
MINUTES
BOARD OF ADJUSTMENT

March 6, 2012

7:00 p.m.

Commission Chambers
22 South Beach Street
Ormond Beach, Florida

I. ROLL CALL

Members Present

Tony Perricelli
Dennis McNamara
Jean Jenner
Norman Lane
Ryck Hundredmark

Staff Present

Steven Spraker, AICP, Senior Planner
Ann-Margret Emery, Deputy City Attorney
Meggan Znorowski, Minutes Technician

II. APPROVAL OF THE MINUTES

A. February 6, 2012 Minutes

Mr. Hundredmark moved to approve the December 5, 2012 Minutes as submitted. Mr. Perricelli seconded the motion. Vote was called, and the motion was unanimously approved.

III. NEW BUSINESS

A. Case No. 13V-043: 272 Putnam Avenue, waterfront yard variance

Mr. Spraker, Senior Planner, City of Ormond Beach stated this is an application for a variance at 272 Putnam Avenue. Mr. Spraker explained the orientation, location, and characteristics of the property. Mr. Spaker presented the staff report, and stated staff is recommending approval.

Albert Jenkins, applicant, 6140 N. Nova Road, Unit 417, stated the neighbors are excited about the project. Mr. Jenkins explained that the covered porch will run along two guest rooms, and the people that stay in those rooms will be able to use the shaded porch.

Mr. McNamara asked how the elevation was done.

Mr. Stan Holle, 4 Lost Spring Way, stated fill was brought in to make the grade required because the property is located in a flood zone.

Mr. Perricelli moved to approve the variance as submitted. Mr. Hundredmark seconded the motion. Vote was called, and the motion unanimously approved.

B. Case No. 13V-045: 7 Oriole Circle A, rear and side yard variances

Mr. Spraker stated this is an application for side and rear yard setback variances. Mr. Spraker explained the orientation, location, and characteristics of the property. Mr. Spaker presented the staff report, and stated staff is recommending approval.

Mr. Bobby Conner, 4041 Acoma Drive, stated he went to the property to try to address the issues raised by the objection, and measured the properties. Mr. Conner explained that the proposed structure does not impede and views nor does it impede the adjacent property owner's ability to add a carport in the future. Mr. Connor provided pictures to the Board demonstrating his explanation.

Ed Heaphy, 274 Laws Lane, stated he is a real estate broker who has done business with Madrigano family, the owner of the adjacent building, and is here as a representative of the family. Mr. Heaphy explained that the Madrigano family owns both sides of the duplex, and the father that owned the abutting unit just recently passed away. Mr. Heaphy explained that the Madrigano family would like the opportunity to investigate what the ramifications might be to their property, and are asking for a postponement until the next meeting for them to get a grasp of what it is that is involved.

Mr. Jenner asked if the posting was done.

Mr. Spraker responded the posting was done, and staff understands that a lot of the owners of these units live in Canada so the notices were sent to the local addresses as well as the Canadian addresses. Mr. Spraker explained there wasn't an issue with the notice it was just the length of time it took to reach the estate.

Mr. Jenner stated there was a comment that the car port does not extend past the Florida room, but in the drawing it shows the opposite.

Mr. Spraker explained that the car port will reach the midpoint of the Florida room approximately.

Mr. McNamara stated there is a lot of green open space between the buildings.

Mr. Lane stated it would have an impact on the general feeling of space.

Mr. Heaphy responded that it was remarkable to him when he looked at the aerial view, that the carport would change the look compared to the other buildings.

Mr. Connor stated there is approximately 43' between the structures, but would only be affecting 13' of green space.

Mr. McNamara asked if the Homeowner's association gave their approval.

Mr. Connor replied yes.

Mr. Hundredmark moved to approve the variance as submitted. Mr. Jenner seconded the motion. Vote was called, and the motion unanimously approved.

IV. OTHER BUSINESS

Mr. Jenner asked if the issue with Eleanor Village setbacks will ever be resolved.

Mr. Spraker responded that staff has asked them to amend the development order, and absent the City doing it administratively nothing will be done. Mr. Spraker explained that the City would need the authorization of the people who are affected by the Development Order. Mr. Spraker continued that staff has discussed doing administrative variances, but nothing has been resolved.

Mr. Jenner asked if the Board was going to continue to see these. Mr. Jenner stated when he looked at the plat it reminded him of Deltona, and Deltona is a nightmare.

Mr. Spraker advised the Board that there are no applications for next month, and therefore there would be no meeting.

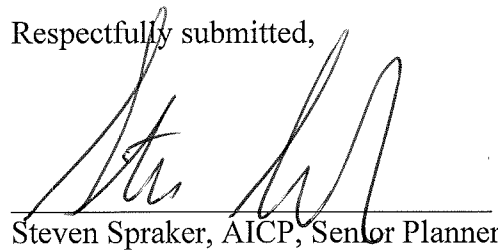
Mr. McNamara inquired as to when the 10% administrative variance came about.

Mr. Spraker replied 2008 or 2009, and it has been very useful. Mr. Spraker offered to provide a list to the Board of the administrative variances that have been granted. Mr. Spraker explained that it gives the applicant to do it when it is a small variance such as 4", and staff still asked the applicant to get signatures of the adjoining property owners so they are aware.

V. ADJOURNMENT

As there was no other business, the meeting was adjourned at 7:45 p.m.

Respectfully submitted,



Steven Spraker, AICP, Senior Planner

ATTEST:



Dennis McNamara, Chair

Minutes prepared by Meggan Znorowski.

Pursuant to section 286-0105, Florida Statutes, if any person decides to appeal any decision made by the board of adjustment with respect to any matter considered at this public meeting, such person will need a record of the proceedings and for such purpose, such person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

All persons appealing to the board of adjustment must be present, or represented at the public hearing scheduled for the consideration of his request. Failure to be present or to be represented, results in the automatic refusal by this board to grant permission for any variance. In order to allow the meeting to proceed in an orderly fashion, the board, by motion, may limit the time allowed for remarks concerning a specific agenda item to a maximum of thirty (30) minutes for city staff, the designated representative of the applicant and the designated representative of any organized group and to five (5) minutes for members of organizations and other individual speakers. Additional time shall be allowed to respond to questions from the board.

Persons with a disability, such as a vision, hearing or speech impairment, or persons needing other types of assistance and who wish to attend city commission meetings or any other board of committee meeting may contact the city clerk in writing, or may call 677-0311 for information regarding available aids and services.
