

Clearwater, Florida, August 2, 2017

The Board of Adjustment (BA) met in regular session in the County Commission Assembly Room, Fifth Floor, Pinellas County Courthouse, 315 Court Street, Clearwater, Florida on this date with the following members present: Joe C. Burdette, Chairman; Deborah J. White, Vice-Chairman; Vince Cocks; John Doran; Alan C. Bomstein; Cliff Gephart; and Stephen G. Watts.

Also Present: Glenn Bailey, Planning Department Zoning Manager; Chelsea D. Hardy, Assistant County Attorney; Todd F. Myers, Environmental Code Enforcement Director; Michael Schoderbock, Principal Planner; other interested individuals; and Tony Fabrizio, Board Reporter, Deputy Clerk.

CALL TO ORDER

Chairman Burdette called the meeting to order at 9:00 A.M.

PUBLIC HEARING ITEMS

Due notice having been given to interested persons pursuant to Comprehensive Zoning Ordinance No. 90-1, public hearings were held on the following applications. All persons planning to give testimony were duly sworn by the Deputy Clerk.

#1 APPLICATION OF TINA MARIE NICHOLS AND BRIAN NICHOLS FOR A VARIANCE (BA-01-08-17) – GRANTED AS PER STAFF RECOMMENDATION

Public hearing was held on the application of Tina Marie Nichols and Brian Nichols for a variance to allow for the construction of a detached garage on a double-frontage lot having an 11.3-foot setback from Wayne Street North where 25 feet is required and a 0-foot front setback from the unimproved right-of-way along the north property line where 15 feet is required, re property located at 6597 Wayne Street North in Lealman. No correspondence has been received by the Clerk.

Mr. Bailey presented the following staff recommendation:

Recommend Conditional Approval. Staff has no objection to the conditional approval of the request. The proposed detached garage will not encroach into the required setbacks any further than the existing carport and workshop, which have been in place for decades. The property is a double-frontage lot located at the north end of Wayne Street. The second frontage

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to the north is a “paper” road that will likely never be constructed. This was a previously approved variance (BA-04-05-16) which has expired. Approval of the request should be subject to the following conditions:

1. The applicant shall obtain all required permits and pay all applicable fees.
2. The applicant shall relocate the existing fence on the north side of the property out of the right-of-way and onto their property.

Tina Nichols, St. Petersburg, appeared and indicated that she is the applicant.

No one appeared in response to the Chairman’s call for objectors to the application; whereupon, Mr. Bomstein moved, seconded by Mr. Doran and carried unanimously, that the variance be granted as recommended by staff.

#2 APPLICATION OF DANIEL AND CATHERINE CONTE THROUGH GARY GALE, REPRESENTATIVE, FOR A VARIANCE (BA-02-08-17) – GRANTED AS PER STAFF RECOMMENDATION

Public hearing was held on the application of Daniel and Catherine Conte through Gary Gale for a variance to reduce the front setback from 20 feet to 10 feet from the north property line fronting 82nd Avenue North for the construction of an addition to a single-family home on a double-frontage lot, re property at 8165 120th Street North in the unincorporated area of Seminole. No correspondence has been received by the Clerk.

Mr. Bailey presented the following staff recommendation:

Recommend Conditional Approval. Staff has no objection to the conditional approval of the request. The proposal is to add an addition containing a handicapped accessible bedroom and bathroom. The subject property is a double-frontage lot with 20-foot minimum setbacks on two sides. The proposed variance is on the “secondary” front adjacent to the 82nd Avenue North right-of-way on the north side of the property. Approval should be subject to the following condition:

1. The applicant shall obtain all required permits and pay all applicable fees.

Gary Gale, Plant City, appeared and indicated that he is representing the applicant.

No one appeared in response to the Chairman's call for objectors to the application; whereupon, Mr. Bomstein moved, seconded by Mr. Watts and carried unanimously, that the variance be granted as recommended by staff.

#3 APPLICATION OF ST. RAPHAEL, ST. NICHOLAS, AND ST. IRENE HELLENIC ORTHODOX CHURCH THROUGH ERINE KOULIANOS, REPRESENTATIVE, FOR A VARIANCE (BA-03-08-17) – GRANTED AS PER STAFF RECOMMENDATION

Public hearing was held on the application of St. Raphael, St. Nicholas, St. Irene Hellenic Orthodox Church through Erine Koulianos for a variance to allow an ornamental dome to be built to a height of 55 feet where 45 feet is the maximum height allowed as part of the construction of a new church, re property located at 1010 Riviere Road in the unincorporated Palm Harbor area. No correspondence has been received by the Clerk.

Mr. Bailey provided background information, indicating that the Board previously approved a special exception related to reconstruction of the church; and that a separate variance is needed to allow for the requested height of the proposed dome; whereupon, he presented the following staff recommendation:

Recommend Conditional Approval. The proposal for the height increase is for an ornamental part of the structure. The dome is part of the church that is being rebuilt. Approval should be subject to the following conditions:

1. The applicant shall obtain all required permits and pay all applicable fees.
2. Full site plan review.
3. The size of the building shall conform to the previously approved special exception for a 5,690-square-foot maximum footprint.

Erine Koulianos, Tarpon Springs, appeared and indicated that he represents the applicant. In response to query by Mr. Bomstein, he indicated that the cross on top of the dome is not calculated in the requested height, and it could be eliminated if the Board desires; whereupon, Messrs. Bomstein and Burdette related that it would not be necessary to do so.

Responding to query by Mr. Bomstein, Mr. Bailey related that objects such as antennas and elevator shafts can generally rise up to 20 feet above the given height maximum, but

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there is no specific exclusion for a cross; whereupon, in response to his request for clarification, the Board indicated that it does object to the cross.

No one appeared in response to the Chairman's call for objectors to the application; whereupon, Mr. Bomstein moved, seconded by Mr. Watts and carried unanimously, that the variance be granted as recommended by staff.

MINUTES OF THE JULY 6, 2017 MEETING – APPROVED

Mr. Bomstein moved, seconded by Mr. Doran, that the minutes of the meeting of July 6, 2017 meeting be approved. Upon call for the vote, the motion carried unanimously.

MISCELLANEOUS DISCUSSION

Mr. Bailey indicated that staff requests the Board's direction concerning a condition attached to its approval of a special exception and variance to allow the Syrian Orthodox Church, 3800 Old Keystone Road in East Lake Tarpon, to construct a multipurpose building (BA-06-06-17). He related that the project is in its site plan review stage, and staff is unclear on what the Board seeks with its condition requiring additional landscaping along Old Keystone Road.

Referring to a map, Mr. Bailey stated that Keystone Road is zoned as a scenic non-commercial corridor, and if the required 15-foot landscaping buffer were also applied to Old Keystone Road, the restriction would likely impact the church's parking area and drainage. He indicated that the case was previously approved by the Board, and the condition was added at that time and carried forward for this year's approval, noting that the initial approval has expired.

Discussion ensued, and the members indicated that their primary concerns about the project involved the size of the building and whether to allow left turns exiting onto Old Keystone Road; whereupon, they directed staff to use their best judgement in determining the landscaping requirements.

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ADJOURNMENT

Upon motion by Mr. Watts, seconded by Mr. Gephart and carried unanimously, the meeting was adjourned at 9:10 A.M.

Chairman