

Board of Adjustment

Meeting Agenda – December 15, 2010

Call to Order – 2:00 PM

Pledge of Allegiance

Consideration of Minutes: 9-29-2010

Variance requests:

1) Case # 20100042

Application of Steve Sheldon, agent for William Emener, for property located at 8625 Boca Ciega Drive. Applicant requests variance to Section 9.7(a)(1) to reduce the required front yard from 20 feet to 2'10", variance to Section 9.7(a)(2) to reduce the required secondary front yard from 10 feet to 2'9" and variance to Section 9.7(a)(4) to reduce the required rear yard from 20 feet to 13'9" for construction of an expanded carport and covered patio.

2) Case # 20100043

Application of William J Kelly for property located at 434 41st Avenue North. Applicant requests variance to Section 8.7(a)(1) to reduce required front yard from 20 feet to 17'3" for construction of a carport.

2) Case # 20100044

Application of Gary DeBaylo, agent for Linda Edwards, for property located at 5400 Pali Way. Applicant requests variance to Section 6.23(d)(3) to reduce required side setback from 55 feet to 28 feet for the reconstruction of a dock.

4) Case # 20100045

Application of Susan Agia for property located at 113 Cabrillo Avenue.
Applicant requests variance to Section 6.3(C)(1) to allow a swimming pool to be constructed within 5' of the rear property line.

Additional Discussion

Adjournment

Next meeting 1-26-2011

APPEALS

If a person decides to appeal any decision made at this Meeting, they will need a record of the proceeding and, for such purpose, may need to ensure that a verbatim record of Meeting is made, which record includes the testimony and evidence upon which the appeal is to be based. (F.S. 286.0105) the city does not furnish verbatim transcripts; interested parties should make the necessary arrangements for verbatim transcripts.

Agenda Material is available for review at City Hall on the Friday preceding the Meeting. In accordance with the American's with disabilities Act and F.S. 286.26, persons with disabilities needing special accommodations to participate in this Meeting should contact Ed Pickhardt at (727) 363-9243 no later than four (4) days prior to the Meeting for assistance.

A Meeting of the Board of Adjustment was held on Wednesday, December 15, 2010 at 2:00 p.m., in the City Commission Chambers, at 155 Corey Avenue, St. Pete Beach, Pinellas County, Florida.

Pledge of Allegiance
Roll Call

Present: Chairman Paul Skipper, Doug Lampe, Steve McFarlin, Darrel Pray, Park Lampson, Director of Community Development Karl Holley and Acting City Clerk Pamala Prell

Call to Order

Chairman Skipper called the meeting to order.

1. Consideration of Minutes of the September 29, 2010 Meeting.

It was moved and seconded to approve the September 29, 2010 Board of Adjustment Minutes.

The motion was unanimously approved by voice roll call vote.

2. Variance Requests presented by Mr. Holley

A. Case #20100042

Application of Steve Sheldon, agent for William Emener, owner of property located at 8625 Boca Ciega Drive. Applicant requests a variance to Section 9.7(a) (1) to reduce the required front yard from 20' to 2'10" variance to Section 9.7(a)(2) to reduce the required secondary front yard from 10' to 2'9" and variance to Section 9.7(a)(4) to reduce rear yard from 20' from 13'9" for construction of a expanded carport and covered patio.

Mr. Holley explained that the applicant is raising the pitch of the roof of an existing structure. This broadens the base of the roof and creates some additional covered area that encroaches into the required setbacks.

Mr. Holley answered questions by the Board members addressing concern that in some instances, this will be greater than the encroachment that is already in the setback. The overhang of the roof will be closer to the property line than the existing roof and there are areas where the building already encroaches into the setbacks where the additional roof will increase the amount of building that it encroaches, which is why there are three separate variances for the property. Mr. Holley explained that, under Code, the building is allowed a minimal overhang. Therefore, the setback is not measured from the wall of the building, but, from the roof of the building excluding the overhang.

Bill Emener, 8625 Boca Ciega Drive – Property owner and applicant. Mr. Steve Sheldon agent for Mr. Emener spoke to Mr. Emener's variance request explaining that Mr. Emener would like to construct an expanded (double) carport and covered patio. Currently, the rear of the building is a screened porch and he would like to change it to an open porch.

Mr. Emener has not received any objection from his neighbors.

Those in favor of the proposal:

None.

Those opposed to the proposal:

None.

Mr. Holley presented and explained a diagram of the variance request. Discussion ensued.

There has been no correspondence or communication from any property owners regarding this request

Mr. Holley answered questions by the Board members.

It was moved and seconded that Case # 20100042 be approved for the setbacks as written.

The motion was unanimously approved by individual roll call vote.

B. Case #20100043

William J. Kelly, owner and applicant for property located at 434 41st Avenue North, requests variances to Section 8.7(a)(1) to reduce required front yard from 20' to 17'3" for construction of a carport. Mr. Kelly explained that he would like to construct a free standing carport over the existing driveway.

Art Trimanis, 315 41st Avenue, representative for William Kelly owner of the property, spoke to this variance request.

Mr. Trimanis answered questions by the Board members e.g. the size of the carport. He presented letters of support from some neighbors.

Those in favor of this application:

George Moore, 406 41st Avenue – Mr. Moore, as well as some neighbors, felt that the request should be granted in order to protect his car from the sun.

Those opposed to this application:

There were none.

Mr. Holley noted that he has not received any correspondence or communication concerning this variance request.

It was moved and seconded to approve Case # 20100043, application of William J. Kelly.

The motion was unanimously approved by individual roll call vote.

C. Case #20100045

Application of Susan Agia, owner and applicant for property at 113 Cabrillo Avenue requests a variance to Section 6.3(C)(1) to allow a swimming pool to be constructed within 5' of the rear property line.

Mr. Holley clarified that the owner is asking only for a reduction to 4', not a reduction of 4'. It would be a reduction to 4' as opposed to 5'. In this instance it is only 9' that is required for a swimming pool so they are asking for a 4' reduction.

Mr. Holley has not received any correspondence or communication in favor of or against this request.

Susan Agia, 113 Cabrillo Avenue owner and applicant. Mr. Rick Miller, Atlantic Pool Builders, spoke to the applicant's request for a variance to Section 6.3(C)(1) to allow a swimming pool to be constructed within 4' of the rear property line and is asking for a 5' variance. Mr. Miller spoke to the property line being narrow and being the only practical place for a swimming pool. Discussion ensued with regard to variances.

Those in favor of the variance:

Tom Hughes, 3210 Gulf Boulevard - Mr. Hughes is not opposed to the fence, but did express concerns with the following: meeting current lighting regulations; meeting safety requirements for the fencing; constructing the fence to be similar to the balconies and painted grey so it blends in and does not infringe on his property.

Those opposed to the variance:

There were none.

Board Members Discussion:

Discussion ensued with regard to swimming pool regulations and fencing.

It was moved and seconded to approve Case #20100045 as written.

It was moved and seconded to amend the motion to include the following caveats: use the minimum height required for the fence; construct the fence to be consistent with the other railings that are on the existing condominium; install only low voltage lights within the pool and not to the exterior of the pool.

The motion including the amendment was unanimously approved by individual roll call vote.

3. Next Meeting.

Since Chairman Skipper will not be present for the next Board of Adjustment Meeting on January 26, 2011 he moved that Board member Doug Lampe serve as Vice Chairman for that Meeting. Ms. Pray seconded the motion.

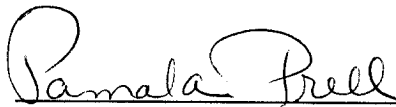
The motion was unanimously approved by voice roll call vote.

Mr. Holley reminded the Board that two cases have been submitted to be heard at the next Meeting on January 26, 2011.

4. Adjournment

Time being 2:45 p.m. and no further business, this Meeting was adjourned.

Attest:


Pamala Prell, Acting City Clerk


Chairman Paul Skipper