



TOWN OF REDINGTON BEACH, FLORIDA
BOARD OF ADJUSTMENT
REGULAR MEETING MINUTES

Thursday, February 18, 2021
7:00 PM

The Board of Adjustment meeting was called to order at 7:00pm by Chairman Hawthorne.

Roll call was taken: Mr. Darcy Bellemore, Mr. Ken Sulewski, Mr. James Sommer, Mr. Mike Morgan, Chairman Wally Hawthorne and Attorney Erica Augello were present. Also present were; Bruce McLaughlin, Town Planner; applicants Robert and Mary Jo Rockell; Chad Lubke of Lubke Construction; applicant Michael James; Troy Hughes of Midcoast Marine Group; applicant Larry Estes; Commissioner Dave Will; and Deputy Clerk, Adriana Nieves.

Pledge of Allegiance followed by a moment of silence.

Approval of agenda: Agenda of February 18, 2021 was approved with all ayes.

Approval of minutes: Minutes of January 21, 2021 was approved with all ayes.

New Business:

Attorney Augello announced that it was time for the annual vote for Chair and Vice Chair of the Board of Adjustment. Ken Sulewski made a motion to nominate Wally Hawthorne as Chair. Mike Morgan seconded. Motion carried with all ayes.

Wally Hawthorne made a motion to nominate Ken Sulewski as Vice-Chair. James Sommer seconded. Motion carried with all ayes.

Attorney Augello swore in all witnesses giving testimony.

Attorney Augello read the following:

- a. **Property located at 16001 4th St E, REDINGTON BEACH HOMES 6TH ADD BLK 2, LOT 10 & RIP RTS**, as recorded in plat book 31 page 29 of the Pinellas County Official Records, is requesting the Board of Adjustment approve a variance request to build a staircase which will encroach into the front setback area, and a balcony, which will encroach into the rear setback area. Per Town Code Appendix A, Sec. 5(b), **“No building, nor any portion thereof, including porches, balconies, cornices or other permanently fixed decorations, shall approach nearer than twenty (20) feet to the line of roadway or street abutting the building lot...”** and **“...and further for these lots bordering on Boca Ciega Bay the building line on the Bay side is hereby fixed at twenty-five (25) feet from the bay-front property line, the mean high tide mark or center of seawall cap...”** In addition, Town Code Chapter 6 Section 6-65(b) also states: **“All permanent installations of any kind, located above grade, in building**

setback areas (front, side and rear) is prohibited except for air conditioning condensing units, power generation systems and similar mechanical equipment, and fuel tanks required for same.”

Applicant Robert Rockell of 16001 4th St E testified the plans that were submitted when he began to build the house in 2018 were approved. He stated that he had applied for and received a variance for the impervious surface ratio in May 2019.

Chad Lubke of Lubke Construction testified that the as-built plans were previously approved by the Town and the home built as per the approved plans. However, when seeking to secure a certificate of occupancy for the home, it was found that the two bottom steps of the front entry encroached into the front setback. In order to comply with the Florida Building Code, the steps were required to be installed as per the plans. This is the minimum encroachment in order to make the front entry accessible for ingress and egress. The Applicants’ agent also testified that due to the pie-shaped lot, while the vertical edge of the home is within the rear set back, a portion of the cantilever porch encroached into the rear-yard setback. There were no objections from neighbors.

The Town Planner had an opportunity to testify and clarified that the steps were required to meet the provisions of the Florida Building Code and that the plans were permitted by the Town’s previous building official.

The Board discussed among themselves and directed questions to Mr. Lubke.

James Sommer made the motion to approve the application as submitted for both the front and rear setbacks. Ken Sulewski seconded. Motion carried with all ayes.

	Motion	Second	Aye	Nay	Absent
Chairman Hawthorne			X		
Darcy Bellemore			X		
Ken Sulewski		X	X		
James Sommer	X		X		
Mike Morgan			X		

Attorney Augello read the following:

- b. Property located at 15717 Redington Drive, LONE PALM BEACH 2ND ADD BLK 18, LOT 17, as recorded in plat book 020 page 072 of the Pinellas County Official Records, is requesting the Board of Adjustment approve a variance request to replace an existing non-conforming dock with a new non-conforming dock, whereas per Section 5-57(a)(7) states “Any dock facility existing at the time of the adoption of this section, although such dock facility does not conform with the provisions hereof, may be continued. No alterations may be made to said dock which will increase its degree of non-conformity but work to maintain, repair, rebuild or reconstruct necessary to keep the dock facility in sound condition within the same or smaller footprint is permitted.”**

The Applicant, Michael James, seeks to rebuild a non-conforming dock facility to maintain its sound condition without expanding its non-conformity. The Applicant presented testimony and written evidence in support of the dock reconstruction. The Applicant’s agent, Troy Hughes of

Midcoast Marine, testified that the plan was originally to replace the dock as it was, which was permissible to the Town, however, due to black mangroves the Pinellas County Water and Navigation Administration would not approve the plans. In order to accommodate the mangroves, the Applicant was required to change the design for the dock reconstruction. The reconstruction would not expand the square footage or the footprint of the current dock, and instead would be reduced in square footage, thereby reducing the degree of non-conformity.

The Board directed questions to Mr. Hughes and then discussed among themselves.

Mr. Sulewski motioned to approve the variance request as submitted. Mr. Sommer seconded. Motion carried with all ayes.

	Motion	Second	Aye	Nay	Absent
Chairman Hawthorne			X		
Darcy Bellemore			X		
Ken Sulewski	X		X		
James Sommer		X	X		
Mike Morgan			X		

Attorney Augello read the following:

- c. Property located at 16365 Redington Drive, REDINGTON BEACH HOMES 5TH ADD LOT 34, as recorded in plat book 027 page 044 of the Pinellas County Official Records, is requesting the Board of Adjustment approve a variance for an existing generator which encroaches into the side setback area. Section 6-208(d)(3) of the Town's Code of Ordinances states "**Location and installation of permanently installed generators:... The generator shall be located in the side or rear yards within appropriate setbacks.**"**

Applicant Larry Estes testified that the generator was properly permitted and installed in the side yard setback. He lives on a pie-shaped lot, and through no fault of his own, upon inspection, the generator did not meet with Town Code.

The Town Planner had an opportunity to testify and stated that this was the typical case for a variance.

The Board discussed among themselves. Mr. Morgan motioned to approve the application as submitted, Ken Sulewski seconded. Motion carried with all ayes.

	Motion	Second	Aye	Nay	Absent
Chairman Hawthorne			X		
Darcy Bellemore			X		
Ken Sulewski		X	X		
James Sommer			X		
Mike Morgan	X		X		

With no further business, Chairman Hawthorne adjourned the meeting at 7:45pm.

Adriana Nieves, CMC
Deputy Town Clerk