

**MINUTES
BOARD OF ADJUSTMENT MEETING
FEBRUARY 26, 2019
MEETING 5:00 P.M.**

CALL TO ORDER: Chairman Ike Chairman

INVOCATION AND PLEDGE OF ALLEGIANCE: Vice Chair Joyce Schmidt

Those in attendance were Chairman Ike Fountain, Vice Chair Joyce Schmidt, Board Members Luis Diaz and Rick Roach.

Staff in attendance: Community Development Director Ameer Bailey, Planner Ramon Ramirez and Deputy Clerk Mamie Drane.

Board Members absent: William Castle and Irving Spokony.

Board Member Roach made a motion to accept the October 23, 2018 minutes with corrections; **Vice Chair Schmidt** seconded the motion. The motion was approved by unanimous voice call vote.

1. ELECTION OF OFFICERS

Chair Fountain opened the floor for nominations for Chairman

Board Member Roach made a motion that the presiding Chairman and Vice Chairman remain seated, seconded by **Board Member Diaz**. The motion was approved by unanimous voice call vote.

2. VARIANCE REQUEST REGARDING A REAR YARD SETBACK

Community Development Director Bailey stated the variance that has been requested by Ms. Diane Jenkins (present) is to reduce the minimum 20' rear yard setback to 17'. A reduction of 3'. The address is 730 Pinner Ct. and the house is currently under construction. It is located in a single family, residential district which is R-1AA.

The legal ad was published February 11th and staff sent out 26 mailers without comment.

Director Bailey used visual aids to show the site and the area of the requested variance.

Staff has reviewed the application and Ms. Jenkins modified the application to address concerns the City expressed. Staff agrees that a two foot reduction in the setback is warranted due to the site arrangement. This will allow them to use the side yard without impacting additional setbacks.

Staff recommends approval of the requested variance with the following conditions.

1. Approval of this variance shall only apply to the rear patio attached to the existing home at 730 Pinner Ct.
2. The patio shall meet a minimum 17' rear setback and will not impact the drainage easement with the patio or any fill.
3. Approval of this variance shall not constitute a waiver or an additional variance from any applicable development regulation unless specifically noted in the conditions of approval and consistent with ULDC. Therefore. Any other additions or structures placed on the property shall be required to meet the setback requirements of the R-1AA zoning district or obtain another variance.

Board Member Roach asked if the patio would be covered.

Director Bailey responded it is not covered. But the proposed variance would allow them to cover the patio at a later date.

Diane Jenkins 308 W Crescent Drive, Lakeland FL stated at this time they are not planning to cover the patio but if at a later time they decided to have the patio covered would she have to come back for a variance.

Chair Fountain responded that she would not have to come back for an adjustment but she would have to obtain a building permit.

Board Member Diaz made a motion to grant the variance request for 730 Pinner Ct., the motion was seconded by **Vice Chair Schmidt**. The motion was approved by unanimous voice call vote.

Director Bailey stated there are applications for next Month. She thanked Board Member Roach for attending the workshop on the previous night and asked if the board would like the presentation from that workshop be made available to them. The workshop was for future re-writes of the United Land Development Code some of the Board of Adjustments suggestions will be included in the re-write. The main presentation that she would like to have for the Board is the code revisions that were discussed.

Chair Fountain stated if the board will be addressing more than one application in the next meeting we may not have time for the presentation.

Director Bailey introduced Ramon Ramos from the Central Florida Regional Planning Council he will be assisting the City in the planning projects.

Ramon Ramos stated he has lived in Polk County for 13 years and he is originally from south Florida. He serves in the Florida National Guard as a Battery Commander.

Chair Fountain stated after attending the Board of Adjustment in another city he thinks the Lake Alfred Board of Adjustment does a great job.

Board Member Roach made a motion to adjourn, Vice Chair Schmidt seconded the motion. The motion was approved by unanimous voice call vote.

With no further business the meeting was adjourned at 5:30 pm

Respectfully submitted,



Mamie Drane
Deputy City Clerk