

**Board of Adjustments and Appeals
Tuesday, August 17, 2021
@ 6:00 p.m.**



City of Indian Rocks Beach

1507 Bay Palm Boulevard, Indian Rocks Beach, Florida 33785

www.indian-rocks-beach.com

Administrative

727/595-2517

727/596-4759 (Fax)

Library

727/596-1822

Public Services

727/595-6889

727/593-5137 (Fax)

AGENDA

CITY OF INDIAN ROCKS BEACH BOARD OF ADJUSTMENTS AND APPEALS

TUESDAY, AUGUST 17, 2021 @ 6:00 P.M.

CITY COMMISSION CHAMBERS

1507 BAY PALM BOULEVARD, INDIAN ROCKS BEACH, FLORIDA 33785

1. **CALL TO ORDER.**
2. **ROLL CALL.**
3. **APPROVAL OF MINUTES: JULY 13, 2021**
4. **BOA CASE NO. 2021-07 — 2204 GULF BOULEVARD**
Owner/Applicant: Andrew Thompson
Representative: Jason Schaller, The Schaller Group
Subject Location: 2204 Gulf Boulevard, Indian Rocks Beach, Florida
Legal Description: Indian Beach Re-Revised, Block 47, Lot 3 & part of vacated Beach Drive adjacent on the West & West 1/2 of vacated 10 foot alley Beach Trail adjacent on the East per O.R. 18911/1925.

Parcel #: 01-30-14-42030-047-0030
Variance Request: A variance request from Section 110-290(2)(a.)(1.) of the Code of Ordinances to allow for a 4-foot high fence that is less than 50 percent open in the front yard setback.
5. **BOA CASE NO. 2021-08 — 351 12TH AVENUE**
Owner/Applicant: Patricia Jordan
Representative: Joe Place, Enterprise Marine
Subject Location: 351 12th Avenue, Indian Rocks Beach, Florida
Legal Description: Second Addition to Re-Revised Map of Indian Beach, Block 89, Lot 13 (See Map S06-30-15)

Parcel #: 06-30-15-42066-089-0130.
Variance Request: A variance request from Section 94-86 (a)(1) of the Code of Ordinances to allow for a dock facility to exceed the 50-foot length from the seawall by 22 feet 4 inches and to allow a variance of 11 feet 4 inches into side yard setback leaving a side yard setback of 8 inches.

6. BOA CASE NO. 2021-09 — 353 12TH AVENUE

Owner/Applicant: Adam Probst
Representative: Joe Place, Enterprise Marine
Subject Location: 353 12th Avenue, Indian Rocks Beach, Florida
Legal Description: Second Addition to Re-Revised Map of Indian Beach, Block 89, Lot 14 (See Map S06-30-15).
Parcel #: 06-30-15-42066-089-0140.
Variance Request: A variance request from Section 94-86(a)(1) of the Code of Ordinances to allow for a dock facility to exceed the 50-foot length from the seawall by 22 feet and 4 inches to allow a variance of 9 feet 4 inches into side yard setback leaving a side yard setback of 2 feet 8 inches.

7. BOA CASE NO. 2021-10 — 300 10TH AVENUE

Owner/Applicant: All D Nuts, LLC, Trudi Holthouse
Representative: Steve Buscema, Sunsation Pools/Spas, Inc.
Subject Location: 300 10th Avenue, Indian Rocks Beach, Florida
Legal Description: First Addition to Re-Revised Map of Indian Beach Subdivision, Block 86, Lot 22, recorded in Plat Book 23, Page 11 of the Public Records of Pinellas County.
Parcel #: 01-30-14-42048-086-0220.
Variance Request: A variance request from Section 110-344(7)(f) of the Code of Ordinances to allow for a waterfall structure to exceed the 6 foot length requirement by 7 feet.

8. OTHER BUSINESS.

9. ADJOURNMENT.

APPEAL: If a person decides to appeal any decision made with respect to any matter discussed at such meeting or hearing, will need a record of the proceedings and for such purposes, they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based, per s. 286.0105, F.S. Verbatim transcripts are not furnished by the City of Indian Rocks Beach and should one be desired, arrangements should be made in advance by the interested party (i.e. court reporter).

In accordance with the Americans with Disability Act and s. 286.26, F.S., any person with a disability requiring reasonable accommodation in order to participate in this meeting should contact the City Clerk's office with your request telephone 727/595-2517 or doreilly@irbcity.com no later than four (4) business days prior to the proceeding for assistance.

POSTED: August 13, 2021

**AGENDA ITEM NO. 1
CALL TO ORDER**

**AGENDA ITEM NO. 2
ROLL CALL**

**AGENDA ITEM NO. 3
APPROVAL OF MINUTES**

**MINUTES — JULY 13, 2021
CITY OF INDIAN ROCKS BEACH
BOARD OF ADJUSTMENTS AND APPEALS**

The Regular Meeting of the Indian Rocks Beach Board of Adjustments and Appeals was held on **TUESDAY, JULY 13, 2021**, at 5:00 p.m., in the City Commission Chambers, 1507 Bay Palm Boulevard, Indian Rocks Beach, Florida.

1. **CALL TO ORDER.** Chair DeVore called the meeting to order at 5:00 p.m.

2. **ROLL CALL:**

PRESENT: Chair Stewart DeVore, Vice-Chair David Watt, Board Member Waldemar H. Clark, Jr., and Board Member Jim Labadie.

OTHERS PRESENT: City Attorney Randy Mora, Planning Consultant Hetty C. Harmon, AICP, and City Clerk Deanne B. O'Reilly, MMC.

ABSENT: Board Member Rick Alvarez

VACANT POSITIONS: 1st Alternate Board Member and 2nd Alternate Board Member.

(To provide continuity for research, items are listed in agenda order although not necessarily discussed in that order.)

3. **APPROVAL OF MINUTES: APRIL 20, 2021**

MOTION MADE BY MEMBER LABADIE, SECONDED BY MEMBER CLARK, TO APPROVE THE MINUTES OF APRIL 20, 2021, AS SUBMITTED. UNANIMOUS APPROVAL BY ACCLAMATION.

4. **BOA CASE NO. 2021-05 — 306 BAHIA VISTA DRIVE**

Owner/Applicant: Steven R. Levine
Mary L. Levine

Representative: Jay Bowers, Coral Stone Builders, LLC

Subject Location: 306 Bahia Vista Drive, Indian Rocks Beach, Florida

Legal Description: Bahia Vista Subdivision, Lot 6 & part of Water Lot A lying within side lot lines extended northerly, according to the plat thereof recorded in Plat Book 31, Page 26, of the Public Records of Pinellas County, Florida.

Parcel #: 12-30-14-02394-000-0060.

Variance request: Variance request from Section 94-86 of the Code of Ordinances to allow a dock to encroach 6 feet into the 12-foot side yard setback for the installation of new boat lift.

[Beginning of Staffing Report]

SUBJECT — BOA CASE NO. 2021-05: Variance request from Code Section 94-86 of the Code of Ordinances to allow the dock to encroach 6 feet into the 12 feet side yard setback for the installation of a new boat lift for property located at 306 Bahia Vista Drive, Indian Rocks Beach, Florida, and legally described as Bahia Vista Subdivision Lot 6 & part of Water Lot A lying within side lot lines extended northerly, according to the plat thereof as recorded in Plat Book 31, Page 26, of the Public Records of Pinellas County, Florida. Parcel #12-30-14-02394-000-0060

OWNER: Steve Levine
PROPERTY LOCATION: 306 Bahia Vista Drive
ZONING: S- Single Family

Direction	Existing Use	Zoning Category
North	Intracoastal	N/A
East	Residential	S
South	Residential	S
West	Residential	S

BACKGROUND:

Steve Levine is requesting to install a boat lift on an existing dock. Due to the size of the desired boat lift, it will encroach into the required side yard setback by 6 feet leaving a 6-foot distance between the boat lift and the side property line extended. The abutting property to the west who is impacted by the reduced setback has no objections and signed off on the location of the new boatlift.

Sec. 2-152. Variances.

(a) *Generally; criteria for granting variances from the terms of subpart B.*

(1) The Board of Adjustments and Appeals shall make recommendations on and the City Commission shall decide variance applications will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of subpart B will result in unnecessary and undue hardship. In order to recommend or decide any variance from the terms of subpart B, the Board or the City Commission shall consider each of the following:

- a. Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district. *The property is located in*

an area where there the water is deep allowing the use of the existing dock.

- b. The special conditions and circumstances do not result from the actions of the applicant. The applicant did not create any special conditions or circumstances.
- c. Granting the variance will not confer on the applicant any special privilege that is denied by subpart B to other lands, structures or buildings in the same zoning district. Granting the variance would not confer special privileges to the applicant, it would allow for the boat lift to be constructed on an existing dock.
- d. Literal interpretation of the provisions of subpart B would deprive other properties in the same zoning district under the terms of subpart B and would work unnecessary and undue hardship upon the applicant. The approval of this variance request would not deprive other owners of use and enjoyment of their properties.
- e. The variance granted is the minimum variance that will make possible the reasonable use of the land, structure or building. This is the minimum variance to allow the owner to construct the boat lift.
- f. The granting of the variance will be in harmony with the general intent and purpose of subpart B, and such variance will not be injurious to the area involved or be otherwise detrimental to the public welfare. Granting the variance will be in harmony with the general intent and purpose of subpart B.

STAFF RECOMMENDATION: Based on the variance review criteria of Section 2-152, staff recommends approval of the request.

PUBLIC NOTICES: A notice was mailed by first class mail to the property owners within 150 feet in any direction of the subject property and posted on subject property on June 28, 2021. (Sec. 2-149 of the Code of Ordinances.)

CORRESPONDENCE: A letter of support was received from Heidi M. Wilkers, 312 Bahia Vista Drive. She stated the Levines are outstanding neighbors, full-time residents, and property owners that contribute so much to IRB.

[End of Staffing Report]

City Attorney Mora read the title of the Agenda Item by title only.

City Attorney Mora inquired of the Members if they had any ex-parte communications with the applicant, with all Members responding in the negative.

City Attorney Mora inquired of the Members if any of them had done a site visit for the limited purpose of evaluating this case, with all Members responding in the negative.

The City Attorney duly swore in all persons planning to give testimony during the quasi-judicial hearing.

City Attorney Mora opened the public comment portion for Agenda Item No. 4.

Planning Consultant Harmon stated the applicant is requesting a variance from Section 94-86 of the Code of Ordinances for the property located at 306 Bahia Vista Drive. The applicant would like to encroach 6 feet into the 12-foot side yard setback to install a new boat lift on the left side of the existing dock. She stated the abutting property owner to the west, who is impacted by the reduced setback, has no objections and signed off on the location of the new boat lift.

Planning Consultant Harmon provided a PowerPoint Presentation depicting aerial views of the property and a plan view drawing. She explained the applicant would like to build a new boat lift on the left side of the existing dock.

Member Clark asked why the applicant cannot put the boat lift at the end of his dock instead of on the side.

Planning Consultant Harmon stated the applicant houses a larger boat at the end of his dock. The applicant would like to move his smaller boat located on the right side of the dock to the left side.

Steve Levine, 306 Bahia Vista Drive, applicant, stated he is a Florida native and has been an Indian Rocks Beach resident and property owner since October 1984. He is asking for a 6-foot variance for his boat lift. As a 62 year old, he and his wife feel that the boat lift would help protect himself and other family members from injuries that could occur using the Indian Rocks Beach Boat Ramp and the overrun Belleair Causeway Boat Ramp. He looks forward to reducing his food expenses when he goes to a fixed income to fish and dive from his boat. He has a 56-foot waterfront lot that has required side yard setbacks of 24 feet, which leaves him 32 feet. That equals 42% of his property that he cannot use, and that is why he is asking for the variance.

Mr. Levine stated he purchased this home because he loves boats and water sports. He said to conveniently and safely use and access his boat is why he is asking for the variance.

Chair DeVore clarified that the applicant plans to keep the existing larger boat on the front of the dock. Mr. Levine responded in the affirmative.

Chair DeVore asked how large would the new boat be on the boat lift.

Mr. Levine responded the new boat would be a 20 to 21 footer.

Chair DeVore stated so it would not jetty out past the boat docked at the end of the dock.

Mr. Levine stated the larger boat would still be able to get out without impeding the new boat lift.

Chair DeVore stated the applicant had received approval from both sides of his neighbors, with Mr. Levine responding in the affirmative.

Vice-Chair Watt clarified that the larger boat remains at the end of the dock, and the smaller boat depicted in the aerial views moves to the left side (west side) of the dock.

Vice-Chair Watt stated no variance would be needed if a new dock was constructed in the middle of the property. He said there is 24 feet on the right side (east side) of the dock.

Mr. Levine stated that was possible, but he does not need a new dock.

Mr. Levine stated it makes more sense to have his boat lift on the side where there is a vacation rental that is constantly partying than next to a good neighbor and full-time resident.

City Attorney Mora closed the public comment portion for this Agenda Item.

Member Labadie expressed concern if a boat lift was installed on the left (west) side in this tight area, the property owner at 312 Bahia Vista Drive would have difficulty navigating a boat from their dock.

Member Labadie confirmed with Mr. Levine that the property owner at 312 Bahia Vista Drive had no objections to the variance request.

Member Labadie stated his concern is that it might be a problem when they try to sell the property.

Mr. Levine stated 312 Bahia Vista Drive is short-term vacation rental property and is an investment property. He said he has a good relationship with the property owner. He reiterated that they signed a letter of no objection.

Chair DeVore asked if the applicant had an issue with getting his larger boat out, with it being so close to the neighbor to the east. Mr. Levin responded in the negative and stated he backs the boat out.

MOTION MADE BY MEMBER CLARK, SECONDED BY MEMBER LABADIE, TO UNFAVORABLY RECOMMENDED TO THE CITY COMMISSION DENIAL OF BOA CASE NO. 2021-05, A VARIANCE REQUEST FROM CODE SECTION 94-86 OF THE CODE OF ORDINANCES TO ALLOW THE DOCK TO ENCROACH 6 FEET INTO THE

12-FOOT SIDE YARD SETBACK FOR THE INSTALLATION OF A NEW BOAT LIFT FOR PROPERTY LOCATED AT 306 BAHIA VISTA DRIVE, INDIAN ROCKS BEACH, FLORIDA, AND LEGALLY DESCRIBED AS BAHIA VISTA SUBDIVISION LOT 6 & PART OF WATER LOT A LYING WITHIN SIDE LOT LINES EXTENDED NORTHERLY, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 31, PAGE 26, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

Vice-Chair Watt asked how does the Board weigh in the neighbors' opinion.

City Attorney Mora stated the neighbors' opinion is not part of the criteria outlined in the Code of Ordinances. It is something that members of the Board and occasionally, the City Commission sometimes inquire about, or members come forward to provide incite on. It is not one of the specified criteria concerning a variance. As it relates to the weight of the evidence for hardship or any other factor, that answer is straightforward, and that is why the Board is here.

ROLL CALL VOTE:

AYES: WATT, LABADIE, CLARK

NAYS: DEVORE

ABSENT: ALVAREZ

MOTION TO DENY CARRIED BY A VOTE OF 3 TO 1.

5. BOA CASE NO. 2021-06 — 378 LA HACIENDA DRIVE

Owner/Applicant: Elias Leousis

Subject Location: 378 La Hacienda Drive, Indian Rocks Beach, Florida

Legal Description: La Hacienda 1st Addition and part of Water Lot C in front and 14.5 feet x 115 feet T/A on East side of Lot 61 recorded thereof recorded in Plat Book 43, Page 14 of the Public Records of Pinellas County, Florida.

Parcel #: 07-30-15-47394-000-0600.

Variance request: Variance request from Section 110-131(1)(f.)(2)(i) of the Code of Ordinances of a range from 12 feet to 5.5 feet for a length of 22 feet into the required 25-foot rear yard setback, resulting in a total rear yard setback of a range from 13 feet to 19.5 feet for a length of 22 feet, to allow for a covered porch on the rear of the house.

Beginning of Staffing Report]

SUBJECT — BOA CASE NO. 2021-06: Variance request from Code Sec. 110-131(1)(f.)(2)(i) of the Code of the Ordinances of a range from 12 feet to 5.5 feet for a length of 22 feet into the required 25-foot rear yard setback, resulting in a total rear yard

setback of a range from 13 feet to 19.5 feet for a length of 22 feet, to allow for a covered porch on the rear of the house for property located at 378 La Hacienda Drive, Indian Rocks Beach, Florida, and legally described as La Hacienda 1st Addition and part of Water Lot C in front and 14.5 feet x 115 feet T/A on East side of Lot 61 recorded thereof recorded in Plat Book 43, Page 14 of the Public Records of Pinellas County. Parcel #07-30-15-47394-00-0600.

OWNER: Elias Leousis
 PROPERTY LOCATION: 378 La Hacienda Drive
 ZONING: S- Single Family

Direction	Existing Use	Zoning Category
North	Intracoastal	N/A
East	Residential	S
South	Residential	S
West	Residential	S

BACKGROUND:

Elias Leousis is requesting to install a roof over the patio area at the rear of the house. The existing residence was built in 1968 and a portion of the residence has historically encroached into the rear yard setback approximately 5 feet for about 25 feet. The required rear yard setback in the single-family residential zoning district is typically 25 feet.

The City's approved site plan showed a CMU base of wood post on the plans and the new site plan shows a 16" x 16" CMU column and showing the new roof line. The intention of the post/column was to support the roof over the outside patio area which follows the existing line of the building and encroaches into the rear setback. The roof encroachment was not shown on the City's approved site plan only the post base.

Sec. 2-152. Variances.

(a) *Generally; criteria for granting variances from the terms of subpart B.*

(1) The Board of Adjustments and Appeals shall make recommendations on and the City Commission shall decide variance applications will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of subpart B will result in unnecessary and undue hardship. In order to recommend or decide any variance from the terms of subpart B, the Board or the City Commission shall consider each of the following:

- a. Special conditions and circumstances exist which are peculiar to the and, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district. The existing structure was

- built in 1968 prior to the current zoning regulations and a portion of the building is in the rear yard setback. The lot is located at the end of La Hacienda Drive where the rear lot lines are curvilinear.
- b. The special conditions and circumstances do not result from the actions of the applicant. The applicant did not create any special conditions or circumstances.
 - c. Granting the variance will not confer on the applicant any special privilege that is denied by subpart B to other lands, structures or buildings in the same zoning district. Granting the variance would confer special privileges to the applicant.
 - d. Literal interpretation of the provisions of subpart B would deprive other properties in the same zoning district under the terms of subpart B and would work unnecessary and undue hardship upon the applicant. The approval of this variance request would not deprive other owners of use and enjoyment of their properties.
 - e. The variance granted is the minimum variance that will make possible the reasonable use of the land, structure or building. This is the minimum variance to allow the owner to construct the covered porch.
 - f. The granting of the variance will be in harmony with the general intent and purpose of subpart B, and such variance will not be injurious to the area involved or be otherwise detrimental to the public welfare. Granting the variance would not be injurious to the area involved or be detrimental to the public welfare.

STAFF RECOMMENDATION: Based on the variance review criteria of Section 2-152, and existing unique characteristics of the property, staff recommends approval of the request.

PUBLIC NOTICES: A notice was mailed by first class mail to the property owners within 150 feet in any direction of the subject property and posted on subject property on June 28, 2021. (Sec. 2-149 of the Code of Ordinances.)

CORRESPONDENCE RECEIVED: Letters of support from Jim Bone, 380, La Hacienda Drive, Christopher & Lydia Tremble, 381 La Hacienda Drive, Dave Edgerton, 377 La Hacienda Drive, Christie Roberts, 383 La Hacienda Drive, and Bob and Becky Griffin, 375 La Hacienda Drive.

A letter of objection was received from Paul and Patricia Jannarone, 376 La Hacienda Drive.

[End of Staffing Report]

City Attorney Mora read the Agenda Item by title only.

City Attorney Mora inquired of the Members if they had any ex-parte communications with the applicant, with all Members responding in the negative.

City Attorney Mora inquired of the Members if any of them had done a site visit for the limited purpose of evaluating this case, with all Members responding in the negative.

The City Attorney duly swore in all persons planning to give testimony during the quasi-judicial hearing.

City Attorney Mora opened the public comment portion for this Agenda Item.

Planning Consultant Harmon stated the applicant is requesting a variance from Code Section 110-313(1)(f.) (2)(i), of the Code of Ordinances, of a range from 12 feet to 5.5 feet for a length of 22 feet into the required 25-foot rear yard setback, resulting in a total rear yard setback of a range from 13 feet to 19.5 feet from a length of 22 feet, to allow to install a roof over the patio area at the rear of the house at 378 La Hacienda Drive.

Planning Consultant Harmon presented a PowerPoint Presentation depicting aerial views of the property, a survey, approved site plans, and pictures of the backyard showing the progression of work done.

Planning Consultant Harmon stated the applicant is remodeling his residence to be more modernized by raising his ceilings. He would like to continue the existing house line that is already encroaching into the rear yard setback to cover their existing patio.

Member Clark asked if there is additional footage to the existing footprint. They are just putting a roof over the existing concrete slab.

Planning Consultant Harmon responded in the affirmative.

Chair DeVore stated there would be no additional square feet of heating and air-conditioning. It will all be open. Planning Consultant Harmon responded in the affirmative.

In its submissions, City Attorney Mora stated the applicant is willing to execute a restrictive covenant to that effect that the patio area would not be closed in without prior approval of the City Commission at a future date.

Carolyn Meadows, Esquire, Becker & Poliakoff, P.A., 1511 N. Westshore Boulevard, Suite 1000, Tampa, appearing on behalf of the property owner/applicant, Elias Leousis, of 378 La Hacienda Drive, stated the Leousis's have lived in IRB for about 25 years, and have lived at 378 La Hacienda Drive for the past 16 years. She said she and the applicant agrees with the staffing report and are only here to add a few comments and answer any questions the Board should have on the variance request.

Attorney Meadows stated the City had notified nine homeowners and neighbors of the Board Meeting this evening, and five have expressed their consent or agreement with the variance that is sought. One homeowner submitted an objection letter, and that letter is part of the agenda packet.

Attorney Meadows stated the applicant's application for a variance from Section 110-131 of the Code of Ordinances is not a situation where the applicant seeks forgiveness instead of permission. The applicant began the review and permit process in late 2020. He was issued his building permit based on the same set of plans that he initially submitted. Other than a technical correction, which was requested by City staff and consented to, and later adjusted accordingly. He began the construction after nearly six months of review. He has passed two inspections before being directed to stop work, which brings them here tonight. He has not violated any stop-work orders. The majority of what the applicant is doing is actually in the front of the residence. The area in question is a small portion of the overall work; however, it is tied to the roof truss plan and the home's overall structural integrity. It is a very critical element, even though it is a small portion of the entire project.

Attorney Meadow stated after the work commenced, the integration of column into the roof truss system, which was in the plans became evident to the City, although this information had been provided before the process of the building and construction, it came to the forefront. Because of the stop-work order, the house is structurally unsafe until this starts moving forward. Since it is hurricane and storm season, the applicant is concerned about moving forward with the project and securing the property and the integrity of the property.

Attorney Meadow stated the applicant is facing undue hardship and believes he meets the criteria under Section 2.152 of the Code of Ordinances as laid out in the staffing report. She stated the applicant is not seeking a height variance from the original plans or has requested to close the patio area in. The applicant is willing to record a covenant that would memorialize this restriction in perpetuity unless the Board and the City Commission agreed to a change. He is not asking for forgiveness but instead looking to work collaboratively with the City to rectify the situation that has stopped the project mid-stream.

Christopher Tremble, 381 La Hacienda Drive, spoke in support of the project. He stated the project would not obstruct anyone's view.

City Attorney Mora closed the public comment portion of the Agenda Item.

MOTION MADE BY MEMBER CLARK, SECONDED BY CHAIR DEVORE, TO FAVORABLY RECOMMEND APPROVAL OF BOA CASE NO. 2021-06, A VARIANCE REQUEST FROM CODE SECTION 110-131(1)(f.) (2)(i) OF THE CODE OF ORDINANCES OF A RANGE FROM 12 FEET TO 5.5 FEET FOR A LENGTH OF 22 FEET INTO THE REQUIRED 25-FOOT REAR YARD SETBACK, RESULTING IN A TOTAL REAR YARD SETBACK OF A RANGE FROM 13 FEET TO 19.5 FEET FOR A LENGTH OF 22 FEET, TO ALLOW FOR A COVERED PORCH ON THE REAR OF THE HOUSE FOR

PROPERTY LOCATED AT 378 LA HACIENDA DRIVE, INDIAN ROCKS BEACH, FLORIDA, AND LEGALLY DESCRIBED AS LA HACIENDA 1ST ADDITION AND PART OF WATER LOT C IN FRONT AND 14.5 FT X 115 FT T/A ON EAST SIDE OF LOT 61 RECORDED THEREOF RECORDED IN PLAT BOOK 43, PAGE 14 OF THE PUBLIC RECORDS OF PINELLAS COUNTY.

ROLL CALL VOTE:

AYES: CLARK, LABADIE, DEVORE

NAYS: WATT

ABSENT: ALVAREZ

MOTION CARRIES BY A VOTE OF 3 TO 1.

6. OTHER BUSINESS.

City Clerk O'Reilly stated there will be an August 17, 2021 Board of Adjustments and Appeals Meeting.

7. ADJOURNMENT.

MOTION MADE BY MEMBER LABADIE, SECONDED BY MEMBER CLARK, TO ADJOURN THE MEETING AT 5:38 P.M. UNANIMOUS APPROVAL BY ACCLAMATION.

August 17, 2021

Date Approved

Stewart DeVore, Chair

/dor

AGENDA ITEM 4.

**BOA CASE NO. 2021-07
2204 Gulf Boulevard**

**BOARD OF ADJUSTMENTS AND APPEALS
AGENDA MEMORANDUM**

MEETING OF:

Board of Adjustment: August 17, 2021
City Commission: September 14, 2021

AGENDA ITEM: 4

SUBMITTED AND

RECOMMENDED BY: Hetty C. Harmon, AICP
City Planner

APPROVED BY:

Brently Gregg Mims 
City Manager

SUBJECT:

BOA CASE NO. 2021-07: Variance request from Sec. 110-290 (2) a.1. to allow for a four foot high fence that is less than 50 percent open in the front yard setback for property located at 2204 Gulf Blvd, Indian Rocks Beach, Florida, and legally described as Indian Beach Re-Revised Blk 47, Lot 3 & Part of vacated Beach Drive Adjacent on the West & West 1/2 of vacated 10 Ft Alley Beach Trail Adjacent on the East per O.R. 18911/1925
Parcel # 01-30-14-42030-047-0030

OWNER: Andrew & Marcia Thompson
LOCATION of PROPERTY: 2204 Gulf Blvd
ZONING: CT-Commercial Tourist

Direction	Existing Use	Zoning Category
North	Residential	CT
East	Vacant	P1
South	Residential	CT
West	Gulf	N/A

BACKGROUND:

Andrew & Marcia Thompson are requesting a variance for a 4 foot solid fence along the front property line. Sec. 110-290 (2) a.1 of the code requires that a 4 foot fence be 50% open. The applicant constructed the fence in violation of the code and without the required permit. The applicant's sole reason for requesting the variance is that is alleged that pedestrians peer through the windows. If this situation exist other

methods could enhance privacy including landscaping. The illegally constructed fence does not block the view to the front of building and does not accomplish the goal of the applicant.

Sec. 2-152. - Variances.

(a) *Generally; criteria for granting variances from the terms of subpart B.*

(1) The board of adjustments and appeals shall make recommendations on and the city commission shall decide variance applications will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of subpart B will result in unnecessary and undue hardship. In order to recommend or decide any variance from the terms of subpart B, the board or the city commission shall consider each of the following.

a. Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.

The existing structure was built in 1952 prior to the current zoning regulations and the building is located 10.2 ft from the front property line.

b. The special conditions and circumstances do not result from the actions of the applicant.

The applicant did not create any special conditions or circumstances.

c. Granting the variance will not confer on the applicant any special privilege that is denied by subpart B to other lands, structures or buildings in the same zoning district.

Granting the variance would confer special privileges to the applicant,

d. Literal interpretation of the provisions of subpart B would deprive other properties in the same zoning district under the terms of subpart B and would work unnecessary and undue hardship upon the applicant.

The approval of this variance request would not deprive other owners of use and enjoyment of their properties.

e. The variance granted is the minimum variance that will make possible the reasonable use of the land, structure or building; and

This is the minimum variance to allow the owner to construct the 4 ft high solid fence.

f. The granting of the variance will be in harmony with the general intent and purpose of subpart B, and such variance will not be injurious to the area involved or be otherwise detrimental to the public welfare.

Granting the variance would not be in harmony with the general intent and purpose of subpart B.

STAFF RECOMMENDATION: Based on the variance review criteria of Section 2-152, staff recommends denial of the request.

BOA RECOMMENDATION:

MOTION:

I move to recommend to the City Commission **APPROVAL/DENIAL BOA CASE NO. 2021-07:** Variance request from Sec. 110-290 (2) a.1. to allow for a four foot high fence that is less than 50 percent open in the front yard setback for property located at 2204 Gulf Blvd, Indian Rocks Beach, Florida, and legally described as Indian Beach Re-Revised Blk 47, Lot 3 & Part of vacated Beach Drive Adjacent on the West & West 1/2 of vacated 10 Ft Alley Beach Trail Adjacent on the East per O.R. 18911/1925



2204 Gulf Blvd
BOA CASE NO. 2021-07



BOA CASE NO. 2021-07: Variance request from Sec. 110-290 (2) a.1. to allow for a four foot high fence that is less than 50 percent open in the front yard setback for property located at 2204 Gulf Blvd, Indian Rocks Beach, Florida, and legally described as Indian Beach Re-Revised Blk 47, Lot 3 & Part of vacated Beach Drive Adjacent on the West & West 1/2 of vacated 10 Ft Alley Beach Trail Adjacent on the East per O.R. 18911/1925



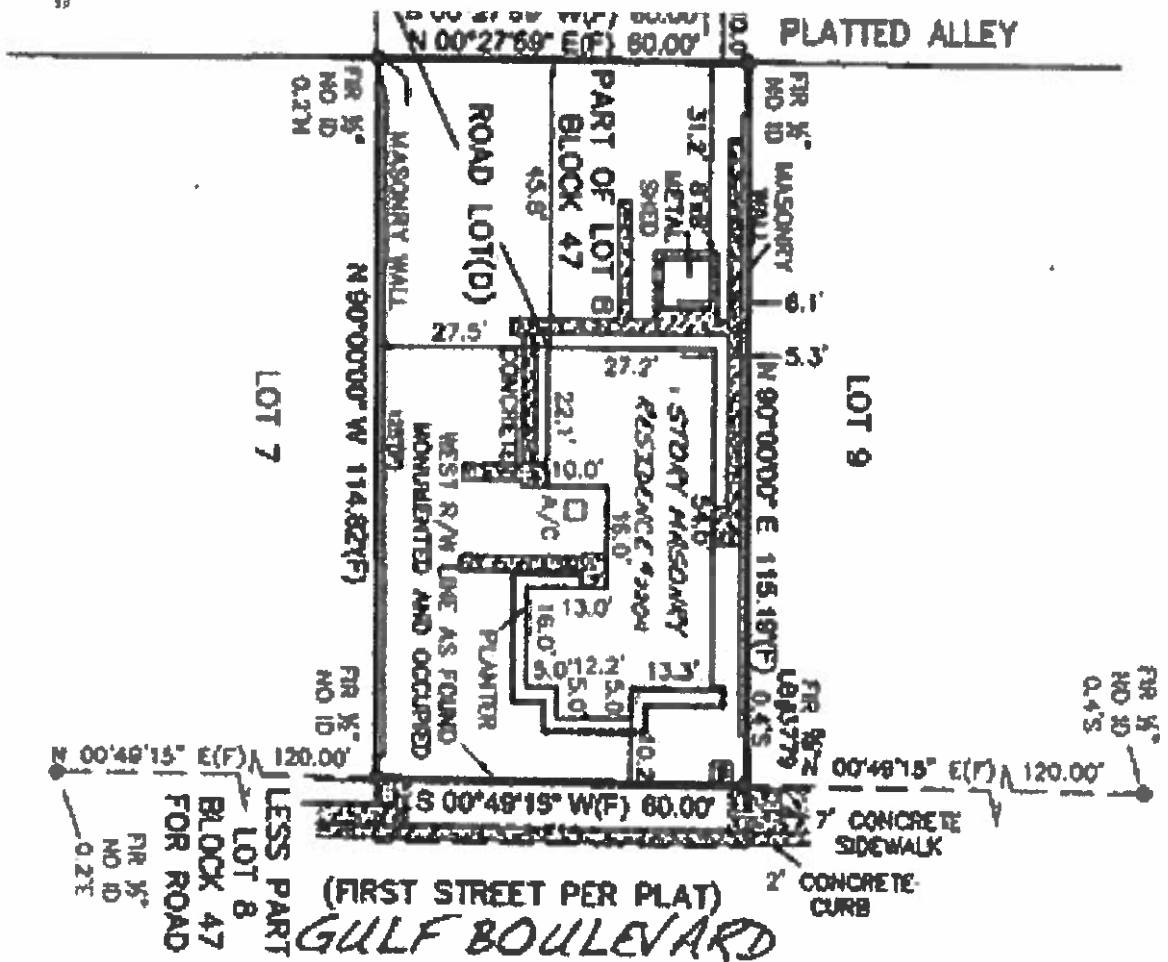
2204 Gulf Blvd



2204 Gulf Blvd



Survey.

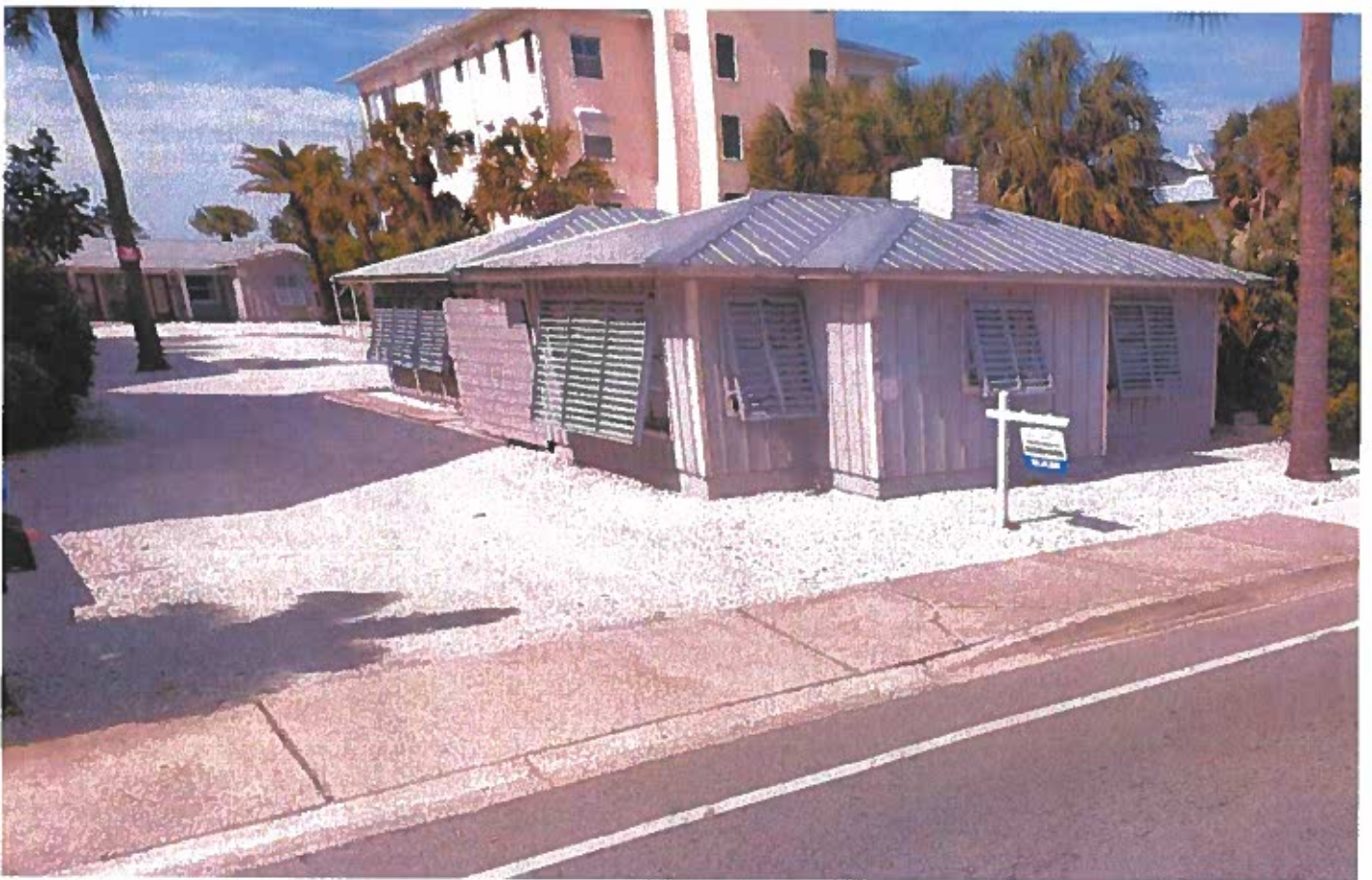


VERTICAL LINE OF ROAD CENTER
 MONUMENTED BY THIS SURVEY

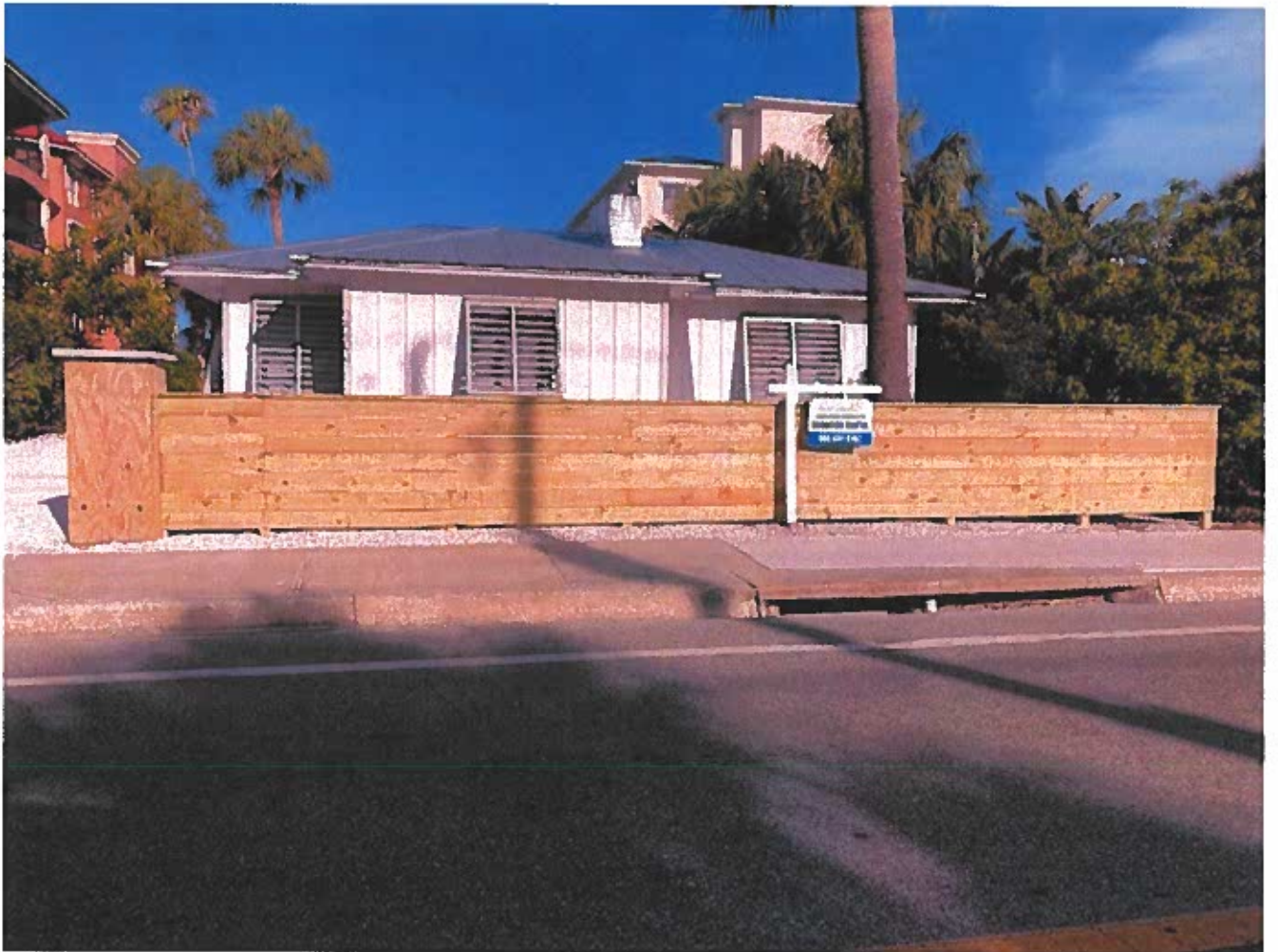
0

Legal Description See Previous

PRIOR TO FENCE INSTALLATION



CURRENT FENCE INSTALLATION



APPLICATION FOR VARIANCE

CITY OF INDIAN ROCKS BEACH PLANNING AND ZONING DEPARTMENT

Enquiries: Tel: (727) 517-0404 Fax: (727) 596-4759
Web: <http://www.indian-rocks-beach.com/>
Address: 1507 Bay Palm Boulevard, Indian Rocks Beach, FL 33785

For Office Use Only ^{BOA} Application No. 2021-07 Date Received 7-8-2021

APPLICANT

Name: ANDREW THOMPSON
Address: 2204 GULF BLVD
City: INDIAN ROCKS
Zip Code: 33785
Tel: (813) 230-2401
Fax: (813) 413-8377
Mobile: (813) 230-2401
Email: andrew@commercialdirect.com

AGENT/REPRESENTATIVE

Name: JASON SCHALLER
Company: THE SCHALLER GROUP
Address: 780 CHERRY ST #3
City: WINTER PARK
Zip Code: 32789
Tel: 313.670.9020
Fax:
Mobile: 313.670.9020
Email: jason@theschallergroup.com

SITE DETAILS

Address: 2204 GULF BLVD Parcel ID: 01-30-1442030-047-0080
City: INDIAN ROCKS Zip Code: 33785
Legal Description: BLOCK 47, LOT 8, LESS ROAD ON EAST OF INDIAN ROCKS BEACH RE-REMOVED, PLAT BOOK 5, PAGE 6
Zoning: Future Land Use:
Size: 60 X 90

SITE DETAILS CONTINUED...

Does applicant own any property contiguous to the subject property? Yes No

If yes, provide address and legal description:

BLOCK 47, LOT 3 AND VACATED PART OF BEACH DR. ON WEST OF INDIAN ROCKS BEACH RE REARERD PLAT BOOK 5 PAGE 6

Have previous applications been filed for this property? Yes No

If yes, describe:

TO VACATE PLATTED ALLEY

Has a certificate of occupancy or completion been refused? Yes No

If yes, describe:

Does any other person have ownership or interest in the property? Yes No

If yes, is ownership or interest contingent or absolute:

Is there an existing contract for sale on the property? Yes No

If yes, list all parties on the contract:

Is contract conditional or absolute? Conditional Absolute

Are there options to purchase? Yes No

VARIANCE REQUEST

Regulation

Required

Proposed

Total Requested

Gulf-front setback (feet):

Bay-front setback (feet):

Alley setback (feet):

VARIANCE REQUEST CONTINUED...

<u>Regulation</u>	<u>Required</u>	<u>Proposed</u>	<u>Total Requested</u>
Rear-no alley setback (feet):	<input type="text"/>	<input type="text"/>	<input type="text"/>
Rear-north/south street (feet):	<input type="text"/>	<input type="text"/>	<input type="text"/>
Street-front setback (feet):	<input type="text"/>	<input type="text"/>	<input type="text"/>
Side-one/both setback (feet):	<input type="text"/>	<input type="text"/>	<input type="text"/>
Minimum green space (%):	<input type="text"/>	<input type="text"/>	<input type="text"/>
Habitable stories (#):	<input type="text"/>	<input type="text"/>	<input type="text"/>
Minimum lot size (sq. ft.):	<input type="text"/>	<input type="text"/>	<input type="text"/>
Building height (feet):	<input type="text"/>	<input type="text"/>	<input type="text"/>
Off-street parking (spaces):	<input type="text"/>	<input type="text"/>	<input type="text"/>
ISR (%):	<input type="text"/>	<input type="text"/>	<input type="text"/>
FAR (%):	<input type="text"/>	<input type="text"/>	<input type="text"/>
Dock length (feet):	<input type="text"/>	<input type="text"/>	<input type="text"/>
Dock width (feet):	<input type="text"/>	<input type="text"/>	<input type="text"/>
Signage (#):	<input type="text"/>	<input type="text"/>	<input type="text"/>
Accessory structure (sq. ft.):	<input type="text"/>	<input type="text"/>	<input type="text"/>
Accessory structure height (feet):	<input type="text"/>	<input type="text"/>	<input type="text"/>
Lot size (sq. ft.):	<input type="text"/>	<input type="text"/>	<input type="text"/>

Other:

FENCE HEIGHT REQUEST OF 48" ALONG GULF BLVD.
PURPOSE - TO KEEP PEDESTRIANS AND PUBLIC FROM PEERING THROUGH
WINDOWS ALONG GULF BLVD.

What is the proposed use of the property?

HARDSHIP

A variance is granted on the basis of evidence being presented that justifies an undue and unnecessary hardship upon the applicant; a hardship that prevents reasonable use of the property. The following criteria, set forth in Code Section 2-152, Variances, will be used to evaluate the request for variance in order to determine if a hardship is present and if the variance will impact the overall public welfare.

Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district:

EXISTING STRUCTURE OF HOME SITS VERY CLOSE TO GULF BLVD AND THE EXISTING PEDESTRIAN SIDEWALKS. GUESTS CONTINUALLY EXPERIENCE PEDESTRIANS PEERING THROUGH THE WINDOWS FACING GULF BLVD AND THE 48" FENCE WILL DETER THIS BEHAVIOR FROM PEDESTRIANS.

Special conditions and circumstances do not result from the actions of the applicant:

[Empty box for special conditions not resulting from applicant actions]

Granting this variance will not confer on the applicant any special privilege that is denied by the chapter to other lands, structures or buildings in the same zoning district:

[Empty box for special privilege]

The literal interpretation of the provisions of Subpart B, Code Sections 78 through 110, would deprive other properties in the same zoning district under the terms of Subpart B and would work unnecessary and undue hardship upon the applicant:

[Empty box for literal interpretation]

HARDSHIP CONTINUED...

The variance granted is the minimum that will make possible the reasonable use of the land, structure or building:

The granting of the variance will be in harmony with the general intent and purpose of Subpart B and such variance will not be injurious to the area involved or be otherwise detrimental to the public welfare:

I (we) believe the Board of Adjustment and Appeals and the City Commission should grant this application because:

CERTIFICATION

Date: 6/15/2021

I hereby certify that I have read and understand the contents of this application, and that this application together with supplemental data and information, is a true representation of the facts related to the request; that this application is filed with my approval, as owner, evidenced by my signature appearing below.

It is hereby acknowledged that the filing of this application does not constitute automatic approval of the request. Further, if the request is approved, I will obtain all necessary permits and comply with all applicable orders, codes, conditions and regulations pertaining to the use of the property.

I hereby grant authorization to any city official to inspect, as reasonable times, the site of the request.

A Jpm

Before me this date personally appeared:

Name: Andrew Thompson

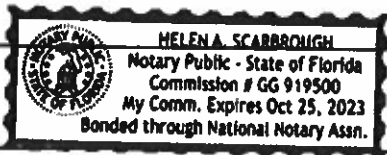
Signature: *[Handwritten Signature]*

Personally known/Form of Identification Personally Known

Who, being first duly sworn, deposes and attests that the above is a true and correct certification.

Sworn to and subscribed before me this: Day: 15 Month: June, 2021

Notary Public State of Florida at Large:



Notary Public Commission Expiration:

State of Florida
County: ~~Pinellas~~ Hillsborough

APPLICATIONS FILED BY CORPORATIONS MUST BEAR THE SEAL OF THE CORPORATION OVER THE SIGNATURE OF AN OFFICER AUTHORIZED TO ACT ON BEHALF OF THE CORPORATION.

AGENT OF RECORD

Date: 6/15/2021

I, ANDREW THOMPSON do hereby designate and appoint

JASON SCHALLER as my agent of record for the purposes of representing me during the Planning and Zoning Department's review process of my application. My agent of record is hereby vested with authority to make any representations, agreements or promises, which are necessary or desirable in conjunction with the review process. My agent of record is authorized to accept or reject any conditions imposed by any reviewing board or entity.

Name: ANDREW THOMPSON Signature: [Signature]

My agent of record may be contacted at:

Company: JASON SCHALLER / THE SCHALLER GROUP

Address: 780 CHERRY ST #3

City/State: WINTER PARK, FL Zip Code: 32789

Telephone: 313.670.9020 Fax: _____

Before me this date personally appeared:

Name: _____

Signature: [Signature]

Personally known/Form of Identification Personally known

Who, being first duly sworn, deposes and attests that the above is a true and correct certification.

Sworn to and subscribed before me this: Day: 15 Month: June, 20 21

Notary Public State of Florida at Large: _____

Notary Public Commission Expiration: _____

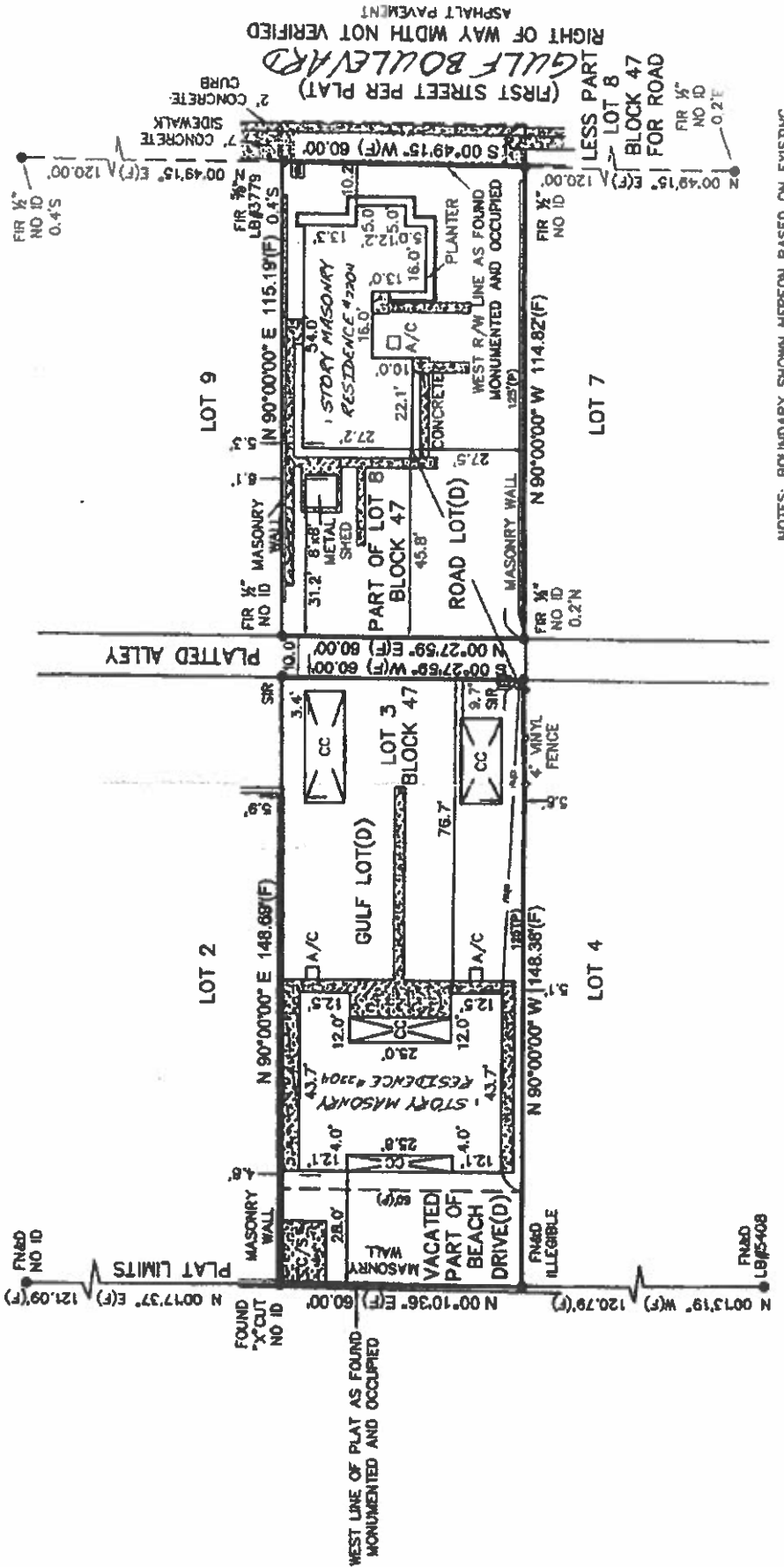
State of Florida
County: Pinellas Hillsborough



DATE
ACCL
SHOL

LIST
WALL
CYRRE
SOME

BASI
BEAR
47 W



NOTES: BOUNDARY SHOWN HEREON BASED ON EXISTING MONUMENTATION RECOVERED AT TIME OF FIELD SURVEY

Legal Description (as furnished)

B E A C H



Administrative
727/595-2517
727/596-4759 (Fax)

Library
727/596-1822

Public Services
727/595-6889
727/593-5137(Fax)

**NOTICE OF PUBLIC MEETING
THE CITY OF INDIAN ROCKS BEACH — BOARD OF ADJUSTMENTS AND APPEALS
TUESDAY, AUGUST 17, 2021 @ 6:00 P.M.
1507 BAY PALM BOULEVARD
INDIAN ROCKS BEACH, FLORIDA 33785**

The Board of Adjustments and Appeals of the City of Indian Rocks Beach, Pinellas County, Florida, an advisory board to the City Commission, will conduct a public meeting on **TUESDAY, AUGUST 17, 2021**, which meeting convenes at 6:00 p.m., or as soon as thereafter, in the City Commission Chambers, 1507 Bay Palm Boulevard, Indian Rocks Beach, Florida, on **BOA CASE NO. 2021-07**.

YOU ARE HEREBY NOTIFIED as a property owner of land within 150 feet of the property located at **2204 GULF BOULEVARD, INDIAN ROCKS BEACH, FLORIDA 33785**, of the following variance request:

A variance request from Section 110-290(2)(a.)(1.) of the Code of Ordinances to allow for a 4-foot high fence that is less than 50 percent open in the front yard setback, for the property located at 2204 Gulf Boulevard, Indian Rocks Beach, Florida, and legally described as Indian Beach Re-Revised, Block 47, Lot 3 & part of vacated Beach Drive adjacent on the West & West 1/2 of vacated 10 foot alley Beach Trail adjacent on the East per O.R. 18911/1925. Parcel # 01-30-14-42030-047-0030

FOR FURTHER INFORMATION REGARDING THIS REQUEST, PLEASE CONTACT HETTY C. HARMON, PLANNING CONSULTANT, AT 863/646-4771, EXT. 211 OR E-MAIL: hharmon@irbcity.com.

If you desire to either support or object to the referenced variance, you may appear at the Indian Rocks Beach Board of Adjustments and Appeals Meeting on said date, or submit in writing your support or objections to Deanne B. O'Reilly, City Clerk, 1507 Bay Palm Boulevard, Indian Rocks Beach, Florida, 33785, or e-mail: doreilly@irbcity.com. All correspondence must be received by the City Clerk no later than **Tuesday, August 17, 2021, by 2:00 p.m.** The City will make such records available during normal business hours, Monday through Friday, 7:30 a.m. to 4:00 p.m., to any interested person at his or her request and expense.

If any person desires to appeal a decision made with respect to this request, such person will need a record of the proceedings and for such purposes, they may need to ensure that a verbatim record of the proceedings is made which record includes the testimony and evidence upon which the appeal is to be based, per Section 286.0105, Florida Statutes. Verbatim transcripts are not furnished by the City of Indian Rocks Beach and should one be desired, arrangements (i.e. court reporter) should be made in advance by the interested party.

In accordance with Section 286.26, Florida Statutes, persons with a disability requiring reasonable accommodations in order to participate in this meeting should contact the City Clerk's Office with your request by telephone (727/595-2517) or email: doreilly@irbcity.com no later than seven (7) business days prior to the proceeding.

Notice was mailed by first class mail to the property owners within 150 feet in any direction of the subject property and posted on subject property on August 2, 2021. (Sec. 2-149 of the Code of Ordinances.)

01-30-14-79346-000-0010

UNIT 1
SEA GEMS CONDO

KELLY, SUSAN GRACE TRE
KELLY, SUSAN GRACE REV LIV TRUST
1 23RD AVE N UNIT 1
INDIAN ROCKS BEACH FL 33785-3037

01-30-14-79346-000-0020

UNITS 2 & 3
SEA GEMS CONDO

MCCAFFREY, DOUGLAS T
1 23RD AVE APT 2
INDIAN ROCKS BEACH FL 33785-3037

01-30-14-79346-000-0090

UNIT 9
SEA GEMS CONDO

SCHOLL, MARY JEAN
2206 BEACH TRL APT 9
INDIAN ROCKS BEACH FL 33785-3863

01-30-14-79245-000-4040

SCOPELLO CONDO
UNIT 404

VAIL FAMILY LIVING TRUST
VAIL, MICHAEL T TRE
3 NICOLAS WAY
CUMBERLAND FORESIDE ME 04110-1446

01-30-14-79245-000-3010

UNIT 301
SCOPELLO CONDO

NAIMOLI, LENDA F 2001 TRUST
NAIMOLI, LENDA F TRE
604 VIENTO DE AVILA
TAMPA FL 33613-5229

01-30-14-79245-000-2020

UNIT 202
SCOPELLO CONDO

SKAPERDAS, GEORGE
SKAPERDAS, PAULA
6 COVE MEADOW LN
OYSTER BAY COVE NY 11771-3307

01-30-14-42030-046-0040

BLK 46, LOT 4
INDIAN BEACH RE-REVISED

ARSHT, STEVEN
ARSHT, ALONA
840 3RD AVE S
ST PETERSBURG FL 33715

01-30-14-42030-047-0030

W 1/2 OF VAC 10FT ALLEY
VAC BEACH DR ADJ ON W &
BLK 47, LOT 3 & PART OF
INDIAN BEACH RE-REVISED

THOMPSON, ANDREW M
THOMPSON, MARCIA
1405 BAYSHORE BLVD
TAMPA FL 33606-3001

01-30-14-79346-000-0060

UNIT 6
SEA GEMS CONDO

WALKER, RICHARD F
WEIDEMAN, CAROL A
2206 BEACH TRL APT 6
INDIAN ROCKS BEACH FL 33785-3863

01-30-14-79245-000-4010

UNIT 401
SCOPELLO CONDO

TOTH, SYLVIA F REV TRUST
TOTH, SYLVIA F TRE
C/O TOTH, SYLVIA F REV TRUST
1800 N MOHAWK ST
CHICAGO IL 60614-5214

01-30-14-79346-000-0001

TRAIL PER O.R 18911/1925
WITH PART OF VAC BEACH
(COMMON AREA) TOGETHER
SEA GEMS CONDO

SEA GEMS CONDO ASSN INC
2206 BEACH TRL
INDIAN ROCKS BEACH FL 33785-3863

01-30-14-79245-000-0001

COMMON AREA
SCOPELLO CONDO

SCOPELLO CONDO ASSN INC
8200 BRYAN DAIRY RD STE 300
LARGO FL 33777-1355

01-30-14-79245-000-4030

UNIT 403
SCOPELLO CONDO

MONCUR, DENNIS D
9239 BRINDLEWOOD DR
ODESSA FL 33556-3155

01-30-14-79245-000-2050

UNIT 205
SCOPELLO CONDO

MOHAN, PERUMAL
MOHAN, REVATHI
9008 FALLSWOOD LN
BRENTWOOD TN 37027-8680

01-30-14-42030-046-0020

BLK 46, LOT 2
INDIAN BEACH RE-REVISED

T & J GONZALEZ PROPERTIES MAGMT INC
13106 DONE GROVEN DR
DOVER FL 33527-4800

01-30-14-79346-000-0040

UNIT 4
SEA GEMS CONDO

KEENEY, KEITH C
KEENEY, KATHERINE D
2206 BEACH TRL UNIT 4
INDIAN ROCKS BEACH FL 33785-3863

01-30-14-79245-000-4060

UNIT 406
SCOPELLO CONDO

SPRINGER, RAYMOND
SPRINGER, MARIA AMPARO
2200 GULF BLVD APT 406
INDIAN ROCKS BEACH FL 33785-3802

01-30-14-79245-000-2030

UNIT 203
SCOPELLO CONDO

EAGLE, BARRY D
EAGLE, PHYLLIS L

2200 GULF BLVD UNIT 203
INDIAN ROCKS BEACH FL 33785-3802

01-30-14-79245-000-3050
UNIT 305
SCOPELLO CONDO

MCPHERSON, BILLY
MCPHERSON, VICKI
525 AUDUBON PL
CONWAY AR 72034-8242

01-30-14-42030-046-0050
IN SW COR
BLK 46, LOT 5 LESS RD R/W
INDIAN BEACH RE-REVISED

HEIDMAN, LEA ANNE TRE
HEIDMAN, LEA ANNE TRUST
2201 GULF BLVD
INDIAN ROCKS BEACH FL 33785

01-30-14-79245-000-3020
UNIT 302
SCOPELLO CONDO

CAMPBELL, HARRY CHARLES
CAMPBELL, KRISTIN ELIZABETH
2200 GULF BLVD APT 302
INDIAN ROCKS BEACH FL 33785-3802

01-30-14-79245-000-2040
UNIT 204
SCOPELLO CONDO

CHORDAR, ROBERT C REV LIV TRUST
CHORDAR, ROBERT C JR TRE
860 KILLINGER RD
CLINTON OH 44216-9654

01-30-14-79245-000-4050
UNIT 405
SCOPELLO CONDO

SCHNEIDER, KURT
2109 BAYSHORE BLVD UNIT 409
TAMPA FL 33606-3147

01-30-14-79245-000-2060
UNIT 206
SCOPELLO CONDO

HILL, JAMES JR
3817 W SAN CARLOS ST
TAMPA FL 33629-6821

01-30-14-79346-000-0070
UNIT 7
SEA GEMS CONDO

MINIERI, KATHRYN A TRE
MALAVE, MARIANNE S TRE
36370 US HIGHWAY 19 N
PALM HARBOR FL 34684-1328

01-30-14-79346-000-0050
UNIT 5
SEA GEMS CONDO

KEEFE, KAREN M LIVING TRUST
KEEFE, KAREN M TRE
2206 BEACH TRL UNIT 5
INDIAN ROCKS BEACH FL 33785-3863

01-30-14-79245-000-3030

UNIT 303
SCOPELLO CONDO

KRESGE, REGINA
GERAGHTY, JOSEPH
549 HANNIGAN DR
LANCASTER PA 17601-5095

01-30-14-79245-000-2010

UNIT 201
SCOPELLO CONDO

SALVADORE, MICHAEL
4733 EAST LAKE RD
BURT NY 14028-9759

01-30-14-42030-047-0090

R/W O.R 6671/35
32FT & LESS E 10FT FOR RD
BLK 47, LOTS 9 & 10 LESS W
INDIAN BEACH RE-REVISED

BAYSHORE APARTMENTS LLC
IBRAHIM, ABDEL K
PO BOX 4658
TAMPA FL 33677-4658

01-30-14-42030-046-0010

BLK 46, LOT 1
INDIAN BEACH RE-REVISED

A J B AND C J B LLC
PO BOX 916640
LONGWOOD FL 32791-6640

01-30-14-79346-000-0080

UNIT 8
SEA GEMS CONDO

R C G III PROPERTIES LLC
2206 BEACH TRL
INDIAN ROCKS BEACH FL 33785-3863

01-30-14-79245-000-4020

UNIT 402
SCOPELLO CONDO

3 FOLD CAPITAL CORP
508 WOODFIELD CT
KITCHENER ON N2P 2S8

01-30-14-79245-000-3040

UNIT 304
SCOPELLO CONDO

FIXL, JOHN
FIXL, JANET
6053 ROUTE 209
STROUDSBURG PA 18360-7158

01-30-14-79245-000-3060

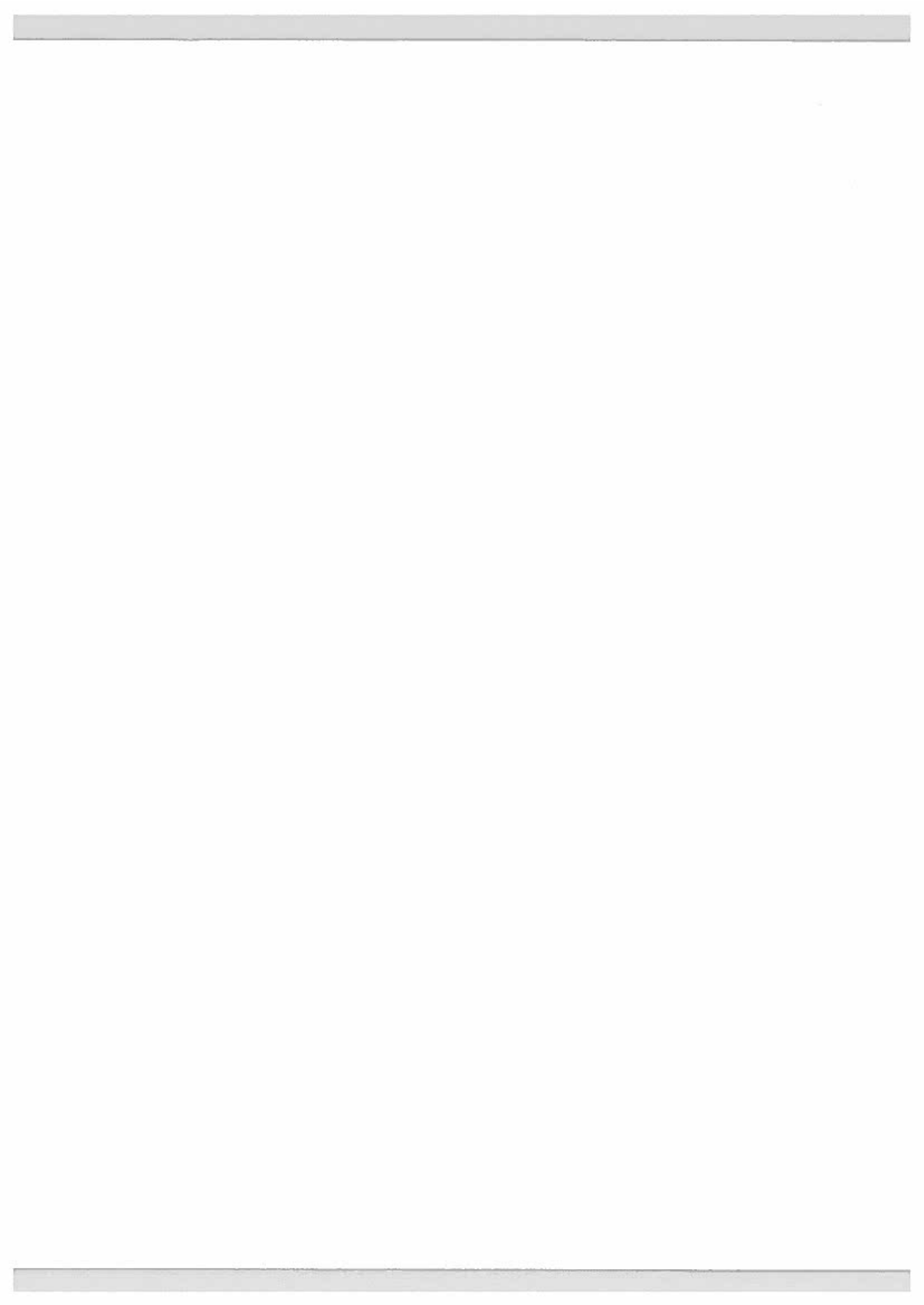
UNIT 306
SCOPELLO CONDO

PAPAS, PATRICIA A TRUST
PAPAS, PATRICIA A TRE
2200 GULF BLVD APT 306
INDIAN ROCKS BEACH FL 33785-3802

01-30-14-42030-046-0030

BLK 46, LOT 3
INDIAN BEACH RE-REVISED

DRIGAILO, ALEKSANDR
DRIGAILO, TATIYANA
2209 GULF BLVD
INDIAN ROCKS BEACH FL 33785



AGENDA ITEM NO. 5

**BOA CASE NO. 2021-08
351-12th Avenue**

**BOARD OF ADJUSTMENTS AND APPEALS
AGENDA MEMORANDUM**

MEETING OF:

Board of Adjustment: August 17, 2021
City Commission: September 14, 2021

AGENDA ITEM: 5

SUBMITTED AND

RECOMMENDED BY: Hetty C. Harmon, AICP
City Planner

APPROVED BY:

Brently Gregg Miras 
City Manager

SUBJECT:

BOA CASE NO. 2021-08: Variance requests from Section 94-86 (a)(1) to allow for a dock facility to exceed the 50-foot length from the seawall by 22 feet 4 inches and to allow a variance of 11 feet 4 inches into side yard setback leaving a side yard setback of 8 inches for the property located at 351 12th Avenue, Indian Rocks Beach, Florida, and legally described as Block 89, Lot 13, Second Addition to Re-Revised Map of Indian Beach. Parcel #06-30-15-42066-089-0130

OWNER Patricia Jordan
LOCATION of PROPERTY: 351 12th Avenue
ZONING: S- Single Family

Direction	Existing Use	Zoning Category
North	Residential	S
East	Residential	S
South	Intracoastal	N/A
West	Residential	S

BACKGROUND:

Patricia Jordan is requesting variances for the length and side yard setback of the dock. In February 2020 the City granted a variance for the dock to exceed the 50 feet length by 6 feet. and encroach into the required 12-foot side yard setback by 11 feet 4 inches leaving an 8-inch distance between the boat lift and the side property line extended. The dock has been installed and due to the height of the dock which is required to be located 5 feet above the seagrass and the low water levels the dock is unusable. As a result, the applicant is requesting to extend the dock length by 22 feet 4" above the 50 feet requirement to be able to use the dock and boat lift.

Sec. 2-152. - Variances.

(a) *Generally; criteria for granting variances from the terms of subpart B.*

(1) The board of adjustments and appeals shall make recommendations on and the city commission shall decide variance applications will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of subpart B will result in unnecessary and undue hardship. In order to recommend or decide any variance from the terms of subpart B, the board or the city commission shall consider each of the following.

a. Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.

The property is located in an area that has mangroves and seagrass and is not typical to most other properties in the City.

b. The special conditions and circumstances do not result from the actions of the applicant.

The applicant did not create any special conditions or circumstances.

c. Granting the variance will not confer on the applicant any special privilege that is denied by subpart B to other lands, structures or buildings in the same zoning district.

Granting the variance would not confer special privileges to the applicant, it would allow for the dock and boat lift to be constructed and utilized.

d. Literal interpretation of the provisions of subpart B would deprive other properties in the same zoning district under the terms of subpart B and would work unnecessary and undue hardship upon the applicant.

The approval of this variance request would not deprive other owners of use and enjoyment of their properties.

e. The variance granted is the minimum variance that will make possible the reasonable use of the land, structure or building; and

This is the minimum variance to allow the owner to use the dock and boat lift.

f. The granting of the variance will be in harmony with the general intent and purpose of subpart B, and such variance will not be injurious to the area involved or be otherwise detrimental to the public welfare.

Granting the variance will be in harmony with the general intent and purpose of subpart B.

STAFF RECOMMENDATION: Based on the variance review criteria of Section 2-152, staff recommends approval of the request.

BOA RECOMMENDATION:

MOTION:

I move to recommend to the City Commission **APPROVAL/DENIAL** of **BOA CASE NO. 2021-08:** Variance requests from Section 94-86 (a)(1) to allow for a dock facility to exceed the 50-foot length from the seawall by 22 feet 4 inches and to allow a variance of 11 feet 4 inches into side yard setback leaving a side yard setback of 8 inches for the property located at 351 12th Avenue, Indian Rocks Beach, Florida, and legally described as Block 89, Lot 13, Second Addition to Re- Revised Map of Indian Beach.



351 12th Avenue
BOA CASE NO. 2021-08



BOA CASE NO. 2021-08: Variance requests from Section 94-86 (a)(1) to allow for a dock facility to exceed the 50-foot length from the seawall by 22 feet 4 inches and to allow a variance of 11 feet 4 inches into side yard setback leaving a side yard setback of 8 inches for the property located at 351 12th Avenue, Indian Rocks Beach, Florida, and legally described as Block 89, Lot 13, Second Addition to Re-Revised Map of Indian Beach.



351 12th Avenue



351 12th Avenue



351 12th Avenue



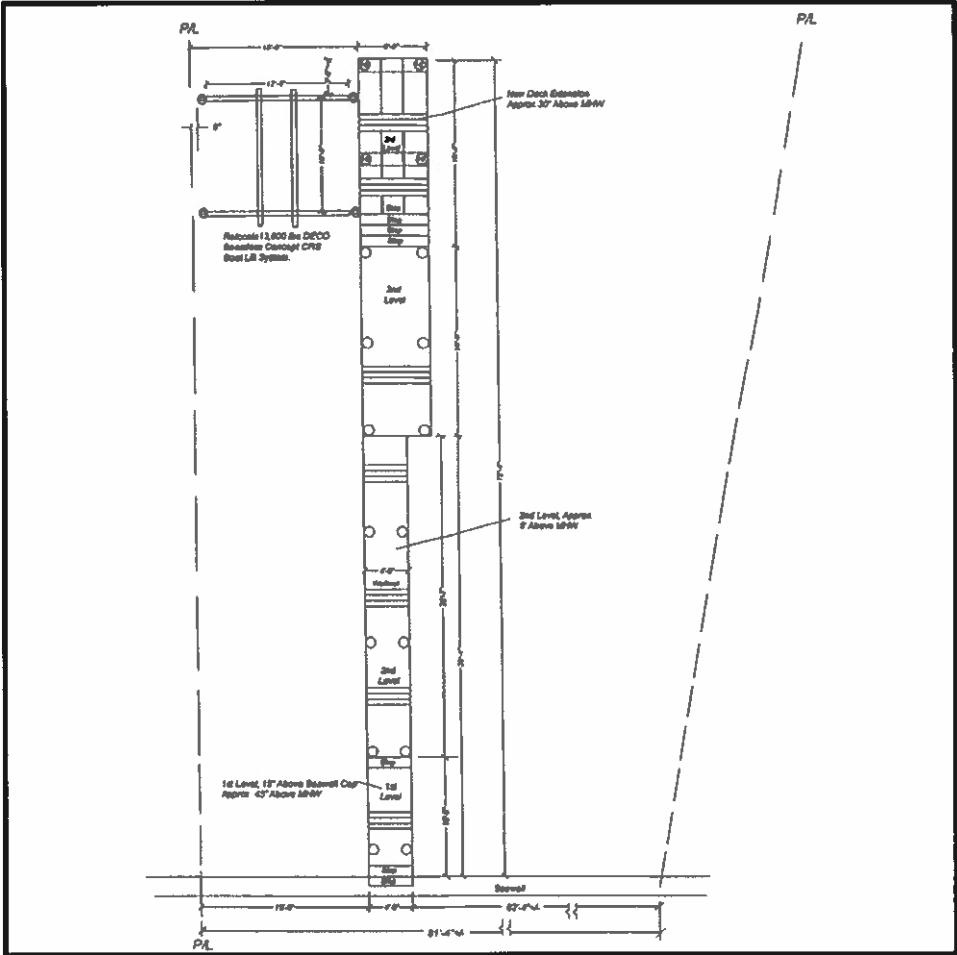
351 12th Avenue



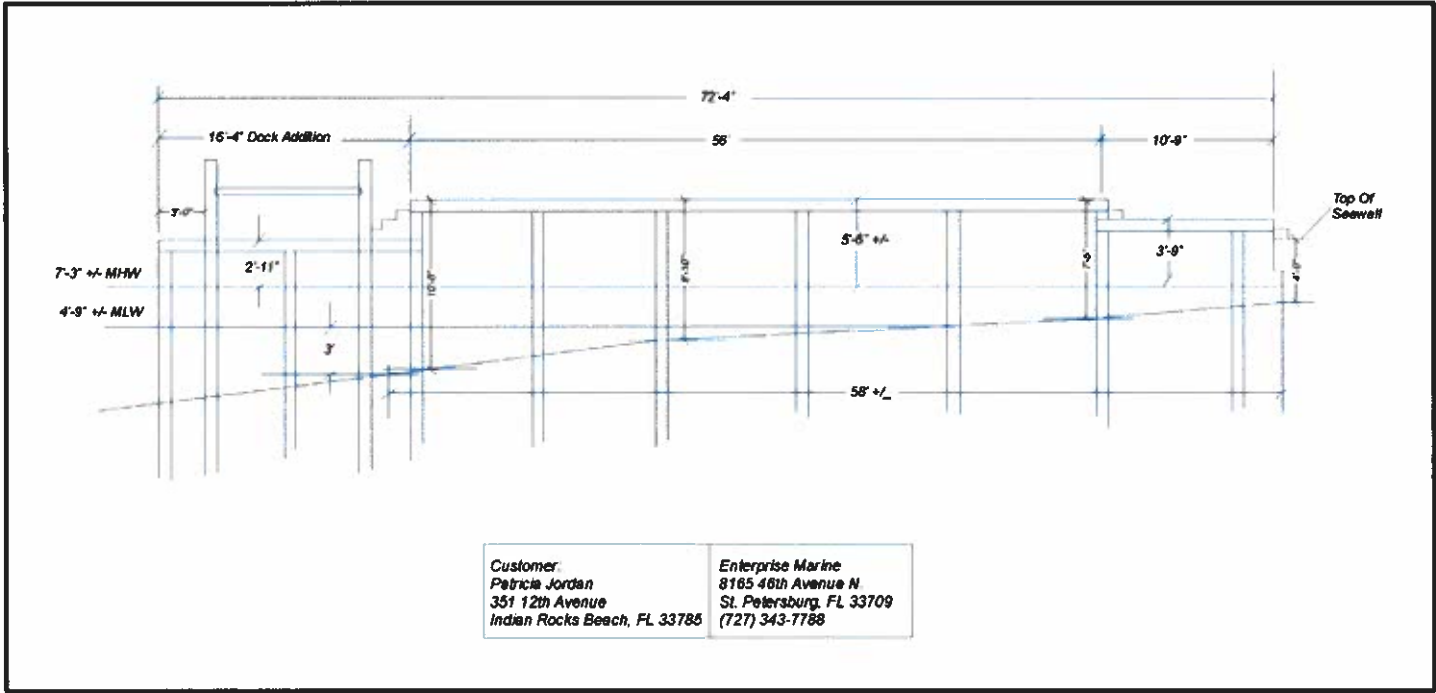
351 12th Avenue



DOCK PLAN



DOCK PROFILE



APPLICATION FOR VARIANCE

CITY OF INDIAN ROCKS BEACH PLANNING AND ZONING DEPARTMENT

Enquiries: Tel: (727) 517-0404 Fax: (727) 596-4759
Web: http://www.indian-rocks-beach.com/
Address: 1507 Bay Palm Boulevard, Indian Rocks Beach, FL 33785

For Office Use Only

BOA
Application No. 2021-08

Date Received 7/14/2021

APPLICANT

Name: Patricia Jordan
Address: 351 12th Avenue
City: Indian Rocks Beach
Zip Code: 33785
Tel: (716) 583-3187
Fax:
Mobile:
Email: royj@entforest.com

AGENT/REPRESENTATIVE

Name: Joe Place
Company: Enterprise Marine
Address: 8165- 46th Ave. N.
City: St. Petersburg
Zip Code: 33709
Tel: (727) 343-7788
Fax: (727) 954-8812
Mobile: (727) 280-4416
Email: joe@enterprisemarine.com

SITE DETAILS

Address: 351 12th Ave. Parcel ID: 06-30-15-42066-089-0130
City: Indian Rocks Beach Zip Code: 33785
Legal Description: Indian Beach Re- Revised 2nd Add, Block 89, Lot 13
Zoning: Future Land Use:
Size:

SITE DETAILS CONTINUED...

Does applicant own any property contiguous to the subject property? Yes No

If yes, provide address and legal description:

Have previous applications been filed for this property? Yes No

If yes, describe:

Dock Permit #20-210 was issued for this property on 3/16/20

Has a certificate of occupancy or completion been refused? Yes No

If yes, describe:

Does any other person have ownership or interest in the property? Yes No

If yes, is ownership or interest contingent or absolute:

Is there an existing contract for sale on the property? Yes No

If yes, list all parties on the contract:

Is contract conditional or absolute? Conditional Absolute

Are there options to purchase? Yes No

VARIANCE REQUEST

<u>Regulation</u>	<u>Required</u>	<u>Proposed</u>	<u>Total Requested</u>
Gulf-front setback (feet):	<input style="width: 60px;" type="text" value="12'"/>	<input style="width: 60px;" type="text" value="8''"/>	<input style="width: 60px;" type="text" value="11'-4''"/>
Bay-front setback (feet):	<input style="width: 60px;" type="text"/>	<input style="width: 60px;" type="text"/>	<input style="width: 60px;" type="text"/>
Alley setback (feet):	<input style="width: 60px;" type="text"/>	<input style="width: 60px;" type="text"/>	<input style="width: 60px;" type="text"/>

VARIANCE REQUEST CONTINUED...

Regulation	Required	Proposed	Total Requested
Rear-no alley setback (feet):	<input type="text"/>	<input type="text"/>	<input type="text"/>
Rear-north/south street (feet):	<input type="text"/>	<input type="text"/>	<input type="text"/>
Street-front setback (feet):	<input type="text"/>	<input type="text"/>	<input type="text"/>
Side-one/both setback (feet):	<input type="text"/>	<input type="text"/>	<input type="text"/>
Minimum green space (%):	<input type="text"/>	<input type="text"/>	<input type="text"/>
Habitable stories (#):	<input type="text"/>	<input type="text"/>	<input type="text"/>
Minimum lot size (sq. ft.):	<input type="text"/>	<input type="text"/>	<input type="text"/>
Building height (feet):	<input type="text"/>	<input type="text"/>	<input type="text"/>
Off-street parking (spaces):	<input type="text"/>	<input type="text"/>	<input type="text"/>
ISR (%):	<input type="text"/>	<input type="text"/>	<input type="text"/>
FAR (%):	<input type="text"/>	<input type="text"/>	<input type="text"/>
Dock length (feet):	50'	72'-4"	22'-4"
Dock width (feet):	<input type="text"/>	<input type="text"/>	<input type="text"/>
Signage (#):	<input type="text"/>	<input type="text"/>	<input type="text"/>
Accessory structure (sq. ft.):	<input type="text"/>	<input type="text"/>	<input type="text"/>
Accessory structure height (feet):	<input type="text"/>	<input type="text"/>	<input type="text"/>
Lot size (sq. ft.):	<input type="text"/>	<input type="text"/>	<input type="text"/>

Other:

What is the proposed use of the property?

HARDSHIP

A variance is granted on the basis of evidence being presented that justifies an undue and unnecessary hardship upon the applicant; a hardship that prevents reasonable use of the property. The following criteria, set forth in Code Section 2-152, Variances, will be used to evaluate the request for variance in order to determine if a hardship is present and if the variance will impact the overall public welfare.

Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district:

Shallow water depths restrict the use of the boat and boat lift system.

Special conditions and circumstances do not result from the actions of the applicant:

Mangroves, seagrass and shallow water, are natural conditions. No actions by the applicant, resulted in the existing conditions.

Granting this variance will not confer on the applicant any special privilege that is denied by the chapter to other lands, structures or buildings in the same zoning district:

This variance will not provide any special privilege for this property. It will allow increased access to the dock and boat lift, similar to other properties in the area.

The literal interpretation of the provisions of Subpart B, Code Sections 78 through 110, would deprive other properties in the same zoning district under the terms of Subpart B and would work unnecessary and undue hardship upon the applicant:

Not approving the variance, would cause unnecessary and undue hardship to the applicant, due to the natural occurrence of the existing mangroves, seagrass and shallow water.

HARDSHIP CONTINUED...

The variance granted is the minimum that will make possible the reasonable use of the land, structure or building:

We are asking for the minimum variance for the length of the dock and boat lift, due to the mangroves, seagrass and shallow water.

The granting of the variance will be in harmony with the general intent and purpose of Subpart B and such variance will not be injurious to the area involved or be otherwise detrimental to the public welfare:

The granting of the variance, will not be injurious to the area, or detrimental to the public welfare.

I (we) believe the Board of Adjustment and Appeals and the City Commission should grant this application because:

The City has already approved variances, for docks in this area due to similar issues.

CERTIFICATION

Date: June 16, 2021

I hereby certify that I have read and understand the contents of this application, and that this application together with supplemental data and information, is a true representation of the facts related to the request; that this application is filed with my approval, as owner, evidenced by my signature appearing below.

It is hereby acknowledged that the filing of this application does not constitute automatic approval of the request. Further, if the request is approved, I will obtain all necessary permits and comply with all applicable orders, codes, conditions and regulations pertaining to the use of the property.

I hereby grant authorization to any city official to inspect, as reasonable times, the site of the request.

Before me this date personally appeared:

Name: Patricia A Jordan

Signature: Patricia A Jordan

Personally known/Form of Identification _____

Who, being first duly sworn, deposes and attests that the above is a true and correct certification.

Sworn to and subscribed before me this: Day: 16 Month: June .2021

Notary Public State of ^{new york} Florida at Large: [Signature]

Notary Public Commission Expiration: June 7 2022

State of ^{new york} Florida
County: Pinellas
Eric

JENNIFER ELLEN BUSCH
Notary Public, State of New York
No. 01BU6220123
Qualified in Erie County
Commission Expires June 7, 2022

APPLICATIONS FILED BY CORPORATIONS MUST BEAR THE SEAL OF THE CORPORATION OVER THE SIGNATURE OF AN OFFICER AUTHORIZED TO ACT ON BEHALF OF THE CORPORATION.

AGENT OF RECORD

Date: June 16, 2021

I, Patricia A Jordan do hereby designate and appoint
Joe Place as my agent of record for the purposes of representing me during the Planning and Zoning Department's review process of my application. My agent of record is hereby vested with authority to make any representations, agreements or promises, which are necessary or desirable in conjunction with the review process. My agent of record is authorized to accept or reject any conditions imposed by any reviewing board or entity.

Name: Patricia A Jordan Signature: Patricia A Jordan

My agent of record may be contacted at:

Company: Enterprise Marine Contractors, Inc.

Address: 8165 46th Avenue N.

City/State: St. Petersburg Zip Code: 33709

Telephone: (727) 343-7788 Fax: (727) 954-8812

Before me this date personally appeared:

Name: Patricia A Jordan

Signature: Patricia A Jordan

Personally known/Form of Identification _____

Who, being first duly sworn, deposes and attests that the above is a true and correct certification.

Sworn to and subscribed before me this: Day: 16 Month: June, 20 21

Notary Public State of Florida at Large: ^{new York N.Y.} [Signature]

Notary Public Commission Expiration: June 7, 2022

State of Florida new York N.Y.
County: Riviera Beach

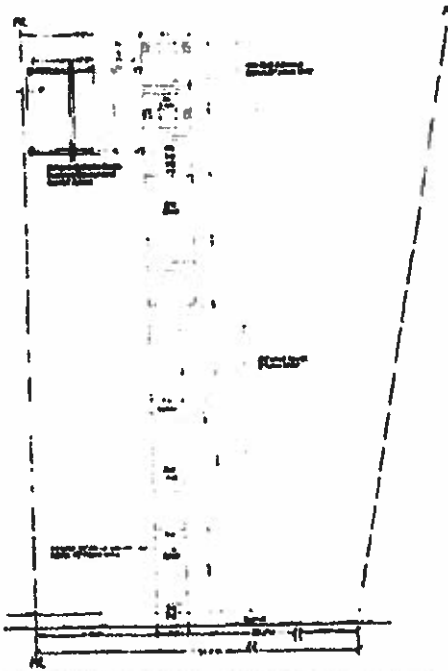
JENNIFER ELLEN BUSCH
Notary Public, State of New York
No. 01BU6220123
Qualified in Erie County
Commission Expires June 7, 2022

Owner Name: Patricia Jordan Site Address: 351 12th Avenue

Nature and Size of Project: Construct a 6' x 16'-4" dock addition.
The existing boat lift will be removed and relocated
approximately 16' out further in deeper water.

Total Project Square Footage:	<u>355.33</u>	New Square Footage:	<u>98</u>
Total Number of Pilings:	<u>4</u>	Diameter of Pilings:	<u>9"</u>
Waterway Width	<u>720</u>	Waterfront Width	<u>81.3'</u>

Plan View Drawing



SHORELINE			
The undersigned does not object to the proposed project as drawn in the space provided above.			
Left Owner	<u>Adam Probst</u>	Right Owner	
Signature	<u>[Signature]</u>	Signature	
Date	<u>6/2/21</u>	Date	
Municipality Approval		Water and Navigation Approval	

LETTER OF NO OBJECTION

Left Lot Owner's Name Adam & Deborah Probst

Mailing Address 12207 Illinois Rd. Zip 46814

I certify that I am the owner of 353 12th Avenue which adjoins the property owned by the applicant who proposes to construct a structure at the following address:

351 12th Avenue

I have seen the County permit application - including plans or drawings - for the proposed structure(s) and DO NOT OBJECT to the proposed structure(s).

OWNER'S SIGNATURE: [Signature] Date 5/28/21

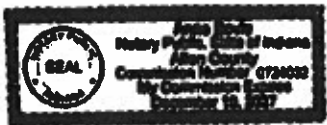
NOTARY: Indiana Allen
STATE OF FLORIDA, PINELLAS COUNTY, the foregoing instrument was acknowledged before me by means of

physical presence or online notarization this ___ day of _____, 20__ by

personally known OR produced identification

Type of Identification Produced _____

Witness my hand and official seal this 28 day of May, 20 21



Anne Brno
Notary Public

My commission expires: December 10, 2027

Right Lot Owner's Name Jeff & Carol Schaeffer

Mailing Address 777 52nd Ave. N. Zip 33703

I certify that I am the owner of 349 12th Avenue which adjoins the property owned by the applicant who proposes to construct a structure at the following address:

351 12th Avenue

I have seen the application - including plans or drawings - for the proposed structure(s) and DO NOT OBJECT to the proposed structure(s).

OWNER'S SIGNATURE: _____ Date _____

NOTARY:
STATE OF FLORIDA, PINELLAS COUNTY, the foregoing instrument was acknowledged before me by means of

physical presence or online notarization this ___ day of _____, 20__ by

Personally Known OR Produced Identification

Type of Identification Produced _____

Witness my hand and official seal this _____ day of _____, 20__

Notary Public

My commission expires: _____

LETTER OF NO OBJECTION

Left Lot Owner's Name Adam & Deborah Probst

Mailing Address 12207 Illinois Rd. Zip 46814

I certify that I am the owner of 353 12th Avenue which adjoins the property owned by the applicant who proposes to construct a structure at the following address:

351 12th Avenue

I have seen the County permit application – including plans or drawings – for the proposed structure(s) and DO NOT OBJECT to the proposed structure(s).

OWNER'S SIGNATURE: _____ Date _____

NOTARY:

STATE OF FLORIDA, PINELLAS COUNTY, the foregoing instrument was acknowledged before me by means of

physical presence or online notarization this _____ day of _____, 20__ by

personally known OR produced identification

Type of Identification Produced _____

Witness my hand and official seal this _____ day of _____, 20__

Notary Public

My commission expires: _____

Right Lot Owner's Name Jeff & Carol Schaeffer

Mailing Address 777 52nd Ave. N. Zip 33703

I certify that I am the owner of 349 12th Avenue which adjoins the property owned by the applicant who proposes to construct a structure at the following address:

351 12th Avenue

I have seen the application – including plans or drawings – for the proposed structure(s) and DO NOT OBJECT to the proposed structure(s).

OWNER'S SIGNATURE: _____ Date 5/28/2021

NOTARY:

STATE OF FLORIDA, PINELLAS COUNTY, the foregoing instrument was acknowledged before me by means of

physical presence or online notarization this 28th day of May, 2021 by

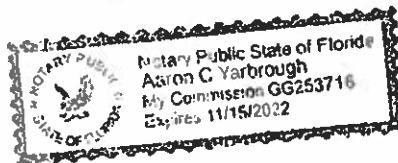
Personally Known OR Produced Identification

Type of Identification Produced Florida Drivers Lic

Witness my hand and official seal this 28th day of May, 2021

Notary Public

My commission expires: 11/15/2022

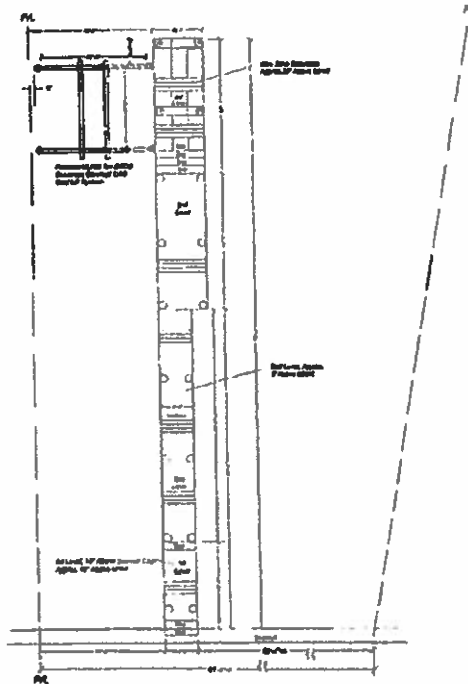


Owner Name: Patricia Jordan Site Address: 351 12th Avenue

Nature and Size of Project: Construct a 6' x 16'-4" dock addition.
The existing boat lift will be removed and relocated
approximately 16' out further in deeper water.

Total Project Square Footage:	<u>355.33</u>	New Square Footage:	<u>98</u>
Total Number of Pilings:	<u>4</u>	Diameter of Pilings:	<u>9"</u>
Waterway Width	<u>720</u>	Waterfront Width	<u>81.3'</u>

Plan View Drawing

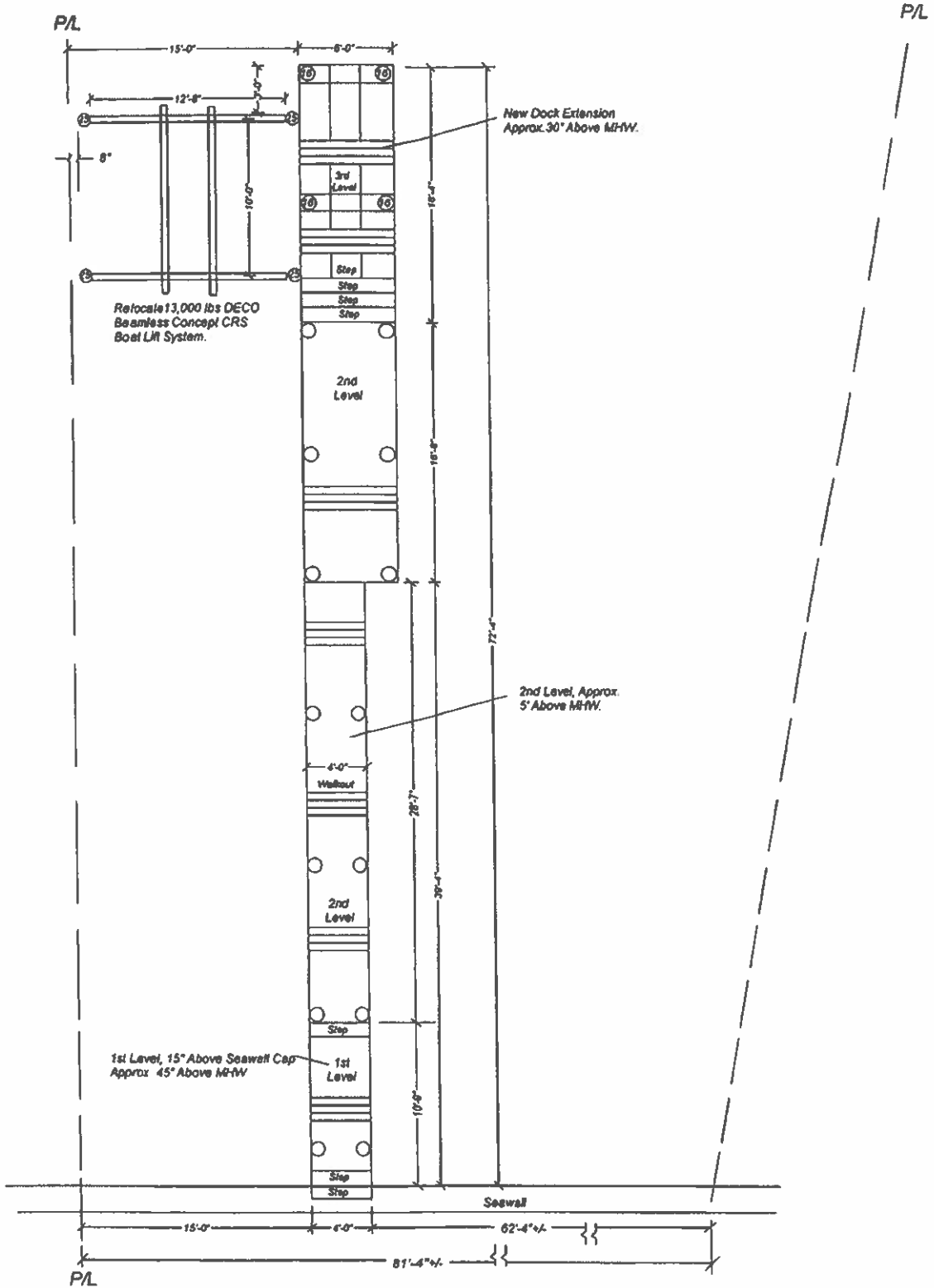


SHORELINE

The undersigned does not object to the proposed project as drawn in the space provided above.

Left Owner	Right Owner	<i>Jeff Schaefer</i>	
Signature	Date	Signature	Date
		<i>[Signature]</i>	<i>5-28-21</i>
Municipality Approval		Water and Navigation Approval	

Dock Design No. 5
5/24/2020

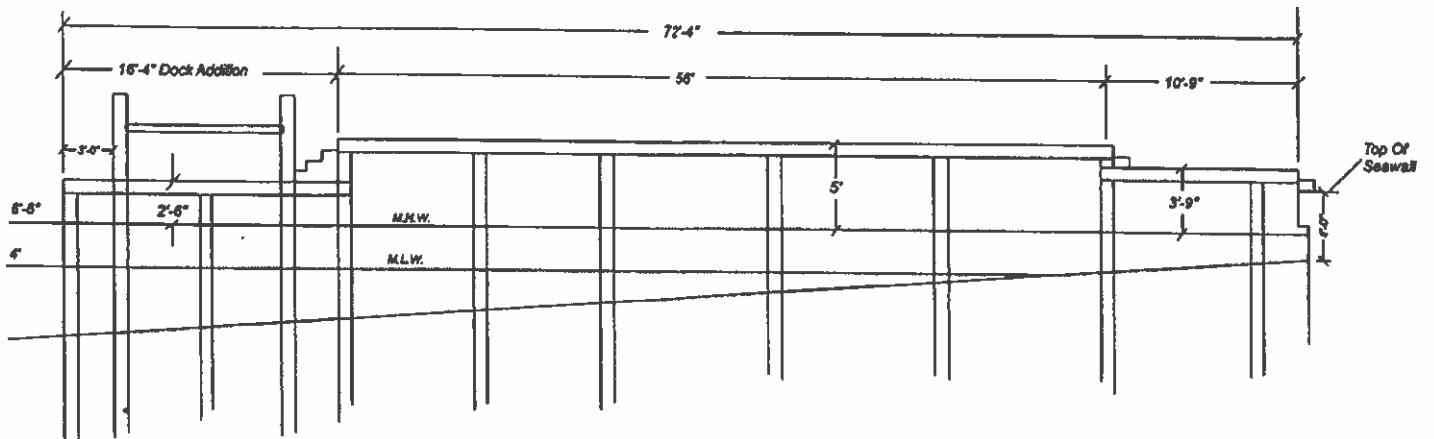


<p>Customer: Patricia Jordan 351 12th Avenue Indian Rocks Beach, FL 33785</p>	<p>Enterprise Marine Contractors, Inc. 8165 46th Avenue N. St. Petersburg, FL 33709 (727) 343-7788</p>
---	--

Owner Name: **Patricia Jordan**

Site Address: **351 12th Avenue**

Profile View Drawing





Administrative
727/595-2517
727/596-4759 (Fax)

Library
727/596-1822

Public Services
727/595-6889
727/593-5137(Fax)

**NOTICE OF PUBLIC MEETING
THE CITY OF INDIAN ROCKS BEACH — BOARD OF ADJUSTMENTS AND APPEALS
TUESDAY, AUGUST 17, 2021 @ 6:00 P.M.
1507 BAY PALM BOULEVARD
INDIAN ROCKS BEACH, FLORIDA 33785**

The Board of Adjustments and Appeals of the City of Indian Rocks Beach, Pinellas County, Florida, an advisory board to the City Commission, will conduct a public meeting on **TUESDAY, AUGUST 17, 2021**, which meeting convenes at 6:00 p.m., or as soon as thereafter, in the City Commission Chambers, 1507 Bay Palm Boulevard, Indian Rocks Beach, Florida, on **BOA CASE NO. 2021-08**.

YOU ARE HEREBY NOTIFIED as a property owner of land within 150 feet of the property located at **351-12TH AVENUE, INDIAN ROCKS BEACH, FLORIDA 33785**, of the following variance request:

A variance request from Section 94-86 (a)(1) of the Code of Ordinances to allow for a dock facility to exceed the 50-foot length from the seawall by 22 feet 4 inches and to allow a variance of 11 feet 4 inches into side yard setback leaving a side yard setback of 8 inches for the property located at 351 12th Avenue, Indian Rocks Beach, Florida, and legally described as Second Addition to Re-Revised Map of Indian Beach, Block 89, Lot 13 (See Map S06-30-15). Parcel #06-30-15-42066-089-0130.

FOR FURTHER INFORMATION REGARDING THIS REQUEST, PLEASE CONTACT HETTY C. HARMON, PLANNING CONSULTANT, AT 863/646-4771, EXT. 211 OR E-MAIL: hharmon@irbcity.com.

If you desire to either support or object to the referenced variance, you may appear at the Indian Rocks Beach Board of Adjustments and Appeals Meeting on said date, or submit in writing your support or objections to Deanne B. O'Reilly, City Clerk, 1507 Bay Palm Boulevard, Indian Rocks Beach, Florida, 33785, or e-mail: doreilly@irbcity.com. All correspondence must be received by the City Clerk no later than **Tuesday, August 17, 2021, by 2:00 p.m.** The City will make such records available during normal business hours, Monday through Friday, 7:30 a.m. to 4:00 p.m., to any interested person at his or her request and expense.

If any person desires to appeal a decision made with respect to this request, such person will need a record of the proceedings and for such purposes, they may need to ensure that a verbatim record of the proceedings is made which record includes the testimony and evidence upon which the appeal is to be based, per Section 286.0105, Florida Statutes. Verbatim transcripts are not furnished by the City of Indian Rocks Beach and should one be desired, arrangements (i.e. court reporter) should be made in advance by the interested party.

In accordance with Section 286.26, Florida Statutes, persons with a disability requiring reasonable accommodations in order to participate in this meeting should contact the City Clerk's Office with your request by telephone (727/595-2517) or email: doreilly@irbcity.com no later than seven (7) business days prior to the proceeding.

Notice was mailed by first class mail to the property owners within 150 feet in any direction of the subject property and posted on subject property on August 2, 2021. (Sec. 2-149 of the Code of Ordinances.)

06-30-15-42066-090-0180

BLK 90, LOT 18
RE-REVISED 2ND ADD
INDIAN BEACH

LOPEZ, PETER
337 12TH AVE
INDIAN ROCKS BEACH FL 33785-2854

06-30-15-42066-089-0140

(SEE MAP S06-30-15)
BLK 89, LOT 14
RE-REVISED 2ND ADD
INDIAN BEACH

PROBST, ADAM
PROBST, DEBORAH
12207 ILLINOIS RD
FORT WAYNE IN 46814-9103

06-30-15-42066-089-0170

BLK 89, LOT 17
RE-REVISED 2ND ADD
INDIAN BEACH

ROMANO, JOSEPH
JOSLIN, JANICE
359 12TH AVE
INDIAN ROCKS BEACH FL 33785-2854

06-30-15-42066-090-0170

BLK 90, LOT 17
RE-REVISED 2ND ADD
INDIAN BEACH

SISARSKY, JEFF DAVID
SISARSKY, MARTHA ELLIS
551 CHATEAUGAY LN NE
ATLANTA GA 30342-3403

06-30-15-42066-089-0160

BLK 89, LOT 16
RE-REVISED 2ND ADD
INDIAN BEACH

YGZ ENTERPRISES LLC
12788 W FOREST HILL BLVD STE 2005
WELLINGTON FL 33414-4703

06-30-15-42066-089-0180

BLK 89, LOT 18 & RIP RTS
RE-REVISED 2ND ADD
INDIAN BEACH

HASTINGS, MARK S
HASTINGS, KIMBERLY A
361 12TH AVE
INDIAN ROCKS BEACH FL 33785-2854

06-30-15-42066-089-0100

BLK 89, LOT 10
RE-REVISED 2ND ADD
INDIAN BEACH

GAGNON, CHAD E TRE
GAGNON, CHAD E TRUST
300 BEACH DR NE APT 302
ST PETERSBURG FL 33701

06-30-15-42066-089-0110

BLK 89, LOT 11
RE-REVISED 2ND ADD
INDIAN BEACH

AMBREFE, JOSEPH T
347 12TH AVE
INDIAN ROCKS BEACH FL 33785-2854

06-30-15-42066-090-0190

BLK 90, LOT 19
RE-REVISED 2ND ADD
INDIAN BEACH

TUREK, DONNA B
360 12TH AVE
INDIAN ROCKS BEACH FL 33785-2803

06-30-15-42066-089-0120

BLK 89, LOT 12
RE-REVISED 2ND ADD
INDIAN BEACH

SCHAEFER, JEFF WARD
SCHAEFER, CAROL R
777 52ND AVE N
ST PETERSBURG FL 33703-2831

06-30-15-42066-090-0160

BLK 90, LOT 16
RE-REVISED 2ND ADD
INDIAN BEACH

APPELMAN, KELLY R
346 12TH AVE
INDIAN ROCKS BEACH FL 33785-2803

06-30-15-42066-089-0150

BLK 89, LOT 15
RE-REVISED 2ND ADD
INDIAN BEACH

FERRELL, JOHN A
FERRELL, JANIS I
355 12TH AVE
INDIAN ROCKS BEACH FL 33785-2854

AGENDA ITEM NO. 6

**BOA CASE NO. 2021-09
353-12th Avenue**

**BOARD OF ADJUSTMENTS AND APPEALS
AGENDA MEMORANDUM**

MEETING OF:

Board of Adjustment: August 17, 2021
City Commission: September 14, 2021

AGENDA ITEM: 6

SUBMITTED AND

RECOMMENDED BY: Hetty C. Harmon, AICP
City Planner

APPROVED BY: Brently Gregg Mims 
City Manager

SUBJECT: **BOA CASE NO. 2021-09:** Variance requests from Section 94-86(a)(1) to allow for a dock facility to exceed the 50-foot length from the seawall by 22 feet and 4 inches to allow a variance of 9 feet 4 inches into side yard setback leaving a side yard setback of 2 feet 8 inches for the property located at 353 12th Avenue, Indian Rocks Beach, Florida, and legally described as Block 89, Lot 14, Second Addition to Re-Revised Map of Indian Beach.
Parcel #06-30-15-42066-089-0140

OWNER Adam & Deborah Probst
LOCATION of PROPERTY: 353 12th Avenue
ZONING: S- Single Family

Direction	Existing Use	Zoning Category
North	Residential	S
East	Residential	S
South	Intracoastal	N/A
West	Residential	S

BACKGROUND:

Adam & Deborah Probst are requesting variances for the length and side yard setback of the dock. In February 2020 the City granted a variance for the dock to exceed the 50 feet length by 6 feet. and encroach into the required 12-foot side yard setback by 9 feet 4 inches leaving a 2 feet distance between the boat lift and the side property line extended. The dock has been installed and due to the height of the dock which is required to be located 5 feet above the seagrass and the low water levels the dock is unusable. As a result, the applicant is requesting to extend the dock length by 22 feet 4" above the 50 feet requirement to be able to use the dock and boat lift.

Sec. 2-152. - Variances.

(a) *Generally; criteria for granting variances from the terms of subpart B.*

(1) The board of adjustments and appeals shall make recommendations on and the city commission shall decide variance applications will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of subpart B will result in unnecessary and undue hardship. In order to recommend or decide any variance from the terms of subpart B, the board or the city commission shall consider each of the following.

a. Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.

The property is located in an area that has mangroves and seagrass and is not typical to most other properties in the City.

b. The special conditions and circumstances do not result from the actions of the applicant.

The applicant did not create any special conditions or circumstances.

c. Granting the variance will not confer on the applicant any special privilege that is denied by subpart B to other lands, structures or buildings in the same zoning district.

Granting the variance would not confer special privileges to the applicant, it would allow for the dock and boat lift to be constructed and utilized.

d. Literal interpretation of the provisions of subpart B would deprive other properties in the same zoning district under the terms of subpart B and would work unnecessary and undue hardship upon the applicant.

The approval of this variance request would not deprive other owners of use and enjoyment of their properties.

e. The variance granted is the minimum variance that will make possible the reasonable use of the land, structure or building; and

This is the minimum variance to allow the owner to use the dock and boat lift.

f. The granting of the variance will be in harmony with the general intent and purpose of subpart B, and such variance will not be injurious to the area involved or be otherwise detrimental to the public welfare.

Granting the variance will be in harmony with the general intent and purpose of subpart B.

STAFF RECOMMENDATION: Based on the variance review criteria of Section 2-152, staff recommends approval of the request.

BOA RECOMMENDATION:

MOTION:

I move to recommend to the City Commission **APPROVAL/DENIAL** of **BOA CASE NO. 2021-09:** Variance requests from Section 94-86(a)(1) to allow for a dock facility to exceed the 50-foot length from the seawall by 22 feet and 4 inches to allow a variance of 9 feet 4 inches into side yard setback leaving a side yard setback of 2 feet 8 inches for the property located at 353 12th Avenue, Indian Rocks Beach, Florida, and legally described as Block 89, Lot 14, Second Addition to Re-Revised Map of Indian Beach.

353 12TH Avenue
BOA CASE NO. 2020-02



BOA CASE NO. 2021-08: Variance requests from Section 94-86 (a)(1) to allow for a dock facility to exceed the 50-foot length from the seawall by 22 feet 4 inches and to allow a variance of 11 feet 4 inches into side yard setback leaving a side yard setback of 8 inches for the property located at 351 12th Avenue, Indian Rocks Beach, Florida, and legally described as Block 89, Lot 13, Second Addition to Re- Revised Map of Indian Beach.



353 12th Avenue



353 12th Avenue



353 12th Avenue



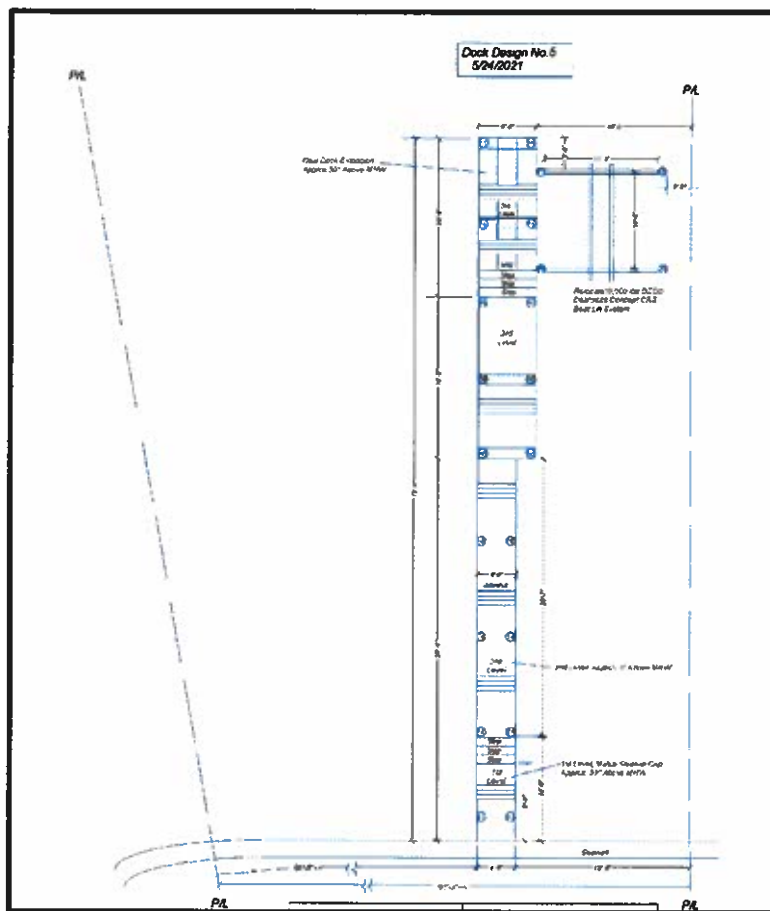
353 12th Avenue



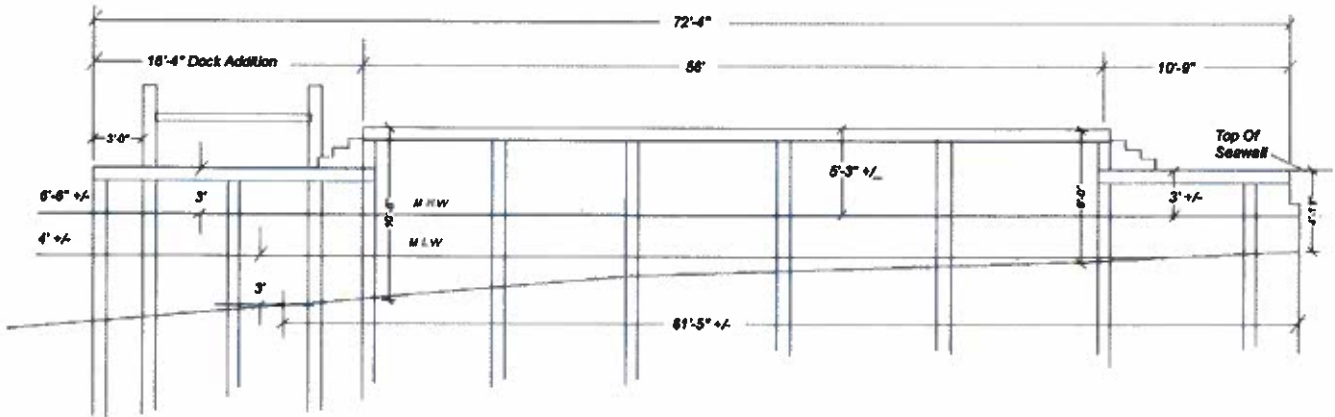
353 12th Avenue



353 12th Avenue



353 12th Avenue



Customer: Adam Probet 353 12th Avenue Indian Rocks Beach, FL 33785	Enterprise Marine 8165 46th Avenue N. St. Petersburg, FL 33709 (727) 343-7768
--	---



Administrative
727/595-2517
727/596-4759 (Fax)

Library
727/596-1822

Public Services
727/595-6889
727/593-5137(Fax)

NOTICE OF PUBLIC MEETING
THE CITY OF INDIAN ROCKS BEACH — BOARD OF ADJUSTMENTS AND APPEALS
TUESDAY, AUGUST 17, 2021 @ 6:00 P.M.
1507 BAY PALM BOULEVARD
INDIAN ROCKS BEACH, FLORIDA 33785

The Board of Adjustments and Appeals of the City of Indian Rocks Beach, Pinellas County, Florida, an advisory board to the City Commission, will conduct a public meeting on **TUESDAY, AUGUST 17, 2021**, which meeting convenes at 6:00 p.m., or as soon as thereafter, in the City Commission Chambers, 1507 Bay Palm Boulevard, Indian Rocks Beach, Florida, on **BOA CASE NO. 2021-09**.

YOU ARE HEREBY NOTIFIED as a property owner of land within 150 feet of the property located at **353-12TH AVENUE, INDIAN ROCKS BEACH, FLORIDA 33785**, of the following variance request:

A variance request from Section 94-86(a)(1) of the Code of Ordinances to allow for a dock facility to exceed the 50-foot length from the seawall by 22 feet and 4 inches to allow a variance of 9 feet 4 inches into side yard setback leaving a side yard setback of 2 feet 8 inches for the property located at 353 12th Avenue, Indian Rocks Beach, Florida, and legally described as Second Addition to Re-Revised Map of Indian Beach, Block 89, Lot 14 (See Map S06-30-15). Parcel #06-30-15-42066-089-0140.

FOR FURTHER INFORMATION REGARDING THIS REQUEST, PLEASE CONTACT HETTY C. HARMON, PLANNING CONSULTANT, AT 863/646-4771, EXT. 211 OR E-MAIL: hharmon@irbcity.com.

If you desire to either support or object to the referenced variance, you may appear at the Indian Rocks Beach Board of Adjustments and Appeals Meeting on said date, or submit in writing your support or objections to Deanne B. O'Reilly, City Clerk, 1507 Bay Palm Boulevard, Indian Rocks Beach, Florida, 33785, or e-mail: doreilly@irbcity.com. All correspondence must be received by the City Clerk no later than **Tuesday, August 17, 2021, by 2:00 p.m.** The City will make such records available during normal business hours, Monday through Friday, 7:30 a.m. to 4:00 p.m., to any interested person at his or her request and expense.

If any person desires to appeal a decision made with respect to this request, such person will need a record of the proceedings and for such purposes, they may need to ensure that a verbatim record of the proceedings is made which record includes the testimony and evidence upon which the appeal is to be based, per Section 286.0105, Florida Statutes. Verbatim transcripts are not furnished by the City of Indian Rocks Beach and should one be desired, arrangements (i.e. court reporter) should be made in advance by the interested party.

In accordance with Section 286.26, Florida Statutes, persons with a disability requiring reasonable accommodations in order to participate in this meeting should contact the City Clerk's Office with your request by telephone (727/595-2517) or email: doreilly@irbcity.com no later than seven (7) business days prior to the proceeding.

Notice was mailed by first class mail to the property owners within 150 feet in any direction of the subject property and posted on subject property on August 2, 2021. (Sec. 2-149 of the Code of Ordinances.)

06-30-15-42066-090-0180

BLK 90, LOT 18
RE-REVISED 2ND ADD
INDIAN BEACH

LOPEZ, PETER
337 12TH AVE
INDIAN ROCKS BEACH FL 33785-2854

06-30-15-42066-089-0170

BLK 89, LOT 17
RE-REVISED 2ND ADD
INDIAN BEACH

ROMANO, JOSEPH
JOSLIN, JANICE
359 12TH AVE
INDIAN ROCKS BEACH FL 33785-2854

06-30-15-42066-090-0170

BLK 90, LOT 17
RE-REVISED 2ND ADD
INDIAN BEACH

SISARSKY, JEFF DAVID
SISARSKY, MARTHA ELLIS
551 CHATEAUGAY LN NE
ATLANTA GA 30342-3403

06-30-15-42066-089-0160

BLK 89, LOT 16
RE-REVISED 2ND ADD
INDIAN BEACH

YGZ ENTERPRISES LLC
12788 W FOREST HILL BLVD STE 2005
WELLINGTON FL 33414-4703

06-30-15-42066-089-0180

BLK 89, LOT 18 & RIP RTS
RE-REVISED 2ND ADD
INDIAN BEACH

HASTINGS, MARK S
HASTINGS, KIMBERLY A
361 12TH AVE
INDIAN ROCKS BEACH FL 33785-2854

06-30-15-42066-089-0110

BLK 89, LOT 11
RE-REVISED 2ND ADD
INDIAN BEACH

AMBREFE, JOSEPH T
347 12TH AVE
INDIAN ROCKS BEACH FL 33785-2854

06-30-15-42066-089-0130

(SEE MAP S06-30-15)
BLK 89, LOT 13
RE-REVISED 2ND ADD
INDIAN BEACH

JORDAN, PATRICIA A LIV TRUST
351 12TH AVE
INDIAN ROCKS BEACH FL 33785-2854

06-30-15-42066-090-0190

BLK 90, LOT 19
RE-REVISED 2ND ADD
INDIAN BEACH

TUREK, DONNA B
360 12TH AVE
INDIAN ROCKS BEACH FL 33785-2803

06-30-15-42066-089-0190

BLK 89, LOT 19
RE-REVISED 2ND ADD
INDIAN BEACH

STRAKERJAHN, UTE
363 12TH AVE
INDIAN ROCKS BEACH FL 33785-2854

06-30-15-42066-089-0120

BLK 89, LOT 12
RE-REVISED 2ND ADD
INDIAN BEACH

SCHAEFER, JEFF WARD
SCHAEFER, CAROL R
777 52ND AVE N
ST PETERSBURG FL 33703-2831

06-30-15-42066-089-0150
BLK 89, LOT 15
RE-REVISED 2ND ADD
INDIAN BEACH

FERRELL, JOHN A
FERRELL, JANIS I
355 12TH AVE
INDIAN ROCKS BEACH FL 33785-2854

APPLICATION FOR VARIANCE

CITY OF INDIAN ROCKS BEACH PLANNING AND ZONING DEPARTMENT

Enquiries: Tel: (727) 517-0404 Fax: (727) 596-4759
Web: <http://www.indian-rocks-beach.com/>
Address: 1507 Bay Palm Boulevard, Indian Rocks Beach, FL 33785

For Office Use Only ^{BOA} Application No. 2021-09 Date Received 17/14/2021

APPLICANT

Name: Adam Probst
Address: 12207 Illinois Rd.
City: Fort Wayne, IN
Zip Code: 46814
Tel: (260) 433-1244
Fax:
Mobile:
Email: aprobst@thefortisgroup.com

AGENT/REPRESENTATIVE

Name: Joe Place
Company: Enterprise Marine
Address: 8165 46th Ave. N.
City: St. Petersburg
Zip Code: 33709
Tel: (727) 343-7788
Fax: (727) 954-8812
Mobile: (727) 280-4416
Email: joe@enterprisemarine.com

SITE DETAILS

Address: 353 12th Ave. Parcel ID: 06-30-15-42066-089-0140
City: Indian Rocks Beach Zip Code: 33785
Legal Description: Indian Beach Re-Revisional 2nd Add, Block 89, Lot 14
Zoning: Future Land Use:
Size:

SITE DETAILS CONTINUED...

Does applicant own any property contiguous to the subject property? Yes No

If yes, provide address and legal description:

Have previous applications been filed for this property? Yes No

If yes, describe:

Dock Permit #20-211, was issued for this property on 3/16/2020

Has a certificate of occupancy or completion been refused? Yes No

If yes, describe:

Does any other person have ownership or interest in the property? Yes No

If yes, Is ownership or interest contingent or absolute:

Is there an existing contract for sale on the property? Yes No

If yes, list all parties on the contract:

Is contract conditional or absolute? Conditional Absolute

Are there options to purchase? Yes No

VARIANCE REQUEST

<u>Regulation</u>	<u>Required</u>	<u>Proposed</u>	<u>Total Requested</u>
Gulf-front setback (feet):	12'	2'-8"	9'-4"
Bay-front setback (feet):			
Alley setback (feet):			

VARIANCE REQUEST CONTINUED...

Regulation	Required	Proposed	Total Requested
Rear-no alley setback (feet):	<input type="text"/>	<input type="text"/>	<input type="text"/>
Rear-north/south street (feet):	<input type="text"/>	<input type="text"/>	<input type="text"/>
Street-front setback (feet):	<input type="text"/>	<input type="text"/>	<input type="text"/>
Side-one/both setback (feet):	<input type="text"/>	<input type="text"/>	<input type="text"/>
Minimum green space (%):	<input type="text"/>	<input type="text"/>	<input type="text"/>
Habitable stories (#):	<input type="text"/>	<input type="text"/>	<input type="text"/>
Minimum lot size (sq. ft.):	<input type="text"/>	<input type="text"/>	<input type="text"/>
Building height (feet):	<input type="text"/>	<input type="text"/>	<input type="text"/>
Off-street parking (spaces):	<input type="text"/>	<input type="text"/>	<input type="text"/>
ISR (%):	<input type="text"/>	<input type="text"/>	<input type="text"/>
FAR (%):	<input type="text"/>	<input type="text"/>	<input type="text"/>
Dock length (feet):	50'	72'-4"	22'-4"
Dock width (feet):	<input type="text"/>	<input type="text"/>	<input type="text"/>
Signage (#):	<input type="text"/>	<input type="text"/>	<input type="text"/>
Accessory structure (sq. ft.):	<input type="text"/>	<input type="text"/>	<input type="text"/>
Accessory structure height (feet):	<input type="text"/>	<input type="text"/>	<input type="text"/>
Lot size (sq. ft.):	<input type="text"/>	<input type="text"/>	<input type="text"/>

Other:

What is the proposed use of the property?

HARDSHIP

A variance is granted on the basis of evidence being presented that justifies an undue and unnecessary hardship upon the applicant; a hardship that prevents reasonable use of the property. The following criteria, set forth in Code Section 2-152, Variances, will be used to evaluate the request for variance in order to determine if a hardship is present and if the variance will impact the overall public welfare.

Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district:

Shallow water depths restrict the use of the boat and boat lift system.

Special conditions and circumstances do not result from the actions of the applicant:

Mangroves, seagrass and shallow water, are natural conditions. No actions by the applicant, resulted in the existing conditions.

Granting this variance will not confer on the applicant any special privilege that is denied by the chapter to other lands, structures or buildings in the same zoning district:

This variance will not provide any special privilege for this property. It will allow increased access to the dock and boat lift, similar to other properties in the area.

The literal interpretation of the provisions of Subpart B, Code Sections 78 through 110, would deprive other properties in the same zoning district under the terms of Subpart B and would work unnecessary and undue hardship upon the applicant:

Not approving the variance, would cause unnecessary and undue hardship to the applicant, due to the natural occurrence of the existing mangroves, seagrass and shallow water.

HARDSHIP CONTINUED...

The variance granted is the minimum that will make possible the reasonable use of the land, structure or building:

We are asking for the minimum variance for the length of the dock and boat lift, due to the mangroves, seagrass and shallow water.

The granting of the variance will be in harmony with the general intent and purpose of Subpart B and such variance will not be injurious to the area involved or be otherwise detrimental to the public welfare:

The granting of the variance, will not be injurious to the area, or detrimental to the public welfare.

I (we) believe the Board of Adjustment and Appeals and the City Commission should grant this application because:

The City has already approved variances, for docks in this area due to similar issues.

CERTIFICATION

Date: 5/26/21

I hereby certify that I have read and understand the contents of this application, and that this application together with supplemental data and information, is a true representation of the facts related to the request; that this application is filed with my approval, as owner, evidenced by my signature appearing below.

It is hereby acknowledged that the filing of this application does not constitute automatic approval of the request. Further, if the request is approved, I will obtain all necessary permits and comply with all applicable orders, codes, conditions and regulations pertaining to the use of the property.

I hereby grant authorization to any city official to inspect, as reasonable times, the site of the request.

Before me this date personally appeared:

Name: Adam Probst

Signature: [Signature]

Personally known/Form of Identification MpLsm

Who, being first duly sworn, deposes and attests that the above is a true and correct certification.

Sworn to and subscribed before me this: Day: 26 Month: May .2021

Notary Public State of Florida ^{Indiana} at Large: Anne Berni

Notary Public Commission Expiration: December 10, 2027

State of Florida ^{Indiana}
County: Pinellas ^{Allen}



APPLICATIONS FILED BY CORPORATIONS MUST BEAR THE SEAL OF THE CORPORATION OVER THE SIGNATURE OF AN OFFICER AUTHORIZED TO ACT ON BEHALF OF THE CORPORATION.

AGENT OF RECORD

Date: 5/26/21

I, Adam Probst do hereby designate and appoint Joe Phee / Enterprise Marine as my agent of record for the purposes of representing me during the Planning and Zoning Department's review process of my application. My agent of record is hereby vested with authority to make any representations, agreements or promises, which are necessary or desirable in conjunction with the review process. My agent of record is authorized to accept or reject any conditions imposed by any reviewing board or entity.

Name: Adam Probst Signature: [Signature]

My agent of record may be contacted at:

Company: Enterprise Marine Contractors, Inc.

Address: 8165 46th Avenue N.

City/State: St. Petersburg Zip Code: 33709

Telephone: (727) 343-7788 Fax: (727) 954-8812

Before me this date personally appeared:

Name: Adam Probst

Signature: [Signature]

Personally known/Form of Identification

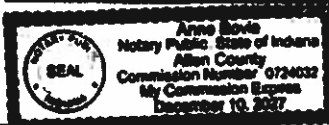
Who, being first duly sworn, deposes and attests that the above is a true and correct certification.

Sworn to and subscribed before me this: Day: 26 Month: May, 20 21

Notary Public State of Florida-at-Large: Indiana Anne Bowe

Notary Public Commission Expiration: December 10, 2027

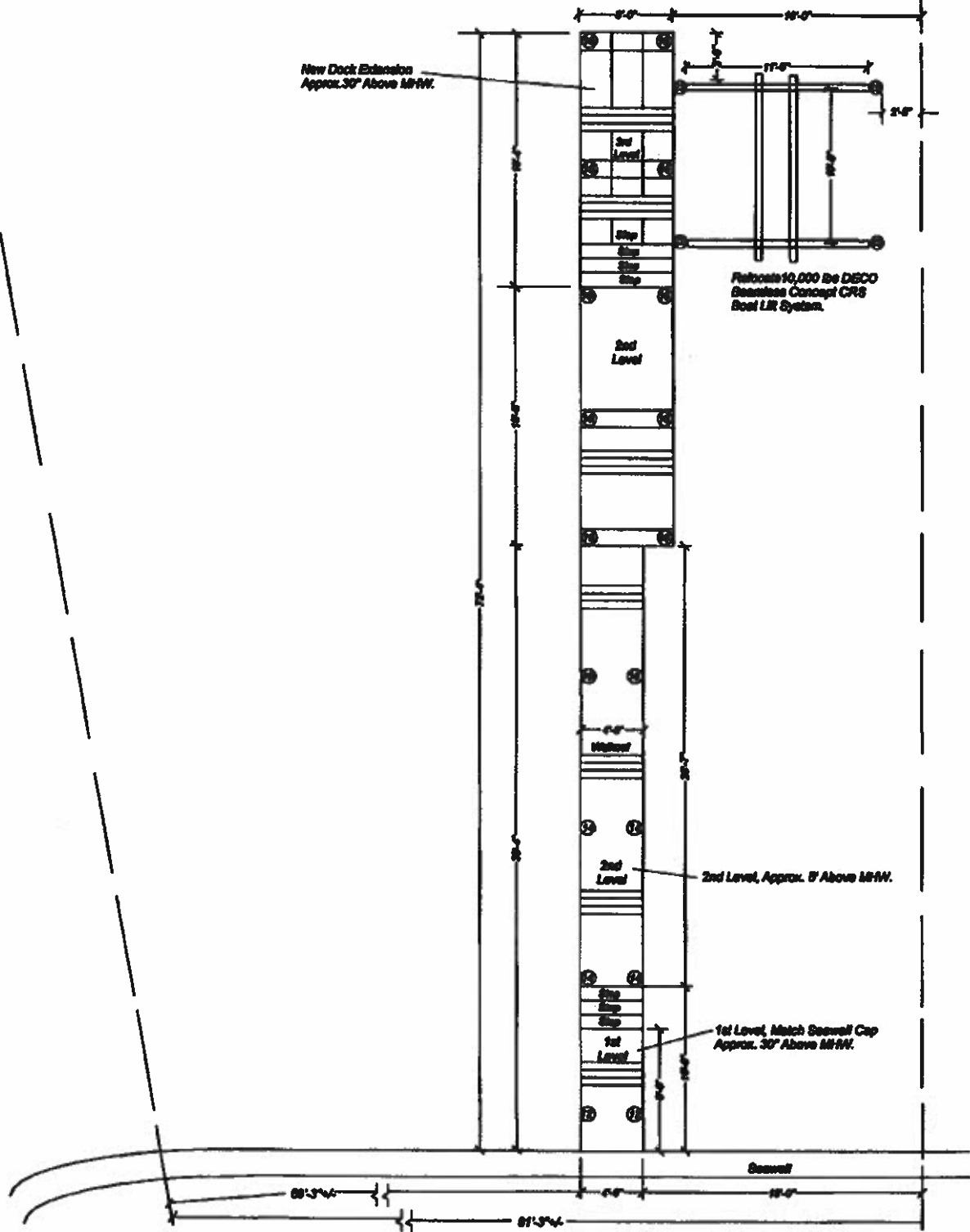
State of Florida Indiana
County: Pinellas Allen



Dock Design No.5
5/24/2020

PL

PL



PL

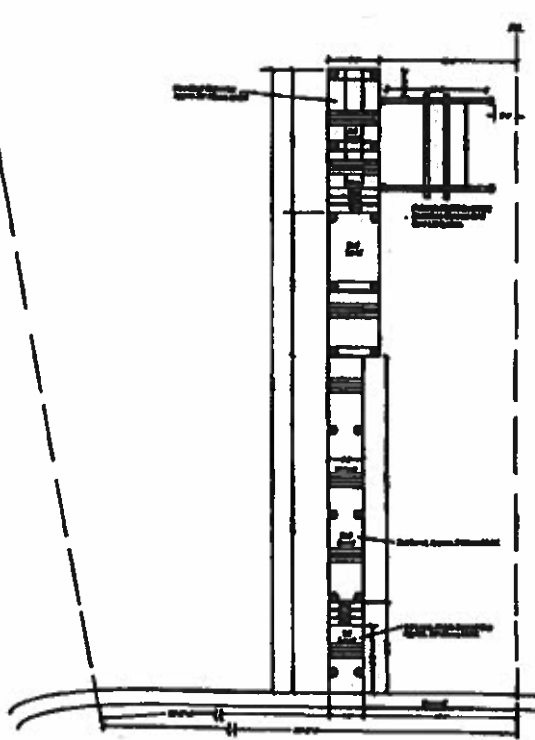
PL

<p>Customer: Adam Probst 353 12th Avenue Indian Rocks Beach, FL 33785</p>	<p>Enterprise Marine Contractors, Inc. 6165 46th Avenue N. St. Petersburg, FL 33709 (727) 343-7788</p>
---	--

Owner Name: Adam Probst Site Address: 353 12th Avenue

Nature and Size of Project: Construct a 6' x 16'-4" dock addition.
The existing boat lift will be removed and relocated
approximately 16' out further in deeper water.

Total Project Square Footage:	<u>355.33</u>	New Square Footage:	<u>98</u>
Total Number of Pilings:	<u>4</u>	Diameter of Pilings:	<u>9"</u>
Waterway Width	<u>720</u>	Waterfront Width	<u>81.3'</u>



SHORELINE

The undersigned does not object to the proposed project as drawn in the space provided above.

Left Owner

Right Owner

Signature

Date 6-7-8-21

Signature

Date

Municipality Approval

Water and Navigation Approval

LETTER OF NO OBJECTION

Left Lot Owner's Name **John & Patricia Ferrell**

Mailing Address **355 12th Avenue**

Zip **33785**

I certify that I am the owner of **355 12th Avenue** which adjoins the property owned by the applicant who proposes to construct a structure at the following address:

353 12th Avenue

I have seen the County permit application - including plans or drawings - for the proposed structure(s) and DO NOT OBJECT to the proposed structure(s).

OWNER'S SIGNATURE:

John Ferrell

Date **5-27-21**

NOTARY:

STATE OF FLORIDA, PINELLAS COUNTY, the foregoing instrument was acknowledged before me by means of

physical presence or online notarization this **27th** day of **May**, 20**21** by

personally known OR produced identification **John Ferrell**

Type of Identification Produced **A Driver License**

Witness my hand and official seal this **27th** day of **May**, 20**21**



Scott Suprenant
Notary Public
State of Florida
Comm# HH011800
Expires 7/14/2024

Scott Suprenant
Notary Public

My commission expires: **7/14/2024**

Right Lot Owner's Name **Patricia Jordan**

Mailing Address **351 12th Avenue**

Zip **33785**

I certify that I am the owner of **351 12th Avenue** which adjoins the property owned by the applicant who proposes to construct a structure at the following address:

353 12th Avenue

I have seen the application - including plans or drawings - for the proposed structure(s) and DO NOT OBJECT to the proposed structure(s).

OWNER'S SIGNATURE:

Date

NOTARY:

STATE OF FLORIDA, PINELLAS COUNTY, the foregoing instrument was acknowledged before me by means of

physical presence or online notarization this ___ day of ___, 20__ by

Personally Known OR Produced Identification

Type of Identification Produced

Witness my hand and official seal this ___ day of ___, 20__

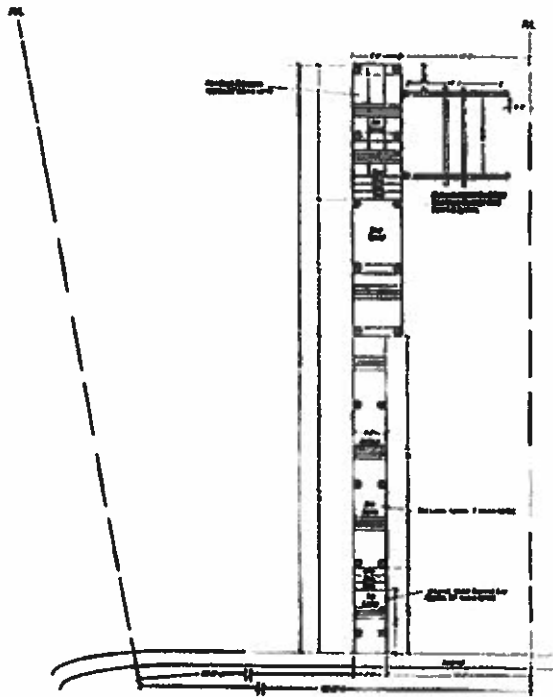
Notary Public

My commission expires: _____

Owner Name: Adam Probst Site Address: 353 12th Avenue

Nature and Size of Project: Construct a 6' x 16'-4" dock addition.
The existing boat lift will be removed and relocated
approximately 16' out further in deeper water.

Total Project Square Footage:	<u>355.33</u>	New Square Footage:	<u>98</u>
Total Number of Pilings:	<u>4</u>	Diameter of Pilings:	<u>9"</u>
Waterway Width	<u>720</u>	Waterfront Width	<u>81.3'</u>



SHORELINE			
The undersigned does not object to the proposed project as drawn in the space provided above.			
Left Owner		Right Owner	
Signature	Date	Signature	Date
		<i>Patricia G. Jones</i>	6/3/21
Municipality Approval		Water and Navigation Approval	

LETTER OF NO OBJECTION

Left Lot Owner's Name John & Janis Ferrell

Mailing Address 355 12th Avenue Zip 33785

I certify that I am the owner of 355 12th Avenue which adjoins the property owned by the applicant who proposes to construct a structure at the following address:

353 12th Avenue

I have seen the County permit application – including plans or drawings – for the proposed structure(s) and DO NOT OBJECT to the proposed structure(s).

OWNER'S SIGNATURE: _____ Date _____

NOTARY:

STATE OF FLORIDA, PINELLAS COUNTY, the foregoing instrument was acknowledged before me by means of

physical presence or online notarization this _____ day of _____, 20__ by

personally known OR produced identification

Type of Identification Produced _____

Witness my hand and official seal this _____ day of _____, 20__

Notary Public

My commission expires: _____

Right Lot Owner's Name Patricia Jordan

Mailing Address 351 12th Avenue Zip 33785

I certify that I am the owner of 351 12th Avenue which adjoins the property owned by the applicant who proposes to construct a structure at the following address:

353 12th Avenue

I have seen the application – including plans or drawings – for the proposed structure(s) and DO NOT OBJECT to the proposed structure(s).

OWNER'S SIGNATURE: Patricia Jordan Date 5/26/21

NOTARY: Texas, Travis County SRM

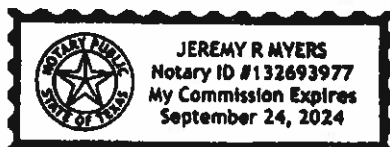
STATE OF FLORIDA, PINELLAS COUNTY, the foregoing instrument was acknowledged before me by means of

physical presence or online notarization this 26 day of May, 2021 by Patricia Jordan

Personally Known OR Produced Identification

Type of Identification Produced Florida DL

Witness my hand and official seal this 26 day of May, 2021



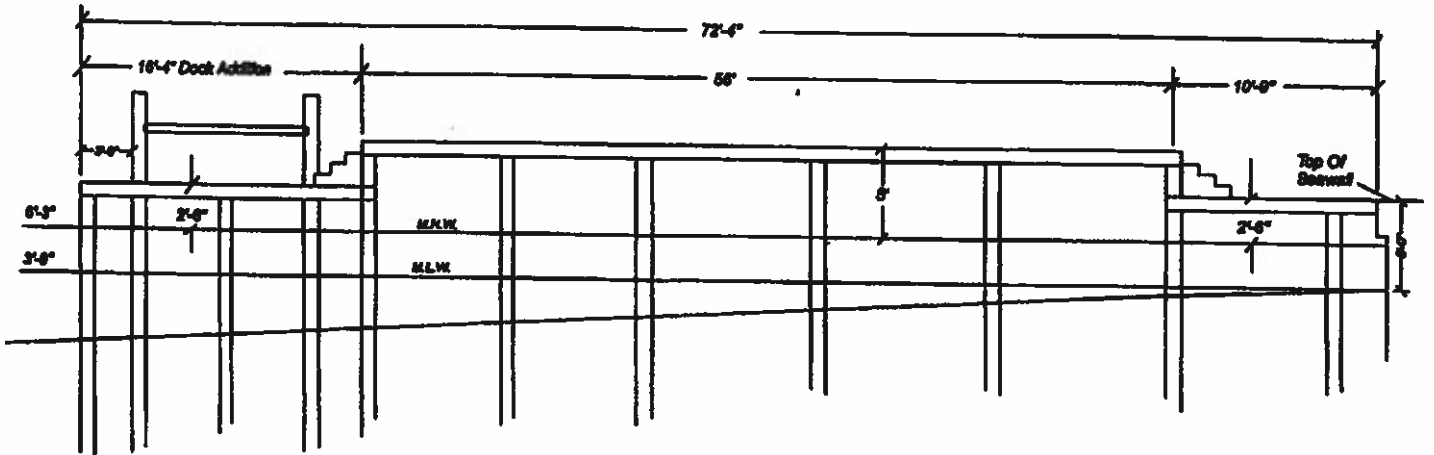
Notary Public

My commission expires: 09/24/2024

Owner Name: **Adam Probst**

Site Address: **353 12th Avenue**

Profile View Drawing





Project: Adam Probst
353 12th Ave.
Indian Rocks Beach, FL 33785

AGENDA ITEM NO. 7

**BOA CASE NO. 2021-10
300-10th Avenue**

**BOARD OF ADJUSTMENTS AND APPEALS
AGENDA MEMORANDUM**

MEETING OF:


Board of Adjustment: August 17, 2021
City Commission: September 14, 2021

AGENDA ITEM: 7

SUBMITTED AND

RECOMMENDED BY: Hetty C. Harmon, AICP
City Planner

APPROVED BY:

Brently Gregg Mims 
City Manager

SUBJECT:

BOA CASE NO. 2021-10: Variance request from Sec. 110-344 (7)(f); to allow for a waterfall structure to exceed the 6 foot length requirement by 7 feet for property located at 300 10th Ave Indian Rocks Beach, Florida, and legally described as Lot 22, Block 86 First Addition to Re-Revised Map of Indian Beach Subdivision recoded in Plat Book 23 Page 11 of the Public Records of Pinellas County.
Property ID # 01-30-14-42048-086-0220

OWNER:

All D Nuts, LLC , Trudi Holthouse

LOCATION of PROPERTY:

300 10th Ave

ZONING:

Single Family Residential

Direction	Existing Use	Zoning Category
North	Intercoastal	N/A
East	Residential	S
South	Residential	S
West	Residential	S

BACKGROUND

Ms. Holthouse is requesting a variance to build a waterfall 4 ft high, 13 feet long in the rear yard setback. Section 110-344 (7)(f) applies to decorative waterfalls where they are constructed as part of or integrated into a spa or swimming pool, provided

the length or diameter of the improvement does not exceed 6 feet. The proposed waterfall would exceed the 6 feet length requirement by 7 feet

Sec. 2-152. - Variances.

(a) *Generally; criteria for granting variances from the terms of subpart B.*

(1) The board of adjustments and appeals shall make recommendations on and the city commission shall decide variance applications will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of subpart B will result in unnecessary and undue hardship. In order to recommend or decide any variance from the terms of subpart B, the board or the city commission shall consider each of the following.

a. Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.

The applicant has designed a waterfall rock feature that tapers down to grade and exceeds the length allowed by code.

b. The special conditions and circumstances do not result from the actions of the applicant.

The applicant has proposed a waterfall design that incorporates a rock formation rather than a waterfall wall.

c. Granting the variance will not confer on the applicant any special privilege that is denied by subpart B to other lands, structures or buildings in the same zoning district.

Granting the variance would confer special privileges to the applicant that is not allowed by the Land Development Code to other lands, structures, or buildings in the same zoning district.

d. Literal interpretation of the provisions of subpart B would deprive other properties in the same zoning district under the terms of subpart B and would work unnecessary and undue hardship upon the applicant.

The approval/denial of this variance request would not deprive other owners of use and enjoyment of their properties.

e. The variance granted is the minimum variance that will make possible the reasonable use of the land, structure or building; and

Granting of this variance would allow the applicant to have a unique waterfall design without impacting the neighbors.

f. The granting of the variance will be in harmony with the general intent and purpose of subpart B, and such variance will not be injurious to the area involved or be otherwise detrimental to the public welfare.

Granting the variance will not be injurious to the area involved or detrimental to the public welfare.

STAFF

RECOMMENDATION: Based on the variance review criteria of Section 2-152, staff recommends approval of the request.

BOA RECOMMENDATION:

MOTION:

I move to recommend to the City Commission **APPROVAL/DENIAL BOA CASE NO. 2021-10:** Variance request from Sec. 110-344 (7)(f); to allow for a waterfall structure to exceed the 6 foot length requirement by 7 feet for property located at 300 10th Ave Indian Rocks Beach, Florida, and legally described as Lot 22, Block 86 First Addition to Re-Revised Map of Indian Beach Subdivision recoded in Plat Book 23 Page 11 of the Public Records of Pinellas County.

300 10th Ave
BOA CASE NO. 2021-10



BOA CASE NO. 2021-10: Variance request from Sec. 110-344 (7)(f); to allow for a waterfall structure to exceed the 6 foot length requirement by 7 feet for property located at 300 10th Ave Indian Rocks Beach, Florida, and legally described as Lot 22, Block 86 First Addition to Re-Revised Map of Indian Beach Subdivision recoded in Plat Book 23 Page 11 of the Public Records of Pinellas County.




300 10th Avenue



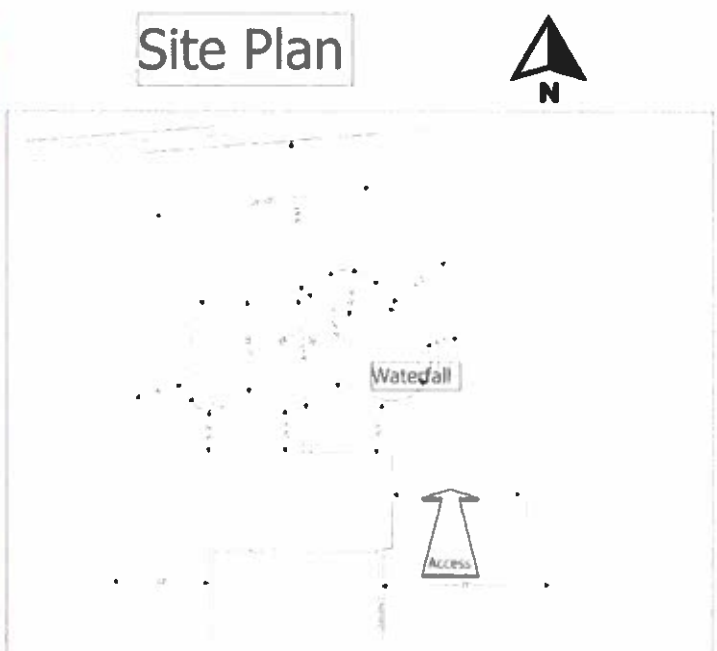
300 10th Avenue



Proposed Pool and Waterfall Location



Site Plan



Pool	
Perimeter	90 Area 6500 sf
Excavate	12x10
Depth	2 ft 8 in FTNS 4
Drains	2 Lines 2
Skim	1 PC
Dr Type	Volume
Spillway Length	
Coping Material	
Water Finish	pebble
Notes	1 hot tub to be added and grotto

Spa	
Perimeter	Area
Jet	Height
Lights	FTNS
Drains	Spillway Length
Coping Material	
Water Finish	
Notes	

Tub	
Perimeter	Area
Notes	


Deck	
Perimeter	Area 1450 sf
Coping	4 in 2 ft 8 in
Excavate	4 in 2 ft 8 in
Surface Material	Asphalt
Turf	None

NOTES

Equipment	
Hot Tub	1.5 ft 6 in
Pool Pump	2.5 hp 1.5
Filter	2.5 hp 1.5
Water	2.5 hp 1.5
Pool Light	3
Other	

NOTES

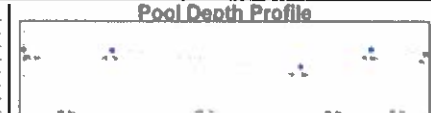
APPROVAL	
Notes	(The undersigned) have reviewed this plan and approve it as correct unless otherwise noted.



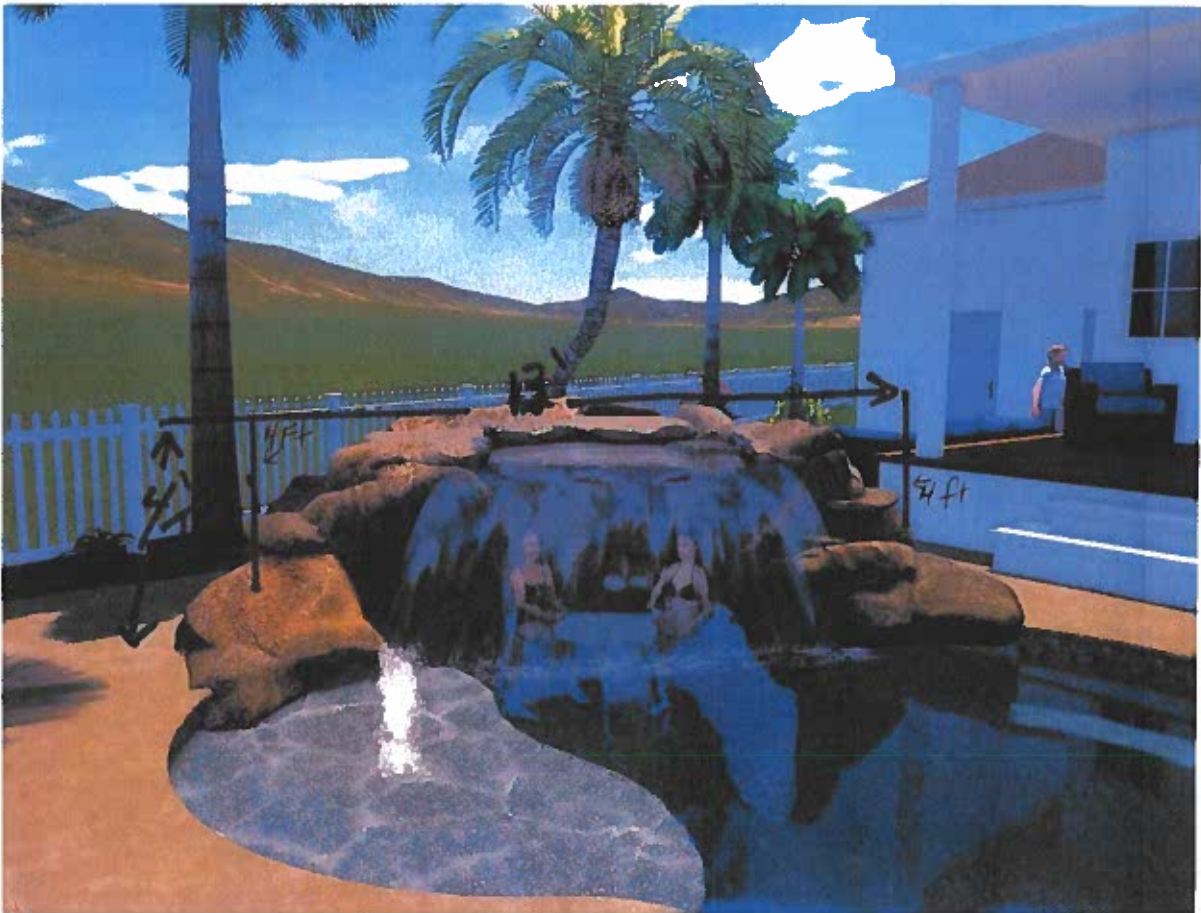
Project Name: Hillhouse
 Client Name: Thad Hillhouse
 Client Email: thad@hillsens.com
 Client Phone: 307-262-7229
 Address: 252 10th Ave NE
 City: Indian Rocks Beach
 State/Province: Florida
 Zip/Postal Code: 33785
 Designer Name: Shane Bussong

Block: _____
 Subdivision: _____
 Lot #: _____
 PG: _____
 Notes: _____

Pool Depth Profile



Proposed Waterfall



APPLICATION FOR VARIANCE

CITY OF INDIAN ROCKS BEACH PLANNING AND ZONING DEPARTMENT

Enquiries: Tel: (727) 517-0404 Fax: (727) 596-4759
Web: <http://www.indian-rocks-beach.com/>
Address: 1507 Bay Palm Boulevard, Indian Rocks Beach, FL 33785

\$400-
#14156
VAR

For Office Use Only

BOA
Application No. 2021-10

Date Received 7/20/2021

APPLICANT

Name: TRUDI HOLT HOUSE
Address: 300 10th AVE N
City: INDIAN ROCKS BCH
Zip Code: 33785
Tel: 307-262-2329
Fax:
Mobile:
Email: TRUDI@MEMVITY.NET

AGENT/REPRESENTATIVE

Name: STEVE BUSCEMA
Company: SUNSATON POOLS/SPAS
Address: 10945 UBERNATION RD
City: LARGO
Zip Code: 33778
Tel: 727-510-7070
Fax: 727 559 7183
Mobile: 727 492 1599
Email: INFO@SUNSATONPOOLS.COM

SITE DETAILS

Address: 300 10th AVE N Parcel ID: 01/30/14/42048/086/0220
City: INDIAN ROCKS BCH Zip Code: 33785
Legal Description: Block 86 Lot 22
Zoning: RESIDENTIAL Future Land Use:
Size: 58 X 120

SITE DETAILS CONTINUED...

Does applicant own any property contiguous to the subject property? Yes No

If yes, provide address and legal description:

Have previous applications been filed for this property? Yes No

If yes, describe:

Has a certificate of occupancy or completion been refused? Yes No

If yes, describe:

Does any other person have ownership or interest in the property? Yes No

If yes, is ownership or interest contingent or absolute:

Is there an existing contract for sale on the property? Yes No

If yes, list all parties on the contract:

Is contract conditional or absolute? Conditional Absolute

Are there options to purchase? Yes No

VARIANCE REQUEST

Regulation

Required

Proposed

Total Requested

Gulf-front setback (feet):

Bay-front setback (feet):

Alley setback (feet):

VARIANCE REQUEST CONTINUED...

Regulation	Required	Proposed	Total Requested
Rear-no alley setback (feet):	<input type="text"/>	<input type="text"/>	<input type="text"/>
Rear-north/south street (feet):	<input type="text"/>	<input type="text"/>	<input type="text"/>
Street-front setback (feet):	<input type="text"/>	<input type="text"/>	<input type="text"/>
Side-one/both setback (feet):	<input type="text"/>	<input type="text"/>	<input type="text"/>
Minimum green space (%):	<input type="text"/>	<input type="text"/>	<input type="text"/>
Habitable stories (#):	<input type="text"/>	<input type="text"/>	<input type="text"/>
Minimum lot size (sq. ft.):	<input type="text"/>	<input type="text"/>	<input type="text"/>
Building height (feet):	<input type="text"/>	<input type="text"/>	<input type="text"/>
Off-street parking (spaces):	<input type="text"/>	<input type="text"/>	<input type="text"/>
ISR (%):	<input type="text"/>	<input type="text"/>	<input type="text"/>
FAR (%):	<input type="text"/>	<input type="text"/>	<input type="text"/>
Dock length (feet):	<input type="text"/>	<input type="text"/>	<input type="text"/>
Dock width (feet):	<input type="text"/>	<input type="text"/>	<input type="text"/>
Signage (#):	<input type="text"/>	<input type="text"/>	<input type="text"/>
Accessory structure (sq. ft.):	<input type="text"/>	<input type="text"/>	<input type="text"/>
Accessory structure height (feet):	<input type="text"/>	<input type="text"/>	<input type="text"/>
Lot size (sq. ft.):	<input type="text"/>	<input type="text"/>	<input type="text"/>

* Other: Grotto on New Inboard Pool
This water feature measures 13ft wide, 4ft high in middle

What is the proposed use of the property?

OWNER OCCUPIED

HARDSHIP

A variance is granted on the basis of evidence being presented that justifies an undue and unnecessary hardship upon the applicant; a hardship that prevents reasonable use of the property. The following criteria, set forth in Code Section 2-152, Variances, will be used to evaluate the request for variance in order to determine if a hardship is present and if the variance will impact the overall public welfare.

Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district:

[Empty box for special conditions]

Special conditions and circumstances do not result from the actions of the applicant:

NA
[Empty box for special conditions]

Granting this variance will not confer on the applicant any special privilege that is denied by the chapter to other lands, structures or buildings in the same zoning district:

[Empty box for special privilege]

The literal interpretation of the provisions of Subpart B, Code Sections 78 through 110, would deprive other properties in the same zoning district under the terms of Subpart B and would work unnecessary and undue hardship upon the applicant:

[Empty box for literal interpretation]

HARDSHIP CONTINUED...

The variance granted is the minimum that will make possible the reasonable use of the land, structure or building:

[Empty rectangular box for text entry]

The granting of the variance will be in harmony with the general intent and purpose of Subpart B and such variance will not be injurious to the area involved or be otherwise detrimental to the public welfare:

[Empty rectangular box for text entry]

I (we) believe the Board of Adjustment and Appeals and the City Commission should grant this application because:

THE LENGTH ENHANCES THE CHARACTER OF THE WATERFALL
AND WILL NOT IMPEDE ANY VIEW OF THE WATERFRONT

CERTIFICATION

Date: July 9, 2021

I hereby certify that I have read and understand the contents of this application, and that this application together with supplemental data and information, is a true representation of the facts related to the request; that this application is filed with my approval, as owner, evidenced by my signature appearing below.

It is hereby acknowledged that the filing of this application does not constitute automatic approval of the request. Further, if the request is approved, I will obtain all necessary permits and comply with all applicable orders, codes, conditions and regulations pertaining to the use of the property.

I hereby grant authorization to any city official to inspect, as reasonable times, the site of the request.

TRUDI HOLT HOUSE

Before me this date personally appeared:

Name: _____
Signature: [Handwritten Signature]

Personally known/Form of Identification _____

Who, being first duly sworn, deposes and attests that the above is a true and correct certification.

Sworn to and subscribed before me this: Day: 9 Month: July 20 21

Notary Public State of Florida at Large: [Handwritten Signature]

Notary Public Commission Expiration: 12/25/21

State of Florida
County: Pinellas

LAWRENCE FREDERICK DELL
Notary Public, State of Florida
My Comm. Expires Dec. 25, 2021
No. GG 141784

APPLICATIONS FILED BY CORPORATIONS MUST BEAR THE SEAL OF THE CORPORATION OVER THE SIGNATURE OF AN OFFICER AUTHORIZED TO ACT ON BEHALF OF THE CORPORATION.

AGENT OF RECORD

Date: 7/9/21

I, TRUDI HOLT HOUSE do hereby designate and appoint

STEVE BUSCEMIA as my agent of record for the purposes of representing me during the Planning and Zoning Department's review process of my application. My agent of record is hereby vested with authority to make any representations, agreements or promises, which are necessary or desirable in conjunction with the review process. My agent of record is authorized to accept or reject any conditions imposed by any reviewing board or entity.

Name: STEVE BUSCEMIA Signature: 

My agent of record may be contacted at:

Company: SUNSHATION POOLS + SPAS, INC

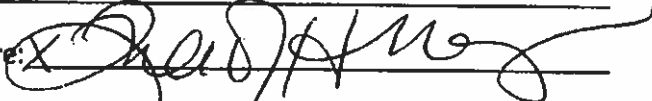
Address: 10945 Ulmerton Rd

City/State: LIGHTS, FL Zip Code: 33785

Telephone: 727-510 7070 Fax: 727-559-7183

Before me this date personally appeared:

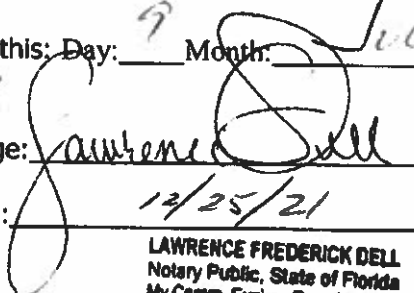
Name: TRUDI HOLT HOUSE

Signature: 

Personally known/Form of Identification

Who, being first duly sworn, deposes and attests that the above is a true and correct certification.

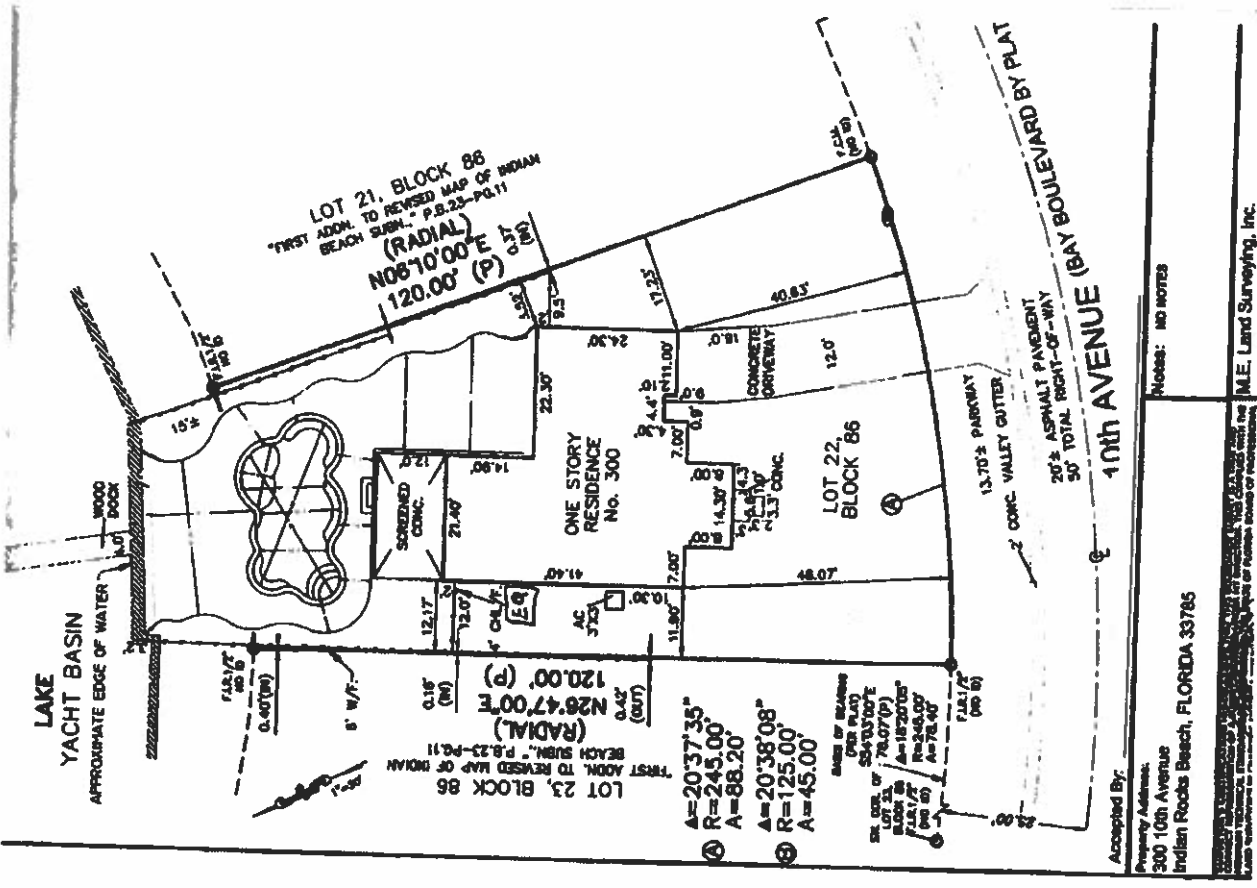
Sworn to and subscribed before me this: Day: 9 Month: July, 2021

Notary Public State of Florida at Large: 

Notary Public Commission Expiration: 12/25/21

State of Florida
County: Pinellas

LAWRENCE FREDERICK DELL
Notary Public, State of Florida
My Comm. Expires Dec. 25, 2021
No. GG 141784



LOT 21, BLOCK 86
 "FIRST ADDM. TO REVERSED MAP OF INDIAN
 BEACH SUBM." P.B.23-PG.11
 (RADIAL)
 N08°10'00"E
 120.00' (P)

LOT 23, BLOCK 86
 "FIRST ADDM. TO REVERSED MAP OF INDIAN
 BEACH SUBM." P.B.23-PG.11
 (RADIAL)
 N26°47'00"E
 120.00' (P)

① A=20°37'35"
 R=245.00'
 A=88.20'
 ② A=20°38'08"
 R=125.00'
 A=45.00'

MADE BY SURVEYOR
 FOR LOT 22
 58°03'00"E
 74.07' (P)
 A=1622'00"
 13.70' (P)
 13.70' (P)
 13.70' (P)

Accepted By:
 Property Address:
 300 10th Avenue
 Indian Rocks Beach, Florida 33785

Notes: no notes

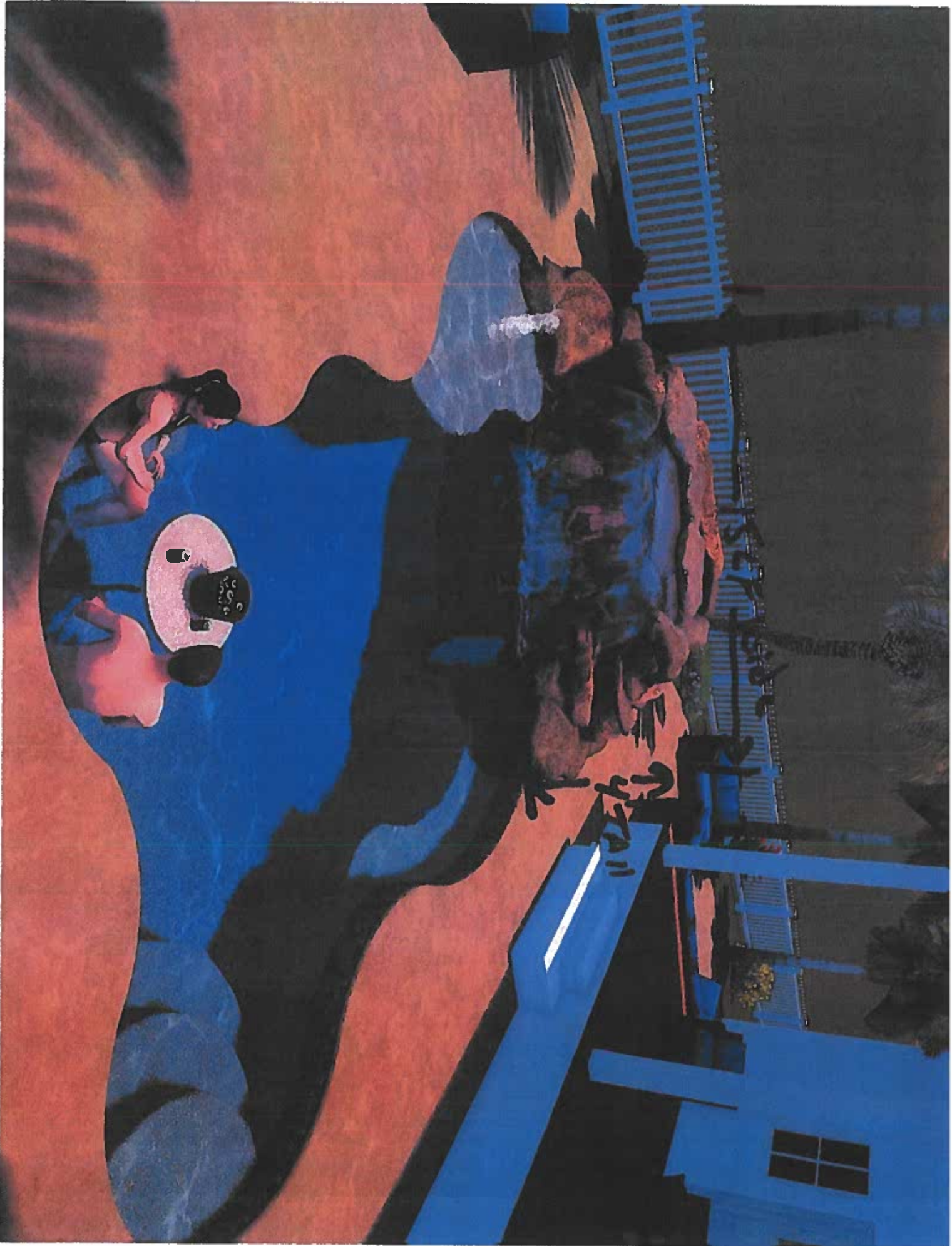
Surveyed and Platted by M.E. Land Surveying, Inc.

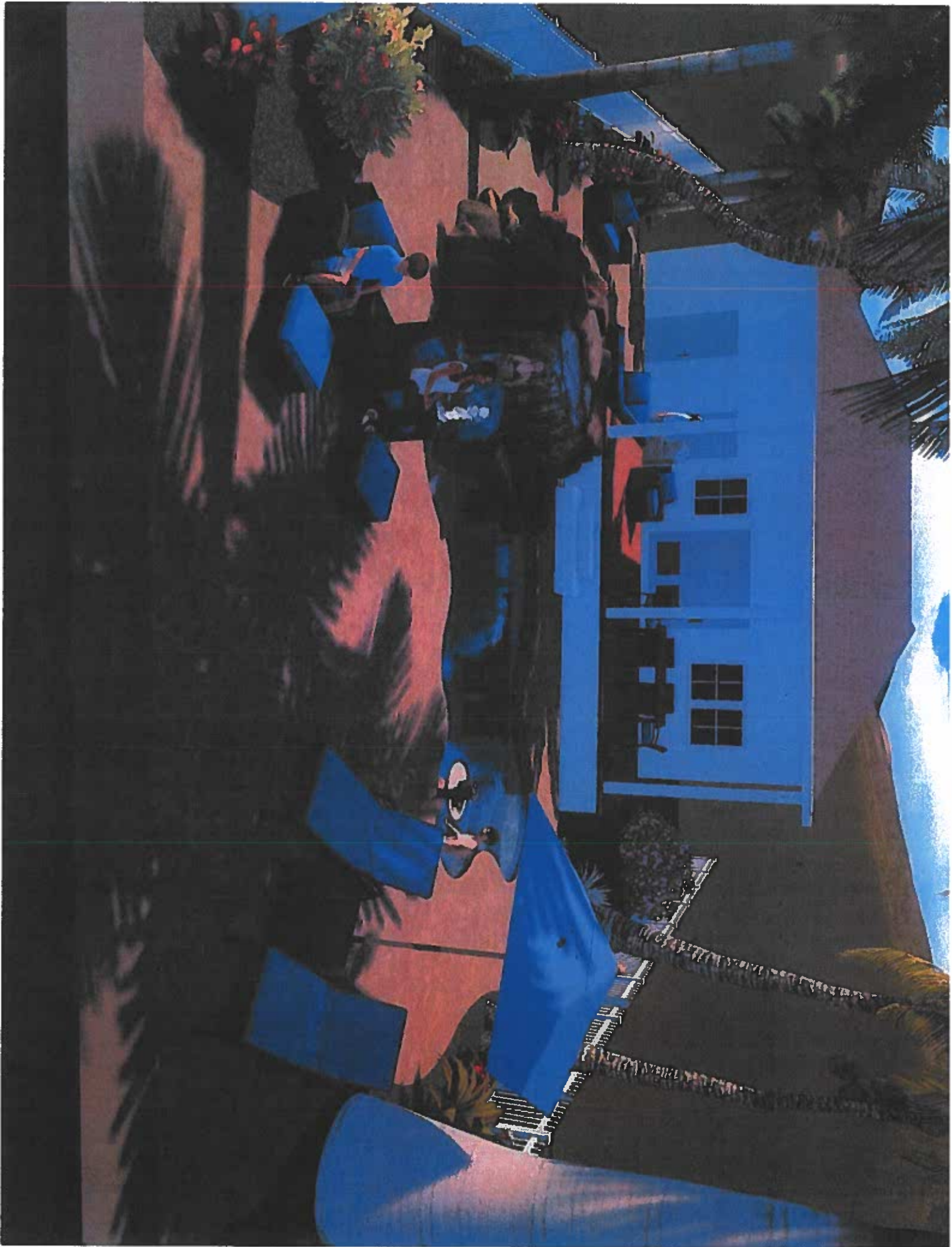
OMB No. 1600-0008
Expiration Date: November 30, 2022

ELEVATION CERTIFICATE

Copy all pages of this Elevation Certificate and all attachments to (1) community official, (2) insurance agent/company and (3) building owner.
Important: Follow the instructions on pages 14.

SECTION A - PROPERTY INFORMATION		FOR INSURANCE COMPANY USE	
A1. Building Owner's Name A1 D Inc, LLC		Policy Number	
A2. Building Street Address (including Apt., Unit, Bldg., Trailer Bldg. No.) or P.O. Route and Box No. 300 10th Avenue		Company NAIC Number	
City Indian Rocks Beach	State FLORIDA	ZIP Code 33756	
A3. Property Description (Lot and Block numbers, Tax Parcel Number, Legal Description, etc.) TAX PARCEL ID: 07-01-05-11-0240-00-0220			
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, Etc.) Residential			
A5. Lot/Block/Parcel: L.S. N. 273223.95 Long. W. 85251.25 Horizontal Datum: <input type="checkbox"/> NAD 1987 <input checked="" type="checkbox"/> NAD 1983			
A6. Attach at least 2 photographs of the building if the Certificate is being used to obtain flood insurance			
A7. Building Outline number: 3			
A8. For a building with a cross-section of attachment: a) Lowest height of cross-section or attachment: 0 ft. Ft. b) No. of permanent flood openings in the cross-section or attachment within 1.0 foot above adjacent grade: 0 c) Total net area of flood openings in ALL: 0 sq. ft. d) Engineered flood openings? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No A9. For a building with an attached garage: a) Square footage of attached garage: 200 sq. Ft. b) No. of permanent flood openings in the attached garage within 1.0 foot above adjacent grade: 0 c) Total net area of flood openings in ALL: 0 sq. ft. d) Engineered flood openings? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
SECTION B - FLOOD INSURANCE RATE MAP (FIRM) INFORMATION			
B1. FIRM Community Name & Community Number PINELLAS COUNTY 130117	B2. County Name Pinellas County	B3. State FLORIDA	
B4. Map/Firm Number 1310001130	B5. Date 05/16/2003	B6. Flood Zone(s) AE	B7. Base Flood Elevation (BFE) (Zone AE) 10.0
B10. Indicate the amount of the Base Flood Elevation (BFE) risk of base flood depth entered in Item B6: <input type="checkbox"/> 100 Percent <input checked="" type="checkbox"/> 75 Percent <input type="checkbox"/> 50 Percent <input type="checkbox"/> 25 Percent <input type="checkbox"/> Other (Describe):			
B11. Indicate elevation datum used for BFE in Item B6: <input type="checkbox"/> NAVD 1988 <input checked="" type="checkbox"/> MVD 1928 <input type="checkbox"/> Other (Describe):			
B12. Is the building located in a Coastal Barrier Resources System (CBRS) zone or otherwise protected area (OPA)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Designation Code: NA <input type="checkbox"/> CBRS <input type="checkbox"/> OPA			







Administrative
727/595-2517
727/596-4759 (Fax)

Library
727/596-1822

Public Services
727/595-6889
727/593-5137 (Fax)

**NOTICE OF PUBLIC MEETING
THE CITY OF INDIAN ROCKS BEACH — BOARD OF ADJUSTMENTS AND APPEALS
TUESDAY, AUGUST 17, 2021 @ 6:00 P.M.
1507 BAY PALM BOULEVARD
INDIAN ROCKS BEACH, FLORIDA 33785**

The Board of Adjustments and Appeals of the City of Indian Rocks Beach, Pinellas County, Florida, an advisory board to the City Commission, will conduct a public meeting on **TUESDAY, AUGUST 17, 2021**, which meeting convenes at 6:00 p.m., or as soon as thereafter, in the City Commission Chambers, 1507 Bay Palm Boulevard, Indian Rocks Beach, Florida, on **BOA CASE NO. 2021-10**.

YOU ARE HEREBY NOTIFIED as a property owner of land within 150 feet of the property located at **300 10th AVENUE, INDIAN ROCKS BEACH, FLORIDA 33785**, of the following variance request:

A variance request from Section 110-344(7)(f) of the Code of Ordinances to allow for a waterfall structure to exceed the 6 foot length requirement by 7 feet, for the property located at 300-10th Avenue, Indian Rocks Beach, Florida, and legally described as First Addition to Re-Revised Map of Indian Beach Subdivision, Block 86, Lot 22, recorded in Plat Book 23, Page 11 of the Public Records of Pinellas County. Property ID # 01-30-14-42048-086-0220

FOR FURTHER INFORMATION REGARDING THIS REQUEST, PLEASE CONTACT HETTY C. HARMON, PLANNING CONSULTANT, AT 863/646-4771, EXT. 211 OR E-MAIL: hharmon@irbcity.com.

If you desire to either support or object to the referenced variance, you may appear at the Indian Rocks Beach Board of Adjustments and Appeals Meeting on said date, or submit in writing your support or objections to Deanne B. O'Reilly, City Clerk, 1507 Bay Palm Boulevard, Indian Rocks Beach, Florida, 33785, or e-mail: doreilly@irbcity.com. All correspondence must be received by the City Clerk no later than **Tuesday, August 17, 2021, by 2:00 p.m.** The City will make such records available during normal business hours, Monday through Friday, 7:30 a.m. to 4:00 p.m., to any interested person at his or her request and expense.

If any person desires to appeal a decision made with respect to this request, such person will need a record of the proceedings and for such purposes, they may need to ensure that a verbatim record of the proceedings is made which record includes the testimony and evidence upon which the appeal is to be based, per Section 286.0105, Florida Statutes. Verbatim transcripts are not furnished by the City of Indian Rocks Beach and should one be desired, arrangements (i.e. court reporter) should be made in advance by the interested party.

In accordance with Section 286.26, Florida Statutes, persons with a disability requiring reasonable accommodations in order to participate in this meeting should contact the City Clerk's Office with your request by telephone (727/595-2517) or email: doreilly@irbcity.com no later than seven (7) business days prior to the proceeding.

Notice was mailed by first class mail to the property owners within 150 feet in any direction of the subject property and posted on subject property on August 2, 2021. (Sec. 2-149 of the Code of Ordinances.)

01-30-14-42048-086-0230

BLK 86, LOT 23
RE-REVISED 1ST ADD
INDIAN BEACH

MEADE, PATRICK RYAN
MEADE, ERIN KATHERINE
75 TALAMINE CT STE A
COLORADO SPRINGS CO 80907-5133

01-30-14-42048-086-0200

BLK 86, LOT 20 & RIP RTS
RE-REVISED 1ST ADD
INDIAN BEACH

HILL, DAVID M
4212 W SAN JUAN ST
TAMPA FL 33629-7702

01-30-14-42048-086-0030

BLK 86, LOT 3
RE-REVISED 1ST ADD
INDIAN BEACH

LINDEN, MARK J
305 10TH AVE
INDIAN ROCKS BEACH FL 33785-2870

01-30-14-42048-086-0180

DESC FROM NE COR OF SD LOT
BLK 86, THAT PT OF LOT 18
RE-REVISED 1ST ADD
INDIAN BEACH

WALSH, PATRICK B TRE
WALSH, MARYALICE O TRE
310 10TH AVE
INDIAN ROCKS BEACH FL 33785-2871

01-30-14-42048-086-0010

BLK 86, LOT 1
RE-REVISED 1ST ADD
INDIAN BEACH

INDIAN ROCKS BEACH, CITY OF
1507 BAY PALM BLVD
INDIAN ROCKS BEACH FL 33785-2827

01-30-14-42048-086-0190

BLK 86, LOT 19 & RIP RTS
RE-REVISED 1ST ADD
INDIAN BEACH

YORK, WILLIAM E
308 10TH AVE
INDIAN ROCKS BEACH FL 33785-2871

01-30-14-42048-083-0090

BLK 83, LOT 9
RE-REVISED 1ST ADD
INDIAN BEACH

WILTSHIRE, MARC A
213 11TH AVE
INDIAN ROCKS BEACH FL 33785-2872

01-30-14-42048-086-0250

BLK 86, LOT 25
RE-REVISED 1ST ADD
INDIAN BEACH

BULUT, TIMUR J TRUST
BULUT, TIMUR J TRE
1101 BAY PINE BLVD
INDIAN ROCKS BEACH FL 33785-2866

01-30-14-42048-086-0020

BLK 86, LOT 2
RE-REVISED 1ST ADD
INDIAN BEACH

FULTON, TOMMY
303 10TH AVE
INDIAN ROCKS BEACH FL 33785-2870

01-30-14-42048-086-0040

BLK 86, LOT 4
RE-REVISED 1ST ADD
INDIAN BEACH

MAURIELLO, ROBERT A TRUST
MAURIELLO, ROBERT A TRE
307 10TH AVE
INDIAN ROCKS BEACH FL 33785-2870

01-30-14-42048-083-0070
BLK 83, LOT 7
RE-REVISED 1ST ADD
INDIAN BEACH

BARNES, GILLIAN B
216 10TH AVE
INDIAN ROCKS BEACH FL 33785-2849

01-30-14-42048-083-0080
BLK 83, LOT 8
RE-REVISED 1ST ADD
INDIAN BEACH

GRANDMAS BEACH BUNGALOW LLC
PO BOX 5764
CLEARWATER FL 33758-5764

01-30-14-42048-086-0260
OF LOT 27 DESC BEG MOST
BLK 86, LOT 26 & THAT PART
RE-REVISED 1ST ADD
INDIAN BEACH

TITUS, THOMAS
SARAI, ABNEY
9019 BAYWOOD PARK DR
SEMINOLE FL 33777

01-30-14-42048-086-0210
BLK 86, LOT 21
RE-REVISED 1ST ADD
INDIAN BEACH

MCLAUGHLAN, ZANDRA J
C/O EVANS, JAEME POA
3521 AVOCADO RD
LARGO FL 33770-4501

AGENDA ITEM NO. 8

OTHER BUSINESS

AGENDA ITEM NO. 9

ADJOURNMENT