

MINUTES
TOWN OF LAKE CLARKE SHORES
ZONING BOARD OF ADJUSTMENT MEETING
SEPTEMBER 11, 2008
6:30 PM

I. MEETING CALLED TO ORDER:

Board Chairman, Michael Provenzale called the meeting to order at 6:30 PM.

THE FOLLOWING MEMBERS AND OFFICIALS WERE PRESENT:

Michael Provenzale, Chairman; Jeremy Walter, Board Member; Robert Rankin, Board Member; Pat Conte, Alternate Member; Mark Roberts, Alternate Member; James Watt, Board Attorney; Joseph Iagrossi, Building Official; Mary Pinkerman; Recording Secretary.

ABSENT:

Joseph Bucca, Board Member; Steve Kvarnberg, Board Member

II. APPROVAL OF MINUTES:

Mr. Roberts made the motion to approve the minutes of the July 10, 2008, Zoning Board of Adjustments Hearing; seconded by Ms. Conte. Motion approved (5-0).

III. SWEARING IN OF WITNESSES:

Mr. Watt swore in witnesses.

IV. DISCLOSURE OF SITE VISIT:

Mr. Rankin stated that he drove by the site. No site visits were made by any additional Board Members present.

V. APPLICATIONS:

ZBA Application 2008-03

Patricia T. Rott
7741 West Lake Drive
Lake Clarke Shores, FL 33406

Applicant requests a 10' variance to construct a swimming pool, having a 10' side setback from the property line, with relief from the 20' setback as required by Sec. 86-597 (a) of the Town's Code of Ordinances.

A. CORRESPONDENCE / AUDIENCE COMMENTS FOR OR AGAINST APPLICATION 2008-03:

Certified letters were mailed to six (6) property owners within 100' of subject property. Five (1) of the returned receipts were received. One (1) had not been returned prior to the hearing date. The Town did not receive any correspondence from residents either for or against the variance.

B. SUMMARY OF APPLICATION 2008-03:

The Applicant sought relief from the 20' required side setback to construct a swimming pool that will be 10' from the side property line.

C. DISCUSSION OF APPLICATION 2008-03:

The Applicant explained the reason for the variance requested. The Board and the Applicant discussed the variance in detail.

D. BOARD DECISION 2008-03:

Based on the testimony and evidence presented in ZBA File No. 2008-03, the Board approved the variance as requested. Mr. Roberts made the motion; seconded by Mr. Walters. Motion carried (5-0).

VI. OTHER MATTERS TO BE HEARD:

The Board discussed the draft ordinance regarding the re-wording of Sections 86-215, 86-216 and 86-597 of the Town Code of Ordinances pertaining to when subdivision plats were approved, to clarify the meaning and intent of the code. They also discussed the wording in Section 86-597 regarding the outside wall of the pool. It was recommended to change the wording "outside wall of the pool" to "water's edge" since the Building Officials, past and present, have used water's edge as the reference for the setback.

The Board commented on certain sections of the draft ordinance which included portions that have already been approved in Ordinance 01-08, but were not codified. In particular, they were concerned with Section 86-198 regarding house numbers being visible from the waterside. They thought that seeing the house numbers would make it easier for persons that are on boats to identify properties for possible thefts of items seen in the backyards. They would like to recommend that the ordinance be changed to remove the requirement for house numbers to be visible from the waterway.

VII. DATE FOR NEXT MEETING:

The next Zoning Board of Adjustments Hearing is scheduled for November 13, 2008.

VIII. ADJOURNMENT:

Motion to adjourn the meeting was made by Mr. Rankin, seconded by Mr. Roberts; Motion carried (5-0).

Meeting adjourned at 7:18 PM.

MICHAEL PROVENZALE, CHAIRMAN

MARY PINKERMAN, RECORDING SECRETARY