

**MINUTES
BOARD OF ADJUSTMENTS AND APPEALS MEETING
REGULAR MEETING
September 20, 2021, 5:30 PM**

The City of Lake Wales Board of Adjustments and Appeals held a regular meeting on September 20, 2021 at 5:30 p.m. in the Commission Chambers at City Hall, 201 W. Central Ave. Lake Wales Florida.

ATTENDANCE

Planning Board Members (Shaded area indicates absence):

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|------------------------|--------------|-------------|---------------|----------------|
| Chairperson Sue Marino | James Boterf | Nancy Baker | Warren Turner | Crystal Higbee |
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City Staff:

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| Dept. of Planning and Development |
| Mark J. Bennett – Development Services Director |
| Autumn Cochella – Development Services Manager |
| Christina Adams – Recording Secretary |

1. CALL TO ORDER Chairperson Marino called the meeting to order at 5:30 p.m.
2. ROLL CALL - All Board members were present
3. APPROVAL OF MINUTES
Regular Meeting – July 19, 2021
Motion by Mr. Boterf to approve with corrections and Ms. Baker seconded the motion. The minutes were approved unanimously by voice vote.
4. COMMUNICATIONS AND PETITIONS – no participants

NEW BUSINESS

5. DIMENSIONAL VARIANCE 21-0021

Review Staff report by M. Bennett
Begin Report:

APPLICANT: EMC Construction, Contractor
Don Debolt, Owner

ADDRESS OR LOCATION: 804 S. Lakeshore Blvd
PID: 273001884000059110

APPROVAL REQUESTED: Front Building Setback Dimensional Variance

FLUM/ZONING: LDR – Low Density Residential
R-1B – Residential

PUBLIC HEARING: Required

End Report.

Mr. Bennett reviewed the staff report with the Board and the criteria from City Code qualifying a variance. He stated that staff was unable to recommend approval as there was no finding of a unique hardship to the property. Mr. Boterf asked what the setback requirement is on the lot to

the rear and Mr. Bennett clarified that this property would have the same setback requirements as it is another corner lot with two frontages which is subject to front setback requirements.

Eric McCoy, contractor and agent for the owner, was present and addressed the Board. He provided pictures of the project area for the Board's reference. He stated the property owner started the project within having concrete poured and was unaware his property had two front setbacks. Mr. McCoy stated the property owners have a medical ailment that is getting worse and currently only have a single car garage. He stated the purpose of this garage is to be able to fit a handicap van. He stated the existing garage is too small to fit a handicap van and the additional two-car garage would be separate from the existing one car garage by a wooden wall that would still provide access. Mr. McCoy stated the garage would be one story. He stated the property right behind this lot is closer to the road than what this property owner is proposing.

Ms. Marino asked if the handicap van would be the only vehicle and Mr. McCoy stated the owners have a small car and a pickup truck. Mr. Boterf asked about the height of the roof and Mr. McCoy stated it would match as an extension of the house. Mr. Boterf stated there are already many obstacles that hinder the view of the lake. Ms. Marino asked if the garage had to be a two-car garage and Mr. McCoy stated it did to be ADA compliant. Ms. Higbee asked if it could fit anywhere else on the property and Mr. McCoy answered no. Mr. Boterf asked if the owners also owned the property next to this house as it appears vacant and it was clarified that there is an existing home on that property. Mr. Turner asked for clarification of the property with an existing setback less than this request and Mr. McCoy stated the address is 802 Campbell Avenue. Ms. Marino stated they would have had to request a variance and Mr. Bennett clarified it was an existing setback. Ms. Marino opened the floor to the public.

Casey Crockett, who lives inside City limits, stated there is a home and structure on the property next door it is just hard to see due to foliage.

Peggy Cunningham, who lives inside of City limits, stated she just purchased the home at 802 Campbell and she was not made aware of any issues with the setback and has no issue with this addition as long as the view is not obstructed. Ms. Higbee wanted to discuss the yield sign that was a previous concern and she verified that she drove out that way and feels that the sign would not be blocked from view.

Nancy Furland, who lives inside of City limits, stated she has grown up in this neighborhood and the view blocking can be prevented by trimming trees in the area. She stated that you have to completely stop at the end of that street, not just yield. She stated the property owners have improved this home immensely since they purchased it.

Jay Holmes, who lives inside of City limits, asked why the owners couldn't just add to the existing garage to make it a two car garage and asked what would become of the one car garage. Mr. McCoy stated the existing garage would remain and it was more cost effective to add the two-car garage rather than remove load-bearing walls. The plan is for the existing garage to remain as a one-car garage. He stated the cost for materials has come down now so this delay has been beneficial in that area, but it will still take some time before the materials can be acquired. Ms. Higbee asked for clarification on the record that the existing one car garage would not be enclosed and the contractor confirmed that was correct and she also asked again if the garage could be built anywhere else on the property to which the contractor responded it could not.

Peggy Cunningham, who lives inside of City limits, asked if there was any plan for living quarters in the existing garage and the contractor confirmed there were no plans for that.

Ms. Marino requested a motion from the Board and Mr. Boterf made a motion to approve the request for a reduced setback of 13 feet along 8th street. Ms. Baker seconded the motion and the item was approved unanimously.

The meeting adjourned at 6:00 PM.

Christina Adams, Recording Secretary

Chairperson, Sue Marino

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