

BOARD OF ADJUSTMENT MEETING

MINUTES

MARCH 29, 2017

2:00 P.M.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT:

Paul Skipper, Chairman
Michael Bomar, Member
Tom DeYampert, Member
Sandie Lyman, Member
Ron Holehouse, Member

ALSO PRESENT:

Attorney Dickman, City Attorney
Jennifer Bryla, Community Development Director
Mike Larimore, Zoning Tech II
Mary Jo Murphy, Deputy City Clerk

1. Changes to the Agenda

There were no changes to the agenda.

2. Audience Comments

There were no audience comments.

3. Minutes for Acceptance – 1/25/2017

Member Holehouse made a motion to approve the minutes from the January 25, 2017 meeting. The motion was seconded by Member DeYampert and unanimously approved by a roll call vote (5 yeses – 0 nos).

4. Agenda Items

- I. **Case 2017-0003:** 2831 East Vina del Mar Blvd. – Applicants request a variance to Section 6.23(d) of the Land Development Code to increase the maximum allowable length of residential docks to allow for the placement of a boatlift on an existing residential dock.

Mike Larimore gave Staff's presentation to the board. Staff's recommendation was for approval.

Chairman Skipper asked the applicant to come forward.

Scott Hanson, 2831 East Vina del Mar Blvd., homeowner, requested the support of the board to allow the privilege of adding a boatlift.

Chairman Skipper asked if anyone would like to speak on behalf of the application. There were no comments.

Chairman Skipper asked if anyone would like to speak in opposition to the application. There were no comments.

Hearing none, Chairman Skipper closed the public hearing portion and opened it for discussion among the Board members.

Member Holehouse disclosed having a relationship as a neighbor with the applicant and spoke on behalf of the applicant.

City Attorney Dickman recommended to Member Holehouse that he abstain from voting. Member Holehouse agreed to abstain due to being a next door neighbor and signing a letter in favor of the request being sought.

Member Bomar made a motion to approve the request. The motion was seconded by Member Lyman.

There was further discussion between the board members, City Attorney Dickman and Ms. Bryla at this time.

Member Bomar amended his motion to remove the pilings that are not necessary on the subject property for Case No. 2017-0003.

Chairman Skipper asked Member Lyman if she was willing to amend her motion for approval, and Member Lyman agreed.

The motion was approved by an individual roll call vote, (4 yeses; 0 nos; 1 abstain – Member Holehouse).

- II. Case 2017-0006:** 601 Gulf Way – Applicant requests variances to Section 11.7(a) of the Land Development Code to reduce the required front yard setback from 20 feet to 18 feet and secondary front yard setback from 10 feet to 5 feet to allow for a covered deck addition and enclosure of a side entryway.

Mike Larimore gave Staff's presentation to the board. Staff's recommendation was for denial.

Chairman Skipper asked the applicant to come forward.

Barry Flaherty, representing Don and P.J. Francese, spoke in regard to the following items: deteriorating balconies, setbacks, covered deck addition, and enclosure of side entryway.

Don Francese, homeowner, spoke in regard to the following items: replacing deteriorating balconies, front door covering, and neighbors in favor of the refurbishment.

Chairman Skipper asked if anyone would like to speak on behalf of the application. There were no comments.

Chairman Skipper asked if anyone would like to speak in opposition to the application. There were no comments.

Hearing none, Chairman Skipper closed the public hearing portion and opened it for discussion among the Board members.

Chairman Skipper asked for audience comments.

Chuck Luedemann, 145 35th Avenue N.E., St. Petersburg, spoke about the following items: front yard averaging, side setback, nonconforming structure, roof, and balconies.

Member Holehouse made a motion to approve Case No. 2017-0006 and request the applicant provide a front yard survey of the block to show compliance with front yard averaging. The motion was seconded by Member Lyman.

Member Holehouse amended his motion to approve as applied for, for Case No. 2017-0003. Member Lyman withdrew her second and Member Bomar seconded the motion.

Chairman Skipper asked for any further discussion. Hearing none, Chairman Skipper called for a roll call vote.

The motion was approved by an individual roll call vote, (3 yeses – Member Bomar, Chairman Skipper, Member Holehouse; 2 nos – Member DeYampert, Member Lyman).

III. Case 2017-0007: 5409 Leilani Drive – Applicant requests variances to Section 6.23(d) of the Land Development Code to increase the maximum allowable length of and reduce the required side yard setbacks for residential docks to allow for the placement of a boatlift on an existing residential dock.

Mike Larimore gave Staff's presentation to the board. Staff's recommendation was for denial.

Chairman Skipper asked the applicant to come forward.

Doug Speeler, 6111 142nd Avenue North, Clearwater, Florida 33760, Speeler Foundations, Inc., spoke in regard to the following items: dock, riparian rights, davits, and a boatlift.

John Samorajczyk, 5414 Leilani Drive, neighbor, spoke in regard to the following items: improvements made to the property, boatlift and neighbors' views.

Doug Speeler, 6111 142nd Avenue North, Clearwater, Florida 33760, Speeler Foundations, Inc., spoke about dredging and maintenance dredging permits.

Chairman Skipper asked if anyone would like to speak in opposition to the application. There were no comments.

Chairman Skipper asked if anyone would like to speak on behalf of the application. There were no comments.

Hearing none, Chairman Skipper closed the public hearing portion and opened it for discussion among the Board members.

City Attorney Dickman commented to the applicant that the City is not granting any easement or rights to the neighboring properties' riparian rights.

Chairman Skipper asked Mr. Speeler to speak to the board.

Doug Speeler, 6111 142nd Avenue North, Clearwater, Florida 33760, Speeler Foundations, Inc., spoke in regard to the following items: riparian rights, egress, ingress, submerged land, and existing dock and davits.

Chairman Skipper disclosed a business relationship with Mr. Speeler's company, Speeler Foundations, Inc. City Attorney Dickman asked Chairman Skipper if he had any gain, benefit or loss; Chairman Skipper replied no. City Attorney Dickman stated Chairman Skipper did not have to abstain from voting.

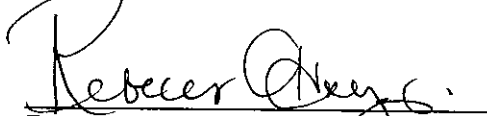
As a future reference, City Attorney Dickman instructed the board members to call him if they think they may have a possible conflict so Attorney Dickman can prepare before a meeting takes place.

Member Lyman made a motion to grant a variance for 2017-0007. The motion was seconded by Member Holehouse. The motion was approved by an individual roll call vote, (5 yeses – 0 nos).

5. Adjournment

There being no further business before the board, the meeting was adjourned at 3:28 p.m.

Attest:


Rebecca C. Haynes, City Clerk


Paul Skipper, Chairman

Minutes approved on: 4/24/17