

Board of Zoning Appeals
Minutes
June 9, 2009

I. Call to order

Chairman Guy Taylor called the regular meeting of the Board of Zoning Appeals to order on June 9, 2009 at 5:30PM in the Building Department Conference Room, 1301 Palm Boulevard. Other members present were Frances Anderson and Mike Layman; also Secretary Douglas Kerr was present. Arnold Karig and Tom Miller were absent. 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 May 12, 2009 meeting. Mr. Layman made a motion to approve the minutes and Ms. Anderson seconded the motion. The vote was unanimous in favor of the motion.

III. Home Occupations

Mr. Taylor explained that the Board acted as a quasi-judicial body and all comments made were treated in the same manner as court testimony and 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.

2605 Cameron Boulevard

Mr. Taylor asked the applicant to explain what he is requesting. Mr. Pickett, the applicant, explained that he would be running a nutritional supplements sales office from his home and he would be trying to sell the products to distributors. Mr. Taylor asked if the orders would be distributed from the house. Mr. Pickett answered that most orders would be shipped from Miami, but that some would be shipped from the home. Ms. Anderson asked if the sales would be happening from the internet exclusively. Mr. Pickett answered that sales would be from the internet and the phone.

Mr. Layman asked what the size of the maximum amount of inventory that would ever be at the house. Mr. Pickett described a box having volume of approximately six cubic feet. Mr. Layman asked how many units this would be. Mr. Pickett answered 500. Mr. Layman asked him to describe the dimensions of a single unit. Mr. Pickett answered three inches by two inches by one-half inch.

Mr. Layman asked what volume this is in relation to his entire sales volume. Mr. Pickett answered less than 3%.

Mr. Taylor explained that the Board has denied requests for distribution businesses in the past and he asked Mr. Kerr to clarify how this request relates to past requests. Mr. Kerr answered that the ordinance does not allow a home occupancy that would increase the traffic in a neighborhood and therefore the Board has not allowed distribution of large volumes, but they have allowed sales people to keep samples at the home and mail out small quantities of samples. He stated that he believed, from the answers to Mr. Layman's questions, that the volume of product that would be kept at the home for this request was in line with what has been approved in the past.

Ms. Anderson asked if he had any employees. Mr. Pickett answered no. Ms. Anderson asked why the packet stated that there would be no employees other than family members. Mr. Kerr explained that this was his statement and that it was taken from the ordinance which specified that a home occupation could not involve employees, other than family members, working at the house.

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

IV. Adjournment

With no other business, the meeting was adjourned at 5:45PM.