

**MINUTES
TOWN OF LAKE CLARKE SHORES
ZONING BOARD OF ADJUSTMENT MEETING
March 9, 2017
6:30 PM**

I. MEETING CALLED TO ORDER:

Patricia Conte, Chairperson, called the meeting to order at 6:52 PM.

THE FOLLOWING MEMBERS AND OFFICIALS WERE PRESENT:

Pat Conte, Chairperson; Terry Glenn, Member; Jessica Fontaine, Member (arrived at 6:52 PM); Charles Schoech, Board Attorney; Manny Palacios, Zoning Official; Mary Pinkerman, Town Clerk.

II. APPROVAL OF MINUTES:

Motion made by Terry Glenn, to approve the January 12, 2017 minutes, seconded by Jessica Fontaine. Motion carried (3-0).

III. SWEARING IN OF WITNESSES:

IV. DISCLOSURE OF SITE VISIT:

Terry Glenn and Jessica Fontaine noted that they drove by both locations. Patricia Conte used Google Earth to look at the properties.

VI. APPLICATIONS:

ZBA 2017-02

Antonio Duboy
6600 Pine Tree Circle
Lake Clarke Shores, FL 33406

Applicant is requesting a side variance of 2.0' to construct single family residence having a setback of 10.0' from the property line with relief from the 12.0' setback as required in Section 86-216 (a) (2) of The Town's Code of Ordinance.

A. CORRESPONDENCE / AUDIENCE COMMENTS FOR OR AGAINST APPLICATION 2017-02

There were 7 certified notices mailed with 6 receipts being returned. No comments received either for or against the application.

B. SUMMARY OF APPLICATION 2017-02

The variance request was amended to show that the applicant is requesting a variance of 15' to construct a single family residence having a setback of 10' from the property line with relief from the 25' setback as required in Section 86-350 (a).

C. **DISCUSSION OF APPLICATION 2017-02**

The Board discussed the application in detail and asked the applicant various questions concerning the variance.

D. **BOARD DECISION 2017-02**

Based on the testimony and evidence presented in ZBA File #2017-02, the Board moved to recommend that the Town Council approve the amended request for variance.

Motion made by Terry Glenn to recommend approval of the 15 foot variance to allow the building to be 10 feet from the property line, seconded by Jessica Fontaine; Motion approved (3-0).

It was noted that due to the fact that there is a 7 ½ foot easement that does not belong to the property owner, the impact of the variance will make the building 17 ½ feet from water's edge on the north side of the property.

ZBA 2015-02

Kyle Kromrey / Martina Nethery
7800 Beta Circle
Lake Clarke Shores, FL 33406

Applicants are requesting a front variance of 14.4' to construct a garage having a front setback of 10.6' from the property line with relief from the 25' setback as required in Section 86-216 (a) (1) of The Town's Code of Ordinance.

A. **CORRESPONDENCE / AUDIENCE COMMENTS FOR OR AGAINST APPLICATION 2015-02**

There were 6 certified notices mailed with 2 receipts being returned. No comments received either for or against the application.

B. **SUMMARY OF APPLICATION 2015-02**

The variance request was amended to show that the applicant is requesting a variance of 14.4' to enclose the existing carport into a garage, having a front set back of 10.6' from the property line with relief from the 25' setback as required in Section 86-216 (a) (1) of The Town's Code of Ordinance, not construct a new garage.

It was noted that the existing carport is a non-conforming structure. If the variance were to be granted by the Town Council, the non-conforming structure would be in compliance with the code.

C. **DISCUSSION OF APPLICATION 2015-02**

The Board discussed the application in detail and asked the applicant various questions concerning the variance.

D. **BOARD DECISION 2015-02**

Based on the testimony and evidence presented in ZBA File #2015-02, the Board moved to recommend that the Town Council approve the amended request for variance with the following condition:

The variance would follow the structure, not the land (if the building was to be demolished, setbacks for the new structure would revert back according to code).

Motion made by Terry Glenn to recommend the approval of the variance of 14.4' to enclose the existing non-conforming carport having a front set back of 10.6' from the property line, seconded by Jessica Fontaine; Motion approved (3-0).

VII. **OTHER MATTERS TO BE HEARD**

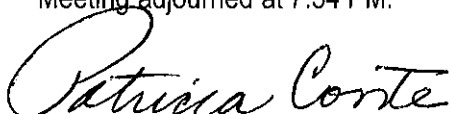
VIII. **DATE FOR NEXT MEETING**

The next Zoning Board of Adjustments Hearing is scheduled for May 11, 2017.

IX. **ADJOURNMENT:**

Motion made by Terry Glenn to adjourn the meeting, seconded by Jessica Fontaine; Motion carried 3-0.

Meeting adjourned at 7:54 PM.



Patricia Conte, Chairperson



Joan Perron, Recording Clerk