

Board of Adjustment Minutes

August 14, 2023
7:05 PM

25440 West Newberry Road
Newberry, Florida 32669

QUORUM CHECK

Mayor

Jordan Marlowe

Commissioners

Mark Clark
Rick Coleman
Monty Farnsworth
Tim Marden

City Manager

Mike New

City Clerk

Judy Rice

City Attorney

Scott Walker

Staff:

Assistant City Manager, Chief Financial Officer
Assistant City Manager for Public Works and Utilities
Director of Parks & Recreation
Director of Planning & Economic Development
Assistant Director of Parks & Recreation
Assistant Director of Finance
Principal Planner
Senior Planner
Executive Assistant

Dallas Lee
Jamie Jones
Travis Parker
Bryan Thomas
Ryan Young
Amanda Hagan
Jean-Paul Perez
Uma Sarmistha
Randa Paul

Absent:

Commissioner

Tony Mazon

CALL TO ORDER

Mayor Marlowe called the meeting to order at 9:29 PM.

APPROVAL OF AGENDA

Motion to approve agenda, correcting Item 3 to
"SDP 23-04," was made by Commissioner Marden,
Seconded by Commissioner Farnsworth.

Voting Yea: Commissioner Clark, Commissioner
Coleman, Commissioner Farnsworth, Commissioner
Marden

MOTION PASSED 4-0

CONSENT AGENDA

Motion to approve the Consent Agenda was made by Commissioner Coleman, Seconded by Commissioner Clark.

Voting Yea: Commissioner Clark, Commissioner Coleman, Commissioner Farnsworth, Commissioner Marden

MOTION PASSED 4-0

1. April 24, 2023, Board of Adjustment Meeting Minutes

PUBLIC HEARINGS AND ORDINANCES

2. A request for site and development plan for a warehouse and outdoor storage yard for Shore Builders, Inc.

Quasi-Judicial Public Hearing: Resolution 2023-40/SDP 23-01, an application by JB Pro, Agent, on behalf of S&T Newberry Holdings, Owner, for Site and Development Plan Approval to allow construction of a 4,500-square-foot warehouse and an outdoor storage yard on an approximately 1 acre site; identified as Alachua County Tax Parcel 01897-001-010.

Mayor Marlowe reviewed the quasi-judicial procedures and read through the presentation order.

Attorney Walker read Resolution 2023-40 by title only.

Clerk Rice swore in Senior Planner Sarmistha and Kyle Willems, PE, Design & Operations Manager, JBPro.

Mayor Marlowe asked for ex parte communication.

Voting Nay: Commissioner Coleman, Commissioner Farnsworth, Commissioner Marden, and Commissioner Mazon. Mayor Marlowe, non-voting, none.

There was no third-party intervenor present.

Senior Planner Sarmistha provided the staff overview and recommendation with a PowerPoint. She stated that the applicant was present to answer questions.

There was no cross-examination by either party.

Discussion ensued.

Kyle Willems, JBPro, responded to questions from the Commission.

Attorney Walker advised the Commission that their decision must be based upon substantial and competent evidence.

Motion to approve Resolution 2023-40 was made by Commissioner Coleman, Seconded by Commissioner Clark.

Mayor Marlowe asked for public comment. There was none.

Voting Yea: Commissioner Clark, Commissioner Coleman, Commissioner Marden

Voting Nay: Commissioner Farnsworth

MOTION PASSED 3-1

3. A request for site and development plan for Town Center Self-Storage at Avalon Woods.

Quasi-Judicial Public Hearing: Resolution 2023-41/ SDP 23-04, an application by JB Pro, Agent, on behalf of S&T Newberry Holdings, LLC, Owner, for Site and Development Plan Approval to allow construction of a 49,500 square foot self-storage facility on an approximately 3-acre site; identified as Alachua County Tax Parcel 01897-001-010.

No one new had entered the room.

Attorney Walker read Resolution 2023-41 by title only.

Senior Planner Sarmistha and Kyle Willems, PE, Design & Operations Manager, JBPro, remained sworn.

Mayor Marlowe asked for ex parte communication.

Voting Nay: Commissioner Coleman, Commissioner Farnsworth, Commissioner Marden, and Commissioner Mazon. Mayor Marlowe, non-voting, none.

There was no third-party intervenor present.

Senior Planner Sarmistha provided the staff overview with a PowerPoint.

Kyle Willems, JBPro, discussed the construction phasing request.

There was no cross-examination by either party.

Discussion ensued.

Kyle Willems, JBPro, responded to questions from the Commission.

Senior Planner Sarmistha provided staff's recommendation with a PowerPoint.

Attorney Walker advised the Commission that their decision must be based upon substantial and competent evidence.

Motion to approve Resolution 2023-41 was made by Commissioner Coleman, Seconded by Commissioner Marden.

Mayor Marlowe asked for public comment. There was none.

Voting Yea: Commissioner Clark, Commissioner Coleman, Commissioner Marden

Voting Nay: Commissioner Farnsworth

MOTION PASSED 3-1

The Commission took a 10 minute recess. The meeting reconvened at 10:05 PM.

4. A request for Site and Development Plan for a 5,000 square foot industrial building with the Newberry Commercial Park.

Quasi-Judicial Public Hearing: Resolution 2023-44/ SDP 23-05, an application by eda consultants, inc., Agent, on behalf of Jorge Villalobos and Susan Ulloa, Owners, for a Site and Development Plan for a 5,000 square foot industrial building and related site improvements on a 1.28-acre site generally located at the northeast corner of Northwest 8 Lane and Northwest 235 Terrace within the Newberry Commercial Park; Alachua County Tax Parcel 01894-010-004.

No one new had entered the room.

Attorney Walker read Resolution 2023-44 by title only.

Clerk Rice swore in Principal Planner Perez and Clay Sweger, AICP, LEED AP, Principal/Director of Planning, eda consultants, inc.

Mayor Marlowe asked for ex parte communication.

Voting Nay: Commissioner Coleman, Commissioner Farnsworth, Commissioner Marden, and Commissioner Mazon. Mayor Marlowe, non-voting, none.

Principal Planner Perez provided the staff overview with a PowerPoint.

Clay Sweger, eda consultants, inc., provided the application with a PowerPoint.

There was no cross-examination by either party.

Discussion ensued.

Principal Planner Perez provided staff's recommendation with a PowerPoint.

There was no third-party intervenor present.

Clay Sweger stated for the record that the applicant agrees with the comments and conditions that were presented.

Discussion ensued.

Attorney Walker advised the Commission that their decision must be based upon substantial and competent evidence.

**Motion to approve Resolution 2023-44 was made
by Commissioner Marden, Seconded by
Commissioner Clark.**

Mayor Marlowe asked for public comment. There was none.

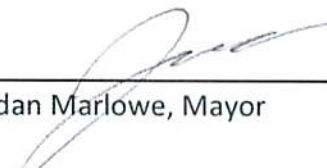
**Voting Yea: Commissioner Clark, Commissioner
Coleman, Commissioner Farnsworth, Commissioner
Marden**

MOTION PASSED 4-0

MEETING ADJOURNMENT

The meeting was adjourned at 10:15 PM

Signed and approved on this 11th day of December, 2023.



Jordan Marlowe, Mayor



Judy S. Rice, City Clerk