

BOARD OF ADJUSTMENT

MINUTES

THURSDAY
OCTOBER 11, 2007

1:05
PM

COMMISSIONER CHAMBERS,
ADMINISTRATION BUILDING

CALLED TO ORDER BY	Donald Schreiner, Chairman, noted for the record that there was a quorum present. He confirmed Proof of Publication for each case and noted that the meeting had been advertised pursuant to the Sunshine Statute.
RECORDING SECRETARY	Anna Ely
BOARD ATTENDEES	Donald Schreiner Mary Link Bennett Ruth Gray Howard B. (Bob) Fox, Jr. Lloyd Atkins, Jr. Steven Berk
NOT PRESENT	Henry Wolsmann
DEPARTMENT OF GROWTH MANAGEMENT REPRESENTATIVES	Terrie Diesbourg, Director, Zoning Division Anita Greiner, Chief Planner, Zoning Division Paul Simmons, Planner, Zoning Division Anna Ely, Public Hearing Coordinator, Zoning Division
BOARD ATTORNEY	LeChea Parson, Assistant County Attorney I

MINUTE APPROVAL APPROVAL OF MINUTES OF SEPTEMBER 13, 2007 AND SEPTEMBER 19, 2007 MEETINGS.

MOTION READS:	To approve the minutes of the SEPTEMBER 13, 2007 and the SEPTEMBER 19, 2007 Board of Adjustment hearings.		
MOTION BY:	MARY LINK BENNETT	SECONDED BY	RUTH GRAY
MOTION APPROVED: 6-0	FOR: Donald Schreiner Mary Link Bennett Ruth Gray Howard B. (Bob) Fox, Jr. Lloyd Atkins, Jr. Steven Berk		AGAINST: None

WITHDRAWALS

BOA#104-07-2 IRENE TORRES
TOMAS M. MIRANDA
BOA#107-07-3 FIDELITY INVESTMENT GROUP, INC.
MICHAEL NEMEC/MARGHERIO CONSTRUCTION
BOA#109-07-5 JAMES AND ELIZABETH BYRD

DISCUSSION	There was no objection to BOA#104-07-2, BOA#107-07-3 and BOA#109-07-5 being withdrawn.		
MOTION READS:	To approve the withdrawal of BOA#104-07-2, BOA#107-07-3 and BOA#109-07-5.		
MOTION BY:	MARY LINK BENNETT	SECONDED BY	RUTH GRAY
MOTION APPROVED: 6-0	FOR: Donald Schreiner Mary Link Bennett Ruth Gray Howard B. (Bob) Fox, Jr.		AGAINST: None

	Lloyd Atkins, Jr. Steven Berk		
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POSTPONEMENTS

BOA#106-07-2 CENTRAL FLORIDA PRESBYTERY
RICHEY AND COONEY
BOA#110-07-5 AKRON PROPERTIES, INC.
TED WICKS

DISCUSSION	There was no objection to postponement of BOA#106-07-2 and BOA#110-07-5.		
MOTION READS:	To approve the postponement of BOA#106-07-2 and BOA#110-07-5 until the November 8, 2007 Board of Adjustment public hearing.		
MOTION BY:	MARY LINK BENNETT	SECONDED BY	STEVEN BERK
MOTION APPROVED: 6-0	FOR: Donald Schreiner Mary Link Bennett Ruth Gray Howard B. (Bob) Fox, Jr. Lloyd Atkins, Jr. Steven Berk		AGAINST: None

CONSENT AGENDA

BOA#98-07-2 DUSTY L. TWYMAN-MOREY
MARLENA PHELPS AND/OR JOYCE BOWLES
BOA#99-07-2 RICKY L. AND LINDA CRAWFORD
BOA#100-07-5 L. A. DUNTON TRUST
BOA#103-07-3 FREDDIE C. AND LINDA P. BRANTLEY
BOA#105-07-3 SANDRA DIDION
RICHEY AND COONEY
BOA#108-07-1 ROBERT GONZALEZ AND BEVERLY SWANK
LESLIE CAMPIONE

DISCUSSION	There was no objection to BOA#98-07-2, BOA#99-07-2, BOA#100-07-5, BOA#103-07-3, BOA#105-07-3 and BOA#108-07-1 remaining on the consent agenda.		
MOTION READS:	To approve BOA#98-07-2, BOA#99-07-2, BOA#100-07-5, BOA#103-07-3, BOA#105-07-3 and BOA#108-07-1 with conditions of staff.		
MOTION BY:	RUTH GRAY	SECONDED BY	MARY LINK BENNETT
MOTION APPROVED: 6-0	FOR: Donald Schreiner Mary Link Bennett Ruth Gray Howard B. (Bob) Fox, Jr. Lloyd Atkins, Jr. Steven Berk		AGAINST: None

BOA#102-07-1 ALBERT AND CAROL LOWERRE

DISCUSSION	Anita Greiner, Chief Planner, presented the owners' request to postpone until the November 8, 2007 meeting.		
MOTION READS:	To approve the postponement of BOA#102-07-1 until the November 8, 2007 Board of Adjustment public hearing.		
MOTION BY:	STEVEN BERK	SECONDED BY	LLOYD ATKINS, JR.
MOTION APPROVED 6-0	FOR:		AGAINST:

	Donald Schreiner Mary Link Bennett Ruth Gray Howard B. (Bob) Fox, Jr. Lloyd Atkins, Jr. Steven Berk		None
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BOA#101-07-4

LORI BLUMSTEIN AND ELYSE GLICK

DISCUSSION	<p>Anita Greiner, Chief Planner, presented the case and showed the aerial from the staff report and pointed out the location of the property. She explained the requested variance and that the parcel is not large enough to meet the Code requirements for a kennel. She showed a copy of a survey (County Exhibit "A") and pointed out the property line and location of the dog run. She stated that staff does not believe that the owners have shown proof of hardship, violation of principles of fairness or proof of meeting the intent of the Code. She also showed a map indicating the location of the parcels owned by the three people in objection (County Exhibit "B").</p> <p>Elyse Glick was present to explain her case. She distributed a packet of information to the Board (Applicant Exhibit "A") and read the cover letter into the record. She stated that she is requesting the variance in order to keep the pets she already has. She explained that several of her dogs were rescues and that all her dogs were either spayed or neutered, and that she was not in the business of breeding dogs and that she is not looking to run a business or add to the kennel. She stated that the dogs' shots were up to date and that the information was contained in the packet (Applicant Exhibit "A"). She also showed photographs of neighboring properties (Applicant Exhibit "B").</p> <p>Neighboring property owners Steven Mallory, Charles Averitt, Kathleen Matlock, Ed Stalman, Al Worster and Elbert Gnann each spoke to the Board and pointed out the location of their property on the map (County Exhibit "B"). They stated their opposition and concerns regarding the noise and odor issues with regards to the proximity of the kennel.</p> <p>Ms. Glick spoke to the Board in regards to the neighbors' concerns. She reiterated that she was not going to be adding to the number of dogs already existing on her property.</p>			
	MOTION READS: TO DENY BOA#101-07-4			
	MOTION BY:	RUTH GRAY	SECONDED BY	LLOYD ATKINS, JR.
	MOTION APPROVED 6-0	<p>FOR: Donald Schreiner Mary Link Bennett Ruth Gray Howard B. (Bob) Fox, Jr. Lloyd Atkins, Jr. Steven Berk</p>		<p>AGAINST: None</p>

The meeting was adjourned at 1:53 p.m.

Respectfully submitted.

Anna Ely, Recording Secretary

Donald Schreiner, Chairman