

**MINUTES  
TOWN OF LAKE CLARKE SHORES  
ZONING BOARD OF ADJUSTMENT MEETING  
MAY 30, 2019  
6:30 PM**

**1. MEETING CALLED TO ORDER**

The meeting was called to order at 6:30 pm

**2. ROLL CALL**

The following members and officials were present:

Terry Glenn; Jonathan Maples; Jessica Fontaine (arrived at 6:34 PM); Mike Wade; Frank Palen, Board Attorney; Mary Pinkerman, Town Clerk; Manny Palacios, Zoning Official.

**3. PLEDGE OF ALLEGIANCE**

Manny Palacios led the Pledge of allegiance.

**4. OATH OF OFFICE**

Jonathan Maples and Mike Wade were sworn into office by Mr. Palen.

**5. APPOINTMENT OF CHAIRMAN**

**Motion made by Mr. Maples to appoint Mr. Glenn as Chairman, seconded by Mr. Wade; Motion approved (4-0).**

**6. APPROVAL OF MINUTES**

**Motion made by Mr. Maples, to approve the July 13, 2017 minutes, seconded by Mr. Wade; Motion approved (4-0).**

**7. SWEARING IN OF WITNESSES**

Mr. Palen swore in the witnesses.

**8. DISCLOSURE OF SITE VISIT**

Chairman Glenn and Mr. Wade drove by the property. Mr. Maples noted that he googled the property.

## **9. APPLICATION**

**ZBA 2019-01**

Yunier Carrasco Acosta  
1715 Mango Circle  
Lake Clarke Shores, FL 33406

The Applicant is requesting a 9' side variance to construct a carport having a 1' setback from the property line with relief from the 10' setback as required in Section 125-295 (2) of the Town's Code of Ordinances.

### **A. CORRESPONDENCE / AUDIENCE COMMENTS FOR OR AGAINST APPLICATION 2019-01**

There were 7 notices sent certified mail with 2 being signed for, 1 letter was returned unclaimed.

The Town received 1 letter in opposition from Michael Provenzale, 1719 Mango Circle, which was read during the hearing. Mr. Provenzale attended the meeting.

Mr. and Mrs. Richard DeMatti, 1711 Mango Circle, also attended the meeting. They provided Mr. Acosta a letter in support of the carport, which was attached to the variance application.

### **B. SUMMARY OF APPLICATION 2019-01**

The Applicant requested a 9' side variance to construct a carport having a 1' setback from the property line, with relief from the 10' setback as required in Section 125-295 (2) of the Town's Code of Ordinances.

### **C. DISCUSSION OF APPLICATION 2019-01**

It was noted that an existing shed was at this location when Mr. Acosta purchased the property. Mr. Acosta removed the shed and built the carport in its place. The carport extends into the neighboring property. Mr. Palicios noted that Town staff met on March 13, 2019 to review the application. Mr. Palicios read from the staff findings.

Mr. Acosta noted his reasons for the request. The neighboring property owners also gave their opinions on the variance request. The Board discussed the request with the applicant and the neighbors.

There was lengthy discussions regarding the hardship as noted on the application, the setback requested, wither the existing carport meets building code requirements and the possible effect that could be caused by granting the variance as requested.

### **D. BOARD DECISION 2019-01**

**Motion made by Ms. Fontaine to approve the variance with a 5' setback instead of the 9' variance requested, seconded by Mr. Maples; Motion carried (3-1) with Chairman Glenn opposed.**

It was noted that the request for variance will be heard by the Town Council during the June 11, 2019 Town Council Meeting.

#### **10. OTHER MATTERS TO BE HEARD**

None

#### **11. DATE FOR NEXT MEETING**

The next Zoning Board of Adjustment Hearing is tentatively scheduled for July 11, 2019.

#### **12. ADJOURNMENT**

**Motion made by Mr. Wade to adjourn the meeting at 7:50 PM, seconded by Mr. Maples; Motion approved (4-0).**

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Terry Glenn, Chairperson

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Recording Clerk