



City of Gulfport Florida
Board of Adjustment Meeting Minutes
Wednesday, August 11, 2010

The Regular Meeting of the Board of Adjustment was held on Wednesday, August 11, 2010, in the City Hall, City Council Chambers, located at 2401 - 53rd Street South, Gulfport, Florida.

Chairperson Epstein called the meeting to order at 6:30 p.m.

Roll Call:

Present were: Board Members Courtland Yarborough, Roger Turner and Alternate Board Member Stephen Rye, and Chairperson Mark Epstein. Vice Chairperson Michael Arendall was not present and Board Member Susan Helms was excused.

Staff: Attorney Caitlin E. Sirico; Deputy City Clerk Ginger Stilton; Community Development Director Fred Metcalf; Principal Planner Mike Taylor and Planner Myra Schwartz.

1. Approval of Minutes – July 14, 2010.

Motion by Board Member Turner and seconded by Board Member Yarborough to approve the July 14, 2010 Minutes.

UNANIMOUS APPROVAL BY ACCLAMATION.

Deputy City Clerk Stilton swore in Representative Mary Beth Nocella, City Staff and any and all witnesses in mass.

Chairperson Epstein explained the Hearing procedures.

2. Variance Request:

V10-10: Town Shores of Gulfport #204, Inc. (Owner/Applicants). The subject property is located at 5940 – 30th Avenue S., Gulfport, FL 33707; legally described as Town Shores of Gulfport No. 204 Condo (Common Area), as recorded in Plat Book 6, Page 93, according to the Public Records of Pinellas County; Parcel # 32/31/16/91595/000/0001; To reduce the north side yard setback requirement by 6 feet from 12 feet to 6 feet for an existing nonconforming carport to an existing condominium building, and to extend an existing nonconforming carport by 22 feet.

Chairperson Epstein asked Ms. Nocella, from J & M Aluminum, to come forward and explain the request to the Board.

Board Member Yarborough asked if they have submitted design plans.

Ms. Nocella said they had.

Board Member Turner asked if the plans had been approved by the Board (*Town Shores*).

Ms. Nocella said yes, and documentation has been submitted to Planning and Zoning.

Planner Schwartz explained the Variance request and said the carports were built prior to the current zoning code and they are non-conforming by density.

Board Member Turner asked if all of the carports were non-conforming.

Planner Schwartz said yes, by setback.

To clarify, Board Member Yarborough read the Variance request which asked the Board to first recognize the existing non-conforming carport structure and then they were asking to expand the existing non-conformity by the two carport coverings.

Planner Schwartz stated yes, this was a two-fold request and to the best of her knowledge, there was no evidence that particular carport and building had gone through any variance process to officially recognize the non-conformity, so that needed to be done first. They were allowed to offer an expansion by Section 22-9.05 because it was solely for a setback.

Chairperson Epstein opened the Public Hearing and asked a woman who wished to speak to come forward. Deputy City Clerk Stilton swore in the witness.

Anna Ferron, Town Shores; said she lived in the building and said they had additional vacant spots aside from the two they were talking about, and asked if every time someone requested to have a carport built would they have to go through this again.

Attorney Sirico explained that this was a procedural method to take care of legal non-conforming uses, which occurred prior to the Code being written and it was a necessary process they had to follow to make sure it was conforming to date.

Neither hearing nor seeing anyone else from the public who wished to be acknowledged regarding the Variance Chairperson Epstein closed the Public Hearing.

Motion by Board Member Yarborough and seconded by Board Member Rye to recognize the existing non-conforming carport structure located at Town Shores of Gulfport No. 204 Condo Common Area as recorded in Plat Book 6, Page 93 according to the public records of Pinellas County.

ROLL CALL:

BOARD MEMBER TURNER	YES
BOARD MEMBER YARBOROUGH	YES
BOARD MEMBER RYE	YES
CHAIRPERSON EPSTEIN	YES

MOTION CARRIED.

Motion by Board Member Turner and seconded by Board Member Rye to approve an extension of an existing nonconforming carport by 22 feet, with the condition that the applicant applies for permits within one year of the Variance request.

ROLL CALL:

BOARD MEMBER TURNER	YES
BOARD MEMBER YARBOROUGH	YES
BOARD MEMBER RYE	YES
CHAIRPERSON EPSTEIN	YES

MOTION CARRIED.

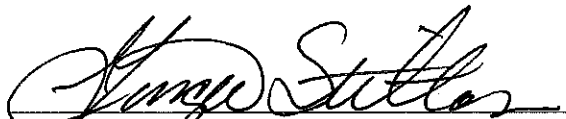
3. Any other business. None.

4. Adjournment.

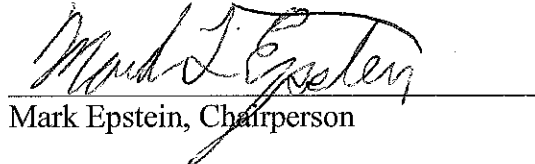
Motion by Board Member Yarborough and seconded by Board Member Turner to adjourn.

UNANIMOUS APPROVAL BY ACCLAMATION.

Date Approved: 10/13/2010



Ginger Stilton, CMC
Deputy City Clerk



Mark Epstein, Chairperson