

MEETING MINUTES

November 3, 2022
Commission Chambers
401 Clematis Street | West Palm Beach, FL 33401

These minutes are a summary of the meeting events and may not reflect all discussion that occurred. Copies of the agenda, backup material and presentations may be obtained from the City of West Palm Beach Planning Division. Recordings of the meeting are available for review at www.youtube.com/WestPalmTV.

I. CALL TO ORDER / ROLL CALL / PLEDGE OF ALLEGIANCE

Vice Chairperson Christopher Kammerer called the meeting to order at 1:32pm.

Ms. Tazia Kirkwood, Board Secretary, called the roll and **it was determined that a quorum was present**, as depicted in the table below.

Board Members:	Present	Absent
Christopher Heggen Chairperson	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Christopher Kammerer Vice Chairperson	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Alfred Fields Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Michael Hyman Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Michael Wood Member	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Jonathan Burgess 1 st Alternate	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Dana Picotte 2 nd Alternate	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Note: With the absence of Chairperson Christopher Heggen and Mr. Michael Wood, Mr. Jonathan Burgess and Ms. Dana Picotte were voting members for the duration of the meeting.

Staff Members Present:
Richard Greene, AICP Development Services Director
John Roach, AICP Principal Planner
Alexander Fowlkes Planner
Tazia Kirkwood Senior Administrative Assistant (Board Secretary)
Samuel Thomas Senior Assistant City Attorney (Board Attorney)

II. APPROVAL OF THE MINUTES

Mr. Burgess made a motion to **APPROVE** the minutes from September 1, 2022.

Mr. Alfred Fields seconded the motion; the motion **PASSED 5-0**, as depicted in the table below.

Board Members:	Yes	No	Absent	Recused	Non-Voting
Christopher Heggen Chairperson	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Board Members:	Yes	No	Absent	Recused	Non-Voting
Christopher Kammerer Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alfred Fields Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Michael Hyman Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Michael Wood Member	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jonathan Burgess 1 st Alternate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dana Picotte 2 nd Alternate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

III. REPORT FROM THE PLANNING DIVISION STAFF

Mr. John Roach, Principal Planner, welcomed Ms. Picotte as a new member to the Zoning Board of Appeals, and reminded the board that Form 8B: Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers had been provided as part of the September 1, 2022, minutes as Mr. Burgess recused himself from ZBA Case No. 3416.

IV. REMARKS BY THE CHAIRPERSON

Vice Chairperson Kammerer provided remarks regarding the order of the proceedings.

V. DECLARATION OF EX-PARTE COMMUNICATION

Board Members:	Ex-Parte Communication
Christopher Heggen Chairperson	Absent.
Christopher Kammerer Vice Chair	None.
Alfred Fields Member	None.
Michael Hyman Member	None.
Michael Wood Member	Absent.
Jonathan Burgess 1 st Alternate	None.
Dana Picotte 2 nd Alternate	None.
<i>* Form 8B: Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers, is attached (if applicable).</i>	

VI. PUBLIC HEARING

A. SWEARING IN OF THE SPEAKERS

Mr. Samuel Thomas, Board Attorney, swore in everyone who wished to speak on the cases on the agenda.

B. CONTINUED CASES

C. ZONING BOARD OF APPEALS CASES

1. Zoning Board of Appeals Case No. 3406A:

Ms. Kirkwood read the case description into the record.

Mr. Carlos Ramirez gave a presentation on behalf of the applicant.

The members of the board requested clarification and discussed with the applicant and staff on the nature of the variance request that was before them, and traffic patterns in the neighborhood.

Mr. Alexander Fowlkes, Planner, gave a presentation on behalf of the City’s Planning Division.

The members of the board discussed the following with staff:

- Allowable fence heights;
- Visibility triangle at the intersection;
- Previous approvals for the accessory apartment;
- Neighborhood traffic patterns; and
- Intent of the current regulation.

Vice Chairperson Kammerer opened the floor to public comment. There were no public comments.

Mr. Burgess made a motion to **GRANT** the variance.

Mr. Michael Hyman seconded the motion. The motion **PASSED 5-0**, as depicted in the table below.

Board Members:	Yes	No	Absent	Recused	Non-Voting
Christopher Heggen Chairperson	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Christopher Kammerer Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alfred Fields Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Michael Hyman Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Michael Wood Member	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jonathan Burgess 1 st Alternate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dana Picotte 2 nd Alternate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2. Zoning Board of Appeals Case No. 3407A:

Ms. Kirkwood read the case description into the record.

Mr. Ramirez gave a presentation on behalf of the applicant.

The members of the board requested clarification on which driveway was the subject of the variance request.

Mr. Fowlkes, Planner, gave a presentation on behalf of the City’s Planning Division.

The members of the board discussed the following items with Staff, the Board Attorney, and the applicant:

- Clarification regarding the buildings shown which are under construction;
- Scope of the application before the board, and relationship to previous applications; and
- Measurement from existing curb and impacts if the road were widened.

Vice Chairperson Kammerer opened the floor to public comment. There were no public comments.

The members of the board discussed the following items, some of which Staff provided clarification:

- The process and timing when multiple applications are required for the same project; and
- Setback of the driveway from the side property line.

Mr. Fields made a motion to **GRANT** the variance.

Mr. Burgess seconded the motion. The motion **PASSED 5-0**, as depicted in the table below.

Board Members:	Yes	No	Absent	Recused	Non-Voting
Christopher Heggen Chairperson	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Christopher Kammerer Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alfred Fields Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Michael Hyman Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Michael Wood Member	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jonathan Burgess 1 st Alternate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dana Picotte 2 nd Alternate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

D. ADMINISTRATIVE APPEALS

VII. UNFINISHED BUSINESS

VIII. NEW BUSINESS

IX. OTHER BUSINESS

There was lengthy discussion by the board with Staff regarding the ability to bring up potential code revisions for evaluation under "New Business" on future agendas and how that process should take place.

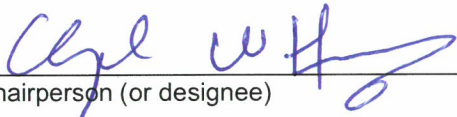
X. ADJOURNMENT

Vice Chairperson Kammerer adjourned the meeting at 2:59pm.

Please be advised the minutes are not verbatim. A recording of the meeting may be requested through the City of West Palm Beach City Clerk's office at 822-1210. There is a fee.

* * * * *

This signature is to attest that the undersigned is the Chairperson, or designee, of the **Zoning Board of Appeals** and that the information provided herein is the true and correct minutes for the **November 3, 2022**, meeting of the **Zoning Board of Appeals**, dated this 5 day of JANUARY, 2023.



 Chairperson (or designee)