

APPROVED



TOWN OF REDINGTON BEACH, FLORIDA
PLANNING BOARD MINUTES

Wednesday June 30, 2021
7:00 PM

Having been duly advertised as required by law, The Regular Meeting of the Planning Board of the Town of Redington Beach, Florida, was held on Wednesday June 30, 2021, at 7:00 PM, in Redington Beach Town Hall at 105 164th Avenue, Redington Beach, Florida.

Chair David Christ called the **Planning Board Meeting** to order and led the Pledge of Allegiance at 7:00 PM.

Roll Call

	Present	Absent
Chair David Christ	X	
Vice Chair Lou Golda	X	
Member Ed Fernandez	X	
Member Peter Mattson	X	
Member Tim Thompson	X	
Alternate Steven Miller		X
Alternate Hayward Chapman	X	

Also in attendance were Town Planner Bruce McLaughlin, Mayor David Will; Commissioner Shawntay Skjoldager, and Adriana Nieves, Deputy Town Clerk.

Introduction of new Alternate Member, Hayward Chapman, by the Chair.

APPROVED

Redington Beach Planning Board
Regular Meeting Minutes
June 30, 2021

APPROVED

Approval of Agenda of June 30, 2021

The Agenda was approved by the Planning Board.

	Motion	Second	Aye	Nay	Absent
Chair David Christ			X		
Vice Chair Lou Golda		X	X		
Member Ed Fernandez			X		
Member Peter Mattson	X		X		
Member Tim Thompson			X		
Alternate Steven Miller					
Alternate Hayward Chapman			X		

Approval of Past Meeting Minutes of April 27, 2021

The Past Minutes was approved by the Planning Board.

	Motion	Second	Aye	Nay	Absent
Chair David Christ			X		
Vice Chair Lou Golda			X		
Member Ed Fernandez		X	X		
Member Peter Mattson	X		X		
Member Tim Thompson			X		
Alternate Steven Miller					
Alternate Hayward Chapman					

APPROVED

Redington Beach Planning Board
Regular Meeting Minutes
June 30, 2021

APPROVED

Public Forum for Non-Agenda Items

No comments from the public.

Unfinished Business

A. Ordinance 2021-07 LAND DEVELOPMENT REGULATION AMENDMENT

Has been properly advertised as an **Advertised Public Hearing**.

An Ordinance of the Town of Redington Beach, Pinellas County, Florida, Amending Chapter 6 (Buildings and Building Regulations), Sections 6-65, Article VII, Including Sections 6-208 and 6-209, of the Town Code to Reconcile Said Sections and to Remove Conflicting Provisions, to Reflect The Town's Actual Experience with the Construction of the Regulated Mechanical Fixtures, to Make Related Changes; and to Remove Outdated, or Unenforceable Provisions; Making Related Findings; Providing for Severability, and Establishing An Effective Date.

Town Planner Bruce McLaughlin: Read Agenda Item 7a and commented that this ordinance was discussed at the last Planning Board meeting. The said ordinance is to provide a uniform regulation for all mechanical equipment. The five categories of mechanical equipment are emergency generators, water conditioning equipment, solar energy, swimming pool equipment, and air conditioning equipment. The ordinance will treat all mechanical equipment with uniform regulations. Also make the equipment setbacks consistent with sheds. Retitled ordinance and clarified the height of a shed. Bruce McLaughlin also recommended that the definition of Decibel (dB) in Section 6-208(b)(6) be added to Section 6-209. A critical addition to the ordinance is the offset specified in section 6-208(d)(3) to allow emergency egress.

David Christ: Asked if the waterfront properties had a different set back regulation for generators. How close to the seawall can equipment be in the rear yard?

Town Planner Bruce McLaughlin: Recommended he could add language to keep all equipment within 25 feet of rear lot line on waterfront lots.

Lou Golda: Don't we have a height regulation for sheds?

Town Planner Bruce McLaughlin: The height regulation for sheds is 8.5 feet. And sheds are not allowed with the last 25 feet on waterfront lots. Fences height is three feet with a foot of lattice for the first 25 feet from the water. However mechanical equipment can be within five feet of the seawall and if this Board feels it should be increased.

APPROVED

Redington Beach Planning Board
Regular Meeting Minutes
June 30, 2021

APPROVED

Peter Mattson: Is there a way to have mechanical equipment 25 feet from the water line? I don't think people will want to see equipment out there at the water line.

Town Planner Bruce McLaughlin: Absolutely. On page 5 we could add no generators within 25 feet of the water line. And on page 7 beginning on line 9; add 25 feet for waterfront rear lot line. This will be more consistent with the Comprehensive Plan Policy 1.1.4 and Policy 3.1.4.

Tim Thompson: Stated Appendix A defines corner lots with a side line abutting the street is considered a side lot line. Suggested adding language to keep equipment from the street frontage of corner lots.

Town Planner Bruce McLaughlin: I can add language that for this section, corner lot lines next to the street will be treated like a front lot line.

Lou Golda: Concerned for corner lots may have much higher cost to run gas lines to other side of house for generator.

Town Planner Bruce McLaughlin: These few exceptions of increased construction costs can apply for a variance to put screening around the generator equipment.

Hayward Chapman: Requested that the ordinance distinguish between "bay-front", "gulf-front" and "interior lots" because the regulations are different for each type of lot.

Town Planner Bruce McLaughlin: Stated we can clarify that the 25 foot setback is for both gulf-front and bay-front lots. However since the setback is the same I do not think we need to clarify the difference. We do need to note that corner lots with street frontage sides that these sides will be considered front sides for this ordinance.

Public Comment

Leslie Wilkins: 505 161st Ave., asked about the noise limitation measurement. That 23 feet on page 3 line 35 is not consistent with the nearest property line on page 6 line 23. In fact, the target measurement of 23 feet could be inside the neighbor's house.

Ed Fernandez: Responded that generators are louder than Air conditioners.

Lou Golda: Generators do not normally run whereas air conditioners run all the time.

Bruce McLaughlin: The 70dB at 23 feet is an industry standard for generators. Thanks for the save, that air conditioners and pool pumps run daily for many hours compared to generators and that is the reason for the difference. So no change to the code.

APPROVED

Redington Beach Planning Board
Regular Meeting Minutes
June 30, 2021

APPROVED

David Christ: The 23 feet could be measured from the street so not be inside a house.

A motion by Ed Fernandez and seconded by Peter Mattson that the Redington Beach Planning Board find ORDINANCE 2021-07 to be consistent with the Town's Comprehensive Plan and recommend that the Town Board adopt the ordinance was approved.

	Motion	Second	Aye	Nay	Absent
Chair David Christ			X		
Vice Chair Lou Golda			X		
Member Ed Fernandez	X		X		
Member Peter Mattson		X	X		
Member Tim Thompson			X		
Alternate Steven Miller					
Alternate Hayward Chapman					

New Business

A. ORDINANCE 2021-11 LAND DEVELOPMENT REGULATION AMENDMENT Has been properly advertised as an **Advertised Public Hearing**.

An Ordinance of the Town of Redington Beach, Pinellas County Florida, Repealing in Part Section 4 of Appendix A, of the Town Code Establishing a Fire Rating Requirement for Certain Walls and Requiring a Minimum Story Height, Making Related Findings; Providing For Severability; And Establishing An Effective Date.

Bruce McLaughlin, Town Planner: Read addenda 8a that this ordinance removes two provision of Section 4, Construction Materials, of Appendix A.

1. Except that second story one (1) hour fire rated exterior walls of type VI construction shall be permitted in single-family residences. This provision is preempted by state law.
2. For purposed of Appendix A the minimum height of a "story" shall not be less than eight feet, eight inches (8'8"). This provision serves no real purpose. However said ordinance has caused problems in remodel when a second story already exists.

APPROVED

Redington Beach Planning Board
Regular Meeting Minutes
June 30, 2021

APPROVED

Ed Fernandez: The eight feet, eight inches (8'8") is measured from where?

Town Planner Bruce McLaughlin: That is measured from the top of the lower floor to the top of the floor above.

Public Comment

No comments from the public.

A motion by Tim Thompson and seconded by Lou Golda that the Redington Beach Planning Board find ORDINANCE 2021-11 to be consistent Town's Comprehensive Plan and recommend that the Town Board adopt the ordinance was approved.

	Motion	Second	Aye	Nay	Absent
Chair David Christ			X		
Vice Chair Lou Golda		X	X		
Member Ed Fernandez			X		
Member Peter Mattson			X		
Member Tim Thompson	X		X		
Alternate Steven Miller					
Alternate Hayward Chapman					

APPROVED

Redington Beach Planning Board
Regular Meeting Minutes
June 30, 2021

APPROVED

B. ORDINANCE 2021-12 LAND DEVELOPMENT REGULATION AMENDMENT
Has been properly advertised as an **Advertised Public Hearing**.

Ordinance of the Town of Redington Beach, Pinellas County, Florida, Amending Town Code, Section 6-289 (f) by Clarifying the Circumstances in, and the Procedures by, which a *De Minimis* or Administrative Variance May be Granted by the Building Code Administrator, Providing For Severability; And Establishing an Effective Date.

Bruce McLaughlin, Town Planner: Read addenda 8b. Ordinance 2021-12 clarifies that the Building Code Administrator (Building Official) has the authority to grant *de minimis* variances and elaborates on the criteria for the consideration of such variances. The Board of Adjustment has heard multiple applications for variances of a few inches. The current Building Official has concerns about current ordinance and requested the administrative variance provision be clarified further with additional guidance. This ordinance is in the public interest in the absence of malfeasance because Ordinance 2021-12 cleans up and clarifies mistakes from Ordinance 2020-06. Ordinance 2021-12 will define and guide the Building Official's authority in granting *de minimis* variances. This Ordinance 2021-12 is not in violation of the Town's Comprehensive Plan. Residents within 150 feet of said property can appeal a *de minimis variance* by appeal to the Board of Adjustment.

Ed Fernandez: Will the affected residents and the Board of Adjustment be notified of a *de minimis* variance? I think if my neighbor did something, I want to know.

Town Planner Bruce McLaughlin: No. The *de minimis* variance has limits of twelve inches in set backs and one percent for other measurements. Requiring notice would defeat the purpose of granting *de minimis* variances.

Ed Fernandez: Is a *de minimis* variance recorded? We should record and let people know about a *de minimis* variance.

Town Planner Bruce McLaughlin: This *de minimis* ordinance is a typical *de minimis* code. Requiring notice is possible but defeats the intent of expediting the process. This ordinance only specifies verbal approval from the Building Official.

Lou Golda: Many people squeeze the rules for their purpose. The *de minimis* variances need to be recorded.

David Christ: What about Section 6-289-1(c) line 28-29 where the Building Official must confer with the Building Commissioner and the Town Clerk? It sounds like the Building Official must run it up the flag pole.

Town Planner Bruce McLaughlin: Yes, the variance needs approval.

APPROVED

Redington Beach Planning Board
Regular Meeting Minutes
June 30, 2021

APPROVED

Tim Thompson: I think we need a paper trail of the *de minimis* variance issued and who approved.

Town Planner Bruce McLaughlin: Recommended adding a procedure to the *de minimis* ordinance to notify affected residents within 150 feet of *de minimis* variance and including all Town officials involved in the decision to grant a *de minimis* variance. The Town Clerk's office will draft a standard letter to affected parties with the right to appeal to Board of Adjustment within 21 days prior to work commencing or final approval of *de minimis* variance.

Public Comment

Leslie Wilkins: 505 161st AVE, stated that I appreciate being noticed when non-conforming changes are being made or approved. Once the work is done the stakes are higher and can't change.

Commissioner Shawntay Skjoldager: Asked if all affected residents approve the *de minimis* variance prior to the 21 days can the work commence?

Town Planner Bruce McLaughlin: If no one objects and resident received approval letters before the 21 days, then work can proceed. So I recommend we add to the ordinance that work can commence prior to 21 days if everyone gives approval prior to 21 days.

A motion by Tim Thompson and seconded by Ed Fernandez that the Redington Beach Planning Board find ORDINANCE 2021-12 to be modified by notice to affected properties and recommend that the Town Board adopt the ordinance was approved.

	Motion	Second	Aye	Nay	Absent
Chair David Christ			X		
Vice Chair Lou Golda			X		
Member Ed Fernandez		X	X		
Member Peter Mattson			X		
Member Tim Thompson	X		X		
Alternate Steven Miller					
Alternate Hayward Chapman					

APPROVED

Redington Beach Planning Board
Regular Meeting Minutes
June 30, 2021

APPROVED

C. Re-review of the Future Land Use Element (FLUE) of the Comprehensive Plan

Agenda Item 8c is continued to a future meeting, date to be determined.

Other Business

None.

Adjournment

Meeting was adjourned at 8:15PM by Chair.

Next Planning Board meeting: To be called by Chair.

Adriana Nieves, CMC
Deputy Town Clerk

APPROVED

Redington Beach Planning Board
Regular Meeting Minutes
June 30, 2021