

**Board of Adjustments and Appeals
Tuesday, August 25, 2020
@ 7:00 p.m.**



Administrative
727/595-2517

Building/Planning & Zoning
727/517-0404
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 25, 2020 @ 7:00 P.M.
CITY COMMISSION CHAMBERS
1507 BAY PALM BOULEVARD
INDIAN ROCKS BEACH, FLORIDA 33785

1. **CALL TO ORDER.**
 2. **ROLL CALL.**
 3. **ELECTION OF:**
 - A. **CHAIRPERSON:**
 - B. **VICE CHAIRPERSON:**
 4. **APPROVAL OF MINUTES: June 16, 2020**
 5. **BOA CASE NO. 2020-05**

Owner/Applicant: Nikkole Schaub
Thomas Schaub

Representative: Enterprise Marine

Subject Location: 2004 20th Avenue Parkway

Legal Description: Lot 16 and part of Lot 15, Seventh Addition to Re-Revised Map of Indian Beach.

Parcel #: 06-30-15-42156-000-0160

Variance requests: From Section 94-86(a)(1) to allow a variance of 2 feet 6 inches into the 12-foot side yard setback from the northeast projected property line leaving a side yard setback of 9 feet 6 inches and a variance of 5 feet 6 inches into the 12-foot side yard setback from the southwest projected property line leaving a side yard setback of 6 feet 6 inches for the installation of a new dock for the property.
 6. **OTHER BUSINESS.**
 7. **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 21, 2020

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

AGENDA ITEM NO. 2
ROLL CALL

AGENDA ITEM NO. 3A-B

ELECTION OF OFFICERS

A. CHAIRPERSON

B. VICE CHAIRPERSON

**AGENDA ITEM NO. 4
APPROVAL OF MINUTES**

**MINUTES – JUNE 16, 2020
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, JUNE 16, 2020**, at 7:01 p.m., in the City Commission Chambers, 1507 Bay Palm Boulevard, Indian Rocks Beach, Florida.

1. CALL TO ORDER. Chair Alvarez called the meeting to order at 7:01 p.m.

2. ROLL CALL:

PRESENT: Chair Rick Alvarez, Vice-Chair Stewart DeVore, Board Member Jim Labadie, and David Watt.

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

ABSENT: Board Member Waldemar H. Clark, Jr.

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: February 18, 2020

MOTION MADE BY VICE-CHAIR DEVORE, SECONDED BY MEMBER LABADIE, TO APPROVE THE FEBRUARY 18, 2020 BOARD OF ADJUSTMENTS AND APPEALS MINUTES AS SUBMITTED. UNANIMOUS APPROVAL BY ACCLAMATION.

4. BOA CASE NO. 2020-04 – 124-13TH AVENUE

Owners/Applicants: Patti Baker Katz

Jorge L. Blassino

Representative: Platinum Pools & Spas

Subject Location: 124-13th Avenue

Legal Description: Indian Beach Re- Revised 1st Addition, Block 78, Lot 11 & S ½ vac alley adj on North

Parcel #: 01-30-14-42048-078-0110

Variance Request: Variance request of 17.5 feet into the required 25-foot front yard setback, resulting in a total front yard setback of 7.5 feet, to allow for new pool.

[Beginning of Staffing Report.]

SUBJECT: BOA CASE NO. 2020-04. A variance request of 17.5 feet into the required 25-foot front yard setback, resulting in a total front yard setback of 7.5 feet to allow for a new pool for property located at 124-13th Avenue.

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

Owner: Patti Baker Katz
Jorge L. Blassino
Property Location: 124-13th Avenue
Zoning: Single-Family Residential (S)

Direction	Existing Use	Zoning Category
North	Residential	S
East	Residential	S
South	Residential	S
West	Residential	S

BACKGROUND:

Patti Katz is requesting a variance of 17.5 feet of the required 25 feet front yard setback to allow for a pool.

This house's address is off of 13th Avenue, but the house actually faces 1st Street. The required front yard setback of 25 feet is on the 13th Avenue side. They are requesting to locate the pool in the front yard setback along 13th Avenue even though it appears as the side yard of the dwelling.

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 residence was built in 2005 and was built to the current land development codes which complied with the front, side and rear yard setbacks.*
- b. The special conditions and circumstances do not result from the actions of the applicant. *The applicant has proposed a pool that would encroach into the front yard setback.*
- 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 would not deprive other owners of use and enjoyment of their properties and would not cause undue hardship on the applicant.*
- e. The variance granted is the minimum variance that will make possible the reasonable use of the land, structure or building. *Granting of this variance would allow the property to have a reduced front yard setback.*
- 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 in harmony with general intent and purpose of subpart B.*

PUBLIC NOTIFICATION: A public meeting notice was mailed by first class mail to the property owners within 150 feet in any direction of the subject property and posted on the property on June 1, 2020, per Code Section 2-149.

[End of Staffing Report.]

City Attorney Mora read the title of Agenda Item No. 4, BOA Case No. 2020-04. City Attorney Mora stated this is a quasi-judicial proceeding and proceeded to review the rules for quasi-judicial proceedings.

City Attorney Mora asked the Members if any of them 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 Chair Alvarez and Member Watt responding in the affirmative.

City Attorney Mora inquired if Chair Alvarez and Member Watt felt that their visit in any way impaired their ability to impartially adjudicate this matter, with both Chair Alvarez and Member Watt responding in the negative.

All persons planning to give testimony during the quasi-judicial proceeding were duly sworn in by the City Attorney.

Planning Consultant Harmon introduced BOA Case No. 2020-04. She stated the applicants are requesting a variance of 17.5 feet into the required 25.0 feet front yard setback, resulting in a total front yard setback of 7.5 feet, to allow for a new pool for property located at 124-13th Avenue, Indian Rocks Beach, Florida, and legally described as Indian Beach Re-Revised 1st Addition, Block 78, Lot 11 & S ½ vac alley adj on North.

Planning Consultant Harmon stated the house's address is off of 13th Avenue, but the house faces 1st Street. The required front yard setback of 25 feet is on the 13th Avenue side. They are requesting to locate the pool in the front yard setback along 13th Avenue, even though it appears as the side yard of the house.

Planning Consultant Harmon presented a PowerPoint Presentation showing an aerial view of the property, a survey, a drawing of the proposed construction,

a photo of 1st Street looking north and east, and a photo of 13th Avenue looking east.

Planning Consultant Harmon stated staff recommends denial based on the variance review criteria of Section 2-152.

Vice-Chair DeVore asked if a 4-foot fence is adequate enough for safety for children who are biking or walking in the neighborhood.

Planning Consultant Harmon stated the required fencing for a pool is 46 or 48 inches for a pool.

David Greiner, Platinum Pools & Spas, 104 Seacrest Drive, Largo, Florida, applicants' pool contractor, stated once a safety fence is installed, a latch would be attached to the door and would be raised to 54 inches where it needs to be per the City Code.

Mr. Greiner explained the variance request and stated there was no other place to put the pool except for that area.

Patti Katz, 124-13th Avenue, the applicant, stated the front of the house is physically on 1st Street, and there is a property at 2215-1st Street where their fence and pool are actually in front of their house, and the physical front of their house is exactly like hers.

City Attorney Mora stated the Board is only considering her property and application tonight. There is no precedent.

Phil Wrobel, 112-13th Avenue, spoke in support of the variance and stated they are good neighbors, who have taken excellent care of their property. Mr. Wrobel talked about the history of the construction of the house and the lack of communication between the owner, who lived in Kentucky, and the builder. He further stated there are other residences with pools in their front yard with 6-foot fences.

Chris Turpin, 107-14th Avenue, stated she did not want a 6-foot fence around the pool. She asked questions about where the front setback and property line starts and asked what are setbacks and right-of-ways for.

Planning Consultant Harmon provided answers to Ms. Turpin's questions.

Ms. Turpin stated the applicants take outstanding care of their residence. She is not opposed but had curiosity questions for the future of Indian Rocks Beach.

Member Labadie asked about the telephone pole on the corner of the property.

Mr. Greiner stated the utility pole had been removed, and the power lines have been buried and rerouted to the side of the residence.

Mr. Greiner stated there would be no exterior lighting other than the existing exterior lighting.

Mr. Greiner stated the interior pool lights would be facing toward the house, so at the same time, they would not shine out toward the street to where it would cause a driver to be blinded by the light. The lights are at a low dim to where they only shine inside the pool.

MOTION MADE BY VICE-CHAIR DEVORE, SECONDED BY MEMBER WATT, TO RECOMMEND TO THE CITY COMMISSION DENIAL BOA CASE NO. 2020-04, A VARIANCE REQUEST OF 17.5 FEET INTO THE REQUIRED 25.0 FOOT FRONT YARD SETBACK, RESULTING IN A TOTAL FRONT YARD SETBACK OF 7.5 FEET, TO ALLOW FOR NEW POOL, FOR THE PROPERTY LOCATED AT 124-13th AVENUE, INDIAN ROCKS BEACH, FLORIDA, AND LEGALLY DESCRIBED AS INDIAN BEACH RE-REVISED 1ST ADDITION, BLOCK 78, LOT 11 & S ½ VAC ALLEY ADJ ON NORTH. PARCEL NO. 01-30-14-42048-078-0110.

Vice-Chair DeVore stated the applicants did not show any hardship as required by the Code of Ordinances.

ROLL CALL VOTE:

AYES: WATT, DEVORE, ALVAREZ

NAYS: LABADIE

ABSENT: CLARK

MOTION TO DENY WAS APPROVED BY A VOTE OF 3 TO 1.

Planning Consultant Harmon stated this BOA Case is scheduled for the July 14, 2020 City Commission Agenda, for consideration.

5. OTHER BUSINESS.

City Clerk O'Reilly stated there will be no Board of Adjustments and Appeals Meeting in July 2020.

6. ADJOURNMENT.

MOTION MADE BY MEMBER LABADIE, SECONDED BY MEMBER WATT, TO ADJOURN THE MEETING AT 7:25 P.M. UNANIMOUS APPROVAL.

Date Approved

Rick Alvarez, Chair

/dor

AGENDA ITEM 5.

**BOA CASE NO. 2020-05
2004-20th Avenue Parkway**

**BOARD OF ADJUSTMENTS AND APPEALS
AGENDA MEMORANDUM**

MEETING OF:

Board of Adjustment: August 25, 2020
City Commission: September 8, 2020

AGENDA ITEM: 5

SUBMITTED AND

RECOMMENDED BY: Hetty C. Harmon, AICP
City Planner

APPROVED BY: Brently Gregg Mims
City Manager

SUBJECT: **BOA CASE NO. 2020-05:** Variance request from Section 94-86(a)(1) to allow a variance of 2 feet 6 inches into the 12 ft side yard setback from the northeast projected property line leaving a side yard setback of 9 foot 6 inches and 5 feet 6 inches into the 12 ft side yard setback from the southwest projected property line leaving a side yard setback of 6 feet 6 inches for the installation of a new dock for the property located at 2004 20th Avenue Pkwy, Indian Rocks Beach, Florida, and legally described as Lot 16 and part of Lot 15, Seventh Addition to Re- Revised Map of Indian Beach. Parcel #06-30-15-42156-000-0160

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

BOA
RECOMMENDATION:

OWNER Thomas & Nikkole Schaub
LOCATION of PROPERTY: 2004 20th Ave. Pkwy
ZONING: S- Single Family

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

BACKGROUND:

Thomas and Nikkole Schaub are requesting variance for the side setbacks for the installation of the dock. They are requesting 2 feet 6 inches into the 12 foot side yard setback from the northeast projected property line leaving a side yard setback of 9 foot 6 inches and 5 feet 6 inches into the 12-foot side yard setback from the southwest projected property line leaving a side yard setback of 6 feet 6 inches.

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's seawall is on an interior radius which reduces the width of the property as the property lines are extended out into the bay.

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.

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

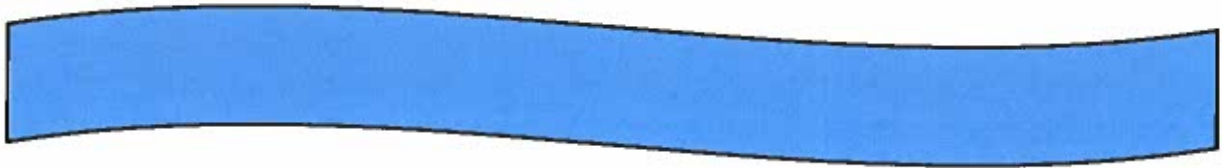
This is the minimum variance to allow the owner to construct the dock and boat lift.

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.

MOTION:

I move to recommend to the City Commission **APPROVAL/DENIAL of BOA CASE 2020-05:** Variance request from Section 94-86(a)(1) to allow a variance of 2 feet 6 inches into the 12 ft side yard setback from the northeast projected property line leaving a side yard setback of 9 foot 6 inches and 5 feet 6 inches into the 12 ft side yard setback from the southwest projected property line leaving a side yard setback of 6 feet 6 inches for the installation of a new dock for the property located at 2004 20th Avenue Pwky, Indian Rocks Beach, Florida, and legally described as Lot 16 and part of Lot 15, Seventh Addition to Re-Revised Map of Indian Beach.



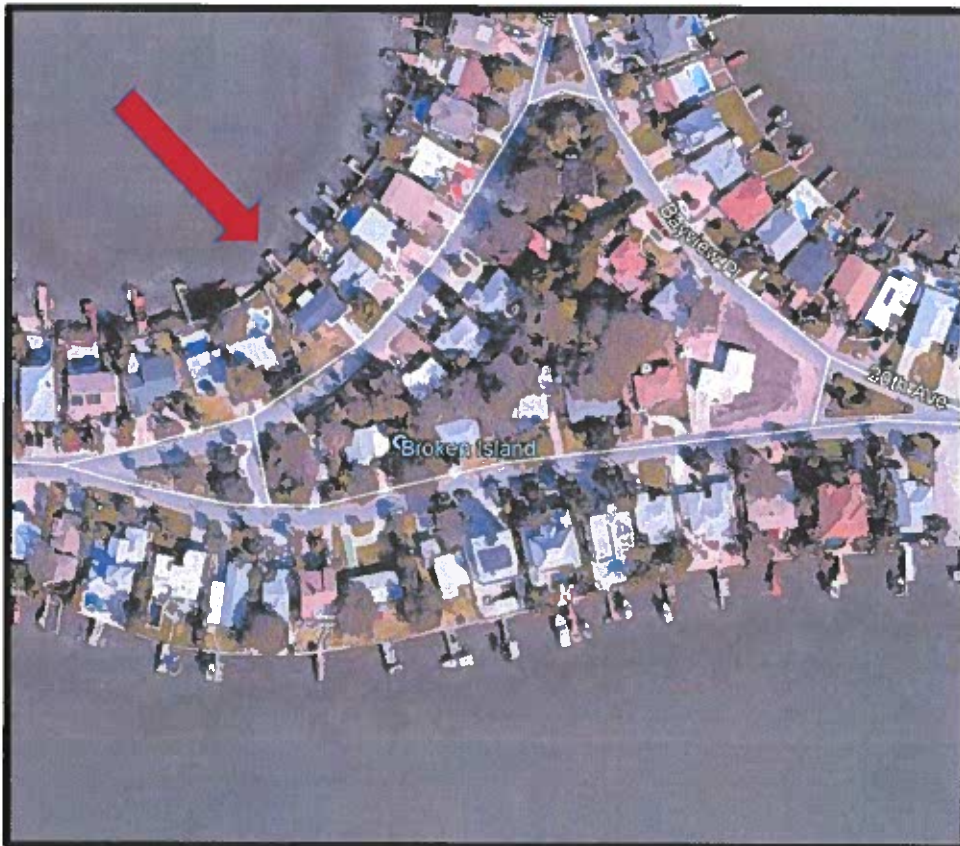
2004 20th Avenue Pkwy
BOA CASE NO. 2020-05



BOA CASE NO. 2020-05: Variance request from Section 94-86(a)(1) to allow a variance of 2 feet 6 inches into the 12 ft side yard setback from the northeast projected property line leaving a side yard setback of 9 foot 6 inches and 5 feet 6 inches into the 12 ft side yard setback from the southwest projected property line leaving a side yard setback of 6 feet 6 inches for the installation of a new dock for the property located at 2004 20th Avenue Pkwy, Indian Rocks Beach, Florida, and legally described as Lot 16 and part of Lot 15, Seventh Addition to Re-Revised Map of Indian Beach.

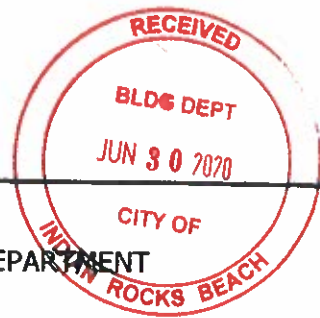


2004 20th Avenue Pkwy



2004 20th Avenue Pkwy





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 Application No. **2020.05** Date Received

APPLICANT

Name: **Thomas Schaub**
Address: **2004 20th Ave Prwy**
City: **Indian Rocks Beach**
Zip Code: **33785**
Tel:
Fax:
Mobile: **917-930-8644**
Email: **TSCHAUB631@gmail.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: **2004 20th Ave Prwy** Parcel ID: **06/30/15/42156/000/0160**
City: **Indian Rocks Beach** Zip Code: **33785**
Legal Description: **Indian Beach Re- Revised, 7th Add, Lot 16**
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:

seawall replacement

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):

12'

6'-6"

5'-6"

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):	35'	42'	7'
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:

The property seawall is on an interior angle, which reduces the width of the property as you extend outward into the waterway.

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

The narrowing width of the property at the seawall are not the result of actions caused by the applicant.

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 request is not a special privilege that has been denied to other properties in the immediate zoning district.

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:

This variance request will not deprive owners in the same zoning district. The two adjacent property owners have already approved the design of the dock and lift.

HARDSHIP CONTINUED...

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

The requested variance is the minimum required for the docking of the owners boat.

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 detrimental to the public welfare. It will be consistent with other properties in the immediate vicinity.

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

We believe the variance should be granted, as similar requests have been previously approved for properties in the immediate vicinity and adjacent property owners have already been presented with the plans and have given their approval.

CERTIFICATION

Date: June 23, 2020

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: Thomas Schaub

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: 23rd Month: June .2020

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

Notary Public Commission Expiration: _____

State of Florida
County: Pinellas



JOSEPH R. PLACE
Commission # GG 203101
Expires August 3, 2022
Bonded Thru Budget Notary Services

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 23, 2020

I, Thomas Schaub 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: Joe Place Signature: 

My agent of record may be contacted at:

Company: Enterprise Marine

Address: 8165 - 46th Ave. N.

City/State: St. Petersburg Zip Code: 33709

Telephone: 727 - 343 - 7755 Fax: 727 - 954 - 8812

Before me this date personally appeared:


Name: Thomas Schaub

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: 23rd Month: June, 20 20

Notary Public State of Florida at Large: 

Notary Public Commission Expiration: _____
State of Florida
County: Pinellas



JOSEPH R. PLACE
Commission # GG 203101
Expires August 3, 2022
Bonded thru Budget Notary Services

DOCK WATER DEPTH AFFIDAVIT

I, the undersigned contractor, who is duly licensed to construct and repair docks in Pinellas County, Florida, do hereby attest to the following:

1. On behalf of my client, I do hereby propose to construct a dock in the City of Indian Rocks Beach that has a length of thirty five (35') feet, or longer if necessary to reach thirty six (36") inches of water depth at a mean low water mark. In no case shall the length exceed fifty (50') feet beyond the property line, seawall of mean high water mark, whichever is applicable pursuant to Section 94-87 of the City Code; and
2. I, or personnel under my supervision, have inspected the proposed construction site for the subject dock and have taken measurements at the proposed construction site in accordance with generally accepted standards and have determined that the depth of the water at the subject location at mean low tide of thirty six (36") inches at a distance of 36'-6" from the seawall as measured perpendicular to the seawall.



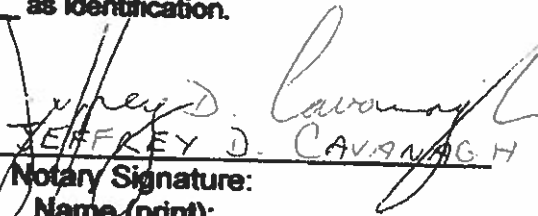
Signature of Contractor/Authorized Agent

The above instrument was acknowledged before me this 21st day of JUNE, 2020, by JOE PLACE, who is personally known to be or who produced DRIVERS LICENSE as identification.

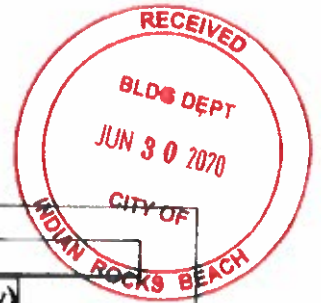


JEFFREY D. CAVANAGH
Commission # GG 955878
Expires February 6, 2024
Bonded Through Notary Services

Notary Stamp & Number



Notary Signature:
Name (print):
Title/Rank:



Direct all correspondence to:
 Clerk, water and Navigation
 Control Authority
 315 Court Street
 Clearwater, FL 33756

Application # _____
 (Official use only)

**PRIVATE DOCK PERMIT APPLICATION
 PINELLAS COUNTY WATER AND NAVIGATION CONTROL AUTHORITY**

I. PROPERTY OWNER INFORMATION:

- A. Applicant's Name: Thomas Schaub
- B. Mailing Address: 86 B Union Ave.
- C. City: Center Moriches State: NY Zip: 11934-3219
- D. Telephone no. (s): (917) 930-8644
- E. Mail Address: tschaub63i@gmail.com

II. AGENT INFORMATION

- A. Name: **ENTERPRISE MARINE CONTRACTORS INC.**
- B. Address: **8165 46th Avenue N.**
 City: **St. Petersburg** State: **FL** Zip: **33709**
- C. Telephone No: **(727) 343-7788** E-Mail Address: **gary@enterprisemarine.com**
joe@enterprisemarine.com

III. SITE INFORMATION:

- A. Construction Site Address: 2004 - 20th Avenue Parkway
 City: Indian Rocks Beach
- B. Parcel ID Number 06, 30, 15, 42156, 000, 0160
- C. Incorporated: Unincorporated:
- D. Affected Waterbody: Clearwater Harbor
- E. Previous Permits: P20909-93
- F. Date applicant assumed property ownership: April 2019
 (month/year)
- G. Obstructions: (dogs, fences, etc.) NONE
- H. Attach 8-1/2"X vicinity map showing specific project location:
- I. All other information pursuant to P.C. O. 90-19 (amended), Section 10.8, as needed.
- J. For projects requiring a public hearing, attach a copy of the complete legal description.

Application # _____
(OFFICIAL USE ONLY)

IV. PROJECT DESCRIPTION

A. Nature and size of Project:

Remove existing dock and divide. Construct a new
6'x26' walkway to a 12'x12' dock, with 4'x12' lower landing and
a new DECO 16,000 # Boat Lift Square Feet: 120

B. Variance: Yes: () No: ()

Amount in variance: Length: _____ Width _____

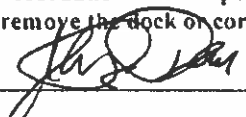
Setbacks: L _____ R _____

Other: _____

NOTE: It is the applicant's responsibility to clearly demonstrate that any requested variances are consistent with the variance criteria of the Pinellas County Water and Navigation Control Authority Regulations. The applicant must submit a written variance request outlining the nature of and need for any variances. The applicant must demonstrate that a literal enforcement of the regulations would result in an extreme hardship due to the unique nature of the project and the applicant's property. The hardship must not be created by action(s) of the property owners(s). The granting of the variance must be in the minimum possible to allow for the reasonable use of the applicant's property. Should the applicant fail to demonstrate that any variance request is consistent with the criteria outlined in the regulations; staff cannot recommend approval of the application.

V. CONTRACTOR INFORMATION:

I, Gerhard Georg Kalke, a certified contractor, state that the dock has not been constructed and that it will be built in compliance with all requirements and standards set forth in the "Rules and Regulations" of the Pinellas County Water and Navigation Control Authority, and in accordance with the attached drawings which accurately represent all the information required to be furnished, In the event that this dock is not built in accordance with the permit or the information furnished is not correct, I agree to either remove the dock or correct the deficiency.

Signed: 

Cert. No. C-9714

Company Name: Enterprise Marine Contractors, Inc. Telephone No. (727) 343-7788
Address: 8165 46th Avenue N., St. Petersburg FL, 33709

VI. OWNER'S SIGNATURE:

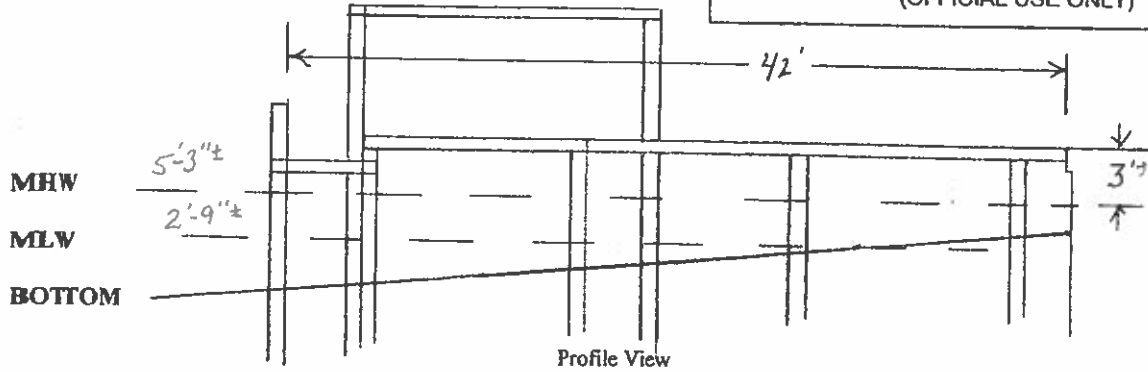
I hereby apply for a permit to do the above work and state that the same will be done according to the map or plan attached hereto and made a part here of, and agree to abide by the "Rules and Regulations" of the Pinellas County Water and Navigation Control Authority for such secure approval from said municipality. I further state that construction will be maintained in a safe condition at all times, should this application be approved, that I am the legal owner of the upland form which I herein propose to construct the improvements, and that the above stated agent/contractor may act as my representative. I understand that I, not Pinellas County, am responsible for the accuracy of the information provided as part of this applicable for the proposed activities on either private or sovereign owned submerged land.

3/4/20
Date


Legal Owner's Signature

PRIVATE DOCK

Application # _____
(OFFICIAL USE ONLY)



ENG SCALE: 1" = 10'



TOTAL SQUARE FEET	348
NEW SQUARE FEET	120
WATERWAY WIDTH	675'±
WATERFRONT WIDTH	54.5

Plan View
(applicant and adjacent docks)

SEE ATTACHED

SHORELINE

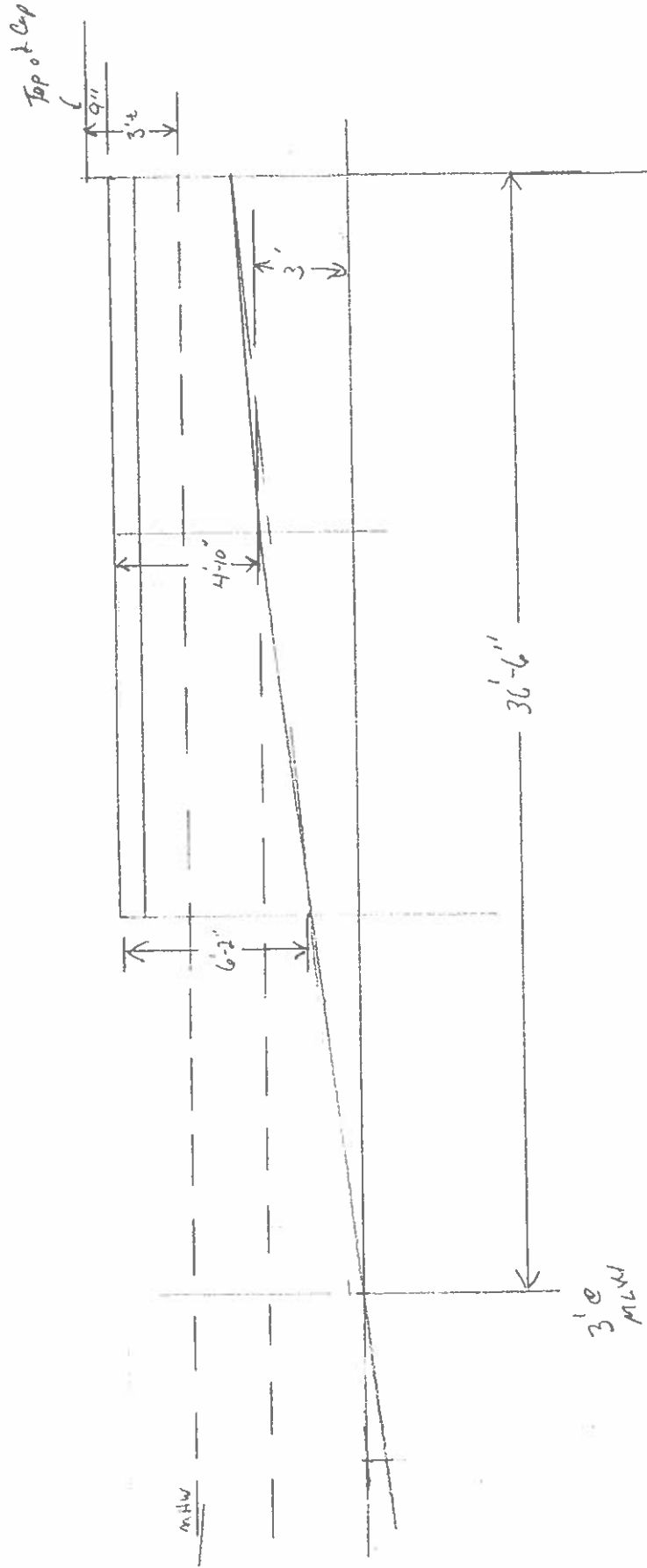
The undersigned does not object to the proposed dock and requested variances as drawn in the space provided above.

Left Owner		Right Owner	
Signature	Date	Signature	Date
Municipality Approval		Water and Navigation Approval	

3/13/20

Tom Schaub
2004-20th Ave Pkwy.

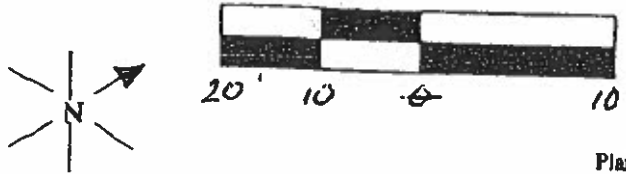
$3/16" = 1'$



PRIVATE DOCK

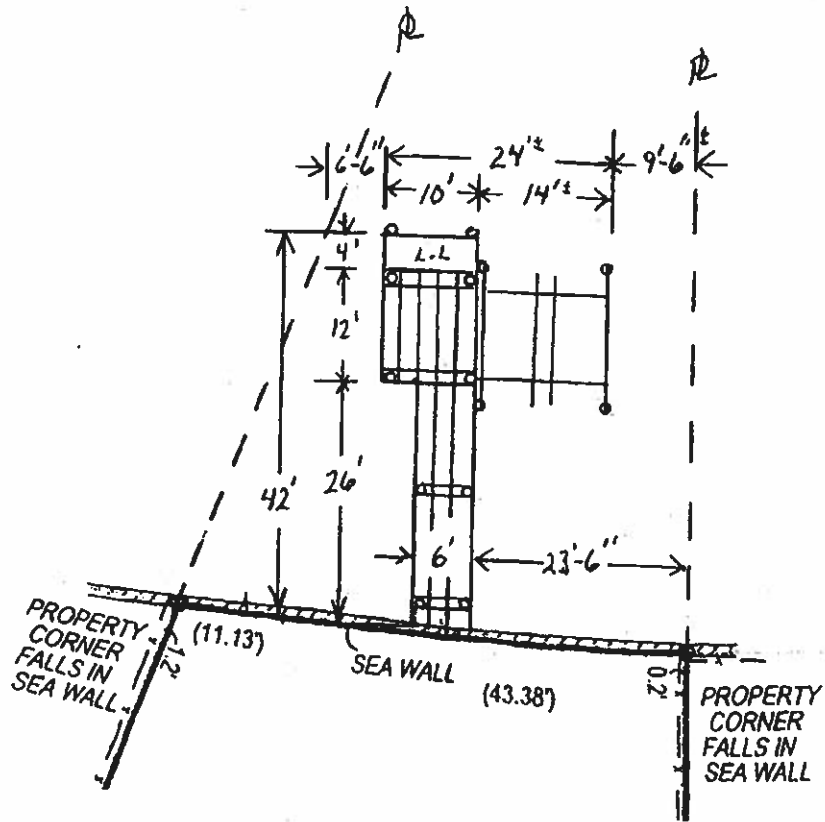
Application # _____
(OFFICIAL USE ONLY)

ENG. SCALE: 1" = 20'



TOTAL SQUARE FEET 316
 NEW SQUARE FEET 88
 WATERWAY WIDTH 67.5'
 WATERFRONT WIDTH 54.5'

Plan View



SHORELINE

The undersigned does not object to the proposed dock and requested variances as drawn in the space provided above.

Left Owner
 Signature [Signature] Date 6-27-20

Right Owner
 Signature [Signature] Date 6/27/2020

Municipality Approval

Water and Navigation Approval

VARIANCE REQUEST FORM

Application # _____
(OFFICIAL USE ONLY)

Left lot Owner's Name: William & Rose Weber
Mailing Address: 2000 - 20th Ave. Parkway Zip: 33705

I certify that I am the owner of Lot: 14 which adjoins the property owned by the applicant who proposes to construct a Commercial Multi-use Private dock at the following address: 2004 - 20th Ave. Parkway, Indian Rocks Beach, FL 33705

I have seen the plans of the proposed structure(s) with any requested variances (see Section IVB of Application) and therefore: DO OBJECT DO NOT OBJECT to the construction.

OWNERS SIGNATURE William Weber

X _____ Date 6-27-20, 2020

NOTARY:
STATE OF FLORIDA, PINELLAS COUNTY, BEFORE ME, the undersigned authority, personally appeared William Weber, well known to me, or who provided a valid Florida Driver's License to be the person who executed the foregoing instrument and that he/she acknowledged to me, under oath, that he/she signed the same freely and voluntarily for the purposes expressed therein.

Witness my hand and official seal this 27th day of June, 2020.

Joseph R Place
Notary Public

My commission expires: _____
JOSEPH R PLACE
Commission # GG 203101
Expires August 3, 2022
Reduced Fee Budget Notary Services



Right lot Owner's Name: Demetria Foundoukis and Trinh Greene
Mailing Address: 2006 - 20th Ave. Parkway Zip: 33705

I certify that I am the owner of Lot: 1 which adjoins the property owned by the applicant who proposes to construct a Commercial Multi-use Private Dock at the following address: 2004 - 20th Ave. Parkway, Indian Rocks Beach, FL 33705

I have seen the plans of the proposed structure(s) with any requested variances (see Section IVB of Application) and therefore: DO OBJECT DO NOT OBJECT to the construction.

OWNERS SIGNATURE
X Demetria Foundoukis Date 6/27, 2020

NOTARY:
STATE OF FLORIDA, PINELLAS COUNTY, BEFORE ME, the undersigned authority, personally appeared Demetria Foundoukis, well known to me, or who provided a valid Florida Driver's License to be the person who executed the foregoing instrument and that he/she acknowledged to me, under oath, that he/she signed the same freely and voluntarily for the purposes expressed therein.

Witness my hand and official seal this 27th day of June, 2020.

Joseph R Place
Notary Public

My commission expires: _____



JOSEPH R PLACE
Commission # GG 203101
Expires August 3, 2022
Reduced Fee Budget Notary Services

Application # _____
(OFFICIAL USE ONLY)

DISCLOSURE FORM

In order to alleviate any potential conflict of interest with Pinellas County Staff, it is required that Authority be provide with listings of PERSONS being party to a trust, corporation, or partnership, as well as anyone who may have beneficial interest in the application which would be affected by any decisions rendered by the Authority. (Attach additional sheets if necessary.)

A. PROPERTY OWNERS:

Name: Thomas Schaub
Address: Ed D Union Ave.
Center Moriches, NY 11934

Name: Nikkole Schaub
Address: Ed D Union Ave
Center Moriches, NY 11934

B. REPRESENTATIVES:

Name: Enterprise Marine
Address: 8165 46th Avenue N.
St. Petersburg, FL 33709

Name: _____
Address: _____

C. OTHER PERSONS HAVING OWNERSHIP INTEREST IN THE SUBJECT PROPERTY:

Interest is: contingent absolute

Name: N/A specific interest held

F. DOES A CONTRACT FOR SALE EXIST FOR THE SUBJECT PROPERTY:

Yes No If so, the contract is: contingent absolute

Name of parties to the contract:

G. DOES AN OPTION TO PURCHASE EXIST FOR THE SUBJECT PROPERTY?

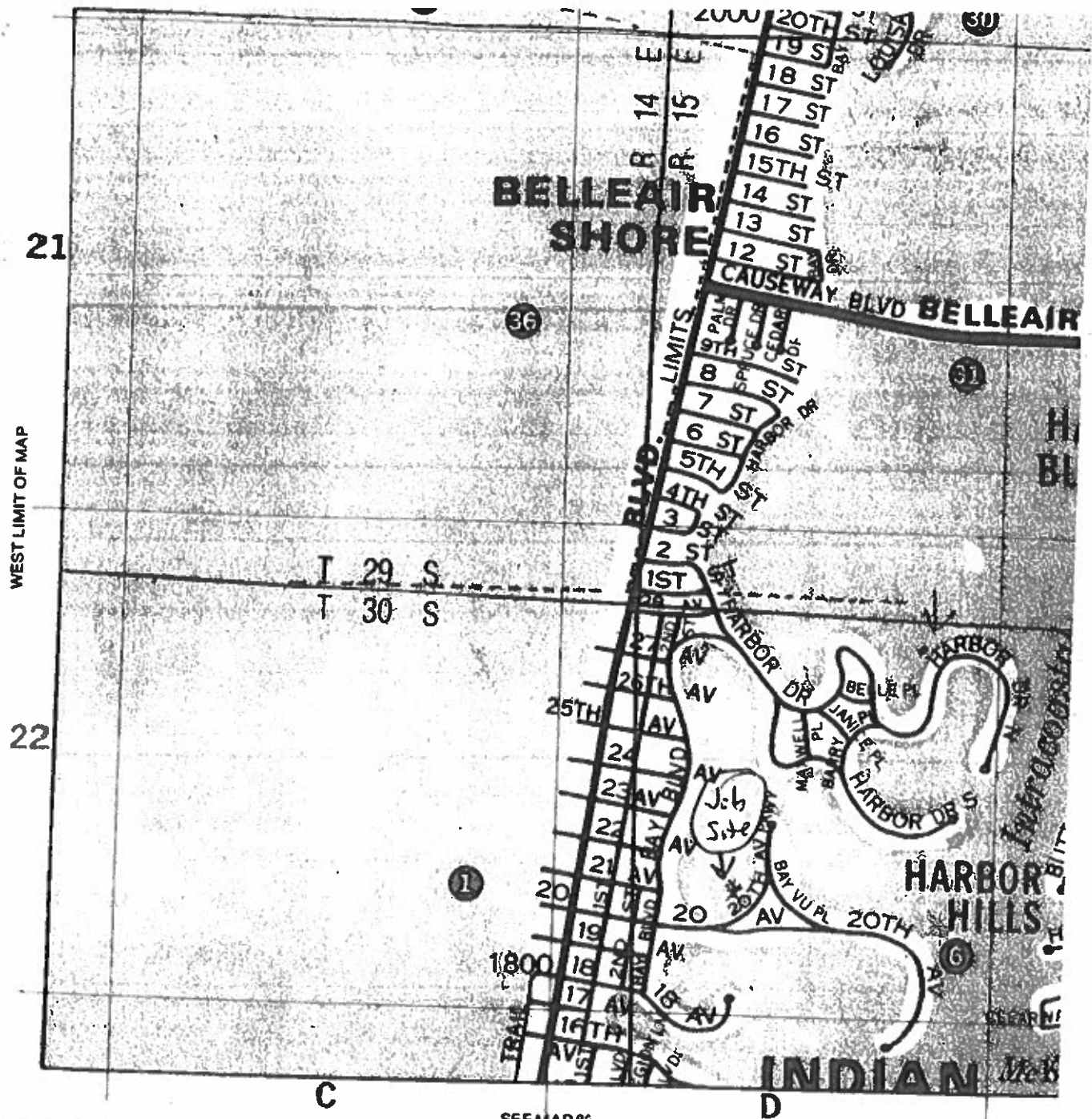
Yes No

Name of parties to the contract:

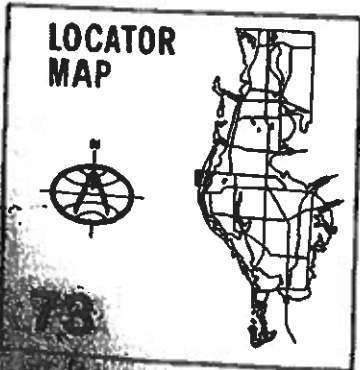
H. OWNER'S SIGNATURE:

I hereby certify that the information started above is complete, accurate, and true to the best of my knowledge.

X [Signature] Date 3/4/20



SEE MAP 83



Customer Addresses and Phone numbers

Thomas Schaub
 2004 - 20th Avenue Parkway
 Indian Rocks Beach, FL 33785

PRIVATE DOCK

Application

P20909-93

(OFFICIAL USE ONLY)

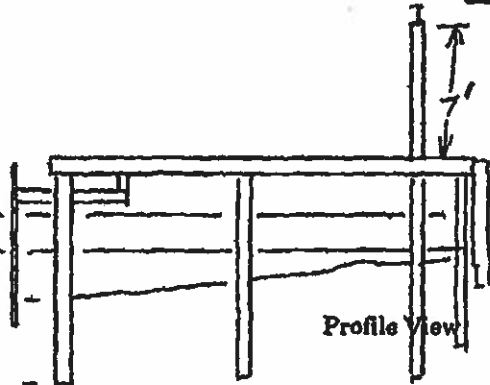
4

MHW

MLW 122'

BOTTOM 0'

-3'



Profile View

ENG. SCALE: 1" =

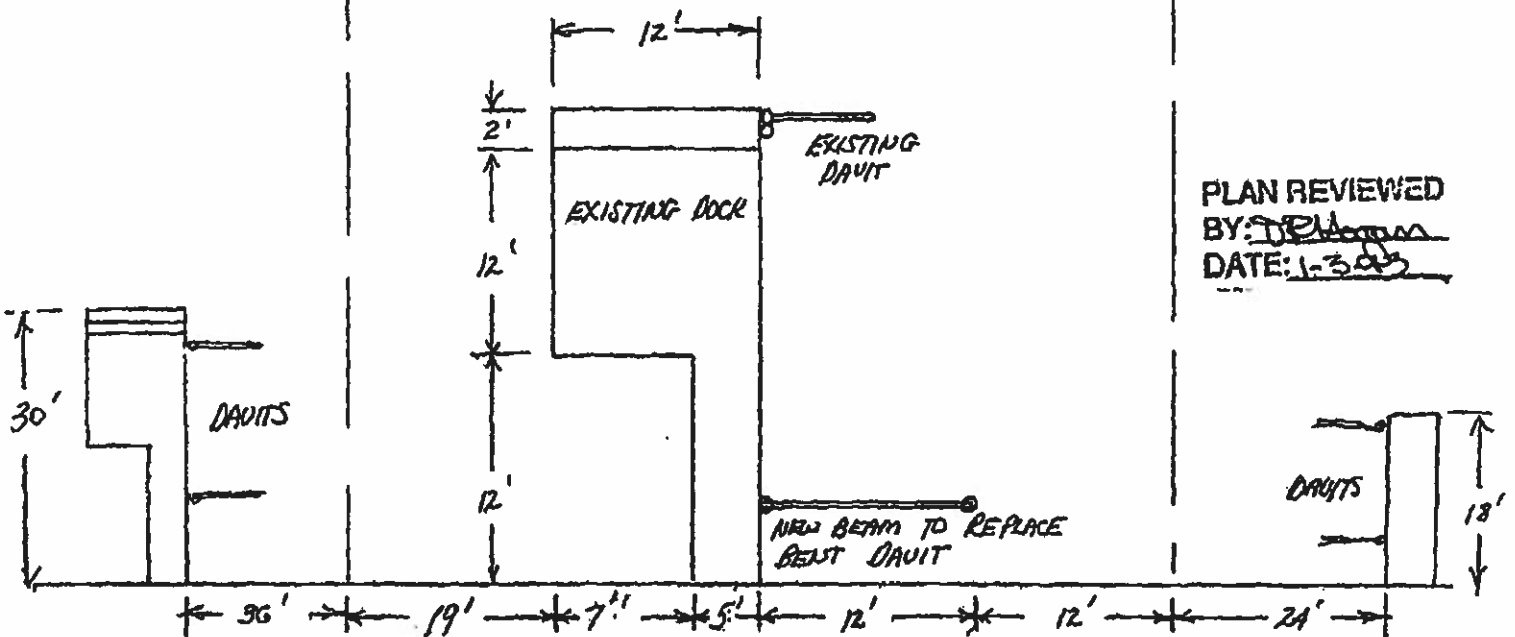


1" = 10'

TOTAL SQUARE FEET 228
 WATERWAY WIDTH OPEN
 WATERFRONT WIDTH 55'



Plan View
(applicant and adjacent docks)



PLAN REVIEWED
 BY: [Signature]
 DATE: 1-3-93

1" = 20'

SHORELINE

1" = 20'

The undersigned does not object to the proposed dock and requested variances as drawn in the space provided above.

Left Owner

Right Owner

Signature

[Signature]

Signature

[Signature]

Municipality Approval

Water and Navigation Approval

REVIEWED
 FOR CODE COMPLIANCE

APPROVED

PINELLAS COUNTY
 ENVIRONMENTAL MANAGEMENT

DEC 03 1993

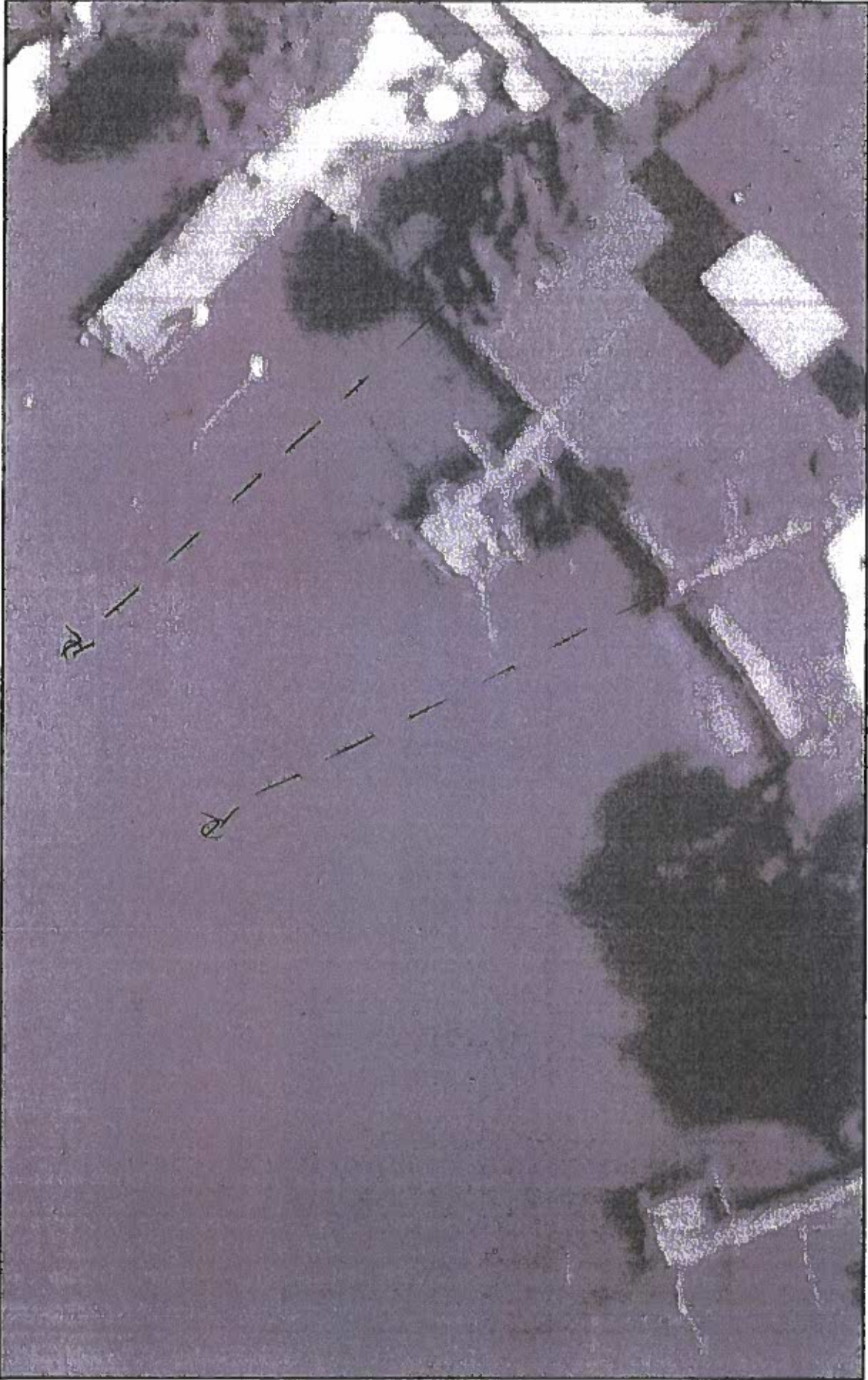
[Signature] 1/4/94
 FOR WILLIAM M. DAVIS, DIRECTOR

CITY OF MIAMI BEACH

04870161/ENVYMG/INT/P/AA/03.7/20/93

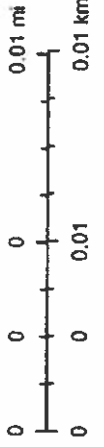
W/N

ArcGIS Web Map



March 13, 2020

1:282



State of Florida, DigitalGlobe, Microsoft

Project: Tom Schaub
2004 - 20th Ave. Parkway
Indian Rocks Beach, FL 33705



Administrative
727/595-2517

Building/Planning & Zoning
727/517-0404
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 25, 2020 @ 7:00 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 25, 2020**, which meeting convenes at 7:00 p.m., or as soon as thereafter, in the City Commission Chambers, 1507 Bay Palm Boulevard, Indian Rocks Beach, Florida, on BOA Case No. 2020-05.

YOU ARE HEREBY NOTIFIED as a property owner of land within 150 feet of the property located at **2004-20TH AVENUE PARKWAY, INDIAN ROCKS BEACH, FLORIDA 33785**, of the following variance request:

Variance request from Section 94-86(a)(1) to allow a variance of 2 feet 6 inches into side yard setback from the northeast projected property line, leaving a side yard setback of 9 foot 6 inches, and a variance of 5 feet 6 inches from the southwest projected property line, leaving a side yard setback of 6 feet 6 inches, for the installation of a new dock, for the property located at 2004-20th Avenue Parkway, Indian Rocks Beach, Florida, and legally described as Lot 16 and part of Lot 15, Seventh Addition to Re-Revised Map of Indian Beach. Parcel #06-30-15-42156-000-0160

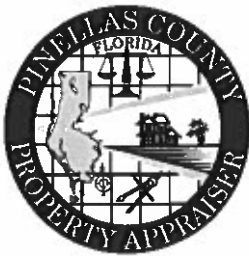
FOR FURTHER INFORMATION REGARDING THIS REQUEST, PLEASE CONTACT HETTY C. HARMON, PLANNING CONSULTANT, AT 863/646-4771, EXT. 211 OR E-MAIL: hharmon@irbcity.com.

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 25, 2020, 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 5 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 10, 2020. (Sec. 2-149 of the Code of Ordinances.)



MIKE TWITTY, MAI, CFA
Pinellas County Property Appraiser

www.pcpao.org

mike@pcpao.org

Run Date: 05 Aug 2020

Subject Parcel: 06-30-15-42156-000-0160

Radius: 150 feet

Parcel Count: 12

Note: Parcels with protected address status are not included in this report.

Total pages: 3

Public information is furnished by the Property Appraiser's Office and must be accepted by the recipient with the understanding that the information received was developed and collected for the purpose of developing a Property Value Roll per Florida Statute. The Pinellas County Property Appraiser's Office makes no warranties, expressed or implied, concerning the accuracy, completeness, reliability or suitability of this information for any other particular use. The Pinellas County Property Appraiser's Office assumes no liability whatsoever associated with the use or misuse of such information.

MAIN OFFICE – COUNTY COURTHOUSE

315 Court St - 2nd Floor
Clearwater, FL 33756
Office: (727) 464-3207
Fax: (727) 464-3448
Hearing Impaired:
Office: (727) 464-3370
Commercial Appraisals:
Office: (727) 464-3284

Exemptions:

Office: (727) 464-3294
Fax: (727) 464-3408
Residential Appraisals:
Office: (727) 464-3643
Tangible Personal Property:
Office: (727) 464-8484
Fax: (727) 464-8488

NORTH COUNTY

29269 US Highway 19 N
Clearwater, FL 33761
Office: (727) 464-8780
Fax: (727) 464-8794

MID COUNTY

13025 Starkey Road
Co-Located with Tax Collector
Largo, FL 33773
Office: (727) 464-3207
Fax: (727) 464-3448

SOUTH COUNTY

1800 66th Street N
St. Petersburg, FL 33710
Office: (727) 582-7652
Fax: (727) 582-7610

ALL MAIL: PO Box 1957 – Clearwater, FL 33757

06-30-15-42354-000-0020
BEG MOST S'LY COR OF SD
LOT 2 LESS THAT PART DESC
RE-REVISED 18TH ADD
INDIAN BEACH

ELLIOTT, ANTHONY D
ELLIOTT, LAURA C
1933 GLASGROW AVE
CARDIFF CA 92007-1626

06-30-15-42354-000-0030
LOT 3
RE-REVISED 18TH ADD
INDIAN BEACH

KENS, JANNA VALERIEVNA
2007 20TH AVENUE PKWY
INDIAN ROCKS BEACH FL 33785-2966

06-30-15-42192-000-0010
LOT 1
RE-REVISED 9TH ADD
INDIAN BEACH

FOUNDOKIS, DEMETRIA
GREENE, TRINH
2006 20TH AVENUE PKWY
INDIAN ROCKS BEACH FL 33785-2967

06-30-15-42354-000-0010
LOT 1
RE-REVISED 18TH ADD
INDIAN BEACH

HATCH, JOSEPH C JR
428 20TH AVE
INDIAN ROCKS BEACH FL 33785-2959

06-30-15-42156-000-0130
LOT 13
RE-REVISED 7TH ADD
INDIAN BEACH

HART, DENNIS JAMES
NASTASI, CAROL S
PO BOX 597
BURTON OH 44021-0597

06-30-15-42156-000-0140
PART OF LOT 15 DESC FROM
LOTS 14 & 15 LESS THAT
RE-REVISED 7TH ADD
INDIAN BEACH

WEBER, WILLIAM
WEBER, ROSE L
2000 20TH AVENUE PKWY
INDIAN ROCKS BEACH FL 33785-2967

06-30-15-42192-000-0040
LOT 4 & RIP RTS
RE-REVISED 9TH ADD
INDIAN BEACH

REYNOLDS, RICHARD C
REYNOLDS, ELIZABETH
2012 20TH AVENUE PKWY
INDIAN ROCKS BEACH FL 33785-2967

06-30-15-42192-000-0020
LOT 2
RE-REVISED 9TH ADD
INDIAN BEACH

STEELE, SEAN P
110 LOMBARDO CT
WILKES BARRE PA 18702-2760

06-30-15-42192-000-0030
LOT 3 & RIP RTS
RE-REVISED 9TH ADD
INDIAN BEACH

POGASH, JOSEPH J
POGASH, TERESA W
2010 20TH AVENUE PKWY
INDIAN ROCKS BEACH FL 33785-2967

06-30-15-42354-000-0021

BEG AT MOST S'LY COR OF
THAT PT OF LOT 2 DESC AS
RE-REVISED 18TH ADD
INDIAN BEACH

EMMONS, KIMBERLY P
EMMONS, JOHN K SR
839 STATE RD
WEST GROVE PA 19390-9528

06-30-15-42156-000-0120

LOT 12 & E 1/2 OF LOT 11
RE-REVISED 7TH ADD
INDIAN BEACH

HAROCOPOS, LAMPROS TRE
420 20TH AVE
INDIAN ROCKS BEACH FL 33785-2930

06-30-15-42354-000-0040

LOT 4
RE-REVISED 18TH ADD
INDIAN BEACH

DAVIS, AMY
2009 20TH AVENUE PKWY
INDIAN ROCKS BEACH FL 33785-2966

AGENDA ITEM NO. 6

OTHER BUSINESS

AGENDA ITEM NO. 7

ADJOURNMENT