

Meeting of the Board of Adjustment of the Town of Ocean Ridge, Florida held on Wednesday, November 10, 1999 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:

Bob Cunningham
Barbara Souther

Dr. Luis Vinas
Chairman Phil Barlage

- I. An application submitted by Frank McKinney, President of Ocean Ridge Development Co., LLC, 610 N. Ocean Blvd., Delray Beach FL 33483 requesting a variance from the provisions of the Land Development Code, Article III; SUPPLEMENTAL REGULATIONS, Section 26-45; Existing Housing, Paragraph (b); Historic Housing, SubParagraphs 1-3, to permit demolition of a residence that has an existing file (PB547) with the State and is listed in the Town Comprehensive Plan as being listed on the State Master Site File of Historically Significant Houses located at 6275 North Ocean Blvd. or legally described as the North 280' of South 450' of Unnumbered Block Lying East of Ocean Blvd., in the Boynton Beach Park Subdivision.

Town Clerk Hancsak read the variance application by title only and noted that all fees had been paid and no additional correspondence was received.

Chairman Barlage stated for the record that he was involved with this particular property approximately 4-5 years ago but not with the present owner. Dr. Vinas and Chairman Barlage also announced that they had visited the site with the owner of the property.

Town Manager Dunham and Frank McKinney were sworn in.

Chairman Barlage and Town Clerk Hancsak read the justification of application and responses for the requested variance. The applicant stated that special conditions and circumstances are not the result of the applicant because the structure was built in 1926 and is in an acute stage of ill repair, adding that it is structurally unsound and cost prohibitive to renovate. They added that keeping the structure would work an unnecessary and undue hardship on the owner. The applicant stated that granting the demolition is the minimum variance to make possible the reasonable use of the land. The applicant stated that the literal interpretation of the provisions of the Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district and would work unnecessary and undue hardship on the applicant and would not be injurious to the area.

Town Clerk Hancsak stated that there was also an addendum written by Mr. McKinney relating to the Historic Property regulations as part of the record. She then read a letter addressed to Mr. David Goldfarb from Robert Jones, Historic Sites Specialist, for the Division of Historical Resources with the State of Florida advising that the subject property is not listed in the National Register of Historic Places. Another letter attached

MEETING OF THE BOARD OF ADJUSTMENT HELD ON NOVEMBER 10, 1999

was addressed to Frank McKinney from Janet Matthews, Chief of the Bureau of Historic Preservation and State Historic Preservation Officer, also with the State of Florida. She stated that an on site evaluation uncovered that long neglect and recent demolition activities have greatly impacted this historic property and it is the opinion of their office that it is no longer eligible for listing in the National Register.

Town Manager Dunham read his administrative comments in which he advised that the antiquated structure is not endemic to the area or neighboring parcels and impact the subject parcel only and its present state is not result of the applicant. Mr. Dunham stated that the variance will not confirm the applicant any special privilege that is denied by the Zoning Ordinance to other lands, buildings, or structures in the same zoning district. He added that according to the Division of Historical Resources the structure is no longer eligible for potential listing in the National Register for Historic Places. Mr. Dunham stated that literal interpretation of the provisions of the chapter would work unnecessary and undo hardship on the applicant because the cost of renovating the existing premises is unrealistic and unreasonable compared to the cost of demolishing the structure and rebuilding it. He commented that the variance is the minimum to allow the most reasonable use of the land and would be in harmony with the general intent of the chapter and added that a new structure would conform to all codes at a lesser cost. He therefore felt that the demolition variance request meets the criteria set forth in the Land Development Regulations and recommended approval of the variance.

Mr. Frank McKinney thanked the staff for their assistance and then distributed photographs taken in connection with a report by the Inspector on Oct. 26, 1999. He commented that the condition of the building was a result of the prior owner added with the salvaging done by the salvage company hired by the prior owner. He concluded by stating that he was excited with the opportunity to develop the property.

There was no public comment and the board went into executive session.

There being no questions from the board, Mr. Cunningham moved to approve the variance request as submitted, seconded by Mrs. Souther.

Motioned carried – Yea (Cunningham, Souther, Vinas, and Barlage)

Town Clerk Hancsak advised that a letter to the applicant would be forthcoming.

II. Adjournment

The meeting was adjourned at 8:55 AM.

Attest:

Chairman Barlage

Town Clerk