



PLANNING & ZONING ADVISORY BOARD

Minutes of March 21, 2016

Meeting Called to order at 7:03 p.m.

1. ROLL CALL

P&Z Board Members

Table with 9 columns: MEMBERS, 03/21/16, 03/07/16, 02/01/16, 12/07/15, 11/16/15, 10/26/15, 07/20/15, 06/15/15. Rows list board members and their attendance status for various dates.

* Reappointed ** Resigned *** New appointment

STAFF PRESENT: Jason Chockley, Planner; Carlos Vega, Administrative Specialist

APPLICANTS: Neil Kalis, from Kalis, Kleiman & Wolfe

2. P&Z BOARD - MINUTES - WAIVE/APPROVE MINUTES OF 03/07/16: Motion to waive the reading of the minutes made by David Rouse and seconded by Michelle Stern. All ayes on voice vote. MOTION WAS APPROVED. Motion to approve the minutes made by Michael de Miranda and seconded by Michelle Stern. There were all ayes on voice vote. MOTION WAS APPROVED.

3. CORRESPONDENCE: None

4. NEW BUSINESS:

A. Schwartz Garage Variance # V 1-1-16

Chairman Aronson turned the item over to Mr. Chockley and he proceeded to read the Staff report for item 4A Schwartz Garage Variance # V 1-1-16 hereby summarized as follows: Item 4A Variance # V 1-1-16 is a petition seeking deviation from Section 25-5(e) (1)a, of the Municipal Code which require one garage or carport parking space for each single-family home. The request is to reduce the requirement from one to zero covered spaces while still maintaining the minimum number of total parking spaces at the home at three spaces through adding a circular driveway. The subject lot is on a cul-de-sac, in the Timberlake subdivision.

Chairman Aronson turned the meeting over to the Applicant to present their petition.

Agent Neil Kalis introduced himself representing Mr. and Mrs. Schwartz. He proceeded to say that they concur with the staff's recommendation and would answer any questions the board had.

Chairman Aronson said that this is a public hearing and opened the public hearing at 7:07pm.

Chairman Aronson said there is no one here from the public who signed in so he closed the hearing at 7:08pm.

Chairman Aronson opened the floor for questions from the board.

Ms. Stern asked what is the time line on the completion of the driveway.

Mr. Chockley said that the driveway would be contingent upon them getting a CO for the room that would be due at the final inspection. The drive would have to be in place before the permit would be finalized for the conversion.

Ms. Stern asked so the work that is being done then is to bring everything up to code.

Mr. Kalis said that is correct.

Mr. Chockley said that this is completely separate from Florida Building Code. Anything code wise that has to be brought up to code like faucets, electrical will all be addressed at permitting. This is just to get permission to even pull permits for the work.

Mr. Konhauzer said that seeing as they have gone the right route and they are going thru permitting they meet all the requirements and the City is behind it, I would make a motion to grant the variance subject to what was said in the Staff report.

Chairman Aronson asked if there was any discussion. There was no discussion.

MOTION: TO APPROVE SCHWARTZ GARAGE VARIANCE # V 1-1-16 – MOTION MADE BY CRAIG KONHAUZER AND SECONDED BY MICHELLE STERN. THERE WERE ALL AYES ON ROLL CALL VOTE. MOTION WAS APPROVED.

Chairman Aronson brought up a general discussion in regards to criteria of a hardship stating that none of the hardships stated are hardships that are legal variance requirements under our code require. These were all self imposed. A hardship is not that you bought the property and it didn't have permits, as a planning and zoning board that's not the hardship that we deal with.

Mr. Konhauzer asked what Chairman Aronson considered a hardship.

Chairman Aronson said configuration of property for example. If you have a lot that is an odd shape so that in order to configure something you might need a slight setback variance in a corner or something like that. One of the requirements of requesting a variance is showing that there is hardship. When people come before us and ask for variances they always have to come up with or fabricate some type of hardship.

Ms. Stern said going off of what Mr. Konhauzer said before that at least they are going thru the proper channels to try to legally get this done correctly instead of trying to do it behind the City's back.

Mr. Chockley said that the biggest thing about this one being done legally is most of it is up to today's code. We probably find one a month that has been illegally converted. Most of what we find in that one a month average, the slab is not raised, the AC is not proper, no egress so at the end of the day they look at it as you can come in for a variance but you are going to spend \$2,000 ripping out the \$1,000 worth of work in there to just to re due it the right way. People see the financial offset and say ok it's going to cost me another \$8,000 to convert it and then

they don't even apply they just do the demo and move on. The ones that you find that are pretty much up to code, they don't have anything to lose because they are not having to reinvest more money into what is already there.

Chairman Aronson said we enforce the rules rather laxly on a case by case basis which I guess is our prerogative. The code doesn't anticipate this being a hardship. This is easily findable by going to the building department and taking a look at the records to see if this was approved. Why the developer did it and didn't pull permits I don't know. I guess it's because he needed a variance.

Mr. Chockley said old ones like this that were developer done, I mean there are some around that don't have garages and that are almost original like that. Back 40 years ago things weren't what they are now.

Mr. Rouse said they are going thru the motions to get this approved and permitted, I don't think they did raise the floor because on the proposed plans they show that they want to raise the floor to the elevation of the existing house.

Mr. Chockley said that these plans are all per what is going to happen even though it is already in existence. You can't have plans that show this is how my room is it has to be demonstrated meeting code. Everything will be under as proposed.

Mr. Rouse asked if they are going to keep the garage door.

Chairman Aronson said he knows in some municipalities they require to keep the garage door.

Mr. Chockley said correct, some associations require the garage appearance even though what's behind it isn't real.

Chairman Aronson asked if there were any more questions. There were none.

5. GROWTH MANAGEMENT DIRECTOR'S REPORT:

Mr. Chockley had nothing specific on when the next meeting will be. We have two subdivisions that are at DRC and one smaller petition that is at DRC. Both of them are expected to go thru at least one or two more DRC's before they are ready for P&Z. I don't anticipate anything probably in the next month and then we'll have multiple petitions to be heard again. We are moving forward with the language change with the register trademarks logo wall signs. We have some code language drafted up that is going to the City Attorney's office now for review. We have two applicants waiting on that change to go thru versus coming in an asking for the waivers.

6. BOARD MEMBERS' CONCERNS:

Chairman Aronson asked if there were any Board Member Concerns: There were none.

7. ADJOURNMENT:

The Meeting adjourned at 7:25 p.m.