

City of Gainesville

*City Hall
200 East University Avenue
Gainesville, Florida 32601*



Minutes

September 25, 2018

6:30 PM

City Commission Auditorium

Development Review Board

*Rick Cain - Chair
Dr. Ewen Thomson - Vice Chair
Jeffery Knee - Member
Dr. Barbara Vandermeer - Member
Debra Neil-Mareci - Member
Uretha Bastic - Member
Lawrence Calderon - Staff Liaison*

CALL TO ORDER

ROLL CALL

[180387.](#)

Development Review Board Attendance Roster: March 27, 2018 through August 28, 2018 (B)

Attachments: [180387_DRB 2017 -2018 Attendance_20180925.pdf](#)

ADOPTION OF THE AGENDA

Modify the agenda to move Item #1 to #3 to accommodate absence of the applicant at this time.

Motion by: Jeffrey D. Knee Second by: Debra A. Neill-Mareci
Motion: Approve the September 25, 2018 agenda as modified.
New member Uretha Bostic could not vote due to probationary period.

Vote: 4-0

APPROVAL OF MINUTES - AUGUST 28, 2018

[180388.](#)

Draft minutes of the August 28, 2018 Development Review Board Meeting (B)

Attachments: [180388_180828 DRB Minutes draft_20180925.pdf](#)

RECOMMENDATION *Staff is requesting that the Development Review Board review the draft minutes from the August 28, 2018 meeting and vote to approve the minutes.*

Staff to the Development Review Board - Review and approve the draft minutes.

Approve the minutes of August 28, 2018 with a modification to change the name referenced from Mr. Ewen Thomson.

Motion by: Ewen Thomson Second by: Jeffery D. Knee
Motion: Approved with Modification

Vote: 4-0

REQUEST TO ADDRESS THE BOARD

CONSENT ITEMS: NONE

OLD BUSINESS: NONE**NEW BUSINESS:****[180381.](#)****John and Wanda's Request for a Variance (B)**

Petition DB-18-004 VAR: John and Wanda Jennings, owner. Requesting a variance to reduce the west rear yard setback from 15 feet to 9.33 feet to allow an existing sunroom to remain in place. Zoned: RSF-1 (3.5 units/acre single-family residential district.) Located at 3618 NW 28th Terrace.

Attachments: [180381_Staff Report w Attachments A&B_20180925.pdf](#)

RECOMMENDATION *Staff to Development Review Board - Review the application, Petition DB-18-04 VAR, for compliance with the criteria for granting a variance.*

Mr. Calderon presented the petition on behalf of staff. He described the request related to the Land Development Code, the location of the property and surrounding developments. He reviewed the criteria for granting a variance relative to the subject property and asked the board to consider the request based on the criteria.

The board asked questions about the paper street and access to surrounding properties.

Mr. Jennings addressed the board and explained his request. He described the nature of the expansion which was constructed in 2009. He addressed the criteria for granting a variance. He stated that a contractor was hired to construct the expansion but he thought everything was fine. After attempting to sell the home he discovered that a Building Permit would be required along with a variance to address encroachments into the building rear setback.

The board asked several questions about the construction and the permit that was issued.

The board deliberated on the request.

Board members reviewed the criteria for granting a variance and determined that the request satisfied the criteria for granting a variance.

Motion by: Debra A. Neill-Mareci Second by:

Motion: To approve Petition DB-18-04 VAR based on a determination that the request satisfies the criteria for granting a variance and that the variance will be in harmony with overall character of the neighborhood.

Vote: 3-1

[180382.](#)**Joe Belgrade's Request for a Variance (B)**

Petition DB-18-005 VAR: Joe Belgrade, owner. Requesting a variance to reduce the west street side yard setback from 10 feet to zero (0) feet to allow expansion of a detached one-car garage to a two-car garage. Zoned: RSF-1 (3.5 units/acre single-family residential district.) Located at 2298 NW 21st Place.

Attachments: [180382_Staff Report w Attachments A&B_20180925.pdf](#)

RECOMMENDATION *Staff to Development Review Board - Review the application, Petition DB-18-05 VAR, for compliance with the criteria for granting a variance.*

Mr. Calderon presented the petition on behalf of staff. He described the request related to the Land Development Code, the location of the property and surrounding developments. He reviewed the criteria for granting a variance relative to the subject property and asked the board to consider the request based on the criteria.

The board asked questions about the paper street and access to surrounding developments.

Mr. Belgrade addressed the board and explained his request. He addressed the criteria for granting the variance. He introduced Mr. Roscow St., an adjacent neighbor, who spoke in support of the request. Mr. Belgrade also introduced letters of support from surrounding neighbors.

The board asked several questions about the unpaved roadway, surrounding access and existing improved properties.

Mr. John Roscow Sr. addressed the board in support of the applicant's request.

The board asked additional questions.

Mrs. Carmen addressed the board asking future plans for NW 23rd Street extension.

The board deliberated on the request.

Mr. Donald Shepherd addressed the board in support of the petition.

**The board considered the evidence and considered denying the request through a motion by Ms. Mareci.
which died due to the lack of a second.**

New motion was offered by Dr. Ewin

**Motion by: Debra A. Neill-Mareci Second by: Ewen Thomson
Motion: Continue the petition for a period of three months to allow the applicant to reconsider his request and for staff to explore the status of the right-of-way. Within that period, the applicant may request a re-review of the petition.**

Vote: 4-0

[180380.](#)

Attachments: [180380_Staff report w Appendices A-E_20180925.pdf](#)

RECOMMENDATION

Staff to Development Review Board - Staff recommends approval of Petition DB-18-96 SPA, subject to the conditions recommended in Appendix C of the staff report

Ms. Massey presented the petition on behalf of staff. She explained the petition request and proceeded to describe the location, the master plan and surrounding uses. She explained that the property was issued a Special Use Permit with a condition that all future developments must be reviewed by the Development Review Board.

Ms. Massey described the main issue of additional surface parking and associated facilities proposed with the development. She described some special improvements within the parking area proposed to facilitate pedestrian circulation, lighting and stormwater management. Ms. Massey stated that the development is consistent with the goals, objectives and policies of the Comprehensive and complies with the standards of the Land Development Code. She recommended approval with conditions.

Ms. Stephanie Sutton presented the petition on behalf of the applicant. She described the proposal and explained the basis of the request.

The board expressed concerns about preservation of existing significant heritage trees.

Mr. Sergio Reyes explained that the development is designed to protect the referenced trees.

Mr. Dave Bagley addressed the board about the potential impact of proposed lighting on surrounding developments.

Ms. Nancy Cannon addressed the board about access to the site.

Ms. Simone Bagley addressed the board about regulations to address noises generated from church activities.

Mr. Reyes explained that the applicant is working to address church activities relative to the noise ordinance.

The board asked additional questions about compliance of the proposed development with current Land Development Regulation.

Ms. Massey explained that the proposed development must comply with the Special Use Permit conditions and the current Land Development Code.

The board expressed concerns about the reduction in bicycle spaces.

Motion by: Ewen Thomson Second by: Jeffery D. Knee

Motion: Approve Petition DB-18-96 SPA with staff conditions in Appendix C and the addition of 23 bicycle parking spaces.

Vote: 4-0

INFORMATION ITEMS: NONE

BOARD MEMEBER COMMENTS

CITIZEN COMMENT

NEXT MEETING DATE- OCTOBER 30, 2018

ADJOURNMENT

Motion by: Debra A. Neill-Mareci Second by:
Vote: 4-0

For further information, please call 334-5022.

If any person decides to appeal a decision of this body with respect to any matter considered at the above-referenced meeting or hearing, he/she will need a record of the proceedings, and for such purposes it may be necessary to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Persons with disabilities who require assistance to participate in the meeting are requested to notify the Equal Opportunity Department at 334-5051 (TDD 334-2069) at least 48 hours prior to the meeting date.

In order to participate in the quasi-judicial portion of the proceeding, all parties who are entitled to actual notice must file the registration form with the Board's secretary. A party who is not entitled to actual written notice, but who believes that he or she has a special interest or would suffer an injury distinct in kind and degree from that shared by the public at large by the petition, may request affected party status by filing an application with the Board secretary in writing during regular business hours no less than seven (7) days prior to the meeting when the petition is scheduled to be heard. The application must be filed and received at The Thomas Center, Building B, located at 306 NE 6th Avenue, Gainesville, Florida, Planning Division, during business hours. If you do not choose to participate in the quasi-judicial portion of the proceedings, you will be allowed to provide testimony and evidence during the public hearing portion of the meeting up to five (5) minutes per person. Anyone wishing to view the plan may do so at the Planning Division office or online, if available. If you have any questions about this petition, you may call 334-5023. If any person decides to appeal a decision of this body with respect to any matter considered at the above-referenced meeting or hearing, he/she will need a record of the proceedings, and for such purposes it may be necessary to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Persons with disabilities who require assistance to participate in the meeting are requested to notify the Equal Opportunity Department at 334-5051 (TDD 334-2069) at least 48 hours prior to the meeting date.