

*ZONING BOARD OF ADJUSTMENT

| <u>MEMBER</u> | <u>PHONE</u> | <u>TERM OF OFFICE</u> |
|---|--|---|
| Thomas J. Herbert 1231 Garfield Street Melbourne, FL 32935 | 298-4862(h) | May 10, 2011 - December 2, 2013 Unexpired 3-year term |
| James G. Taylor, Vice Chairman 2536 Post Road Melbourne, FL 32935 | 259-0895(h) 638-4488(b) | December 3, 2011 - December 2, 2014 3-year term |
| Brenda Burgener 2218 Woodlawn Circle Melbourne, FL 32934 | 254-5190(h) 434-7172(b) | December 3, 2010 - December 2, 2013 3-year term |
| Charles Jackson 2638 S. Harbor City Blvd. Melbourne, FL 32901 | 724-0030(h) 727-2533(b) | December 3, 2009 - December 2, 2012 3-year term |
| Peter Kostrzewa, Chairman 2852 Snead Court Melbourne, FL 32935 | 254-1572(h) 757-3333(b) X-125 | December 3, 2011 - December 2, 2014 3-year term |
| Edward F. Kasold, Jr. 2383 Brookside Way Indialantic, FL 32903 | 777-5890(h) | December 3, 2011 - December 2, 2014 3-year term |
| Dale Young 2401 Dairy Road Melbourne, FL 32904 | 951-8370(b) | December 3, 2009 - December 2, 2012 3-year term |
| <u>ALTERNATE MEMBERS (2)</u> | | |
| Dennis Mannion 2815 Pineapple Avenue Melbourne, FL 32935 | 751-2827(h) | February 22, 2011 December 26, 2013 Unexpired 3-year term |
| Haig John 2100 Waverly Place Melbourne, FL 32901 | 722-5846(b) | May 10, 2011 - December 26, 2013 Unexpired 3-year term |
| <u>ATTORNEY</u> | | |
| Alison Dawley | 608-7240 | |
| <u>PLANNING</u> | | |
| Planner Jeffrey Higgins | 608-7508 E-mail: p&z@melbourneflorida.org | |
| <u>RECORDING SECRETARY</u> | | |
| Debbie Cote | 608-7502 | |
| <u>EX-OFFICIO MEMBER</u> | | |
| Chairman, Planning/Zoning Board | | |

*NOTE: All members must complete an annual Financial Disclosure Form.

ZONING BOARD OF ADJUSTMENT

7 regular members, 3-year terms
2 alternate members, 3-year terms

Reference Section 2-173, City Code, Article IX, Section 7, Appendix B, and Section 8.04(6), City Charter.

Reference City Code, Sections 2-75 through 2-77, for provisions that generally apply to all boards. Special requirements relating to this board, not included in Sections 2-75 through 2-77, are noted below.

The board has the following powers and duties: To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the planning and economic development director or the building official in the interpretation or enforcement of Chapters 25, 27 or Appendices B, C, or D, City Code. To authorize upon appeal in specific cases such variance from the terms of Appendix B as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of the City Code could result in an unnecessary hardship. See variance criteria outlined in Appendix B, Article IX, Section 7.

The board consists of seven members and two alternate members. Alternate members may act in the temporary absence or disability of any regular member, or may act when a regular member is otherwise disqualified in a particular case that may be presented to the board. The chairman of the Planning & Zoning Board shall be an ex officio, non-voting member of the Board of Adjustment.

The City Council is authorized to establish a schedule of fees to be charged by the board.

The concurring vote of five members of the board shall be necessary (see Section 8.04, City Charter) to reverse any order, requirement, decision or determination of any administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass under any such ordinance, or to effect any variation in such ordinance.

Any person aggrieved by any decision of the board may present to a circuit court a petition for issuance of writ of certiorari setting forth that such decision is illegal, in whole or in part, specifying the grounds of the illegality in the manner and within the time provided by the Florida Appellate Rules.

Appendix D, Article II, City Code, sets forth the procedures for quasi-judicial hearings, ex-parte communications and site visits. The following applies to the members of this board:

- Members may not engage in ex-parte communications with the public or discuss or receive opinions from an expert witness or consultant, other than at a formally noticed hearing.
- In the event a board member does so, the member is required to disclose the ex parte communication or opinion received from the expert witness or consultant during the open public meeting.
- Members may discuss matters with City staff provided that disclosure is made. The member must identify the staff member, state the substance of the ex parte communication, and state the matters discussed, which the board member considers material to the board member's decision.
- Members may conduct site visits provided that disclosure is made. Disclosure shall include any information obtained by virtue of the site visit considered by the member to be material to the member's decision.

Board meetings are held the last Monday of each month at 6:30 p.m. in the Council Chamber of City Hall.