

**CITY OF TREASURE ISLAND, FLORIDA  
PLANNING AND ZONING BOARD  
February 20, 2003**

**A. ROLL CALL:**

Phil Collins

Present

Gary Dion		Present
Rex Huskey		Present
Thomas Lee		Present
Joel Manings		Present
Sharon McLendon		Present
Tom Mumford		Absent
Roseanne Petit	Chair	Present
Barry Scharf		Absent
Paul Schiano		Present
Robert Shogren		Present
Richard Valmain		Absent
Gary Walker	Vice Chair	Present
Jean Wendel		Present
Larry Yost		Present

**B. EXPARTE DECLARATIONS & ADMINISTRATION OF OATH:**

No exparte communication was reported. All applicants, witnesses, members of staff or other persons wishing to address any item before the Board of a quasi-judicial nature were duly sworn at this time.

**C. ITEMS OF BUSINESS:**

The Board discussed the 7 criteria for granting variances.

The Board requested that Ms. Lynn Rosetti, the City Planner, review the criteria for granting variances and prepare a report with recommendations for proposed changes.

The seven criteria for granting variances were discussed further at the end of the meeting.

Ms. Roseanne Petit stated that she has been accused of an ethics violation and that she is required to appear before the Ethics Commission on Thursday, March 13<sup>th</sup> for a formal hearing.

Ms. Petit said that she approached the City Attorney for representation in the matter but was advised that she would be required to obtain her own legal representation

2/20/03

because the matter did not involve the entire Board.

Ms. Petit stated that the Board should discuss providing legal representation for its members.

The subject of legal representation was discussed in more detail at the end of the meeting.

**[Case PZ-2002-04-SR-E - Robbie J. Welborn] Request of Robbie J. Welborn for a one-year extension on a site plan approval at 142 89<sup>th</sup> Avenue to allow the construction of a new residential structure on a multifamily property –**

The City Planner offered a verbal and video presentation and answered questions of the Board.

**ACTION**

Motion was made by Mr. Dion and seconded by Mr. Schiano to approve a one-year extension on the site plan expiring on February 21, 2004. Upon roll call, the vote was unanimous.

**[Case PZ-2000-17-VR-M – Lee’s Sunshine Vending, Inc.] Request of Subway to be allowed to utilize a portion of the Topps Supermarket sign for a Subway sign –**

The City Planner offered a verbal and video presentation and answered questions of the Board.

The applicant, Mr. William Guillette, answered questions of the Board.

The City Planner stated that the Board reviewed a request for a sign from Fun Center in May 2000 that included a proposal with a Subway sign and a proposal without a Subway sign. The Board approved the proposal that did not include a Subway sign.

Mr. Schiano stated that the sign that was approved in May 2000 was approved for use only by Topps Supermarket.

The City Planner stated that Topps Supermarket has no objection to sharing the sign with Subway.

Mr. Collins asked why the Board did not approve the proposal including a Subway sign back in 2000.

2/20/03

Mr. Dion stated that (at the time) Subway had a sign that encroached in the setback. Mr. Dion further stated that the existing signage is less in square footage than the square footage that was proposed before with the old sign.

**ACTION**

Motion was made by Mr. Huskey and seconded by Mr. Dion to approve the use of a portion of the Topps Supermarket sign for a Subway sign. Upon roll call, the motion was approved with a vote of 11 ayes and 1 nay.

Phil Collins	Aye	Paul Schiano	Nay
Gary Dion	Aye	Robert Shogren	Aye
Rex Huskey	Aye	Gary Walker	Aye
Thomas Lee	Aye	Jean Wendel	Aye
Sharon McLendon	Aye	Larry Yost	Aye
Joel Manings	Aye	Roseanne Petit	Aye

**[Case PZ-2003-08-SR –Treasure Island Investors, Inc.] Request of Treasure Island Investors, Inc. for a site plan modification of previously approved site relating to pool location, drainage and traffic circulation –**

The City Planner offered a verbal and video presentation and answered questions of the Board.

Mr. Michael Wichman, the Building Official, stated that the site plan was approved with the pool in the center.

Mr. Shogren stated that the site plan was approved with the site plan showing its location in the center and then it was moved.

Mr. David Little, an Engineer representing Treasure Island Investors, Inc., indicated that the pool was shifted 12 to 15 feet to the north side of the property.

Mr. Collins asked Mr. Ed Plante, a representative of Treasure Island Investors, Inc., why he is coming before the Board now after the pool has already been relocated.

Mr. Plante stated that he didn't realize until he spoke with the City Planner that he should not have moved the pool until coming before the Planning & Zoning Board.

The Board tabled the case to allow the applicant to find approval from the Pinellas County Health Department for the pool in its current location.

Upon the applicant's return, the Board considered the case further.

2/20/03

Ms. Wendel stated that the paperwork does not authorize a change to the pool's location.

Mr. Schiano stated that he was in favor of approving the site plan modification with a stipulation that the applicant get approval from the Pinellas County Health Department for the pool in its current location.

Ms. Wendel stated that she would prefer to wait for the revised site plans and approval from the Pinellas County Health Department.

The City Planner asked if the Board wanted to hold up all exterior modifications while the approval is pending from the Pinellas County health Department.

Ms. Petit stated that the stop-order would pertain to the pool and not to the interior of the building.

**ACTION**

Motion was made by Ms. Wendel and seconded by Mr. Shogren to table the request for a site plan modification and to issue a stop-order on the pool's construction until the current pool's location is approved by the Pinellas County Health Department. Upon roll call, the motion was approved with 11 ayes and 1 nay.

Phil Collins	Aye	Paul Schiano	Nay
Gary Dion	Aye	Robert Shogren	Aye
Rex Huskey	Aye	Gary Walker	Aye
Thomas Lee	Aye	Jean Wendel	Aye
Sharon McLendon	Aye	Larry Yost	Aye
Joel Manings	Aye	Roseanne Petit	Aye

**[Case PZ-2003-09-VR – Valerie Montemayer] Request of Valerie Montemayer for a variance to allow the elevation and renovation of an existing single-family residential structure to encroach into the 125<sup>th</sup> Street setback area by five (5) feet –**

The City Planner offered a verbal and video presentation and answered questions of the Board.

The applicant, Valerie Montemayer, answered questions of the Board.

Mr. Bob Hett, the Architect, stated that the house was relocated to its current location which caused the encroachment on the front and side setbacks. He said

2/20/03

that the plan is to elevate the building and construct a porch that wraps around the house. Mr. Hett stated that the remodeling will take away the encroachment on 1<sup>st</sup> Street. Mr. Hett further stated that if the lot were standard there would not be an encroachment.

**ACTION**

Motion was made by Thomas Lee and seconded by Rex Huskey to approve the 5 foot variance as written. Upon roll call, the motion was approved with 8 ayes and 4 nays.

Phil Collins	Aye	Paul Schiano	Nay
Gary Dion	Nay	Robert Shogren	Aye
Rex Huskey	Aye	Gary Walker	Aye
Thomas Lee	Aye	Jean Wendel	Aye
Sharon McLendon	Aye	Larry Yost	Nay
Joel Manings	Nay	Roseanne Petit	Aye

**[Case PZ-200310-VR – Joe & Linda Watson] Request of Joe & Linda Watson for a variance to allow a portion of a front stairway to encroach into the street setback area by four (4) feet –**

The City Planner offered a verbal and video presentation and answered questions of the Board.

Mr. David Mueller, the Building Contractor, stated that the setback encroachment is caused by the stairway.

The City Planner stated that the site plan showed the stairway meeting the setback. But during construction it was discovered that the stairway would encroach into the setback area by 4 feet.

Mr. Mueller stated that the stairway requires 17 risers that are 4 feet wide in order to meet standard building code requirements.

Mr. Schiano asked if another type of stairway could be constructed to meet the setback requirements.

Mr. Mueller stated that there is no other stairway that can be built that would prevent an encroachment into the setback area.

Mr. Manings stated that the encroachment would be 30 inches less if aluminum railings were used instead of cement ballisters.

2/20/03

Mr. Mueller stated that cement ballisters are required for the functionality of the stairway and for the overall aesthetics so that the stairway matches the rest of the house.

Motion was made by Phil Collins and seconded by Gary Dion to approve the 4 foot variance as written. Upon roll call, the motion was approved with 10 ayes and 2 nays.

Phil Collins	Aye	Paul Schiano	Nay
Gary Dion	Aye	Robert Shogren	Aye
Rex Huskey	Aye	Gary Walker	Aye
Thomas Lee	Aye	Jean Wendel	Aye
Sharon McLendon	Nay	Larry Yost	Aye
Joel Manings	Aye	Roseanne Petit	Aye

**[Case PZ-2003-11-SR – Fredrik & Annelie Stengard] Request of Fredrik & Annelie Stengard for a site plan review for renovation of a four-unit property into a three-unit multifamily property –**

The City Planner offered a verbal and video presentation and answered questions of the Board.

The applicant, Fredrik Stengard answered questions of the Board.

**ACTION**

Motion was made by Mr. Schiano and seconded by Ms. Wendel to approve a site plan review for renovation of a four-unit property into a three-unit multifamily property. Upon roll call, the vote was unanimous.

**D. DISTRIBUTION OF ANNUAL REPORT**

The Planning and Zoning Board’s 2002 Annual Report was distributed to the Board members.

The Board discussed the Planning and Zoning Board Log for 2002.

**E. APPROVAL OF MINUTES**

Motion was made by Gary Walker and seconded by Thomas Lee to approve the minutes of the meetings of December 19, 2002 and January 16, 2003. Upon roll call, the vote was unanimous.

2/20/03

**In Other Discussion**

Mr. Yost asked if the City Planner has reviewed the 7 criteria for granting variances and compared it with the requirements of other cities.

The City Planner stated that she would review the 7 criteria for granting variances and prepare a draft of proposed changes for the Board in March or April.

Mr. Huskey asked if the Commission could change the criteria for granting variances or delete them altogether.

The City Planner stated that the criteria could be reworked.

Ms. Petit asked if the Board could change the scheduling so that no other entities have use of the auditorium close to the time that the Planning & Zoning Board adjourns.

The City Planner stated that she would address the issue with City Staff.

The Board discussed the matter of legal representation for Board members.

Ms. Petit indicated that the Assistant Attorney General's Office ruled that there is no probable for the ethics hearing.

Ms. Petit stated that the Board should be aware that Board members are not covered as individuals only the Board as a whole.

A motion was made by Mr. Walker and seconded by Mr. Lee to write a letter to the Commission requesting that Board members be provided with City-funded legal representation. Upon roll call, the vote was unanimous.

A motion was made by Mr. Walker and seconded by Ms. McLendon to request the Commission to handle Ms. Petit's and Mr. Dion's legal fees from the ethics hearings. Upon roll call, the vote was unanimous.

**F. ADJOURNMENT:**

---

Jennifer L. Nye  
Deputy City Clerk

---

Roseanne Petit  
Chair