



Meeting Minutes
Planning & Zoning Board

Monday, April 12, 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.

Mr. Millspaugh introduced Commissioner Shelly as the new commission advisor. Commissioner Shelly stated he looked forward to working with board.

ROLL CALL

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

Absent 1 - Marc Mariano

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.

Mr. Millspaugh asked if there had been any exparte communications.

Mr. Hidalgo commented secondary contact with contractor. Mr. Murphy questioned amount of contact; provided rules regarding exparte communications. Mr. Hidalgo spoke of discussion with contractor.

Mr. Namey arrived at 5:33 PM.

Mr Millspaugh reviewed meeting procedures.

Those wishing to speak on the variance requests were sworn in by the Town Clerk.

[21-0095](#)

Variance Request - 628 Pineland Ave

JP Murphy-Town Manager-discussed procedure; provided property details; introduced first request.

Bruce Cooper-Town Building Official-discussed findings; no special conditions to warrant variance; proposed addition not in line with character of surrounding homes; no special conditions that staff can determine; no hardships; alternative options available; intent of setbacks is to provide visual open corridor; recommends denial.

Mr. Millspaugh asked if the inside has been inspected; Mr. Cooper has not inspected.

Melissa Hoglund-applicant-addressed question; no garage at home anymore; floor leveled up in former garage area; original had been incorporated into home by previous owner;

Mr. Cooper asked when home was purchased; Ms. Hoglund stated in January.

Ms. Hoglund discussed request; discussed safety concerns regarding exiting driveway portion that is to be removed.

Mr. Murphy questioned option to realign with edge of building.

Ms. Hoglund stated it would still require a front yard setback variance just not the side.

Ms. Kern questioned if former slab had been repoured; Ms. Hoglund said it was raised and brought to code; aware that if the request was not approved they would not have a garage, however in keeping with homes in Belleair, it needs to have a garage.

David O'Connor-applicant's engineer-spoke on previous owner's renovation.

Mr. Millspaugh spoke on modifying location to the front of former garage; still set back issue; concerns with vision triangle.

Mr. Murphy spoke on enough easement and right-of-way; note that Mehlenbacher County project is to begin and to keep in mind; not certain if there will be a vision triangle.

Mr. Hidalgo suggested alternate locations and possible reduction in size.

Mr. O'Connor questioned setbacks; Mr. Murphy addressed.

Ms. Hoglund spoke on other positions of driveways on Pineland Drive.

Mr. Kyres stated Pineland doesn't have a sidewalk; speed is 30 mph; need to address speed.

Mr. Namey questioned current foliage and if there is visual difficulties currently. Ms. Hoglund stated vegetation will be removed and there will be better vision.

Discussion of County project along Mehlenbacher.

Mr. Shank spoke on portion of driveway to be removed; believes foliage is main vision issue.

Ms. Hoglund is willing to work with options.

Mr. Millspaugh suggests rethinking plans and relocating proposed garage.

Mr. Kyres questioned intentions with property as multiple are owned; she said it will be primary residence.

Mr. Murphy showed county project plans and how it will impact area; more easement; may be best to table item and rethink plans based on project.

Mr. O'Connor questioned if there's a target number as to positioning. Mr. Murphy

addressed question.

Discussion ensued regarding positioning of garage.

Mr. Murphy recommends if willing to hear as modified, to continue to next meeting.

Discussion ensued regarding options.

Mr. Namey moved to continue to May 10th. Seconded by Mr. Kyres.

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

Absent: 1 - Mariano

[21-0096](#)

Variance Request - 1050 Ponce de Leon Blvd

Mr. Murphy provided property details; introduced request.

Mr. Cooper stated no special conditions; letters of non-objection from neighbors don't provide special conditions; not minimum variance; staff recommends denial.

Mr. Millspaugh questioned if pool would be inside fence and if proper fence permit was done.

Wendell Thompson -applicant- stated fence was permitted; first house from Clearwater/Largo side; other improvements made; proposed location is the only place a pool could go.

Mr. Murphy clarified fence can be on lot line on corner lot.

Mr. Thompson spoke on lack of space due to corner lot; can plant more vegetation if needed.

Mr. Hidalgo spoke on pool requirements and gate; will still be within 10ft from fence.

Discussion ensued regarding exact location.

April Dodge-applicant-spoke on pool dimension; seems more like 12ft which is majority of what neighbors have.

Ms. Kern questioned if need to meet all criteria for approved. Mr. Cooper spoke on once you have special conditions others can generally be granted.

Mr. Hidalgo provided comments regarding corner lot and zoning; undo hardship.

Mr. Murphy stated placement of lot minimized available side and rear yard.

Mr. Millspaugh questioned if pools common in neighborhood.

Mr. Hidalgo stated others in town have had this done.

Mr. Millspaugh commented in favor.

Ms. Kern questioned if size is minimum. Mr. Hidalgo stated it is standard starter size; setback still 10ft; smaller pool would cost same and that would be undue.

Ms. Kyres stated abutting property owner letters of support.

Kathy Prover-neighbor-concerned with possible drainage issues on her property.

Mr. Hidalgo stated contractors can't modify drainage or elevation; doesn't see any negative impact.

Mr. Millspaugh stated concern should be handed over to the public works department; Mr. Murphy stated if it's runoff, can look but the Town has no easement on property and cannot construct between homes; homeowners can't change grade.

Brief comments regarding possible modification to code for these types of issues.

Mr. Murphy explained to applicant that the board sits as an advisory board to the Commission and will send its recommendation for approval to the Commission and to attend the Commission meeting on April 20th.

Mr. Namey moved to approve the proposal for 1050 Ponce de Leon Blvd. Seconded by Mr. Kyres.

Aye: 5 - Chairman Millspaugh, Kyres, Kern, Namey, and Hidalgo

Nay: 1 - Shank

Absent: 1 - Mariano

CITIZENS COMMENTS

No citizens comments

APPROVAL OF MINUTES

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

Mr. Namey moved approval of the minutes of the last meeting. Seconded by Mr. Shank.

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

Absent: 1 - Mariano

GENERAL AGENDA

No items for general agenda.

OTHER BUSINESS

Mr. Namey questioned old business of Eagles Nest and Rosery area; Mr. Murphy provided update; 3 way stop will be made, vegetation cleared and work with new homeowner to trim hedges.

Discussion ensued regarding traffic off of Eagles Nest.

COMMISSION ADVISOR REPORT

Commissioner Shelly stated he has been on the commission for 16 years; glad to be here; looking forward to working with everyone and updating code.

ADJOURNMENT

Meeting adjourned in due form at 6:54 PM.

APPROVED:

Chairman