

BOARD OF ADJUSTMENT MEETING

MINUTES

NOVEMBER 19, 2014

2:00 P.M.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT:

George Scribano, Member
Laurie Vallett, Member
Sandie Lyman, Member
David Littell, Vice Chairman

ABSENT:

Paul Skipper, Chairman

ALSO PRESENT:

Anne Marr, Zoning and Permit Administrator
Mary Jo Murphy, Deputy City Clerk

1. Changes to the Agenda

There were no changes to the agenda.

2. Minutes for Acceptance – 9/24/2014

Member Vallett made a motion to approve the minutes of September 24, 2014 as presented. The motion was seconded by Member Scribano and unanimously approved by a voice vote.

3. Audience Comments

There were no comments from the audience.

4. Public Hearings

Vice Chairman Littell announced there were four board members present rather than five members and if anyone desired to continue his/her case to the next meeting on that basis, he/she were welcome to do so. There was no response to continue a case to the next meeting.

Anne Marr, Zoning and Permit Administrator, announced the first case, Case 20140045.

Case 20140045: Address 101 - 8th Avenue. Applicant requests variances from Section 23.5 of the Land Development Code to permit the reduction of required parking from 4 spaces to 3 spaces and Section 40.8 of the Land Development Code to permit the relocation of a historic structure beyond the mandatory 0.0' to 2.0' front yard (build to) setback line.

Ms. Marr gave background information about the case to the Board and added that no phone calls or letters had been received regarding this case.

Vice Chairman Littell asked the owner or owner's representative to state their names and addresses for the record.

Mr. Ralph Lickton, 1706 Pass-A-Grille Way, St. Pete Beach, Florida 33706, designer, and the owner, Carl Hollenback, 2541 East Vina Del Mar, St. Pete Beach, Florida were present for the meeting. Mr. Lickton apologized for failing to meet the deadline for applying for an extension and, thereby, causing the delay and request for re-granting the previously-approved variances.

Vice Chairman Littell asked if there was anyone in the audience who wanted to speak in favor of or in opposition to the variance. There were no comments.

Vice Chairman Littell closed the public hearing portion and asked for discussion from the Board. There was discussion amongst the Board in regard to Case 20140045.

Member Vallett made a motion to approve Case 20140045 with the same conditions that were previously placed on the application. The motion was seconded by Member Lyman and was unanimously approved by an individual roll call vote, (4 yeses).

Ms. Marr announced the next case, Case 20140046.

Case 20140046: Address 3672 Belle Vista Drive East. Applicant requests a variance from Section 8.7(a)(2) of the Land Development Code for the construction of a new detached single family residence that will encroach 10.0' into the required 20.0' secondary front yard setback (Inlet Way).

Ms. Marr gave background information about the case to the Board and added that she had received no objections in regard to this case.

Vice Chairman Littell asked the owner or owner's representative to speak in regard to Case 20140046.

Stephen Boyle, 3672 Belle Vista Drive East, asked the Board to permit the construction of a new detached singled family residence that will encroach 10 feet into the required 20 foot secondary front yard setback.

Vice Chairman Littell asked if there was anyone in the audience who wanted to speak in favor of or in opposition to the variance. There were no comments.

Vice Chairman Littell asked for discussion from the Board.

Member Scribano made a motion to approve the variance application for Case 20140046. The motion was seconded by Member Vallett and was approved by an individual roll call vote, (4 yeses).

Ms. Marr announced the next case, Case 20140047.

Case 20140047: Address 3976 Belle Vista Drive E. Applicant requests a variance from Section 6.23(d)(3)&(4) of the Land Development Code to permit the installation of a dock that shall exceed the maximum dock length requirement based on the width of the property at the waterfront and the center one half requirement based on the width of the property at the waterfront (waterfront width 55'). Maximum permitted dock length 27.5' requesting 40' dock length. A 13.75' setback from the extended side property lines would comply with the center one-half regulations. Dock on east side shall encroach 11.75' and on west side shall encroach 12.08'.

Ms. Marr informed the Board that the current dock will be demolished and a new dock will be constructed.

Vice Chairman Littell asked the owner's representative to come forward and state his name and address.

William Henderson, Dock Medics, spoke about the specifics of building the new dock if approved.

Vice Chairman Littell asked Mr. Henderson if an attempt was made to obtain signatures from the adjacent neighbors. Mr. Henderson replied there are two adjacent neighbors who are in opposition to the new dock.

There was Board discussion about Case 20140047.

Vice Chairman Littell asked if there was anyone in the audience who wanted to speak in favor of or in opposition to the variance.

Mr. Tom Brodersen, 7116 Gulf Blvd., Suite D, St. Pete Beach, attorney representing Michael and Janet Lazuk, neighbors to the west of the property that is the subject of this case, spoke in opposition to the case.

Vice Chairman Littell asked if there was anyone in the audience who wanted to speak on this matter, pro or con.

Mr. Vitas Lukas, attorney representing neighboring property owner Mr. Stephan Grossnickle, 3966 Belle Vista Drive East, spoke in opposition to the case.

Mr. Stephan Grossnickle, 3966 Belle Vista Drive East, stated he lived in New York City and never received a notice in regard to this case and spoke in opposition to granting the variance.

Vice Chairman Littell asked if there was anyone in the audience who wanted to speak on this case.

Ms. Wendy Pape, 3976 Belle Vista Drive East, property owner, spoke in favor of this case.

Two unidentified speakers spoke in opposition to the case.

Hearing no further audience comments, Vice Chairman Littell closed the public hearing portion and opened it up for Board discussion.

There was discussion amongst the Board in regard to the proposed variance.

Member Vallett made a motion to approve the variance application for Case 20140047 as presented. The motion was seconded by Member Lyman. The variance was denied by an individual roll call vote, (1 yes – 3 nos).

Ms. Marr informed the Board that with a denial an applicant cannot reapply to the Board of Adjustment Board for six months with the same request.

Ms. Marr announced the next case, Case 20140048.

Case 20140048: Address 2007 Pass A Grille Way. Applicant requests variances from Section 6.23(c)(1)&(5) and Section 6.23(e)(3)&(4) of the Land Development Code to permit the replacement of the non-conforming covered commercial dock.

Ms. Marr gave background information about the case to the Board. Ms. Marr commented there are four variances, and if the Board approves this request, Ms. Marr commented that staff recommends that the following conditions be considered as part of the approval:

1. Proposed dock lighting shall be appropriately shielded so that the direct source of illumination shall not be visible beyond the subject property's lot lines.
2. A horizontal standpipe fire prevention system and/or provide a compliant fire lane shall be installed as part of the dock repair/replacement project. This installation shall comply with the Florida Fire Prevention Code and shall be constructed to the satisfaction for the City Fire Marshall.

Vice Chairman Littell asked the person representing the project to come forward.

Mr. Tim McGurk, 11160 8th St. East, Island Marine Construction, spoke in favor of the case and explained the specifics of constructing a new dock with the exact same footprint and size.

Vice Chairman Littell asked if there was anyone in the audience who wanted to speak in favor of or in opposition to the variance. There were no comments.

Vice Chairman Littell asked for discussion from the Board.

Member Lyman made a motion to approve the variance application with the conditions required by the City for Case 20140048. The motion was seconded by Member Vallett and was approved by an individual roll call vote, (4 yeses).

Ms. Marr announced the next case, Case 20140049.

Case 20140049: Address 3103 W. Maritana Drive. Applicant request variances from Section 6.13(a)(2)(a)(b) to construct a detached garage that will encroach 10.0' into the required 20.0 rear yard setback, 6" into the required 7.5' side yard setback and increase the maximum permitted height of 12.0' to a height of 24.6" and Section 9.7(a)(3) of the Land Development Code to construct a second story addition that will encroach 1.17' into the required 7.5' side yard setback.

Ms. Marr informed the Board the applicant is proposing to construct a second story addition to an existing single family residence and a detached garage to the rear of the property. Ms. Marr further commented should the Board consider approving the request for the detached garage, staff is requesting that the following conditions be considered:

1. In no case shall the detached garage have any sleeping room, kitchen facilities or plumbing.

There was Board discussion between Ms. Marr and the Board in regard to specifics of the case.

Glen E. Jones, 3103 W. Maritana Drive, applicant, explained that they desire more room for storage and want to remove the driveway in the backyard to enjoy more green space.

Vice Chairman Littell asked Ms. Marr if there had been any written objections to the case.

Margaret Young, 3103 W. Maritana Drive, applicant, explained the parking situation in their backyard with cars and children occupying the same area.

Glen E. Jones, 3103 W. Maritana Drive, applicant, stated a lot of neighbors are in favor of the case but had discovered a neighbor is present at the meeting today that is in opposition to the case.

Neal Fiske, 6400 1st Avenue North, building contractor for Mr. Jones and Ms. Young, spoke in favor of the case.

Vice Chairman Littell asked if there was anyone in the audience who wanted to speak in favor of or in opposition to the variance.

Dylan Leach, 3102 W. Debazan Avenue, spoke in opposition to the construction of the detached garage. Mr. Leach showed the members of the Board of Adjustment pictures from his cellular phone.

Ms. Marr commented that the information and/or pictures that were provided to the Board from Mr. Leach needs to be provided to the City for recordkeeping.

Nancy McGarry Leach, 3110 W. Debazan Avenue, spoke in opposition to the case.

Mr. Fiske mentioned the possibility of building to the allowed height if this variance is denied.

Mr. Leach spoke against the case.

Ms. Young spoke in favor of the case.

Ms. Leach spoke in opposition of the case.

Vice Chairman Littell closed the public hearing portion and opened it up for Board discussion.

There was discussion amongst the Board in regard to the proposed variance.

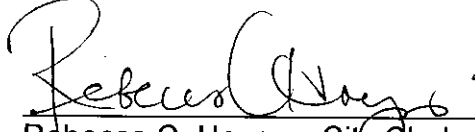
Member Vallett made a motion to continue Case 20140049 until the December 2014 meeting. The motion was seconded by Member Lyman and was unanimously approved by an individual roll call vote, (4 yeses).

Ms. Marr informed the Board that next month there will be two cases on December 17, 2014 at 2:00 p.m.

3. Adjournment

There being no further business before the Board, the meeting was adjourned at 3:45 p.m.

Attest:


Rebecca C. Haynes, City Clerk


David Littell, Vice Chairman

Minutes approved on: 12/17/14