

**Meeting Minutes**  
**TOWN OF INDIALANTIC BOARD OF ADJUSTMENT**  
**Council Chamber, 216 Fifth Avenue, Indialantic, FL 32903**  
**Monday, May 22, 2023 AT 5:30 P.M.**

**A. Call to Order:**

A regular meeting of the Board of Adjustment was called to order by Chair Justice at 5:30 p.m. followed by the Pledge of Allegiance. The following members were present:

David A Justice	Chair
Safvat Kalaghchy	Member
Michael Hill	Member
Guy Newman	1st Alternate

**Absent:**

Eileen Mullen	Member
Stephen Baughn	Vice Chair

**Also attending:**

Cliff Stokes	Building Official
Paul Gougelman	Town Attorney
Rebekah Raddon	Town Clerk
Mollie Carr	Admin. Asst.

**B. Approval of Prior Meeting Minutes:**

Minutes – April 24, 2023

**Motion by Member Hill, seconded by Member Kalaghchy to approve the meeting minutes. Motion carried unanimously, 4-0.**

**C. Variance Request:**

Site address: 1004 Wave Crest Ave, Indialantic, FL, 32903; further described as lots 27 and 28; Block 41, Indialantic By-the-Sea; Parcel ID 27-38-31-EQ-41-27.

Applicant/Owner: Clayton Bennett, P.E., for owner WW Brevard, LLC.

1. **Code Section 103-39: Indialantic coastal construction code of 1987** – Requesting a variance to construct a three-unit townhouse 122.4 feet seaward of the Coastal Construction Control Line.
2. **Code Section 103-39: Indialantic coastal construction code of 1987** – Requesting a variance to construct associated driveways 179.9 feet seaward of the Coastal Construction Control Line.

Chairman Justice read both of the requested variances.

Attorney Gougelman addressed the board regarding a handout he had provided explaining the standards in approving a CCCL variance.

Clayton Bennett reiterated the requirements for approving a CCCL variance. Mr. Bennett reviewed the submitted Coastal Construction Control Line Variance Request Report with the board.

Chair Justice asked if there was an existing residential home on the property and Mr. Bennett replied that there was a home on the property and based on the age of the home he did not believe it had the currently required pile foundation.

Attorney Gougelman asked Mr. Bennett to explain both requested variances.

Mr. Bennett explained both requested variances, referencing the submitted plan.

Attorney Gougelman asked about the parcel east of Wave Crest Ave and Mr. Bennett advised there were no improvements planned. Attorney Gougelman asked if they had considered an easement on the undeveloped area and Mr. Bennett advised he would discuss that with the property owner and developer.

Member Kalaghchy made a motion to approve both variances based on the fact they met the required criteria.

Member Hill asked for clarification on the driveway portion of the variance and Mr. Bennett advised non-structural items are addressed in separate variances from the structural parts.

Attorney Gougelman asked that the board consider if approving the variance to stipulate the variance is attached to the submitted site plan.

**Motion by Member Kalaghchy, seconded by Member Hill, and vote unanimous to approve both variance requests, based on the fact that they meet the required criteria, with the added stipulation that the variance request were attached to the submitted site plan. Motion carried 4-0.**

#### **D. Adjournment:**

There being no additional agenda items, the meeting was adjourned at 5:42 p.m.

Dave Justice, Chair. Signature on file.

Attested by: Mollie Carr, Town Clerk. Signature on file.