



Town of Belleair

901 Ponce de Leon Blvd.
Belleair, FL 33756

Meeting Agenda Planning & Zoning Board

Monday, April 12, 2021

5:30 PM

Town Hall

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/83734575271>

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 646 558 8656 or +1 301 715 8592 or +1 312 626 6799 or +1 669 900 9128 or +1 253

215 8782 or +1 346 248 7799

Webinar ID: 837 3457 5271

ROLL CALL

SCHEDULED PUBLIC HEARING

Persons are advised that, if they decide to appeal any decision made at this meeting/hearing, they 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.

[21-0095](#) Variance Request - 628 Pineland Ave

Attachments:

[628 Pineland Map.pdf](#)

[628 Compact Card.pdf](#)

[628 Pineland Variance App](#)

[NTA - 628 Pineland](#)

[628 Pineland Ave 3.2.20.pdf](#)

[21-0096](#) Variance Request - 1050 Ponce de Leon Blvd

Attachments:

[1050.pdf](#)

[1050 Map.pdf](#)

[1050 Ponce Variance App](#)

[NTA - 1050 Ponce](#)

[Variance Staff Report for 1050 Ponce De Leon Blvd.pdf](#)

CITIZENS COMMENTS

(Discussion of items not on the agenda. Each speaker will be allowed 3 minutes to speak.)

APPROVAL OF MINUTES

[21-0099](#) Approval of March 15, 2021 Meeting Minutes

Attachments: [P&Z 03-15-2021](#)

GENERAL AGENDA

OTHER BUSINESS

COMMISSION ADVISOR REPORT

ADJOURNMENT

ANY PERSON WITH A DISABILITY REQUIRING REASONABLE ACCOMMODATIONS IN ORDER TO PARTICIPATE IN THIS MEETING, SHOULD CALL (727) 588-3769 OR FAX A WRITTEN REQUEST TO (727) 588-3767.



Legislation Details (With Text)

File #: 21-0095 **Version:** 1 **Name:**

Type: Action Item **Status:** Public Hearing

File created: 4/5/2021 **In control:** Planning & Zoning Board

On agenda: 4/12/2021 **Final action:**

Title: Variance Request - 628 Pineland Ave

Sponsors:

Indexes:

Code sections:

Attachments: [628 Pineland Map.pdf](#)
[628 Compact Card.pdf](#)
[628 Pineland Variance App](#)
[NTA - 628 Pineland](#)
[628 Pineland Ave 3.2.20.pdf](#)

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

Summary

To: Planning and Zoning Board
From: Town Staff
Date: 4/5/2021

Subject:

Variance Request - 628 Pineland Ave

Summary:

Applicant is requesting a variance which would allow for the construction of a proposed garage addition. The addition would encroach into the required minimum 25' foot front yard setback by approximately 20' feet 2" inches, resulting in a 4' foot 8" inch front yard setback. Site plan is included in application materials.

Previous Commission Action: N/A

Background/Problem Discussion: N/A

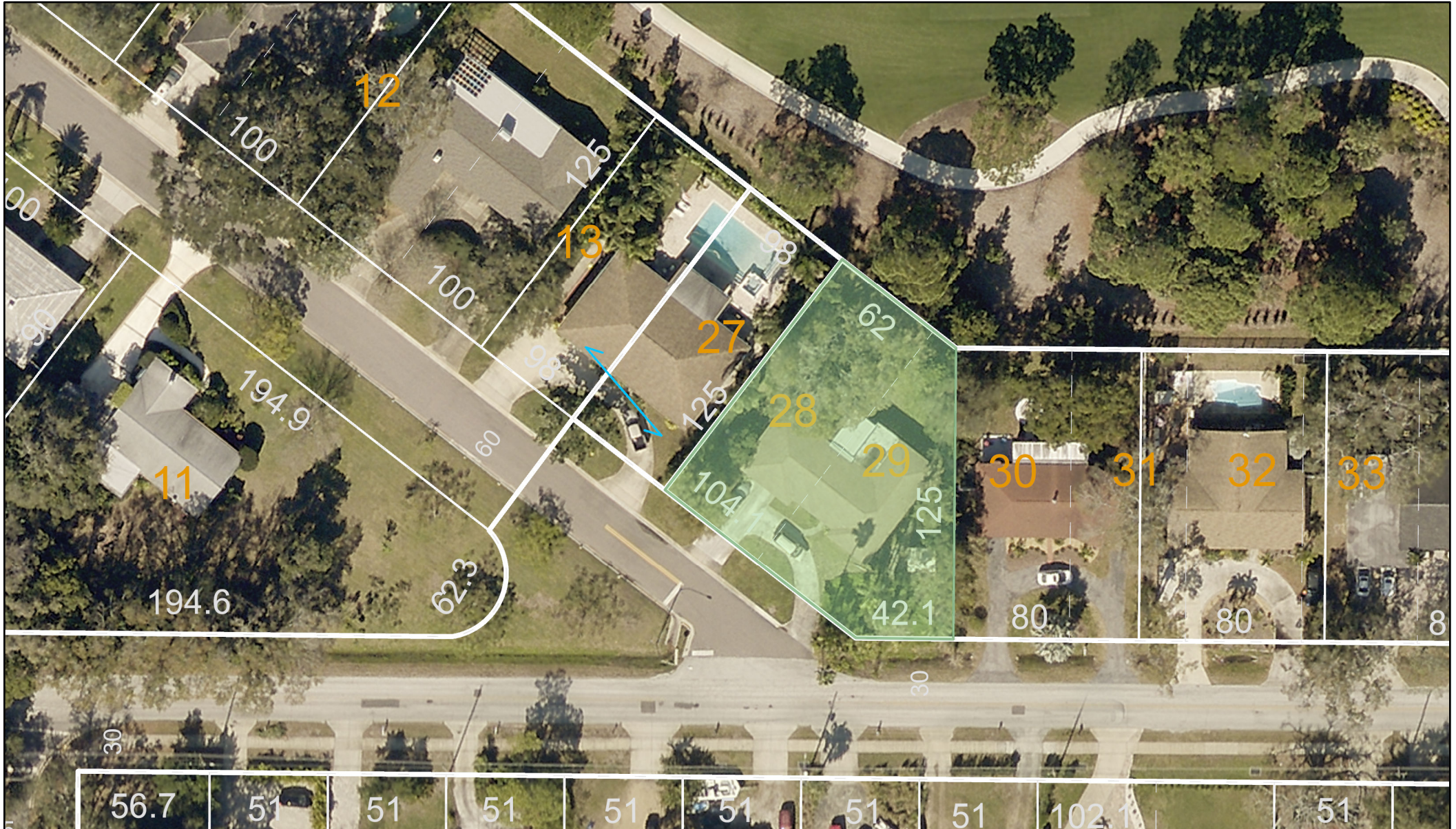
Expenditure Challenges: N/A

Financial Implications: N/A

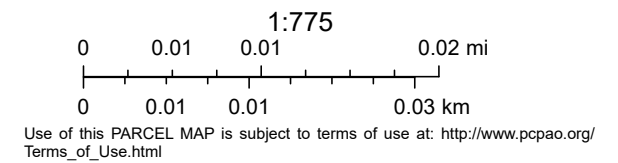
Recommendation: N/A

Proposed Motion: Move to approve/deny the variance request for 628 Pineland Ave.

628 Pineland Ave



April 8, 2021



BELLEAIR ESTATES
BLK 41, LOTS 28 AND 29

FELDMAN, JEFFREY
411 DRUID RD W
CLEARWATER, FL 33756-3854

2020 28-29-15-06732-041-0280

Page 1 of 1
PRINTED 10/16/2020
BY jarmstrong

628 PINELAND AVE, BELLEAIR 33756-

Map Id: 2306.0 1.00 1.00 1.00 Area 23 Neb 06

BUILDING CHARACTERISTICS				0110 Single Family Home										** VALUE SUBJECT TO CHANGE **										Pinellas County Property Appraiser Office									
Average														BL																			
QUALITY	Average													VALUE SUMMARY																			
CATEGORY	TYPE	%	PTS																														
FOUNDATIO	2CONTINUOUS	100	3.00											PRIOR JUST MARKET VALUE 256,538																			
FLOOR	1SLAB ON	100	6.00											CURRENT JUST MARKET VALUE 250,091																			
EXTERIOR	5CB	100	27.0											ASSESSED VALUE 250,091																			
ROOF	1GABLE OR	100	6.00											HX/NHX CAP BASE YEAR 0																			
ROOF	3SHINGLE	100	5.00											TAXABLE VALUE 250,091																			
FLOOR	3CARPET/HARD	100	10.0											HX No																			
INTERIOR	2DRYWALL/PLA	100	33.0											% HX 0.00																			
HEATING	6CENTRAL	100	5.00											TOT EXEMPTIONS VALUE 0																			
COOLING	COOLING	100	3.00																														
CATEGORY				UNITS												PERMIT TP ST. EST VAL ISSUE DATE																	
STORIES				1.00												07-3-7152 96 C 9,540 04/11/07																	
FIXTURES				9.00												04-2-4405 51 C 1,500 03/19/04																	
LIVING UNITS				1.00												04-1-4203 95 C 4,200 02/19/04																	
TOTAL LIVING UNITS				1												02-0-2484 96 C 2,522 01/07/02																	
DEPRECIATION ADJ				ADJ												BUILDING NOTES																	
EXTERNAL OBSOLESCENCE				0.0000												19R NC																	
NEIGHBORHOOD				0.0000																													
EXTERNAL OBSOLESCENCE				0.0000																													
TYPE		QU		HX/NHX																													
01		02		0.00%																													
RCND		YB		EA																													
124043		1957		37																													
SAR		AREA		% B		EFF. AREA																											
SPU		240		20		48																											
OPF		24		20		5																											
BSF		240		80		192																											
BSF		594		80		475																											
BAS		1,370		100		1,370																											
		2,468				2,090																											
TAXING DISTRICT				BL JUST VALUE/SF		113.47																											
L	EXTRA			HX/				UNIT	ADJ UNIT	BLT	EFF		%	XF																			
N	FEATURE	DESCRIPTION		BD	NHX	LEN	WID	VALUE	VALUE	YEAR	AGE	BLT	GOOD	VALUE	NOTES																		
1	0701	SHED			0.0	0	0	120.00	6.00	2004	16	2004	100	720																			
L	L	USE	LAND USE	HX/	R			FF	FRNT FT						INFLUENCE	UNIT	ADJ UNIT	LAND	OTHER ADJ														
T	N	CODE	DSR	NHX	D	FRONT	DEPTH	T	FACTOR	UNITS	UT	D	DEPTH	SIZE	DESCRIPTION	VALUE	VALUE	VALUE	AND NOTES														
C	1	01	SINGLE	0.0		88.60	125.0	100	100.00	88.60	FF	130	0.99	0.90		2,300.00	2,049.30	181,568	19 UT LV														
NOTES																		APPRaisal DATES															
																		REVIEW DATE 12/31/2019															
																		FIELD NUMBER 243															
																		REVIEW TYPE Oblique															



**TOWN OF BELLEAIR
BUILDING DEPARTMENT
901 Ponce de Leon Blvd.
Belleair, Florida 33756-1096
Phone: (727) 588-3769 ext. 215
Fax: (727) 588-3768**

MEMORANDUM

DATE: February 19, 2021
TO: Mayor and Commissioners
FROM: J.P. Murphy, Town Manager
SUBJECT: Request for Variance –
Parcel No. 28-29-15-06732-041-0280

Property Owner: Melissa Hoglund
628 Pineland Ave
Belleair, Florida 33756

The following information is regarding the above referenced variance request.

- I. Existing conditions of land and structure(s):
 - A. Zoning designations: R-1 Single Family Residential
 - B. Original Construction date:
 - 1957
 - C. Structural and other improvements to date:
 - 2021-Interior renovation
 - D. Existing Easements: None shown on plans

II. Proposed request:

The applicant is requesting a variance, which would allow for the construction of a proposed garage addition. The addition would encroach into the required minimum 25 foot front yard setback by approximately 20 feet 2 inches, resulting in 4 foot 8 inch front yard setback. Please see site plan.



TOWN OF BELLEAIR

901 Ponce de Leon Blvd.

Belleair, Florida 33756-1096

Phone: (727) 588-3769 ext. 215

Fax: (727) 588-3768

RECEIVED
BELLAIR BLDG. DEPT.

FEB 19 2021

TIME REC. _____

DATE 2/18/2021

To the Town Commission of the Town of Belleair, Florida

1. The undersigned, Melissa Hoglund, owner of Lot 28 and 29
Block 41, Subdivision Belleair Estates, property
Commission of the Town of Belleair for a variance on the above-described property.
2. The property is presently zoned residential.
3. The present land use on the property is residential.
4. The decision involves Article II Section 74-113 of the Belleair Land
Development Code.
5. The Commissions power arises under Article V, Section 66.253 of the Belleair Land Development
Code.
6. The Relief prayed by the applicant is: ability to construct new garage within building setbacks.
existing driveway to be reoriented for safety reasons.
7. The Justification for the request is (requests for the variances must demonstrate the practical
difficulty or unnecessary hardship which justifies the variance): unsafe condition with proximity
of driveway to intersection of Pineland and Mehlenbacher. layout will create home in-line with overall
character of the neighborhood. shape of lot creates unnecessary hardship for new structure.
8. Attached is a non-refundable fee to defray expenses incurred by the Town of Belleair in processing
this application. (** Note: All costs incurred by the Town of Belleair, above and beyond the
variance application fee, will be the responsibility of the applicant regardless of approval or denial
of the request**)
9. I am aware that this request will be voided should I or my representative fail to appear at the public
hearings scheduled to consider this request.
10. I am aware that any variance that may be granted will automatically expire twelve months after
approval by the Town Commission unless a building permit id produced from the Town with
respect to the improvements contemplated by this application for variance within said twelve
month period unless the construction of said improvements is promptly commenced pursuant to
the building permit and diligently pursued to completion thereafter.

FEE: \$300.00

Paid: _____

Melissa Hoglund

Owner

628 Pineland Avenue

Address

407.493.3469

Telephone Number



BELLEAIR BUILDING DEPARTMENT
901 PONCE DE LEON BLVD.
BELLEAIR, FL 33756
(727) 588-3775
WWW.TOWNOFBELLAIR.COM/BUILDING

VARIANCE APPLICATION CHECK-OFF SHEET

Application shall be fully completed and must include the following information

Owner's Name: Melissa Hoglund
Owner's Mailing Address: 628 Pineland Avenue
Property Address: 628 Pineland Avenue
Phone Number: 407.493.3469
Representative's Name (if any): none
Representative's Address (if any): NA
Representative's Phone Number (if any): NA
Date of Original Construction: 1957
Impervious Cover: proposed addition of 484 sq ft
Flood Zone and Elevation: X

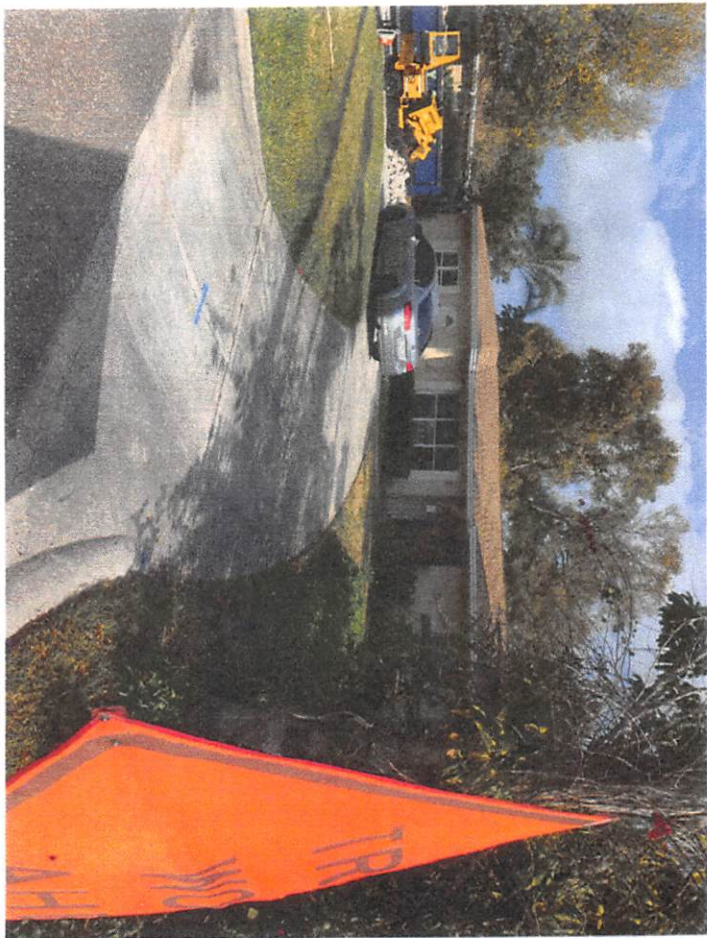
REQUIRED INFORMATION - PROVIDE (10) COPIES EACH

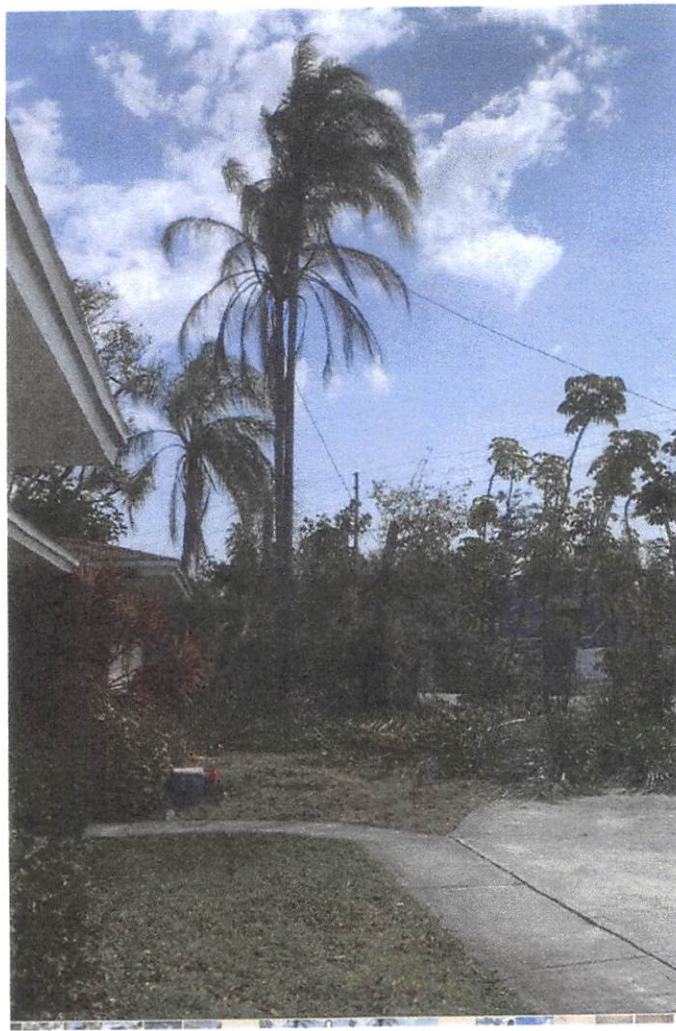
- ☒ Plans/Specs/Product Brochure
- ☒ Photos of the area (straight/right angle/left angle)
- ☒ Survey with setbacks shown
- ☒ Site plan with setbacks shown

TOWN REVIEW

	<u>ZONING</u>	<u>PUB.WK</u>	<u>FIRE</u>	<u>BULD.</u>	<u>MRG.</u>
Date Sent:	_____	_____	_____	_____	_____
Date Returned:	_____	_____	_____	_____	_____







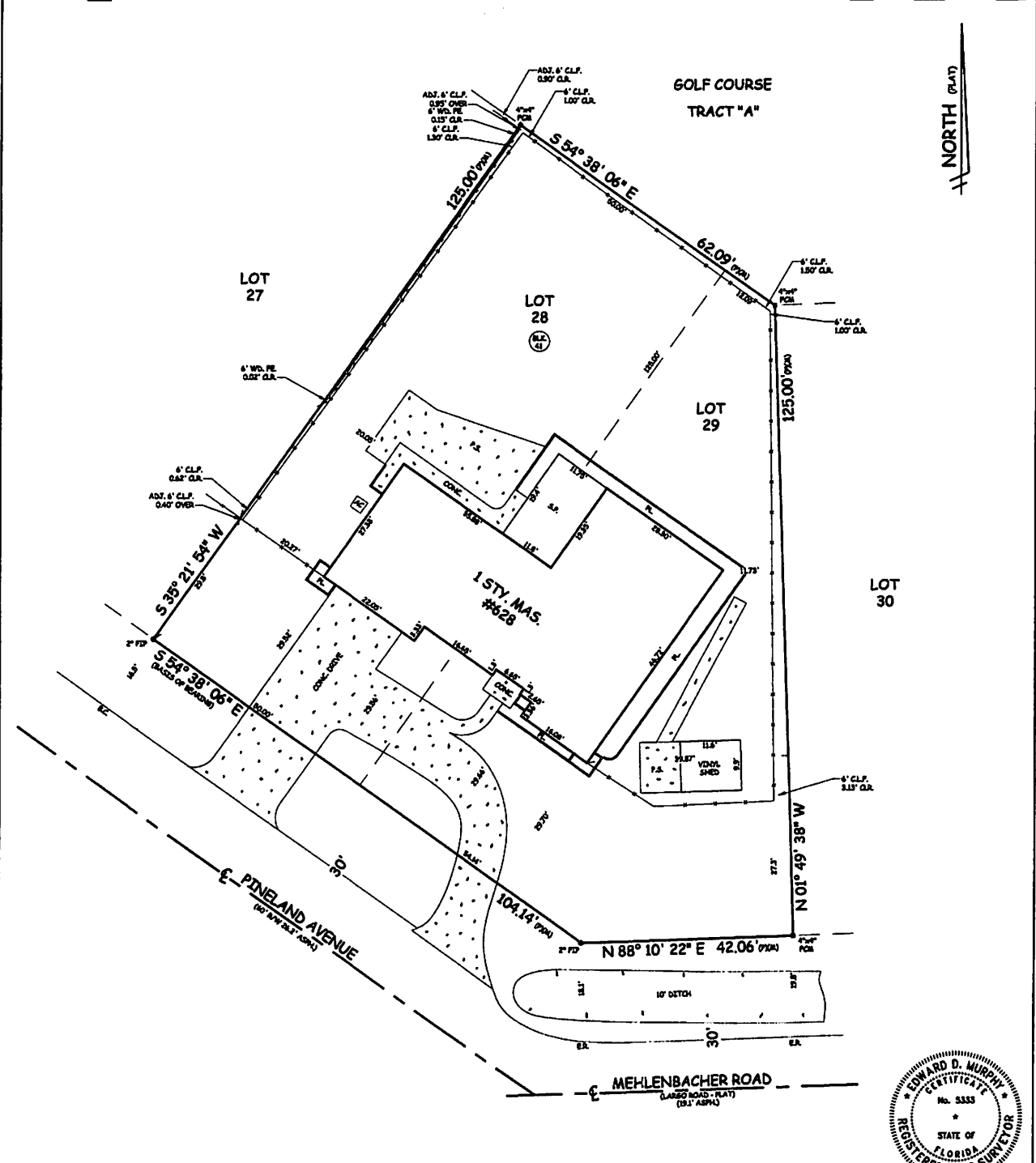
JOB NO.: 202173
DRAWN BY: MRB
CHECKED BY: EDM
DATE OF FIELD WORK: 1/08/2021

MURPHY'S LAND SURVEYING, INC.
PROFESSIONAL LAND SURVEYORS
5760 11TH AVENUE NORTH
ST. PETERSBURG, FLORIDA 33710
WWW.MURPHYSLANDSURVEYING.COM

L.B. #7410
PH. (727) 347-8740
FAX (727) 344-4840

CERTIFIED TO: Melissa Hoglund
PNC Bank, N.A.
Fidelity National Title of Florida, Inc.
Fidelity National Title Insurance Company

SCALE: 1" = 20' Survey not valid for more than one (1) year from date of field work. SEC. 28 TWP. 29 S. RGE. 15 E.

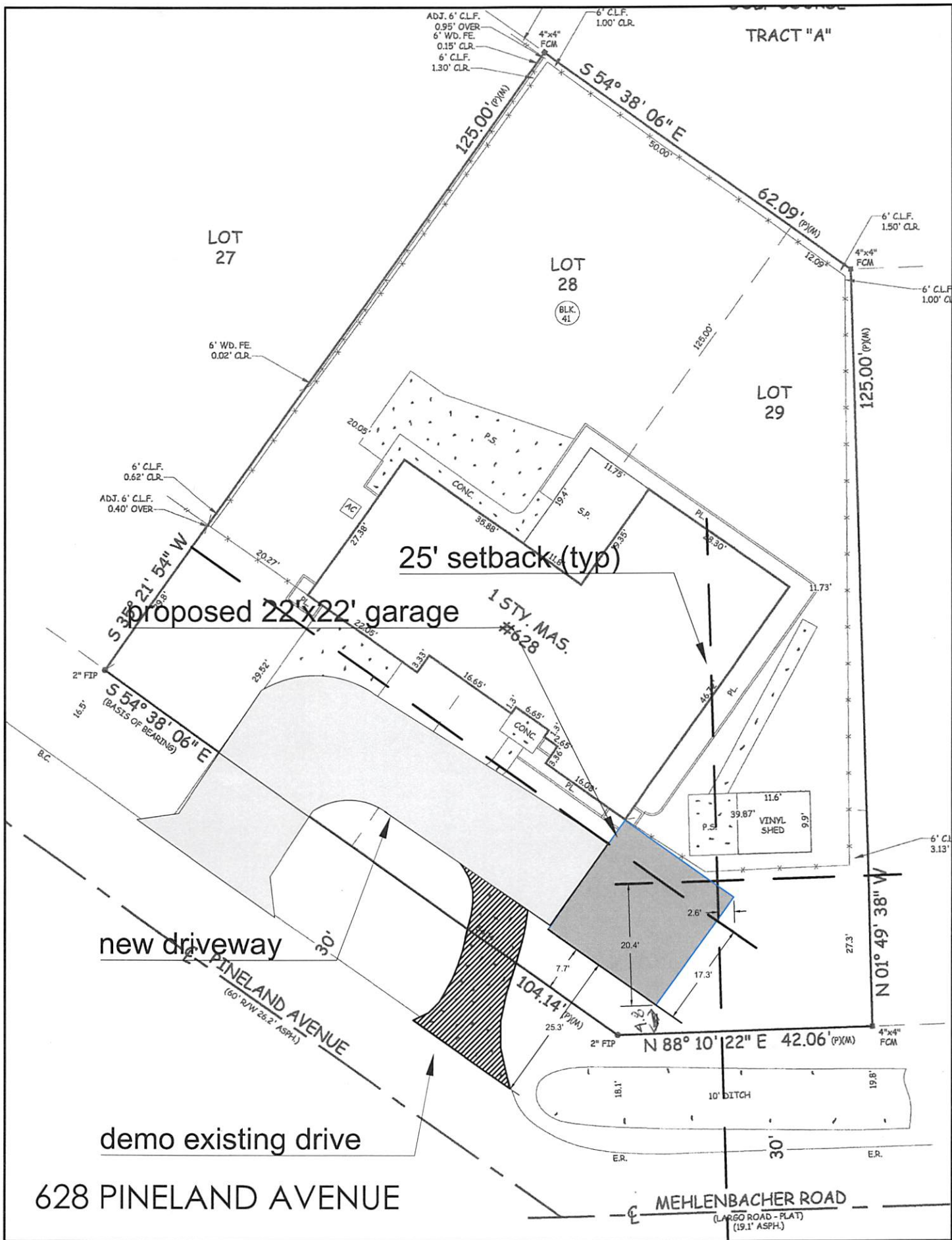


A BOUNDARY SURVEY OF: Lots 28 and 29, Block 41, BELLEAIR ESTATES, as recorded in Plat Book 18, Pages 52 - 57 of the Public Records of Pinellas County, Florida.

According to the maps prepared by the U.S. Department of Homeland Security, this property appears to be located in
Flood zone: X Comm. Panel No.: 125088 0116 H Map Date: 5/17/05 Base Flood Elev.: NA

FOR THE EXCLUSIVE USE OF THE PERSON(S) PARTIES, I HEREBY CERTIFY TO ITS ACCURACY (EXCEPT SUCH BASEMENTS, IF ANY, THAT MAY BE LOCATED BELOW THE SURFACE OF THE LANDS, OR ON THE SURFACE OF THE LANDS AND NOT VISIBLE, AND THAT THE SURVEY REPRESENTED HEREON MEETS THE MINIMUM REQUIREMENTS OF CHAPTER 147, FLORIDA ADMINISTRATIVE CODE TO THE BEST OF MY KNOWLEDGE AND BELIEF, UNDERGROUND FOUNDATIONS AND/OR IMPROVEMENTS, IF ANY, ARE NOT SHOWN AND OTHER RESTRICTIONS AFFECTING THIS PROPERTY MAY EXIST IN THE PUBLIC RECORDS OF THIS COUNTY. THIS SURVEY HAS BEEN DONE WITHOUT THE BENEFIT OF REVIEWING A CURRENT TITLE SEARCH. SURVEY NOT VALID FOR MORE THAN ONE YEAR FROM DATE OF FIELD WORK AND NOT VALID UNLESS EMBOSSED WITH SURVEYOR'S SEAL, BEARINGS SHOWN ARE BASED ON PLAT, UNLESS OTHERWISE NOTED.

- | | | | | | | |
|---|--|---|--|--|--|--|
| LEGEND:
F.I.P. - FOUND IRON PIPE
F.C.M. - FOUND CONCRETE MONUMENT
F.I.R. - FOUND IRON ROD
S.I.R. - SET IRON ROD 1/2" LB #1415
P.C.L. - POINT OF CURVATURE
P.C.S. - POINT OF COMPOUND CURVATURE
P.F.L. - FINISHED FLOOR ELEVATION
P.R.M. - PERMANENT REFERENCE MONUMENT
N.A.V.D. - NORTH AMERICAN VERTICAL DATUM OF 1989 | PD. - POUND
H.A.D. - HAIL AND DISK
P.O.L. - POINT ON LINE
P.T. - POINT OF TANGENCY
P.I. - POINT OF INTERSECTION
J.C.M. - JUNCTION
P.E. - PEG
C.L.P. - CHAIN LINK FENCE
A.F. - ADJACENT FENCE
A.D. - ADJACENT | R. - RADIUS
A. - ARC
C. - CHORD
D. - DELTA
R.W. - RIGHT OF WAY
M.S. - MAINTENANCE
P.M. - PAVEMENT
G.L. - GRADE
C.B. - CATCH BASIN
P.H. - FIRE HYDRANT | M.B. - METAL BOND
A.L. - ALLUMINUM
W.H. - WATER HEATER
P.S. - PATIO STONE
C.P. - CARPORT
P.L. - PLANTER
G.C. - BACK OF CURB
S.P. - EDGE OF PAVEMENT
E.R. - EDGE OF ROAD
E.O.W. - EDGE OF WATER
T.O.B. - TOP OF BANK | W.W. - WIND WALL
G. - CENTERLINE
R.W. - RIGHT OF WAY
P. - PLAT
C. - CALCULATION
D. - DEED
M. - MEASURED
N. - NORTH
S. - SOUTH
E. - EAST
W. - WEST | ESMT. - EASEMENT
B.M. - BENCHMARK
C.C. - CONCRETE
C.L. - CLEAR
C.O. - COLUMN
W.D. - WOOD
B.L. - BLOCK
B.W. - BRICK WALL
A.S. - ASPHALT
U.T. - UTILITY
D.R. - DRAINAGE | G.H. - OVERHEAD
G.R. - GARAGE
C.W. - COVERED WOOD
C.P.S. - COVERED PATIO STONE
C.C. - COVERED CONCRETE
A.C. - AIR CONDITIONER
S.P. - SCREENED PORCH
P.P. - OVERHEAD POWER LINES
T.T. - OVERHEAD TELEPHONE LINES
P.P. - POWER POLE
L.P. - LIGHT POLE |
|---|--|---|--|--|--|--|





February 19, 2021

Mr. Greg Lauda, Town Of Belleair

Mr. Lauda,

We have lived in this beautiful Town of Belleair since 1998. We absolutely love this Mayberry RFD community, it's government, it's residence, etc. It is always nice to see the town grow and proud that people moving into Belleair are putting money into enhancing their homes and the area.

Melissa Hoglund recently purchased the home at 628 Pineland Avenue, next door to ours at 624. She is already putting a lot of effort and money into making this a beautiful home. If you have not driven by, she is gutting the house, and starting all over. One of the first things she did, was clean up the overgrown yard. This property has been a rental since 2004. We have had nightmare tenants; and the owner did not care what the outside looked like, nor the tenants behavior. It has never looked like a property that belonged in Belleair. These initial improvements are genuine and well founded in Belleair principles.

I was approached by Melissa not long after she began renovations on the house. She asked if we would mind her moving the garage to the opposite end. I thought it was a brilliant idea. Her plans are to landscape and make the corner much safer.

The entire street of Pineland has been to several meetings to complain about the hazards of that corner. Traffic coming off Mehlenbacher onto Pineland does not slow down, and has nearly run us over many times. I believe allowing a garage on that end of the house would certainly be a huge Plus for her safety.

We are absolutely thrilled at the thought of Melissa doing anything to improve the house. Please grant the necessary permission to Ms Hoglund to keep "Belleair Beautiful".

Phillip Wyllie & Irene Rue Wyllie

Dear Mr. Lauda,

My name is Scott Wallace and I am the homeowner and resident of 632 Mehlenbacher Rd. I am writing on behalf of the Hoglunds at 628 Pineland in regards to their desire to add a garage to their property.

In the few weeks the Hoglunds have owned the property, they have made drastic improvements. They have cleared out plants in front and on the side of the property to help the views, and started to redo the interior. They are also working with me to extend our neighboring fence line and plant a more desirable beam that would be visible off Mehlenbacher. I have no doubts that everything they envision will help the property values and the visuals of our corner of Bellair! Adding a garage should not only help the Hoglunds but also all the properties around them. Thank you for your time!

Peace and blessings,

Scott Wallace

To whom it may concern

I understand that Melissa Hoglund who bought the property located at 628 Pineland, would like to build a garage on her property. Considering what the property used to look like I can only think this would be an improvement & should NOT be a problem with anyone.

Sincerely

Sharon Johnston

634 Mehlenbacher Road

Belleair, FL



RECEIVED
APR 01 2021

NOTICE OF APPEARANCE

I, Melissa G. Hoglund, (individual or corporate representative), hereby file and serve notice of my appearance/lawyer or other appropriate representative's appearance, to present testimony and/or cross examine other witnesses at the quasi-judicial hearings to be held on: Monday, April 12, 2021 at 5:30 P.M. - Planning and Zoning Board and Tuesday, April 20, 2021 at 6:00 P.M. - Town Commission

I understand that upon filing this Notice of Appearance, I shall be considered a participant in the hearing, subject to a determination of standing if challenged.

Address of variance property 628 Pineland Ave, Belleair, FL

Name: Melissa Hoglund
(Please Print)
Address: 628 Pineland Ave
Belleair, FL 33756

Please complete and submit this form if you are planning on attending IN PERSON.
Comments can be submitted by email or through virtual participation as outlined in the public hearing notice.



Report Date: 4/8/2021

Planning & Zoning Hearing Date: April 13th 2021

Tentative Commission Hearing Date: April 21st, 2021

Parcel ID: 28/29/15/06732/041/0280

Parcel Address: 628 Pineland Ave

Applicant/Owner Name: Melissa Hoglund

Applicant Address: 628 Pineland Ave

Phone Number: 407-493-3469

Existing Conditions of Land and Structures

Current zoning: R-1

Improvements to date: Interior remodel in 2021

Easements: None shown on survey.

Proposed Request

Overview: The applicant is requesting a variance which would allow for a for the construction of a proposed garage addition. The addition would encroach into the required minimum 25-foot front yard setback by approximately 20 feet 2 inches, resulting in a 4-foot 8-inch front yard setback. Please see site plan

Staff Analysis

In order to approve a variance, the Commission is required to make six findings per Section 66-253 of the Town of Belleair Code of Ordinances. The findings are listed below along with the reasons staff finds the criteria are or are not met in this case.

1. *Special conditions and circumstances exist which are peculiar to the land, structure or buildings involved.*

Staff Finding: The applicant is requesting a variance to reduce the front setback from 25 feet to less than 4.6-foot setback. The applicant is suggesting that there is an unsafe condition of the existing driveway in relation to the intersection of Pineland Ave. and Mehlenbacher Rd. The

applicant is showing the same location of the existing driveway but just widening the drive and eliminating the circular part of the driveway. The existing driveway provides a safer situation where a car exiting the existing garage can back up into part of the circular drive and then provide for forward motion to exit property. The proposed layout by the applicant will force the vehicles to back out onto the street which is not safer.

Regardless of the driveway, staff needs to find special conditions or circumstance that are peculiar to the land, structure, or building. There are no special conditions that would warrant a variance to the front yard setback. This lot is considered a corner lot and the zoning regulations require a 25-foot front yard setback on all front yards.

The applicant also stated in part, "layout will create home in-line with overall character of the neighborhood". If you look at the aerial provided by staff, you will see that this proposed addition will not be in line with the homes on either Pineland Ave. or Mehlenbacher Rd. In fact, this proposed addition would be so out of character with the surrounding homes on both streets. Front yard setbacks are to provide a uniform visual open corridor along the street.

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

Staff Finding: There are not special conditions or circumstances.

3. *Literal interpretation of the provisions of this Code would work unnecessary and undue hardship on the applicant.*

Staff Finding: The applicant has alternatives with the driveway without building a garage addition in the front yard setback. If the applicant is needing a larger garage, the existing garage can be widened and added to the front and/or rear.

4. *The variance, if granted, is the minimum variance that will make possible the reasonable use of the land, structure, or building.*

Staff Finding: The request is not reasonable use of the land when the applicant has alternatives with the driveway or existing garage.

5. *A grant of variance will be in harmony with the general intent and purpose of this Code, and that such variance will not be injurious to the zoning district involved or otherwise detrimental to the public interest.*

Staff Finding: Granting of the variance would not be in harmony with the general intent and purpose of the code and would be otherwise a detriment to the public interest. Again, the general intent of requiring front yard setbacks is to provide a visual open corridor along the street.



6. *A grant of variance will not result in any land use not specifically provided for in the schedule of district regulations for the zoning district in which the property is located.*

Staff Finding: Garages are allowed as an accessory structure or use for single family homes.

Staff Recommendation

Since the applicant has not provided any information to meet the criteria as set forth in Section 66-253, staff recommends denial.

Proposed Motions and Conditions

Proposed Motion: Move to deny the variance for 628 Pineland.

Proposed Conditions: None

Staff Report prepared by Bruce Cooper, Building Official. *Bruce Cooper*

TOWN HALL

901 PONCE DE LEON BLVD. | BELLEAIR, FL 33756
(727) 588-3769

JOHN J. OSBORNE PUBLIC WORKS BUILDING

1075 PONCE DE LEON BLVD. | BELLEAIR, FL 33756
(727) 588-3795

DIMMITT COMMUNITY CENTER

918 OSCEOLA RD. | BELLEAIR, FL 33756
(727) 518-3728



Legislation Details (With Text)

File #: 21-0096 **Version:** 1 **Name:**
Type: Action Item **Status:** Public Hearing
File created: 4/5/2021 **In control:** Planning & Zoning Board
On agenda: 4/12/2021 **Final action:**
Title: Variance Request - 1050 Ponce de Leon Blvd
Sponsors:
Indexes:
Code sections:
Attachments: [1050.pdf](#)
[1050 Map.pdf](#)
[1050 Ponce Variance App](#)
[NTA - 1050 Ponce](#)
[Variance Staff Report for 1050 Ponce De Leon Blvd.pdf](#)

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

Summary

To: Planning and Zoning Board
From: Town Staff
Date: 4/5/2021

Subject:

Variance Request - 1050 Ponce de Leon Blvd.

Summary:

Applicants are requesting a variance which would allow for a swimming pool to encroach into the secondary front yard setback by 15' feet, resulting in a 10' foot secondary front yard setback. A proposed rendition is included in the application materials.

Previous Commission Action: N/A

Background/Problem Discussion: N/A

Expenditure Challenges N/A

Financial Implications: N/A

Recommendation: Please see the attached staff report

Proposed Motion Move to approve/deny the application for variance at 1050 Ponce de Leon Blvd.

Map Id: 2306.0 1.00 1.00 1.00 Area 23 Neb 06

BUILDING CHARACTERISTICS										0110 Single Family Home										** VALUE SUBJECT TO CHANGE **										Pinellas County Property Appraiser Office									
QUALITY		Average																		BL																			
CATEGORY		TYPE		%		PTS												VALUE SUMMARY																					
FOUNDATIO		2CONTINUOUS		100		3.00												PRIOR JUST MARKET VALUE					228,561																
FLOOR		1SLAB ON		100		6.00												CURRENT JUST MARKET VALUE					210,965																
EXTERIOR		5CB		100		27.0												ASSESSED VALUE					152,243																
ROOF		1GABLE OR		100		6.00												HX/NHX CAP BASE YEAR					2015																
ROOF		5CONCRETE		100		7.00												TAXABLE VALUE					102,243																
FLOOR		3CARPET/HARD		100		10.0												HX					Yes																
INTERIOR		2DRYWALL/PLA		100		33.0												% HX					100.00																
HEATING		6CENTRAL		100		5.00												TOT EXEMPTIONS VALUE					50,000																
COOLING		COOLING		100		3.00												PERMIT		TP	ST.	EST VAL		ISSUE DATE															
CATEGORY						UNITS												6303		95	V	6,100		04/04/20															
STORIES						1.00												3529		99	V	2,696		01/17/17															
FIXTURES						6.00												05-3-5426		99	C	8,700		04/13/05															
LIVING UNITS						1.00																																	
TOTAL LIVING UNITS						1																																	
DEPRECIATION ADJ						ADJ																																	
EXTERNAL OBSOLESCENCE						0.0000																																	
NEIGHBORHOOD						0.0000																																	
EXTERNAL OBSOLESCENCE						0.0000																																	
TYPE		QU		HX/NHX																																			
01		02		100.0																																			
RCND		YB		EA																																			
100683		1959		36																																			
SAR		AREA		% B		EFF. AREA																																	
SPU		140		20		28																																	
BSF		150		80		120																																	
GRU		390		25		98																																	
BAS		1,229		100		1,229																																	
OPF		57		20		11																																	
1,966						1,486																																	
BUILDING: 1																																							
L	N	OFFICIAL BOOK	OFFICIAL PAGE	DATE OF SALE	INSTR	Q	V	I	REASON	SALES PRICE	M	SELLER				BUYER				SALES NOTE																			
1		18506	1203	08/15/2014	DD	U	I		72	155000	N	HENDRICK JOHN V IV				DODGE APRIL E				MLS 65 DOM @																			
2		15107	1126	05/09/2006	DD	U	I		30	305000	N	HENDRICK KEVIN K				HENDRICK, JOHN V IV																							
3		14076	2373	01/24/2005	DD	U	I			179900	N	DEE LORRAINE A				HENDRICK, KEVIN K																							
4		03567	0104						Q	21000	N									YEAR OF SALE																			
L	N	EXTRA FEATURE	DESCRIPTION	BD	HX/ NHX	LEN	WID	UNITS		UNIT VALUE		ADJ UNIT VALUE		BLT YEAR	EFF AGE	BLT	% GOOD	XF VALUE	NOTES																				
L	T	L	N	USE CODE	LAND USE DSCR	HX/ NHX	R D	FRONT	DEPTH	FF T	FRNT FT FACTOR	UNITS		UT TP	D T	DEPTH FACT	SIZE FACT	INFLUENCE DESCRIPTION		UNIT VALUE	ADJ UNIT VALUE	LAND VALUE		OTHER ADJ AND NOTES															
C		1	01		SINGLE	100		80.00	93.00	80	100.00	80.00		FF	130	0.89	1.00			2,250.00	2,002.50	160,200		19 UT IV															
NOTES																				APPRaisal DATES																			
																				REVIEW DATE				05/18/2020															
																				FIELD NUMBER				227															
																				REVIEW TYPE				Oblique															

1050 Ponce



April 8, 2021

1:775
0 0.01 0.01 0.02 mi
0 0.01 0.01 0.03 km
Use of this PARCEL MAP is subject to terms of use at: http://www.pcpao.org/Terms_of_Use.html



TOWN OF BELLEAIR
901 Ponce de Leon Blvd.
Belleair, Florida 33756-1096
Phone: (727) 588-3769 ext. 215
Fax: (727) 588-3768

DATE 2/22/2021

To the Town Commission of the Town of Belleair, Florida

1. The undersigned, _____, owner of Lot 0090
Block 000, Subdivision Belleair Gardens, property
Commission of the Town of Belleair for a variance on the above-described property.
2. The property is presently zoned R2.
3. The present land use on the property is Single Family Residential.
4. The decision involves Article 74 Section 286 of the Belleair Land
Development Code.
5. The Commissions power arises under Article V, Section 66.253 of the Belleair Land Development
Code.
6. The Relief prayed by the applicant is: Secondary front yard setback
7. The Justification for the request is (requests for the variances must demonstrate the practical
difficulty or unnecessary hardship which justifies the variance): See attached
8. Attached is a non-refundable fee to defray expenses incurred by the Town of Belleair in processing
this application. (** Note: All costs incurred by the Town of Belleair, above and beyond the
variance application fee, will be the responsibility of the applicant regardless of approval or denial
of the request**)
9. I am aware that this request will be voided should I or my representative fail to appear at the public
hearings scheduled to consider this request.
10. I am aware that any variance that may be granted will automatically expire twelve months after
approval by the Town Commission unless a building permit is produced from the Town with
respect to the improvements contemplated by this application for variance within said twelve
month period unless the construction of said improvements is promptly commenced pursuant to
the building permit and diligently pursued to completion thereafter.

FEE: \$300.00

TIME REC. _____
Paid: _____

April D. J. Hendell Thayer
Owner
1050 Ponce De Leon Blvd
Address
314-422-1068
Telephone Number



TOWN OF BELLEAIR
901 Ponce de Leon Blvd.
Belleair, Florida 33756-1096
Phone: (727) 588-3769 ext. 215
Fax: (727) 588-3768

VARIANCE APPLICATION CHECK OFF SHEET

Application shall be fully completed and must include the following information:

OWNERS NAME April Dodge & Wendell Thompson

OWNERS MAILING ADDRESS 1050 Ponce De Leon Blvd

PROPERTY ADDRESS Same

PHONE NUMBER 314-422-1068 314-724-6816

REPRESENTATIVE NAME AND ADDRESS (if any) _____

PHONE NUMBER _____

DATE OF ORIGINAL CONSTRUCTION February

IMPERVIOUS COVER _____

FLOOD ZONE AND ELEVATION X

REQUIRED INFORMATION:

<u>REQUIRED</u>	<u>RECEIVED</u>	PROVIDE (10) COPIES EACH.
<u>X</u>	_____	PLANS/SPECS/PRODUCT BROCHURE
<u>X</u>	_____	PHOTOS OF AREA (straight/right angle/left angle)
<u>X</u>	_____	SURVEY W/ SETBACKS SHOWN
<u>X</u>	_____	SITE PLAN W/ SETBACKS SHOWN

REVIEWED BY: ZONING PUB.WK FIRE BLDG. MRG.

DATE SENT: _____

DATE RETURNED: _____

February 22, 2021

Town of Belleair Commission
901 Ponce de Leon Boulevard
Belleair, FL 33756

Dear Town of Belleair Commission,

Today we are writing to request a justification or variance approval to build a swimming pool on our property at 1050 Ponce de Leon Boulevard. This letter demonstrates justification for a pool to be built on our corner lot. The justifications below rationalize approval under what is outlined in the cover page as **Practical Difficulty “non-use or dimensional variance”** or **Unnecessary “use variance”** hardship.

We love living in Belleair. As landowners in the beautiful Town of Belleair, we, Mr. Thompson and Ms. Dodge are aware that **Sec. 74-286 (f) - Swimming pools, hot tubs, screened pool enclosures and similar structures *unreasonably prevents*** us and our young children from enjoying our property for a permitted use. We purchased a corner lot property at 1050 Ponce de Leon and it has unique circumstances, as well as unique property boundaries, not shared by our neighboring properties in the same zone. This problem is not self-created and we see our particular request as a lesser relaxation of the Town of Belleair's ordinance because we are not asking to encroach into setback requirement maintained for the majority of neighbors and citizens owning rear and side yards. We know variances are in place to offer mechanisms for flexibility when conformity is rendered *insurmountably burdensome* and we believe the above explanation is a fine justification for variance approval in our unique case.

The plight of our beautiful home resting on a corner lot is not shared by the majority of homeowners in Belleair, we have a unique situation. All in all, approval of this request would not only provide *substantial justice* to us as landowners, but it is fully supported by neighbors. In accordance with our observations and conversations with great neighbors, we are aware of more than ten Belleair corner lot properties that have swimming pool structures constructed on street rights-of-way. Due to the nature of our home at 1050 Ponce de Leon being a corner lot, we see this as favorable for variance approval. We have maintained and improved our property with a fence and landscaping buffers around the boundaries. We can also show that residences at neighboring properties feel strongly that the Town of Belleair Commission should approve this variance request. Please see attached letter from our fine Belleair neighbors.

Granting this variance would be the only conceivable way to meet our very reasonable goal for putting in a swimming pool on our beautiful property and we appreciate the board's consideration. This variance is not being requested on a whim and we do not take the request lightly. As property owners we are financially prepared to fund and complete the project upon the Town of Belleair's approval. We look forward to collaborating with the Belleair Town Commission and the outstanding team of employees that work for the Town of Belleair to finalize our pool project. Please reach out with a date of the future public meeting that will confirm our variance request, if needed we will be happy to rally our good neighbors to unequivocally support approval and speak on our behalf.

Thank you,
Wendell Thompson & April Dodge
1050 Ponce de Leon Boulevard

February 22, 2021

Town of Belleair Commission
901 Ponce de Leon Boulevard
Belleair, FL 33756

To the Town of Belleair Commissioners,

This letter is to affirm support for the variance request for a swimming pool at the home of our neighbors, April Dodge and Wendell Thompson. Despite meeting the city setback requirements, as neighbors they are outstanding members of our community and have been for the past 7 years. As neighborhood residents we are invested in seeing updates to surrounding properties that beautify and maintain the charm of our beautiful Belleair neighborhood. As neighbors adjacent to April and Wendell's property, we have no problems or issues with the location of in-ground pool. In fact, it would be a wonderful addition to the property.

April and Wendell are responsible property owners and wonderful neighbors and have demonstrated their ability to make tangible contributions to their property on Ponce De Leon.

Thank you for your time and consideration,

Robert E. Warko 2/22/20
352 BARBARA CIR
BELLEAIR, FL

February 22, 2021

Town of Belleair Commission
901 Ponce de Leon Boulevard
Belleair, FL 33756

To the Town of Belleair Commissioners,

This letter is to affirm support for the variance request for a swimming pool at the home of our neighbors, April Dodge and Wendell Thompson. Despite meeting the city setback requirements, as neighbors they are outstanding members of our community and have been for the past 7 years. As neighborhood residents we are invested in seeing updates to surrounding properties that beautify and maintain the charm of our beautiful Belleair neighborhood. As neighbors adjacent to April and Wendell's property, we have no problems or issues with the location of in-ground pool. In fact, it would be a wonderful addition to the property.

April and Wendell are responsible property owners and wonderful neighbors and have demonstrated their ability to make tangible contributions to their property on Ponce De Leon.

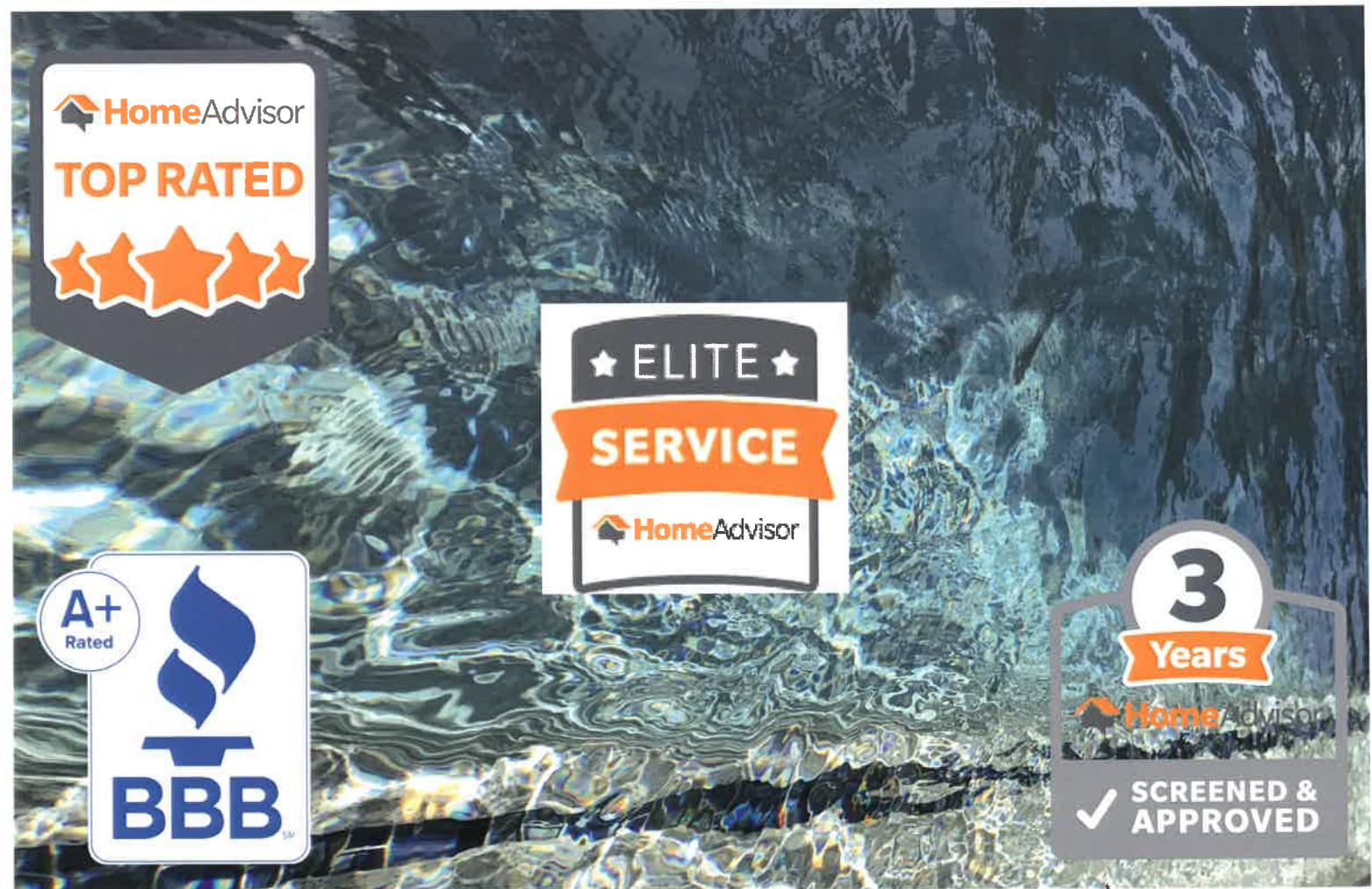
Thank you for your time and consideration,

A handwritten signature in black ink, appearing to read "R.A. Costa". The signature is fluid and cursive, with the first name "R.A." and the last name "Costa" clearly distinguishable.

2/22/21
355 Shirley Ave



Value – Quality – Dependability™



Find Us At:

- Showroom: 118 West Bay Drive, Suite 101, Largo, FL
- Website: www.pcs-pools.com
- Facebook: www.facebook.com/PCSPools
- Google: www.google.com/PCSPools



The PCS Pools Story

- Family and Veteran owned and operated since 2015
- Established local presence with our showroom and offices located in Largo
- Proven history of building high quality pools, on time, and at a great value
- Personable and professional staff delivering the best customer experience possible

The PCS Pools Advantage

- Experience, Value, Quality, Reliability
- Family owned and operated in your community
- Great reputation – HomeAdvisor 5-star rating and A+ BBB rating
- Vertically integrated – we own key equipment, have our own key employees and a group of trusted contractors, so we can control the schedule and build quality
- Outstanding customer service and professional management
- We only use the best equipment (Pentair) and materials available
- Process driven – ISO, Six Sigma, Kaizen
- Quality control program focused on building pools that meet your contract requirements and applicable building codes
- We use technology to drive efficiency, such as cloud based management software and Wi-Fi cameras on every job site



Licenses Held By Owners

State: FL

Trade: Florida - Certified Building Contractor

License #: CBC1260956

Trade: Florida - Certified Pool/Spa Contractor

License #: CPC1458865

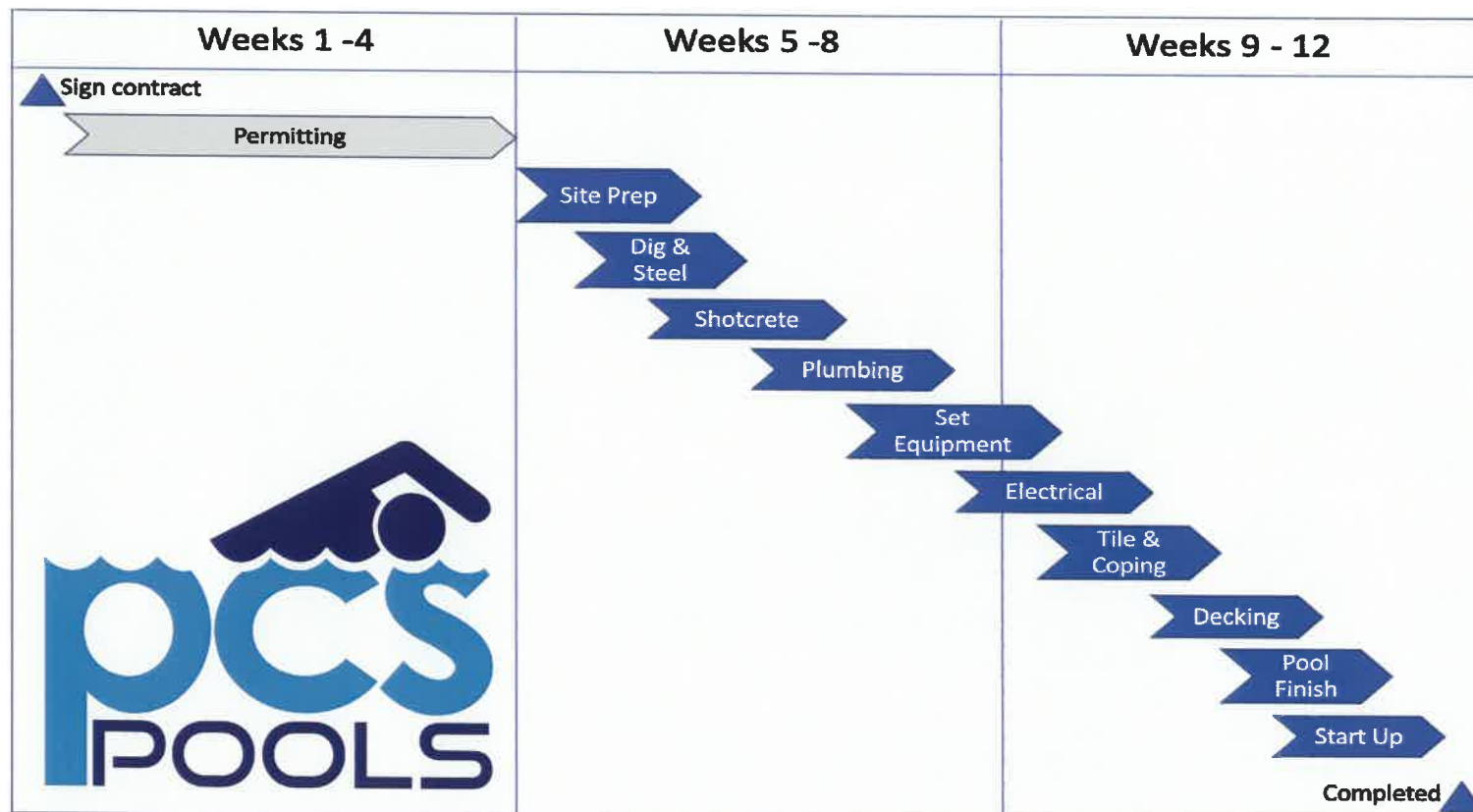
Pinellas Construction Services, LLC

d/b/a PCS Pools

- ✓ We have invested in new equipment, tools, and a team of key employees and suppliers in order to control our construction schedule and deliver your high-quality pool as promised!
- ✓ We also have a complete showroom / sales office and operations center located in Largo

Typical Construction Timeline

Dependent upon permit approvals and weather



Reviews and Ratings

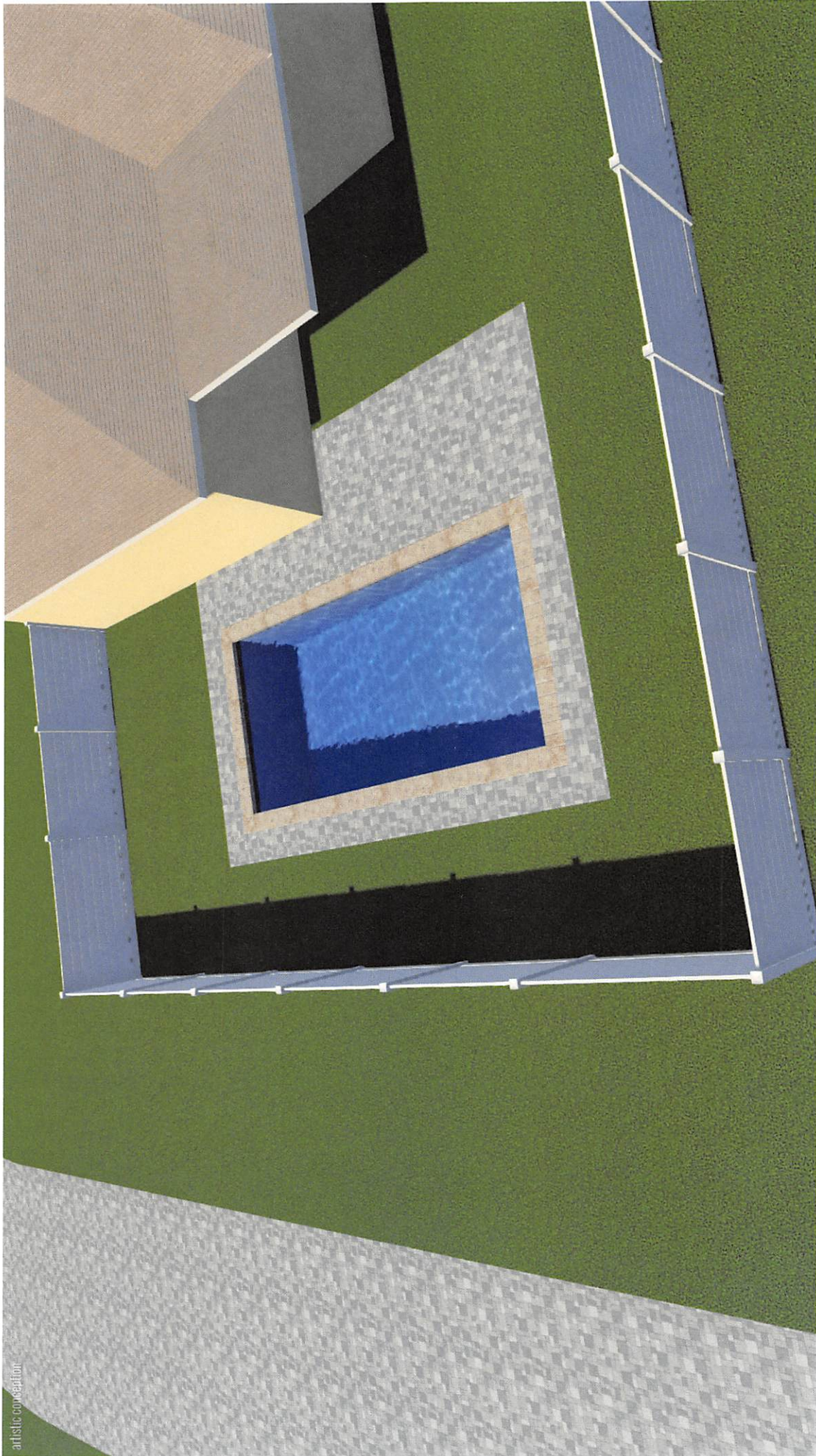
5-star rating on HomeAdvisor

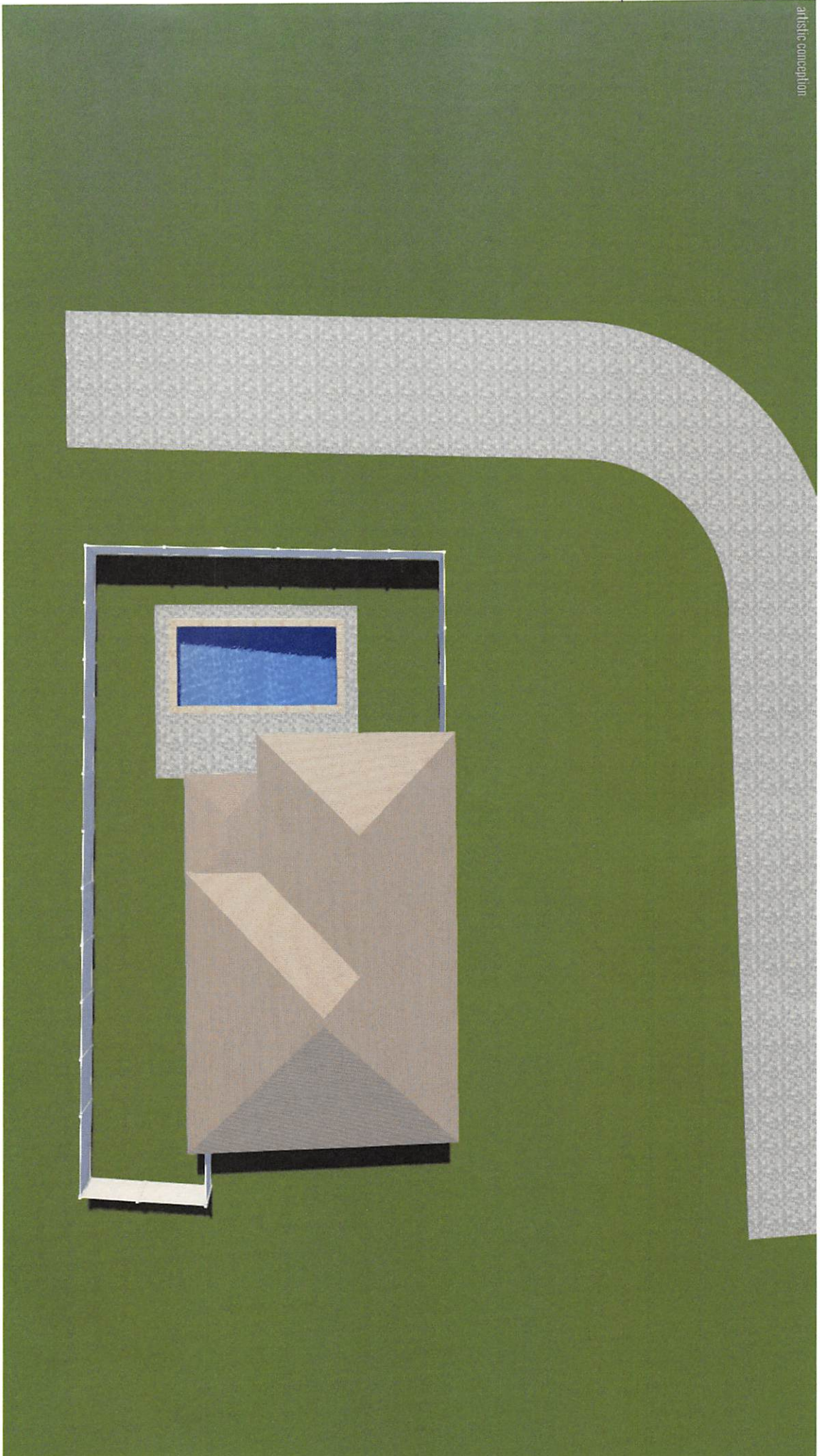
Pinellas Construction Services,

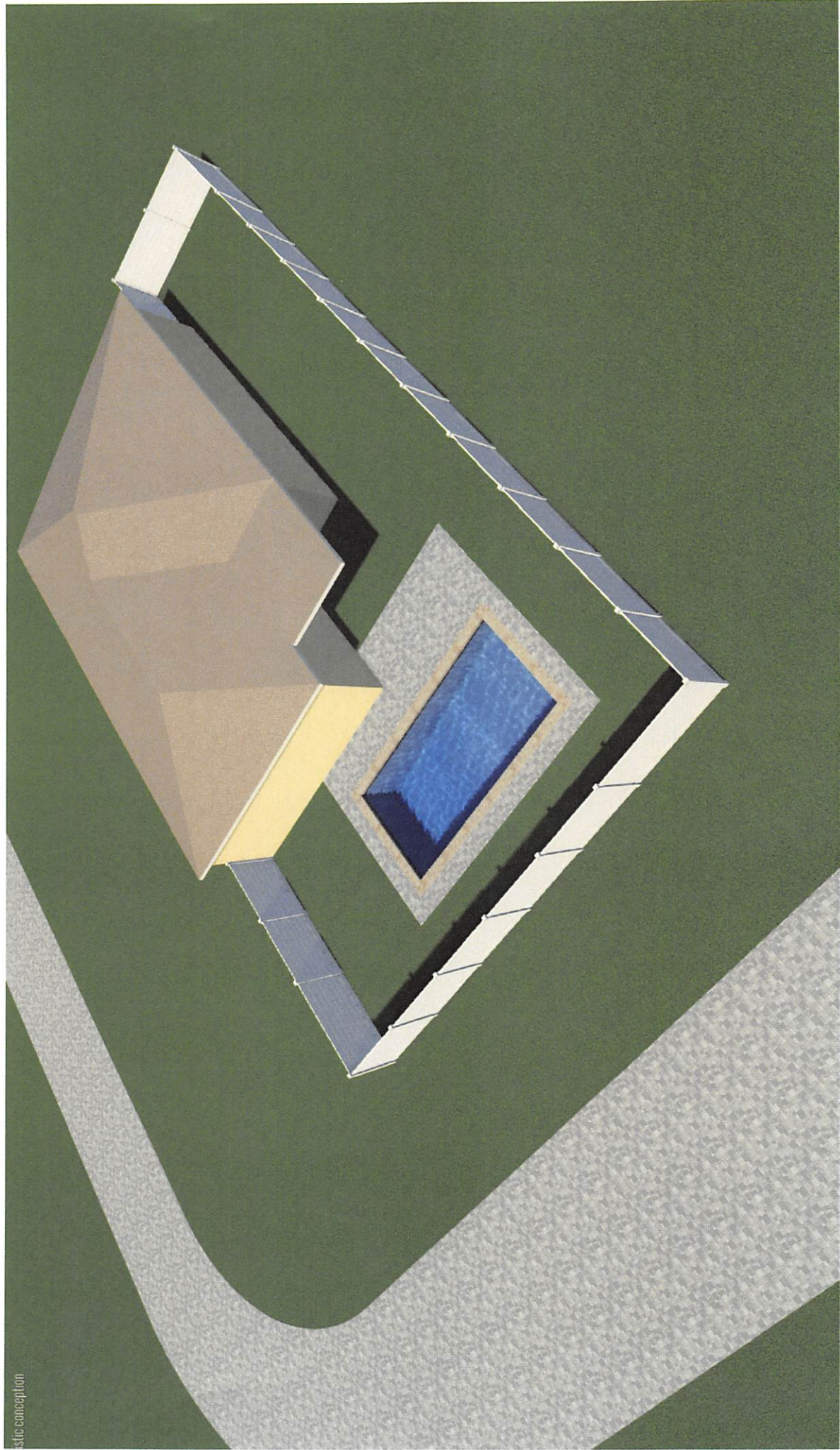


727-599-4101
801 West Bay Drive, Suite 454
Largo, FL 33770

Date	Rating	Review
02/09/2020	5.0 Quality: 5.0 Customer Service: 5.0 Value for Money: 5.0	Review by Amy B. in Clearwater, FL Project: Build or Install a Concrete Swimming Pool Comments: They did an amazing job for us!! Our contact person was Dave, he was exceptional!! Always stopping by the job site and touching base with us. We would encourage anyone thinking about having a new pool installed to go with Pinellas Construction Services!!
05/25/2017	5.0 Quality: 5.0 Customer Service: 5.0 Value for Money: 5.0	Review by Vito P. in Belleair Beach, FL Project: Build or Install an In-Ground Swimming Pool Comments: After procrastinating for far too long, I FINALLY followed through on getting the pool installed that I had wanted so badly all these years. I did a tremendous amount of research, which is my nature, and I finally decided to give Pinellas Construction Services my business. Though they appeared to be a younger company, I found that successful pool construction had been in their family for quite a long time. Working with Jordan and Justin, and their easy-going nature was a breath of fresh air after being "hard sold" by so many of their competition. The unvarnished truth they gave me regarding the involved process of the construction put me at ease and prepared me properly for what I would be facing by taking on this project. It all played out pretty much exactly as they said it would, and in the end, I could not be happier about the results !!! Thank You so much to everyone at Pinellas Construction Services for making my pool "dream" finally come true.
04/05/2017	5.0 Quality: 5.0 Customer Service: 4.5 Value for Money: 5.0	Review by Roberta P. in Clearwater, FL Project: Build or Install a Concrete Swimming Pool Comments: I never knew what I was getting into when installing a pool because this is my first and last pool. You have to trust the experts. I want people to know that if you ask Jordan or Justin the questions, they give you the answers. Would you do this again yes, would you use them again absolutely. My pool is almost complete, and I have been in it already. The salt system will go on in about a month and the cleaners at the same time. We are just waiting for the pool the cure... The last part is getting the yard back together. Expect a mess.. this is a big process...but it is well worth it.









RECEIVED
MAR 30 2021

NOTICE OF APPEARANCE

I, _____, (individual or corporate representative), hereby file and serve notice of my appearance/lawyer or other appropriate representative's appearance, to present testimony and/or cross examine other witnesses at the quasi-judicial hearings to be held on: Monday, April 12, 2021 at 5:30 P.M. - Planning and Zoning Board and Tuesday, April 20, 2021 at 6:00 P.M. - Town Commission

I understand that upon filing this Notice of Appearance, I shall be considered a participant in the hearing, subject to a determination of standing if challenged.

Address of variance property 1050 Ponce de Leon Blvd, Belleair, FL

Name: _____
(Please Print)

Address: _____

Please complete and submit this form if you are planning on attending IN PERSON.
Comments can be submitted by email or through virtual participation as outlined in the public hearing notice.



Report Date: 4/8/21

Planning & Zoning Hearing Date: April 13th 2021

Tentative Commission Hearing Date: April 21th, 2021

Parcel ID: 28/29/15/06876/000/0090

Parcel Address: 1050 Ponce De Leon Blvd

Applicant/Owner Name: April Dodge & Wendall Thompson

Applicant Address: 1050 Ponce De Leon Blvd

Phone Number: 314-422-1068, 314-724-6816

Existing Conditions of Land and Structures

Current Zoning: R-2

Original Construction Date: 1959

Improvements to Date: None

Easements: None shown of survey

Proposed Request

Overview: The applicant(s) is requesting a variance which would allow for a swimming pool to encroach into the secondary front yard setback by 15' feet, resulting in a 10 ft' secondary front yard setback. Please see the attached drawing provided by the owner.

Staff Analysis

In order to approve a variance, the Commission is required to make six findings per Section 66-253 of the Town of Belleair Code of Ordinances. The findings are listed below along with the reasons staff finds the criteria are or are not met in this case.

TOWN HALL

901 PONCE DE LEON BLVD. | BELLEAIR, FL 33756
(727) 588-3769

JOHN J. OSBORNE PUBLIC WORKS BUILDING

1075 PONCE DE LEON BLVD. | BELLEAIR, FL 33756
(727) 588-3795

DIMMITT COMMUNITY CENTER

918 OSCEOLA RD. | BELLEAIR, FL 33756
(727) 518-3728

1. *Special conditions and circumstances exist which are peculiar to the land, structure or buildings involved.*

Staff Finding: Staff has determined that there are no special conditions or circumstances which are peculiar to the land, structure or building. The applicant's lot is a typical corner lot which requires a 25-foot front yard setback on all front yards. The applicant has not provided any information to show any conditions or circumstances. The only item the applicant provided was a letter of non-objection from the adjacent neighbor located on Barbara Circle. Letters of non-objection do not provide special conditions or circumstances for the applicant's lot.

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

Staff Finding: There are no special conditions or circumstances.

3. *Literal interpretation of the provisions of this Code would work unnecessary and undue hardship on the applicant.*

Staff Finding: In reviewing the aerial of the applicant's lot and surrounding area, these lots are not sufficient in size to support a pool. Although this variance request is for the secondary front yard, the zoning regulations are adopted to provide a 25-foot setback along both front yards.

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

Staff Finding: Since there are no special conditions or circumstances, no variance should be granted. If for some reason this was to be granted, this is not the minimum variance.

4. *A grant of variance will be in harmony with the general intent and purpose of this Code, and that such variance will not be injurious to the zoning district involved or otherwise detrimental to the public interest.*

Staff Finding: Granting of this variance will not be in harmony with the general intent which is to provide 25-foot front yard setbacks on all front and secondary front yards.

5. *A grant of variance will not result in any land use not specifically provided for in the schedule of district regulations for the zoning district in which the property is located.*

Staff Finding: Swimming pools are allowed as an accessory structure associated with a single-family residence.



Staff Recommendation

Since the applicant has not provided any information to meet the criteria as set forth in Section 66-253, staff recommends denial.

Proposed Motions and Conditions

Proposed Motion: Move to deny the variance application for 1050 Ponce De Leon Blvd.

Proposed Conditions: None

Staff Report prepared by Bruce Cooper, Building Official. *Bruce Cooper*

TOWN HALL

901 PONCE DE LEON BLVD. | BELLEAIR, FL 33756
(727) 588-3769

JOHN J. OSBORNE PUBLIC WORKS BUILDING

1075 PONCE DE LEON BLVD. | BELLEAIR, FL 33756
(727) 588-3795

DIMMITT COMMUNITY CENTER

918 OSCEOLA RD. | BELLEAIR, FL 33756
(727) 518-3728



Legislation Details (With Text)

File #: 21-0099 **Version:** 1 **Name:**

Type: Minutes **Status:** General Agenda

File created: 4/7/2021 **In control:** Planning & Zoning Board

On agenda: 4/12/2021 **Final action:**

Title: Approval of March 15, 2021 Meeting Minutes

Sponsors:

Indexes:

Code sections:

Attachments: [P&Z 03-15-2021](#)

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------



Town of Belleair

901 Ponce de Leon Blvd.
Belleair, FL 33756

Meeting Minutes Planning & Zoning Board

Monday, March 15, 2021

5:30 PM

Town Hall

Welcome. We are glad to have you join us. If you wish to speak, please wait to be recognized, then step to the podium and state your name and address. We also ask that you please turn-off all cell phones.

Meeting was called to order at 5:30 PM with Chairman Millspaugh presiding.

ROLL CALL

Present 6 - Chairman Jim Millspaugh, Peter Kyres, Brand Shank, Pam Kern, Joseph Namey, and Jordan Hidalgo
Absent 1 - Marc Mariano

CITIZENS COMMENTS

No comments

APPROVAL OF MINUTES

[21-0033](#) Approval of October 12, 2020 and February 8, 2021 Meeting Minutes

Joseph Namey moved to approve the February 8th meeting minutes. Seconded by Peter Kyres.

Aye: 6 - Chairman Millspaugh, Kyres, Shank, Kern, Namey, and Hidalgo

Absent: 1 - Mariano

Peter Kyres moved to approve the October 12, 2020 meeting minutes. Seconded by Joseph Namey.

Aye: 6 - Chairman Millspaugh, Kyres, Shank, Kern, Namey, and Hidalgo

Absent: 1 - Mariano

GENERAL AGENDA

[21-0039](#) Discussion of Accessory Use: Residential Play Structures

Mr. Millspaugh stated item is carry over from last meeting.

Ms. Kern commented on corner lot scenarios; height of structures.

Mr. Murphy spoke on regulations and defining what require permits; considering what is truly a temporary use and anything else would require a permit; additional regulations can be applied.

Mr. Shank stated many other municipalities don't have regulations in this area; Mr. Murphy stated building official provided some information as what he has come across.

Mr. Millspaugh inquired about genesis of issue; Mr. Murphy stated a few very large structures have been constructed in setbacks and are very tall.

Discussion ensued regarding average playset/structure heights; attempting to create guidelines that include both swings and playhouses; maximum platform height of 6ft, maximum height of structure 12ft; creating a checklist for prefab items that wouldn't require permit; if a footing is required, so is a permit.

Mr. Murphy stated current non-conforming structures would be grandfathered in as long as they're not in setback and not safety issue. Issue came up more due to pandemic.

Mr. Hidalgo questioned how trampolines were handled; not regulated currently.

Mr. Murphy stated verbiage can be not to exceed 12ft unless required for safety and would require permit.

Chris Brimo-Town Planner-not aware of a maximum height on temporary structure; maximum on any accessory structure in residential area is 30ft.

Mr. Millspaugh provided comments regarding height and need to be in setback.

Board consensus of 12ft maximum height, anything over 12ft or located other than in rear yard to be permitted; following manufacturer guidelines.

Mr. Murphy to add structure shall not be considered an accessory dwelling unit; will be made into recommended ordinance and brought back for review prior to Commission hearings.

[21-0040](#)

Discussion of Temporary Signs and Flags

Ms. Kern spoke on main objective; referenced Pinellas County's ordinance; suggested language.

Mr. Milspaugh spoke on communities with commercial properties; commercial property in Belleair.

Mr. Murphy spoke on commercially permitted signs in Belleair; discussed all signs.

Mr. Kyres in agreement with Ms. Kern; removing all content specific restrictions; spoke on proposed items; first amendment protected speech; 1994 Supreme Court case that prohibited outlawing of all temporary signs.

Mr. Shank spoke on some regulation; Ms. Kern questioned if any laws regarding obscenity.

Mr. Hidalgo spoke on issue defining what is offensive, inability to regulate.

Mr. Murphy stated State has definition of what is harmful to a minor, mostly pornographic may limit number of signs per parcel; spoke on currently not allowed to have offsite signs or not in right-of-way; spoke on ability to regulate number, size and duration; vehicles with signage are also related to sign code.

Mr. Brimo provided information he came across during research; intent to protect character of town without interfering with speech; provided his suggestions; location, number, size, and duration are what the Town can regulate without issues.

Mr. Murphy spoke on flags; need to be addressed.

Ms. Kern wanted to address signs specifically first; Mr. Murphy spoke on issues of recent temporary signs; Mr. Shank would like to see limits to duration. Mr. Murphy spoke on duration and size of signs. Mr. Brimo provided current allowed sign size.

Discussion ensued regarding sign size, location and duration.

Mr. Murphy spoke on organizations paying owners to display temporary signs on properties.

Mr. Brimo spoke on commercial and non-commercial speech still a content issue; content neutral.

Ms. Kern suggested setting each item; location not in right-of-way which is currently in code.

Discussion ensued regarding yard sign location and size; duration.

Mr. Brimo spoke on Tarpon's new sign code; political signs to be removed by candidates within 14 days.

Discussion ensued regarding number of signs allowed; political signs; placement; height.

Board consensus to have smaller signs, recommend maximum size 18x24, no one sign exceeding 3ft; duration of political: candidates can be regulated to no more than 40 days prior to election and no more than 3 days post election, overall duration (nonpolitical) temporary signs to be determined; real estate signs moved to 3 sq. ft; staff will work on ordinance and duration can be discussed later.

Discussion on flags; Ms. Kern suggests maximum flag pole height and maximum flag size; 2x3 for structure mounted 5ft for flag pole mounted maximum pole height of 20ft, maximum number of 3 and must be properly mounted not hung from property. not able to address content; garden flags.

Mr. Murphy stated staff will propose ordinance language and bring back; Deputy Mayor Rettstatt will no longer be advisor, unsure of who will be appointed.

OTHER BUSINESS

Mr. Millspaugh commented on renovations and later additions of pools, ability to encourage owners to plan ahead if may want a pool in future so variances won't be needed.

Mr. Murphy stated communications can be made to residents; as redevelopment continues, as part of strategic plan, board will be discussing setbacks and land use regulations.

Ms. Kern questioned planting on Eagles Nest in right-of-way; Mr. Murphy stated the Town is working with owner to clean up and to correct visibility and pedestrian traffic

concerns. Mr. Murphy questioned if Rosery or Eagles Nest should be striped to assist, board in support to delineate.

Mr. Kyres questioned tree ordinance previously discussed and what has occurred; Mr. Murphy stated more trees are being cut down, tree bonds down, but bill is going through legislature that would help address permit concerns; discussed tree trimming.

COMMISSION ADVISOR REPORT

Deputy Mayor Rettstatt was not in attendance.

ADJOURNMENT

Meeting adjourned in due form at 7:29 PM.

APPROVED:

Chairman