



Board of Adjustment Minutes

November 28, 2022
7:05 PM

25440 West Newberry Road
Newberry, Florida 32669

QUORUM CHECK

Mayor

Jordan Marlowe

Commissioners

Ricky Coleman
Mark Clark, Chair
Monty Farnsworth
Tim Marden
Tony Mazon

City Attorney

Scott Walker

City Manager

Mike New

City Clerk

Judy Rice

Staff:

Assistant Manager, Chief Financial Officer
Director of Planning & Economic Development
Principal Planner
Executive Assistant, City Manager

Dallas Lee
Bryan Thomas
Jean-Paul Perez
Ada Schmidt

CALL TO ORDER

Chair Clark called the meeting to order at 9:35 pm.

APPROVAL OF AGENDA

Chair Clark asked for approval of the agenda.

Motion made by Commissioner Coleman to approve the agenda.

Seconded by Commissioner Mazon.

Voting Yea: Commissioner Coleman, Commissioner Clark, Commissioner Farnsworth, Commissioner Marden, and Commissioner Mazon.

MOTION PASSED 5-0

CONSENT AGENDA

1. October 24, 2022, Board of Adjustment Minutes

Chair Clark asked for approval of the consent agenda.

Motion made by Commissioner Mazon to approve the consent agenda.

Seconded by Commissioner Coleman.

Voting Yea: Commissioner Coleman, Commissioner Clark, Commissioner Farnsworth, Commissioner Marden, and Commissioner Mazon.

MOTION PASSED 5-0

PUBLIC HEARINGS AND ORDINANCES

2. Public Hearing on a Site and Development Plan petition for a 4,500 square foot commercial building including a drive-through restaurant use and related site development.

Quasi-Judicial Public Hearing: Resolution 2022-74/ SDP 22-12, an application by JBrown Professional Group, Inc., dba JBPro Group, Inc., Agent for Daytona Terroir, LLC, Owner, for a Site and Development Plan approval for a 4,500 square foot commercial building including a drive-through restaurant use and related site development on ±0.78 acres (Parcel No. 01945-001-000).

Chair Clark read the quasi-judicial procedures and presentation order.

Attorney Walker read Resolution 2022-74 by title only.

Clerk Rice swore in Principal Planner Perez, Director Thomas, Manager New, Mr. Chris Potts, JBPro Group, and Ms. Rochelle George, citizen.

Chair Clark asked for ex parte

No third-party intervenor.

Principal Planner Perez provided staff overview, report, and recommendation.

Mr. Potts presented a PowerPoint on behalf of the applicant.

Chair Clark asked for public comment.

Ms. George spoke in opposition.

No cross examination.

A lengthy discussion ensued between Dais, staff, and applicant.

No final arguments.

Attorney Walker advised the Commission of Applicable Law.

Motion made by Commissioner Coleman to adopt Resolution 2022-74 with the following conditions:

- 1. Applicant to work with staff on parking spaces**

2. Applicant to make flow better
3. Open up cul-de-sac at 115th Street.

Seconded by Commissioner Marden.

Ms. George spoke in opposition

Amended Motion made by Commissioner Coleman to adopt Resolution 2022-74 with the following condition:

1. Applicant to work with staff on parking spaces

Seconded by Commissioner Marden.

Voting Yea: Commissioner Coleman, Commissioner Clark, Commissioner Farnsworth, Commissioner Marden, and Commissioner Mazon.

MOTION PASSED 5-0

Consensus of the Commission to direct staff to work on reopening 242nd Terrace onto SW 15th Avenue.

AGENDA ITEMS

TOPICS FROM MEMBERS FOR DISCUSSION

MEETING ADJOURNMENT

Meeting adjourned at 10:58 pm.

Signed and approved on this 13th day of March 2023.

Mark Clark, Chair

Judy S. Rice, City Clerk