

MINUTES
BOARD OF ADJUSTMENT

August 5, 2015

7:00 p.m.

Ormond Beach Training Room

22 South Beach Street

Ormond Beach, Florida

I. ROLL CALL

Members Present

Dennis McNamara
Ryck Hundredmark
Jean Jenner
Tony Perricelli
Norman Lane

Staff Present

Steven Spraker, Senior Planner
Melanie Nagel, Minutes Technician

II. APPROVAL OF THE MINUTES

A. July 1, 2015 Minutes

Mr. Hundredmark moved to approve the July 1, 2015 Minutes as submitted. Mr. Jenner seconded the motion. Vote was called, and the motion was approved (3-0) with Mr. Lane and Mr. Perricelli abstaining.

III. NEW BUSINESS

A. Case No. 15-103: 69 Abacus Avenue, Pool Enclosure Rear Yard Variance

Mr. Steven Spraker, Senior Planner, stated that this application is a request for a rear yard variance submitted by Ms. Amie MacDonald, property owner of 69 Abacus Avenue. The applicant is seeking a variance to construct a pool and screen enclosure. The property line has an angle of approximately 12' from the south line to the north line. Where they want to place the pool, would put it right at the south property line. The northern side of the pool would meet the setbacks. The applicant has talked with the neighbors, who have no objections. There is also a letter from the HOA, stating that if the variance is approved, they have no objections. Mr. Spraker reviewed the location, orientation and characteristics of the variance, and presented the staff report. Staff is recommending approval.

Ms. Amie MacDonald, applicant, stated that they want to put in a pool, but with the setbacks, it would only be able to be 9' wide, and she doesn't feel it would be safe to have that small of a pool.

Mr. Perricelli moved to approve the application for the rear yard variance. Mr. Hundredmark seconded the motion. Vote was called and the Board unanimously approved the variance application (5-0).

IV. MEMBER COMMENTS

Mr. Hundredmark questioned if there would continue to be requests for variances for this subdivision. Mr. Spraker stated that there is the potential for more, since this subdivision had large homes and limited setbacks. This variance was a little unusual because of the rear lot line being angled. Each individual variance will stand on its own.

Mr. Spraker continued that even on the smaller lots, people are building larger homes. If homes are built to the 20' setback, then it really creates an issue when someone wants to put in a pool. Mr. Lane asked if everyone in this development who wants to add a pool or deck will need a variance. Mr. Spraker stated that the setbacks are standard, but some builders will allow for a pool. Then there are those who will build right up to the 20' line, stating they will never want a pool, and then the house gets sold, and the new owner wants to put in a pool. There may always be someone seeking a variance.

Mr. Jenner asked if there was anything going on at the Food Lion property. He noticed that someone was cleaning up the lot. Mr. Spraker stated that the property was used as a staging area while the city was planting trees on East Granada.

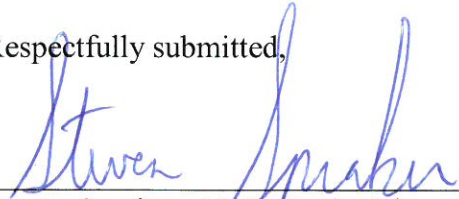
Mr. McNamara asked what was going on at the Green's Nursery property. Mr. Spraker stated that a family is going to be selling interior plants at this location.

Mr. Jenner asked about the land along Orchard Street that was being cleared out. Mr. Spraker stated that an RV/boat storage facility was being developed on that site.

VI. ADJOURNMENT

As there was no other business, the meeting was adjourned at 7:13 p.m.

Respectfully submitted,


Steven Spraker, AICP, Senior Planner

ATTEST:


Dennis McNamara, 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.