property if he were to try to sell it.

At 6:16 p.m., Chairman LaMarr closed the public hearing.

Discussion followed with regard to setbacks and other structures in the neighborhood.

**Board Member Bisnath moved to deny the variance located at 1095 Newton Circle in accordance with Section 23.20(C)(1)(a-f) of the Rockledge Land Development Regulations. Seconded by Board Member Morris. The motion passed by unanimous vote.**

4. UNFINISHED BUSINESS - NONE
5. NEW BUSINESS - NONE
6. ADJOURN

Chairman LaMarr declared the meeting to be adjourned at 6:20 p.m.

Submitted by:

Deanna Pomichter  
Recording Secretary

Approved by:

Robert LaMarr  
Chairman