



City of Newberry Board of Adjustment

February 08, 2021
6:30 p.m.

25440 West Newberry Road
Newberry, Florida 32669

MINUTES

CALL TO ORDER

Mayor Marlowe called the meeting to order at 6:30 p.m. He noted the absence of Chair Norfleet and Commissioner Coleman.

APPROVAL OF AGENDA

Mayor Marlowe asked for approval of the agenda.

Motion made by Commissioner Marden to approve the agenda.

Seconded by Commissioner Clark.

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

MOTION PASSED 3-0

QUORUM CHECK

Mayor	Jordan Marlowe
Commissioners	Mark Clark Monty Farnsworth, virtual Tim Marden
City Attorney	Rich Maltby, virtual
City Manager	Mike New
City Clerk	Judy Rice, virtual
Staff:	
Director of Finance and Administration	Dallas Lee
Director of Planning and Economic Development	Bryan Thomas
Director of Public Works and Utilities	Jamie Jones, virtual
Principal Planner	Wendy Kinser-Maxwell, virtual
Absent:	
Commissioner	Rick Coleman
Chair	Paul Norfleet

APPROVAL OF MINUTES

1. January 11, 2021, Board of Adjustment Meeting Minutes.

Mayor Marlowe asked for approval of the minutes.

Motion made by Commissioner Marden to approve the minutes.

Seconded by Commissioner Clark.

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

MOTION 3-0

NEW BUSINESS

2. Request to reduce the minimum rear yard setback of lot 9 in Newberry Hills Phase II from 40' to 25'.

Quasi-Judicial Hearing: Resolution 2021-03/Application V 21-01, a petition by Mark and Malissa Garcia, Owners, for a variance to the Newberry Hills Phase II Plat minimum yard setback requirements to allow reduction of the minimum rear yard setback from 40 feet to 25 feet on Lot 9 located at 2701 NW State Road 45. The purpose of the request is to allow an inground swimming pool in the back yard.

Mayor Marlowe read the process and procedures for a Quasi-Judicial Hearing.

Attorney Maltby read Resolution 2021-03 by title only.

Mayor Marlowe asked for ex parte communication.

Voting Nay: Commissioner Marden, Commissioner Clark, and Commissioner Farnsworth.

Clerk Rice swore in Planner Kinser-Maxwell.

OPEN PUBLIC HEARING

Planner Kinser-Maxwell presented a PowerPoint presentation with the staff overview and report. The staff recommendation is to adopt Resolution 2021-03.

Mayor Marlowe asked for Public Comment. Ms. Malissa Garcia, Applicant, spoke in favor.

No third-party intervenor.

No cross examination or final argument.

CLOSE PUBLIC HEARING

Attorney Maltby spoke on Applicable Law.

Motion made by Commissioner Clark to adopt Resolution 2021-03.

Seconded by Commissioner Marden.

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

MOTION 3-0

COMMENTS

There were no comments.

MEETING ADJOURNMENT

Meeting adjourned at 6:46 p.m.

Signed and dated this 14 day of June 2021

Paul Norfleet, Chair

Judy S. Rice, City Clerk