

**MINUTES
BOARD OF ADJUSTMENTS AND APPEALS MEETING
REGULAR MEETING
February 20, 2023**

The City of Lake Wales Board of Adjustments and Appeals held a regular meeting on February 20, 2023 at 5:30 p.m. in the Commission Chambers at City Hall, 201 W. Central Ave. Lake Wales Florida.

ATTENDANCE

Board of Adjustments (Shaded area indicates absence):

Chairperson Sue Marino	James Boterf	Nancy Baker	Crystal Higbee
Patrick Corwith			

City Staff:

Dept. of Planning and Development
Autumn Cochella – Development Services Assistant Director
Jasmine Khammany- Senior Planner
Ivo Cardentey– Recording Secretary

1. CALL TO ORDER Chairperson Marino called the meeting to order at 5:30 p.m.
2. ROLL CALL – Mr. Corwith was absent.
3. APPROVAL OF MINUTES
Regular Meeting – October 17, 2022
Motion by Mr. Boterf to approve and Ms. Higbee seconded the motion. The minutes were approved unanimously by voice vote.
4. COMMUNICATIONS AND PETITIONS – no participants

NEW BUSINESS

5. DIMENSIONAL VARIANCE 22-0022

Review Staff report by Jasmine Khammany
Begin Report:

APPLICANT: Kendall Phillips, P.E. on behalf of Rise Properties LLC

ADDRESS OR LOCATION: 1230 Scenic Hwy N
PID: 272935000000032030

APPROVAL REQUESTED: Front Building Setback Dimensional Variance

FLUM/ZONING: IND – Industrial/ I1 Industrial Park District

PUBLIC HEARING: Required

End Report.

Ms. Cochella presented the staff report and advised the applicant was present for any questions the Board may have.

Mr. Palmowski, owner introduced himself to the Board and gave a presentation on his request. Mr. Boterf clarifies the request that it is a 5ft variance.

Ms. Cochella clarifies that he is encroaching into the principle building set back by 5 ft. The set back requirement for the neighborhood is 30 ft and he is asking for 5 ft relief. He would be creating a 25 ft building set back.

Ms. Baker asks for visual verification on the direction and placement of the carport.

Mr. Palmowski clarifies this for her.

Ms. Higbee asks if additional concrete will be added?

Mr. Palmowski clarifies he will need to extend a bit more so additional concrete is will be added?

Ms. Higbee asks why the carport cannot be put over what is existing?

Mr. Palmowski responds that it has too much of a slope.

Ms. Higbee clarifies his medical condition and the fact that he has fallen.

Mr. Palmowski repsonds this is correct, he has no feeling in his feet so he cannot feel if he is stepping on little rocks or water and this has caused him to fall.

Ms. Higbee then states he will pour the concrete in a way that will not cause the slope.

Mr. Palmowski confirms.

Mr. Boterf asks if he is pouring concrete on top of concrete to alleviate this?

Mr. Jody Franks with Florida Aluminum introduces himself as the contractor and explains the process to the Board of how it will be built. They will not change the elevation of what is existing. They will be expanding.

Mr. Boterf states he did drive by and did observe the issue and he also asks if the Board has further questions.

Ms. Higbee asks if there are any other homes in the area with variances.

Ms. Cochella states there is not.

Ms. Baker states it is a very diverse neighborhood.

Ms. Cochella states what the Board is charged with is making a finding that he is not able to utilize his property to its best use due to a hardship of his own making.

Mr. Boterf then opens the floor to public hearing and in seeing no movement closes the public hearing.

Mr. Bennett asks the Board that as part of the motion they include the finding that a hardship exists.

Ms. Cochella emphasizes that this is a legally recorded variance and that they put in the motion the finding of a hardship due to the cul de sac.

Ms. Baker makes a motion to approve the 5 ft variance based on existing hardships and the shape of the property.

Ms. Higbee seconds the motion.

Mr. Boterf asks for all in favor to say aye. All Board members state aye.

Mr. Boterf then calls on Mr. Corwith who has applied to be a member of the Board of Adjustments.

Mr. Bennet then clarifies to the Board that the new charge is to either make a recommendation to City Commission to either appoint or deny the applicant.

Mr. Patrick Corwith then introduces himself and gives a presentation of his background and knowledge.

Mr. Boterf makes it known that the Board agrees to recommend Mr. Corwith to be appointed to Board of Adjustments by City Commission.

The meeting adjourned at 5:51 PM.

Ivo Cardentey, Recording Secretary

Chairperson, Sue Marino