

MINUTES OF THE PLANNING AND ZONING BOARD MEETING HELD SEPTEMBER 22, 2016

Chairman Llewelyn called the meeting to order at 6:00 p.m.

Present: Chairman Llewelyn, Member Douthit, and Member Lehning

Also Present: Town Clerk Brasher, Town Planner Harowski and Administrative Assistant II Burke.

APPROVAL OF MINUTES

Minutes of Regular Meeting held June 30, 2016

Member Lehning, seconded by Member Douthit, moved to approve the minutes as presented. Motion carried unanimously.

PUBLIC HEARING

Review of and recommendation to the “Board of Adjustment” (the Town Council will be sitting as the Board of Adjustment) for a Variance Application for setbacks from the Land Development Regulations for a screen enclosure located at 103 Island Drive.

Chairman Llewelyn read the agenda item title, Review of and recommendation to the “Board of Adjustment” (the Town Council will be sitting as the Board of Adjustment) for a Variance Application for setbacks from the Land Development Regulations for a screen enclosure located at 103 Island Drive.

Town Planner Harowski gave detailed background. He said the applicant applied for a variance to allow a screen enclosure located at 103 Island Drive which is not permitted due to the structure not meeting the twenty-five (25) foot rear set back that is required in the Land Development Code.

He said the subject property is located on the north side of Island Drive and is the first residential property on the north side of the road. The property shares a common driveway with a single family residence adjacent to and north of the subject property. Little Lake Harris lies to the east of the subject property and property which is part of the Boondock’s Restaurant parcel lies to the west. To the south, a single family residence is located on the south side of Island Drive. The Comprehensive Plan designates the subject property as medium density residential, and the zoning is consistent with this designation.

The subject parcel is located close to the western end of the lot as the eastern portion of the lot is impacted by wetland areas which are restricted from construction. The lot is wooded, and as indicated in the application visibility of the proposed structure from Island Drive will be very limited due to the placement of the residence and the tree

cover. The only neighboring property impacted by the proposed construction is the single family residence to the north. The commercial area to the west is currently undeveloped.

The property is developed with an open air, hard surface patio area that extends from the residence northward nearly to the existing property line and along a portion of the east side of the residence. The patio area is extensive; reported as being 1,712 square feet by the Lake County Property appraiser's records. The patio area is shielded from the adjacent residence by a six-foot tall masonry wall.

The application includes the following points as follows:

1. The property has wetlands which limit the ability to extend the structure to the east. (Goes to criteria A and B).
2. The Town approved a 6-foot tall block wall in 2015 along the north side of the property. The wall screens the property from the adjacent residence. (Goes to criterion E).
3. Use of the yard area is common to homes in the community. (Goes to criterion C).
4. Screening of the patio area will prevent mosquitos and wildlife from entering the area, thus promoting the use of the area by the residents (Goes to criterion C).
5. The screening is proposed in a bronze color to blend with the natural setting (Goes to criteria E and F).
6. The view of the proposed enclosure is screened from the one neighbor by the block wall (Goes to criteria E and F).
7. The view of the enclosure from the street is screened by the residence (Goes to criteria E and F).

The applicant described the proposed screen as being bronze colored. The Board may want to consider making the color as a condition of any variance that may be granted as the color of the screen appears to be integral to reducing visual impacts of the proposed screened enclosure.

The application described the screen enclosure as being attached to the top of the existing 6-foot retaining wall. The Board may want to consider an overall height limit for the enclosure. The maximum height allowed in the district is 35, but considering the location of the proposed structure close to the property line, a lesser height may be appropriate.

An exhibit is attached showing the building and patio layout from the Lake County Property Appraiser's records. The area highlighted in blue (about one-third of the area) lies within the building envelope and does not require a variance to the setback. The area highlighted in yellow falls within the required setback and does require the variance.

Staff has noted the color of the screen enclosure and a possible limit on the overall height of the screen enclosure as safeguards to mitigate potential negative impacts on adjacent properties.

Member Douthit asked how high the enclosure would be. **Town Planner Harowski** replied that he did not know.

Christian Sears, representing the applicant, gave detailed background on the Poveromo's and the idea for their property. He also added that the enclosure would be sixteen (16) feet tall and the screening would be a bronze color. He expressed to the Board Members that in allowing this structure the Poveromo's would be able to enjoy more of their backyard.

Member Lehning asked if the house was built before the twenty-five (25) rear setback was a requirement. **Christian Sears** replied that the house was built in 2004.

Member Lehning asked that with the recommendation to the council the Board is saying that the variance application meets the 4.13.04 section of the Land Development Code. **Town Planner Harowski** replied yes.

The Public Hearing was opened. As no one wished to speak, the Public Hearing was closed.

Member Douthit, seconded by Member Lehning moved to recommend to the Town Council approval the Poveromo Variance Application for a screen enclosure located at 103 Island Drive with no conditions. Motion carried 3-0 with a roll call vote.

NEW BUSINESS

Planning & Zoning Board Applications (make recommendation to Town Council):

Glenn Ricci, 206 Messina Place, gave background on his experience and qualifications. **Member Douthit** asked if the applicant was stern or flexible. **Mr. Ricci** replied that he was both. **Chairman Llewelyn** asked how the applicant like Howey in the Hills. **Mr. Ricci** said that he liked the Town. **Member Lehning** asked if the applicant's hours are compatible with the meeting times. **Mr. Ricci** replied yes.

Kathy Lieffort, 900 N. Lakeshore Blvd (applicant not present)

Tina St. Clair, 1100 N. Valencia Ave, gave background on her qualifications. **Member Douthit** asked if the applicant was stern or flexible. **Mrs. St. Clair** replied that she can be deadline driven but can have fun also.

Ronald Maffia, 201 E. Laurel Ave, gave background on his qualifications. **Member Douthit** asked if the applicant was stern or flexible. **Mr. Maffia** replied that he is more stern than flexible.

Member Douthit, seconded by Chairman Llewelyn moved to recommend to the Town Council appointment of Planning and Zoning Board Applicant Glenn Ricci and Tina St. Clair. Motion carried unanimously.

Consideration and Approval to Cancel or Change the Planning & Zoning Board Meetings Dates of November 24, 2016 and December 22, 2016 Due to the Holidays.

It was a consensus to move the meetings to November 17 and December 15, 2016 due to the holidays.

OLD BUSINESS - None

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PUBLIC COMMENTS – None

The meeting adjourned at 6:35 p.m.

Richard Llewelyn, Chairman

ATTEST:

**Dairian Burke
Administrative Assistant II**