

**MINUTES  
TOWN OF LAKE CLARKE SHORES  
VIRTUAL ZONING BOARD OF ADJUSTMENT MEETING  
SEPTEMBER 10, 2020  
6:30 P.M.**

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**1. CALL 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; Mike Wade; Brenda Hockman; Charles Schoech, Board Attorney; Mery Ramirez, Board Clerk; Manny Palicios, Zoning Official.

**3. PLEDGE OF ALLEGIANCE**

Mr. Jonathan Maples led the Pledge of allegiance.

**4. OATH OF OFFICE**

Terry Glenn, Jessica Fontaine and Brenda Hockman were sworn into office by Mr. Schoech

**5. APPROVAL OF AGENDA**

**Motion made by Ms. Hockman to approve the agenda, seconded by Mr. Maples; Motion approved (5-0).**

**6. APPROVAL OF MINUTES**

A. Approval of the Minutes of the May 30, 2019 Zoning Board of Adjustment Meeting

**Motion made by Mr. Maples to approve the May 30, 2019 minutes, seconded by Ms. Fontaine; Motion approved (5-0).**

**7. SWEARING IN OF WITNESSES BY ATTORNEY**

Mr. Schoech swore in the witnesses.

**8. DISCLOSURE OF SITE VISIT**

Chairman Glenn and Mr. Maples drove by the property. Ms. Fontaine noted that she googled the property.

## 9. APPLICATION

ZBA 2020-01

Kevin Schendera  
1735 Antigua Road  
Lake Clarke Shores, FL 33406

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

Mr. Schendera noted that he owns a boat that is stored on the side of his home. There is an existing concrete pad along the side of the house. The neighbor's trees overhang into the side yard causing sap and debris to fall onto his boat. He is requesting the variance to construct a Carolina carport on the side of his home to protect his boat from the sun and the neighboring oak trees. He has letters of consent from two of his neighbors that were included in the packet. He noted that the carport is well made and engineered and the carport would be an upgrade to the property.

Mr. Palacios, Zoning Official, noted that Town staff met with Mr. & Mrs. Schendera on August 4, 2020 to review the application. Mr. Palacios also noted that staff has no recommendations at this time.

### A. Correspondence/Audience comments for or against application 2020-01:

There were 10 notices sent certified mail with 8 being signed for.

#### 1. Verbal Questions/Comments -

Board Members noted that Mr. Schendera is requesting a variance of nine feet to place the carport one foot from the side property line. It was also noted that the neighbor has a similar carport on the side of their property and that there are other carports in the Town that are similar in size and location.

The Board discussed having the carport remain an open structure, removing the carport if it were to become a nuisance, the neighbor's concerns with the variance and conditions that could be included in the Board's final determination.

2. Emailed Questions/Comments - The Town received 1 email which was read during meeting.

3. Written Questions/Comments - Two neighbors provided Mr. Schendera letters in support of the carport, which were attached to the variance application.

### B. Summary of application 2020-01:

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. Board discussion 2020-01:**

The Board noted that as long as the carport remains open and remains in good repair, there would not be a problem with granting the variance. It was noted that if the structure would become an eyesore it would become a Code Enforcement issue.

**D. Board decision 2020-01:**

**Motion made by Ms. Fontaine to approve the variance as requested by the applicant to construct an open air Carolina carport that must remain only as a carport and be maintained in good condition, having a 1 foot setback from the side property line, seconded by Mr. Maples; Motion carried (4-1) with Chairman Glenn opposed.**

It was noted that the request for variance will be heard by the Town Council during the October 13, 2020 Town Council Meeting.

**10. OTHER MATTERS TO BE HEARD**

None

**11. DATE FOR NEXT MEETING**

To be determined

**12. ADJOURNMENT**

**Motion made by Mr. Wade to adjourn the meeting at 7:50 PM, seconded by Ms. Fontaine; Motion approved (5-0).**

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Chairperson

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Recording Clerk