

Meeting of the Board of Adjustment of the Town of Ocean Ridge, Florida held on Wednesday, August 27, 2003 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:

Terry Brown	Lothar Mayer
Mark Hanna	Stormet Norem
Chairman Barlage	

III. APPROVAL OF MINUTES

A. August 13, 2003

Mr. Brown moved to adopt the August 13, 2003 minutes, seconded by Mr. Mayer.

Motion carried – Yea (5)

IV. VARIANCE REQUESTS

- A. An application submitted by Raymond and Marsha Hill, 6275 North Ocean Blvd., Ocean Ridge, FL 33435, requesting a variance from the provisions of the Land Development Code, Chapter 64; Article III; Supplemental Regulations, Section 66-44; Fences, Walls and Hedges; Paragraph 9(c) maximum height of 4’ in required front yards as measured from the street side of the wall and also Chapter 63; Article XVII; Nonconforming and Grandfathered Uses, Section 63-117; Grandfathered uses, lots and structures; Paragraph (d), Grandfathered Structures; Sub-Paragraph (1); alteration, extension, enlargement or expansion to permit an eastward extension (built in a radius) of the existing grandfathered north/south wall to match the existing 5’7”-6’ height, construct two columns 9’8” maximum height (including a pineapple decoration on top of each column) and entrance gates (maximum 8’8” high at extreme ends, lowering towards the center and opening eastward) which is located at 6275 North Ocean Blvd. or legally described as the north 100’ of south 270’ of unnumbered block lying north of and adjacent to Edith St. and east of an adjacent to ocean Blvd. in the Boynton Beach Park Subdivision (exact legal description available in the Clerk’s Office) (CONTINUED FROM AUGUST 13, 2003)
- B. An application submitted by Raymond and Marsha Hill, 6275 N. Ocean Blvd., Ocean Ridge, FL 33435 requesting a variance from the provisions of the Land Development Code, Chapter 64; Article III; Supplemental Regulations, Section 66-44; Fences, Walls an Hedges; paragraph 9(c) maximum height of 4’ in required front yards as measured from the street side of the wall or the lowest elevation to permit a 6’ high wall along the north property line extending east 25’ from the existing grandfathered north/south wall which is located at 6275 N. Ocean Blvd. or legally described as the north 100’ of south 270’ of unnumbered block lying north of and adjacent to Edith Street and east of an adjacent to Ocean Blvd. in the Boynton Beach Park Subdivision (exact legal description available in Clerk’s Office).

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Town Clerk Hancsak read the variance application by title and advised for the record that all fees had been paid and no additional correspondence had been received. Town Clerk Hancsak reminded the board that the original hearing was postponed until this date so that both variances could be addressed at the same time and also so that the applicant had an opportunity to possibly modify the original plan considering the administrative recommendation for denial of the variance (which was distributed to the members).

At this time the board members disclosed that they all reviewed the site but had no contact with the applicant. Chairman Barlage advised that he had received a telephone call from Commissioner Bingham and he suggested that she relay her concerns in a letter. Mr. Mayer commented that he has utilized the services of the same architect to which Atty Schoech advised that it was not a conflict.

Chairman Barlage and Town Clerk Hancsak read the justification of application and responses for the requested variance. The applicant also included a brief written statement citing that this request was similar to those requested for 6301 and 6277 N. Ocean Blvd. and which were subsequently granted. The applicant stated that the existing wall was once part of a larger wall that now spans two properties and is grandfathered. The applicant added that they intended to open up the drive by creating a radius wall ranging from approximately 5' to 6' and relocate the existing entry columns, 2 of which would be 6'9" high (with two 18" pineapples on top) and spreading them so they are 16' apart, which would allow a safe ingress/egress to the property. The applicant stated that special conditions and circumstances exist because the applicant has gone to great lengths to preserve the existing security wall located to the west of the property with minimal modifications in order to maintain or increase security and privacy. They added that the existing wall is 5'7" to 5'11" running from 6277 N. Ocean Blvd. to their south property line and they would like to keep the architectural symmetry for the wall north/south and west/east to the entrance gates. The applicant also stated that there now exists 4 columns at a height of 7'4.5" of which will essentially remain with the exception of adding height to the two most easterly columns. The applicant stated that granting the variance would not confer any special privileges because other property owners have the ability to build similar structures provided they meet the code or seek a variance such as 6277 N. Ocean Blvd. They added that the existing wall has been in existence for many years and will essentially remain. The applicant stated that literal interpretation of the Ordinance would require that the existing wall along A1A would be allowed to be taller than the proposed new radius sections leading to the easterly columns and would not look proper. The applicant also stated that it would deprive them of a safe ingress/egress entrance to the property because of the way the existing wall is situated. The applicant stated that the variance granted is the minimal variance that would be reasonable because it allows blending of the existing security wall with the surrounding wall. The applicant stated that the request would be in harmony with the general intent and purpose of the ordinance. The applicant concluded by stating that the variance would not be injurious to the area and would actually have very little, if any, public impact. They also stated that if the variance was not granted the symmetry and scale of the entire entry feature when looked at as a whole would be negatively impacted and would affect the look for the surrounding area.

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Town Manager Dailey read the administrative comments, which included a brief summary of the request. Her comments regarding the justification of application advised that special circumstances could exist due to an existing wall already being grandfathered at near 6' and the applicant is proposing an architecturally correct entrance. Town Manager Dailey advised that the grandfathered portion of the wall does not result from actions of the applicant. Town Manager Dailey stated that other property owners have the ability to build similar structures provided they meet the code or have obtained similar variances. She stated that this is a unique situation in that the wall already exists and the applicant is attempting to have a symmetrical look to the gates and she does not believe that the applicant will be enjoying a special privilege. She advised that literal interpretation of the provisions of this chapter would work unnecessary and undue hardship because the code would allow the existing wall along A1A to be taller than the proposed sections of the wall leading to the gate area. In conclusion, Town Manager Dailey commented that she felt the request was the minimum variance to allow for the blending of the existing security wall into an entrance gate and the modification is the same height request granted to the prior landowner.

All individuals intending on speaking were sworn in.

Don Stahnke, Project Manager for Cudmore Builders, commented that the wall running east along the north property wall would follow the same rhythm with the other property owner.

Mr. Brown clarified that the picket fence portion faces A1A and the height was 5'2".

Chairman Barlage questioned if there would be enough stacking room for one vehicle to which he was advised that there was 11' from the wall to the gate which would most likely be equipped with a remote entry. Mr. Mayer stated that a landscape vehicle with trailer may have difficulty turning in from the north.

There being no further public comment the board was declared in executive session.

Mr. Norem moved to approve the variances as submitted for the August 27, 2003 meeting, seconded by Mr. Brown.

Motion carried – Yea (5).

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

VI. Adjournment

The meeting was adjourned at approximately 9:05 A.M.

ATTEST:

Town Clerk

Chairman Barlage
Terry Brown
Stormet Norem
Mark Hanna
Lothar Mayer