

**MINUTES  
TOWN OF LAKE CLARKE SHORES  
ZONING BOARD OF ADJUSTMENT MEETING  
MARCH 8, 2007**

**I. MEETING CALLED TO ORDER:**

In the absence of the Board Chairman, Jeremy Walter called the meeting to order at 6:30 PM.

**THE FOLLOWING MEMBERS AND OFFICIALS WERE PRESENT:**

Jeremy Walter, Board Member; Robert Rankin, Board Member; Mark Roberts, Alternate Member; Pat Conte, Alternate Member; James Watt, Board Attorney; Joe Iagrossi, Building Official; Mary Pinkerman; Recording Secretary.

**ABSENT:**

Michael Provenzale, Chairman; Steve Kvarnberg, Board Member; Joseph Bucca, Board Member

**II. APPROVAL OF MINUTES:**

Mr. Roberts made the motion, seconded by Mr. Rankin to approve the minutes of the January 11, 2007, Zoning Board of Adjustments Hearing. Motion approved (4-0).

**III. SWEARING IN OF WITNESSES:**

Mr. Watt swore in witnesses.

**IV. DISCLOSURE OF SITE VISIT:**

**V. APPLICATIONS:**

ZBA Application 2007-03

George & Elizabeth Dagher  
8424 West Lake Drive  
Lake Clarke Shores, FL 33406

Applicants requested a variance to obtain relief from Section 86-216 (a) and 86-350 (a) of the Town Code of Ordinances, which requires 14.98' side and 25' rear setbacks, to construct a two-story addition having a 12' side setback and a 22' rear setback from the property lines. In addition, in order to bring the existing house into compliance, the Applicants also sought relief from Section 86-216 (a), which requires a side setback of 14.98', to allow a 14.3' set back on the north side of the house and a 14.7' setback on the south side of the house.

**A. CORRESPONDENCE / AUDIENCE COMMENTS FOR OR AGAINST APPLICATION 2007-03:**

Certified letters were mailed to ten (10) property owners within 100' of subject property. Ten (10) of the returned receipts were received. The Town received correspondence from 1 resident for the approval of the variance.

**B. SUMMARY OF APPLICATION 2007-03:**

The Applicants sought relief from the required side and rear setbacks to construct a two-story addition. They also sought relief from the side setbacks to bring the existing house into compliance.

**C. DISCUSSION OF APPLICATION 2007-03:**

The Applicant explained the reason for the variance requested. The Board and the Applicant discussed the variance in detail.

**D. BOARD DECISION 2007-03:**

Based on the testimony and evidence presented in ZBA File No. 2007-03, the Board approved the second portion of the variance request for the existing structure. The Board denied the first portion of the variance request for the two-story addition. The Applicant can make changes to the setbacks for the addition, and reapply for another variance without charge. **Motion to approve the second portion of the variance for the existing structure made by Mr. Rankin, seconded by Ms. Conte; Motion carried (4-0). Motion to deny the first portion of the variance for the two-story addition made by Mr. Roberts, seconded by Mr. Rankin; Motion carried (4-0).**

ZBA Application 2007-04

Joseph & Dolly Dagher  
7930 Edgewater Drive  
Lake Clarke Shores, FL 33406

Applicants requested a 2.25' side and a 4' rear variance to re-construct a swimming pool screen enclosure having an 11.38' side and a 21' rear setback, from the property lines, with relief from the 13.63' side and 25' rear setbacks as required by Sec. 86-597 (a), 86-216 (a) (2), and 86-350 (a) of the Town's Code of Ordinances.

**A. CORRESPONDENCE / AUDIENCE COMMENTS FOR OR AGAINST APPLICATION 2007-04:**

Certified letters were mailed to seven (7) property owners within 100' of subject property. Six (6) of the returned receipts were received. The Town did not receive any correspondence either for or against the variance.

**B. SUMMARY OF APPLICATION 2007-04:**

The applicants sought relief from the required setbacks to re-construct a swimming pool screen enclosure that was damaged by Hurricane Wilma.

C. BOARD DISCUSSION 2007-04:

The Applicants were not present, but were represented by Eugene Swinford, owner of Screens Etc., the company hired to re-constructing the screen enclosure. Mr. Swinford explained the reason for the variance requested. The Board and the Applicant's representative discussed the variance in detail.

D. BOARD DECISION 2007-04:

Based on the testimony and evidence presented in ZBA File No. 2007-04, the Board moved to deny the variance as requested. Motion to deny the variance made by Mr. Rankin, seconded by Mr. Roberts; Motion carried (3-1) with Ms. Conte opposed.

After this application was closed, it was determined that the variance for the rear (east) setback was not required. Motion made by Mr. Roberts to reconsider the decision made earlier in Application #2007-04, seconded by Ms. Conte; Motion carried (4-0). Motion made by Mr. Roberts to approve the variance as requested, seconded by Ms. Conte; Motion carried (4-0).

VI. OTHER MATTERS TO BE HEARD:

The requirements for the Zoning Board of Adjustment's application were discussed. After discussion, the Board approved the revised application packet. The new packet will be given to applicants as of March 9, 2007.

VII. DATE FOR NEXT MEETING:

The next Zoning Board of Adjustments Hearing will be held on May 10, 2007.

VIII. ADJOURNMENT:

Motion to adjourn the meeting was made by Mr. Roberts, seconded by Mr. Rankin; Motion carried (4-0).

Meeting adjourned at 8:45 PM.

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MICHAEL PROVENZALE, CHAIRMAN

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MARY PINKERMAN, RECORDING SECRETARY

If an individual decides to appeal any decision made by the Zoning Board of Adjustments with respect to this meeting, a verbatim transcript may be required. If so, the individual should make provisions for a transcript to be made at the meeting (Ref. F.S. 286.0105). Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting, please advise the Town at least two (2) calendar days before the hearing by contacting Jo Plyler at (561) 964-1515 ext. 10.