

**DRAFT MINUTES**  
**BOARD OF ADJUSTMENT MEETING**  
**AUGUST 22, 2017**  
**REGULAR MEETING 5:00 P.M.**

**CALL TO ORDER: CHAIRMAN IKE FOUNTAIN**

**INVOCATION AND PLEDGE OF ALLEGIANCE VICE CHAIR JOYCE SCHMIDT**

Those in attendance were Chair Ike Fountain, Vice Chair Joyce Schmidt, Rick Roach, and Irving Spokony. Also in attendance were Community Development Director Ameen Bailey, and Administrative Assistant Mamie Drane.

**Board Members** absent: Wanda Daley and William Castle

**Chair Ike Fountain** asked for if there were any discussions.

**Board Member Roach** made an inquiry about the City being contacted further regarding Mr. Garrett's request from the last meeting.

**Director Bailey** stated that to date the City hasn't had any correspondence from him. She sent Mr. Garrett a letter and asked the Code Enforcement to visit him to address any concerns he may have. The tent has been removed and nothing else has been done.

**Board Member Spokony** made a motion to approve the minutes, from the April 25, 2017 meeting, seconded by **Board Member Roach**. The motion was approved by unanimous voice call vote.

**BUSINESS ITEMS**

- 1) **PUBLIC HEARING: CONSIDER A REQUEST FOR VARIANCE FROM TABLE 2.04.01(B) OF THE LAKE ALFRED UNIFIED LAND DEVELOPMENT CODE RELATING TO SETBACKS, FILED BY RONALD POWELL OWNER OF 605 E. PIERCE ST.**

**Community Development Director Bailey** stated the variance request presented today is for 605 E Pierce Street. Staff sent thirty one (31) mailers as well as posting a legal add in the paper August 10<sup>th</sup> 2017. The City did receive one or two phone call but there were no opposition to the variance request.

The address on E Pierce St. has a land use of low density, and the zoning is R1-A, single family residential. The house was built in 1975 and the owner is Ronald Powell. The owner is requesting a setback variance from 2.04.01B for a storage room. The Table of Development Standards lists the setbacks for R1-A as thirty (30) feet from the front, fifteen (15) feet from the back and ten (10) feet from the sides. The requested setbacks are in the front, it is a corner lot that has two fronts. The property is located on the corner of Pierce St. and Tower Ave. within a

developed subdivision near the Lake Alfred Elementary School and the Presbyterian Church. This area is a traditional open subdivision with crisscrossing streets. This setup creates many corner lots. Due to the layout of the streets, houses may face either the north-south street or the east-west street. Therefore there is not a conforming setback in this area. The house faces Pierce St. The owner has requested a reduction in the setbacks along Tower Ave. They have requested a reduction from 30' street (front on Towner Ave. S) setback to 11'. A reduction of 19', however it would be consistent with a typical side-yard setback for this zoning district and neighboring properties. The requested variance is the minimum variance necessary according to the proposed site plan submitted by the applicant. The proposal is compatible with the surrounding area.

The property owner applied for a permit for a pool enclosure, shed, and shed storage room. During the footer inspection the Building Official realized that the new driveway portion would be covered rather than an open driveway. He informed the owner that they would need a variance for the additional work. (Proposed changes and new proposed view map within the application).

**Staff Recommendation:** Staff recommends approval of the requested variance with the following conditions.

1. Approval of this variance shall only apply to the proposed enclosed storage room attached to the existing home.
2. 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-1A zoning district or obtain another variance.
3. The applicant shall apply for the necessary building permits for the proposed structure by August 22, 2018.

**Chairman Fountain** Opened the floor for public comments.

**Board member Roach** made a motion to grant the variance request as presented, with the staff conditions of approval, 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. The motion was seconded by **Board Member Spokony**. The motion was approved by unanimous voice call vote.

**Chair Fountain** asked if there were any other questions and there were none. Therefore, the meeting was adjourned at 5:19.

Respectfully Submitted,

Mamie Drane  
Administrative Assistant