

CITY OF ST. PETE BEACH
BOARD OF ADJUSTMENT MEETING MINUTES
March 29, 2023 2:00 P.M.

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

EXCUSED: Dan Small, Member

STAFF PRESENT: Kristin Coman, Senior Planner
Brandon Berry, Senior Planner
Matthew McConnell, Assistant City Attorney
Ginny Bodkin, Deputy City Clerk

Chair Skipper called the meeting to order at 2:00 PM and led the Pledge of Allegiance. The Deputy Clerk swore in all individuals who would be speaking on agenda items.

1. **Approval of the Agenda** – Assistant City Attorney Matthew McConnell explained that the Appointment of Officers will be continued to the April meeting after all appointments have been made.

Motion: Member Bomar moved, and Vice Chair Lyman seconded to continue the Appointment of Officers to the April meeting.

Motion: Member Chase moved, and Member Bomar seconded the approval of the agenda with the change; the motion passed unanimously.

2. **Audience Comments** – There were no general audience comments.

3. **Approval of Minutes - a. Workshop and Regular Minutes 1/25/2023**

Motion: Vice Chair Lyman moved, and Member Bomar seconded the approval of the January 25, 2023 Workshop and Regular minutes as presented. The motion passed unanimously.

Mr. McConnell explained that the minutes of the January 25th Workshop can serve as an outline of procedure for quasi-judicial hearings; he is working on a legal memo to file for the Clerk to disperse to the members.

4. **Action Items**

a. **Election of Officers 2023-24**

Item continued to the April meeting.

b. **Case No. 23006 - 285 42nd Ave. Practical Difficulty Variance;** Pamela and Paul Stein requests to construct 18.5' x 18', 11' high detached garage that will not meet required 10' secondary front yard setback with 3.5'

Senior Planner Kristin Coman presented the exhibits (including proof of posting) and details of this variance request. Her presentation is part of the meeting record. She explained the need for two variances – front and rear setbacks. She reviewed variance conditions and staff comments and asked that the applicant provide their own testimony. Staff found the request reasonable and recommended approval with one condition – that the applicant submit an As-Built Plan prior to issuance of a Certificate of Occupancy. No communication was received for or against the request.

Applicant Paul Stein appeared and provided testimony regarding his request. He provided some additional photographs. He testified that the staff recommendations were acceptable to him. Ms. Coman added that the building materials should be consistent with what is already present. Mr. Stein testified that the storage buildings will be removed and will be adding landscaping. He had received 22 signatures in support of his project.

There was no additional audience comment. The Chair opened Board discussion.

The members testified that they had no ex-parte communications with the applicant or regarding the application.

Motion: Member Chase moved, and Vice Chair Lyman seconded to approve the variance for with staff recommended conditions for Case No. 23006 to construct an 18.5' x 18' x 11' high detached garage that will not meet the required 10' secondary front yard setback with 3.5' proposed and required 20' rear yard setback with 7' proposed; the motion carried 4-0.

c. **Case No. 23013 - 200 1st Ave.** *Unnecessary and Undue Hardship Variance*; James Manfuso for Point Pass-a-Grille Inc. requests to construct aluminum fence on southern seawall that exceeds the permitted maximum height of 4' within waterfront yard where 20' setback is required (LDC Sec. 6.15).

Ms. Coman presented the exhibits (including proof of posting) and details of this variance request. Her presentation is part of the meeting record. She reviewed the conditions and added that the case was reviewed by the Technical Review Committee who suggested they contact Turtle Trackers for comment on the work proposed. Staff found the request reasonable and recommended approval with the condition the fence be of an open design similar to the one proposed by the applicant.

One letter in favor and one against the application were received.

Jim Manfuso, owner/representative at the subject property and Treasurer of the Point Pass-a-Grille Inc. Association appeared and provided testimony on the reasons for the request. Mr. McConnell ascertained that Mr. Manfuso had authority to appear.

There was no additional audience comment. The Chair opened Board discussion. The applicant representative testified that there will be a gate in the fence and answered Board questions.

The members testified that they had no ex-parte communications with the applicant or regarding the application.

Motion: Member Chase moved, and Vice Chair Lyman seconded to approve the variance for Case No. 23013 to construct an aluminum fence on southern seawall that exceeds the

permitted maximum height of 4' within a waterfront yard where 20' setback is required, with staff recommendation that the fence be of an open design similar to the one proposed by the applicant; the motion carried 4-0.

d. Case No. 23012 - 135 44th Ave. *Unnecessary and Undue Hardship Variance*; Brian Leach and Karen Didden requests to retain existing residential storage building of 128 sq. ft. that exceeds the maximum of 80 sq. ft. permitted (LDC Sec. 6.13(b)(5)).

Ms. Coman presented the exhibits (including proof of posting) and details of this variance request. Her presentation is part of the meeting record. She reviewed the staff comments contained in the presentation. Staff found the request reasonable and recommended approval. No communication for or against the request was received.

Applicant Brian Leach of 135 44th Avenue appeared and provided testimony and reasons for the request. The Chair asked questions regarding gutters.

There was no additional audience comment. The Chair opened Board discussion.

The members testified that they had no ex-parte communications with the applicant or regarding the application.

Motion: Member Chase moved, and Member Bomar seconded to approve the variance for Case No. 23012 to retain an existing residential storage building of 128 sq. ft. that exceeds the maximum of 80 sq. ft. permitted as proposed; the motion carried 4-0.

e. Case No. 23015 - 250 Isle Dr. *Practical Difficulty Variance*; Elizabeth and Scott Sinatra requests to construct 22' x 22', <20' high attached garage that will not meet required 20' front yard and 20' secondary front yard setback with 16' and 10' proposed (LDC Sec. 8.7(a)(1-2)).

Ms. Coman presented the exhibits (including proof of posting) and details of this variance request. Her presentation is part of the meeting record. She detailed the setback requests and zoning table. She reviewed practical difficulty variance conditions and staff comments contained in the presentation. Staff found the request reasonable and recommended approval with the condition that the Applicant submit a sealed As-Built Plan prior to issuance of a Certificate of Occupancy. Two letters of objection were received.

Applicant Liz Sinatra of 250 Isle Drive appeared and testified with reasons for the request and explained the reason for the two garage doors.

There was no additional audience comment. The Chair opened Board discussion.

The members testified that they had no ex-parte communications with the applicant or regarding the application.

Motion: Member Chase moved, and Vice Chair Lyman seconded to approve the variance for Case No. 23015 to construct a 22' x 22', <20' high attached garage that will not meet the required 20' front yard and 20' secondary front yard setback with 16' and 10' proposed, with the staff recommended condition that the applicant shall submit sealed As-Built Plan

noting all setbacks and ISR calculation and approved by Zoning prior to the issuance of a Certificate of Occupancy/Final Inspection; the motion carried 4-0.

f. Case No. 23016 - 7501 75th Ave. *Unnecessary and Undue Hardship Variance*; Grant McLaughlin, PJ Callaghan Company for BoyleNPoint, LLC requests to reduce the size of a required 75th Ave frontage buffer from eight to five feet (LDC Sec. 22.7(a)(1)) and construct a new building in the Downtown Redevelopment District that lacks a corner entrance (LDC Sec. 39.3(e)(1)).

Senior Planner Brandon Berry presented the exhibits (including proof of posting) and details of this variance request. His presentation is part of the meeting record. An updated request was received on 3/28/23 which addressed the comments of the Technical Review Committee, which he reviewed. Two variances are requested – a corner entrance and a private landscaping buffer. He reviewed variance conditions, criteria and comments. Staff found the request reasonable and recommended three conditions for approval as outlined in the presentation.

No communication for or against the application were received.

Grant McLaughlin of PJ Callaghan Company, 3251 Morris St. N., St. Petersburg, appeared and testified regarding the reasons for the variance request.

There was no additional audience comment. The Chair opened Board discussion. The members asked additional questions of staff. Mr. McConnell commented on demolition.

The members testified that they had no ex-parte communications with the applicant or regarding the application.

Motion: Member Chase moved, and Vice Chair Lyman seconded to approve the variance for Case No. 23016 with the three conditions outlined in the staff report; the motion carried 4-0.

Following the action items, the members briefly discussed going back to paper agenda packets for ease of viewing them during meetings.

5. Adjournment – The next meeting 4/26/23.

Vice Chair Lyman adjourned the meeting at 3:17 PM.

These minutes were approved at the April 26, 2023 Board of Adjustment meeting.