

**BOARD OF ADJUSTMENT MINUTES**  
**April 30, 2025 – 2:00 P.M.**  
**Commission Chambers**

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

**STAFF PRESENT:** Kristin Coman, Senior Planner; Ralf Brookes, Interim City Attorney;  
Brandon Berry, Senior Planner; Ginny Keeter-Bodkin, Deputy City Clerk

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

**1. Approval of the Agenda -**

**Motion: Chair Chase moved approval of the agenda as presented and the motion carried unanimously by a voice vote.**

The Deputy Clerk swore in all those who would be speaking or presenting to the Board.

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

**3. Approval of Minutes – March 26, 2025 Meeting**

**Motion: Vice Chair Garchow moved, Member Small seconded, and the motion carried 5-0 to approve the March 26, 2025 meeting minutes.**

**4. Action Items**

**a. Case No. 25040 - 5390 Gulf Blvd (Sirata Beach Resort)**

Allan Smallwood of CP ST PETE LLC requests to replat all of SERATA REPLAT (Bk 31, Pg 17) and a portion of Government Lot 2, Section 6, Township 32 S, Range 16 E as described on the accompanying legal description, to create two separate tracts as depicted.

Senior Planner Brandon Berry reviewed a presentation which summarized that the replat comprises the land on which the Sirata Beach Resort development currently exists, and on which the redevelopment approved in early 2024 is proposed. The application was reviewed at TRC in April 2025 and Staff had no recommendations or comments on the preliminary plat and defers to the shared TRC comments to be addressed prior to final plat submittal. The presentation is part of the meeting record.

Engineer Scott Gilner of Kimley Horn, 655 N. Franklin St., Tampa, was present and testified that he had responded to staff's technical comments at the Technical Review Committee and all were acceptable. The replat of the property is how it stands today and is independent of development. Attorney Kevin Reali of Stearns, Miller, 401 E. Jackson St., Tampa, testified that the replat is for financial purposes, to have a legal description of the parcel, and is a ministerial act independent of the CUP approval. Mr. Reali explained that ownership will not change by the platting. The Unified site plan is a covenant to ensure compliance with zoning.

There was no public comment. The Board declared their ex-parte disclosures: Vice Chair Garchow had listened to the TRC meeting and Member Causey spoke with staff. Chair Chase opened Board discussion and deliberation.

**Motion: Vice Chair Garchow moved, Member Small seconded, and the motion carried 4-1 to recommend approval of Preliminary Plat Number 25040 to the City Commission; Member Core voted no.**

b. Case No. 25042 - 1346 Boca Ciega Isle Dr.

Practical Difficulty Variance: Andres Orjuela for Thomas and Rita Sue Memering Revocable Living Trust requests a variance for the proposed construction of a second-floor addition which includes a 9'2" x 17' second-floor roofed rear deck with a proposed rear yard setback of 14' 10 1/2" where 20' is required (LDC Sec. 9.7(a)(4)).

Ms. Coman reviewed a presentation for the variance request, which is part of the meeting record.

A previous variance was granted in 2015 for a rear yard encroachment for construction of a rear addition. The current variance would be for a larger encroachment. Staff found that the applicant had addressed the criteria but they requested additional testimony to demonstrate that substantial and competent evidence has been provided. The Board might consider the addition of a condition of the submission of a Final As-Built Survey showing all dimensions and setbacks, to be reviewed and approved by Zoning. The neighbors on the north and south of the property sent letters in favor of the application.

Applicant Thomas Memering appeared and testified to hurricane flood damage and the purpose of the variance request. He clarified that he was requesting the building plan setback of 14 feet 10 ½ inches and that any alternate location for the stairs would be too close to the pool.

There was no public comment. The Chair opened Board discussion.

The Board Members had no ex-parte communication to declare.

**Motion: Member Small moved and Member Core seconded, a motion to approve Case No. 25042.**

**Amended Motion: Vice Chair Garchow amended the motion on the floor to include the staff recommended condition of the submission of a Final As-Built Survey showing all dimensions and setbacks, to be reviewed and approved by Zoning. Member Small seconded and the amended motion carried 5-0.**

5. Adjournment – The next meeting is scheduled for May 28, 2025.

**Chair Chase adjourned the meeting at 2:40 PM.**

*These minutes were approved at the May 28, 2025 Board of Adjustment meeting.*