

Minutes

BOARD OF ADJUSTMENT MEETING

CITY COMMISSION CHAMBERS

CITY HALL

NOVEMBER 19, 2015

REGULAR MEETING 5:00 P.M.

CALL TO ORDER: CHAIRMAN IKE FOUNTAIN

INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL: Those in attendance were Chairman Ike Fountain, Vice Chairman Joyce Schmidt, William Castle, Wanda Daly, Community Development Director Valerie Ferrell, and Administrative Assistant Mamie Drane.

BUSINESS ITEMS

PUBLIC HEARING: CONSIDER A REQUEST FOR VARIANCE FROM SECTION 2.02.08 OF THE LAKE ALFRED UNIFIED LAND DEVELOPMENT CODE RELATING TO FENCE HEIGHT LIMITATIONS, FILED BY DENISE DUNN OWNER OF 850 S LAKE SHORE WAY.

Ms. Dunn was unable to attend the meeting.

Community Development Director Valerie Ferrell presented the Staffs research, the house is not Ms. Dunn's homestead. It is listed as a residential property in a commercially zoned area, which is allowed. Fencing in Lake Alfred is limited to four feet in height in the front of the house, as stated in section 2.02.08. **Ms. Dunn** is requesting a variance to allow a six foot fence to block the traffic noise and lights from Lake Shore Drive. She included in her request letters from neighbors approving her fence request.

A public hearing notice was provided to all the residents within a 300 feet radius 15 days prior to the meeting.

No one has come forward with objections or concerns.

Chairman Ike Fountain asked for public comment. There was none.

Public hearing was closed.

Discussion followed regarding a neighboring fence and fire department access to the property.

Board Member Castle made the motion to grant the Denise Dunn variance request presented after hearing competent substantial evidence that meets all the variance criteria set forth; and hereby authorize the chairman to sign a Development Order to be recorded in Polk county Public Records.

Seconded by **Board Member Schmidt**.

Motion passed by majority vote.

2) PUBLIC HEARING: CONSIDER A REQUEST FOR VARIANCE FROM SECTION 3.02.03 OF THE LAKE ALFRED UNIFIED LAND DEVELOPMENT CODE RELATING TO DOUBLE FRONT YARD SETBACKS, FILED BY DR HORTON INC. AS OWNER OF LOT 14 IN MAGNOLIA RIDGE.

Builder DR Horton

Community Development Director Valerie Ferrell presented the Staffs research showing pictures of the lot. It is a corner lot D.R. Horton is requesting to have a fifteen feet set back on the side street for this one lot instead of the twenty feet as stated in our code. Our code states that a side street setback should be the same as the front. D.R. Horton has shown that their smallest model home would not fit on this lot. The applicant is asking for a reduction of five feet. A public hearing notice was provided to all the residents within a 300 feet radius 15 days prior to the meeting. No one has come forward with objections or concerns.

Chairman Fountain then opened the floor for public hearing.

Chris Rent from DR Horton, Orlando FL presented the builders interest. He pointed out that with the five foot reduction the house was still out of the right-of-way

Board Member Castle noted it was basically only three feet in question as the plot plan showed there was a 17 foot setback.

Board Member Schmidt asked about egress / ingress concerning the corner lot. **Chairman Fountain**, using photos, showed that the positioning of the house and garage would not pose a problem.

Board Member Castle asked about the way the house was facing. Why one way over the other. **Mr. Rent** stated the house would not fit the lot if turned the other way.

There were no other public comments.

Chairman Fountain closed the public hearing.

Board Member Castle made a motion to grant the D. R. Horton INC. variance request presented after hearing competent substantial evidence that meets all the variance criteria set forth; and hereby authorize the Chairman to sign a Development Order to be recorded in Polk County Public Records”

Board Member Daly Seconded the motion.

Motion passed by majority vote.

3) APPOINTMENT OF CHAIR AND VICE CHAIR FOR 2015-2016.

ISSUE: Section 8.03.02 of the Lake Alfred Unified Land Development Code and the Board of Adjustment Rules adopted by Resolution BOA 2010-03 establishes that Chair and Vice Chair shall be appointed annually.

Board Member Castle nominated incumbent Chair and Vice Chair.

Board Member Daly seconded.

There were no other nominations.

Chairman Fountain closed the nomination.

Motion passed by majority vote.

4) APPROVE BOARD MEETING SCHEDULE FOR 2015-2016.

After a brief discussion, the Board approved the meeting dates.

PUBLIC COMMENTS

None

The meeting was adjourned at **5:20**

Respectfully Submitted,



Mamie Drane
Administrative Assistant