

**CITY OF INDIAN ROCKS BEACH
BOARD OF ADJUSTMENTS AND
APPEALS**

Tuesday, February 20, 2024

6:00 P.M.

Amended 2-20-2024

3- Letter of Objection added.



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 BOARD OF AJUSTMENST AND APPEALS
TUESDAY, FEBRUARY 20, 2024@ 6:00 P.M.
CITY COMMISSION CHAMBERS
1507 PALM BOULEVARD, INDIAN ROCKS BEACH, FLORIDA 33785

1. **CALL TO ORDER**
2. **ROLL CALL.**
3. **APPROVAL OF MINUTES : October 17, 2023**
4. **BOA CASE NO. 2024-01 - 314 6th Avenue, Indian Rocks Beach Florida**
Owner/Applicant: James Savanella
Subject Location: 314 6th Avenue, Indian Rocks Beach, Florida
Legal Description: Lot 8, Tract B, Haven Beach Replat, according to the plat thereof, recorded in Plat Book 36, Page 34, of the Public Records of Pinellas County, Florida.
Parcel#: 12-30-14-37800-000-0080
Variance Request: From Sec.110-131(1) f.2 (i) of the Code of Ordinances, requesting an additional 3.34-foot incursion into the required 25 feet rear yard setback, resulting in a total setback of 21.66 feet for the enclosed stairway.
5. **OTHER BUSINESS :**
A. Accepting resignation from Chair Stewart Devore and naming a new Chair.
6. **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. courtreporter).

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 lkornijtschuk@irbcity.com no later than two (2) business days prior to the proceeding for assistance.

POSTED: February 16, 2024

AGENDA ITEM NO. 1
CALL TO ORDER

AGENDA ITEM NO. 2
ROLL CALL

AGENDA ITEM NO. 3
APPROVAL OF MINUTES
October 17, 2023

**MINUTES — OCTOBER 17, 2023
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, OCTOBER 17, 2023, at 6:00 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 6:17 p.m.

2. **ROLL CALL:**

PRESENT: Chair Stewart DeVore, Vice-Chair David Watt, Board Member Rick Alvarez, and Board Member Michael A. Campbell.

ABSENT: Alternate Board Member Karen O'Donnell.

OTHERS PRESENT: City Attorney Randy Mora, Planning Consultant Hetty C. Harmon, AICP, and City Clerk Lorin A. Kornijtschuk.

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

City Attorney Mora stated that the case the Board will be considering tonight is a quasi-judicial proceeding not legislative. In a quasi-judicial capacity, the Board is not making the law, but rather applying the law to establish criteria and guidance in the City Code based on the competent, substantial evidence the Board receives this evening.

3. **APPROVAL OF MINUTES: August 15, 2023.**

Motion made by Board Member Alvarez, seconded by Vice-Chair Watt, to approve the August 15, 2023, minutes as submitted. UNANIMOUS APPROVAL BY ACCLAMATION.

ROLL CALL VOTE:

AYES: Alvarez, Watt, Campbell, Devore

NAYS: None

4. **BOA CASE NO. 2023-08- 320 12th Avenue, INDIAN ROCKS BEACH**

Owner/Applicant Earl Wertheim

Subject Location: 320 12th Avenue

Legal Description: Lot 3, Block 88, 1st Addition to Re-Revised Indian Beach Subdivision, recorded in Plat Book 23 Pages 11,12 and13, of the Public Records of Pinellas County, Florida & that part of Lot 4, Block 88, 1st Addition to Re-Revised Indian Beach Subdivision Described as Beg Most E'ly Cor of Lot 4 Thence S36D01'00"W 120FT Thence Cur RT RAD 285FT ARC 26.51FT CB N51D29'36"W 26.50FT Thence N47D46'33"E 22.63FT Thence N51D15'00"E 57.76FT Thence N45D17'36"E 41.42FT To POB (Map S-06-30-15)

Parcel # 01-30-14-42048088-0030

Variance Request: Variance request from Sec.110-131(1) f.1 of the Code of Ordinances, of 10 feet into the required 25-foot front yard setback, resulting in a total setback of 15 feet for the extension of the garage.

[Beginning of Staff Report.]

OWNER Earl Wertheim
LOCATION of PROPERTY: 32012th Ave
ZONING: S- Single- Family Residential

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

BACKGROUND:

The applicant is requesting a variance of 10 ft into the front yard to allow for an extension on the garage so that the owner can park his vehicle inside the garage. The house was constructed in 1957.

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 a pie-shaped lot located along a curved right of way.

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 enlarge the garage to be able to park his car.

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 the general intent and purpose of subpart B.

NOTICE: A public notice was mailed by first class mail to property owners within 150 feet in any direction of the subject property and posted on subject property on October 2, 2023, (Sec. 2-149 of the Code of Ordinances.)

CORRESPONDENCE: Neighbors at 322 12th Avenue and 323 12th Ave have signed off on the proposed setback.

MOTION:

I move to recommend to the City Commission **APPROVAL/DENIAL** of **BOA CASE NO. 2023-08 – 320 12th Avenue** Variance request from Sec.110-131(1) f.1 of the Code of Ordinances, of 10 feet into the required 25 foot front yard setback, resulting in a total setback of 15 feet for the extension of the garage for property located at 320 12th Avenue, Indian Rocks Beach, Florida, and legally described as Lot 3, Block 88, 1st Addition to Re-Revised Indian Beach Subdivision, recorded in Plat Book 23 Pages 11,12 and13, of the Public Records of Pinellas County, Florida & that part of Lot 4, Block 88, 1st Addition to Re-Revised Indian Beach Subdivision Described as Beg Most E'ly Cor of Lot 4 Thence S36D01'00"W 120FT Thence Cur RT RAD 285FT ARC 26.51FT CB N51D29'36"W 26.50FT Thence N47D46'33"E 22.63FT Thence N51D15'00"E 57.76FT Thence N45D17'36"E 41.42FT To POB (Map S-06-30-15)

[End of Staff Report.]

City Attorney Mora read by title only Agenda Item No. 4, BOA Case No. 2023-08, 320 12th Avenue.

City Attorney Mora inquired of the members if they had any ex-parte communications with the applicant or their agent in advance tonight concerning the application before them. All members have responded in the negative.

City Attorney Mora inquired of the members if they had conducted a site visit for the limited purpose of evaluating the application that they are considering this evening.

Member Alvarez and Chair DeVore responded affirmatively Vice-Chair Watt and Member Campbell responded negatively.

City Attorney Mora asked Member Alvarez and Chair Devour when they visited the property, for how long and if the site visit would impair their ability to partially adjudicate this matter.

Member Alvarez replied his visit was on October 17, 2023, for approximately one minute and that it would not impair his ability to partially adjudicate this matter.

Chair Devour replied his visit was on October 16, 2023, for approximately one minute and that it would not impair his ability to partially adjudicate this matter.

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

Planning Consultant Harmon explained the variance while presenting a PowerPoint presentation.

Board Member Alvarez asked what the staff recommendation was.

City Attorney Mora responded that staff will no longer provide a recommendation simply advising the criteria as perceived by city staff.

Board Member Campbell stated that this properties setback looks significantly deeper than the properties on either side of it.

Planning Zoning Consultant Harmon replied that the property is on a curve.

Board Member Campbell asked if there were any safety concerns issues such as line of site.

Planning and Zoning Consultant Harmond replied that the trees are protruding from the neighbor's yard, so there is not a line of site issues.

Chair DeVore requested that staff confirm the existing garage dimensions and description.

Planning and Zoning Consultant replied that it is a full operational one car garage, and measures at 10' x 21'.

Agent/Representative Lauren Rubenstein, Denhardt and Rubenstein Law, 2700 1st Avenue N. St. Petersburg, FL. made a PowerPoint Presentation to the Board.

Ms. Rubenstein stated that currently, the garage is a functioning garage but there is not enough space for the client's vehicle. It was one of the reasons the prior homeowner sold the home. She highlighted some of the city's code for granting the variance.

She stated that all the criteria have been met and that special conditions and circumstances exist which are peculiar to the land and are not applicable to other lands in the same zoning district.

She stated the subject property is on a pie-shaped lot along a curved right of way. She pointed out that member Campbell stated how unusually far the right of way comes up into the driveway. She stated that looking at the property you would think the house is set back extremely far, it is currently 55 feet from the edge of the pavement, which is only 30 feet from the property line, but it is different than many of the homes in that neighborhood. The garage would still be 40 feet away from the curb, there would not be any line of site issues, and would not interfere with the conformity of the neighborhood.

She stated the need for the special conditions is not a result of the applicant. It does not interfere with the existing circular driveway and would not increase the impervious surface like building a new garage would do.

She stated that the variance would not confer special privileges to the applicant, there are many homes in the area that can accommodate larger vehicles that appear to be closer to the road. The unusual circumstances are that the right of way is so far extended into the client's driveway. The literal interpretation of the code would show undue hardship on the applicant. Development is limited on this property because of the pie-shaped lot.

She stated that this proposed variance is the minimum variance that would make possible the reasonable use of the structure and the least amount of impact. The granting of the variance would be in harmony with the general intent and purpose of the code.

Applicant Earl Wertheim, 320 12th Avenue, stated his property has a larger setback compared to the rest of the properties in his area, and is just asking for a bit more garage space.

Vice-Chair Watt asked how the pie shape lot is a hardship.

Ms. Rubenstein replied the amount of development area is so much less, for there to be any usable yard/ green space, that is really the only area he has.

Vice-Chair Watt asked could you avoid needing a variance if you only built out 5 feet.

Applicant Werthem replied it would not be big enough to open doors on either side. The addition is the same size as the existing one, however the existing garage has mechanical equipment on each side that makes it impossible to open the doors. The existing front end would possibly accommodate a golf car or storage. While the addition will give him the ability to park his car, open the doors and walk around. He stated his hardship would be that he would have to leave his car outside.

Chair DeVore closed the public hearing.

Member Campbell stated unlike every other case that comes before the board, this property has a unique hardship because of the extreme radius.

Member Alvarez stated due to the shape of the lot and the radius curve this is a reasonable request for the Board to consider.

Chair DeVore stated aesthetically it would fit in and he does not see this as a unreasonable request.

Vice-Chair Watt stated he did not disagree but does not view it as a hardship. It is a benefit, the use of more right away is the curved road there is no loss there, but because of the depth and curb visual distance it clearly fits.

Motion made by Board Member Alvares, Seconded by Board Member Campbell to recommend to the City Commission to APPROVE BOA Case No. 2023-08, a variance request from Sec.25-foot(1) f.1 of the Code of Ordinances, of 10 feet into the required 25 foot front yard setback, resulting in a total setback of 15 feet for the extension of the garage.

ROLL CALL VOTE:

AYES: Alvarez, Watt, Campbell, Devore

NAYS: None

MOTION CARRIED UNANIMOUS

5. OTHER BUSINESS.

6. ADJOURNMENT.

Motion made by Board Member Watt, seconded by Board Member Campbell, to adjourn the meeting at 6:45 p.m. UNANIMOUS APPROVAL BY ACCLAMATION.

Date Approved

Stewart Devore

/lak

AGENDA ITEM NO. 4
BOA CASE NO. 2024-01
314 6th Avenue

During the Pinellas County Building department review process, the property owner submitted revised plans showing the stairs encroaching into the rear yard setback. Pinellas County, in its capacity as the City's building department, reviewed and approved the revised plans including the rear yard incursion of the enclosed stairwell. The City was not independently aware of this revision. The property owner constructed the building in conformity with the plans approved by the County, including the stairway's rear yard encroachment. After completing construction of the foundation and first floor of the structure, including the enclosed stairwell, the property owner submitted a tie-in survey to the Pinellas County Building department as part of the ordinary construction review process. A separate official within the County reviewed the tie-in survey and forwarded the plans to the City with specific attention to the stairs' encroachment. Given that the residential structure was well under construction and the stairs were enclosed underneath as an integral part of the structure, pursuant to reviewed and approved plans, the City's planning official approved the tie-in survey.

The property owner now seeks this variance to resolve the disparity between the City's code and the approved construction.

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.

There are no special conditions that are peculiar to the land.

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 stairs in the rear yard.

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 the general intent and purpose of subpart B.

NOTICE: A public notice was mailed by first class mail to property owners within 150 feet in any direction of the subject property and posted on subject property on February 5, 2024 (Sec. 2-149 of the Code of Ordinances.)

CORRESPONDENCE:

MOTION:

I move to recommend that the City Commission **APPROVE/DENY BOA CASE NO. 2024-01 – 314 6th Avenue’s** Variance request from Sec.110-131(1) f.2(i) of the Code of Ordinances, granting a variance of 3.34 feet into the required 25 feet rear yard setback, resulting in a total setback of 21.66 feet for the enclosed stairway in the rear of the property located at 314 6th Avenue, Indian Rocks Beach, Florida, and legally described as Lot 8, Tract B, Haven Beach Replat, according to the plat thereof, recorded in Plat Book 36, Page 34, of the Public Records of Pinellas County, Florida

From: [Linda Turner](#)
To: [Kornijtschuk, Lorin](#)
Subject: BOA Case NO. 2024-01 314 6th Ave
Date: Monday, February 19, 2024 4:02:19 PM

We are responding to the information we received in regard to a Variance Request for the property located at 314 6th Ave. IRB

We motion to recommend that the City Commission DENY BOA CASE NO 2024-01-314 6th Ave.
Variance Request.

We do NOT Approve of the Variance as it is in violation with the local ordinance set forth in the Code of Ordinances.

Respectfully,
Steve and Linda Turner
320 6th Ave., Indian Rocks Beach 33785
(727) 657-5566

February 15, 2024

**City of Indian Rocks Beach
The Board of Adjustments and Appeals**

To Whom It May Concern:

My neighbor asked my opinion on the proposed variance at 314 6th Avenue. I mentioned that during Hurricane Irma, September 2017, we had extensive damage. During reconstruction we asked if we could have a staircase on the side of the house, toward the water. We were told the setback rules and decided to comply with the rules and not seek a variance. I'm concerned that exceptions will be made and that, little by little, more structures will creep toward the water and detract from the appearance and quality of our neighborhood overall. Furthermore, there's no guarantee that this will even be for the enjoyment of a new member of our little community - it could easily just be a special exception for yet another house to be put on AirBnB.

Sincerely yours,

Tom

Tom Wagner

318 6th Avenue

Dear City of Indian Rocks Beach C Board of Adjustments and Appeals,

I am writing to object to the variance request Sec. 110-131(1) f.2 (i) of the Code of Ordinances, requesting an additional 3.34-foot incursion into the required 25 feet rear yard setback, resulting in a total setback of 21.66 feet for the enclosed stairway. The property is located at 314 6th Avenue, Indian Rocks Beach, FL 33785.

This is to preserve our neighborhood and quality of life. As a community, it is important to value building code of ordinances and ensure standards are applied.

Tom Wagner
NAME

Thomas G. Wagner
SIGNATURE

318 6th Ave IRB
ADDRESS

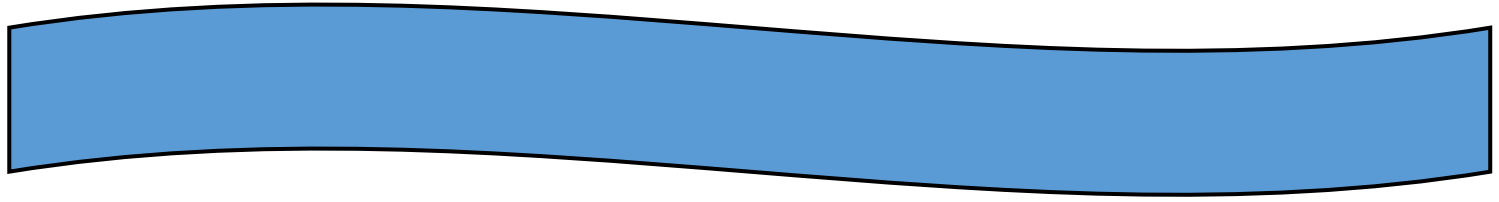
2/20/24
DATE

Subject Re: Variance request
To: [teresa_zyg@yahoo.com <teresa_zyg@yahoo.com>]
From heather adams <heatheradams80@yahoo.com>
Date: Tue, Feb 20, 2024 at 1:24 PM

Dear City of Indian Rocks Beach,

I am writing to object to the variance request at 314 6th Ave, Indian Rocks Beach. As a fellow neighbor of Haven Beach Estates, I understand the need to preserve each owner's view of our canal and waterway. With the current design being a solid cement wall, it makes it very difficult to see past. In addition, with our street being very desirable for short-term rentals, I would worry that with the deck coming out over the neighbors' pool area this could quickly become an issue if this property ever changed hands from the current owners. While I understand this would be quite the undertaking to move, they could fairly easily add a spiral staircase on the opposite end of the upper deck and be within the allowed setback without requiring a variance. If the variance request was for stairs in the front of the house, it would be a different story, however, people buy homes on the water for their view and enjoyment which directly affects their homes' value. This design would negatively affect the homeowners on either side of this house. I believe that the neighboring homes' view should be protected by not allowing the current stair design that doesn't fall within the city ordinance.

Thank you,
Heather Crockett
727-207-9183



314 6th Avenue
BOA CASE NO. 2024-01



BOA CASE NO. 2024-01 – 314 6th Avenue

Variance request from Sec.110-131(1) f.2 (i) of the Code of Ordinances, of 3.34 feet into the required 25 feet rear yard setback, resulting in a total setback of 21.66 feet for the enclosed stairway for property located at 314 6th Avenue, Indian Rocks Beach, Florida, and legally described as Lot 8, Tract B, Haven Beach Replat, according to the plat thereof, recorded in Plat Book 36, Page 34, of the Public Records of Pinellas County, Florida



Sec.110-131(1) f.2 (i)

f. Setback requirements. The following minimum setbacks shall apply in the S district:

2. Rear yard:

i. Waterfront lots: 25 feet for single-family and 20 feet for duplex measured from the center of the seawall.



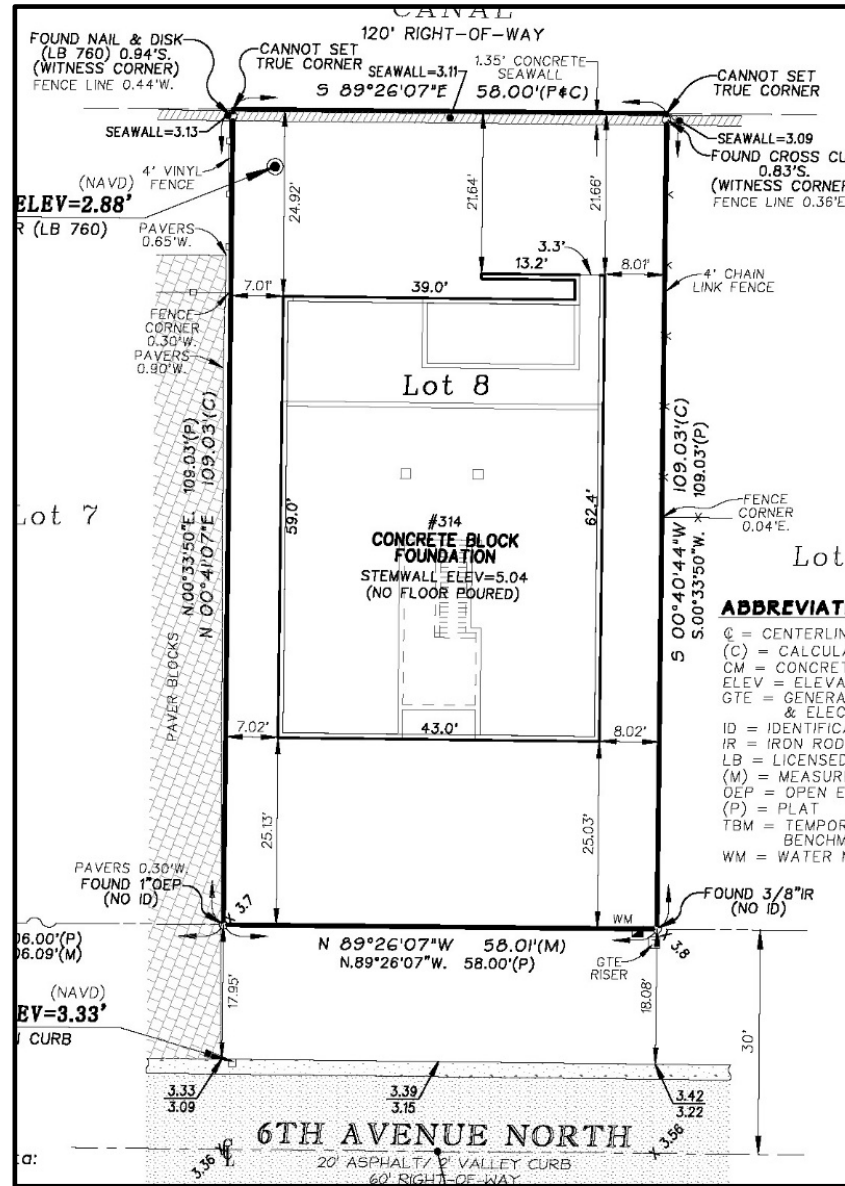
314 6th Avenue



314 6th Avenue



Tie-in Survey



314 6th Avenue- Looking North



314 6th Avenue- Looking East



314 6th Avenue- Stairs



314 6th Avenue- Stairs



314 6th Avenue-West Neighbor



APPLICATION FOR VARIANCE

CITY OF INDIAN ROCKS BEACH PLANNING AND ZONING

Enquiries City Hall: 727.595.2517 or Hetty Harmon: 863.646.4771 x211 Email: hharmon@irbcity.com
Address: 1507 Bay Palm Boulevard, Indian Rocks Beach, FL 33785

For Office Use Only

Application No.

Date Received

APPLICANT

Name:

Address:

City:

Zip Code:

Tel:

Fax:

Mobile:

Email:

AGENT/REPRESENTATIVE

Name:

Company:

Address:

City:

Zip Code:

Tel:

Fax:

Mobile:

Email:

SITE DETAILS

Address:

Parcel ID:

City:

Zip Code:

Legal Description:

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:

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:

What is the proposed use of the property?

PRIVATE RESIDENCE

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:

*Structural Staircase, Block Structure
Not easily removed or Modified*

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

*Structure approved thru
Pinellas County Building's Dept.*

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:

*Building plans approved thru
Planning + Zoning as well as Pinellas
County*

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:

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: 1/30/2024

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.

James Savanella

Before me this date personally appeared:

Name: James Savanella

Signature: James Savanella

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: 30 Month: January, 2024

Notary Public State of Florida at Large: Angel M Hargett

Notary Public Commission Expiration: 3/28/2026

State of Florida
County: Pinellas



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.

[Search](#) > [Account Summary](#) > [Bill Details](#)

Real Estate Account #R130788

Owner: SAVANELLA, JAMES
SAVANELLA, MARY

Situs: 314 6TH AVE
INDIAN ROCKS BEACH

[Parcel details](#)
[Property Appraisal](#)
[Installments](#)



[Get bills by email](#)

2023 Installment Bill #3

PINELLAS COUNTY TAX COLLECTOR

Notice of Ad Valorem Taxes and Non-ad Valorem Assessments

BILL	PARCEL NUMBER	ESCROW CODE	MILLAGE CODE	AMOUNT DUE	
2023 Installment Bill #3	12730 1437800,000 0080	-	TRM	\$0.00	PAID Print (PDF)
Gross	Discount				
\$2,116.33	\$63.49				
If paid by:	Dec 31, 2023				
Please pay:	\$2,052.84				

Combined taxes and assessments: \$7,836.76

The pay off for this installment plan is \$2,116.33. If you would like to pay this payoff amount online, please [contact the Tax Collector's office](#) and we will enable this functionality. You do not need to contact us if you are mailing in your payment.

Ad Valorem Taxes

TAXING AUTHORITY	MILLAGE	ASSESSED	EXEMPTION	TAXABLE	TAX
GENERAL FUND	4.7398	\$403,479.00	\$0.00	\$403,479.00	\$1,912.41
HEALTH DEPARTMENT	0.0713	\$403,479.00	\$0.00	\$403,479.00	\$28.77
EMS	0.8418	\$403,479.00	\$0.00	\$403,479.00	\$339.65
PINELLAS SUNCOAST FIRE	0.6700	\$403,479.00	\$0.00	\$403,479.00	\$270.33
SCHOOL STATE LAW	3.1900	\$634,254.00	\$0.00	\$634,254.00	\$2,023.27
SCHOOL LOCAL BD	2.7450	\$634,254.00	\$0.00	\$634,254.00	\$1,742.93
INDIAN ROCKS BEACH	1.7300	\$403,479.00	\$0.00	\$403,479.00	\$698.02
SW FLA WTR MGMT	0.2043	\$403,479.00	\$0.00	\$403,479.00	\$82.43
PINELLAS COUNTY PLN CNCL	0.0210	\$403,479.00	\$0.00	\$403,479.00	\$8.17
JUVENILE WLFARE BOARD	0.8250	\$403,479.00	\$0.00	\$403,479.00	\$332.87
SUNCOAST TRANSIT AUTHORITY	0.7500	\$403,479.00	\$0.00	\$403,479.00	\$302.61
Total Ad Valorem Taxes	15.7912				\$7,741.76

Non-Ad Valorem Assessments

LEVYING AUTHORITY	RATE	AMOUNT
PINELLAS SUNCOAST FIRE		\$95.00
Total Non-Ad Valorem Assessments		\$95.00

Parcel Details

Owner:	SAVANELLA, JAMES SAVANELLA, MARY	Account	R130788	Assessed value:	\$403,479
Situs:	314 6TH AVE INDIAN ROCKS BEACH	Parcel Number	17/30, 14, 37300-000, 0080	School assessed value:	\$634,254
		Millage code	IRB - INDIAN ROCKS BCH		
		Millage rate	15.7912		

2023 TAX AMOUNTS

Ad valorem:	\$7,741.76
Non-ad valorem:	\$95.00
Total Discountable:	\$7,836.76
Total tax:	\$7,836.76

LEGAL DESCRIPTION

HAVEN BEACH, TRACT B REP LOT 3

LOCATION

Property class:

Range: 14

Township: 30

Section: 12

Neighborhood: HAVLN BEACH
TRACT B, REP

Block: 000

Lot: 0080

Use code: 0000

Pinellas County Tax Collector
P.O. Box 31149, Tampa, FL 33631-3149

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Mike Twitty, MAI, CFA
Pinellas County Property Appraiser

Parcel Summary
(as of 27-Jan-2024)

Parcel Number
12-30-14-37800-000-0080

Owner Name
**SAVANELLA, JAMES
SAVANELLA, MARY**

Property Use
0000 Vacant Residential - lot & acreage less than 5 acres

Site Address
**314 6TH AVE
INDIAN ROCKS BEACH, FL 33785**

Mailing Address
**32 PARTRIDGE RUN
CHARLESTOWN, RI 02813-2830**

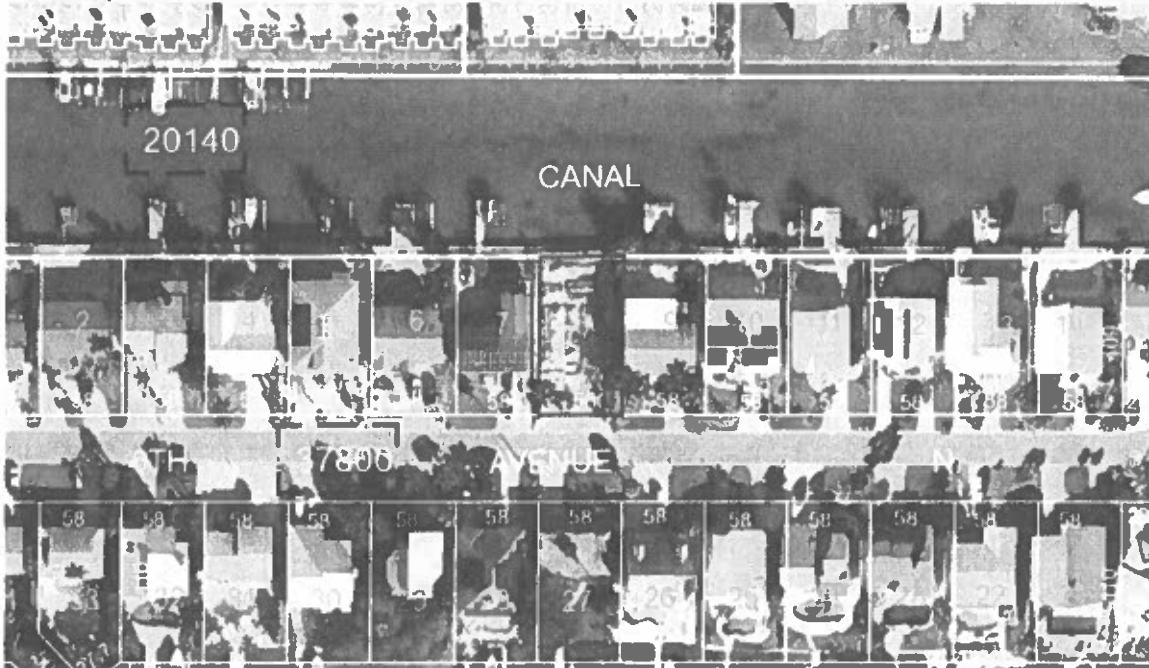
Legal Description
HAVEN BEACH, TRACT B REP LOT 8

Current Tax District
INDIAN ROCKS BEACH (IRB)

Year Built
n/a

Living SF	Gross SF	Living Units	Buildings
n/a	n/a	n/a	0

Parcel Map



Powered by Esri (<http://www.esri.com/>)

Exemptions

Year	Homestead	Use %	Status	Property Exemptions & Classifications
2025	No	0%		No Property Exemptions or Classifications found. Please note that Ownership Exemptions (Homestead, Senior, Widow/Widower, Veterans, First Responder, etc... will not display here).
2024	No	0%		
2023	No	0%		

Miscellaneous Parcel Info

Last Recorded Deed	Sales Comparison	Census Tract	Evacuation Zone	Flood Zone	Elevation Certificate	Zoning	Plat Bk/Pg
17461/0372	\$745,300	121030276061	A	Current FEMA Maps	Check for EC	Zoning Map	36/34

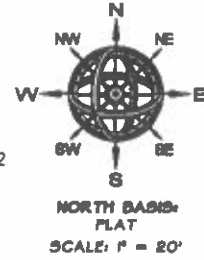
2023 Final Values

SECTION 12, TOWNSHIP 30 SOUTH, RANGE 14 EAST

CERTIFIED TO:
 JAMES SAVANELLA
 MARY SAVANELLA

LEGAL DESCRIPTION

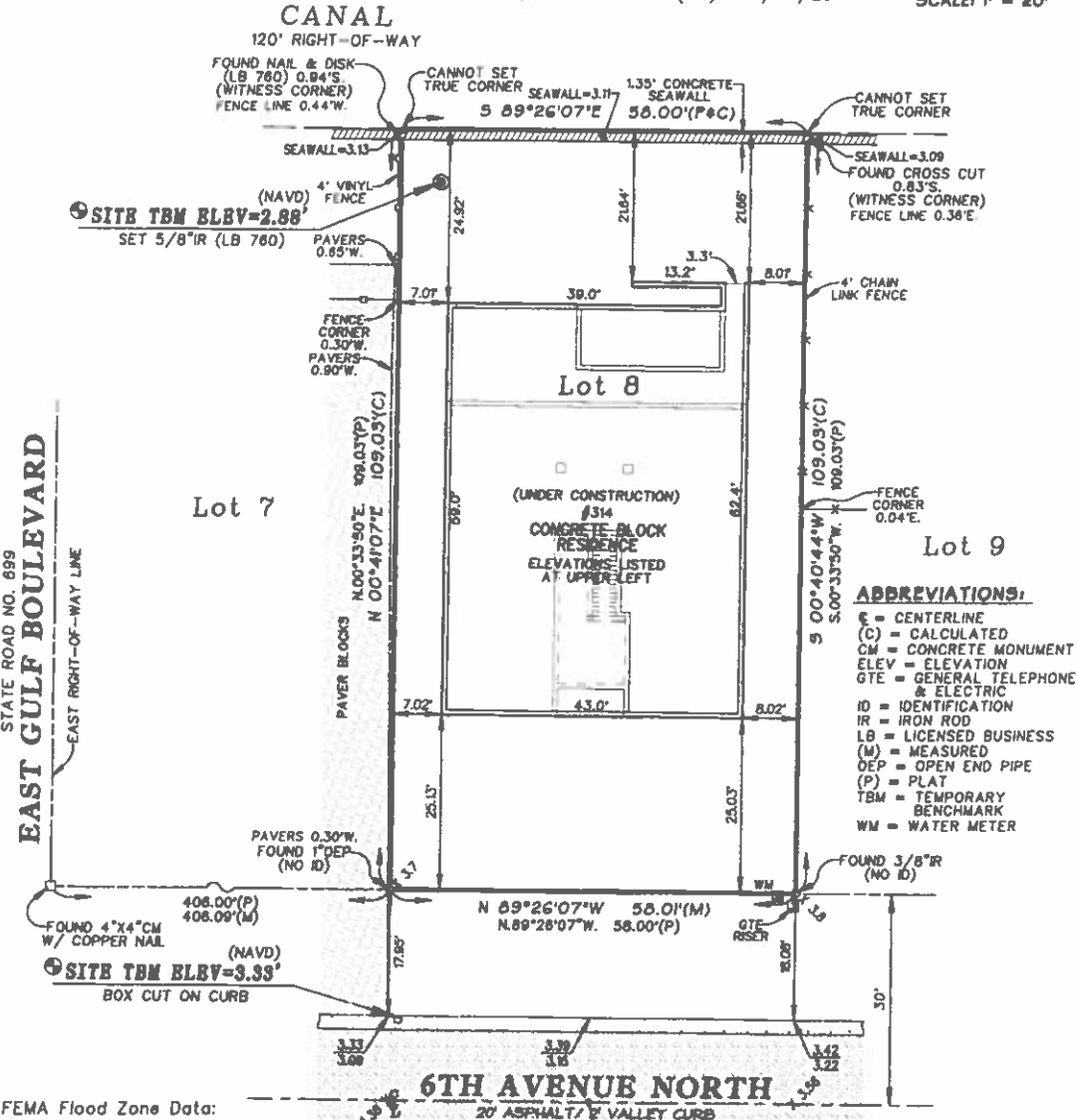
LOT 8, ACCORDING TO THE PLAT OF
TRACT 'B' - HAVEN BEACH REPLAT
 AS RECORDED IN PLAT BOOK 36, PAGE 34 OF THE
 PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.



BUILDING ELEVATIONS:

LOWEST LIVING FLOOR ELEV=14.95
 LOWEST GARAGE FLOOR ELEV=4.51
 ENTRY SLAB ELEV=5.02
 HIGHEST ADJACENT GRADE ELEV=3.73
 LOWEST ADJACENT GRADE ELEV=3.38

BOUNDARY SURVEY WITH ELEVATIONS - 11/01/22
 STAKED PROPOSED PILINGS - 11/09/22
 STAKED BUILDING ENVELOPE - 12/15/22
 TIE-IN/FOUNDATION SURVEY - 1/13/23
 ELEVATION CERTIFICATE (UC) - 4/07/23



- ABBREVIATIONS:**
- ⊕ = CENTERLINE
 - (C) = CALCULATED
 - CM = CONCRETE MONUMENT
 - ELEV = ELEVATION
 - GTE = GENERAL TELEPHONE & ELECTRIC
 - ID = IDENTIFICATION
 - IR = IRON ROD
 - LB = LICENSED BUSINESS
 - (M) = MEASURED
 - ⊖ = OPEN END PIPE
 - (P) = PLAT
 - TBM = TEMPORARY BENCHMARK
 - WM = WATER METER

FEMA Flood Zone Data:
 FLOOD ZONE(S): AE(5')
 NOT WITHIN COASTAL A ZONE
 COMMUNITY PANEL #125117 12103C0113 H
 REVISED 8/24/21

Assumed Basis of Bearings:
 NORTH RIGHT-OF-WAY LINE OF 6TH AVENUE
 NORTH AS BEING N.89°28'07"W., PER PLAT.

Reference Benchmark:
 PINELLAS COUNTY MAP #180 (NARROW E)
 ELEV=5.229' NGVD, ADJUSTED TO
 ELEV=4.49' NAVD, MSL=0.00'

NOTE: This survey is made for the
 exclusive use of the current owners
 of the property and also those who
 purchase, mortgage or guarantee the
 title thereto within one (1) year from
 latest date shown hereon.

1201-45B.CRD 975 67
 FIELD BOOK 895 PAGE(S) 42

This survey was prepared without a title search and is subject to all easements, rights-of-way, and other matters of record. NOTE: Survey not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper.

I hereby certify that the survey represented hereon meets the requirements of Chapter 59-17, Florida Administrative Code.
 JOHN O. BRENDLA
 Florida Surveyor's Registration No. 4801
 Certificate of Authorization No. 780

Prepared by:
JOHN C. BRENDLA AND ASSOCIATES, INC.
 PROFESSIONAL LAND SURVEYORS AND MAPPERS
 405 82nd Avenue North
 Pinellas Park, Florida 33701
 phone (727) 576-7546 ~ fax (727) 577-8932

Year	Just/Market Value	Assessed Value/SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2023	\$634,254	\$403,479	\$403,479	\$634,254	\$403,479

Value History

Year	Homestead Exemption	Just/Market Value	Assessed Value/SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2022	N	\$616,104	\$366,799	\$366,799	\$616,104	\$366,799
2021	N	\$348,924	\$333,454	\$333,454	\$348,924	\$333,454
2020	N	\$336,127	\$303,140	\$303,140	\$336,127	\$303,140
2019	N	\$350,022	\$275,582	\$275,582	\$350,022	\$275,582
2018	N	\$284,719	\$250,529	\$250,529	\$284,719	\$250,529

2023 Tax Information



Do not rely on current taxes as an estimate following a change in ownership. A significant change in taxable value may occur after a transfer due to a loss of exemptions, reset of the Save Our Homes or 10% Cap, and/or market conditions. Please use our [Tax Estimator](#) to estimate taxes under new ownership.

Tax Bill	2023 Millage Rate	Tax District
View 2023 Tax Bill	15.7912	(IRB)

Sales History

Sale Date	Price	Qualified / Unqualified	Vacant / Improved	Grantor	Grantee	Book / Page
30-Dec-2011	\$150,000	Q	V	CARLTON DAVIS PALLARDY LLC	SAVANELLA JAMES	17461/0372
14-Nov-2007	\$50,000	U	I	AVANTA INC	CARLTON DAVIS PALLARDY LLC	16052/0084
02-Dec-2005	\$530,000	Q	V	LARSON PAULA	AVANTA INC	14776/0260

2023 Land Information

Land Area: 0.1452 acres | 6,325 sf Frontage and/or View: Canal/River Seawall: Yes

Property Use	Land Dimensions	Unit Value	Units	Method	Total Adjustments	Adjusted Value
Vacant	58x109	\$12,000	58.00	FF	1.0816	\$752,794

2023 Extra Features

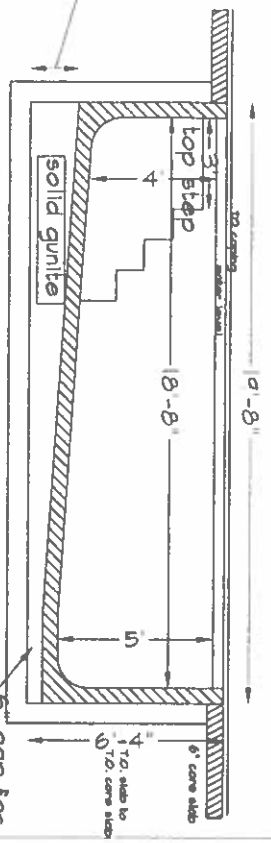
Description	Value/Unit	Units	Total Value as New	Depreciated Value	Year
No Extra Features on Record.					

Permit Data

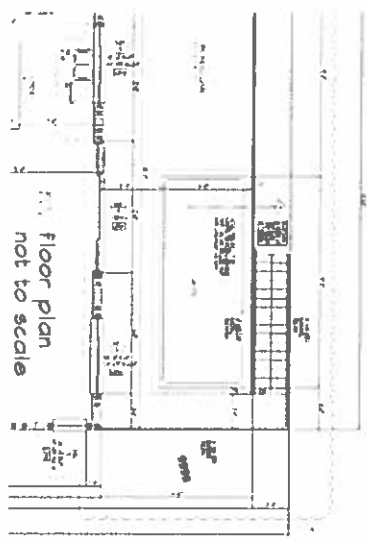
Permit information is received from the County and Cities. This data may be incomplete and may exclude permits that do not result in field reviews (for example for water heater replacement permits). We are required to list all improvements, which may include unpermitted construction. Any questions regarding permits, or the status of non-permitted improvements, should be directed to the permitting jurisdiction in which the structure is located.

Permit Number	Description	Issue Date	Estimated Value
BR-FNW-23-00145	SEA WALL	12/27/2023	\$25,950
BR-POL-23-00116	POOL	05/10/2023	\$73,310
CBP-22-02098	NEW IMPROVEMENT	10/07/2022	\$1,100,000

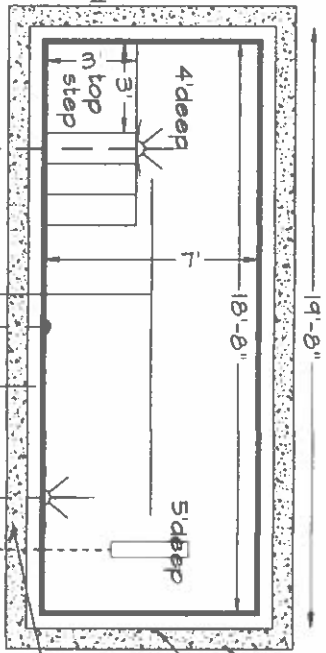
additional gunite required
 average depth 2.5in x 160sq ft = 160cu ft = 6cu yd
 cross section
 scale 3/8" = 1'0"



1. pool on lot living level
2. vault design and construction by GC
3. electric feed from house panel to pool equipment location by GC
4. coordinate exterior pool file switch location with GC
5. safety act compliance door & window alarms included
6. gas connect for heater by others
7. pour solids gunite to slab. Approximately 6 additional yard
8. Superior foam sheathing bond breaker between pool wall and vault wall
9. Super Thorrseal waterproofing
10. valve all plumbing for below water level pool equipment
11. all pool equipment is exterior on east side of house
12. core drill as needed thru vault wall - calls are poured solid
13. dig under footer for equipment plumbing run



deck, deck prep
 and deck
 drainage by others



concrete vault
 by others
 foam breaker board
 blocks poured solid
 pool plan
 scale 3/8" = 1'0"

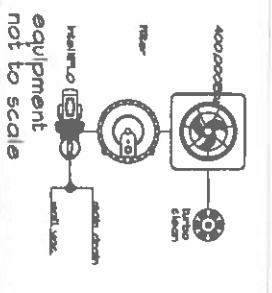
all doors and windows providing direct access
 from the home to the pool shall be equipped with
 an exit alarm that has a minimum sound pressure
 rating of 85dB A at 10 feet

main drain
 LED
 copper ground
 vacuum
 Turbo Clean return
 LED

GENERAL SPECIFICATIONS

SIZE: 7 x 18'	4,400 gallons	DEPTH: 4 to 5'
REFERENCE NUMBER: 11-111-0		
TILE: ceramic	COPY: by hand-drawn methods	
DECK: TYPE: reinforced concrete by others		
CONCRETE: 4000 PSI		
PAVE: TYPE: Pebble Blend	SIZE: 1/2"	
PAVE: TYPE: Marble	SIZE: 1/2"	
FLYER: TYPE: overlay	SIZE: 1/2" x 1/2"	
HEATER: TYPE: Breezer Temp	SIZE: 400,000 Btu	
gasoline: no address, call and install		
LIGHT: TYPE: Macaluba color LED	RECORD: 2	
POOL CONTROL: 1/2 hp		
CEILING: STEEL: Turbo Clean		
VENTILATION: FRESH: 1/20 air		
handicap: meeting for future water equipment		
door and window alarms included		
all pool equipment to be exterior on east side of house		
pool water level to be just under bottom of coping		
SPA SPECIFICATIONS		
SIZE:	ELEMENTS:	
HEATER: TYPE:	THERMIST: TYPE:	
CONTROLS:	LIGHT:	
SPILLWAY:		

SR CALC
 lot 6322
 house footprint 2597
 pool & deck
 incl in house footprint
 driveway 450
 walk 120
 impervious 3107
 impervious percent 41.1%



Name: Jim and Mary Savanella
 Address: 314 8th Ave
 City: Indian Rocks Beach, Fla. 33785
 Tel. No.: 9143872123 H.S. PHONE:
 LOT: 610256 B.S.L.

CURTIS POOLS
 150 COMMERCE DRIVE NORTH
 LARGO, FL 33770
 PHONE 727 559-7846 FAX 727 594-5756

AGENDA ITEM NO. 5

OTHER BUSINESS

Accepting resignation from Chair
Stewart Devore and naming a new
Chair.

AGENDA ITEM NO. 6
ADJOURNMENT