

BOARD OF ADJUSTMENT MINUTES
November 20, 2024 – 2:00 P.M.
Commission Chambers

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

ABSENT: Al Causey, Member

STAFF PRESENT: Kristin Coman, Senior Planner; Nancy Stuparich, Interim City Attorney, Vose Law; Ginny Bodkin, Deputy City Clerk; Brandon Berry, Senior Planner; Adam Poirrier, Acting Assistant City Manager

Chair Chase called the meeting to order at 2:00 P.M.

1. Approval of the Agenda -

Motion: Chair Chase moved, and Member Small seconded the approval of the November 20, 2024 agenda as presented; the motion carried unanimously.

2. Audience Comments – There were no comments.

3. Approval of Minutes – October 30, 2024

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

The Deputy Clerk swore in all those who would be testifying before the Board.

4. Action Items

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

Continued from October 30, 2024 meeting

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 1.5 feet 1.2 feet where 25 feet is required, the secondary front building setback along Pass A Grille Way to 2 feet 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% Page 1 of 71 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)).

Senior Planner Kristin Coman summarized that during the course of the October hearing, some necessary alterations to the primary and secondary front yard setbacks were identified due to the design changes; today's hearing is to ensure that the appropriate setback variance requests are on the record. She confirmed that necessary noticing was completed for today. Attorney Stuparich added that as this is a continuation, the testimony that was heard in October is part of this record.

Chair Chase testified that she watched the video of the part of the October meeting that took place after she left and declared no ex-parte communications. Vice Chair Garchow visited the site again and spoke to some of the City Commissioners regarding the project.

Ms. Coman explained to the Board that the staff findings in the meeting packet were updated slightly from the previous month to update the requested setbacks.

Architect Cole Mears of Sweet Sparkman entered a presentation and additional exhibits for the Applicant into the record to show how the design will impact the streetscape. Dustin Ballard of Kimley Horn Engineering appeared with him. The exhibits and presentation are part of the meeting record. Messrs. Mears and Ballard reviewed the updates and new exhibits:

- Setbacks - Northeast corner overhang
- Impervious surface ratio (ISR) at Northeast corner (driveway shrunk by 6" and landscaping added)
- General massing of the project is constrained with setbacks
- Existing and proposed street views looking North and West

Board questions followed. Acting Assistant City Manager Poirrier explained that State appropriations of approximately \$2 million dedicated to this project have been received and since the hurricanes other funding sources are being identified and will be evaluated in the coming weeks. Mr. Mears testified that the greenspace on the roof will be up to or above building standards for hurricanes. Mr. Berry addressed Vice Chair Garchow's concerns about reduced setbacks.

Mr. Mears used the scale model they brought to illustrate the actual layout. The alleyway is still useable.

Resident Maria Contreras of 104 20th Ave. was sworn in and expressed concerns on the visual impact and massiveness and fears a precedent for residents to reduce their setbacks. She also had concerns for privacy.

Resident Mickey Parson of 102 20th Ave., the closest home to the project, supports a rebuild, but expressed concerns about the multiple variances from Code and reduced property values; their property will be overshadowed on three sides.

Architect Todd Sweet was sworn in and requested to respond to some of the concerns expressed. The current North setback is 1.5' and will remain so and they are within the ISR of what was originally on the site. Nothing in the sizing of the building is non-permissible.

Mr. Mears testified that given the program requirements of this building and the lot as it is, a building the same size will not work and therefore the only option is to build up. The proposal is not exceeding height requirements except the training tower; the remainder of the building is within code for massing standards in terms of height limitations.

Mr. Poirrier testified that the current building is more unsafe to the neighborhood as it stands because it does not meet the modern code for fire suppression.

The Chair closed public hearing and opened Board deliberation. Concerns were expressed about the impact of the size of the building.

Ms. Coman reviewed the staff recommended 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 re-presented 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.

Ms. Coman read the five requested variances:

- 1) Reduce the front building setback along 20th Avenue to 1.2 feet 1.5 feet where 25 feet is required, the secondary front building setback along Pass A Grille Way to 8.4 feet 2 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);
- 2) 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);
- 3) Permit the property-wide vegetated coverage to be 14% where 16% minimum is required (LDC Sec. 22.4.(f));
- 4) 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;
- 5) Permit the rooftop training tower 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)).

Motion: Member Small moved and Chair Chase seconded to approve the five variances requested for Case #24061 with the three recommended conditions in the staff report; motion carried 3-1 with Vice Chair Garchow voting No.

5. Items for Discussion – There were none.

A discussion led by Attorney Stuparich followed regarding rules and procedures for the Board of Adjustment. Absent official procedures, the Board would follow Roberts Rules. Ms. Stuparich indicated that she would be able to create simple procedural rules for the Board. The previous Board training workshops were discussed. It was decided to add rules and procedures to the January agenda and Ms. Stuparich will follow up on a City-wide Ethics and Sunshine training with management.

6. Adjournment – The next meeting is scheduled for January 29, 2025 as there were no cases for December.

Vice Chair Garchow moved to adjourn at 2:50 PM; all were in favor.

These minutes were approved at the January 29, 2025 Board of Adjustment meeting.