

**MINUTES
TOWN OF LAKE CLARKE SHORES
ZONING BOARD OF ADJUSTMENT MEETING
NOVEMBER 16, 2022
6:30 P.M.**

1. Call to Order

The meeting was called to order at 6:40 pm.

2. Roll Call

The following members and officials were present:

Jonathan Maples, Chairman; Brenda Hockman, Board Member; Ivan Gomez, Board Member; Steven Quattrocchi, Board Member; Richard Hernandez, Board Member William Doney, Board Attorney; Laura Vaga, Recording Clerk; Mary Pinkerman, Town Clerk; Manny Palacios, Zoning Official

3. Pledge of Allegiance

Mr. Maples led the Pledge of allegiance.

4. Approval of Agenda

Motion made by Mr. Quattrocchi to approve the agenda, seconded by Mr. Hernandez; Motion approved (5-0).

5. Approval of Minutes

A. Approval of the Minutes of the January 19, 2022 Zoning Board of Adjustment Meeting

Motion made by Mr. Quattrocchi to approve the January 19, 2022 Minutes, seconded by Mr. Hernandez; Motion approved (5-0).

6. Swearing in of Witnesses by Attorney

Mr. Doney swore in the witnesses.

7. Disclosure of Site Visit

Mr. Maples, Mr. Quattrocchi and Mr. Gomez drove by the property only.

8. Application

1. ZBA 2022-02

Joseph & Cassandra Scheerer

The Applicant is requesting a 6.5' side variance for an existing 11' x 7.5' trellis that is located 3.5' from the side property line, with relief from the 10' side setback as required in Sec. 125-295 (2) of the Town's Code of Ordinances.

Mr. Scheerer noted that they are avid gardeners and built the trellis for their orchids. He stated that an arborist came to the property and noted that this was the only location on the property where there was enough light and shade from the trees for the orchids to thrive. Mr. Scheerer noted that he did not think that a trellis would be considered as a structure because it does not have walls or a roof, so he was not aware a permit was required. He stated he also was not aware that the trellis would need to meet setback requirements. He noted that the trellis is built to withstand hurricane force winds and that the shelves would be removed during hurricanes, if needed.

A. Correspondence/Audience comments for or against application 2022-02:

1. Audience Questions/Comments – None.
2. Emailed Questions/Comments - None.
3. Written Questions/Comments - None

B. Summary of application 2022-02:

The Applicant is requesting a 6.5' side variance for an existing 11' x 7.5' trellis that is located 3.5' from the side property line, with relief from the 10' side setback as required in Sec. 125-295 (2) of the Town's Code of Ordinances.

C. Board discussion 2022-02:

The Board discussed whether the trellis was built to code and if there were any product approvals to show this. They discussed the need for the trellis to remain as is – without any walls or a roof.

Mr. Doney noted that there is a case regarding the trellis currently before the Code Enforcement Board, since they built the trellis without a permit.

D. Board decision 2022-02:

Motion made by Ms. Hockman to recommend that the Town Council approve the 6.5' variance for the trellis on the south side of the property located at 8060 West Lake Drive, allowing for continued use of the trellis on the condition that the trellis remains without a roof or sides, seconded by Mr. Quattrocchi; Motion carried (5-0).

It was noted that the request for the variance will be heard by Town Council during the December 13, 2022 Town Council Meeting.

9. Other Matters to Be Heard

None

10. Date for Next Meeting

January 18, 2023

11. Adjournment

Motion made by Ms. Hockman to adjourn the meeting, seconded by Mr. Gomez; Motion approved (5-0). Meeting was adjourned at 7:13 PM.

Jonathan Maples, Chairperson

Mary Pinkerman, Town Clerk