

DATE: February 14, 2024

TO: George Keller, Jr. CPPT
City Manager

FROM: Andria Wingett
Director of Development Services 

SUBJECT: Notice of Decisions Relating to the Tuesday, February 13, 2024, **Planning and Development Board Meeting**

The purpose of this notice is to inform the Mayor and City Commission of the opportunity to initiate a City Commission Request for Review (CRR) of a Board decision in accordance with [Section 5.6 of the City's Zoning and Land Development Regulations](#). The process for a CRR is initiated in one of the following ways: if three or more City Commissioners request a review during City Commission comments at a City Commission meeting, which is within 17 days of the Board's action; or if three or more City Commissioners file a request for review in writing with the City Clerk within 17 days of the Board's action. In any event, a *de novo* hearing shall be set.

A *de novo* hearing for a CRR shall be set no later than the next four City Commission meetings from either the City Commission meeting date where three Commissioners requested such review or no later than the next four City Commission meetings from the date that the City Clerk receives the third Commissioners request. Notice and other requirements of the hearing shall be provided in accordance with [Section 5.6 of the City's Zoning and Land Development Regulations](#).

Said request should be filed with the City Clerk's Office, with a copy To forward to the Division of Planning & Urban Design of the Development Services Department by **March 1, 2024**.

Please note, the Code requires the City Clerk's Office to receive all CRR's within seventeen (17) days of the date a decision is reached by the Board. As such, CRRs filed after **March 1, 2024**, would not be consistent with the Code and could not be considered. The timeframe for setting a hearing provided herein may be extended by written request of the applicant. Appeal from a final decision of the City Commission shall be to circuit court by filing a petition for *writ of certiorari*.

This memorandum is also available on the City website. In this manner, the public is made aware of action taken by the Board, should they wish to encourage the Mayor and City Commission to file a request for review of the Board's decision pursuant to the procedures set forth above.

The following summarizes actions taken by the Board. Item # 1 below may be considered Quasi-Judicial and may be subject to the CRR Regulation.

- 1. FILE NO.:** 23-V-96
APPLICANT: Catherine Spear, Revokable Trust/Jeffrey Spear.
LOCATION: 4600 N Ocean Drive
REQUEST: Variance request to increase the maximum allowable curb cut from 18 feet to 23 feet.

STAFF RECOMMENDATION:

Variance: Denial; or Approval of Staff's alternative Design

BOARD DECISION:

Variance: Approved, with the condition that applicant uses Staff's alternative design.

cc: Honorable Mayor and City Commissioners
City Manager
City Attorney
Assistant City Managers
Civic Affairs Administrator
Planning Manager
Economic Development Manager