

Board of Zoning Appeals  
Minutes  
February 7, 2012

I. Call to order

Chairman Arnold Karig called the regular meeting of the Board of Zoning Appeals to order on February 7, 2012 at 5:30PM in the City Hall Conference Room, 1207 Palm Boulevard. Other members present were Scott Davidson, Mike Layman and Tom Miller; also Secretary Douglas Kerr was present. Frances Anderson was absent. Mr. Kerr explained that the meeting was advertised in compliance with the Freedom of Information Act.

II. Nomination and election of Chair and Vice Chair

Mr. Karig asked for nominations for Chair and Mr. Miller nominated Mr. Layman and Mr. Davidson seconded the nomination. With no other nominations, Mr. Karig called for a vote which was unanimous in favor of the nomination.

Mr. Layman assumed his position as Chair and asked for nominations for Vice Chair. Mr. Karig nominated Mr. Davidson and Mr. Miller seconded the nomination. With no other nominations, Mr. Layman called for a vote which was unanimous in favor of the nomination.

III. Approval of minutes

The next item on the agenda was the review of the minutes of the December 6, 2011 meeting. Mr. Karig made a motion to approve the minutes and Mr. Miller seconded the motion. The vote was unanimous in favor of the motion.

IV. Home occupations

Mr. Layman explained that the Board acted as a quasi-judicial body and all comments made were treated in the same manner as court testimony and therefore any person who would like to speak to the Board should be sworn in. He then swore in all members of the audience that would be speaking.

**111 Charleston Boulevard**

Mr. Kerr explained that the applicant was requesting a special exception to allow the establishment of an office for a consultant to small businesses at his home. He stated that the applicant has indicated that the home will be used for office work only, that there will be no business-related traffic coming to the residence and that there will be no employees working in the residence.

Mr. Layman asked the applicant if he owned the residence. The applicant, Mr. David Mendez, answered that his home was owned by an LLC and that his wife was the chief officer of the LLC. Mr. Layman explained that the application lacked the signature of the property owner and asked if it was proper to continue hearing the case without the signature. Mr. Kerr explained that he believed it would be acceptable to act on the application and stipulate that the appropriate signatures be acquired prior to the issuance of a business license. Mr. Karig made a motion to approve the application with the stipulation that the appropriate signatures be acquired prior to the issuance of the business license. Mr. Miller seconded the motion and the vote was unanimous in favor of the motion.

### **#18- 42<sup>nd</sup> Avenue**

Mr. Kerr explained that the applicants were requesting a special exception to allow the establishment of an office for a personnel recruiting businesses at their home. He stated that the applicants have indicated that the home will be used for office work only, that there will be no business-related traffic coming to the residence and that there will be no employees working in the residence.

The applicant, Ms. Linda Guilford, explained that they handled management recruiting and there would only be phone, fax and computer work done in the house. There would not be a need for any traffic coming to the house.

Mr. Karig made a motion to approve the request and Mr. Miller seconded the motion. The vote was unanimous in favor of the motion.

### **V. Executive Session**

Mr. Layman explained that the next order of business was to go into executive session for the Boards annual legal briefing. Mr. Karig made a motion to go into executive session and Mr. Miller seconded the motion. The vote was unanimous to go into executive session.

### **VI. Miscellaneous Business**

Mr. Layman explained that the Board had come out of executive session and that next order of business was miscellaneous business. Mr. Kerr explained that the Water and Sewer Commission had filed an application for a Special Exception to allow the reconstruction of the Forest Trail wastewater treatment facility, which would include a structure with a height above 30 feet. He stated that this would be heard at the next meeting.

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VII. Adjournment

With no other business, the meeting was adjourned at 6:45 p.m.