

Board of Zoning Appeals  
Minutes  
April 5, 2011

I. Call to order

Chairman Arnold Karig called the regular meeting of the Board of Zoning Appeals to order on April 5, 2011 at 5:30 p.m. in the Building Department Conference Room, 1301 Palm Boulevard. Other members present were Frances Anderson, Scott Davidson, Mike Layman and Tom Miller; Secretary Douglas Kerr was present. Mr. Kerr explained that the meeting was advertised in compliance with the Freedom of Information Act.

II. Approval of minutes

The next item on the agenda was the review of the minutes of the February 1, 2011 meeting. Mr Layman made a motion to approve the minutes, and Mr. Miller seconded the motion. The vote was unanimous in favor of the motion.

III. Home occupancy requests

Mr. Karig explained that the Board acted as a quasi-judicial body and all comments made were treated in the same manner as court testimony; therefore, any person who would like to speak to the Board should be sworn in. He then swore in all members of the audience that would be speaking.

**107 Carolina Boulevard**

Mr. Kerr explained that the applicant was requesting a Special Exception to allow the establishment of a consulting business that would provide engineering consultation services to the energy industry. He stated that the applicant has indicated that the home will be used for office work only, that there will be no business-related traffic coming to the residence and that there will be no employees working in the residence.

The applicant Daniel Kubek explained that he had previously been approved to operate around the corner, but he had moved and wanted to move his office operation. He explained that he acted as a consultant on emerging energy technologies.

Mr Layman made a motion to approve the request and Ms. Anderson seconded the motion. The vote was unanimous in favor of the motion.

**#27-41<sup>st</sup> Avenue**

Mr. Kerr explained that the applicant is requesting a Special Exception to allow the establishment of a home office for a boat charter business. He explained that

the applicant has indicated that there will be no business-related traffic coming to the house, no work at the home other than office work, no exterior evidence of a business and no employees working at the house. However, he explained that the boat used for the business (a 25-foot skiff) will be kept in the driveway, as it has been parked in the past.

The applicant John Randy Freeze addressed the Board and explained that he has passed his Coast Guard test to be a captain and wants to have the ability to take private parties on family excursions – the boat will hold up to twelve (12) people. He explained that the only activity that would take place at the house is taking reservations and cleaning the boat.

Mr. Miller asked what the name of the company would be; Mr. Freeze answered Captain Randy Tours, but there would be no signage on the boat.

Mr Miller made a motion to approve the request, and Ms. Anderson seconded the motion. The vote was unanimous in favor of the motion.

#### IV. Executive Session

Mr. Karig explained that the next item on the agenda was an Executive Session to receive an annual legal briefing from the City Attorney. Mr Layman made a motion to go into Executive Session, and Ms. Anderson seconded the motion. The vote was unanimous in favor of the motion.

#### V. Adjournment

The Board came out of Executive Session, and, with no other business, the meeting was adjourned at 6:25 p.m.