

**MINUTES
TOWN OF LAKE CLARKE SHORES
ZONING BOARD OF ADJUSTMENT MEETING
JANUARY 19, 2022
6:30 P.M.**

1. Call to Order

The meeting was called to order at 6:30 pm.

2. Roll Call

The following members and officials were present:

Jonathan Maples, Chairman; Brenda Hockman, Board Member; Ivan Gomez, Board Member; William Doney, Board Attorney; Melissa Espinoza, Recording Clerk; Mary Pinkerman, Town Clerk; Manny Palacios, Zoning Official

The following members were absent:

Steven Quattrocchi, Board Member; Richard Hernandez, Board Member

3. Pledge of Allegiance

Mr. Maples led the Pledge of allegiance.

4. Oath of Office

None

5. Approval of Agenda

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

6. Approval of Minutes

A. Approval of the Minutes of the November 17, 2021 Zoning Board of Adjustment Meeting

Motion made by Mr. Gomez to approve the November 17, 2021 Minutes, seconded by Ms. Hockman; Motion approved (3-0).

7. Swearing in of Witnesses by Attorney

Mr. Doney swore in the witnesses.

8. Disclosure of Site Visit

All of the Board Members noted they googled the property, but did not go to the site.

9. Application

1. ZBA 2022-01

Kirenia Pena
1821 Carissa Road
Lake Clarke Shores, FL 33406

The Applicant is requesting a 6' side variance to construct a carport with an enclosure having a 4' side setback from the side property line, with relief from the 10' side setback as required in Sec. 125-295 (2) and a 15' rear variance to construct said carport and enclosure having a 10' setback from the rear property line with relief from 25' rear setback as required in section 125-477(a) of the Town's Code of Ordinances.

Ms. Pena noted that they were not aware that the Town had such large setback requirements when they purchased the property. She noted that they received a permit from the Town to pour a concrete driveway along the side of their house to store their boat. She stated that the boat is being damaged by exposure to the sun so they want to place a carport that will also contain an enclosed storage area, over the concrete driveway. She noted that there is no other place for the carport on their property. She also noted that the carport will be 12' wide x 40' long and the enclosed storage area will be taking up the rear 10' of the carport. She noted that the carport will be 10' high on the sides and peak at 12' in the middle.

A. Correspondence/Audience comments for or against application 2022-01:

1. Audience Questions/Comments –

Jacqueline & Lawrence Gerbus, 1811 Carissa Road – voiced their concerns about the height of the carport and how the enclosed storage area portion of the carport would block their view of the waterway.

Douglas Mastroni, 7005 Haden Road – voiced his concerns that the structure would impede the view of the lake

2. Emailed Questions/Comments - None.

3. Written Questions/Comments - None

B. Summary of application 2022-01:

Applicant is requesting a 6' side variance to construct a carport with an enclosure having a 4' side setback from the side property line, with relief from the 10' side setback as required in Sec. 125-295 (2) and a 15' rear variance to construct said carport and enclosure having a 10' setback from the rear property line with relief from 25' rear setback as required in section 125-477(a) of the Town's Code of Ordinances.

C. Board discussion 2022-01:

The Board discussed whether an actual hardship exists; the size of the carport; the height of the carport; the driveway being close to the property line and the neighbor's concerns with the location, size and placement of the carport.

Mr. Doney noted that since there are only three Board Member present, all of the Board Members would need to vote unanimously if they will be recommending the Town Council to approve the variance request.

D. Board decision 2022-01:

Motion made by Mr. Gomez to recommend that the Town Council deny the variance for the carport with enclosure as requested, seconded by Ms. Hockman; Motion carried (2-1) with Mr. Maples opposed.

It was noted that the request for the variance will be heard by Town Council during the February 1, 2022 Town Council Meeting.

10. Other Matters to Be Heard

None

11. Date for Next Meeting

To be determined

12. Adjournment

Motion made by Ms. Hockman to adjourn the meeting, seconded by Mr. Gomez; Motion approved (3-0). Meeting was adjourned at 7:15 PM.

Jonathan Maples, Chairperson

Mary Pinkerman, Town Clerk