



AGENDA

ORMOND BEACH BOARD OF ADJUSTMENT AND APPEALS

January 9, 2019

ORMOND BEACH CITY COMMISSION CHAMBERS

7:00 P.M.

I. ROLL CALL

II. ADMINISTRATIVE ITEMS

- A. Election of Chairperson and Vice-Chair
- B. Acceptance of 2019 BOAA Calendar

III. APPROVAL OF THE MINUTES

- A. December 5, 2018

IV. NEW BUSINESS

A. Case 2019-016: 1509 Oak Forest Drive, calculated average waterfront rear yard setback variance

This is a request for a calculated average waterfront rear yard variance submitted by Naresh V. Patel, property owner of 1509 Oak Forest Drive. The property at 1509 Oak Forest Drive is zoned R-2 (Single Family Low Density). The applicant is requesting the variance to allow the construction of an addition to a single-family home. Section 2-13(B)(f)(2) of the Land Development Code requires an average calculated waterfront rear yard setback for property along the Halifax River, which is 74.7'. The applicant is requesting a waterfront rear yard setback ranging from 44.0' to 52.0' based on the slope of the mean high water line, which would require a 30.7' variance to the calculated average waterfront rear yard setback of 74.7'.

B. Case 2019-021: 1 Moss Point Drive, fencing variances

This is a request from Michael Hawryluk, property owner, of 1 Moss Point Drive to:

1. Replace an existing eight (8') foot high fence in the rear yard with an eight (8') foot high fence.
2. Construct an eight (8') foot high fence in the side corner yard with a zero (0') foot setback.
3. Construct a six (6') foot high fence in the front yard with a zero (0') foot setback.

The property owner is seeking the following five (5) variances related to fencing:

Rear yard:

Variance 1, rear yard fence height: Section 2-50(n)(3) of the Land Development Code allows a maximum fence height of six (6') feet in the rear yard and the applicant is requesting a variance of two (2') feet in height to allow a replacement fence of eight (8') feet in height.

Side corner yard:

Variance 2, side corner yard fence height: Section 2-50(n)(3) of the Land Development Code allows a maximum fence height of six (6') feet in the side corner yard and the applicant is requesting a variance of two (2') feet in height to allow a fence of eight (8') feet in height.

Variance 3, side corner fence setback: Section 2-50(n)(2)(f) of the Land Development Code states no fence or wall shall be closer than three (3') to any right-of-way line. The applicant is seeking a variance of three (3') feet to reduce the required setback from three (3') feet to zero (0') feet. The fence would be located 10' from the existing pool deck and approximately 6' from the sidewalk along Tymber Creek Road.

Front yard:

Variance 4, front yard fence height: Section 2-50(n)(3) of the Land Development Code allows a maximum fence height of three (3') feet in the front yard and the applicant is requesting a variance of three (3') feet in height to allow a fence of six (6') feet in height.

Variance 5, front yard fence setback: Section 2-50(n)(2)(f) of the Land Development Code states no fence or wall shall be closer than three (3') feet to any right-of-way line. The applicant is seeking a variance of three (3') feet to reduce the required setback from three (3') feet to zero (0') feet. The property owner has indicated that the fence would bisect the existing landscaping and would be at least six (6') from the sidewalk.

V. OTHER BUSINESS

VI. PUBLIC COMMENTS

VII. ADJOURNMENT