



**BOARD OF ADJUSTMENTS
3048 S. Atlantic Avenue
Daytona Beach Shores, Florida
Tuesday, April 26, 2005
9:30 a.m.
AGENDA**

CALL TO ORDER

**WORKSHOP TO DISCUSS THE AUTHORIZATION CRITERIA USED FOR
GRANTING VARIANCES**

ADJOURNMENT

NOTICES: Notice is hereby given to all interested parties that if any person should decide to appeal any decision made at the aforementioned meeting of the Board Of Adjustments, such person will need a recording of the proceedings conducted at such meeting, and for such purpose he or she may need to ensure that a verbatim record of the proceedings was made; such record to include testimony and evidence upon which any appeal shall be based. Individuals covered by the Americans with Disabilities Act of 1990 in need of accommodations for this public meeting should contact the City Clerk, City of Daytona Beach Shores, at least five working days prior to the meeting.



**MINUTES
BOARD OF ADJUSTMENTS WORKSHOP
3048 S. Atlantic Avenue Daytona Beach Shores, Florida
April 26, 2005**

Vice Chair Brown called the workshop to order at 9:40 am.

Members present: Jill Trafton, Fred Ehle, Rita Whitman, Gary Brown and Hank Smith. Member excused: Anne DiGaetano. Staff present: Cheri Schwab City Clerk, Fred Hiatt Dir. Of Community Services, Stewart Cruz Planner, and William Reischmann City Attorney

WORKSHOP TO DISCUSS THE AUTHORIZATION CRITERIA USED FOR GRANTING VARIANCES –

City Attorney Reischmann began the workshop by explaining that the applicant had the burden of proof when it came to granting a variance. He explained in detail each criteria item giving examples that would and would not warrant a variance. He reminded the Board that if one criteria item wasn't met, the variance could not be legally granted. Mr. Reischmann also reminded the Board to be alert for emotional arguments by the applicant and citizens. He emphasized that proponents and opponents for a project would have to provide substantial competent evidence to substantiate their positions.

Various citizens spoke at the end of the discussion in favor of the workshop. They felt it was very informative and helpful.

ADJOURNMENT: The workshop ended at 11:45 am.

ATTEST:

Jill Trafton, Chairman

Cheri Schwab, City Clerk