

MINUTES OF THE REGULAR MEETING OF THE CITY OF STUART BOARD OF ADJUSTMENT HELD IN CITY HALL, 121 SOUTHWEST FLAGLER AVENUE, STUART, FLORIDA ON THURSDAY, AUGUST 25, 2011

Those present: Bonnie Landry, Chair
Mark Mathes
Kelli Glass
Jeffrey Callahan

Those absent: Dr. E.E. Griffith, Vice Chair

Also present: Tom Reetz, Project Planner II

I. CALL TO ORDER: Chairman

Chair Landry called the meeting to order at 5:30PM.

II. ROLL CALL: Secretary

Those answering roll call and others present are referenced above.

III. APPROVAL OF MINUTES: May 12, 2011

MOTION: Mark Mathes

SECOND: Kelli Glass

Motion carried 4/0

Public Comments: None

Board Comments: None

1. Request to consider relief from Section 2.04.01 of the City of Stuart Land Development Code pertaining to building setbacks. Dolin/Brunkella lots 6 and 7 of St. Lucie Estates subdivision: applicant has proposed building a new 2 story single family residence

Presentation: Tom Reetz, Senior Project Planner
Dwight Davis, Architect

Public Comments:

Patty Downing said she lived across the street from Ellen that she had no issues with it and it would increase their values.

Board Comments:

Bonnie Landry asked how many feet are between the deck and new house.

Dwight Davis replied ten feet.

Mark Mathes asked if they considered the allowance that the existing code has for an accessory unit, keeping a single property and having a separate living unit in that fashion.

Dwight Davis said they considered it but it is for her sister and it's a financial investment.

Mark Mathes said the board has to keep that in mind in looking how the houses relate to each other and how the variance will grant that relationship between the two houses. Mark Mathes asked what comes out of the rear of the building.

Dwight Davis said the outside spaces are separated and the kitchen and dressing room are in the rear of the house.

MOTION: Jeffrey Callahan moved to accept the request to consider relief from Section 2.04.01 of the City of Stuart Land Development Code pertaining to building setbacks. Dolin/Brunkella lots 6 and 7 of St. Lucie Estates subdivision

SECOND: Kelli Glass

Mark Mathes asked if there was still the requirement in the code that there needs to be no self imposed hardship. He said there wasn't an inordinate impact on drainage but the City has in the past gotten their hands slapped because they allowed structures to be built so close to a property line that there was no way to capture the runoff to keep it from running onto a neighbor's property. He asked if the home was going to be completely guttered.

Tom Reetz replied just the criteria listed as part of the land development regulations.

Dwight Davis said there weren't any gutters, but they could add them. He also suggested french drains and said there didn't seem to be an issue with drainage.

Mark Mathes asked if there is a requirement that there be a lot grading plan that shows some type of catchment device prior to crossing the property line.

Tom Reetz said he wasn't aware of any requirement but they did have drainage issues on new developments.

Mark Mathes asked how this house would deal with the raised elevations.

Dwight Davis said some of these questions are not things that he has looked at.

Mark Mathes said he would support an amendment to the motion to consider some conditions such as grading and control of the stormwater. He would prefer it to be built with stem wall foundation and that the house be guttered.

Bonnie Landry asked if the building department reviews the building plans.

Tom Reetz said the building official reviews the plans as well as zoning, public works, fire and police.

Bonnie Landry said that would be her only caveat. If the building official is reviewing the plans, she would not want to put any caveats in the variance in case they conflict with what the building department says.

Tom Reetz said those two conditions should not conflict with any Florid building code requirement.

MOTION: Jeffrey Callahan amended his motion to accept the request to consider relief from Section 2.04.01 of the City of Stuart Land Development Code pertaining to building setbacks. Dolin/Brunkella lots 6 and 7 of St. Lucie Estates with the two conditions noted.

SECOND: Kelli Glass

Motion carried 4/0

IV: COMMENTS FROM THE PUBLIC:

V: NEXT BOA MEETING:

September 22, 2011

VI: ADJOURN:

5:57 PM

Chair Landry, there being no further business before the Board the meeting is adjourned.

APPROVED

RESPECTFULLY SUBMITTED

Bonnie Landry, Chair

Michelle Vicat, Board Secretary