BOARD OF ADJUSTMENT MEETING

MINUTES

NOVEMBER 14, 2018

2:00 P.M.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT:

Paul Skipper, Chairman
Sandie Lyman, Vice Chair
Michael Bomar, Member
Jake Holehouse, Member

ABSENT:

Denise Chase, Member

ALSO PRESENT:

Andrew Dickman, City Attorney
Wesley Wright, Community Development Director
Laura Marley, Planner II
Brandon Berry, Planner I
Mary Jo Murphy, Deputy City Clerk

1. Changes to the Agenda

Wesley Wright, Community Development Director, stated there was a letter dated November 6, 2018 requesting to continue Item No. 4.a., Case No. 18-00026, until a date certain of December 12, 2018.

Chairman Skipper stated Case No. 18-00026 would be continued until the next meeting, December 12, 2018.

2. Audience Comments

There were no audience comments.

3. **<u>Minutes for Acceptance – 7/25/2018</u>**

Vice Chairwoman Lyman moved to approve the minutes from the last meeting. The motion was seconded by Member Holehouse.

Chairman Skipper asked for board discussion.

Hearing none, Chairman Skipper asked for a roll call vote.

The motion was unanimously approved by a roll call vote (4 yeses – 0 nos).

4. **<u>Action Items</u>**

a. **Case No. 18-00026: Carol Markovich for Camelot Condominium Owner Association**
Address: 105 18th Avenue
Request: The applicant requests a variance from Section 6.15, <u>Fences and walls</u>, of the City of St. Pete Beach Land Development Code to replace a fence which exceeds four feet in height in a required front yard setback.

This item was continued to December 12, 2018 during Item No. 1, "Changes to the Agenda."

b. **Case No. 18-00027 – Phillip Mitchell for Amy Reetz**
Address: 3518 El Centro Street
Request: The applicant requests a variance from Section 9.7, <u>Minimum yard requirements</u>, of the City of St. Pete Beach Land Development Code to allow for the addition of an elevated deck to an existing single-family residence having less than the 20-foot minimum required setback from the rear property line.

Laura Marley, Planner II, gave Staff's presentation to the board, and the recommendation was for denial of the proposed variance.

Chairman Skipper asked the applicant to come forward.

<u>Phillip Mitchell, 8078 49th Avenue North, St. Petersburg</u>, spoke about the details of the request for the variance to allow for the addition of an elevated deck.

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.

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

Hearing no further comments from the board, Chairman Skipper asked for a motion.

> **Member Bomar made a motion to approve Case No. 18-00027 as requested by the applicant. The motion was seconded by Member Holehouse.**

Chairman Skipper asked for board discussion.

Hearing no further board discussion, Chairman Skipper asked for a roll call vote.

> **The motion was unanimously approved by an individual roll call vote, (3 yeses: Vice Chairwoman Lyman, Member Holehouse and Member Bomar – 1 no: Chairman Skipper).**

c. Case No. 18-00029 – Christopher Phillips for Vanessa Welbern

Address: 3518 El Centro Street
Request: The applicant requests a variance from Section 6.13(c), Residential accessory structures – Special accessory structures, of the City of St. Pete Beach Land Development Code to allow for the encroachment of a pool into a required rear yard and accessory pool decking into required rear and side yards.

Brandon Berry, Planner I, gave Staff's presentation to the board, and the recommendation was for approval of the variance for the pool and denial of the variance for the replacement at-grade decking and new 12" elevated decking.

Chairman Skipper asked the applicant to come forward.

Chris Phillips, Phillips Custom Concepts, submitted drawings, via the document camera, and spoke to the board in regard to the subject variance.

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.

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

Hearing no further board discussion, Chairman Skipper asked for a motion.

At this time Mr. Mitchell asked Chairman Skipper permission to comment.

Chris Phillips, Phillips Custom Concepts, spoke in regard to the subject deck and the permeability ratio for the pervious surface.

Chairman Skipper asked for any further discussion.

Hearing none, Chairman Skipper asked for a motion.

> **Member Bomar made a motion to grant the variance, as it's asked for - as requested by the applicant, for Case No. 18-00029.**

Chairman Skipper asked for a second to the motion.

> **The motion was seconded by Member Holehouse.**

Chairman Skipper asked for discussion.

City Attorney Dickman advised the board to amend the motion as follows: The applicant will have to supply City Staff with documentation regarding the ownership of the land running along the seawall.

> **Member Bomar amended his motion to include the language as stated by City Attorney Dickman. The amended motion was seconded by Member Holehouse.**

Chairman Skipper asked for any further discussion.

Hearing no further discussion, Chairman Skipper asked for a roll call vote.

> **The motion failed by an individual roll call vote, (1 yes: Member Bomar – 3 nos: Vice Chairwoman Lyman, no; Member Holehouse, no; and Chairman Skipper, no).**

Chairman Skipper clarified the above-mentioned motion was in regard to the deck.

At this time there was board discussion.

Hearing no further board discussion, Chairman Skipper asked for a motion.

> **Vice Chairwoman Lyman made a motion that Case No. 18-00029 be accepted as the Staff recommended with the exception of them proving the ownership of property. The motion was seconded by Member Holehouse.**

Chairman Skipper asked for further discussion.

Hearing none, Chairman Skipper asked for a roll call vote.

The motion was unanimously approved by an individual roll call vote, (4 yeses – 0 nos).

5. Adjournment – Next Meeting: 12/12/2018

There being no further business before the board, the meeting was adjourned at 2:48 p.m.

Attest:

Rebecca C. Haynes, City Clerk

Sandie Lyman, Vice Chair

Minutes approved on: 12/12/18