

**MINUTES  
CITY OF INDIAN ROCKS BEACH  
BOARD OF ADJUSTMENTS & APPEALS**

Civic Auditorium  
1507 Bay Palm Blvd., Indian Rocks Beach, FL. 33785  
**Tuesday, January 20, 2026 at 6:00 PM**

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**1. CALL TO ORDER**

Chair David Watt called the meeting to order at 6:00 PM.

**2. ROLL CALL**

Following members present:

- **Chair David Watt** - Present
- **Vice Chair Karen O'Donnell** - Present
- **Member Stewart DeVore** - Present

**Staff Present:**

- Hetty Harmon, Planning and Zoning Consultant
- Lorin Kornijtschuk, City Clerk

**3. APPROVAL OF MINUTES**

Member DeVore motioned to approve the minutes from the November 19, 2025 meeting. Vice Chair O'Donnell seconded the motion. Motion passed unanimously.

**4. BOA CASE NO: 2026-01**

**Owner/Applicant:** Lindsey and James Stuthers

**Subject Location:** 452 Harbor Drive S., Indian Rocks Beach, FL 33785

**Legal Description:** Lot 38, Twenty-Third Addition to RE-Revised Map of Indian Beach, recorded in Plat Book 38, Page 75 of the Public Records of Pinellas County. Property ID # 06-30-15-42444-000-0380

**Variance Request:** Relief from Section 110-131(1)(g) of the Code of Ordinances requesting 4 feet above the required 35-foot maximum building height, resulting in a building height of 39 feet for a new residential dwelling.

**Quasi-Judicial Proceedings Notice**

City Clerk Kornijtschuk explained that the case is a quasi-judicial proceeding where the Board applies established criteria from the City Code based on competent and substantial evidence.

**Ex Parte Communications:** No Board members reported ex parte communications with the applicant or their agent.

**Site Visits:** No Board members conducted site visits for evaluation purposes.

**Oath Administration:** All persons providing testimony were sworn in.

### **Staff Presentation**

Hetty Harmon, Planning and Zoning Consultant presented the case, explaining:

- The variance request is for 4 feet above the 35-foot maximum building height
- Building height is measured from the crown of the road (elevation 5.66 feet) to the midpoint of the roof
- The applicant is requesting to measure to 39 feet (actual measurement 38.5 feet) from the crown of the road
- This measurement methodology has been in place since approximately 1980

### **Applicant Presentation**

Ryan Manassi, Director of Development and Planning with Johnson Pope, presented on behalf of the applicants:

#### **Project Goals:**

- Construction of a 3,000-3,500 square foot home with 9-10 foot ceilings
- Elevate garage base level to mitigate flood risks, including loss of vehicles and electrical/chemical fires from solar batteries or electric vehicles
- Minimize flood and homeowners insurance costs
- Prepare for potential upcoming FEMA requirement changes following Hurricane Helene

#### **Variance Criteria Analysis:**

1. **Special Conditions Exist:** The hardship arises from the city's use of road crown elevation rather than Base Flood Elevation (BFE) as the height reference point. Neighboring coastal municipalities including North Redington Beach, Belleair Beach, Pinellas County, Treasure Island, and Madeira Beach measure height from BFE. The road crown elevation is unique to the site and affects height calculations.
2. **Not Self-Created:** The hardship is not self-created as the home was designed in compliance with FEMA guidance and Florida Building Code. The variance need results from the city's height measurement standard, which predates modern floodplain management requirements.
3. **No Special Privilege:** The proposed home remains consistent in size, scale, and character with other coastal homes in the area and with construction allowed in nearby municipalities that measure from BFE.
4. **Unnecessary Hardship:** Literal interpretation would require lowering finished floor elevations or reducing ceiling heights below modern standards, increasing flood risk and compromising safety.

5. **Minimum Relief:** The requested 4-foot variance represents the minimum relief necessary for a safe, flood-compliant home with standard ceiling heights and modest roof slope.
6. **Consistent with Zoning Intent:** The variance advances the intent of the zoning code by promoting public safety, flood resilience, and responsible coastal development while remaining compatible with the surrounding neighborhood.

**Community Support:** The applicant submitted 11 letters of support from adjacent neighbors. The properties most likely to be affected by the variance are all owned by individuals who support the request.

**Comparative Analysis:** The presentation included code sections from neighboring municipalities showing they measure building height from Base Flood Elevation rather than crown of road.

**Historical Context:** Based on available records, the city's height measurement standard has not been amended since approximately 1980 (45 years) and is not aligned with current FEMA guidance or modern flood mitigation standards.

### **Board Discussion**

Chair Watt sought clarification on measurement methodology and confirmed the variance is measured from the crown of the road (5.66 feet) to the midpoint of the roof, requesting 39 feet total (38.5 feet actual).

Member DeVore noted that while 10-foot ceilings are modern construction standards, 9-foot ceilings could potentially reduce the variance need to approximately 1 foot.

Vice Chair O'Donnell noted that some municipalities measuring from BFE have lower height limits than Indian Rocks Beach's 35 feet (some at 30 feet).

The Board discussed:

- The need to modernize the city's ordinance based on 2024 hurricane experiences
- Support for anything bringing structures up to hurricane code and proper elevation
- Concerns about incremental height increases and potential impacts on properties that don't elevate
- Recognition that this is a residential variance, different from commercial/condominium height requests
- The variance would not be noticeable to neighbors and has community support
- Measuring to the midpoint of sloped roofs encourages architectural diversity versus flat roofs
- 10-foot ceilings are reasonable for modern construction

### **Public Comment**

No public comments were received.

**Motion:**

Vice Chair O'Donnell moved to approve the BOA Case 2026-01 for 452 Harbor Drive S.

**Second:** Member DeVore seconded the motion.

**Roll Call Vote:**

- Vice Chair Karen O'Donnell - Yes
- Member Stewart DeVore - Yes
- Chair David Watt - Yes

**Result:** Motion passed 3-0 to approve the variance.

The case will proceed to the City Commission on February 10, 2026 at 6:00 PM for final decision.

**5. OTHER BUSINESS**

Member DeVore requested that the Board of Adjustments recommend the City Commission consider initiating a workshop to address building height measurement methodology, particularly in light of increased variance requests anticipated due to flood resilience needs following recent hurricanes.

**6. ADJOURNMENT**

Member DeVore motioned to adjourn. Vice-Chair O'Donnell seconded. Meeting adjourned at 6:45 PM.

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**ATTESTATION**

These minutes constitute a true and accurate record of the proceedings of the Board of Adjustment Meeting held on January 20, 2026.

5-19-26  
**Date Approved**

  
**David Watt, Chair**

ATTEST: Lorin A. Kornijtschuk, City Clerk