

BOARD OF ADJUSTMENT VIRTUAL MEETING

MINUTES

July 29, 2020 2:00 P.M.

PRESENT: Sandie Lyman, Vice Chair
Michael Bomar, Member
Paul Skipper, Chair
Jake Holehouse, Member

ABSENT: Denise Chase, Member

ALSO PRESENT: Andrew Dickman, City Attorney
Matthew McConnell, Dickman Law Firm
Ginny Keeter-Bodkin, Deputy City Clerk
Wesley Wright, Community Development Director
Brandon Berry, Planner II

1. **Changes to the Agenda** There were no changes to the agenda.
2. **Audience Comments** There were no audience comments.
3. **Approval of Minutes** a. 01/29/2020

Member Bomar made a motion to approve the minutes from the January 29, 2020 meeting. The motion was seconded by Vice Chair Lyman and unanimously approved by a roll call vote.

4. **Election of Officers**

Vice Chair Lyman made a motion for Paul Skipper to continue as Board Chair. The motion was seconded by Member Holehouse and unanimously approved by a roll call vote.

Vice Chair Lyman made a motion that she continue as Board Vice Chair. The motion was seconded by Member Bomar and unanimously approved by an individual roll call vote.

- a. **HARDSHIP VARIANCE – WALL SIGN – SIZE AND HEIGHT**
3400 Gulf Blvd (Case No. 20037); Thomas Fraher for Don CeSar TRS LLC and Jennifer McMahon for the City of St. Pete Beach, request a hardship variance to allow for the construction of a freestanding wall with sign (9'x68') that exceeds the permitted height of a wall in the front setback (LDC Sec. 6.15).

Wesley Wright, Community Development Director, provided a complete review, including plans and photos of the joint application between the Don CeSar and the City of St. Pete Beach, and gave the staff's recommendation.

Jennifer McMahon, Parks and Recreation Director, added comments regarding designs approved at last night's City Commission meeting, and strategic planning.

Thomas Fraher, agent for the DonCeSar, added comments.

The following individuals gave public comment:

Brenda Clayson, 3512 El Centro St.

Mary Beattie, 3500 Casablanca Ave.

Andrew Dickman, City Attorney, commented that this is a public/private partnership and part of a larger agreement document that will be going to the City Commission and members of the public will have future opportunity to comment.

Hearing no further public comment, the board discussed the application.

Chair Skipper moved to approve the Variance for Case No. 20037 according to staff's recommendations. The motion was seconded by Member Holehouse and passed unanimously by an individual roll call vote.

- b. **HARDSHIP VARIANCE – FOOD TRUCK – FREQUENCY**
7701 Blind Pass Rd (Case No. 20011 / Mastry's Brewing Co.);
Matthew Dahm for John Altman, requests a hardship variance to allow for the increase in operation of a business-owned food truck from three to seven days per week (LDC Sec. 6.25(m)(4)).

Mr. Wright presented details of the request and staff recommendations and noted that this request is for a single food truck to be located on property more than 3 days per week.

Matt Dahm spoke on behalf of Mastry's Brewing regarding their existing conditional use permit and new needs.

Vice Chair Lyman move to approve the Variance for Case No. 20011. The motion was seconded by Member Bomar and passed unanimously by an individual roll call vote.

- c. **PRACTICAL DIFFICULTY VARIANCE – ADDITION – SETBACK**

216 44TH Ave (Case No. 20014); Faustino Herrera for Bonnie Arnold, requests a practical difficulty variance to allow for the encroachment of a rear home addition (12'x28') into the side setback. (LDC Sec. 9.7(a)(3)).

Brandon Berry, Planner II presented the analysis and staff findings for this request for a variance of 1.6 feet for the addition of a bedroom.

Applicant Bonnie Arnold spoke briefly. Joe Lacki, of Architectonics in St. Petersburg, stated that he was available for any questions and stated he was in favor of the variance.

Member Bomar made a motion to approve the Variance for Case No. 20014 according to staff's recommendations. The motion was seconded by Vice Chair Lyman and passed unanimously by a roll call vote.

- d. **PRACTICAL DIFFICULTY VARIANCE – STAIRCASE – SETBACK**
5920 Bahia Way N (Case No. 20010); RCI Design & Construction Inc. for William Schroeder, requests a practical difficulty variance to allow for the encroachment of an open staircase into the required front setback (LDC Sec. 6.22(b)).

Mr. Berry presented the staff analysis and findings for this request. Staff recommended approval.

Mehdi Raiszadeh, Architect, 5405 Pali Way, commented that the reason for the variance is in the event of flooding and answered questions.

Member Bomar made a motion to approve the Variance for Case No. 20010 according to staff's recommendations. The motion was seconded by Member Holehouse and passed unanimously by a roll call vote.

- e. **PRACTICAL DIFFICULTY VARIANCE – ADDITIONS - SETBACK**
409 59TH Ave (Case No. 20039); David Berry for Andras and Andrea Fenyves, requests a practical difficulty variance to allow for the encroachment of elevated living space and a ground-floor entryway into the required front setback, and the encroachment of an elevated deck into the required rear setback (LDC Sec. 8.7(a)(1) & Sec. 6.13(c)(3)).

Mr. Berry presented the staff analysis and findings for the variance requests. Staff recommended approval.

Matthew McConnell, Assistant City Attorney, commented that the case number on page 82 of the staff report should be corrected to Case number 20039.

David Berry of 1310 Boylan Ave., Clearwater, representing the applicants, spoke briefly.

The following individuals gave public comment:

Frances Stites, 419 59th Ave.

Ryan Carlson, 401 59th Ave.

Mr. Wright added comments on landscape buffers, screening and privacy. He confirmed that the applicant is putting in a FEMA compliant structure.

Member Holehouse moved to approve the Variance for Case No. 20039 according to staff's recommendations. The motion was seconded by Vice Chair Lyman and passed unanimously by a roll call vote.

- f. **PRACTICAL DIFFICULTY VARIANCE – ADDITION – SETBACK**
2909 Sunset Way (Case No. 20040); Mark A. Zdrojewski for Guy Burns (Family Trust), requests a practical difficulty variance to allow for the encroachment of a second floor elevated (12'x25') deck, which will also serve as a deck cover for the first floor outdoor deck, into the rear setback (LDC Sec. 6.13(c)(3)).

Mr. Berry stated that the Burns Family had originally put in the application; the new owners are Elise and Gar Lippincott. He provided a complete review of the application. Staff recommended approval with the condition that a deck railing be used for the rooftop seating area.

Mark Zdrojewski, 2716 6th Ave. S., St. Petersburg, agent for the applicants, added further details of the request.

Vice Chair Lyman made a motion to approve the Variance for Case No. 20040. The motion was seconded by Member Holehouse and passed unanimously by a roll call vote.

5. Adjournment – Next Meeting 8/26/2020

Member Holehouse moved to adjourn the meeting. The motion was seconded by Member Bomar and the meeting was adjourned at 3:22 p.m.

These minutes were unanimously approved at the August 26, 2020 Board of Adjustment meeting.