

Meeting of the Board of Adjustment of the Town of Ocean Ridge held on September 9, 1998 at 8:30 AM in the Town Hall Meeting Chambers

The meeting was called to order by Chairman Barlage and roll call was answered by the following:

Robert Cunningham	Victor Martel
Luis Vinas	Terry Brown
Chairman Barlage	

- III. Approval of minutes
  - A. August 12, 1998

Dr. Vinas moved to approve the August 12, 1998 minutes as submitted, seconded by Dr. Martel.

Motion carried – yea 5.

- IV. An application submitted by John and Teresa Shibles, 6201 N. Ocean Blvd., Ocean Ridge, FL 33435, requesting a variance from the provisions of the Land Development Code, Article II; District Regulations, Section 26-10; Single-Family Residential Districts, paragraph (h); RSE – Single-Family Residential Estate property development regulations; Sub-paragraph (2)(b&c) minimum side and corner setback requirements and also Article XIV nonconforming and grandfathered uses, section 26-221; grandfathered uses, lots and structures; sub-paragraph (c) grandfathered lots of record and sub-paragraph (e), grandfathered structures; sub-paragraph (2); replacement, restoration and reconstruction to permit the construction of a single family home on a lot of 50’ width with a 10’ side setback and a 10’ corner setback (exceeding the 15’ and 20’ maximum) replacing an existing grandfathered structure locate at the above described address or legally described as the south 50’ of un-numbered block lying east of Ocean Blvd. in Boynton Beach Park Subdivision (corner of Edith St. & SR A1A)

Town Clerk Hancsak read the variance request by title.

Town Clerk Hancsak noted that there was no additional correspondence and that all fees had been paid.

Town Clerk Hancsak and Chairman Barlage read the justification of application submitted by the applicant. The justifications expressed that the special conditions pertaining to lot width have existed for years. It continued by explaining that the proposed home would be further west from the ocean than the homes to the north and south. The justification stated that the Florida DEP encourages new construction on properties as opposed to renovation due to more stringent coastal construction codes. Regarding the side setbacks, the current ordinances would allow for only a fifteen-foot width on a new home. The request for ten foot side setbacks would allow for a new

MEETING OF THE BOARD OF ADJUSTMENT HELD ON SEPTEMBER 9, 1998

home to be a maximum of 30 feet wide and still be less of an encroachment than the current home. The justification concluded that the proposed home would not be built as a trophy house, but rather designed to blend into an existing site.

Town Clerk Hancsak then read the administrative comments that were completed by then Town Manager Lanker and herself. Their comments advised that the variance presented a difficult situation, but that the proposed residence would be less of encroachment than the current residence. Their comments also advised that the non-conforming lot size was not as a result of the actions of the applicant and that the proposed residence would have only a 14.7 percent total FAR when 36 percent is permitted in the RSE district.

John Shibles advised that he and his wife are residents of New Jersey, but have had a condo in Ocean Ridge for 12 years. He advised that this would not to be a spec house but their home. He explained that their residence would be set back more to the west than the neighboring properties. He compared the required and proposed zoning requirements advising that only in regards to the side setbacks and lot width would his proposal not comply. He stated that the theme for the residence would be simple, but elegant and an asset to the town.

Mr. Shibles advised that the current home which is a single story, two-bedroom home with a one-car garage did not warrant renovation. He showed a survey of the property to the board which highlighted where the current house sits on the property and showed that it is east of the current coastal construction control line. He advised that he had contacted Steve Palmer, DEP, who suggested that they submit their plans to him. He stated that he had received a preliminary letter of approval from DEP regarding the submitted variance. Town Clerk Hancsak read the letter from DEP.

Mr. Perez, architect for Mr. and Mrs. Shibles, advised that the proposed home would be placed where the current home is located. He advised that there would be a loggia connecting the garage to the house. Chairman Barlage questioned if the loggia area was counted in the FAR to which he advised that it was. Chairman Barlage questioned how close the vertical walls in the loggia area were to the property line on the south side to which Mr. Perez advised that the property line was ten feet from the vertical wall. He added that there is a one-foot overhang in that area which increases to three feet at the entrance. Mr. Brown requested clarification that the loggia area was not air-conditioned to which Mr. Shibles advised that it was not.

Dr. Martel stated that he was concerned that additional variances will be required once construction has begun. Mr. Shibles explained that he and his wife had approved this design three months prior and were very comfortable with it. Mr. Perez advised that he is confident that the overall scheme for the home is final.

MEETING OF THE BOARD OF ADJUSTMENT HELD ON SEPTEMBER 9, 1998

There was no public comment.

The Board then went into executive session.

Mr. Brown advised that he would recommend approval contingent upon Town Commission and DEP approval.

Dr. Vinas commented that residents currently use the Edith St right-of-way and he was concerned that the Town may want to do something with this road in the future. Town Clerk Hancsak advised that the current home is only 5' from the road and the proposed residence would be 10'. She added that the coming year's budget included funding for an on-grade walkover at Edith St.

Dr. Martel commented that he would like to know what the neighbors think of this variance application to which Town Clerk Hancsak advised that the notices were sent to everyone within 300' of the property and there was no correspondence received. She added that the garage of the neighboring property is only 6" from the property line.

Mr. Cunningham stated that he liked the plan and that it would be set back an additional 5' from where it is now. He advised that he would approve the plan as submitted.

Chairman Barlage advised that he also liked the plan adding that he appreciated that it did not take advantage of the other building regulations.

Dr. Martel moved to approve the variance as submitted contingent upon Town Commission, DEP, and health dept. approval, seconded by Mr. Cunningham.

Motion carried – yea 5.

MEETING OF THE BOARD OF ADJUSTMENT HELD ON SEPTEMBER 9, 1998

V. Adjournment

The meeting was adjourned at 9:15 AM.

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Chairman Barlage

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Terry Brown

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Robert Cunningham

Attest By:

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Victor Martel

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Town Clerk

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Luis Vinas