

Clearwater, Florida, January 4, 2018

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: Vince Cocks, Chairman; Alan C. Bomstein; Joe Burdette; John Doran; Stephen G. Watts; and Deborah J. White.

Not Present: Cliff Gephart.

Also Present: Michael Schoderbock, Principal Planner; Chelsea Hardy, Assistant County Attorney; Todd F. Myers, Project Coordinator, Development Review Services; other interested individuals; Amanda M. Napier, Board Reporter; and Michael Schmidt, Board Reporter, Deputy Clerk. Minutes by Amanda M. Napier.

CALL TO ORDER

Chairman Cocks 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 ELIZABETH BANKS SAUL THROUGH MARK TENNEY, REPRESENTATIVE, FOR A VARIANCE (BA-01-01-18) – GRANTED AS PER STAFF RECOMMENDATION

Public hearing was held on the application of Elizabeth Banks Saul through Mark Tenney for a variance to allow for the construction of an attached elevator with a roof and columns having a 2.4-foot side setback where 6 feet is required, re property located at 507 North Mayo Street in Crystal Beach (BA-01-01-18). No correspondence relative to the application has been received by the Clerk.

Mr. Schoderbock presented the following staff recommendation:

Recommend Conditional Approval. Staff has no objection to the conditional approval of the request. The home on the property was built in 1950, prior to the zoning code and the establishment of required setbacks. The proposed location for the construction of a residential elevator addition

has been determined to be the only area feasible without significant reconstruction of the house, whose first floor is below base flood elevation. The second floor of the house only covers the southern half of the building. In addition, the adjacent home to the south is positioned further to the west (rear) than the applicant's home, making this addition less intrusive to the neighboring structure. Approval should be subject to the following conditions:

1. The applicant shall obtain all required permits and pay all applicable fees.
2. All mechanical operating components of the elevator shall be enclosed within the structure.

Elizabeth Banks Saul, Crystal Beach, and Mark Tenney, Palm Harbor, appeared and indicated that they are the applicant and representative, respectively.

No one appeared in response to the Chairman's call for objectors to the application.

Mr. Bomstein moved, seconded by Mr. Watts, that the variance be granted as recommended by staff. Upon call for the vote, the motion carried unanimously.

#2 APPLICATION OF JEFFREY K. STONE SR. THROUGH NEIL STANANOUGHT, REPRESENTATIVE, FOR A VARIANCE (BA-02-01-18) – GRANTED AS PER STAFF RECOMMENDATION

Public hearing was held on the application of Jeffrey K. Stone Sr. through Neil Stananought for a variance to allow for the construction of a detached garage with a reduced front setback of 5 feet from the 36th Street Southeast right-of-way where 20 feet is required, re property located at 3595 Floral Drive in the unincorporated Largo area (BA-02-01-18). The Clerk has received five letters stating no objection to the application.

Mr. Schoderbock presented the following staff recommendation:

Recommend Conditional Approval. Staff has no objection to the conditional approval of the request. The property is a double-frontage lot with 20-foot minimum setbacks on the two fronts. The proposed variance

January 4, 2018

is on the “secondary” frontage, adjacent to 36th Street Southeast. Additionally, the north and west sides of the property contain easements which limit the location for the proposed detached garage. Approval should be subject to the following conditions:

1. The applicant shall obtain all required permits and pay all applicable fees.
2. Access to the detached garage shall be from Floral Drive.
3. The existing driveway off of 36th Street Southeast shall be removed.
4. A minimum of 25 percent of the parcel must remain open permeable space.

Jeffrey Stone, Jr., Largo, and Neil Stananought, Lutz, appeared on behalf of the applicant.

No one appeared in response to the Chairman’s call for objectors to the application.

Mr. Bomstein moved, seconded by Mr. Watts, that the variance be granted as recommended by staff. Upon call for the vote, the motion carried unanimously.

#3 APPLICATION OF THE DIOCESE OF ST. PETERSBURG THROUGH RICHARD KOLHOFF, REPRESENTATIVE, FOR A SPECIAL EXCEPTION (BA-03-01-18) – GRANTED AS PER STAFF RECOMMENDATION

Public hearing was held on the application of the Diocese of St. Petersburg through Richard Kolhoff for a special exception to allow for the redevelopment of a private high school, re property located at 2750 Haines Bayshore Road in the unincorporated High Point area (BA-03-01-18). The property had a previously approved special exception (BA-5-1-02) for redevelopment activity in 2002. No correspondence relative to the application has been received by the Clerk.

Mr. Schoderbock presented the following staff recommendation:

Recommend Conditional Approval. Staff has no objection to the conditional approval of the request provided the Board is satisfied that it meets the ‘standards’ of Section 138-238 of the Pinellas County Land Development Code. The subject property is the long-time location of the Clearwater Central Catholic High School. The applicant is proposing to replace outdated buildings and to update and improve the entrance, vehicle queuing process, and overall site security. The improvements should not pose any additional adverse impacts to infrastructure or surrounding properties. 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. Temporary portable classrooms are allowed if necessary, as long as proper permits are obtained. Such structures must be removed once certificates of occupancy are issued on the redeveloped permanent buildings.

Richard Kolhoff, Dunedin, and Scott Holmes, Indian Shores, appeared on behalf of the applicant.

No one appeared in response to the Chairman’s call for objectors to the application.

Mr. Bomstein indicated that he would abstain from discussing and voting on the item due to a conflict of interest, and in accordance with the provisions of the Standards of Conduct Law, submitted a Memorandum of Voting Conflict form, which has been made a part of the record.

Mr. Burdette moved, seconded by Mr. Doran, that the special exception be granted as recommended by staff. Upon call for the vote, the motion carried 5 to 0, with Mr. Bomstein abstaining.

#4 APPLICATION OF SUNSET INVESTMENTS & MANAGEMENT, LLC THROUGH RICK BROOM, REPRESENTATIVE, FOR A VARIANCE (BA-04-01-18) – GRANTED AS PER STAFF RECOMMENDATION

Public hearing was held on the application of Sunset Investments & Management, LLC through Rick Broom for a variance to allow for the construction of a duplex having a reduced front setback of 7.5 feet from the 9th Street right-of-way where 25 feet is required, re property located at 1010 9th Street in Palm Harbor (BA-04-01-18). No correspondence relative to the application has been received by the Clerk.

Mr. Schoderbock presented the following staff recommendation:

Recommend Conditional Approval. Staff has no objection to the conditional approval of the request. The proposed reduced setback is along the secondary front of a double-frontage lot and would be similar to some existing development in the general area. The 9th Street right-of-way is wide in this area and there is approximately 20 feet of green space from the property line to the edge of pavement. The proposed duplex is part of a three parcel redevelopment project on the edge of Downtown Palm Harbor, and the variance would allow symmetry of design with the other structures being built. Approval should be subject to the following conditions:

1. The applicant shall obtain all required permits and pay all applicable fees.
2. Vehicular access shall be to the rear of the proposed structure, as shown on the associated concept plan.

Myles LaGarde, Apollo Beach, appeared and indicated that he represents the applicant; whereupon, he provided an overview of the request, noting that the variance would still provide a 25-foot setback from the street.

In response to the Chairman's call for persons wishing to speak in opposition to the application, Terry Burchard, Tarpon Springs, appeared and expressed his concerns. Mr. Burchard stated that he is worried the proposed setbacks would reduce the width of 9th Street and create congestion, causing his property value to drop considerably; that the building would be too close to the corner; that trees in the area have been removed; and that the building would be an eyesore to the adjacent properties. Discussion ensued, and Mr. Burchard responded to queries by the members.

In rebuttal, Mr. LaGarde responded that the driveway has one way in and one way out, so there would be minimal congestion; that the building would increase the value of the neighborhood; and that only four palm trees have been removed.

Mr. Bomstein moved, seconded by Mr. Watts, that the variance be granted as recommended by staff. Upon call for the vote, the motion carried unanimously.

#5 APPLICATION OF MEADOWBROOK MARINE, LLC THROUGH TOM O'NEILL, REPRESENTATIVE, FOR A VARIANCE (BA-05-01-18) – GRANTED AS PER STAFF RECOMMENDATION

Public hearing was held on the application of Meadowbrook Marine, LLC through Tom O'Neill for a variance to allow a digital billboard within 275 feet of a residential zone where 300 feet of separation is required, re property located at 37517 U.S. Highway 19 North in Palm Harbor (BA-05-01-18). No correspondence relative to the application has been received by the Clerk.

Mr. Schoderbock presented the following staff recommendation:

Recommend Conditional Approval. Staff has no objection to the conditional approval of the request. The applicant is proposing to replace the north face of an existing static billboard with a digital sign. The residential area from which the separation variance is being requested is located to the east of the sign and should therefore not be directly impacted from glare or any additional visual intrusion. Approval should be subject to the following conditions:

1. The applicant shall obtain all required permits and pay all applicable fees.
2. The applicant shall meet all other applicable requirements of Section 138-1334(g) of the Pinellas County Land Development Code.

Tom O'Neill, Clearwater, appeared and indicated that he represents the applicant.

In response to query by Mr. Bomstein, Mr. Myers briefly discussed separation distances and setback requirements regarding static and electronic billboards.

January 4, 2018

No one appeared in response to the Chairman's call for objectors to the application.

Mr. Bomstein moved, seconded by Mr. Watts, that the variance be granted as recommended by staff. Upon call for the vote, the motion carried unanimously.

MINUTES OF THE DECEMBER 2, 2017 MEETING – APPROVED

Mr. Doran moved, seconded by Mr. Bomstein, that the minutes of the December 2, 2017 meeting be approved. Upon call for the vote, the motion carried unanimously.

OTHER BUSINESS

Mr. Schoderbock noted that the Board must elect a new Vice-Chairman for 2018.

Mr. Burdette moved, seconded by Ms. White and carried unanimously, that Mr. Doran be named Vice-Chairman for 2018.

ADJOURNMENT

The meeting was adjourned at 9:22 A.M.

Chairman