

BOARD OF ADJUSTMENT MEETING

MINUTES

JANUARY 31, 2018

2:00 P.M.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT:

Sandie Lyman, Vice Chairwoman
Michael Bomar, Member
Denise Chase, Member
Jake Holehouse, Member

ABSENT:

Paul Skipper, Chairman

ALSO PRESENT:

Andrew Dickman, City Attorney
Rebecca Haynes, City Clerk
Mike Larimore, Planner I
Mary Jo Murphy, Deputy City Clerk

1. Changes to the Agenda

Mike Larimore, Planner I, informed the Board there was a request for continuance for Case No. 17-00046 until the February 2018 Board of Adjustment meeting to modify their variance request.

Member Bomar made a motion to postpone Case No. 17-00046 until the February meeting. The motion was seconded by Member Holehouse and unanimously approved by a roll call vote (4 yeses – 0 nos).

2. Audience Comments

There were no audience comments.

3. Approval of Minutes – 12/13/17

Member Bomar made a motion to approve the minutes for December 13, 2017. The motion was seconded by Member Holehouse and unanimously approved by a roll call vote (4 yeses – 0 nos).

4. Agenda Items

- I. **Case 17-00031:** 7700 Boca Ciega Drive - Applicant requests variances to Section 6.13(b) of the Land Development Code to increase the maximum allowable height and size of a residential shed to allow for its placement.

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

Vice Chairwoman Lyman asked the applicant to come forward.

Shirley Lockwood, 7700 Boca Ciega Drive, owner of property, spoke about the progress of work on the subject property.

Vice Chairwoman Lyman asked if anyone would like to speak for or against the variances.

Hearing no comments, Vice Chairwoman Lyman closed the public hearing portion and opened it for discussion among the Board members.

Member Bomar made a motion to approve Case No. 17-00031. The motion was seconded by Member Chase and approved by an individual roll call vote, (3 yeses: Member Chase, Member Bomar, Vice Chairwoman Lyman – 1 no: Member Holehouse).

- II. **Case 17-00042:** 4506 Gulf Boulevard – Applicant requests variances to Section 26.34(d) of the Land Development Code to decrease the minimum required front yard setback and increase the maximum allowable height to allow for the reconstruction of a freestanding monument sign.

Mike Larimore gave Staff's presentation to the board, and the recommendation was for approval of the front yard setback variance and denial of the requested height variance.

Vice Chairwoman Lyman asked the applicant to come forward.

Robert Czystczon, 4506 Gulf Boulevard, general manager of the property and co-owner, spoke about the history and details of the sign on the subject property.

Vice Chairwoman Lyman asked if anyone would like to speak on behalf of the variance.

Doug Izzo, Tampa Bay Beaches Chamber, spoke in support of the variance.

Vice Chairwoman Lyman asked if anyone would like to speak for or against the variances.

Hearing none, Vice Chairwoman Lyman closed the public hearing portion and opened it for discussion among the Board members.

Hearing no further Board discussion, Vice Chairwoman Lyman asked for a motion.

Member Holehouse made a motion for the approval of the requested front yard setback variance and the denial of the required height variance.

Vice Chairwoman Lyman asked for a second, and the motion died due to lack of a second.

Vice Chairwoman Lyman asked for another motion.

Member Chase made a motion to approve both the height and setback of the variance. The motion was seconded by Member Bomar and approved by an individual roll call vote, (3 yeases: Member Chase, Member Bomar, Vice Chairwoman Lyman – 1 no: Member Holehouse).

At this time there was a brief recess.

- III. **Case 17-00044:** 5414 Aloha Drive - Applicant requests a variance to Section 8.7 of the Land Development Code to decrease the minimum required side yard setback to allow for the construction of an attached residential garage.

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

Vice Chairwoman Lyman asked the applicant to come forward.

Dominic Texeira, 5414 Aloha Drive, property owner, spoke about increasing the side yard and building a garage.

Vice Chairwoman Lyman asked if anyone would like to speak in support of the variance.

William Kordis, 5412 Aloha Drive, property owner, spoke in support of the variance.

Vice Chairwoman Lyman asked if anyone would like to speak in opposition of the variance.

Hearing none, Vice Chairwoman Lyman closed the public hearing portion and opened it for discussion among the Board members.

Hearing no further Board discussion, Vice Chairwoman Lyman asked for a motion.

Member Holehouse made a motion for approval of Case No. 17-00044. The motion was seconded by Member Bomar and unanimously approved by an individual roll call vote, (4 yeases – 0 nos).

IV. Case 17-00045: 60 44th Avenue - Applicant requests a variance to Section 6.13(c) of the Land Development Code to decrease the minimum required rear yard setback to allow for the construction of a residential pool.

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

Vice Chairwoman Lyman asked the applicant to come forward.

Scott Perkins, 60 44th Avenue, owner, spoke about the history and details of the pool, land and a neighbor's fence.

Vice Chairwoman Lyman asked for further public comment. Hearing none, Vice Chairwoman Lyman closed the public hearing portion and opened it for discussion among the Board members.

Member Bomar made a motion to approve variance 17-00045. The motion was seconded by Member Chase and unanimously approved by an individual roll call vote, (4 yeases – 0 nos).

An unidentified person spoke about the land in regard to the subject property and 44th Avenue.

V. Case 17-00046: 390 Tessier Drive - Applicant requests variances to Section 8.7 of the Land Development Code to decrease the minimum required secondary front yard setback to allow for the construction of a residential addition and an awning roof.

This item was continued during Item No. 1, "Changes to the Agenda," until the February 2018 Board of Adjustment meeting.

5. Discussion

I. BATCHELOR v. CITY OF ST. PETE BEACH, BOARD OF ADJUSTMENT
(Case No. 16-0000-43AP-88A)

II. CHMIELEWSKI v. CITY OF ST. PETE BEACH, BOARD OF
ADJUSTMENT (Case No. 16-0000-41AP-88A)

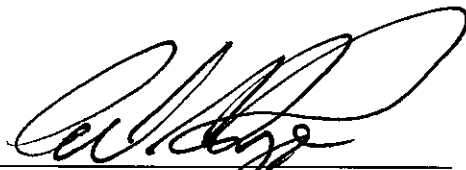
City Attorney Dickman addressed the board about variances in regard to the law and court and reviewed the above-mentioned cases with the Board while referencing the following documents entitled: "NOT FINAL UNTIL TIME EXPIRES FOR REHEARING AND, IF FILED, DETERMINED; Case No. 16-000043AP-88A"; "NOT FINAL UNTIL TIME EXPIRES FOR REHEARING AND, IF FILED, DETERMINED; Case No. 16-000041AP-88A."

6. Adjournment

There being no further business before the board, the meeting was adjourned at 3:42 p.m.

Attest:


Rebecca C. Haynes, City Clerk


Paul Skipper, Chairman

Minutes approved on: 2/28/18