BOARD OF ADJUSTMENT MEETING
City of Fort Lauderdale
Wednesday, April 8, 2009 – 6:30 P.M.
City Hall City Commission Chambers – 1st Floor
100 North Andrews Avenue
Fort Lauderdale, Florida

Board Members	Attendance	Cumulative Attendance 6/2008 through 5/2009 Present	Absent
Scott Strawbridge, Chair	P	9	1
Don Larson, Vice Chair	P	9	1
Diane Centorino	A	8	2
David Goldman	P	9	1
Gerald Jordan	P	10	0
Bruce Weihe	A	7	3
Birch Willey	P	9	1
Alternates			
Michael Madfis	A	8	2
Henry Sniezek	P	9	1
Karl Shallenberger	P	9	1

Staff
Bob Dunckel, Assistant City Attorney
Yvonne Blackman, Secretary
Cheryl Felder, Service Clerk
Terry Burgess, Chief Zoning Examiner
B. Chiappetta, Recording Secretary, ProtoType Services

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Purpose: Section 47-33.1.

The Board of Adjustment shall receive and hear appeals in cases involving the ULDR, to hear applications for temporary nonconforming use permits, special exceptions and variances to the terms of the ULDR, and grant relief where authorized under the ULDR. The Board of Adjustment shall also hear, determine and decide appeals from reviewable interpretations, applications or determinations made by an administrative official in the enforcement of the ULDR, as provided herein.

Communications to City Commission

Mr. Sniezek explained that there was a setback issue affecting hundreds of properties and it would behoove the City to move forward with the new zoning ordinance for Riverland Road/Lauderdale Isles.

Mr. Shallenberger recommended the City examine the annexation agreement; this contained specifics about when the rezoning should occur.

Call to Order

Chair Strawbridge called the meeting to order at 6:35 p.m. He introduced the Board members and described the functions of the Board and procedures that would be followed for the meeting.

Approval of Minutes – March 2009

Mr. Dunckel asked that the phrase "thoroughly erroneous" in the March minutes be changed to "clearly erroneous."

Motion made by Mr. Larson, seconded by Mr. Goldman, to approve the minutes of the Board's March meeting as amended. In a voice vote, motion passed unanimously.

Board members disclosed communications they had regarding items on the agenda.

All individuals wishing to speak on the matters listed on tonight's agenda were sworn in.

1. **Appeal No. 08-35** Index

APPLICANT: **Christopher and Jenessa Stearns**
LEGAL: **"Progresso", P.B. 2, P. 18, Block 235, Lots 12 and 13**
ZONING: **RMM-25 (Residential Multifamily Mid Rise/Medium High Density District)**
STREET: **1801 NE 8th Street**
ADDRESS: **Fort Lauderdale, FL**

APPEALING: **Section 47-18.8 (J) (Child day care facilities – *Dispersal requirements*)**
Requesting a variance to permit a childcare facility to exist 508 feet where Code requires that no childcare facility exist within 1,500 feet of an SSFR (Social Service Residential Facility) above a Level 1 facility.

APPEALING: **Section 47-5-36 (Table of dimensional requirements for the RMM-25 district)**
Requesting a variance to permit a side yard setback of 6 feet 10 inches, where Code requires 20 feet.

APPEALING: **Section 47-5-36 (Table of dimensional requirements for the RMM-25 district)**
Requesting a variance to permit a rear yard setback of 19 feet 10 inches, where Code requires 20 feet.

APPEALING: **Section 47-5-36 (Table of dimensional requirements for the RMM-25 district)**
Requesting a variance to permit front setback of 15 feet, where Code requires 25 feet.

APPEALING: **Section 47-5.36 (Table of dimensional requirements for the RMM-25 district)**
Requesting a variance to permit a lot width of 75 feet, where code requires a minimum of 100-foot lot width.

APPEALING: **Section 47-5-36 (Table of dimensional requirements for the RMM-25 district)**
Requesting a variance to permit a lot size of 7,500 square feet, where Code requires a minimum lot size of 10,000 square feet.

APPEALING: **Section 47-25.3(A)(d)(i) (Neighborhood compatibility requirements-*Landscape strip requirements*)**

Requesting a variance to waive the 10-foot landscape strip buffer yard requirement, where Code states a 10-foot landscape strip shall be required to be located along all property lines which are adjacent to residential property.

[Deferred from the March 11, 2009 meeting]

Mr. Shallenberger asked if the Board would hear only new information this evening. Chair Strawbridge wanted to ensure that everyone was heard, and asked Mr. Dunckel's opinion.

Mr. Dunckel noted that some Board members in attendance this evening were not sitting on the Board the first time the case was presented, and added that there was potential for an appeal. Mr. Grant Smith, representative of the applicant, said he was prepared to present the entire case for the benefit of Board members not present the last time.

Mr. Ted Fling, President of the Victoria Park Civic Association, wanted the ability to rebut Mr. Smith's presentation. He referred to a letter the Civic Association had sent to the Board on March 5 outlining their objections.
Mr. Willey wanted to allow all parties to say what they needed to say, "however long it takes."

Mr. Jordan reminded the Board that at the last meeting, he had indicated that Mr. Goldman might have a conflict of interest. He said he understood "from the neighborhood that you're mad that the Paradise Bank went up next to you and that the people in Victoria Park voted for the bank." He said, "I just wondered if you have a conflict of interest, would you like to recuse yourself?" Mr. Goldman said it was news to him that he was mad about the Paradise bank. He said he might worry about a conflict of interest if he lived right next door to the nurtury, but he did not.

Mr. Dunckel clarified that the conflict of interest standard in Chapter 112 [inadvertently referenced as Chapter 119] referred to pecuniary interests. He said there was another issue to consider: due process, i.e., the entitlement to a fair and impartial hearing. Mr. Dunckel advised that this standard must be judged by each Board member for himself. Mr. Dunckel asked if any Board member felt he could not provide a fair, impartial hearing to the applicant and the opposition.

Chair Strawbridge asked if any Board members also served on the Colee Hammock or Beverly Heights Homeowners Association Board. Mr. Jordan stated that he belonged to the Colee Hammock Homeowners Association. Chair Strawbridge thought the Colee Hammock Homeowners Association had created a written stance opposing this request. Mr. Jordan denied this, and challenged Chair Strawbridge to produce something in writing. Mr. Goldman referred to a Victoria Park Homeowners Association

newsletter that stated the school was opposed by the Colee Hammock, Beverly Heights and Victoria Park associations. Mr. Jordan said his association had not made any "official assumption, and neither did Beverly Heights..."

Mr. Goldman reminded Mr. Jordan that he had indicated at the last meeting that he had already made up his mind about this request. He wondered how Mr. Jordan could therefore make an unbiased judgment this evening. Mr. Jordan did not recall saying this. Chair Strawbridge recalled that Mr. Jordan had mentioned his association's objections to this request, and said he felt Mr. Jordan should step down. Mr. Jordan disagreed.

Ms. Jenessa Stearns, applicant, distributed pamphlets to Board members.

Mr. Smith explained the property was zoned RMM-25 and the land use was medium-high residential. The RMM-25 zoning allowed a daycare facility with no more than 5 children, and required approval for a conditional use as a daycare facility for 6 to 25 children. The applicant had begun the process for obtaining conditional approval for the latter.

Mr. Smith noted the three requests that had been added to the application, and explained that these did not change the nature of the proposal.

Mr. Smith said Ms. Stearns had hired a consultant to conduct a traffic study in response to neighborhood concerns. He introduced Dennis Miller from IBI Traffic Engineers to describe the results of the traffic study.

Mr. Dennis Miller, traffic engineer, stated the additional student population would generate an additional 13 morning and 16 evening trips to the nurtury. He explained that the current peak time trip counts on both Northeast 8th Street and Northeast 18th Avenue were far below maximum acceptable levels. The total trips, including the additional trips the nurtury expansion would contribute, would still fall well within both streets' carrying capacities. Mr. Miller added that the drop-off/pick-up activity at the school was staggered to allow a 90-minute morning drop-off window and a 120-minute afternoon pick-up window.

Mr. Smith referred to the neighborhood's suggestion that another location could be found for the school. He said Ms. Stearns had asked a real estate agent to find another location, but the real estate agent had been unable to find a suitable location in the area. Mr. Smith stated this was the perfect location for this school. He described the immediate neighborhood, and remarked that this was perfectly compatible with the higher-intensity uses of the schools' immediate neighbors to the north and west, which included a high-rise condominium and three multi-story, multi-family housing complexes.

Mr. Smith stated the evening the Victoria Park Civic Association voted in opposition to this request, he and the applicant had been asked to attend, but had not been advised there would be a vote, and had not invited any of the school's families to attend the meeting. He added that there had been approximately 25 residents of Victoria Park present the evening the vote was taken, and this was a very small percentage of residents. Ms. Stearns had gathered the signatures of over 50 of her neighbors in support of her school.

Mr. Smith asked the Board to remember the testimony from residents they had heard in favor of the school at the last hearing.

Mr. Smith informed the Board that the American Planning Association had a long-standing policy guideline that provided for small childcare homes in all zoning districts with reasonable compatibility standards. He quoted from the American Planning Association: "Without public policies in support of parents, we as a society run the risk that many of today's children will not receive the necessary care to grow into productive adults." Mr. Smith reminded the Board that the applicant was requesting something that the property was entitled to request.

Chair Strawbridge asked if Ms. Stearns agreed to cap the number of students. Mr. Smith stated this was under tab 12 in the Board's packet in the declaration of restrictions. They had agreed to limit the number of students to 18 instead of the maximum 25. Mr. Miller confirmed that the traffic impact for 18 students would be even less than indicated in his report, which was based on 25 students.

Mr. Smith stated parents dropped the children off at approximately 8 a.m. and picked them up at approximately 5 or 6 p.m. He noted that the arrival and departure times were very staggered. Mr. Sniezek asked if there were special events for which many parents would drive to the school at the same time. Ms. Stearns stated that they did not have such events.

Mr. Miller informed Mr. Sniezek that if this property were redeveloped into four units, as the zoning permitted, the traffic generated would be greater than the traffic generated by the school.

Ms. Stearns explained the parameters she had provided the realtor when she was seeking a different property for the school and described issues she discovered at some of the properties the realtor had recommended.

Chair Strawbridge opened the public hearing.

Mr. Bob Oelke, representative of the Victoria Park Civic Association, said the ULDR stated a traffic study should be presented at the time the application for a daycare center was submitted, so he felt it disingenuous that the applicant only had the study conducted in response to concerns noted by the Civic Association.

Mr. Oelke stated parents were bringing children from many areas, and the neighbors were concerned that traffic was "not going to be coming by the most efficient route possible" and would wind its way through the residential neighborhood. Mr. Oelke said the traffic study had not mentioned employees, the number of which would also increase to match the student population. He stated most of their concerns regarded the parking situation, which was the purview of the Planning and Zoning Board, but he asked the Board to consider the impact of the drop-off areas and parking. Mr. Oelke displayed photos taken of the property at 10:00 a.m. and noted there were a number of cars present, and some were pulled over facing oncoming traffic. He said three of the neighbors had written letters stating the drop-off activity was creating a hazard at the site.

Mr. Oelke said the change of use would allow up to 25 children to attend and would not require the operator to live on site, changing this to a non-residential use. He worried that there was no mechanism by which the City could enforce its enrollment limit; enforcement was the County's responsibility and the County had different limits. Mr. Oelke said this change would actually allow up to 50 children at the site.

Mr. Fling stated the Code Officer assigned to their neighborhood was very responsive to them. He said they had discussed this situation with their Code Officer, and she informed them that Code Enforcement was "not equipped to physically, nor legally to go in and go through someone's residence to count bodies and then count to see if they've got all the requirements that you're supposed to have in that particular facility."

Mr. Dunckel said City Code Enforcement could examine the property if an officer was invited in. Failing that, a search warrant was needed. As a practical matter, inspectors did not pursue search warrants. He was unsure whether a County Officer could enter the premises without a search warrant or without being invited in.

Mr. Larson asked Mr. Oelke if the property had been investigated as the result of complaints. Mr. Oelke referred to a report he had downloaded from Broward County indicating an occasion when there had been 7 children present when the facility was limited to 5. He said no citation had been issued because the County's attendance limit was higher than the City's. He believed on another occasion, there were 11 children present, and the owner had been cited for violating the County requirements.

Mr. Oelke referred to the applicant's request regarding Section 47-18.8, the spacing of Social Service Residential Facilities. He related the process the City had gone through

to resolve problems it was experiencing with SSRFs in the 1980s, and how the City arrived at the 1,500-foot separation requirement. Mr. Oelke wanted the Board to consider this in their decision-making.

Mr. Burgess described the requirements for the Level 3 SSRF that was located approximately 500 feet away from the nurtury. It was allowed a maximum of 16 residents and no more than three on-duty staff. He said a Level 1 SSRF was the highest allowed in this neighborhood with a conditional use. The maximum number of residents and staff must be determined by State guidelines.

Mr. Oelke felt the several requests relating to lot size indicated that the lot was too small for this use. He also wanted the applicant to be more specific about the buffer yard landscaping requirements from which she was requesting relief. Mr. Oelke noted that the buffer yard requirement stated there must be a 12-foot set-in for refuse bins and for parking, and he was concerned that refuse bins containing diapers would be stored on the property line. Mr. Dunckel pointed out that the notice only requested a waiver of the landscape requirement in the buffer yard; he assumed the applicant intended to comply with the wall, parking and trash requirements. Mr. Smith agreed that they had only applied for relief from the landscape requirement.

Mr. Oelke summarized that the Civic Association believed the applicant was “trying to place way too much into too small of an area, that it is incompatible with the single-family homes across the street, and we would ask you to enforce the code, the SSRF restrictions and all of the other variances…we would ask you to deny all of the variances that are being sought.”

Mr. Smith remarked that this would be “totally compatible, if not nicer than what she’s next to in the same zoning district.”

Mr. Smith believed that the City’s decision to create the 1,500-foot SSRF separation had been a response to the growth of drug rehab centers in the 1980s.

Mr. Smith explained that once this was a commercial property, it would be subject to additional oversight, including annual inspections.

Regarding the traffic concerns, Mr. Smith pointed out that regardless of where the traffic traveled from, they were still talking about an increase of only 29 trips per day, which would not have a terrible impact on the neighborhood.

Mr. Shallenberger referred to the photos of the property showing cars parked improperly, and Mr. Smith stated since they had begun this process, they had entered into an agreement with a nearby church for staff to park there, so the cars in the photo did not belong to staff.

Mr. David Wells said he lived 80 steps from the property and his daughter attended the school. He noted that the property had been unoccupied for some time and was considered undesirable for a residential use because of its proximity to several rental properties. Mr. Wells walked his daughter to the school twice per week, and he had never seen "any congestion whatsoever." Mr. Wells believed the school enhanced the neighborhood and helped make the community "rich and vibrant." Regarding the vehicular trip traffic in the area, he believed the only thing that would reduce trips was the installation of speed bumps.

Mr. Jim Kevern said that even though Ms. Stearns had agreed to limit the number of students to 18, "we established at the December meeting that voluntary does not work and that any variances…go with the property, not with the property owner." Mr. Kevern did not see how the Board could find a hardship for this property.

There being no other members of the public wishing to address the Board on this item, Chair Strawbridge closed the public hearing and brought the discussion back to the Board.

Mr. Dunckel stated this was not a case about mothers and children, or the quality of the school; it was about whether the application met the criteria in the code for the granting of the variance. Regarding the 1,500 SSRF separation requirement, Mr. Dunckel stated this had been in reaction to the proliferation of SSRFs specifically in Victoria Park. He advised if this requirement should be changed now, it should be through the legislative body, not the Board of Adjustment.

Mr. Dunckel considered each of the criteria individually:

a. That special conditions and circumstances affect the property at issue which prevent the reasonable use of such property

Mr. Dunckel advised the Board to consider what evidence had been presented that suggested the property had no reasonable use as currently zoned.

b. That the circumstances which cause the special conditions are peculiar to the property at issue, or to such a small number of properties that they clearly constitute marked exceptions to other properties in the same zoning district

Mr. Dunckel explained that the whole concept of a hardship was that it must refer to a unique attribute of the real estate, not a desire on the part of the property owner.

c. That the literal application of the provisions of the ULDR would deprive the applicant of a substantial property right that is enjoyed by other property owners in the same zoning district. It shall be of no importance to this criterion that a denial of the variance sought might deny to the owner a more profitable use of

the property, provided the provisions of the ULDR still allow a reasonable use of the property

Mr. Dunckel noted that a family daycare center, a single-family dwelling or duplex could be sited on this property.

d. That the unique hardship is not self-created by the applicant or his predecessors, nor is it the result of mere disregard for, or ignorance of, the provisions of the ULDR or antecedent zoning regulations; and

e.

Mr. Dunckel advised that Board members must decide for themselves whether the hardship was personal or it inhered to the property.

f. That the variance is the minimum variance that will make possible a reasonable use of the property and that the variance will be in harmony with the general purposes and intent of the ULDR and the use as varied will not be incompatible with adjoining properties or the surrounding neighborhood or otherwise detrimental to the public welfare.

Mr. Dunckel stated there were already a number of uses allowed by the code without a variance.

Mr. Dunckel counseled the Board that they must judge against the criteria in the code, “not whether you have predilections in favor or opposed to the political agenda of the applicant or the civic association.”

Mr. Goldman asked Mr. Smith what landscaping they intended to provide, and how wide the landscape strip would be. Mr. Smith said they intended to plant seven trees on the north side of the property. He stated they intended to comply with landscape requirements; they were only requesting that the area be reduced. Mr. Goldman wanted specifics regarding the landscaping. Mr. Stearns stated there were already palm trees on the north side. On the east side, there were small shrubs, and she agreed to plant something else if this was needed to comply.

Mr. Sniezek said the first thing he considered was that this was not in a single-family home neighborhood; this was a higher density mixed-use area. He also felt the SSRF separation requirement was intended for a rehab facility, not for a senior care facility. Mr. Sniezek believed this use was appropriate for this area. He was not concerned about the increase in traffic.

Ms. Stearns offered to install a dense hedge on the east side as a condition of the variance.

Mr. Shallenberger said he would not vote in favor of this; he did not feel the facility was in the right spot to expand.

Mr. Goldman understood the residents' concerns about having a business in the area, but he felt a small business such as this complemented the neighborhood.

Mr. Willey believed this was the perfect spot for the current business, but not for the expanded business. He had spent a significant amount of time at the property and remarked that there were some issues with parking. Mr. Willey said he would vote against the request.

Mr. Jordan did not see the hardship on this property, and did not feel this was the right property for the expanded day care. He said in Victoria Park, "we don't want to grant more and more variances; we want it to be residential."

Motion made by Mr. Goldman, seconded by Mr. Sniezek, to approve the appeal regarding Section 47-18.8. In a roll call vote, the vote was as follows: Mr. Goldman – yes; Mr. Jordan - no; Mr. Larson – yes; Mr. Willey – no; Mr. Sniezek – yes; Mr. Shallenberger – no; Chair Strawbridge - yes. Motion **failed** 4 - 3.

Motion made by Mr. Goldman, seconded by Mr. Larson, to approve the 5 appeals regarding Section 47-5-36 dealing with setbacks, lot width and size, and Section 47-25.3(A)(d)(i) dealing with neighborhood compatibility requirements. In a roll call vote, the vote was as follows: Mr. Goldman – yes; Mr. Jordan - no; Mr. Larson – yes; Mr. Willey – no; Mr. Sniezek – yes; Mr. Shallenberger – no; Chair Strawbridge - yes. Motion **failed** 4 - 3.

2. Appeal No. 09-08 Index

APPLICANT: **Parkview Townhomes Homeowners Association**
LEGAL: **"Coral Ridge," P.B. 21, P. 50, Block 11, Lot 11**
ZONING: **RMM-25 (Residential Multifamily Mid Rise/Medium High Density District)**
STREET: **2800-2806 NE 15th Street**
ADDRESS: **Fort Lauderdale, FL**

APPEALING: Section 47-19.3.A (Boat slips, docks, boat davits, hoists and similar mooring devices)
Appealing the interpretation of **Section 47-19.3.A** to allow one (1) additional boatlift, where it has been interpreted that there is a requirement for 100-foot separation of the 2 boat lifts.

[This item was heard out of order]

Chair Strawbridge stated the applicant had requested a deferral.

Mr. Frank Bruno from Parkview Townhomes requested a deferral to the next meeting because their representative was not available.

Motion made by Mr. Larson, seconded by Mr. Jordan, to grant a deferral for cases 09-08 and 09-03 to the Board's next meeting. In a voice vote, motion passed unanimously.

3. Appeal No. 09-03 Index

APPLICANT: **Parkview Townhomes Homeowners Association**
LEGAL: **"Coral Ridge," P.B. 21, P. 50, Block 11, Lot 11**
ZONING: **RMM-25 (Residential Multifamily Mid Rise/Medium High Density District)**
STREET: **2800-2806 NE 15th Street**
ADDRESS: **Fort Lauderdale, FL**

APPEALING: Section 47-19.3.A (Boat slips, docks, boat davits, hoists and similar mooring devices)
Requesting a variance to build two (2) boat lifts on a lot of 183.78 foot in width, where code states Boat davits, hoists and similar mooring devices may be erected on seawall or dock and shall be limited to one (1) mooring device per the first one hundred (100) feet of lot width or portion thereof, and one mooring device for each additional one hundred (100) feet of lot width.

[Deferred to the Board's May meeting]

4. Appeal No. 09-06 Index

APPLICANT: **Khalil Maurice Nasser**
LEGAL: **"Lauderdale Isle No. 2", P. B. 37, P. 44, Block 8, Lot 7**
ZONING: **Broward County Code RS-5 (One-Family detached dwelling district)**
STREET: **2448 Nassau Lane**
ADDRESS: **Fort Lauderdale, FL**

APPEALING: Broward County Code Sec. 39-286 (Side Yards)
Requesting a variance to allow a 3.2-foot side yard set back, where the code requires a minimum of 7.5 feet side yard setback.

Mr. Khalil Maurice Nasser, applicant, explained the variance was for a carport that had been enclosed into a garage. He said the property had been incorporated into Fort Lauderdale two years ago from the County. Mr. Nasser stated the original carport roof had a 3.2-foot setback. The carport was enclosed in 2006 by the previous owner. Mr. Nasser had discovered the problem when he was doing some work on the property. Mr. Burgess said when the properties were incorporated, owners were given a period of time to submit these problems to the City and get them on the record, but few people had.

Chair Strawbridge asked about the new zoning ordinance for this area. Mr. Burgess thought the setbacks in the new zoning ordinance would be 7.5 feet. Chair Strawbridge pointed out that if homeowners did not apply for variances, after the ordinance changed, if a home in this area were damaged a certain amount, it would have to be rebuilt to the new setback requirements. He informed Mr. Nasser that once he had this variance, it would preserve the setbacks for the property.

Mr. Willey remembered when the City had rezoned blocks at a time in the 1970s and wondered if the City could come before the Board of Adjustment and request variances on behalf of properties on individual islands all at once.

Mr. Dunckel cautioned that the second story on this property was built with a 4.6-foot setback and if they granted the variance with no conditions, the second story could be built with a 3.6-foot setback.

Chair Strawbridge opened the public hearing.

Mr. George Counts, neighbor, said he did not object to this variance

There being no other members of the public wishing to address the Board on this item, Chair Strawbridge closed the public hearing and brought the discussion back to the Board.

Motion made by Mr. Larson, seconded by Mr. Jordan, to approve the request.

Mr. Dunckel advised Mr. Larson to amend his motion to indicate that the variance applied to the enclosed carport only. Mr. Larson and Mr. Jordan agreed to the amendment.

In a roll call vote, the vote was as follows: Mr. Goldman – yes; Mr. Jordan - yes; Mr. Larson – yes; Mr. Willey – yes; Mr. Sniezek – yes; Mr. Shallenberger – yes; Chair Strawbridge - yes. Motion passed 7 - 0.

5. APPEAL NO. 09-07 Index

APPLICANT: **Nicholas Ritter**
LEGAL: **"Progresso," P. B. 2, P. 18, Block 120, Lot 12, less the E. 15 Feet thereof**
ZONING: **RD-15 (Residential Single /Duplex/Low Medium Density District)**
STREET: **1223 N. Andrews Avenue**
ADDRESS: **Fort Lauderdale, FL**

APPEALING: Section 47-5.32 (Table of Dimensional Requirements for the RD-15 and RDs-15 Districts)
Requesting a variance to allow a front yard setback of 17 foot 6 Inches, where Code requires a minimum of 25 feet front yard setback.

Mr. Nicholas Ritter, applicant, said he had purchased the house in 1999 aware of several code violations, which he had complied. He was notified last year that the foyer was not compliant. He had retrieved a map of the City from 1964 when Andrews Avenue was widened, and remarked that back then, only one house on the block met the 25-foot setback.

Motion made by Mr. Shallenberger, seconded by Mr. Jordan, to approve the request.
In a roll call vote, the vote was as follows: Mr. Goldman – yes; Mr. Jordan - yes; Mr. Larson – yes; Mr. Willey – yes; Mr. Sniezek – yes; Mr. Shallenberger – yes; Chair Strawbridge - yes. Motion passed 7 - 0.

Report and For the Good of the City Index

There being no further business to come before the Board, the meeting was adjourned at **9:23 p.m.**

Chair:

____

Chair Scott Strawbridge

Attest:

____

ProtoType Inc.

A digital recording was made of these proceedings, of which these minutes are a part, and is on file in the Planning and Zoning offices for period of two years.

Minutes prepared by: J. Opperlee, Prototype Services