

BOARD OF ADJUSTMENT MINUTES
October 30, 2024 – 2:00 P.M.
Commission Chambers

PRESENT: Denise Chase, Vice Chair
Al Causey, Member
Chris Core, Member
Kathy Garchow, Member
Dan Small, Member

STAFF PRESENT: Kristin Coman, Senior Planner; Nancy Stuparich, Interim City Attorney, Vose Law; Ginny Bodkin, Deputy City Clerk; Brandon Berry, Senior Planner; Gilbert Martinez, Senior Planner; Adam Poirrer, Deputy Fire Chief

Vice Chair Chase called the meeting to order at 2:00 P.M. The Vice Chair thanked the City for their expedited efforts with the recovery process from Hurricanes Helene and Milton. She welcomed Attorney Nancy Stuparich of interim legal firm Vose Law. Vice Chair Chase also indicated that she would need to leave the meeting just before 3:00 PM.

1. Approval of the Agenda -

Motion: Vice Chair Chase moved, and Member Garchow seconded the approval of the October 30, 2024 agenda as presented; the motion carried unanimously.

2. Audience Comments – There were no comments.

3. Approval of Minutes – August 28, 2024

Member Garchow asked that the title of the DonCesar Property Owners Corporation (DCPOC) be corrected for Item 4.c. prior to publishing.

Motion: Member Core moved, and Member Small seconded the approval of the August 28, 2024 meeting minutes as presented; the motion carried unanimously.

4. Action Items

a. Election of Officers

Motion: Member Small moved, and Member Core seconded to appoint Denise Chase as Board Chair for 2024-25. Members Small and Core agreed to amend the motion to include the appointment of Kathy Garchow as Board Vice Chair for 2024-25 as one motion; the motion carried 5-0.

b. Approval of Board Meeting Dates 2025

The Board members requested no changes at this time.

Motion: Member Core moved, and Member Causey seconded to approve and accept the Board meeting dates for 2025 as presented; the motion carried unanimously.

The Deputy Clerk swore in all those who would be testifying during the hearing.

c. Case No. 24054 - 120 60th Ave.

Practical Difficulty Variances: Michael Keller of Frazee Design requests a four-part Page 1 of 148 variance to: a) Removal of existing carport and construct new 11'7" x 40', 8' h carport with proposed side yard setback of 2' where 6.7' is required (LDC Sec. 6.13(a)(1)); b) Installation of 12'6" x 33' long patio area with side yard setback of 1' where 2' is required (LDC Sec. 6.13(2)(d)(2)); c) Replacement of existing 112 sq. ft. residential storage building where a maximum of 80 sq. ft. is permitted (LDC Sec. 6.13(b)(5)(a)); and, d) Proposed residential storage building to have overall height of 9' where maximum height of 8' is permitted (LDC Sec. 6.13(b)(5)(b)).

The Board members declared no ex-parte communication for Case No. 24054.

The Board members declared no conflicts of interest for any of the Cases to be heard today.

Senior Planner Kristin Coman reviewed a presentation of the case summary for these variance requests. Her presentation is part of the meeting record. Staff recommendation was that stormwater runoff be directed and maintained on the property to ensure compliance with LDC Sec. 6.13(b)(3). One letter in support of the variance was received.

Mike Keller of Frazee Design, 11909 4th St N., St. Petersburg, and Applicant Steven Cline appeared and testified as to the plans for the carport replacement, patio, storage unit replacement and the need for the variances. The Board members asked questions.

There was no public comment; Chair Chase opened Board deliberation.

Motion: Vice Chair Garchow moved, and Member Small seconded to approve the variances for a carport with a side yard setback of 2 ft. where 6.7 ft. is required, and a residential storage building of 112 sq. ft. where a maximum of 80 ft. is permitted, with the condition that gutters are installed on both structures to move water away from the property line. The motion carried 3-2 with Members Causey and Core voting No.

d. Case No. 24060 - 315 Corey Ave.

Unnecessary and Undue Hardship Variance: John A. Bodziak for 315 Corey Ave, LLC requests a variance to reinstall two illuminated marquee signs and two illuminated playbill signs in addition to the existing illuminated blade sign, allowing for a total of five commercial signs where three are permitted and allowing all five to be illuminated along Corey Avenue where none are permitted to be illuminated along Corey Avenue (LDC Sec. 26.33).

The Board members declared no ex-parte communication for Case No. 24060.

Senior Planner Gil Martinez presented the case summary of the variance request for Case No. 24060. His presentation is part of the meeting record. Staff recommendation was for the operation of the internally illuminated signs to be limited to hours of operation. One letter in support was received.

Britt Hayes of Bodziak/Hayes Architects, Applicant Hannah Hockman, and Matthew Thomas of Thomas Sign and Awning appeared and testified as to the necessity for the requested variance. The Board members asked questions, including hours of operation. Ms. Hayes displayed some of theater renderings on her iPad.

There was no public comment and Chair Chase opened Board deliberation.

Motion: Member Causey moved, and Member Core seconded to approve the variance for Case No. 24060, based upon the evidence presented, with condition that illumination is limited to business hours; the motion carried 5-0.

Chair Chase exited the meeting at 2:52 PM.

e. Case No. 24061 - 1950 Pass-a-Grille Way

Unnecessary and Undue Hardship Variances: Dustin Ballard, P.E. of Kimley Horn and Associates Inc. for the City of St. Pete Beach requests a five-part variance to: a) reduce the front building setback along 20th Avenue to 1.2 feet where 25 feet is required, the secondary front building setback along Pass A Grille Way to 8.4 feet where 15 feet is required, the western side building setback to one foot where 10 feet is required, and the southern rear building setback to 0.5 feet where 15 feet is required, to permit the construction of a new two-story fire station (LDC Sec. 17.7); b) permit the site impervious surface coverage to be no greater than 85% of the lot area where no greater than 80% is permitted (LDC Sec. 17.12); c) permit the property-wide vegetated coverage to be 14% where 16% minimum is required (LDC Sec. 22.4.(f)); d) Reduce the required northern frontage landscaping buffer to zero feet along a portion where five feet is required, and the required southern landscaping buffer adjacent the driveway to 2.5 feet along a portion where six feet is required (LDC Sec. 22.7.(a)(1) & (b)(1)), and; e) Permit the rooftop chimney training element to be located at 15 feet above the maximum height of the roof, or 45 feet above required design flood elevation, where 10 feet and 40 feet respectively is the maximum allowable (LDC Sec. 7.2.(k)).

The Board members individually declared no ex-parte communications for this Case.

Senior Planner Brandon Berry presented the case summary of the variance requests for Case No. 24061. His presentation is part of the meeting record. He reported that the Historic Preservation Board voted 5-0 to recommend the approval of the plans as they were presented to them previously.

Staff recommended three conditions: 1) The applicant shall provide a green roof, cool roof, or additional frontage landscaping of at least five percent of the lot area (538 square feet). 2) Unless demonstrated to be technically unviable, the applicant shall pursue “Sustainable Sites” credit through LEED Silver certification at the time of building permitting. 3) Due to significant façade alterations since the request was shared with the Historic Preservation Board, this item shall be represented to the Board at time of site plan permitting for design consideration. Alterations from the plan set shared April 2023 shall be clearly noted and recommendations from the Historic Preservation Board that are not contrary to the Land Development Code or any variance approved through Development Order 24061 shall be included to the extent viable.

Todd Sweet of Sweet Sparkman Architects and Dustin Ballard of Kimley Horn appeared and testified as to details of the variance requests for 1950 Pass-A-Grille Way. Mr. Sweet testified as to the recent inspection of the property since the hurricane damage. Mr. Ballard addressed each of the requests.

Deputy Fire Chief Adam Poirrer testified as to the need for the training tower. Board members asked questions, including funding, drive-through bays to avoid backing up equipment.

Lengthy discussion followed on the balcony that extends over the proposed setback line on the Pass-A-Grille Way side. The Applicant is now requesting 3 feet (from 8.4 feet originally requested) to accommodate the balcony. City Attorney Stuparich advised that that would be modifying the variance request to a greater amount than was advertised. She suggested the options of continuing the hearing of the Case to make changes and readvertise or withdraw the variance and resubmit the plans. Upcoming meeting dates were November 20th and December 18th.

Motion: Member Causey moved to continue Case No. 24061 to the November 20, 2024 Board of Adjustment meeting; Member Small seconded and the motion carried 4-0.

f. Case No. 23072 - 2007 Pass-a-Grille Way

Unnecessary and Undue Hardship Variance: Kyle Bass, Weber Crabb & Wein, P.A. for Collom Properties, LLC requests the construction of roofed, open porch extension, 12' x 28.67' (overall dimensions), 11'2" high, to create an approximately 300 sq. ft. covered ride wait area that will encroach entirely into the required 25' secondary front setback while maintaining the existing 1.67' setback where 25' is required (LDC Sec. 15.7.(b)(2)).

Attorney Kyle Bass appeared and testified on behalf of the Applicant. He exhibited the permit they have opened with the City. He reported that four of the conditions cannot be complied with until built. The updated landscaping plan has been approved and unity of title/unified site plan has been submitted (as part of the permit); being here for the progress report was also one of the conditions. The issue of infringing parking has been remedied.

The consensus of the Board was that good faith efforts are being made. Attorney Bass agreed to return for another 120-day progress report on February 26, 2025, which will be on that agenda.

g. Case No. 24042 – 3700 Gulf Blvd. [Parcel #07-32-16-21852-028-0001]

Staff requests a review of revised design features for the project, which was originally approved by the Board of Adjustment on February 28, 2024.

Mr. Berry explained that this variance was approved by the Board on February 28, 2024, with conditions related to preservation of the design as presented and that overall features, color, height and setbacks meet the requirements generally shown in the rendering. The Applicant has since revised the design and rendering of the structure, seeking a structure different in color and secondary facade elements. Staff did not find the changes to be significant or adverse to the condition as approved in February but requested Board input on the changes, and any recommendations related to the retention of the original conditions as required.

Attorney Katie Cole of Hill, Ward, Henderson appeared to testify on behalf of the Applicant. This is now a condominium (by owner not vacation rental) project. Ms. Cole provided a presentation of the revised design features, for the record.

Motion: Member Causey moved and Member Small seconded to accept the Applicant's Attorney presentation into the meeting record for Case No. 24042; the motion carried 4-0.

5. Items for Discussion –

None.

6. Adjournment – The next meeting is scheduled for November 20, 2024.

Vice Chair Garchow moved, and Member Causey seconded adjournment at 4:05 PM; all were in favor.

These minutes were approved at the November 20, 2024 Board of Adjustment meeting.