

Minutes of the Special Board of Directors Meeting

Tuesday, February 26th, 2013

Meeting was to discuss a homeowner's request for a screen room variance at 6128 Santa Margarito.

The meeting was called to order by President Jim Tippmann at 7:35 PM.

Present were: In Person- President Jim Tippmann, Vice-President Frank Egidio, and Treasurer Brent Norman. By Telephone- Secretary Barbara Nazar.

Brent Norman, property owner of 6128 Santa Margarito, presented the information on the request for variance at his property:

His property located at 6128 Santa Margarito was a developer model home and has an oversized pool in the back yard. He is looking to add a screen enclosure so he can enjoy the backyard and the lake views without the bother of pests that come out in the evening.

Current setbacks at Portofino Shores are 10 foot in from the side property line to the house. The side setback for a screen enclosure is 6 feet. Lots that have common area to the back of it, have no rear setbacks. His property is lakefront, so there are no rear setbacks.

He has gone to the county to ask for a variance to encroach 1 ½ feet into each of the side setbacks to build a screen enclosure. Instead of a 6 foot side setback, there would be approximately a 4 ½ foot side setback on each side to the screen enclosure.

He did go to the ACB in December and got conditional approval for the screen enclosure and identified at that time that there was a variance required.

The Board discussed some additional information for clarification:

The County is asking the Association to provide them with specific written approval of the project, as submitted.

Association documents state that screen enclosures cannot extend beyond the side setback of the property. Based on the documents, the encroachment of the screen enclosure actually encroaches 5 ½ feet into the association's side setbacks on both sides.

Brent felt that the size of the pool enclosure was necessary. He explained that they want 5' around the pool for safe access, especially if someone is drowning.

St. Lucie County permitting approved the plans and it meets all the requirements.

Frank Egidio made the motion as stated: "That we have to stick to our documents and that if the individual involved can stay within the documents somehow...I make the motion that the documents have to stay as how they are."

Discussion was held amongst the board:

Jim Tippmann stated: "The vote would be final tonight. If in fact the association declines further participation you would not have the opportunity to build the screen room as you have it but, if in fact we do not have the legal stance on which to do that and we are provided that information by our legal counsel, and we sign this and you go build your screen room."

Brent stated that the Board needs to understand that he would be looking to the Association to cover any costs that he incurs in the variance process because he was already approved by the ACB.

Frank Egidio restated the motion as follows: "I like to make the motion that the recommendation to exceed the plane of the house involved be denied."

Barbara Nazar seconded the motion.

Jim Tippmann - yea on the motion.

Brent Norman- abstained from voting.

In the morning, Jim Tippmann and Brent Norman will verify through Jacob, our attorney, that this is a legitimate step in the permit process from the association's perspective.

Frank Egidio made the motion for the meeting to be adjourned at 8:40 pm. Brent Norman seconded it. All were in favor.