

Board of Zoning Appeals  
Minutes  
September 11, 2007

I. Call to order

Chairman Guy Taylor called the regular meeting of the Board of Zoning Appeals to order on September 11, 2007 at 5:30PM in the Building Department Conference Room, 1301 Palm Boulevard. Other members present were Arnold Karig, Mike Layman and Tom Miller, also the zoning administrator, Douglas Kerr, was present. Mr. Kerr explained that the meeting was advertised in compliance with the Freedom of Information Act.

II. Approval of Minutes

The next item on the agenda was the review of the minutes of the August 14, 2007 meeting. Mr. Karig made a motion to approve the minutes as written and Mr. Miller seconded the motion. The vote was unanimous in favor of the motion.

III. Variance

Mr. Taylor explained that the Board acted as a quasi-judicial body and reminded those present that they had been sworn in and if there was a need to give additional evidence or testimony they are still under oath.

**305 Carolina Boulevard**

Mr. Taylor explained that this case had been continued at the last meeting to give Mr. Miller and opportunity to look at the property and he asked Mr. Miller if he had a chance to visit the site. Mr. Miller answered that he had.

Mr. Karig stated that based on the facts: that the house was constructed in compliance with the ADA Accessibility Guidelines, that there are alternatives that would be compliant with the zoning code that would allow construction of additional means of access and that and that the zoning code did not unreasonably restrict the use of the property; he made a motion to deny the variance. Mr. Miller seconded the motion. The vote was unanimous in favor of the motion to deny the request.

Mr. Xerras explained that he was disappointed in the decision and that he intended to appeal the decision. Mr. Taylor explained that this was his right and that Mr. Kerr could explain the process of appealing to Circuit Court.

V. Miscellaneous Business

Mr. Taylor explained that he would like to make a motion to forward a resolution to City Council that would request that the reader board signs at the entrances to the island either be posted with the correct name of the Board of Zoning Appeals or not be posted at all. He explained that the sign typically is posted with abbreviations and this can be confusing to the general public. Mr. Layman seconded the motion. The vote was unanimous in favor of the motion.

Mr. Kerr explained that it was his understanding that it was City Council's intention to not replace the vacancy on the Board until after the beginning of the New Year, because otherwise the appointment would be only for two meetings and then the process of reappointment would need to begin.

VI. Adjournment

With no other business, the meeting was adjourned at 5:45pm.