

Minutes
TOWN OF INDIALANTIC BOARD OF ADJUSTMENT
Council Chamber, 216 Fifth Avenue, Indialantic, FL 32903
January 13, 2021 AT 4:30 P.M.

A. Call to Order:

A regular meeting of the Board of Adjustment was called to order at 4:32 p.m. by Chairman Justice with the following members present:

David A Justice	Chairman
Chris Campbell	Vice Chairman
Sam Martorella	Member
Stephen Baughn	Member, 1 st Alternate
Michael Hill	Member, 2 nd Alternate

Also present:

Michael Casey, Town Manager
Paul Gougelman, Town Attorney
Cliff Stokes, Building Official
Rebekah Raddon, Town Clerk

B. Approval of November 12, 2020 Meeting Minutes:

Motion by Vice Chairman Campbell, seconded by Member Hill, and vote unanimous to approve the meeting minutes. Motion carried 5-0.

C. Variance Request:

Site Address: 300 Third Avenue
Applicant: Joe Lewandowski (Owner)
Zoning: R-1-B Single Family Residential

Code Section 17-88 (3) (b) Fences; walls. Setbacks -- A variance of 10' to the required minimum 10' setback from the lot line on the abutting street for a side yard fence located on a corner lot, to allow a fence to be installed on the property line.

Chairman Justice read the variance request and asked for input from the building official. Mr. Stokes commented that a permit has not been obtained yet and noted that landscaping is not allowed in the right-of-way.

Joe Lewandowski, 300 Third Avenue, spoke regarding his request to install a fence on the lot line. He explained that installing a fence in accordance with the setback requirements would substantially reduce the size of his yard, making it approximately 15' wide. He added that neighbors have fences on their lot lines. He is willing to remove the trees he planted in the right-of-way if the Town wishes; he was not aware that it was prohibited.

Mr. Casey commented that a fence on the lot line would not obstruct drivers' line of sight.

The board questioned whether or not an unnecessary hardship or practical difficulty existed; the applicant felt it qualified as a hardship.

Mr. Gougelman read the definitions for unnecessary hardship and practical difficulty.

A board member noted that these types of requests have been denied before and that fences encroaching on the streets looks undesirable.

Mr. Lewandowski commented he is willing to compromise if the board wishes.

Motion by Vice Chairman Campbell, seconded by Member Hill to deny the variance application. Motion carried 4-1; nay vote by Member Baughn.

Variance denied.

D. Adjournment:

Chairman Justice excused absent board members Jeffrey Schulte and Safvat Kalaghchy, both of whom gave notice they would be unable to attend due to illness/caring for family.

There being no further discussion, the meeting was adjourned at 4:59 p.m.

Chris Campbell, Vice Chair. Signature on file.

Attested by: Rebekah Raddon, CMC, Town Clerk. Signature on file.