

MINUTES
BOARD OF ADJUSTMENT

September 3, 2014

7:00 p.m.

Commission Chambers
22 South Beach Street
Ormond Beach, Florida

I. ROLL CALL

Members Present

Tony Perricelli, Vice Chair
Ryck Hundredmark
Jean Jenner
Norman Lane
Brian Nave (Alt)
Dennis McNamara (Excused)

Staff Present

Steven Spraker, Senior Planner
Ann-Margret Emery, Deputy City Attorney
Melanie Nagel, Minutes Technician

II. APPROVAL OF THE MINUTES

A. August 6, 2014 Minutes

Mr. Hundredmark moved to approve the August 6, 2014 Minutes as submitted. Mr. Jenner seconded the motion. Vote was called, and the motion was approved by members who attended the last meeting.

III. NEW BUSINESS

A. Case No. V2014-113: 12 Tanglewood Circle, Pool Screen Enclosure Variances, rear and interior side yard setbacks

Mr. Spraker, Senior Planner, City of Ormond Beach, stated this is an application for a rear and interior side yard setback variance for a screen enclosure over the pool and deck at 12 Tanglewood Circle. Mr. Spraker explained the location, orientation, and characteristics of the subject property and presented the staff report. Mr. Spraker stated staff is recommending approval.

Mrs. Gail Lumpkin, applicant, stated she would like to improve the property and feels the enclosure would be an enhancement. Mrs. Lumpkin has mosquito allergies and skin cancer, and also needs to use the pool for exercising her back which was injured in an accident.

Mr. Jenner stated that the board has dealt with this issue before, and we are asking people over and over to meet criteria they can't meet. Mr. Spraker stated there is nothing in our current Land Development Code for people who don't already have a screen enclosure. Mr. Spraker stated that if the Board wanted Staff to look at this as a matter of policy, they would be happy to do that.

Mr. Jenner stated that if you have an existing pool that is 3' from the property line and you want to enclose it, you can't under the current code. Mr. Spraker stated that the screen enclosure could be the same as the pool setback, which is 5 feet, which would help in a lot of situations. Mr. Jenner stated that homes that are being built today should be following the codes, but he is talking about homes that were built 20-30 years ago.

Mr. Nave asked if it were possible to write the code in such a way that it could exempt older homes. Mr. Spraker stated that Staff could bring back some suggestions for the Board to review, and then it would have to go to Planning Board.

Mr. Perricelli asked if there were any more questions. There were none.

Following discussion, Mr. Hundredmark moved to approve the variance for the rear and side yard setback, as submitted. Mr. Lane seconded the motion. Vote was called, and the motion was unanimously approved.

Mr. Cory Smith, contractor for the applicant, stated that this is very abnormal with the enclosure being so close to the property line, however, it is the fourth time this year that he has come across this with certain properties. The previous three times they chose not to seek a variance due to the effort and cost. Mr. Nave asked if Mr. Smith had installed the deck pavers. Mr. Smith stated that another contractor had just put pavers over the existing concrete deck.

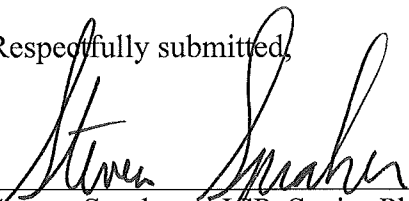
V. OTHER BUSINESS

None.

VI. ADJOURNMENT

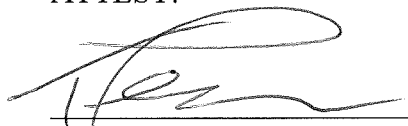
As there was no other business, the meeting was adjourned at 7:10 p.m.

Respectfully submitted,



Steven Spraker, AICP, Senior Planner

ATTEST:



Tony Perricelli, Vice Chair

Minutes prepared by Melanie Nagel.

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.