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**LYNN HAVEN BOARD OF ADJUSTMENT
THURSDAY, DECEMBER 18, 2014, AT 5:30 P.M.
LYNN HAVEN CITY HALL**

AGENDA

The Lynn Haven Board of Adjustment will consider the following request(s) at a regular meeting to be held Thursday, December 18, 2014, at 5:30 p.m. in the Commission Meeting Room at City Hall. All interested persons are invited to attend or you may submit your written comments to the Board through the Department of Development and Planning, 909 Pennsylvania Avenue, Lynn Haven, FL 32444.

1. Call to Order
2. Minutes: Meeting of April 24, 2014
3. VAR-14-4: D.R. Horton Homes
Shoreline Village, Phase 1A-Lot 23
CR390

Adjourn

IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, THEY WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE THEY MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED. FLORIDA STATUTE 286.010.

*** IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT AND 286.26, FLORIDA STATUTES, PERSONS WITH DISABILITIES NEEDING SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE CITY PLANNER NO LATER THAN TWO DAYS PRIOR TO THE PROCEEDING AT TELEPHONE 850-265-2961 FOR ASSISTANCE. IF HEARING IMPAIRED, TELEPHONE THE FLORIDA RELAY SERVICE NUMBERS, (800) 955-8771 (TDD) OR (800) 955-8770 (VOICE), FOR ASSISTANCE.

{ D.R. Horton }

CITY OF LYNN HAVEN
BOARD OF ADJUSTMENT
DECEMBER 18, 2014

A regular meeting of the Lynn Haven Board of Adjustment was held on Thursday, December 18, 2014, at 5:30 p.m. in the City Commission meeting room.

Present: Marie Lombardi, Chairman
Eric Howell, Vice Chairperson
Frances Wittkopf
Amanda Richard, City Planner
David Barber, D.R. Horton representative
Alex Baird, property owner

Absent: Ajay Patel

Ms. Marie Lombardi, Chairman, called the meeting to order at 5:30 p.m.

Mr. Eric Howell made a motion to excuse Board member, Ajay Patel, from the meeting.

Second to motion: Frances Wittkopf

Chairman, Lombardi, asked that all those in favor so indicate by saying aye. She asked if anyone was opposed. Motion was approved unanimously (3-0).

Mr. Eric Howell made a motion to approve the April 24, 2014, Minutes.

Second to motion: Frances Wittkopf

Chairman, Lombardi, asked that all those in favor so indicate by saying aye. She asked if anyone was opposed. Motion was approved unanimously (3-0).

#3. SHORELINE VILLAGE, PHASE 1A-LOT 23 VARIANCE (VAR-14-4): Ms. Amanda Richard, City Planner, addressed the Board and stated that the Applicant, D.R. Horton Homes, is the owner of property located in the Shoreline Village, Phase 1A project, which includes Lot 23, Property ID#11352-755-230, and which is the subject of this variance request. Ms. Richard stated that Lot 23 has a TND (Traditional Neighborhood Development) land use designation and that the language which governs the TND category was put in place by the original developer and property owner, D&H Properties. D.R. Horton Homes has since purchased property from D&H Properties, in order to construct Shoreline Village, Phase 1A, which includes Lot 23.

D.R. Horton recently sold Lot 23 to Mr. & Mrs. Alex Baird, and they intend to construct a home on the lot, with a pool. The pool is an accessory structure, and according to the current setbacks for accessory structures shown in the TND section of the Code, pool setbacks must comply with the same setbacks as the principle structure. Nowhere else in the Code are accessory structures required to meet the setbacks of a principle structure. The setbacks for the TND are part of the TND section of the City's Code, which the prior owner and developer of this property had previously put in place. The current developer realizes that this language is a mistake and must be corrected. Due to the language that is currently in place, however, a variance request is necessary,

in order to construct a pool on Lot 23.

Mr. David Barber, the representative for D.R. Horton Homes, addressed the Board and stated that D.R. Horton realizes the language pertaining to accessory structures is a mistake and that it must be corrected. D.R. Horton intends to go through the process with the City to have the language corrected. The current language was put in place approximately 7 years ago by D&H Properties, who is the previous developer and owner of the property that is the subject of this variance.

Mr. Alex Baird, the current owner of Lot 23, addressed the Board and stated it is the intention of himself and his wife to build a home on the lot and to have a swimming pool. He stated that he wanted to thank D.R. Horton for assisting him in getting the matter of the setbacks resolved, so that a pool could be constructed on the property.

Board member, Eric Howell, made a motion to approve the variance request.

Second to motion: Frances Wittkopf

Chairman, Lombardi, asked that all those in favor so indicate by saying aye. She asked if anyone was opposed. Motion was approved unanimously (3-0).

With there being no further business or discussion, the meeting was adjourned at 5:43 p.m.

Marie Lombardi, Chairman