

**GAINESVILLE PLANNING AND APPEALS BOARD
MINUTES OF MEETING
MARCH 10, 2020**

CALL TO ORDER Vice-Chair Fleming at 5:30 p.m.

Members Present: Vice-Chair Jane Fleming and Board Members Rich White, Kelvin Simmons, Eddie Martin and Carmen Delgado

Members Absent: Chairman Doug Carter and Board Member Ryan Thompson

Staff Present: Community & Economic Development Deputy Director Matt Tate and Recording Secretary Gwen Fleming

Others Present: Council Members George Wangemann & Barbara Brooks

PRESENTATION RECOGNITION

City Council Member Barbara Brooks on behalf of the Gainesville City Council and the Mayor presented the Board members with a token of appreciation.

MINUTES OF FEBRUARY 11, 2020

Motion made by Board Member White

Motion seconded by Board Member Martin

Vote – 4 favor, 3 absent (Carter, Thompson, Delgado)

NEW BUSINESS

A. Variance Request

- 1) Request from **Eric Aguirre** to vary the rear yard setback and the impervious area requirements on a 0.26± acre tract located on the west side of Central Avenue, south of Myrtle Street (a/k/a **652 Central Avenue, SW**), having a zoning of Residential-II (R-II).

Ward Number: Four

Tax Parcel Number(s): 01-125-004-011

Request: Detached shed

Staff Presentation: Deputy Director Matt Tate gave the following staff presentation:

The applicant is requesting to vary the rear yard setback from 10-feet to 3-feet and to vary the maximum impervious area requirement from 60% to 70% for an existing detached shed.

The adjacent properties are zoned Residential-II (R-II) and include mostly single-family homes and a residential duplex.

The subject property contains a single-family home that was originally constructed in 1960 and a detached shed constructed in 1979 according to tax records.

The existing home is now 3,860± square feet in size which has received as many as five separate building permits to expand the existing home since 2005.

The original shed was 580± square feet in size and according to aerial photography has been expanded over a twenty-year period to approximately 1,150± square feet without permits.

The original shed was setback 5-feet from the rear property line and was considered a legal non-conforming structure. The additions to the shed have caused it to further encroach as close as 3-feet from the rear property line which has resulted in the need for the proposed setback and impervious area variance request.

The property owner is basing the hardship on the small size of the lot and states they were unaware there was a setback and impervious area requirement when the property was originally purchased and before the shed was expanded.

The Planning Division staff is recommending **conditional approval** of this variance request based on the width of the lot and the location and size of the existing home.

NOTE: Board Member Delgado arrived at the meeting at 5:40 p.m. and recused herself due to a conflict of interest with this request.

Applicant Presentation: Eric Aguire, 1185 Villa Clara Way, stated when his dad purchased the property the shed was too close to the property line and unaware of it when adding an extension to it. The shed is used for storage space of HVAC equipment and no one will be living in the shed. He stated they want the property value higher if they decide to eventually sell the property.

FAVOR: None

OPPOSE: None

Planning and Appeals Board Comments: Board Member Simmons asked about the future use of the shed.

There was a motion to recommend conditional approval of the variance request as presented with the following conditions:

Conditions

- 1. The existing detached shed shall meet the building code requirements and shall not be occupied for residential purposes.**
- 2. The existing home, detached shed and parking areas shall not be expanded beyond their existing square footage.**

Motion made by Board Member Simmons

Motion seconded by Board Member White

Vote – 4 favor, 2 absent (Carter, Thompson), 1 recusal (Delgado)

ADJOURNMENT

There was a motion to adjourn the meeting at 5:44 p.m.

Motion made by Board Member Simmons

Motion seconded by Board Member Martin

Vote – 4 favor, 3 absent (Carter, Thompson, Delgado)

Respectfully submitted,

Jane Fleming, Vice-Chair

Gwen Fleming, Recording Secretary