

CITY OF GREENACRES

OFFICIAL MINUTES TRACKING

Council/Board: Zoning Board of Adjustments & Appeals
 Meeting Date: 10-30-17
 Transcribed by: mf No. of Pages: 4 Transcription Time: 1.5

REVIEW OF MINUTES

Reviewed By:

Name/Initials	Date	Revisions	
<u>[Signature]</u>	<u>11/6/17</u>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
<u>[Signature] / WAF</u>	<u>11/7/17</u>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		<input type="checkbox"/> Yes	<input type="checkbox"/> No
		<input type="checkbox"/> Yes	<input type="checkbox"/> No
		<input type="checkbox"/> Yes	<input type="checkbox"/> No

APPROVAL OF MINUTES

Meeting Date: _____

Motion By: _____ Seconded By: _____

Check One: ☐ Approved ☐ Tabled ☐ Denied Vote: _____

Changes requested by Council or Board? ☐ Yes ☐ No

If yes, note changes: _____

Date Scanned and Filed: _____ By: _____



OFFICIAL MINUTES
CITY OF GREENACRES, FLORIDA
ZONING BOARD OF ADJUSTMENTS AND APPEALS MEETING

Monday, October 30, 2017

1. Call to Order and Roll Call.

The Zoning Board of Adjustments and Appeals Meeting was called to order at 7:00 p.m. on Monday, October 30, 2017 with Chairwoman Dannette Fitzgerald presiding. Melody Larson, Assistant to the City Clerk, called the roll.

ROLL CALL:

Present

Dannette Fitzgerald, Chairwoman
Arthur Harrell, Vice Chairman
Betty Anne Litowsky
James Paglialungo
Walter Buist

Staff Present

James D. Stokes, City Attorney
Kara L. Irwin-Ferris, Director of Planning & Engineering
Osniel Leon, Senior Planner
Melody Larson, Assistant to the City Clerk

Public Attendance: 1
Press Attendance: 0

2. Pledge of Allegiance to the Flag

Chairwoman Fitzgerald led the Pledge of Allegiance to the Flag.

3. Agenda Approval - Additions, Deletions, Substitutions to the Agenda.

Chairwoman Fitzgerald called for additions, deletions, or substitutions to the agenda; hearing none, she called for a motion.

MOTION: Vice Chairman Harrell made a motion to approve the Agenda as presented. Board Member Litowsky seconded the motion.

VOTE ON **In Favor:** Chairwoman Fitzgerald, Vice Chairman Harrell, Board
THE MOTION: Members Litowsky, Paglialungo, and Buist.

Motion carried: 5 - 0.

4. Approval of Minutes of August 28, 2017

Chairwoman Fitzgerald asked for any corrections or deletions to the ZBAA minutes of August 28, 2017. Hearing none, she called for a motion.

MOTION: Vice Chairman Harrell made a motion to approve the ZBAA minutes of August 28, 2017. Board Member Paglialungo seconded the motion.

VOTE ON **In Favor:** Chairwoman Fitzgerald, Vice Chairman Harrell, Board Members
THE MOTION: Litowsky, Paglialungo, and Buist.

Motion carried: 5 - 0.

5. Cases:

Chairwoman Fitzgerald read the case into the record. Chairwoman Fitzgerald asked board members if they had any ex-parte communications to disclose. Board Member Paglialungo testified knowing the property owner/applicant, Marc Romanelli, because they share a triplex together of which he owns two units and Mr. Romanelli owns one. Board Attorney Stokes determined there was no financial gain for Board Member Paglialungo with respect to this variance and swore in the applicant.

- A. BA-17-10 205 Jennings Avenue** - A request by the owner for a variance to reduce the minimum side yard setback of 7.5 feet to 0.93 feet for a twenty-four (24) foot section along the south property line for the existing single-family structure. The site is located at 205 Jennings Avenue.

Planning and Engineering Director Kara L. Ferris described the variance request for Lot 32 and gave a brief history of the existing residential unit. She explained that the home was built in 1951 primarily on Lot 32 (the subject site), with a portion of its structure encroaching 8 feet over the property line into Lot 33.

Director Ferris noted that the home predates City land use and zoning regulations. In 1967, City records show the home as two separate units and in June 1991, a permit was issued for a fire wall dividing the structure.

The applicant purchased the property in August 2016. Palm Beach County Land Development determined there was no Unity of Title combining the two lots. The applicant was informed that in order to obtain a parcel identification number for Lot 33, a portion of the existing structure on Lot 32 would have to be removed. A City permit to demolish nine (9) feet of the existing structure was issued and removed. Upon applying for a permit to build a new single-family home on Lot 33, it was discovered that Lot 32 was a non-conforming lot. The proposed variance request is to decrease the side yard setback on the south side in order to build a new residential unit on Lot 33.

In Residential Low-3 (RL-3) zoning districts, a minimum 7.5 ft. side yard setback is required on the north and south sides. With the demolition, the applicant is looking for a 1.48 ft. setback on the southwest corner of the structure and a 0.93 ft. setback on the southeast side. Land Development Staff reviewed the application and the proposal meets the six (6) variance criteria. Staff recommends approval subject to three (3) conditions of approval.

Chairwoman Fitzgerald called on Board Members for comment; hearing none, she called on the applicant, Marc Romanelli for comments and his acceptance of staff's three (3) conditions of approval.

Property owner Marc Romanelli explained that the residential unit he plans to build is approximately 28 feet away from the existing single-family home on Lot 32. He stated he was in agreement with staff's three (3) conditions of approval.

Chairwoman Fitzgerald opened the meeting to the public. Seeing no one come forward, she closed the meeting to the public and called for a motion.

MOTION: Vice Chairman Harrell moved to grant approval of BA-17-10 subject to staff's three (3) conditions of approval. Board Member Litowsky seconded the motion.

VOTE ON THE MOTION: **In Favor:** Chairwoman Fitzgerald, Vice Chairman Harrell, Board Members Litowsky, Paglialungo and Buist.

Motion carried: 5 - 0.

6. **Department Report.** Board Attorney Stokes reported that the City Council is currently considering new quasi-judicial requirements and if approved, he would brief Board Members. He reminded Board Members that the Attorney General has opined that site visits are considered ex-parte communications.

Director Ferris announced an upcoming training workshop for Board Members offered by the Florida Chapter of the American Planning Association (APA) to be held at the Village of Palm Springs on November 17, 2017. The \$25 registration fee will be paid for by the City for those board members interested in attending.

7. **ZBAA Members' Comments.** – None.

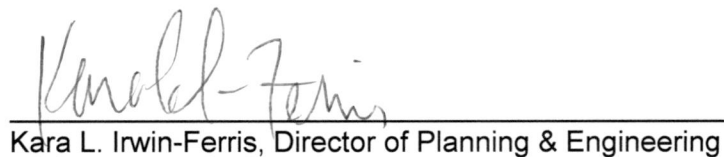
8. **Adjournment.**

Vice Chairman Harrell moved to adjourn the meeting, seconded by Board Member Paglialungo. The meeting was adjourned at 7:23 p.m.

**ZONING BOARD OF ADJUSTMENTS
AND APPEALS**

Respectfully submitted,


Dannette Fitzgerald, Chairwoman


Kara L. Irwin-Ferris, Director of Planning & Engineering


Joanna Cunningham, MMC, City Clerk

Date of Approval: 2/26/18



/mel