

CITY OF ST. PETE BEACH
BOARD OF ADJUSTMENT MEETING MINUTES
April 27, 2022 2:00 P.M.

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

EXCUSED: Denise Chase, Member

STAFF PRESENT: Andrew Dickman, City Attorney
Ginny Keeter-Bodkin, Deputy City Clerk
Wesley Wright, Planning Manager

Chair Skipper called the meeting to order at 2:00 PM and led the Pledge of Allegiance. He announced that as only three Board members were present, it would require three Yes votes for approvals, therefore Applicants would have the opportunity to request a continuance to the next meeting.

The Deputy City Clerk swore in all those expected to speak or make a presentation.

1. Changes to the Agenda – There were no changes.
2. Audience Comments – There were no general audience comments.
3. Approval of Minutes - a. 3/30/2022

Motion: Member Bomar moved, and Vice Chair Lyman seconded the approval of the minutes from the March 30, 2022 meeting; the motion carried unanimously.

4. Action Items
 - a. **Election of Officers 2022-23** Sec. 22-39. - Election of officers; conduct of meetings.
(a) The board of adjustment shall annually, at the first meeting held following the appointment of members, organize by electing a chairman and vice-chairman and such other officers as may be necessary from among its members.

There was brief board discussion.

Motion: Member Bomar moved, and Vice Chair Lyman seconded the nomination of Paul Skipper as Committee Chair for Fiscal Year 2022-23. The motion carried 3-0.

Motion: Member Bomar moved, and Chair Skipper seconded the nomination of Sandie Lyman as Committee Vice Chair for Fiscal Year 2022-23. The motion carried 3-0.

- b. **Variance - 203 Gulf Way (Case No. 22011)** Request to construct a pool (12'x19') in the front yard that will encroach 3 feet and 10 feet respectively into the front setback, where 20 feet is required.

Mr. Wright explained that this item was continued from the March meeting. The Applicant indicated she would like to proceed today. Mr. Wright reviewed a presentation with exhibits detailing the variance request and verified that the City met all of the noticing requirements. His

presentation is part of the meeting record. He thoroughly reviewed the survey and property lines. The variance fits the four criteria required for a practical difficulty variance. Staff found that the request was not excessive and recommended approval.

Architect Matt Schoeppe of Florencia Design Build and Applicant Cathy Cann were present on her behalf. Mr. Wright explained that a number of emails and letters in support of and against the variance have been received.

Avrim Topel - 205 Gulf Way and Peggy Schiff spoke in opposition of the variance. Hearing no further comment, the Chair closed public comment and opened Board discussion.

Motion: Vice Chair Lyman moved to approve the variance for Case 22011, and Member Bomar seconded. The motion failed 3-0.

c. Variance - 402 39th Avenue (Case No. 22018) Request to construct a 2-car detached garage (22-feet x 24-feet) that will encroach 7 feet and 10 feet into the required 20-foot yard along Clearview Way. Additionally, the garage will encroach 5 feet into the required 20-foot rear yard.

Mr. Wright reviewed a presentation with exhibits detailing the variance request and verified that the City met all of the noticing requirements. His presentation is part of the meeting record. Staff found the garage would not be out of character for the neighborhood and recommended approval

Applicant Sam Angelides of 3990 Belle Vista Dr. appeared on his own behalf.

Bill Brown of 401 Belle Point Drive spoke in favor of the request. Hearing no further comment, the Chair closed public comment and opened Board discussion.

Motion: Member Bomar moved, and Vice Chair Lyman seconded the approval of Case No. 22018. The motion carried 3-0.

d. Variance - 3123 W. Maritana Drive (Case No. 22019) Request to install 6-foot tall fence in the front yard along Alfonso Street, where 4 feet is allowed. The fence will enclose a pool that is being installed.

Mr. Wright reviewed a presentation with exhibits detailing the variance request and verified that the City met all of the noticing requirements. His presentation is part of the meeting record. No letters were received for or against. Staff recommended approval.

Applicants Tom Hamilton and Anne Borghetti appeared on their own behalf and showed a photo of their fencing area.

Dennis and Elena Hunter of 3190 W. DeBazan Avenue appeared in opposition of the variance. Hearing no further comment, the Chair closed public comment and opened Board discussion.

Motion: Member Bomar moved, and Vice Chair Lyman seconded the approval of the variance for Case No. 22019. The motion carried 3-0.

e. Variance - 2905 Sunset Way (Case No. 22020) Request to (1) construct a 2nd floor balcony that will encroach 4 feet 8 inches in the rear yard, where 20 feet is required. (2) Request to construct a pool at the seawall, where 3 feet is required. (3) Request to construct a patio and walkways at the side property line, where 2 feet is required.

Mr. Wright reviewed a presentation with exhibits detailing the variance request (entailing three variances - balcony, pool, and patio and walkway) and verified that the City met all of the noticing requirements. His presentation is part of the meeting record. Two letters of support for the variance were received. Staff found the request to be minimal and reasonable and recommended approval with two conditions: maintain a 3-foot fence atop the 3-foot wall on the north and south, and provide an overall strategy for capturing runoff for pool and patio areas.

Attorney Dickman added comments on the beachfront sidewalk area, which is public property; this is a consideration with regard to privacy.

Contractor Dan Saunders and the Applicant Eliot Heller appeared and added details. The Applicant acknowledged that the fence behind the home is on public, City property and was illegally placed in an encroaching area prior to his ownership and he acknowledged that the public has access to the sidewalk area.

There was no public comment for or against the variance. Hearing no public comment, the Chair closed public comment and opened Board discussion.

Motion: Vice Chair Lyman moved, and Member Bomar seconded the approval of the variance for Case No. 22020 with staff's recommended conditions and owner acknowledgement that the fence is on public property, and they have no rights to that. The motion carried 3-0.

5. Adjournment – Next Meeting 5/25/2022

Motion: Vice Chair Lyman moved, and the meeting was adjourned at 3:25 PM.

These minutes were approved at the May 25, 2022 Board of Adjustment meeting.