



**Board of Adjustment Hearings
City of Belleair Beach, Florida**

**Wednesday, December 13, 2023
Community Center 6:00 PM**

**Public Hearing Notice
Agenda**

Call to Order
Roll Call

1. Approval of October 12, 2023, Board of Adjustment Public Hearing Minutes
2. Swearing in of Witnesses.
3. Review of Rules and Procedures:
 - a. Chairperson reads the variance request.
 - b. Staff report is made.
 - c. Applicant's statement is made.
 - d. Open discussion.
 - e. Vote on Criteria Items 1 through 6 of Sec. 94-62 of City Code.
 - f. Motion and Second. (motion always in affirmative)
 - g. Roll Call Vote.
4. **Consideration of Variance Request #23-13. 2235 Donato Dr. Vic & Amy Shull are requesting a variance** from DIVISION 2. – SWIMMING POOLS. Sec. 10-174. - Setbacks; height; width. (g) The height of a swimming pool shall be no higher than 18 inches above the crown of the road. Any structural part of any permanently installed in-ground swimming pool or spa shall not be built higher than 24 inches above the pool deck including raised spas, raised pool beams, upper level decks, and raised waterfalls. Auxiliary deck-mounted equipment such as handrails, ladders, grabrails, diving boards and slides shall not be subject to the height limitations set forth in this section.; **to construct a pool 16.92 inches above the maximum height allowed by City Code.**
5. **Consideration of Variance Request #23-14. 530 Belle Ilse Drive. Kristin Witfill is requesting a variance** from DIVISION 2. – SWIMMING POOLS. Sec. 10-174. - Setbacks; height; width. (g) The height of a swimming pool shall be no higher than 18 inches above the crown of the road. Any structural part of any permanently installed in-ground swimming pool or spa shall not be built higher than 24 inches above the pool deck including raised spas, raised pool beams, upper level decks, and raised waterfalls. Auxiliary deck-mounted equipment such as handrails, ladders, grabrails, diving boards and slides shall not be subject to the height limitations set forth in this section.; **to construct a pool 2.4 inches above the maximum height allowed by City Code**

6. **Consideration of Variance Request #23-15. 530 Belle Isle Ave. Kristin Witfill is requesting a variance** from DIVISION 2. – SWIMMING POOLS. Sec. 10-174 - Setbacks; height; width. (i) Waterfront setbacks shall be as follows: (3) Swimming pools may be located closer than 12 feet from the seawall so long as a minimum setback of eight feet is maintained from the center of the seawall cap to the inside of the pool wall, and; provided that, prior to the issuance of a construction permit, a signed and sealed certification from a Florida registered engineer is submitted with the permit application showing that the reduced setback will not affect the integrity or function of the seawall, or that approved seawall reinforcement, if needed, will be installed and completed in a minimum of thirty days prior the time of the swimming pool construction. Swimming pool decking and retaining walls shall not be included in the computation of setbacks; **to construct a pool that encroaches 2.5 feet into the minimum setback allowed by City Code.**
7. **Consideration of Variance Request #23-16. 614 Belle Isle Ave. Edward Murphy is requesting a variance** from Chapter 94 – ZONING Sec. 94-220. – **Minimum living area and setbacks.** Within the residential low (RL) district II, the following maximum minimum living areas and minimum house setbacks are established to be:

TABLE 1

SUBDIVISION TITLE	MINIMUM LIVING AREA* (square feet)		MINIMUM HOUSE SETBACK** (feet)			
	1st Floor	2nd Floor	Front	Side	Rear	Water
BELLE ISLE						
Single-story	1,500	-	25	10	—	25
Two-story	1,500	-				

to allow encroachment of 3 feet into the minimum setback allowed by City Code.

8. **Consideration of Variance Request #23-17. 614 Belle Isle Ave. Edward Murphy is requesting a variance** from Chapter 94 – ZONING Sec. 94-135. – Uses (b) . *Residential low (RL) district II.* Except for city-owned real property, district II shall be designated for residential use only, and the use of all buildings shall be for single-family dwellings. The maximum floor area ratio (FAR) permitted within this district shall be 0.40, and the maximum impervious surface ratio (ISR) permitted shall be 0.65. This district shall include the areas designated as residential low (RL) on the future land use map.; **to allow approximately .23 above the maximum impervious ratio (IRS) allowed by City Code.**

Adjournment

Any person who decides 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 record includes the testimony and evidence upon which the appeal is to be based. The law does not require the City Clerk to transcribe verbatim minutes, therefore, the applicant must make the necessary arrangements with a private reporter or private reporting firm and bear the resulting expense. Any person with a disability requiring reasonable accommodation in order to participate in this meeting should call 727-595-4646 or fax a written request to 727-593-1409.

Renee Rose, CMC
City Clerk