



**TOWN OF REDINGTON BEACH
BOARD OF ADJUSTMENT
PUBLIC NOTICE AND AGENDA
Thursday, June 20, 2019**

The Board of Adjustment of the Town of Redington Beach, Florida, will hold a Meeting at 7:00pm, on Thursday, June 20, 2019, in the Redington Beach Town Hall at 105 164th Avenue, Redington Beach, Florida to consider the items of business listed below:

BOARD MEMBERS

Chairman Wally Hawthorne, Ken Sulewski, Richard Tangredi, Darcy Bellemore, Wendy Fields, and alternates Joe Fleish and James Sommer

Pledge of Allegiance and Moment of Silence

Roll Call

1. Approval of Agenda of June 20, 2019
2. Approval of Minutes of May 16, 2019
3. New Business

a. **Property located at 16434 Redington Drive, REDINGTON BEACH HOMES 5TH ADD LOT 1 & W 5FT LOT 2**, as recorded in plat book 027 page 044 of the Pinellas County Property Appraiser's office, is requesting the Board of Adjustment, pursuant to Section 6-289 (c) of the Town of Redington Beach's Code of Ordinances, to hear and decide an appeal of the decision of the building code administrator regarding the denial of a permit to install a boatlift and walkout which would extend approximately 11' from an existing dock 30' in length, whereas per Section 5-57 (a)(5)(d) states "The maximum allowable dock facility shall be within a 30-foot length from the seawall."

b. **Property located at 16117 4th St E, REDINGTON BEACH HOMES 6TH ADD BLK 1, LOT 30 & RIP RTS**, as recorded in plat book 31 page 29 of the Pinellas County Property Appraiser's office, is requesting the Board of Adjustment to grant an exception for an increased impervious surface ratio of 57% to construct a new pool and patio. Per Town Code 6-103(1), the impervious surface ratio must not exceed the allowable impervious lot coverage established in the Future Land Use Element of the Comprehensive Plan. The Town's current Comprehensive Plan allows for a maximum impervious surface ratio of 40% for single-family homes zoned in the RU (Residential Urban) zoning district.

4. Other business

5. Adjournment

One or more elected or appointed officials may be in attendance.

Please Note: If a person decides to appeal any decision made by the Board of Adjustment with respect to any matter considered at the above cited meeting, the person will need a record of the proceedings and, for such purpose, 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. The Town maintains an audio recording of all public hearings. In the event that you wish to appeal a decision, the recording may or may not adequately insure a verbatim record of the proceedings; therefore, you may wish to provide a court reporter at your own expense (Section F 286.0105, Florida Statutes).

In accordance with the Americans with Disability Act and Florida Statutes 286.26, persons with disabilities needing special accommodations to participate in the proceedings should contact the Town Clerk's Office with your request. Phone (727) 391-3875 or Fax (727) 397-6911 for assistance; if hearing impaired, contact the Florida Relay Service Numbers (800) 955-8771 (TDD).

TOWN OF REDINGTON BEACH, FLORIDA
Board of Adjustment Application

MAY 08 2019

Property Owner(s)

Name: Daniel Stiffler and Kenneth Sullivan		Email: dan.stiffler@gmail.com
Address : 16117 4th St E		
City: Redington Beach	State: Florida	Zip: 33708
Phone: (617) 818-3267	Fax	Cellular

Applicant

Name: Daniel Stiffler and Kenneth Sullivan		Email: dan.stiffler@gmail.com
Address: 16117 4th St E		
City: Redington Beach	State: Florida	Zip: 33708
Phone: (617) 818-3267	Fax:	Cellular

Agent (if applicable)

Name: Thomas Todd		Email:
Business Name: Tommy Todd Landscape Design		Tommy@Tommytoddlandscape.com
Address: 5017 Haines Rd. N.		
City: St. Petersburg	State: Florida	Zip: 33714
Phone: 727-526-6459		

General Information

Property Location or Address: 16117 4th St E, Redington Beach FL 33708	
Legal Description (attach additional sheets as necessary) REDINGTON BEACH HOMES 6TH ADD BLK 1, LOT 30 & RIP RTS	
Tax Parcel Number(s) 04-31-15-73962-001-0300	Zoning District: 01

Requested Action: [please check all that apply]

- ☐ Setback variance ☐ Fence height variance ☐ Sidewalk waiver ☒ Other _____
- ☐ Parking variance ☐ Dock variance

Describe Request: (attach additional sheets as necessary)

We are asking you to change the impermeable area on this particular property back to 57% so we can install a new pool and patio because the existing pool and patio are non-conforming and irreparable; it sits almost on the property line well within the 7 foot setback. We are asking you to please allow a variance so we can accomplish this by having 43% permeability.

Required LDC Regulation(s): [list all that apply]

TOWN OF REDINGTON BEACH, FLORIDA
Board of Adjustment Application

MAY 08 2019

1. What special conditions or circumstances exist which are peculiar to the lands, structures or dwellings involved, and which are not applicable to other lands, structures or dwellings in the same district?

- A. Homeowner's existing pool is located too close to the property line and is not feasible to renovate as it is in poor condition. A new pool plan, pool deck plan, and landscape plan have been created to remedy this problem for them. The newly proposed plans for a new pool and decking space comply and conform to all other known Pinellas County rules regarding setbacks, heights, and ISR ratios for residential property.

2. What strict interpretation of the provisions of the subject ordinance would deprive the Applicant(s) of rights commonly enjoyed by other properties in the same district causing undue hardship on the Applicant?

- A. The new ordinance of .40 ISR is too restrictive for the existing lot size, existing dwelling, and required space for outdoor living use (driveway/pool). The homeowners bought the property with the intent of being able to make improvements in accordance with all other beach communities. For example, nearby Madeira Beach allows for .65 ISR. The homeowner is asking to make improvements that will score their property's ratio at ISR .57, below commonly accepted values throughout the county.

3. What special conditions or circumstances entitle the Applicant to a variance or special exception that are NOT the result of actions of the Applicant?

- A. Until the newly enforced ISR ratio of .40, no special conditions would have been present. The abrupt change in the law has created the need to apply for a variance when it would have been a routine planning review previously. The publicly stated reason for the ISR change to 40% is due to poor community drainage and flooding. This problem should be solved with a combination of municipal improvements and gradual updates to the building codes that will allow for the real estate and construction markets to adjust accordingly. Successful sustainable development projects require time to study the impacts of rules and where adjustments and exceptions need to be made in order to maximize a successful outcome (happy homeowners in a happy community with increasing property values and robust tax base for future progress. Solving the drainage issues will require improvements to storm water systems as well as helping properties retain more water and reduce runoff.

TOWN OF REDINGTON BEACH, FLORIDA
Board of Adjustment Application

MAY 08 2019

4. Explain how the granting of the variance or special exception will not confer on the Applicant any special privilege that is denied other lands, structures or dwellings in the same district.
- A. The homeowners should be grandfathered in and be allowed to improve their property in accordance to the rules as they were being handled at the time by the permitting/zoning office. They bought their property under a set of rules that they planned and invested accordingly. Their inter-coastal waterfront property is a typical lot configuration of 8,800 SF of boundary property area. The existing house, driveway, and new pool and pool decking will finish at approximately 4,987 SF of ISR 57%. The homeowners have already made significant investments in a creating a beautifully updated home that is modest in relative size to others in the area. They are not requesting anything out of the ordinary for their property size and location. Living on the water in Florida usually entails having a pool and an area to enjoy with family and friends that is large enough to accommodate typical outdoor living spaces. This design is aligned stylistically with the home and fits the specific architectural layout that will make the outdoor pool deck space more ergonomically useful and safe.
5. Explain how the variance requested is the minimum variance that will make possible the reasonable use of the lands, structures or dwelling, will be in harmony with the general purpose and intent of the zoning ordinances, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
- A. The requested variance improvements would not be needed had the new local ordinance adopted an ISR ratio that was consistent/close with other townships on the beach. These property sizes were determined a long time ago. Larger properties could easily achieve and ISR of 40% as there are minimum sizes to spaces that make them functional and safe. Typical lot sizes (like the homeowners requesting a variance in this application) are mathematically certain to fail compliance due to an ISR ratio that is incongruous to the reality present at their property and the overwhelming majority of their fellow local single-family residential property owners.

Note: No nonconforming use of neighboring lands, structures or dwellings in the same district, and no permitted use of lands, structures or dwellings in other districts shall be considered grounds for the issuance of a variance or special exception. Under NO circumstances shall a variance be granted to permit use not generally, or by special exception, permitted in the district involved, or any use expressly or by implication prohibited by the terms of this Ordinance.

TOWN OF REDINGTON BEACH, FLORIDA
Board of Adjustment Application

MAY 08 2019

AFFIDAVIT

I (we), the undersigned, certify ownership of the property within this application, that said ownership has been fully divulged, whether such ownership by contingent or absolute, and that the name of all parties to an existing contract for sale or any options are filed with this application. I (we) certify that _____ is/are duly designated as the agent(s) for the owner, that the agent(s) is (are) authorized to provide subject matter on the application contained herein, whether verbal or written and appear at any public hearing(s) involving this petition. Further, it is understood that this application must be complete and accurate and the appropriate feed paid prior to processing.

Date: 5/8/19

Title Holder: [Signature]

Date: _____

Title Holder: _____

Date: _____

Title Holder: _____

Date: _____

Title Holder: _____

STATE OF FLORIDA)

COUNTY OF PINELLAS)

The foregoing instrument was acknowledged before me this 8th day of May, A.D., 2019

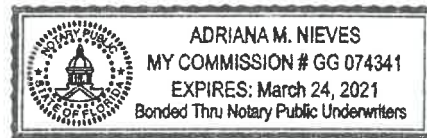
By Daniel Stiffler, who is personally known to me or who has produced
FL Drivers License as identification and who did (did not) take an oath.

NOTARY PUBLIC

Name: Adriana M Nieves

Signature: [Signature]

Stamp:



MAY 08 2019

- o Completed original application

o Variance Request

- o written description of hardship

Board of Adjustment Review Standards

(1) The requested variance will not be contrary to the public interest;

(3) Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district;

(4) A literal interpretation of the provisions of the Town of Redington Beach Code would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this chapter and would work unnecessary and undue hardship on the applicant;

(5) The applicant has not made a second petition or application for the same request for a period of 30 days from the effective date of previous action on the petition or application;

(6) The conditions or special circumstances peculiar to the property have not been self-created or have resulted from an action by the applicant or with prior knowledge or approval of the applicant. Specifically, no variance may be granted arising from illegal construction of a structure or an illegal use of the premises which would have otherwise required a building permit or other specific permit to be issued and which construction or which use was commenced unlawfully. Under such conditions, the property owner shall have no legal right to apply for a variance and the Board will have no legal right to grant such a variance.

[Interactive Map of this parcel](#)[Sales Query](#)[Back to Query Results](#)[New Search](#)[Tax Collector Home Page](#)[Contact Us](#)**04-31-15-73962-001-0300**[Compact Property Record Card](#)[Tax Estimator](#)**Updated May 16, 2019**[Email Print](#)[Radius Search](#)[FEMA/WLM](#)Ownership/Mailing Address [Change Mailing Address](#)

Site Address

STIFFLER, DANIEL
SULLIVAN, KENNETH
16117 4TH ST E
REDINGTON BEACH FL 33708-161316117 4TH ST E
REDINGTON BEACH[Property Use:](#) 0110 (Single Family Home)

Total Living: SF: 2,620 Total Gross SF: 3,250 Total Living Units: 1

[\[click here to hide\] Legal Description](#)

REDINGTON BEACH HOMES 6TH ADD BLK 1, LOT 30 & RIP RTS

[Tax Estimator](#)[File for Homestead Exemption](#)**2019 Parcel Use**

Exemption	2019	2020	
Homestead:	Yes	Yes	*Assuming no ownership changes before Jan. 1
Government:	No	No	Homestead Use Percentage: 100.00%
Institutional:	No	No	Non-Homestead Use Percentage: 0.00%
Historic:	No	No	Classified Agricultural: No

Parcel Information [Latest Notice of Proposed Property Taxes \(TRIM Notice\)](#)

Most Recent Recording	Sales Comparison	Census Tract	Evacuation Zone (NOT the same as a FEMA Flood Zone)	Flood Zone (NOT the same as your evacuation zone)	Plat Book/Page
19007/0835	\$974,000 Sales Query	121030277011	A	Compare Preliminary to Current FEMA Maps	31/29

2018 Final Value Information

Year	Just/Market Value	Assessed Value / SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2018	\$814,003	\$713,442	\$713,442	\$814,003	\$713,442

[\[click here to show\] Value History as Certified \(yellow indicates correction on file\)](#)**2018 Tax Information****Ranked Sales** [\(What are Ranked Sales?\)](#) [See all transactions](#)[2018 Tax Bill](#)Tax District: [RB](#)

2018 Final Millage Rate

16.7753

Sale Date	Book/Page	Price	Q/U	V/I
30 Nov 2015	19007 / 0835	\$700,000	Q	I
	04561 / 1923	\$52,900	Q	
	04066 / 1359	\$39,500	Q	
	03545 / 0148	\$26,000	Q	

Do not rely on current taxes as an estimate following a change in ownership. A significant change in taxable value may occur after a transfer due to a loss of exemptions, reset of the Save Our Homes or 10% Cap, and/or market conditions. Please use our new [Tax Estimator](#) to estimate taxes under new ownership.

2018 Land Information

Seawall: Yes

Frontage: Intracoastal

View:

Land Use	Land Size	Unit Value	Units	Total Adjustments	Adjusted Value	Method
Single Family (01)	87x115	7800.00	87.0000	0.9167	\$622,073	FF

[\[click here to hide\] 2019 Building 1 Structural Elements](#) [Back to Top](#)

Site Address: 16117 4TH ST E

Building Type: Single Family
 Quality: Above Average
 Foundation: Continuous Footing
 Floor System: Slab On Grade
 Exterior Wall: Cb Stucco/Cb Reclad
 Roof Frame: Gable Or Hip
 Roof Cover: Concrete Tile/Metal
 Stories: 2
 Living units: 1
 Floor Finish: Carpet/Hardtile/Hardwood
 Interior Finish: Drywall/Plaster
 Fixtures: 14
 Year Built: 1958
 Effective Age: 16
 Heating: Central Duct
 Cooling: Cooling (Central)

[Compact Property Record Card](#)**Building 1 Sub Area Information**

Description

[Living Area SF](#)[Gross Area SF](#)

0

120

[Utility](#)

Upper Story	1,058	1,058
Open Porch	0	180
Garage	0	330
Base	1,562	1,562
Total Living SF: 2,620		Total Gross SF: 3,250

[\[click here to hide\] 2019 Extra Features](#)

Description	Value/Unit	Units	Total Value as New	Depreciated Value	Year
DOCK	\$30.00	294.00	\$8,820.00	\$4,763.00	2001
POOL	\$30,000.00	1.00	\$30,000.00	\$12,000.00	1958
PATIO/DECK	\$26.00	50.00	\$1,300.00	\$1,261.00	2017
PATIO/DECK	\$26.00	430.00	\$11,180.00	\$10,845.00	2017

[\[click here to hide\] Permit Data](#)

Permit information is received from the County and Cities. This data may be incomplete and may exclude permits that do not result in field reviews (for example for water heater replacement permits). We are required to list all improvements, which may include unpermitted construction. Any questions regarding permits, or the status of non-permitted improvements, should be directed to the permitting jurisdiction in which the structure is located.

Permit Number	Description	Issue Date	Estimated Value
P49107-19	DOCK	01 Mar 2019	\$0
19RED-00071	HEAT/AIR	22 Feb 2019	\$3,676
19RED-00067	DOCK	21 Feb 2019	\$27,150
2017100003	ROOF	04 Oct 2017	\$18,000
2017030058	SPECIAL USE	27 Mar 2017	\$2,400
2017030023	FENCE	10 Mar 2017	\$5,929
2016040083	RESIDENTIAL ADD	17 Jun 2016	\$0
CB241159	ROOF	24 Aug 2001	\$5,950
P2992501	DOCK	04 Jun 2001	\$0
CB187977	HEAT/AIR	18 Nov 1998	\$2,500

[Interactive Map of this parcel](#)[Map Legend](#)[Sales Query](#)[Back to Query Results](#)[New Search](#)[Tax Collector Home Page](#)[Contact Us](#)

https://earth.google.com/web/@27.81645394,-82.81134732,6.08911171a,95.01766951d,35y,40.7313683h,0t,0r



Screenshot Added

A screenshot was added to your Dropbox



Town Hall
105-164th AVENUE
REDINGTON BEACH, FL 33708
PHONE: 727-391-3875
FAX: 727-397-6911
Email address:
info@townofredingtonbeach.com

**NOTICE OF PUBLIC HEARING
APPLICATION OF EXCEPTION**

Property located at **16117 4th St E**, REDINGTON BEACH HOMES 6TH ADD BLK 1, LOT 30 & RIP RTS, as recorded in plat book 31 page 29 of the Pinellas County Property Appraiser's office, is requesting the Board of Adjustment to grant an exception for an increased impervious surface ratio of 57% to construct a new pool and patio. Per Town Code 6-103(1), the impervious surface ratio must not exceed the allowable impervious lot coverage established in the Future Land Use Element of the Comprehensive Plan. The Town's current Comprehensive Plan allows for a maximum impervious surface ratio of 40% for single-family homes zoned in the RU (Residential Urban) zoning district.

You as a property owner are within 150' of the subject property and are invited to register your opinion at a Public Hearing to be held **June 20, 2019** at 7:00 P.M. in the Town Hall Assembly Room located at 105 164th Avenue, Redington Beach, FL 33708 or you may respond by letter to the Deputy Clerk stating your reasons for your opinion. This letter should be mailed or emailed to the Town Hall at the above address. It is imperative that the Board of Adjustment members know the reasons for your approval or disapproval so that they can give your comments the proper consideration.

Any person wishing to appeal any decision of the Board of Adjustment with respect to any matter considered at this meeting will need a record of the proceedings, and for such purposes, may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which an appeal is to be based.

Adriana Nieves
Deputy Town Clerk

Date of Notice: May 16, 2019



MIKE TWITTY, MAI, CFA
Pinellas County Property Appraiser
www.pcpao.org mike@pcpao.org

Run Date: 16 May 2019

Subject Parcel: 04-31-15-73962-001-0300

Radius: 150 feet

Parcel Count: 12

Note: Parcels with protected address status are not included in this report.

Total pages: 2

Public information is furnished by the Property Appraiser's Office and must be accepted by the recipient with the understanding that the information received was developed and collected for the purpose of developing a Property Value Roll per Florida Statute. The Pinellas County Property Appraiser's Office makes no warranties, expressed or implied, concerning the accuracy, completeness, reliability or suitability of this information for any other particular use. The Pinellas County Property Appraiser's Office assumes no liability whatsoever associated with the use or misuse of such information.

☒ MAIN OFFICE – COUNTY COURTHOUSE

315 Court St - 2nd Floor
Clearwater, FL 33756
Office: (727) 464-3207
Fax: (727) 464-3448
Hearing Impaired:
Office: (727) 464-3370
Commercial Appraisals:
Office: (727) 464-3284

Exemptions:
Office: (727) 464-3294
Fax: (727) 464-3408
Residential Appraisals:
Office: (727) 464-3643
Tangible Personal Property:
Office: (727) 464-8484
Fax: (727) 464-8488

☐ NORTH COUNTY

29269 US Highway 19 N
Clearwater, FL 33761
Office: (727) 464-8780
Fax: (727) 464-8794

☐ MID COUNTY

13025 Starkey Road
Co-Located with Tax Collector
Largo, FL 33773
Office: (727) 464-3207
Fax: (727) 464-3448

☐ SOUTH COUNTY

1800 66th Street N
St. Petersburg, FL 33710
Office: (727) 582-7652
Fax: (727) 582-7610

ALL MAIL: PO Box 1957 – Clearwater, FL 33757

NOVAK, EUGENE G JR
BANACH, PATRICIA L
16121 4TH ST E
REDINGTON BEACH FL 33708-1613

BUSHERT, NICOLE
BUSHERT, JAMES A
16119 4TH ST E
REDINGTON BEACH FL 33708-1613

SHEEHAN, JEAN A
16110 4TH ST E
REDINGTON BEACH FL 33708-1614

ELLISON, RUSSELL J
ELLISON, CYNTHIA ANN
147 SHEARER RD
CHICORA PA 16025-3625

FL INT IMP FUND TRE
C/O STATE OF FL
ATTN: SUBM LANDS
3900 COMMONWEALTH BLVD
TALLAHASSEE FL 32399-6575

LINDSEY, WILLIAM G
LINDSEY, PAULA K
16111 4TH ST E
REDINGTON BEACH FL 33708-1613

HALE, STEPHEN G
16114 4TH ST E
REDINGTON BEACH FL 33708-1614

NORMANTAITE LLC
TAMPA HOMES INC
5025 E FOWLER AVE STE 24
TAMPA FL 33617-2192

HUGHES, CLARISSA D
HUGHES, GREGORY G
16115 4TH ST E
REDINGTON BEACH FL 33708-1613

MAYER, DAVID P
16109 4TH ST E
REDINGTON BEACH FL 33708-1613

FLORMAN, NILS K JR
FLORMAN, NANCY F
3109 GRAND AVE APT 297
COCONUT GROVE FL 33133-5103

CALZADILLA, EVELIO JR REV LIV TRUST
CALZADILLA, EVELIO JR TRE
16116 4TH ST E
REDINGTON BEACH FL 33708-1614

STIFFLER, DANIEL
SULLIVAN, KENNETH
16117 4TH ST E
REDINGTON BEACH FL 33708-1613





Town of Redington Beach

Florida Municipal Services

18001 Gulf Blvd, Redington Shores, Florida 33708
TELEPHONE (727) 202-6825 FAX (727) 258-4986

June 19, 2019

Adriana Nieves, Deputy Town Clerk
Town of Redington Beach
105 164th Avenue
Redington Beach, Florida 33708

Subject: Rejection Letter for proposed New Pool and Paver Deck @ 16001 4th Street E.

Adriana,

Pursuant to your request, please accept this letter of rejection for the proposed swimming pool and paver deck at the above listed address. The allowable Impervious Surface Ratio for the entire town is 40%. This home and accessories, as requested, would have an Impervious Surface Area of well over 40%, and therefor would not comply with Town Code.

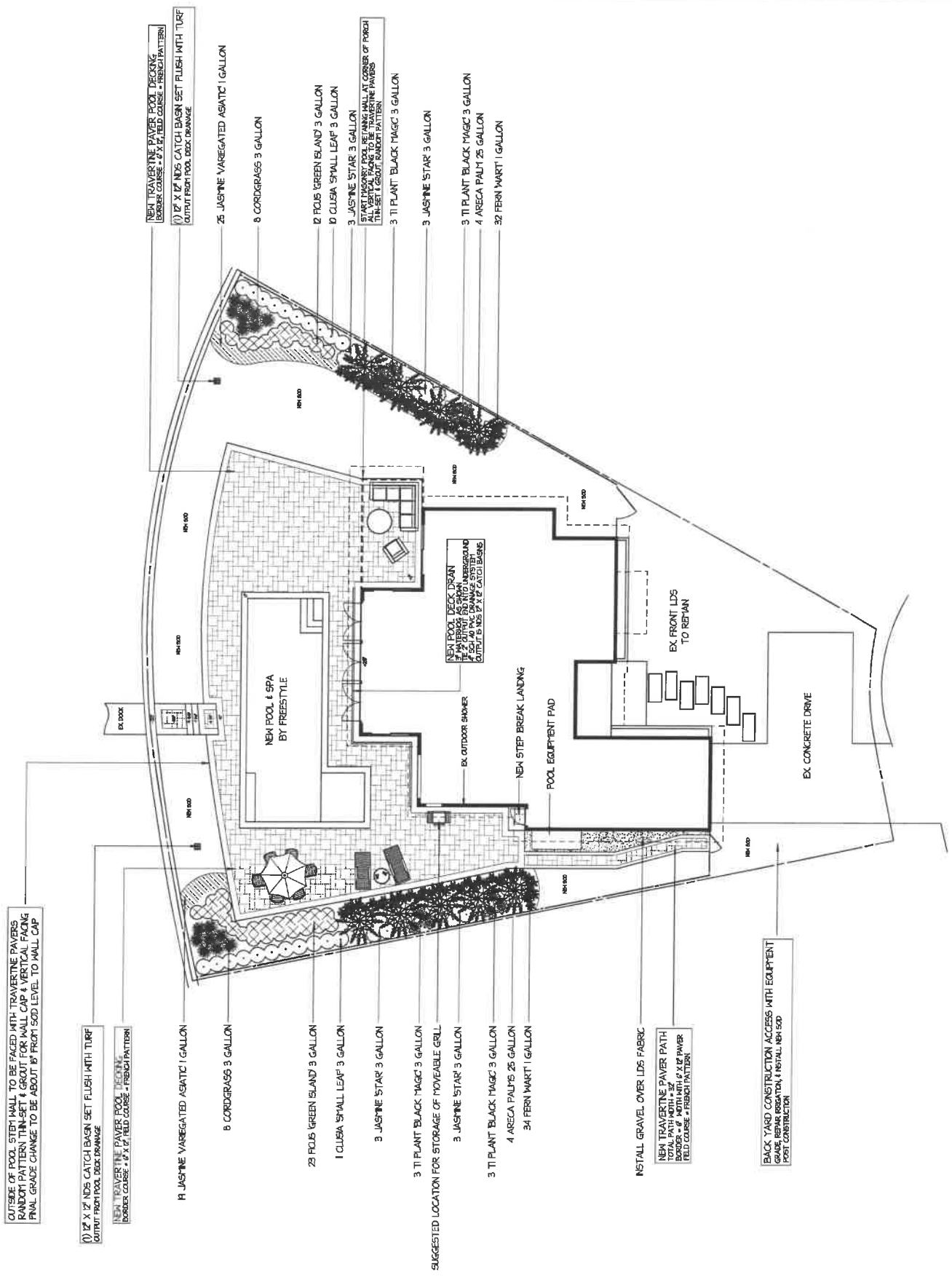
Though the applicant has not yet applied for a permit, was informed they would need a Variance to approve this pool and deck construction as proposed.

Please feel free to call anytime if you have any questions regarding this letter.

Respectfully,

Darin D. Cushing

Darin D. Cushing, CBO, CFM
Building Official
Floodplain Administrator





TOWN OF REDINGTON BEACH
105 164th Avenue
Redington Beach, FL 33708

MAY 08 2019

NOTICE OF APPEAL FROM AN INTERPRETATION
OR ADMINISTRATION OF THE BUILDING CODE
BY THE BUILDING OFFICIAL (Building Code Administrator)

ACTION APPEALED (attach copy):

Permit Denial ☒ Stop Work Order ☐ Other ☐ Describe: _____

Date of Action Appealed 4/11/2019 (Appeal MUST be filed within 30 days of the Building Official's action)

Parcel I.D.: 05/31/15/73944/000/0010

Property Owner: Darlene PerFetto Address: 16434 Redington Dr, Redington Beach

Property Address: 16434 Redington Dr Permit No: _____

Owner Phone: 678 576 5878; Owner Cell: same; Owner e-mail: darleneperfetto@hotmail.com

Appellant (if different than owner): _____; Appellant Address: _____

Appellant Phone: _____; Appellant Cell: _____; Appellant e-mail: _____

Relationship of Appellant to Property Owner: (agent authorization required) _____

Legal Description: _____

Applicable Florida Building Code or Referenced Code¹ Sections: 5-57(a)(5)

Applicable Town Code Sections: 5-57(a)(5)

Grounds for Appeal: Describe the Building Official decision(s) you are appealing and specifically set forth the alleged error in the interpretation or administration of the Code (Use separate sheet if necessary): Permit request was not heard as dock was judged non-conforming. Appeal based on town error in 2015 which current dock was judged and built as conforming.

Fee: _____

¹ See FBC Section 101.4 for a list of Referenced Codes.

ACKNOWLEDGMENT

Darlene Perfetto 5/1/19

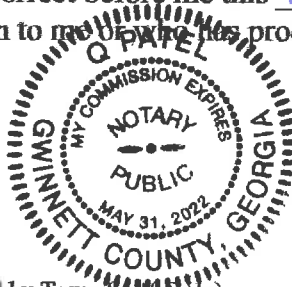
STATE OF FLORIDA

COUNTY OF PINELLAS

SWORN AND SUBSCRIBED to as true and correct before me this 1st day of May 2019, by Darlene Perfetto who is personally known to me and who has produced a GADL as identification and who did take an oath.

[Signature]
Notary Public

My Commission Expires: 05/31/2022



(To be completed by Town Staff Only)

Date and Time Received: May 7, 2019 / 11:35 am Fee Paid: \$250 ck#578

Attachments Included: Yes: ☒ No: ☐ Intake Signature: Adriana A.

IMPORTANT INFORMATION ABOUT YOUR APPEAL

Your statement of the Grounds for Appeal establishes what the Board of Adjustment will consider in adjudicating your appeal. Issues not contained in the Grounds for Appeal will not be considered by the Board.

You will receive notice of the date, time and place of the Board of Adjustment hearing. Decisions of the Board of Adjustment cannot be appealed to the Town Commission.

ENABLING LEGISLATION (Town Code, Chapter 6)

Sec. 6-292. - Appeals to the board of adjustment.

It is the intent of this article that all questions of interpretation and enforcement of the Building Code and Building Regulations of the Town of Redington Beach shall be first presented to the building code administrator.

(a) Appeals to the board of adjustment concerning interpretation or administration of these regulations or for special exception or variance under these regulations may be taken by any person aggrieved by any decision, determination or requirement of the building code administrator.

(b) Such appeals shall be taken within 30 days, by filing a notice of appeal specifying the grounds of appeal with the building code administrator. The building code administrator shall forthwith transmit to the board of adjustment all papers constituting the record upon which the building code administrator took the action appealed.

(c) The board of adjustment shall fix a reasonable time for the hearing of the appeal, giving public notice thereof in the same manner as for special exceptions/variances, as provided in section 6-290, as well as due notice to the parties in interest, and decide the same within a reasonable time. At the hearing, any party may appear in person or by agent or attorney.

(d) An appeal stays all proceedings in furtherance of the action appealed unless the building code administrator, from whom the appeal is taken, certifies to the board after notice of appeal is filed that in the administrator's opinion, a stay would cause a hazard to life or property. In such event, the proceedings shall not be stayed except by restraining order granted by the board or by a court of competent jurisdiction, on notice to the administrator and on due cause shown.



Town of Redington Beach

Florida Municipal Services

18001 Gulf Blvd, Redington Shores, Florida 33708
TELEPHONE (727) 202-6825 FAX (727) 258-4986

April 11, 2019

Adriana Nieves, Deputy Town Clerk
Town of Redington Beach
105 164th Avenue
Redington Beach, Florida 33708

Subject: Rejection Letter for proposed dock improvements @ 16434 Redington Drive

Adriana,

Pursuant to your request, please accept this letter of rejection for a dock addition at the above listed address. The code section 5-57(a)(5) states: *The maximum allowable dock facility shall be within a 30-foot length from the seawall.* This dock improvement, as requested, would extend beyond the 30 foot length limit, and therefore would not comply.

The applicant was informed they would need a Variance to approve this dock construction as proposed. Please feel free to call anytime if you have any questions regarding this letter.

Respectfully,

Darin D. Cushing

Darin D. Cushing, CBO, CFM
Building Official
Floodplain Administrator

MAY 08 2019

☒ Completed original application

☒ Application fee:

☒ Variance Request☒ written description of hardship☒ Other supporting information, as necessary

The Board of Adjustment shall grant no variance unless all of the following standards are met and are proven by competent substantial evidence:

- (1) The requested variance will not be contrary to the public interest;
- (2) The need for the requested variance arises where, owing to special conditions, a literal enforcement of the provisions of the code would result in unnecessary and undue hardship;
- (3) Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district;
- (4) A literal interpretation of the provisions of the Town of Redington Beach Code would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this chapter and would work unnecessary and undue hardship on the applicant;
- (5) The applicant has not made a second petition or application for the same request for a period of 30 days from the effective date of previous action on the petition or application;
- (6) The conditions or special circumstances peculiar to the property have not been self-created or have resulted from an action by the applicant or with prior knowledge or approval of the applicant. Specifically, no variance may be granted arising from illegal construction of a structure or an illegal use of the premises which would have otherwise required a building permit or other specific permit to be issued and which construction or which use was commenced unlawfully. Under such conditions, the property owner shall have no legal right to apply for a variance and the Board will have no legal right to grant such a variance.

MAY 08 2019

Darlene Perfetto

16434 Redington Drive
Redington Beach, FL 33708
(678)576-5878

May 1, 2019

Town of Redington Beach
Adriana Nieves, Deputy Town Clerk
105 164th Avenue
Redington Beach, FL 33708

Adriana,

Enclosed are the completed Appeals Document and I have attached the Rejection Letter for your processing. I have also enclosed the original Dock Facility Variance request that was provided and rejected at the April 18th Board of Adjustments meeting. Lastly, I am including a \$250 check which I believe should cover the cost of the appeal and or Dock Facility Variance request.

Please advise as to when the Appeal or Variance Request will be heard by the Board of Adjustments.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Darlene Perfetto', with a long horizontal flourish extending to the right.

Darlene Perfetto

TOWN OF REDINGTON BEACH, FLORIDA
Board of Adjustment Application

(Please type or print clearly)

Property Owner(s)

Name Darlene PerFetto		Email darleneperfetto@hotmail.com	
Address 16434 Redington Drive			
City Redington Beach		State FL	Zip 33708
Phone _____		Fax _____	Cellular 678576-5878

Applicant

Name Same as above		Email 	
Address 			
City 		State 	Zip
Phone 		Fax 	Cellular

Agent (if applicable)

Name 		Email 	
Address 			
City 		State 	Zip
Phone 		Fax 	Cellular

General Information

Property Location or Address 16434 Redington Dr, Redington Beach FL 33708	
Legal Description (attach additional sheets as necessary) Redington Beach Homes 5Th ADD Lot 1 + W 5 FT Lot 2	
Tax Parcel Number(s) 05/31/15/73944/000/0010	Zoning District 2

Requested Action: [please check all that apply]

- ☐ Setback variance ☐ Fence height variance ☐ Sidewalk waiver ☐ Other _____
- ☐ Parking variance ☒ Dock variance

Describe Request: (attach additional sheets as necessary)

Construct a narrow low profile walkout. The walkout will be 11 Feet beyond the existing 30ft dock. This is necessary for deep enough water to support a boat lift + boat. The boat will be no more than 25-27 Feet in length with no more than a 2ft. Draft.

Required LDC Regulation(s): [list all that apply]

TOWN OF REDINGTON BEACH, FLORIDA
Board of Adjustment Application

1. What special conditions or circumstances exist which are peculiar to the lands, structures or dwellings involved, and which are not applicable to other lands, structures or dwellings in the same district?

We are the only single family house in Zone 2 that does not have adequate water for a boat + lift on a 30 ft Dock. Even at high tide.

2. What strict interpretation of the provisions of the subject ordinance would deprive the Applicant(s) of rights commonly enjoyed by other properties in the same district causing undue hardship on the Applicant?

The ordinance restricts the length of the dock to 30 ft.

3. What special conditions or circumstances entitles the Applicant to a variance or special exception that are NOT the result of actions of the Applicant?

We are the last house on the Cove in District 2. That has caused the condition of the shallowest water at our property site.

4. Explain how the granting of the variance or special exception will not confer on the Applicant any special privilege that is denied other lands, structures or dwellings in the same district.

Again all other houses in District 2 have sufficient water to support a boat and a lift.

5. Explain how the variance requested is the minimum variance that will make possible the reasonable use of the lands, structures or dwelling, will be in harmony with the general purpose and intent of the zoning ordinances, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

The design of the walkout, for an additional 11 Feet, is narrow (4 ft), low profile, and minimum length to gives barely enough water to support boat + lift. Also, it is angled to create greatest distance from Park.

Note: No nonconforming use of neighboring lands, structures or dwellings in the same district, and no permitted use of lands, structures or dwellings in other districts shall be considered grounds for the issuance of a variance or special exception. Under NO circumstances shall a variance be granted to permit use not generally, or by special exception, permitted in the district involved, or any use expressly or by implication prohibited by the terms of this Ordinance.

Variance Request Information

For 16434 Redington Drive, Redington Beach FL 33708

Summary:

The special condition of this request is based on the location of our lot, which is the very last house in the cove on Redington Drive, in District 2. Based on this location, we will be deprived of water access with a boat of nominal size, whereas this is not an issue for every other home owner in the cove and in this district. This special condition was not caused by anything we could control. When we purchased and fully renovated the house it was our desire to be able to go boating on the gulf and intercoastal. Recently, we learned that would not be possible due to the shallowness of the waters at our house.

With the current dock, which is 30 feet in length, it is not possible to have a boat lift and a boat sitting in the lift, even at high tide. This applies to the right side and the left side of the current dock configuration. We anticipate purchasing a boat that will be 22 – 25 feet in length, with a maximum draft of 2 feet. According to Speeler Docks, who would be installing the boatlift, the boatlift itself requires 15 inches of water. Add onto that 24 inches for the boat, a minimum of 39 inches of water is required. So without a variance allowing us to add a limited narrow catwalk extending out an additional 11 feet, we will be unable to have a boat and lift.

1. Water Levels around current dock:

- a. Water level at high tide is 30 inches on the right and left side of the current dock.
- b. Water level at high tide is 36 inches at the end of the current 30 foot dock.
- c. Water level at high tide is 42 inches at the midpoint of the proposed 11 foot dock. The extension variance request will meet the need of a minimum of 39 inches.

2. Limited impairment to park:

- a. The dock catwalk extension is designed to be angled to keep the dock extension as far away from the park as possible.
- b. The catwalk extension will be lower than the current dock and will be a narrow 4 feet wide.
- c. Additionally the angle provides for access to deeper water and moves the catwalk and lift further from the park.

3. Neighbor support:

- a. Our neighbor on the right side of our house is Karen Napier, 16436 Redington Drive. I have attached her approval letter to the proposed dock design.
- b. I assume the Town of Redington Beach is responsible for the approval of Friendship Park, as it borders the other side of our house.

4. Example of a dock extension in Redington Beach:

- a. I have attached an example of a house in Redington Beach, 16122 6th Street E, that has a catwalk extension, like the one I am seeking a variance for.

TOWN OF REDINGTON BEACH, FLORIDA
Board of Adjustment Application

AFFIDAVIT

I (we), the undersigned, certify ownership of the property within this application, that said ownership has been fully divulged, whether such ownership by contingent or absolute, and that the name of all parties to an existing contract for sale or any options are filed with this application. I (we) certify that _____ is/are duly designated as the agent(s) for the owner, that the agent(s) is (are) authorized to provide subject matter on the application contained herein, whether verbal or written and appear at any public hearing(s) involving this petition. Further, it is understood that this application must be complete and accurate and the appropriate feed paid prior to processing.

Date: _____

Title Holder: _____

Date: _____

Title Holder: _____

Date: _____

Title Holder: _____

Date: _____

Title Holder: _____

STATE OF FLORIDA)

COUNTY OF PINELLAS)

The foregoing instrument was acknowledged before me this _____ day of _____, A.D., 20_____

By _____, who is personally known to me or who has produced
_____ as identification and who did (did not) take an oath.

NOTARY PUBLIC

Name: _____

Signature: _____

Stamp:

TOWN OF REDINGTON BEACH, FLORIDA
Board of Adjustment Application

AFFIDAVIT

I (we), the undersigned, certify ownership of the property within this application, that said ownership has been fully divulged, whether such ownership by contingent or absolute, and that the name of all parties to an existing contract for sale or any options are filed with this application. I (we) certify that Darlene Perfetto is/are duly designated as the agent(s) for the owner, that the agent(s) is (are) authorized to provide subject matter on the application contained herein, whether verbal or written and appear at any public hearing(s) involving this petition. Further, it is understood that this application must be complete and accurate and the appropriate fee paid prior to processing.

Date: March 1, 2019

Title Holder: Darlene Perfetto

Date: _____

Title Holder: _____

Date: _____

Title Holder: _____

Date: _____

Title Holder: _____

STATE OF FLORIDA)

COUNTY OF PINELLAS)

The foregoing instrument was acknowledged before me this 1st day of March, A.D., 2019

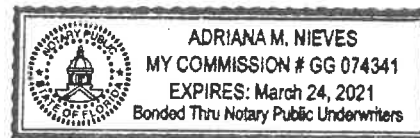
By Darlene Perfetto who is personally known to me or who has produced
GA drivers license as identification and who did (did not) take an oath.

NOTARY PUBLIC

Name: Adriana M Nieves

Signature: Adriana M Nieves

Stamp:



Speeler Foundations, Inc.

6111 142nd Ave North Clearwater, FL 33760

727-535-5735 (Phone) 727-535-6041 (Fax)

Marine Specialty License – License # C-8853 & C-6981

CONTRACT

Darlene Perfetto & Monika Nunley
823 Springdale Rd. NE
Atlanta, GA. 30306

Date: February 12, 2019
Site: 16434 Redington Dr. Redington Beach, FL. 33708
P: 678-576-5878 E: darleneperfetto@hotmail.com

Description of Work: Set piling and construct a 4' X +/-11' catwalk on the front of your existing dock. Supply and install a new **Neptune 7,000# capacity Direct Drive boatlift with radio remote control and limit switch** on four (4) independent piling. Piling to be 7.5" to 8" tip minimum **2.5 CCA treated and hammer driven**. Framing lumber; caps, floaters and double outside stringers to be **2" x 10" pressure treated**. Caps and double outside stringers to be through-bolted with 5/8" **stainless steel** bolts. Deck to be **5/4" x 6" AZEK PVC Harvest Collection in Slate Grey color** and screwed down with **304 stainless steel screws**. Work to be as shown on drawing dated 2/8/19 \$ 16,654.00

NOTE: Above price includes non-refundable cost for preparing hearing application and representation at hearing(\$2,500) and variance application fee(\$250). Please note that approval at hearing is not guaranteed.

Options: Upgrade boatlift to a 10,000# capacity Direct Drive lift ADD \$500 _____ (Initial for Approval.)
Upgrade lift to a 13,000# capacity Direct Drive ADD \$1,430 _____ (Initial for Approval). All selected options will be ADDED to the price above

Please provide the make, model, and year of boat going on boatlift. _____
If boat is not yet known, please indicate so. Please note that, unless noted above, boatlift will come standard. Please note that if boat changes, or if boat is not yet known, and anything must be custom for boatlift, it will be at homeowner's cost.

Payment to be made as follows: **A NON-REFUNDABLE deposit of \$ 2,750.00 is due upon acceptance of contract. REMAINDER DUE UPON COMPLETION OF WORK PERFORMED BY SPEELER FOUNDATIONS, INC.**

THIS CONTRACT AMOUNT IS BASED ON JETTING AND DRIVING PILING. ANY ADDITIONAL METHOD USED TO OBTAIN MINIMUM PENETRATION WILL REQUIRE ADDITIONAL CHARGES. IF GEOLOGICAL CONDITIONS PREVENT SPEELER FOUNDATIONS, INC. FROM COMPLETING SPECIFIED WORK, THE COST OF SUCH WORK WILL BE DEDUCTED FROM THE CONTRACT AMOUNT AS APPROPRIATE. SPEELER FOUNDATIONS, INC. WILL NOT BE OBLIGATED TO COMPLETE FURTHER WORK BEYOND THEIR CAPABILITIES. THIS CONTRACT MAY BE WITHDRAWN BY US IF NOT ACCEPTED WITHIN 45 DAYS. A LABOR AND MATERIAL PRICE INCREASE MAY APPLY IF THE WORK IS NOT COMPLETED WITHIN NINETY DAYS OF THE CONTRACT DATE.

This contract does not include any utility work unless specifically stated above.

Please note: We have federal insurance coverage, USL & H and Jones Act.

CHAPTER 558 NOTICE OF CLAIM: CHAPTER 558, FLORIDA STATUTES CONTAINS IMPORTANT REQUIREMENTS YOU MUST FOLLOW BEFORE YOU MAY BRING ANY LEGAL ACTION FOR AN ALLEGED CONSTRUCTION DEFECT IN YOUR HOME. SIXTY DAYS BEFORE YOU BRING ANY LEGAL ACTION, YOU MUST DELIVER TO THE OTHER PARTY TO THIS CONTRACT A WRITTEN NOTICE REFERRING TO CHAPTER 558 OF ANY CONSTRUCTION CONDITIONS YOU ALLEGE ARE DEFECTIVE AND PROVIDE SUCH PERSON THE OPPORTUNITY TO INSPECT THE ALLEGED CONSTRUCTION DEFECTS AND TO CONSIDER MAKING AN OFFER TO REPAIR OR PAY FOR THE ALLEGED CONSTRUCTION DEFECTS. YOU ARE NOT OBLIGATED TO ACCEPT ANY OFFER WHICH MAY BE MADE. THERE ARE STRICT DEADLINES AND PROCEDURES UNDER THIS FLORIDA LAW WHICH MUST BE MET AND FOLLOWED TO PROTECT YOUR INTERESTS.

SPEELER FOUNDATIONS, INC.

Purchaser

Date

By: Doug Speeler

SPEELER FOUNDATIONS, INC.
6111 142nd Ave. N.
Clearwater, FL. 33760
(727) 535-5735
FAX (727) 535-6041

JOB: Perfetto, Darlene/Nunley, Monika
SHEET NO: 1 OF 1
CALCULATED BY: H.B. DATE: 2/8/19
CHECKED BY: DATE:
SCALE: 1"=10' (U.N.O.)

QUALITY MATERIALS
TIMBER PILING
2.5 C.C.A. SALT TREATED
BOAT LIFT AND TIE PILING
HAMMER DRIVEN

OUTSIDE STRINGERS DOUBLE
2x10 PRESSURE TREATED
BOLTED WITH 5/8" STAINLESS STEEL BOLTS

INTERMEDIATE STRINGERS
2FT. ON CENTERS MAX

DECKING 2x6 .40 ACO #1 DENSE
FASTENED WITH STAINLESS STEEL SCREWS

DECKING OPTIONS
" AZEK PVC

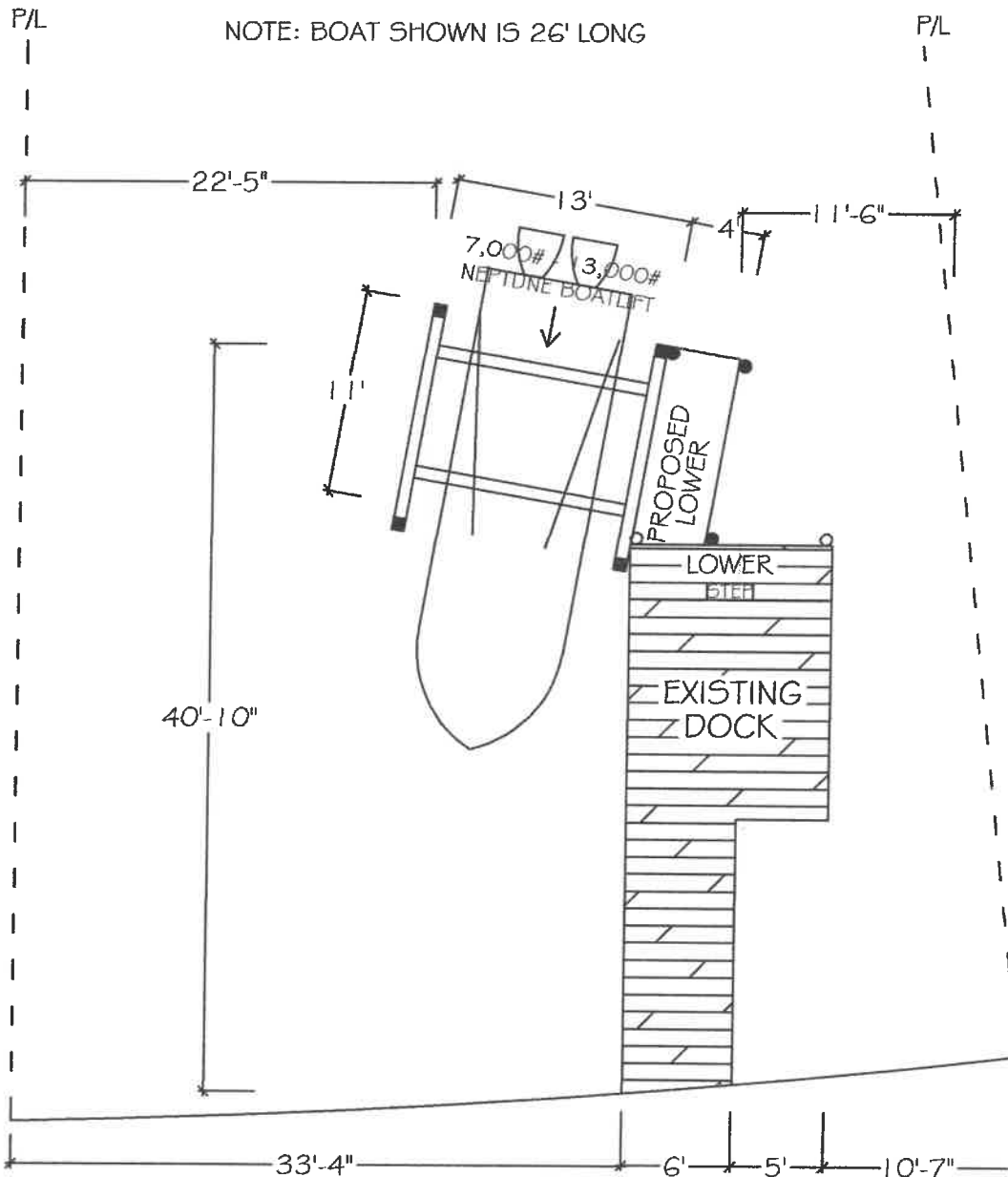
CONSTRUCT NEW WALKOUT
AND INSTALL NEW BOATLIFT

THIS DESIGN WILL REQUIRE
A HEARING IN REDINGTON BEACH

X _____
(CUSTOMER SIGNATURE OF APPROVAL)

● = PROPOSED PILING(7)

NOTE: BOAT SHOWN IS 26' LONG



Darlene Perfetto

**16434 Redington Drive
Redington Beach, FL 33708
(678)576-5878**

March 29, 2019

**Town of Redington Beach
Board of Adjustment
105 164th Avenue
Redington Beach, FL 33708**

To Whom It May Concern,

Based on the upcoming , April 18th, 2019, Public Hearing, for a Dock variance/ exception request at 16434 Redington Drive, Redington Beach, FL 33708, I am writing to inform you that I, Darlene Perfetto, am acting as the agent for "The Darlene A. Perfetto Revocable Trust, UAD June 17th 2015 which holds the aforementioned property Title.

Let me know if you have any Questions regarding this.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Darlene Perfetto", with a long horizontal line extending to the right.

Darlene Perfetto

Acknowledgment In An Individual Capacity

STATE OF FLORIDA

COUNTY OF Pinellas

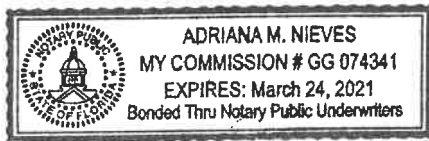
The foregoing instrument was acknowledged before me this 29th day of
March 2019,

by (name of person acknowledging.) Darlene Perfetto

Personally known: ✓

OR Produced Identification: _____

Type of Identification Produced: _____



(Seal)

Adriana M Nieves

Signature of Notary Public

Adriana M Nieves

Print, Type/Stamp Name of Notary

Karen Napier

**16436 Redington Drive
Redington Beach, FL 33708
(727)252-6043**

March 1, 2019

**Town of Redington Beach
Board of Adjustment
105 164th Avenue
Redington Beach, FL 33708**

To Whom It May Concern,

I am the homeowner and neighbor to the property owned by Darlene Perfetto at 16434 Redington Drive, Redington Beach, FL 33708.

My neighbor, Darlene Perfetto, has provided me the design plans for the proposed new dock Walkout and Boatlift at her residence. She has explained to me the proposed dock extension for a Walkout and where the boat will be supported by the new lift.

She has asked me to provide this letter in advance of you contacting me for approval. I do not object to the building of the dock Walkout or where the Boatlift will reside as depicted on the construction plan. from the Speeler Foundations, Inc, dated February 19,2019.

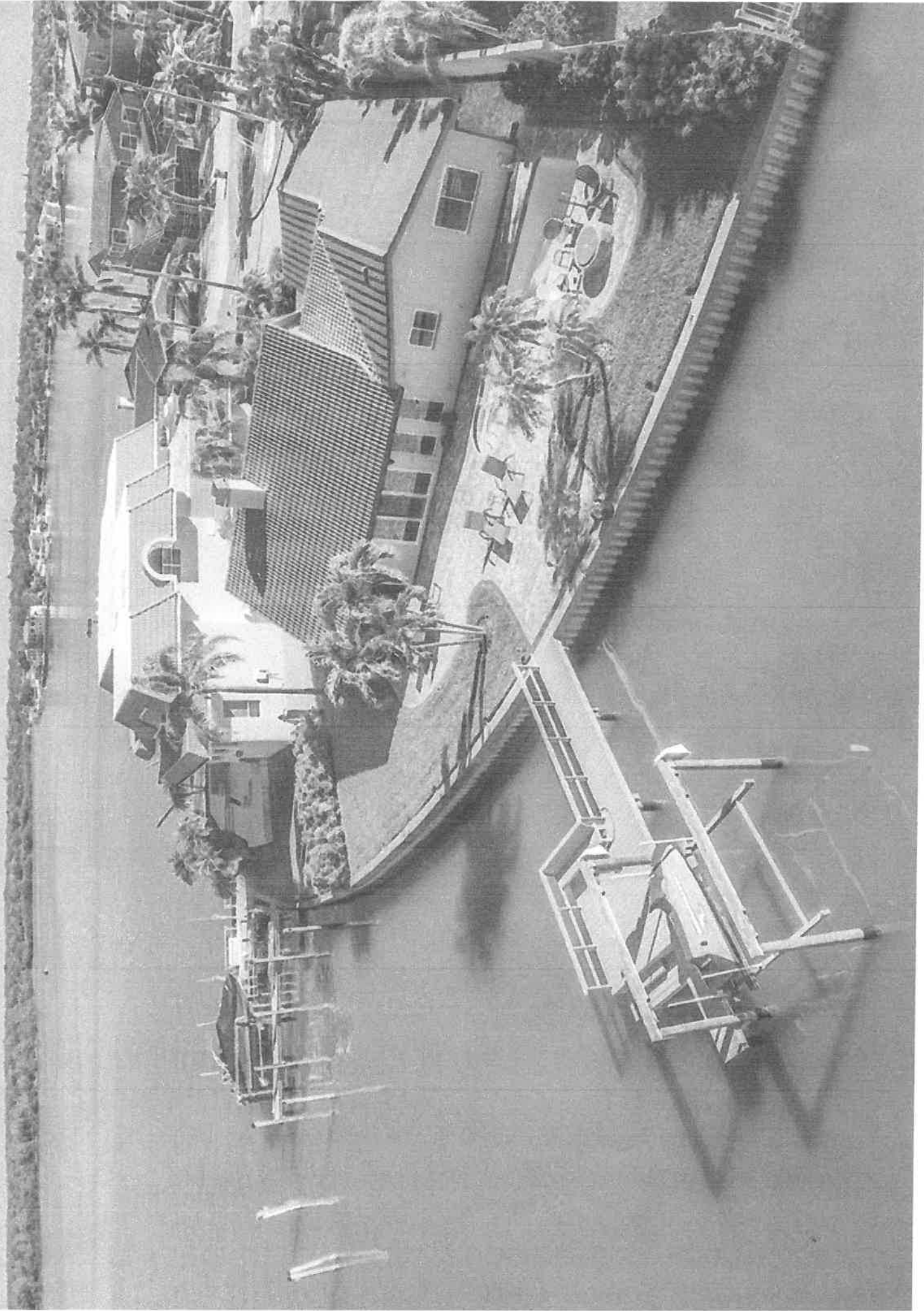
Sincerely yours,

A handwritten signature in cursive script, appearing to read "Karen Napier".

Karen Napier

16122 6th St. East
Redington Beach

Example of Redington Beach home with
variance for dock extension (catwalk)



Adriana Nieves

From: Bruce McLaughlin <brucesandy@aol.com>
Sent: Monday, May 13, 2019 9:43 AM
To: darleneperfetto@live.com; townclerk@townofredingtonbeach.com;
deputyclerk@townofredingtonbeach.com; mmnunley@hotmail.com;
erica@cityattorneys.legal; dcushing@safebuilt.com; darleneperfetto@live.com
Subject: Re: 16434 Redington Drive Docks and Boats Variance Request

Darlene, I was not able to connect with Darin until today. Here is where we stand. The appeal of the decision to deny the dock permit made by the Town's Building Official is heard by the Town's Board of Adjustment. Pursuant to the Town's Code, the Board has the ability "to hear and decide appeals where it is alleged there is an error in any order, decision or determination of the building code administrator in the administration of the interpretation of the building regulations of the Town." s. 6-289. This means that the Board will review your submittal and any evidence presented at the hearing, and will determine if any error was made in denying the issuance of the permit. If the Board finds there was some error, they can overturn the denial and have the permit issued as applied for, or they can determine what errors were made in the interpretation of the code and ask that a permit be issued in compliance with that determination. This appeal will be heard on June 20, 2019. Keep in mind the scope of this appeal is limited by the Code. Should you have any questions or concerns, you may contact myself, Darin, or the Board of Adjustment Attorney, Erica Augello.

Sent from AOL Desktop

Florida Municipal Services, Inc.
A SAFEbuilt Company
Bruce
R. Bruce McLaughlin, AICP, MCIP
Town Planner
(727) 244-7311 (cell)
BruceSandy@aol.com (Email)

Before printing this e-mail consider the environment. Think Green!

In a message dated 5/3/2019 11:11:23 AM Eastern Standard Time, darleneperfetto@live.com writes:

Hello everyone. This should be the last update until the June 20th Board of Adjustments meeting. Here is a summary of where we are as of today.

1. I have sent all the paperwork to Adriana and she should receive it today. This includes both the Appeal and the original Dock Facility Variance Request. I am planning to be on the agenda for the June 20, 2019 Board of Adjustments meeting at 7:00 p.m. Adriana if you can please confirm this with me I would appreciate it.
2. I have reached out to Bruce to determine how the Appeal and the original Dock Facility Variance Request will be handled by the Board of Adjustments as I have outlined in the email below. I have not heard back yet. But Bruce can work with Erica on that and let me know

prior to the June 20th meeting. For now all the paperwork has been submitted and I plan to show up at the meeting so that my Dock Facility Variance request can be considered, and ideally approved.

No one has responded to any of my emails, so I will take that as an agreement to the content I have outlined in this email and the email string below. Please let me know if there are any concerns, questions, or actions I need to take that I have not identified.

As always, I appreciate everyone's help, and plan to see most of you at the June 20, 2019 meeting. Have a great weekend.

From: Darlene Perfetto <darleneperfetto@live.com>

Sent: Monday, April 29, 2019 5:39 PM

To: Missy Clarke; Adriana Nieves; mmnunley@hotmail.com; Bruce McLaughlin; erica@cityattorneys.legal; dcushing@safebuilt.com

Subject: Re: 16434 Redington Drive Docks and Boats Variance Request

I wanted to provide everyone an update - as we have made progress on a few items.

1. Bruce McLaughlin talked to Erica Augello today and Erica agreed in principle that we could move forward and file an appeal to the rejection letter Darin authored on April 11, 2019.
2. Bruce and I discussed the next steps based on the agreement between Erica, Darin and Bruce. The process is not clear on how to proceed with the Board of Adjustments. Bruce plans to follow up with Erica again to figure this out. The process question is, do I need to attend the Board of Adjustment Meeting to review the appeal only or do I need to review the appeal and then review the original variance request. If the latter, can I review both items at the same Board meeting or do I need to attend a subsequent meeting to review the original variance request if the appeal is granted.
3. I will plan to send Adriana the appeal documentation, notarized. Additionally just to be sure, I will resend the original Variance request documentation, so she will have it all based on the outcome of item #2. All items will be received by Adriana no later than the appeal deadline of May 9th. Adriana and I have identified an outstanding issue as well. Is the fee \$250 for the appeal and another \$250 for the Variance request, or is it just \$250 for the combined review by the board. I will enclose a \$250 Check with the paperwork, until Adriana determines otherwise.
4. Based on all the above, it appears the next viable Board of Adjustments meeting for me to attend would be June 20th, as the deadline for having all paperwork in for the May meeting has passed.

Thanks again for everyone's help on moving this forward.

From: Darlene Perfetto <darleneperfetto@live.com>

Sent: Friday, April 26, 2019 3:28 PM

To: Missy Clarke; Adriana Nieves; mmnunley@hotmail.com; Bruce McLaughlin; erica@cityattorneys.legal; Darlene Perfetto

Subject: 16434 Redington Drive Docks and Boats Variance Request

On April 11th, the Town of Redington Beach denied our Dock Facility variance request to extend our dock beyond 30 ft. On April 18th the Board of Adjustments denied to hear our variance request to extend the dock as it was classified as non-conforming. The problem is we built our dock in 2015 with the Town's approval and permit. We were unaware our dock was non-conforming and that the Town should not have approved the 2015 permit as it did not meet the ordinance requirements at that time. The goal is to come up with a solution allowing our variance request to extend our dock to be heard by the Board of Adjustments and ideally approved.

The purpose of this email is to provide everyone an update regarding the progress we are making to resolve this issue. Missy Clarke is being copied on behalf of Mayor Nick Simons as he wanted to remain in the loop until a resolution is found.

Since the April 18th meeting, I have reached out this week and talked to Mayor Nick Simons; City Attorney, Erica Augello; and Town Planner, Bruce McLaughlin. I appreciate everyone's time and open mindedness to discuss and resolve this issue. I want to outline the activities that have occurred since the April 18th meeting, the solution that is being pursued, and the outstanding actions.

Activities to Date:

- **Tuesday, April 23** - I talked to Erica Augello. We discussed the following.
 - Review and Clarification of Town Ordinance NO. 2018-02, Boats, Docks and Waterways
 - The two issues affecting our request for a variance is the 30 ft length limit of the Dock Facility and the width limit of the Dock Facility to 1/3 center of the house shoreline.
 - Erica believed we could come to some sort of resolution by working with Bruce McLaughlin on both length and width. She also wanted to remain in the loop on the work stream to help as needed.
- **Wednesday, April 24** - I talked to Mayor Nick Simons.
 - He expressed that this was an unfortunate situation. However, he said he and his team are committed to finding a resolution or compromise. He committed his Team, Erica and Bruce, to work with me on a solution.
 - He also wanted to be kept in the loop on our progress and would be available as needed.
- **Wednesday April 24** - I talked to Bruce McLaughlin. We discussed 4 possible solutions but agreed to pursue one solution that was agreeable to me and him.

- **Appeal the Town's rejection of our variance request** – based on the Town issuing a boat and lift permit in 2015 that did not meet the Ordinance requirements at that time, our current dock is non-conforming. If the appeal is granted, it would enable the Board of Adjustments to consider our April 18th variance request .
- Bruce has obtained all the necessary permits and paperwork substantiating the permit in 2015 was erroneously issued by the Town .
- Bruce has gained consensus from all decision makers, including Nick Simons, and Darin Cushing on the approach, except for Erica Augello who he has reached out to and is waiting for a response.

Next Steps:

1. Gain Erica Augello's agreement for the proposed solution
 - Bruce and I will follow up with Erica on Monday April 29th if we don't hear from her before then.
2. Complete and send Appeal paperwork to Adriana Nieves.
 - Once we gain everyone's agreement, I will complete and send paperwork to Adriana Nieves so she receives it no later than May 9. The deadline is 4 weeks to appeal from the date of the Variance rejection letter dated April 11.
3. Schedule the Variance Request submitted for the April 18th meeting to be heard at the next appropriate Board of Adjustments meeting.
 - To be determined and facilitated by Adriana Nieves.

Bruce, please let me know if misstated or missed any important details. Again, I appreciate everyone's help on solving this issue.



FLORIDA MUNICIPAL SERVICES

18001 Gulf Blvd.
Redington Shores, FL 33708
(727) 202-6825

June 4, 2019

MEMORANDUM

TO: Darin Cushing, CBO, CFM, Building Official *UC*

FROM: R. Bruce McLaughlin, AICP, MCIP, Town Planner *RM*

SUBJECT: 16434 Redington Drive – Appeal of Building Official Decision

The appeal of the Building Official's decision to deny a dock permit at the above address is scheduled to be heard by the Board of Adjustment on June 20, 2019. The essence of the appeal is that the 2015 dock permit was improvidently issued allowing the dock to be built outside of the center 1/3 of the property and that the nonconformity resulting from the improvident issuance of the 2015 dock permit should not be an impediment to the requested dock expansion.

The Board proceeding will be sort of a hybrid of an appeal and a variance application. The Board can do one of three things:

- Sustain the denial;
- Overturn the denial; or
- Overturn the denial based on a modified site plan.

This situation is unusual because not only is there the issue of the improvidently issued 2015 permit, but the subject property is at the end of an inlet off Boca Ciega Bay, adjacent to a Town park and with water depth issues. Particularly relevant is the fact that the property to the west is owned by the Town and that there is virtually no likelihood that there will be a dock proposed for the Town property that would conflict with the proposed dock.

The immediate question, to allow time for a re-design if one is necessary, is “is the proposed design acceptable to staff?”

Memo: Darin Cushing, CBO, CFM
16434 Redington Drive, B/A Hearing
Page 2 of 2

June 4, 2019

It is regrettable that the 2015 permit was issued as it was since if the locational issue had been identified at the time and a variance required, I think it almost certain that a variance would have been granted based on the ownership of the property to the west on the water depth issues. However, there was no variance in 2015 rendering the dock nonconforming and precluding the issuance of the 2019 dock permit.

In these particular circumstances, the design of the expanded dock in the Speeler drawing dated 2/8/19 (attached) seems to be the most appropriate design from a code compliance/locational/zoning perspective and I recommend that we not request changes to the dock design.

RBMcL/m

C:\MTC\Redington Beach\By Address\16434 Redington\16434 Red 2019-06-04.wpd

SPEELER FOUNDATIONS, INC.
6111 142nd Ave. N.
Clearwater, FL. 33760
(727) 535-5735
FAX (727) 535-6041

JOB: Perfetto, Darlene/Nunley, Monika
SHEET NO: 1 OF 1
CALCULATED BY: H.B. DATE: 2/8/19
CHECKED BY: DATE:
SCALE: 1"=10' (U.N.O.)

QUALITY MATERIALS
TIMBER PILING
2.5 C.C.A. SALT TREATED
BOAT LIFT AND TIE PILING
HAMMER DRIVEN

OUTSIDE STRINGERS DOUBLE
2x10 PRESSURE TREATED
BOLTED WITH 5/8" STAINLESS STEEL BOLTS

INTERMEDIATE STRINGERS
2FT. ON CENTERS MAX

DECKING 2x6 .40 ACO #1 DENSE
FASTENED WITH STAINLESS STEEL SCREWS

DECKING OPTIONS
* AZEK PVC

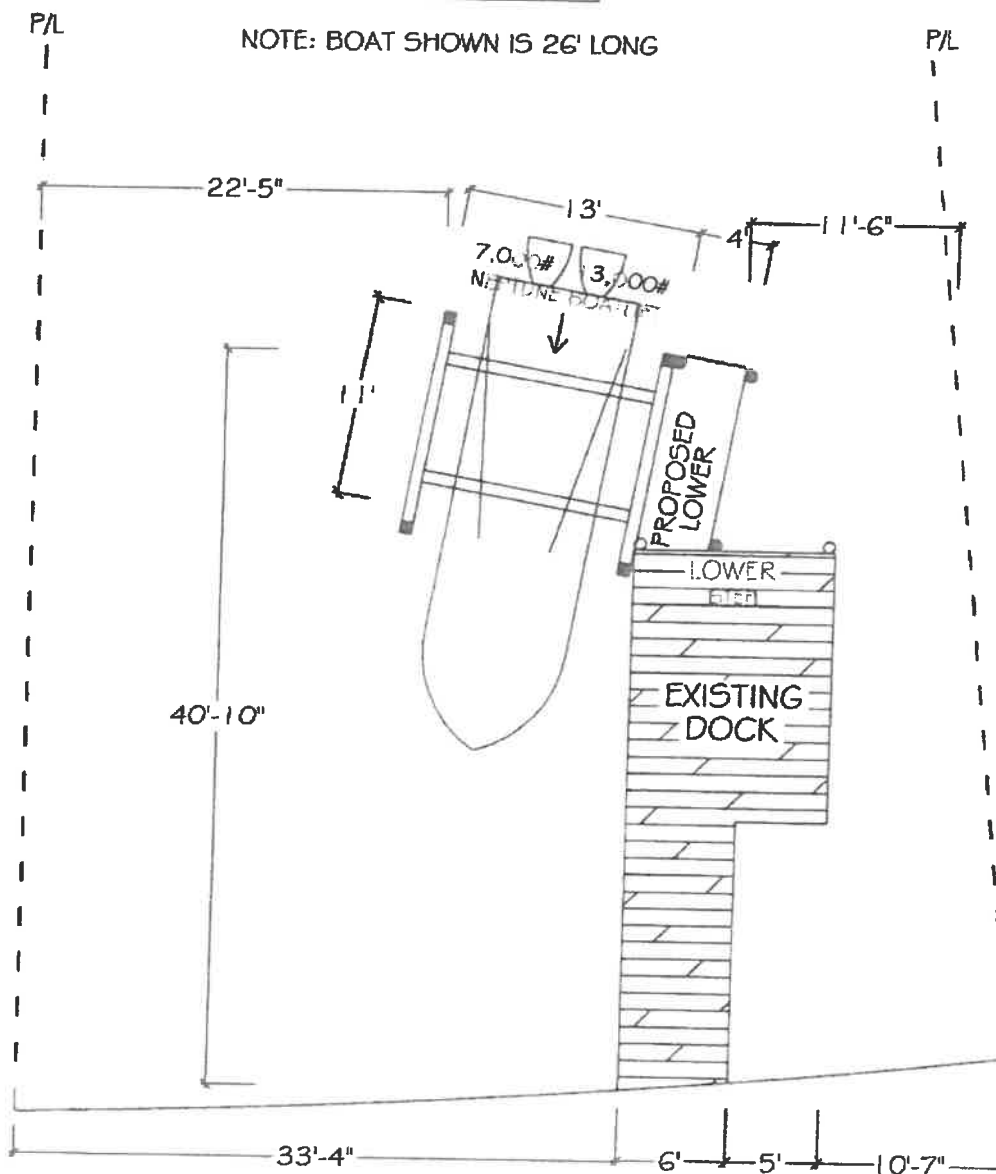
CONSTRUCT NEW WALKOUT
AND INSTALL NEW BOATLIFT

THIS DESIGN WILL REQUIRE
A HEARING IN REDINGTON BEACH

X _____
(CUSTOMER SIGNATURE OF APPROVAL)

● = PROPOSED PILING(7)

NOTE: BOAT SHOWN IS 26' LONG





Town Hall
105-164th AVENUE
REDINGTON BEACH, FL 33708
PHONE: 727-391-3875
FAX: 727-397-6911
Email address:
info@townofredingtonbeach.com

**NOTICE OF PUBLIC HEARING
APPLICATION FOR APPEAL**

Property located at 16434 Redington Drive, REDINGTON BEACH HOMES 5TH ADD LOT 1 & W 5FT LOT 2, as recorded in plat book 027 page 044 of the Pinellas County Property Appraiser's office, is requesting the Board of Adjustment, pursuant to Section 6-289 (c) of the Town of Redington Beach's Code of Ordinances, to hear and decide an appeal of the decision of the building code administrator regarding the denial of a permit to install a boatlift and walkout which would extend approximately 11' from an existing dock 30' in length, whereas per Section 5-57 (a)(5)(d) states "The maximum allowable dock facility shall be within a 30-foot length from the seawall."

You as a property owner are within 150' of the subject property and are invited to register your opinion at a Public Hearing to be held **June 20, 2019** at 7:00 P.M. in the Town Hall Assembly Room located at 105 164th Avenue, Redington Beach, FL 33708 or you may respond by letter to the Deputy Clerk stating your reasons for your opinion. This letter should be mailed or emailed to the Town Hall at the above address. It is imperative that the Board of Adjustment members know the reasons for your approval or disapproval so that they can give your comments the proper consideration.

Any person wishing to appeal any decision of the Board of Adjustment with respect to any matter considered at this meeting will need a record of the proceedings, and for such purposes, may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which an appeal is to be based.



Adriana Nieves
Deputy Town Clerk

Date of Notice: May 16, 2019

REDINGTON BEACH, CITY OF
105 164TH AVE
REDINGTON BEACH FL 33708-1519

REDINGTON BEACH, CITY OF
105 164TH AVE
REDINGTON BEACH FL 33708-1519

MICHAELS, DINO MIKE
ADAMS, MICHELLE M
16438 REDINGTON DR
REDINGTON BEACH FL 33708-1550

IMENSEK, MLADEN J
IMENSEK, MAJDA G
160 164TH AVE
REDINGTON BEACH FL 33708-1549

REDINGTON BEACH, CITY OF
105 164TH AVE
REDINGTON BEACH FL 33708-1519

NAPIER, KAREN L LIVING TRUST
NAPIER, KAREN L TRE
16436 REDINGTON DR
REDINGTON BEACH FL 33708-1550

VILLAGES OF N REDINGTON BCH SHOALS
HMNRS ASSN INC
13040 GANDY BLVD
ST PETERSBURG FL 33702-1552

STERNBERG, JOHN & BRENDA W FAMILY
TRUST
STERNBERG, JOHN TRE
16316 2ND ST E
REDINGTON BEACH FL 33708-1508

MANDELL, JERALD Y
16318 2ND ST E
REDINGTON BEACH FL 33708-1508

WISE, JOHN O
WISE, MARIE
16440 REDINGTON DR
REDINGTON BEACH FL 33708-1550

MAR AMANTE H O A INC
750 CAPRI BLVD
TREASURE ISLAND FL 33706-1040

MUSTILLO LIVING TRUST
MUSTILLO, CORRADO
201 164TH AVE
REDINGTON BEACH FL 33708-1521

MARTIN, CHARLOTTE M
16315 2ND ST E
REDINGTON BEACH FL 33708-1507

EMPOWERED FREEDOM LLC
1712 PIONEER AVE STE 101
CHEYENNE WY 82001

PERFETTO, DARLENE A REV TRUST
PERFETTO, DARLENE ANN TRE
NUNLEY, MONIKA M REV TRUST
NUNLEY, MONIKA MELITA TRE
823 SPRINGDALE RD NE
ATLANTA GA 30306-4617

THE VILLAGES OF NORTH REDINGTON
BEACH - THE SHOALS HOMEOWNERS
ASSOCIATION, INC.
139 SHOALS CIRCLE
N. REDINGTON BEACH, FL 33708

JUN 06 2019

TO: TOWN of Redington Beach
FROM: MARIA + CORRADO MUSTILLO
RE: APPEAL at 16434 Redington Dr.
DATE: MAY 31, 2019

WE ARE the Homeowners at 201 164th AV in Redington Beach.

We do not object to the building of the dock walkout or where the Boat lift. will reside.

Sincerely Yours,

Maria Mustillo
Corrado Mustillo