



Board of Adjustment

Meeting Agenda – April 27, 2011

Call to Order – 2:00 PM

Pledge of Allegiance

Consideration of Minutes: 2-23-2011

Consideration of Minutes: 3-30-2011

Variance requests:

1) Case #20110011

Application of John Mutnansky, agent for Robert and Violeta Coleman for property located at 224 45th Avenue. Applicant requests a 3 foot variance from the required 20 foot rear setback per section 9.7 of the Land Development Code to construct an addition to the rear of the home

2) Case # 20110012

Application of Timothy McClain for property located at 610 Boca Ciega Isle Drive. Applicant requests variance to Section 6.13 2(b) to reduce the required setback from 8 feet to 3 feet to replace the screened pool enclosure.

3) Case #20110013

Application of Advanced Marine Construction, agent for Scott Vigue, for property located at 2781 East Vina Del Mar Drive. Applicant requests variance to Section 6.23 (d)(3) to allow for a 73' long residential dock. The requested length variance is 40 feet.

Additional Discussion

Adjournment

Next meeting 5-25-2011

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.

BOARD OF ADJUSTMENT

**April 27, 2011
2:00 pm**

MINUTES

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT:

**Paul Skipper, Chairman
Park Lampson
Doug Lampe
David Littell**

ABSENT:

Bill Thompson

ALSO PRESENT

**Karl Holley, Director of Community Development
Pamala Prell, Acting City Clerk**

Minutes: 2-23-11

Mr. Lampson made a motion to approve the minutes as written. Mr. Lampe seconded the motion. The motion was approved by a unanimous vote.

Minutes: 3-30-11

Mr. Lampson made a motion to approve the minutes as written. The motion was seconded by Mr. Lampe. The motion was approved by a unanimous vote.

- 1) Case #20110012- Application of Timothy McClain for property located at 610 Boca Ciega Isle Drive. Applicant requests variance to Section 6.13 (2)(b) to reduce the required setback from 8 feet to 3 feet to replace the screened pool enclosure.**

Mr. Holley briefly explained that this is a request to replace an existing non-conforming structure in the exact configuration in which it presently exists.

Chairman Skipper called the applicant, Timothy McClain, to come forward and give a synopsis of his request.

Mr. Holley stated that he has received no public input on this application.

Hearing no audience comments Chairman Skipper called upon the Board for their comments.

A motion was made by Mr. Lampe to approve Case #20110012 as requested. The motion was seconded by Mr. Lampson. The motion was unanimously approved by roll call vote.

- 2) **Case #20110013 – Application of Advanced Marine Construction, agent for Scott Vigue, for property located at 2781 East Vina Del Mar Drive. Applicant requests variance to Section 6.23 (d) (3) to allow for a 73' long residential dock. The requested length variance is 40 feet.**

Mr. Holley advised the Board that in addition to the Application under consideration, they are also requesting another boat lift and two (2) Jet Ski lifts on the existing dock which is non-conforming. He also stated that he received a letter of objection from an adjacent property owner. He has received no additional comments from the public with respect to this application.

Chairman Skipper called the applicant to come forward.

Lisa Ryan of Advanced Marine Construction, agent for the Applicant, addressed the Board.

The Applicant, Scott Vigue, spoke briefly to the Board.

Hearing no further public comments Chairman Skipper called upon the Board for their comments.

A motion was made by Mr. Lampe to approve Case #20110013 as submitted. The motion was seconded by Mr. Lampson. The motion was unanimously approved by roll call vote.

- 3) **Case #20110011 – Application of John Mutnansky, agent for Robert and Violeta Coleman for property located at 224 45th Avenue. Applicant requests a 3 foot variance from the required 20 foot rear setback per Section 9.7 of the Land Development Code to construct an addition to the rear of the home.**

Mr. Holley outlined the Application for the Board and pointed out that Mr. Lampe has recused himself from this Case as he is directly involved in the potential project. Mr. Holley went on to say that there is nothing in the Code to specify that they have to have a majority of the Board Members; he reads it to say that they have to have a majority of the Members present and they do have a quorum.

Chairman Skipper called upon the Applicant, Robert Coleman, to come forward.

John Mutnansky, agent for Mr. & Mrs. Coleman, briefly explained the purpose of the application.

Mr. Holley interjected that he has received no correspondence or contacts from anyone, either for or against the application.

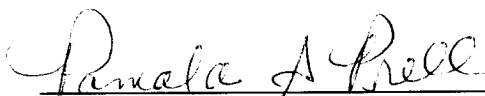
Hearing no audience comments, Chairman Skipper asked the Board for their comments.

A motion was made by Mr. Lampson to approve case #20110011 changing the setback from a minimum of 20 feet to 17 feet. The motion was seconded by Mr. Littell. The motion was unanimously approved by roll call vote.

Mr. Lampe recused himself from this case. Attached hereto and made a part of these official minutes is Mr. Lampe's Conflict of Interest Form.

Mr. Holley advised the Board that there are two (2) applications for the May 25th Meeting.

A motion was made to adjourn the Meeting. The motion was seconded and unanimously approved.


Pamala Prell, Acting City clerk


Paul Skipper, Chairman

RECEIVED

MAY 03 2011

**FORM 8B MEMORANDUM OF VOTING CONFLICT FOR
COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS**

LAST NAME—FIRST NAME—MIDDLE NAME LAMPE DOUGLAS MONTGOMERY		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Board of Adjustment St. Pete Beach, FL	
MAILING ADDRESS 730-64 Ave PINELLAS		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: ☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY	
CITY ST PETE BEACH FL COUNTY		NAME OF POLITICAL SUBDIVISION: City of St. Pete Beach	
DATE ON WHICH VOTE OCCURRED April 27, 2011		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Douglas M. Lampe, hereby disclose that on April 27, 20 11:

(a) A measure came or will come before my agency which (check one)

- ☒ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____;
- ☐ inured to the special gain or loss of my relative, _____;
- ☐ inured to the special gain or loss of _____, by whom I am retained; or
- ☐ inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Mr. and Mrs. Robert Coleman may engage my contracting firm, Lampe Construction, to remodel and add to their home.

May 3, 2011
Date Filed

Douglas M. Lampe
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.