



# Town of Belleair

901 Ponce de Leon Blvd.  
Belleair, FL 33756

## Meeting Minutes Special Magistrate

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Wednesday, April 10, 2024

3:00 PM

Town Hall

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### MEETING CALLED TO ORDER

### SWEARING IN PROCESS

Hearing called to order at 3:00 PM with Special Magistrate Rubenstein presiding.

Ms. Rubensein swore in those wishing to speak.

### GENERAL AGENDA

[24-0066](#)

Request for Variance - 111 Palmetto Rd

\*Continued from March 27, 2024\*

Luis Serna-Calvin, Giordano & Associates, Town Planner-stated applicant is requesting continuance, staff has no objections.

Brian Aungst-Applicant representative-Hired arborist to address questions; requested to continue to May 8th, 2024; Ms. Rubenstein granted continuance to May 8th, 2024 at 3 :00 PM.

[24-0065](#)

Request for Variance - 303 Ponce de Leon Blvd

Mr. Serna presented request; corner lot requiring two 25 ft setbacks per code; survey and sketch submitted with application; reviewed findings: irregular shaped lot, uncommon to others in district, conditions and circumstances not a result of applicant; literal interpretation of code would present undue hardship; variance if granted is minimum that would make possible the use of land; grant of variance will be in harmony with general intent and purpose of code; no impact on surrounding properties; lastly it will not result in any new land uses being presented in district. Recommends approval of a 6 ft. variance from the 25 ft. front setback requirement of the R-1, single family residential zoning district of Section 74-84 of the Land Development Code.

Staff report and application were submitted into evidence.

Brian Aungst-applicant representative-requested to add an addition to the frontage on Ponce De Leon that will intrude 6 ft into setback; curvature of roadway creates unique setback; two frontages and curve provide difficulty in meeting 25 ft setback requirements; requests power point and entire agenda packet with be submitted into evidenced; direct abutting neighbors have submitted letters of approval; designed to meet setback as much as possible; cited code relating to use 66-6.2-General intent of Land Development regulations to foster, and preserve public health, safety, comfort and welfare.

Ms. Rubenstein questioned clarification regarding setback locations and right-of-way;

Mr. Aungst provided detail; stated it was mentioned as providing evidence of peculiar nature.

No further comments for or against.

Ms. Rubenstein closed hearing to public; addressed criteria; special circumstances exist; circumstance not result of applicant actions; irregular shaped parcel reduces buildable area; if granted, it's the minimum variance to provide use; in harmony in the general intent and purpose of the code; note detrimental to the public interest; finally granting the variance would not result in any land use not provided for in the schedule of district regulations. Ms. Rubenstein stated she was approving the 6 ft variance from 25 ft front setback requirement for the proposed addition only.

## **ADJOURNMENT**

Next hearing on May 8th, 2024. Meeting adjourned in due form at 3:15 PM.