

A Meeting of the **Board of Adjustment** was held on **Wednesday, August 27, 2008**, beginning at **2:00 p.m.**, in the Commission Chambers at City Hall, 155 Corey Avenue, St. Pete Beach, Pinellas County, Florida. The Meeting was called to order by Vice Chairman Richard German.

Pledge of Allegiance  
Roll Call

**PRESENT:** Steve McFarlin, Robert Urban, Vice Chairman Richard German, Zoning Administrator Anne Marr, and Deputy City Clerk Pamala Prell.

**ABSENT:** Chairman Paul Skipper, Park Lampson.

**1. CASE NO. 20080017: FRANK AND MARIA KAVALLIAUSKAS, OWNERS. REQUEST A VARIANCE TO SECTION 6.15 REQUIREMENT OF A MAXIMUM 4.0' HIGH FENCE WITH THE WATERFRONT YARD TO PERMIT THE INCREASE OF THE FENCE HEIGHT TO 6.0'. PROPERTY AT 337 - 64<sup>TH</sup> AVENUE.**

Zoning Administrator Anne Marr presented a power point presentation regarding this case. The proposed fence would be installed along the northeastern property line. Land Development Code permits the height of a 4' high fence within the waterfront yard. The fence would have to be located 20' in from the rear property line to allow for a 6' high fence. Any fence located within that 20' would have to be 4' high. Therefore, the applicant is asking for a 6' high fence variance in the waterfront yard within the first 20'.

Ms. Marr pointed out an aerial view of the property as it currently exists. She explained photographs of a survey of the property showing the neighbor's existing fence, the proposed location of the new 6' high fence and the type of fence that the applicant is proposing to install.

The neighbors next door also have a 6' fence that was subsequently discovered to be in violation. They have applied for a variance asking if they could put up a 6' fence. This case is scheduled to be heard next month.

Ms. Marr noted that some issues and questions have come up regarding the neighbor's fence. There is an issue with the height of the existing fence. Sometime in the 1980s or 1990s the owner were told to lower the fence height; therefore, this issue was turned over to the Code Enforcement to do an investigation.

One letter has been received regarding this case. The Board members and the applicant have received a copy of that letter.

**20080017 has been continued to the September Meeting. The Board members were in agreement.**

**2. Case 20080018: TRICIA PURSLEY, OWNER. REQUEST A VARIANCE TO SECTION 11.7(a)(2) REQUIREMENT OF A 6.6' (10% OF LOT WIDTH) TO PERMIT THE REDUCTION OF THE SIDE YARD SETBACK TO 4.0' FOR THE ADDITION OF AN EXTERIOR STAIR AND LANDING. ALSO, REQUEST A VARIANCE TO SECTION 11.7(a)(4) REQUIREMENT OF A 20.0' TO PERMIT THE REDUCTION OF THE REAR YARD SETBACK TO 11.0' FOR THE ADDITION OF AN EXTERIOR STAIR AND LANDING. PROPERTY LOCATED AT 1509 PASS-a-GRILLE WAY.**

Ms. Marr explained a slide presentation showing the survey and property as it currently exists. The applicant would like to replace the wooden stairs and landing and relocate them to the south side of the structure. The existing stairs and landing currently encroach into the setback. The new stairs and landing will not encroach any further into the rear yard setback than what currently exist. However, the variance for the new stairs and landing is requested to allow the continuance of utilizing the existing non-conforming rear yard setback. The proposed relocation will encroach 4' into the required 6.6' side yard setback.

There has been one letter of non-objection to this request. There have been no letters of objection.

Ms. Marr answered questions by this Board.

Ms. Tricia Pursley, owner, was present to answer questions by this Board. She alluded to the stairs being narrow, not up to code and the fact that they are not safe. Code requires a minimum of 10" and these stairs are 9" with the trim. Without the trim, they are more like 8". These stairs will be removed and rebuilt at the south sides of the house.

#### **Audience Comments**

There was no one present in the audience who wished to speak for or against this variance request.

Vice Chairman German closed the public hearing portion of this request.

#### **Board Members Comments**

None of the Board members were opposed to this variance request.

**Mr. McFarlin moved to approve a variance request for a reduction of**