

**PLANNING AND ZONING BOARD MINUTES
THURSDAY, NOVEMBER 18, 2021 - 1:30 PM
CITY HALL, COUNCIL CHAMBERS, VERO BEACH, FLORIDA**

PRESENT: Chairman, Steven Lauer; Members: Jeb Bittner, Theodore Perry and Alternate Member #1, Richard Cahoy **Also Present:** Planning and Development Director, Jason Jeffries; Principal Planner, Cheri Fitzgerald; City Attorney, John Turner and Deputy City Clerk, Sherri Philo

Excused Absences: Robin Pelensky, Jose Prieto and Elliese Shaghnessy

Today's meeting was called to order at 1:30 p.m.

I. PRELIMINARY MATTERS

A. Agenda Additions and/or Deletions

Mr. Jason Jeffries, Planning and Development Director, pulled item II, Election of Officers, from today's agenda. He reported that they would hold the Election of Officers at their next scheduled meeting when they have a full Board present.

II. ELECTION OF OFFICERS

- A. Chairman**
- B. Vice-Chairman**

This item was pulled from today's agenda.

III. APPROVAL OF MINUTES

A. Regular Meeting – November 4, 2021

Mr. Bittner made a motion to approve the minutes of the November 4, 2021 Planning and Zoning Board meeting. Mr. Cahoy seconded the motion and it passed unanimously.

IV. PUBLIC COMMENT

None

V. PUBLIC HEARING

[Quasi-Judicial]

- A. Special Exception Application Request from Brandon T. Rouer to Reconstruct an Existing Structure Partially Destroyed by Fire with an Existing Nonconforming Duplex Residential Use in the M, Industrial District Located at 1135 17th Place (#SE21-000001)**

The Chairman read Special Exception Application #SE21-000002 submitted by Brandon T. Rouer by title only.

Mr. Perry reported that he is the lender on this property and therefore he has a voting conflict.

(Voting Conflict Form attached to the original minutes).

There were no ex parte communications reported.

The Deputy City Clerk swore in staff and all witnesses testifying for today's hearing en masse.

Mr. John Turner, City Attorney, explained to the applicant that there are only three (3) members of the five (5) member Board present for today's hearing. He asked the applicant if he had any objections to proceeding with his application without having the full membership of the Board.

The Chairman noted that all diagrams, photographs and other exhibits referred to during testimony for the Board to consider must be marked for identification and kept by the City Clerk.

At this time, Mr. Perry excused himself from today's meeting.

Mr. Brandon Rouer, Applicant, who has been sworn in, agreed to continue with this hearing.

Mrs. Cheri Fitzgerald, Principal Planner, went over staff's report accompanied by a Power Point presentation (attached to the original minutes). Based on the findings outlined in the staff report, staff recommends approval of the request to grant the special exception to allow the reconstruction of the two (2) unit residential efficiency duplex subject to meeting all current Florida Building Codes, Land Development Regulations, including setbacks, parking and stormwater, and any other site plan approval requirements.

Mr. Cahoy asked was this a residential community prior to the change made in 1963 where residential uses were removed as permitted uses in the M, Industrial District.

Mrs. Fitzgerald reported that this building, the building to the north on the same property, the building to the east and the building across the street were all built for residential uses.

Mr. Cahoy questioned then the commercial/industrial structures were built after these buildings were constructed.

Mr. Jeffries stated that all the commercial structures appear to have been built after World War II.

Mr. Rouer reported that he works with the Treasure Coast Homeless Services Council (TCHSC) by providing these duplexes for the homeless to have a place to live and the TCHSC subsidizes their rent. There was an electrical fire in January that displaced two (2) of his tenants. It is his intention to bulldoze the two-story duplex located in the back of the property and replace it with a single-story duplex.

The Chairman opened and closed the public hearing at 1:57 p.m., with no one wishing to speak.

Mr. Bittner made a motion that the Board approves application #SE21-000001 for the Special Exception of the property located at 135 17th Place based on competent substantial evidence. Mr. Cahoy seconded the motion and it passed 3-0 with Mr. Cahoy voting yes, Mr. Bittner yes, and Mr. Lauer yes.

VI. PLANNING DEPARTMENT MATTERS

Mr. Jeffries reported that their next meeting would be held on Thursday, December 2, 2021.

VII. BOARD MEMBERS' MATTERS

None

VIII. ADJOURNMENT

Today's meeting adjourned at 2:07 p.m.

/sp