

October 17, 2024

Village Council Meeting

Attendance:

Mayor Yardley

Mr. Tomlinson

Mr. Weber

Mr. Robichaux

Mr. Borshchukov

Also:

D. J. Doody

Sean Swartz

Starr Paton

The roll was called, and a quorum was determined.

The minutes from the September 11, 2024, council meeting were reviewed. Motion made by Mr. Tomlinson and seconded by Mr. Robichaux to approve the minutes. Motion passed unanimously.

Mr. Tomlinson reviewed accounts payable. All the bills were ordinary and necessary.

Mr. Tomlinson reviewed the August 31, 2024, financial statement. August is the 11th month of the fiscal year. Cash balance at the end of August was \$2,417,584. Interest collected for 11 months exceeded \$6,400. Building permit income was \$40,000 above budgeted numbers. Revenues exceeded expenditures by \$85,000. The police department's total expenditures to actual budget were related to security issues and necessary staffing. Motion made by Mr. Robichaux and seconded by Mr. Weber to approve the August 31, 2024, financial statement. Motion passed unanimously.

Police Report:

Chief O'Brien stated the new exit gate which will be used overnight has been installed. Lighting will be added to the gate and residents will be notified of a start date. We have had no new security incidents and Chief reminds residents to lock doors and remove fobs.

Code Compliance Report:

Mayor Yardley stated he is concerned about the courtesy violations and wants to assure that code staff is courteous to residents. We should be looking only at extreme violations.

Beach Club Report:

There were no comments or reports.

Public comments opened. There were no comments. Public comments closed.

New Business:

Mayor Yardley opened the hearing for consideration of the lot line subdivision for 7 Winnebago Road. Mr. Doody stated this is a quasi-judicial hearing and informed the council and involved parties that a 2-2 vote is a denial. Approval of the request will require a vote of 3-1 or 4-0.

Parties present to testify in the hearing were property owner Alex Clarke, attorney Amy Galloway, architect Mark Budd, realtor Veroushka Volkert, and Jim Hickey of Calvin Giordano on behalf of the Village. Also present was stenographic reporter Emily Scott. All parties testifying were sworn in.

Ms. Galloway's opening remarks stated the Clarke's had been residents for several years and want to enlarge their rear yard and living space. They have purchased the adjacent property at 7 Winnebago Road and are requesting to subdivide the lot so they may use 50 feet of the 7 Winnebago Road property and sell the remaining portion for use as a new single-family residence. The remaining property meets the requirements of the land development code section 5.01.00 which states the lot may be subdivided if the remaining lot is not smaller than the total area of the smallest lot in the village.

Mr. Doody asked that Mr. Clarke be allowed to testify.

Mr. Alex Clarke of 1 Chippewa Lane stated he and his wife Natalia and family love their property and neighbors and wanted to expand their living space by purchasing 7 Winnebago Road property. Mr. Clarke contacted both Mr. Doody and Mr. Alex Soto of the Beach Club to discuss the restrictions set forth in the ordinances and Beach Club restrictive covenants regarding the size of the remaining lot. According to their research, there are 10 lots smaller than the remainder of the 7 Winnebago Road lot. The Clarks consulted with architect Mark Budd to ascertain that a single-family home could successfully be built on the remaining property. The Clarke's requested approval from the Beach Club Board. The Beach Club gave approval with the condition that the future residence to be built on the remainder of the lot must not have a front facing garage, nor could a variance be given for a front facing garage. Mr. Clarke stated the property at 7 Gatehouse Road is on the market for \$6,000,000 and is a direct comparable property. He would look for the support of the council to approve the lot subdivision.

Ms. Galloway had an extensive discussion with the council and presented village maps, photos and diagrams showing lots with smaller frontages and gave photo examples of several of these homes.

Mrs. Veroushka Volkert, who resides at 34 Seneca Road is a real estate professional and has listed and sold many properties in the village and architect Mr. Mark Budd both gave information regarding the potential use and marketability of the lot.

Ms. Galloway and Mr. Budd discussed specific concerns cited in Mr. Jim Hickey's review for the Village. They addressed the frontage concerns as well as requirements for the driveway and garage and accessibility to both. .

Mr. Doody asked Mr. Jim Hickey of Calvin Giordano to report his findings to the council. Mr. Hickey has been a certified planner for 28 years and has done work with many municipalities such as Lighthouse Point and Hillsboro Beach. Mr. Hickey has done work on the Village comprehensive plan in the past and is familiar with the Village code. Mr. Hickey discussed his report with the council and expressed several concerns regarding the size and placement of the garage in relationship to the elevation of the home.

Public hearing opened.

Mr. & Mrs. Curt Contich of 8 Winnebago Road live directly across from the 7 Winnebago property and have no issue with the lot division.

Mrs. Kim Nava of 4 Winnebago Road also lives in the immediate area on Winnebago Road and likes the look of different styles of architecture and lots. She has no issue with the property division.

Mr. Rick Pallisso of 4 Gatehouse Rd. sent a letter to the council supporting Clarke's request.

Public Hearing closed.

Mr. Hickey and Ms. Galloway further discussed the issues of lot size and feasibility of garage placement and aesthetics of garage placement from the street view. Mr. Doody stated the potential design on the project is not part of consideration of the subdivision of the lot.

Mr. Doody stated this matter needs to be discussed by the council.

Mr. Yardley asked Mr. Clarke if they would or had considered increasing the width of the frontage. Mr. Clarke replied an increased frontage would not allow them to utilize the additional portion of the lot as they had planned for cottage and pool house in the back. This is a large part of the development they would like to incorporate on the property. The point is to build for their family. Mr. Clarke would have to review any potential changes to the lot with an architect.

The council asked questions of Mr. Hickey, Mr. Budd, Mrs. Volkert, and Mr. Clarke regarding the lot and placement of potential home and garage.

Mr. Doody stated the options the council has for consideration of the request.

Mr. Borshchukov made a motion to approve the lot subdivision of 7 Winnebago Road with the conditions to approve the plan as presented but incorporate Mr. Hickey's concerns regarding the placement and size of the garage should it be placed in the front of the property. Mr. Tomlinson seconded the motion. The council further discussed the conditions to make sure language was satisfactory and clear.

Mr. Doody stated a development order will memorialize the condition of the approval. The council further discussed the proper language for the condition with Mr. Hickey. Mr. Borshchukov restated his motion to approve the subdivision of the lot with the proposed dimensions, subject to condition that the garage structure facing Winnebago Rd. shall not exceed 50 % of the front elevation of the residence. Mr. Tomlinson seconded the motion. The roll was called. Mr. Tomlinson, Mr. Robichaux and Mr. Borshchukov approved the motion. Mr. Weber voted against the motion. Motion passed 3-1.

Mr. Yardley stated the council needs to amend the ordinance that allows for lot subdivision to ascertain this does not come before the council again.

Mr. Tomlinson discussed the RFP for auditor services. Our CPA firm has been sold and the successor firm increased the fee by 50%. We published an RFP for bids and received 2 bids. We need to form a committee to review the bids and choose a new auditor. Motion made by Mr. Borshchukov and seconded by Mr. Robichaux to have Mr. Hodgson, Mr. Borshchukov and Mr. Chad Volkert on the committee. Motion passed unanimously.

The discussion regarding hedge heights will be tabled until the November meeting.

The November meeting will be held on Thursday, November 14th at 5:00 p.m.

Adjourn.