

BOARD OF ADJUSTMENT VIRTUAL MEETING MINUTES

September 30, 2020 2:00 P.M.

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

EXCUSED: Paul Skipper, Chair
Denise Chase, Member

STAFF PRESENT: Matthew McConnell, Dickman Law Firm
Ginny Keeter-Bodkin, Deputy City Clerk
Wesley Wright, Community Development Director
Lynn Rosetti, Senior Planner
Brandon Berry, Planner II

Vice Chair Lyman called the meeting to order at 2:00 PM.

1. Changes to the Agenda - Mr. McConnell reminded the Board that most of the items reviewed by this Board are quasi-judicial in nature, and he reviewed those requirements. Prior to beginning the agenda's action items, the Clerk will swear in any witnesses (members of the public) and Board members would disclose any ex-parte communications with the applicant/s prior to the item. Staff would present their case, applicants would present, the Chair would open to public comment, allow the applicant to rebut if they wish, the Chair would close public comment and open the Board discussion. There were no changes to the agenda.

All persons wishing to speak on any items were sworn in.

2. Audience Comments - There were no audience comments.

3. Approval of Minutes a. 08/26/2020

Member Holehouse moved and Member Bomar seconded the approval of the minutes from the August 26, 2020 meeting; the motion carried unanimously.

4. Action Items

- a. SUBDIVISION – PRELIMINARY REQUEST (20061) 3101 Pass-A-Grille Way (Case No. 20061); Request to subdivide a 14,971 sq. ft. lot into two individual 62.5'x120' (7,500 sq. ft.) lots.**

Mr. Wright stated that in addition to reviewing and approving variances, this Board has authority to review subdivision plans and make recommendations in favor of or against to the City Commission. He thoroughly reviewed the request, staff findings and staff recommendation. Dave Feinberg was present for Applicant/Owner Seabiscuit Properties, 3101 Pass-a-Grille Way. Selena Holmes of 3104 Pass-a-Grille Way gave public comment and Mr. Feinberg answered questions. There was no opposition to the request. The Vice Chair closed public comment and opened to board discussion.

Member Bomar moved to approve the request for Case No. 20061 as presented. The motion was seconded by Member Holehouse. The motion carried 3-0.

- b. VARIANCE – DECK COVER – SETBACK (20062) 3516 Belle Vista Dr - Request to reduce the rear yard setback to 5ft-7in for a 18x19' deck cover (Sec. 6.13(c)(4)).**

Mr. Berry presented the details of this practical difficulty variance application; no calls or letters in favor or opposition were received. Staff recommendation was for approval. Applicants Dee Dee Albertson and Bickford Parma were in attendance to answer questions. The Chair closed the meeting to public comment and the Board discussed the request.

Member Holehouse moved to approve the Variance for Case No. 20062. The motion was seconded by Member Bomar and passed unanimously by a roll call vote.

- c. VARIANCE – GENERATOR – SETBACK (20064) 2200 Sunset Way - Request to install an elevated generator that encroaches to 7 inches from the side property line (LDC Sec. 6.14).**

Mr. Berry reviewed a presentation detailing the practical difficulty variance request. Staff found the request reasonable and recommended approval. Dean Dupre of 113 Masters Lane in Safety Harbor was present to represent applicants Herb and Patricia Ligon and provided additional comments. There were no comments for or against the request. The Chair closed public comment and opened board discussion.

Member Bomar moved to approve the Variance for Case No. 20064. The motion was seconded by Member Holehouse and passed unanimously.

- d. VARIANCE – GENERATOR – SETBACK (20065) 2805 Sunset Way - Request to install an elevated generator that encroaches to 17 inches from the side property line (LDC Sec. 6.14).**

Ms. Rosetti reviewed the request and staff report for the practical difficulty variance for an elevated generator encroachment. Staff recommended approval. Tim Reilly of 119 91st Ave., Treasure Island and applicant Paul Reilly were present. The applicant has spoken to the neighbor to the south, who has not expressed any objection. Public comment was closed, and board discussion followed.

Member Bomar moved to approve the Variance for Case No. 20065. The motion was seconded by Member Holehouse and passed unanimously.

- e. VARIANCE – GENERATOR - SETBACK (20066) 1801 Pass-A-Grille Way - Request to install an elevated generator that encroaches to 27 inches from the side property line (LDC Sec. 6.14).**

Ms. Rosetti reviewed the practical difficulty variance for an encroaching elevated generator. She included photos and staff findings. Staff found the request to be reasonable and recommended approval. David Iverson of Pinellas Generator Electric, 14770 62nd St. N. Unit C, Clearwater,

appeared for applicant Casey Kotchman to answer any questions. There were no comments in favor or opposition of the request. Board discussion followed.

Member Bomar moved to approve the Variance for Case No. 20066. The motion was seconded by Member Holehouse and passed unanimously.

- f. **VARIANCE – POOL, FENCE, and EQUIPMENT – SETBACK (19019) 1706 Pass-A-Grille Way - Request for the encroachment of an approximately 25.5x15.5’ pool into the rear setback, encroachment of pool equipment into the secondary front setback, and the installation of a 6ft tall fence that exceeds four feet in height in the secondary front setback (LDC Secs. 6.13(c)(1)c., 6.14, & 6.15).**

Mr. Berry reviewed a presentation detailing this unnecessary and undue hardship variance. He stated that this is part of a larger project. This matter went before the Historic Preservation Board last year and they made a positive recommendation with the suggestion of additional landscaping. Staff review found the request to be reasonable and the recommendation was for approval. Architect Ralph Lickton, 1706 Pass-a-Grille Way, Apt. 3, spoke and answered questions on behalf of the applicant. Bill Rice of 103 18th Ave. spoke regarding the location of the pool and pool rules and Mr. Lickton responded. Mr. Wright stated that the Board could add conditions to the variance. Public comment was closed, and Board discussion followed.

Member Holehouse moved to approve the Variance for Case No. 19019 as presented. The motion was seconded by Member Bomar and passed unanimously.

5. Adjournment – Next Meeting 10/28/2020

Vice Chair Lyman complimented staff on the thoroughness of their presentations.

Member Holehouse made a motion and the meeting was adjourned at 3:30 p.m.

These minutes were approved at the October 28, 2020 Board of Adjustment meeting.