

MINUTES
BOARD OF ADJUSTMENT

May 04, 2022

6:00 p.m.

City Commission Conference Room
22 South Beach Street
Ormond Beach, Florida

I. ROLL CALL

Members Present

Stan Driscoll
Frank Ganz
Roger Strcula
Brian Nave
Dennis McNamara

Staff Present

Robin Gawel, Senior Planner
Ann-Margret Emery, Deputy City Attorney
Marcella Miller, Minutes Technician

II. APPROVAL OF THE MINUTES

A. April 06, 2022

Mr. McNamara asked if there were any corrections to the April 06, 2022 minutes. Hearing none, vote was called, and the minutes were unanimously approved.

III. NEW BUSINESS

A. Case No: 2022-042 – 46 River Ridge Trail

Ms. Robin Gawel, Senior Planner, stated that Case 2022-042 is a variance request by Ms. Nancy Deluca, property owner of 46 River Ridge Trail. Section 3-25 (c)(6) of the Land Development Code (LDC) requires for single-family residential zoning districts, no paved driveway shall be closer than 3' to any property line. She explained that the variance request from the property owner seeks to allow a paver driveway in the exact location as the existing damaged concrete driveway with a 0' setback requiring a variance of 3' to the required 3' driveway setback standard.

Ms. Gawel noted that 46 River Ridge Trail is in the Trails Subdivision and the applicant purchased the property in 2017. The existing single-family house has a side entry garage. She continued that in order to access the garage, the driveway has been constructed along the south side of the home up to the property line. Due to the orientation of the home on the lot, it only allows the driveway to be 11.8' wide up to the southwest corner of the lot. Ms. Gawel stated that the variance request seeks to allow the existing driveway with a 0' setback from the south property line to be replaced in the same location with a paver driveway and requires a 3' variance from the required 3' setback.

Ms. Gawel concluded that staff believes that the applicant meets the variance criteria as detailed in the Staff Report and recommends that the Board approve the requested variance.

Ms. Deluca, property owner, 46 River Ridge Trail, reaffirmed that she would like to replace the current driveway with pavers.

Mr. McNamara opened up the public hearing for anyone wanting to speak on the variance.

Mr. Strcula asked if Ms. Deluca was already working with a contractor to put the pavers in. Ms. Deluca replied that she has already hired them and they filed the permit application. Mr. Strcula recommended that the contractor locate the property boundary on the south side so that they do not encroach on the neighboring property. He added that they may want to run a string line and remain 3' inside it to keep from getting into a legal dispute later. Ms. Deluca expressed understanding and advised that the markers are still in place.

Mr. Strcula moved to approve Case 2022-042: 46 River Ridge Trail Variance. Mr. Nave seconded the motion. Vote was called, and the motion was approved (5-0).

Mr. McNamara stated that the variance was approved and suggested for the property owner to get with the Building Department after 30 days. The variance will expire in 1 year.

IV. OTHER BUSINESS

Mr. McNamara apprised the Board of five cases for the June 1st meeting, suggesting for everyone to try to be in attendance so that there is a quorum.

V. PUBLIC COMMENTS

VI. ADJOURNMENT

The meeting was adjourned at 6:05 p.m.

Respectfully submitted,

Robin Gawel, Senior Planner

ATTEST:

Dennis McNamara, Chairman

Minutes prepared by Marcella Miller.

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.