

Board of Zoning Appeals
Minutes
September 6, 2016

I. Call to order

The regular meeting of the Board of Zoning Appeals was called to order on September 6, 2016 at 5:30 p.m. in the City Hall Conference Room, 1207 Palm Boulevard. Members present were Pete Doherty, Carolyn Holscher, Glen Thornburg and Jay Leigh and Secretary Douglas Kerr; Arnold Karig was absent.

Mr. Kerr acknowledged that the meeting had been advertised in compliance with State law and the properties had been posted.

II. Approval of minutes

Next on the agenda was the review of the minutes of the July 5, 2016 meeting. Ms. Holscher made a motion to approve the minutes and Mr. Leigh seconded the motion. The motion PASSED UNANIMOUSLY.

III. Miscellaneous Business

Mr. Thornburg stated that the applicant for the case was running late, so he asked if the Board would consider reorganizing the agenda to handle Miscellaneous Business next. The Board agreed and a motion was made, seconded and unanimously approved to reorder the agenda.

As a result of the concern expressed by members of the Board of Zoning Appeals that the City Code provided little guidance for making decisions on requests for outdoor sales from mobile units, such as the Airstream at the Boathouse, Mr. Kerr reported that the Planning Commission is working on a recommendation to address future requests.

IV. Special Exception

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

#42- 41st Avenue

Mr. Kerr explained that the Wild Dunes resort was requesting a Special Exception to allow a portion of the existing cart barn at #42- 41st Avenue to be used to serve concessions to golf course patrons with some of the sales activity taking place outdoors. He explained that the proposed arrangement would have the concession staff, food storage and preparation taking place indoors and patrons would place orders from the exterior deck through a window.

Mr. Kerr stated that the concessions were previously offered from a nearby building referred to as the "Halfway House," but the resort planned to move the activity to the cart barn. When the activity was at the Halfway House, all sales activity took place inside. He indicated that the standards in the ordinance would be met by satisfying all setback, screening, loading and parking requirements. The applicant has stated in the application that the proposed use would not change the existing traffic flow since the operation will be serving the same patrons in the same vicinity they have always been served.

Ms. Jennifer West, Director of Operations for Wild Dunes, addressed the Board and stated that they are proposing to move a use that has always been in place to the next building along the cart path.

Mr. Leigh asked what would happen to the Halfway House. Ms. West answered that it would be used exclusively by Yacht Harbor owners and would no longer be connected with the golf course.

Mr. Doherty asked what the operating hours would be, and Ms. West answered 8:30 a.m. until 4:30 p.m.

Mr. Leigh asked if there would be conflicts with patrons of the concession stand and delivery trucks. Ms. West answered that deliveries typically took place early in the morning, but patrons still need to use caution just as they do when they cross any roadway.

Mr. Leigh made a motion to approve the request and Ms. Holscher seconded the motion. The motion PASSED UNANIMOUSLY.

V. Adjournment

With no other business, the meeting was adjourned at 6:10 p.m.