

**MINUTES
TOWN OF LAKE CLARKE SHORES
VIRTUAL ZONING BOARD OF ADJUSTMENT MEETING
NOVEMBER 12, 2020
6:30 P.M.**

1. CALL TO ORDER

After a twenty minute delay waiting for an additional board member to arrive to create a quorum, Mr. Charles Schoech called the meeting to order at 6:50 pm. Mr. Schoech noted that since only three members were present, the applicant would need a unanimous vote from the Board to approve the request. He asked the applicants, Danay and Albert Pavon, if they would like to postpone the meeting until a later date to allow the fourth member to be present or if they wanted to go ahead with this meeting and face the possibility of their request being denied if the Board's vote is not unanimous.

The applicants decided to go ahead with the meeting.

2. ROLL CALL

The following members and officials were present:

Jonathan Maples; Mike Wade; Brenda Hockman; Charles Schoech, Board Attorney; Mary Pinkerman, Recording Clerk; Manny Palacios, Zoning Official.

The following member was absent:

Jessica Fontaine

3. PLEDGE OF ALLEGIANCE

Mr. Jonathan Maples led the Pledge of allegiance.

4. APPOINTMENT OF CHAIRMAN

It was noted that Terry Glenn resigned from the Board on October 20, 2020 and as such, the Board would need to appoint a new chairman. Ms. Hockman recommended that Mr. Maples take over as chairman. Mr. Maples accepted the position. The meeting resumed with Mr. Maples as the chairman.

5. APPROVAL OF AGENDA

Motion made by Ms. Hockman to approve the agenda, seconded by Mr. Wade; Motion approved (3-0).

6. APPROVAL OF MINUTES

- A. Approval of the Minutes of the September 10, 2020 Zoning Board of Adjustment Meeting.

Motion made by Mr. Wade to approve the September 10, 2020 minutes, seconded by Ms. Hockman; Motion approved (3-0).

7. SWEARING IN OF WITNESSES BY ATTORNEY

Mr. Schoech swore in the witnesses.

8. DISCLOSURE OF SITE VISIT

Mr. Wade noted that he lives across the canal from the subject property, but has not visited the property. He noted that he received a letter from the applicant that addressed the issue but has not spoken to anyone about the variance.

Chairman Maples noted that he googled the property, but did not visit the location.

9. APPLICATION

ZBA 2020-02

Danay Diaz Pavon and Albert Pavon
8323 West Lake Drive
Lake Clarke Shores, FL 33406

Applicants are requesting a 10' variance to add a bathroom to the west side of their master bedroom in order to provide access to a bathroom when using the pool (cabana bathroom) which will also serve as their master bathroom, having a 5' setback from the rear property line, with relief from the 15' setback as required in Sec. 125-295 (3) of the Town's Code of Ordinances.

Mr. Pavon noted that when they purchased the house they were not aware of the importance of having a cabana bathroom to keep people from walking from the pool through the house to get to the bathroom. He noted the dangers associated with people walking on tile floors when they are wet from swimming. He noted that their property is along a canal with an additional 25'10" between his property line and the seawall. He noted that the building would be 30'11" from the seawall.

A. Correspondence/Audience comments for or against application 2020-02:

There were 10 notices sent certified mail with 6 being signed for.

1. Questions/Comments -

Board Members discussed the location of building and the easement line. It was noted that the building would not encroach onto the easement.

B. Summary of application 2020-02:

Applicants requested a 10' rear variance to add a bathroom to the west side of their master bedroom in order to provide access to a bathroom when using the pool (cabana bathroom) which will also serve as their master bathroom, having a 5' setback from the rear property line, with relief from the 15' setback as required in Sec. 125-295 (3) of the Town's Code of Ordinances.

C. Board discussion 2020-02:

The Board discussed the potential dangers of walking on wet tile floors and noted that if the variance were granted, the structure would be 5' from the property line and 30' from the seawall which would still meet the buffer required by code.

D. Board decision 2020-02:

Motion made by Mr. Wade to approve the 10' variance as requested by the applicant to add a bathroom to the west side of their master bedroom in order to provide access to a bathroom when using the pool (cabana bathroom) which will also serve as their master bathroom, having a 5' setback from the rear property line, which still provides them with 30' between the seawall and the building due to the additional land between the property line and the seawall, seconded by Ms. Hockman; Motion carried (3-0).

It was noted that the request for variance will be heard by the Town Council during the December 8, 2020 Town Council Meeting.

10. OTHER MATTERS TO BE HEARD

Chairman Maples noted that he would be unable to attend Thursday meetings and requested that the Board choose a different day of the week to conduct its meetings.

Motion made by Ms. Hockman to change the Zoning Board of Adjustment meetings from the second Thursday every other month to the third Wednesday every other month, seconded by Mr. Wade; Motion carried (3-0).

11. DATE FOR NEXT MEETING

January 20, 2021

12. ADJOURNMENT

Motion made by Ms. Hockman to adjourn the meeting at 7:27 PM, seconded by Mr. Wade; Motion approved (3-0).

Jonathan Maples, Chairperson

Mery Ramirez, Recording Clerk