



# Town of Belleair

901 Ponce de Leon Blvd.  
Belleair, FL 33756

## Meeting Minutes Planning & Zoning Board

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Monday, June 4, 2018

5:30 PM

Town Hall

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### Special Meeting

**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 called to order at 5:30 pm with Chairman Brandvik presiding.

### ROLL CALL

**Present** 6 - Chairman Bonnie-Sue Brandvik, Vice Chairman Jim Millspaugh, Peter Marich, Marc Mariano, Jerome Ciliento, and Gene Wrightenberry

### 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.

[18-0154](#)

Presentation of Pelican Golf Club Phase III

Town Clerk swore in those planning to speak.

No ex parte communications expressed; Johnny Patronis provided chairman with a tour; no items discussed.

JP Murphy, Town Manager, reminded everyone that board is sitting as the Local Planning Agency as well; discussed procedure for meeting and noticing; introduced case.

Chris Brimo, Calvin Giordano and Associates, acting as Town Planner, stated the plans submitted by the applicant included requesting a map amendment of the Town's future land use plan and to include a zoning map amendment; a vacation of right-of-way; amendment to code to add proposed accessory use, and three variances.

Tom Nash, Macfarlane, Ferguson, McMullen, applicant representative, stated the applicant acquired property adjacent to facility; requesting vacation of right-of-way to expand driving range, practice greens, and two guest cottages; area will be a cul-de-sac. Cottage use restricted to members or guests of members, no transient use. Variance requested for wall to be consistent with other areas; request for variance regarding plantings, and a variance regarding construction of maintenance facility encroaching into setback, space will be shared with town.

Chairman Brandvik asked for any presentations from individuals with standing, no one came forward.

[18-0155](#)

Consideration of Elements of Ordinance 518-Amending Comprehensive Plan

Mr. Brimo reminded this item is being approved by the LPA; applicant requesting a zoning change and an amendment to the Town of Belleair Comprehensive Plan Map from Residential Low (RL), to Recreation/Open Space (RO/S); proposed change is consistent with the Comprehensive Plan, including the Town's goals and policies; stated revised plan would be transmitted to State respective agencies and counties for final review and approval.

Mr. Murphy reiterated the request was consistent with the Town's Comprehensive Plan.

No one with standing came forward to speak.

Mr. Murphy provided clarification of area for citizens in attendance.

Unknown citizen from audience had questions; declined to come forward to speak at the podium.

No further public comments to be heard.

Mr. Brimo addressed board questions regarding intensity of use; county land use as it pertained to the cottages.

Discussion ensued regarding the examples submitted regarding other golf course communities.

Mr. Nash discussed use of cottages and limitations for guests and members of the golf course.

Brief discussion of the board regarding zoning use changes and rental regulations; Mr. Murphy discussed measures put in place regarding short term rental properties and code enforcement monitoring.

**Mr. Ciliento moved to approve the Comprehensive Plan Amendment and corresponding Future Land Use Map changes as requested; seconded by Mr. Wrightenberry.**

**Aye:** 6 - Chairman Brandvik, Vice Chairman Millspaugh, Marich, Mariano, Ciliento, and Wrightenberry

[18-0156](#)

Consideration of Elements of Ordinance 518-Future Land Use Map Amendment

Approved under previous item motion (Comp Plan Amendment and FLUM approvals combined into one motion)

**Mr. Ciliento moved to approve the Comprehensive Plan Amendment and corresponding Future Land Use Map changes as requested; seconded by Mr. Wrightenberry.**

Aye: 6 - Chairman Brandvik, Vice Chairman Millspaugh, Marich, Mariano, Cilento, and Wrihtenberry

[18-0157](#)

Consideration of Elements of Ordinance 519-Text Amendment; Accessory Uses For Golf Course

Mr. Brimo briefly summarized the elements of Ordinance 519.

Mr. Murphy stated the board should have discussion of the cottages as an accessory use for the golf course.

David Ottinger, Town Attorney, made comments regarding the text of the proposed changes to Ordinance 519; specific use restrictions included in the ordinance; would not be for seasonal rentals; that the cottages were an amenity to the golf course.

Discussion ensued regarding direct and indirect taxation available; areas of conservation easement; cottages will be on a golf course zoned property, cannot separate.

Nancy Reardon, 1314 Golfview Drive, resident, inquired as to whether there would be a kitchen in the cottages; spoke in support of cottages.

It was determined the cottages would not have a kitchen.

Robert Dickinson, 304 Barbara Circle, resident, spoke on classification regarding the cottages; regarding taxation requirements such as hotel and bed tax.

Mr. Ottinger stated the Town was not responsible for taxation of private property; that it would be the property owner and the County.

Tom Nash stated he was in agreement with Mr. Ottinger.

Dana Eschenroder, 1609 Indian Rocks Road, resident, spoke on cottages and view from his home.

No further public comments.

Discussion ensued regarding maximum height restrictions.

Mr. Brimo stated applicant will be returning to replat and assimilate properties under single unity of title.

Further discussion ensued regarding the applicants request regarding the cottages.

**Mr. Mariano moved to recommend approval of an amendment to the Town of Belleair Code of Ordinances, section 74-82 schedule of district regulations, adding the proposed cottages as an additional accessory use; seconded by Mr. Wrihtenberry.**

**Aye:** 6 - Chairman Brandvik, Vice Chairman Millspaugh, Marich, Mariano, Ciliento, and Wrihtenberry

[18-0158](#) Consideration of Elements of Ordinance 519-Amending Zoning of Lots 1-5, 32-34, Block 32

Mr. Murphy stated that the element was to amend the Town's zoning of acquired lots from R-1 to Golf Course; stated the board amended the Countywide Map and was now amending the Town's zoning map.

Larry Simoneau, Cypress Ave., resident, questioned potential for addition of more cottages in the future; regarding size of cottages.

Ms. Brandvik stated that adding of additional cottages would require approval.

No further public comments.

**Mr. Mariano moved to recommend approval of the rezoning of Lots 1-5 and 32-34, Block 32 Belleair Estates sub division, from single family residential R-1 to Golf Course District GC; seconded by Mr. Ciliento.**

**Aye:** 6 - Chairman Brandvik, Vice Chairman Millspaugh, Marich, Mariano, Ciliento, and Wrihtenberry

[18-0159](#) Consideration of Elements of Ordinance 519-Vacation of Althea Rd and Golf View Dr.

Mr. Murphy provided photo of roadway regarding vacation request; Mr. Ottinger discussed charter provision and appraisal, absence of utility easement in area, prior vacations of right-of-ways, approval of residents for vacation request.

Brief discussions regarding town access for streetlights; proposed sidewalk providing pedestrian access to Indian Rocks Rd; location of cul-de-sac; residents on street signed petition in support.

No public comments to be heard.

**Mr. Cilento moved approval of the Vacation of Althea Rd and Golf View Dr; seconded by Mr. Wrihtenberry.**

**Aye:** 6 - Chairman Brandvik, Vice Chairman Millspaugh, Marich, Mariano, Ciliento, and Wrihtenberry

[18-0160](#) Presentation of Variance Requests for Pelican Golf Club Phase III

Mr. Nash provided brief overview of requested variances; variances relate to: construction of fence wall, tree mitigation for replacement, construction of maintenance facility within the setback.

No citizens with standing came forward; no public comments to be heard.

[18-0161](#) PGC Phase III-Variance Request #1 Maintenance Facility Structure

Mr. Brimo provided details regarding maintenance facility request; stated there was a minor change from original data give; that it would be a 22.9 foot variance request; discussed potential excavation by town in area, modifications may be needed.

Discussions ensued regarding the excavation and buildings located on property near the proposed maintenance facility; regarding plan designed and minimum workable distances of shared space of buildings; regarding easements; regarding county sewer location and reclaim water facility.

Mr. Murphy spoke about the proposed building and setback requirements; stated that staff was in favor of the proposal and plans for the Town and the applicant to utilize the shared space.

Johnny Patronis, applicant representative, addressed questions regarding locations of sewer pipe and accessibility.

No public comments to be heard.

Board spoke in support of facility construction.

Mr. Brimo requested the board acknowledge that this is a modification of the original approved site plan.

**Mr. Marich moved to approve variance request#1 for the maintenance facility structure; seconded by Mr. Ciliento.**

**Aye:** 6 - Chairman Brandvik, Vice Chairman Millspaugh, Marich, Mariano, Ciliento, and Wrightenberry

[18-0162](#)

PGC Phase III-Variance Request #2 Perimeter Fence/Walls

Mr. Murphy provided summary; identical to previously approved fence wall; continuation of wall extending to newly acquired properties.

Mr. Nash provided clarification regarding height and design of fence/wall; Mr. Patronis provided additional details.

Board discussion regarding location and design of wall; Mr. Murphy provided exact setbacks requested; approval is for previously approved materials.

Johnny Patronis, spoke regarding the proposed wall; plantings and buffer where the sidewalk was located.

Mr. Murphy provided explanation of the requested variance pertaining to the wall.

Larry Simeneau, resident, questioned if there would be a wall on Mehlenbacher; Mr. Nash stated no.

Ralph Strauss, 1604 Indian Rocks Road, inquired about the wall along Indian Rocks Road.

Mr. Nash stated that it would be the same 6 ft. fence; that the materials would be concrete with some metal; that there would be vegetation provided.

No further public comments to be heard.

The board discussed the need for the wall; regarding the requested variance; regarding the plantings.

**Mr. Wrightenberry moved approval of 18-0162, variance request for the fence and walls pertaining to the property; seconded by Mr. Mariano.**

**Aye:** 6 - Chairman Brandvik, Vice Chairman Millspaugh, Marich, Mariano, Ciliento, and Wrightenberry

[18-0163](#)

PGC Phase III-Variance Request #3 Tree Replacement Standards

Mr. Murphy provided photo of area applicant is requesting to remove trees, replacing 29 of 83; requesting variance from mitigation requirements.

Mr. Nash stated use will not allow for full replacement.

Discussion ensued regarding clarification of request; request is currently for not replanting or paying mitigation fee which Mr. Nash confirmed.

Mr. Murphy stated administratively a mitigation fee is paid if not replanting; board to make recommendation.

Board discussion ensued regarding mitigation fee; options to plant somewhere else; regarding current trees on golf course; regarding waiving of mitigation fee.

Applicant withdrew the variance request #3 - Tree Replacement Standards.

No vote taken. Applicant withdrew request.

Mr. Simoneau, questioned tree sizes to be planted; commented on mulch/storm debris.

Discussion ensued regarding shrubs and tree replacement; regarding storm debris.

[18-0164](#)

Consideration of the Preliminary Development Plan for Pelican Golf Club

Mr. Brimo stated item is an approval of overall site plan which included items previously discussed except for the variance for the tree replacement.

No public comments to be heard.

**Mr. Ciliento moved to approve Preliminary Development Plan submitted by Pelican Golf, LLC; seconded by Mr. Wrightenberry.**

Aye: 6 - Chairman Brandvik, Vice Chairman Millspaugh, Marich, Mariano, Cilento, and Wrightenberry

**CITIZENS COMMENTS**

No comments to be heard.

**APPROVAL OF MINUTES**

[18-0151](#) Approval of May 14, 2018 Meeting Minutes

**Mr. Mariano moved to approve the meeting minutes from the May 14, 2018 meeting; seconded by Jerome Cilento.**

Aye: 6 - Chairman Brandvik, Vice Chairman Millspaugh, Marich, Mariano, Cilento, and Wrightenberry

**GENERAL AGENDA**

[18-0165](#) Election of Officers

**Mr. Mariano moved to appoint Jim Millspaugh to serve as Vice Chair; seconded by Mr. Cilento.**

Aye: 6 - Chairman Brandvik, Vice Chairman Millspaugh, Marich, Mariano, Cilento, and Wrightenberry

**Mr. Millspaugh moved to appoint Bonnie-Sue Brandvik as Chairman; seconded by Mr. Marich.**

Aye: 6 - Chairman Brandvik, Vice Chairman Millspaugh, Marich, Mariano, Cilento, and Wrightenberry

**OTHER BUSINESS**

No other business.

**COMMISSION ADVISOR REPORT**

Deputy Mayor Rettstatt had nothing to report.

**ADJOURNMENT**

No further business; meeting adjourned in due form at 7:48 PM.

**APPROVED:**

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**Chairman**