



Board of Adjustments Regular Meeting Minutes

December 19, 2023 at 5:00 PM

City Hall Commission Chambers
401 S. Park Avenue

Present

Michael Clary, Jason Johnson, Ann Higbie, Charles Steinberg, Thomas Sims, and Robert Trompke. Also Present: City Attorney J. Giffin Chumley. Staff: Director of Planning & Zoning Allison McGillis; Planner II Nicholas Lewis; Planner I Corinna Lundgren; and Recording Secretary Mary Bush.

Absent

Cathy Williams

1. Call to Order

Chairman Jason Johnson called the meeting to order at 5:07 p.m.

2. Consent Agenda

- a. Approve the minutes of October 17, 2023.

Motion made by Ann Higbie, seconded by Tom Sims to approve the October 17, 2023 meeting minutes.

The motion unanimously carried by a 6-0 vote. (Cathy Williams was absent from the meeting.)

3. Public Comments (for items not on the agenda): Three minutes allowed for each speaker

No one from the public wished to speak. The public hearing was closed.

4. Public Hearings (Public participation and comment on these matters must be in person.)

- a. BOA-2023-0021. Request of Glenn Dobkin for variance approval from Section 58-78 subsection (d)(1), to allow a rear setback of 10-feet in lieu of the required rear setback of 30-feet, in conjunction with the proposed commercial structure located at 661 Harold Avenue, zoned I-1.

Vice-Chair Steinberg disclosed that he and the applicant, Glenn Dobkin, had a brief personal discussion with no regard to Mr. Dobkin's application.

Mr. Lewis provided the Board with a summary of the request. He noted that the request had previously been approved by the Board in 2020, but the applicant was unable to move forward with the project and the granted variances expired after two years. He added that the requested variance was the same as previously submitted and approved. He then presented a zoning map of the area and noted that the majority of the area is zoned commercial, and a small portion is zoned industrial. He went on to note that the property was zoned I-1 and the request met all required setbacks except for the rear setback. He then briefly discussed the variance approval criteria. He spoke about a case that previously went before the Board and was permitted a similar variance located at 710 Harold Avenue, which was zoned C-3. He then explained that the applicant's property is one of the smallest parcels in the area at only 50-feet wide and requires a 30-foot rear setback by code. He indicated that if the property was zoned C-3, a 10-foot rear setback would be permissible because the parcel backs up to nonresidential. He then discussed the use of properties in the area that are non-conforming and noted that the current structure on the applicant's property, built in 1946, was inadequate for modern industrial and commercial uses. He went on to express that staff believed the lot size and unique nature of the surrounding industrial and commercial area was enough to warrant the requested variance and would not confer any special privilege.

The staff recommendation was for approval.

The Board briefly inquired about the difference between industrial zoning and commercial zoning that originally justified the additional setback for I-1 zoning.

The applicant, Glenn Dobkin of 661 Harold Avenue, Winter Park, FL 32789 addressed the Board. Mr. Dobkin noted that he wanted to build a shop on the property for himself and his son. He explained that he had not been able to install the required sewer system for the shop until recently, which halted the project over the years.

No one from the public wished to speak. The public hearing was closed.

Motion made by Robert Trompke, seconded by Tom Sims for variance approval from Section 58-78 subsection (d)(1), to allow a rear setback of 10-feet in lieu of the required rear setback of 30-feet, in conjunction with the proposed commercial structure located at 661 Harold Avenue, zoned I-1.

The motion unanimously carried by a 6-0 vote. (Cathy Williams was absent from the meeting.)

5. Non-Action Items

6. Staff Updates

Mr. Lewis announced that Jeff Briggs had recently retired as Director of Planning & Zoning and became an independent planning consultant for the City. He also expressed that Assistant Director of Planning & Zoning, Allison McGillis, had recently returned from a leave of absence and had been promoted to Director of Planning & Zoning.

7. Board Comments

8. Upcoming Agenda Items

9. Adjournment

The meeting adjourned at 5:22 p.m.

Minutes approved by the Board on March 25, 2024.

ATTEST:

/s/ Mary Bush, Board Secretary