

INDIAN SHORES

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19305 Gulf Boulevard, Indian Shores, FL 33785
www.myindianshores.com

PLANNING, ZONING AND BUILDING (PZB) COMMITTEE MEETING AGENDA TUESDAY, DECEMBER 14, 2021, BEGINS AT 4:00 P.M. INDIAN SHORES MUNICIPAL CENTER, 4TH FLOOR (Facial coverings/masks are recommended while in Town Hall.)

ITEM # AGENDA ITEM

- 1.0 Consideration of approving the Planning, Zoning and Building Committee Meeting Agenda for December 14, 2021.
- 2.0 Comments from the public on any agenda item.
- 3.0 Consideration of approving the Planning, Zoning and Building Committee Meeting Minutes of November 9, 2021. (Ref.: pgs. 1-5)
- 4.0 **PUBLIC HEARING: Quasi-Judicial**

Consideration of a request for a Site Plan Review from Walter R. Van Schaik to construct four two (2)-unit townhome buildings with driveways, utilities, and stormwater infiltration trenches located at 18455 Gulf Boulevard, Indian Shores, FL 33785, Parcel ID. 30-30-15-00000-330-1300.

(See pages 27-87 of the "December 14, 2021, Meeting Materials Reference Packet, or view online at <https://www.myindianshores.com/DocumentCenter/View/4296/December-14-Meeting-Materials-Reference-Packet> (PDF).)
- 5.0 Citizen's comments on any subject.
- 6.0 PZB Committee members' comments on any subject.
- 7.0 Meeting adjournment.

PLEASE SILENCE ALL CELL PHONES
PLEASE LIMIT PUBLIC COMMENTS TO 4 MINUTES

Patrick C. Soranno
Mayor

Mike Hackerson
Vice Mayor

Diantha Schear
Councilor

Michael (Mike) Petruccelli
Councilor

William F. (Bill) Smith
Councilor

Bonnie Dhonau
Town Administrator

Richard (Rick) Swann
Chief of Police

Susan L. Scrogham
Director of Finance
and Personnel

Freddie G. Lozano
Town Clerk

Regina Kardash, Esq.
Town Attorney



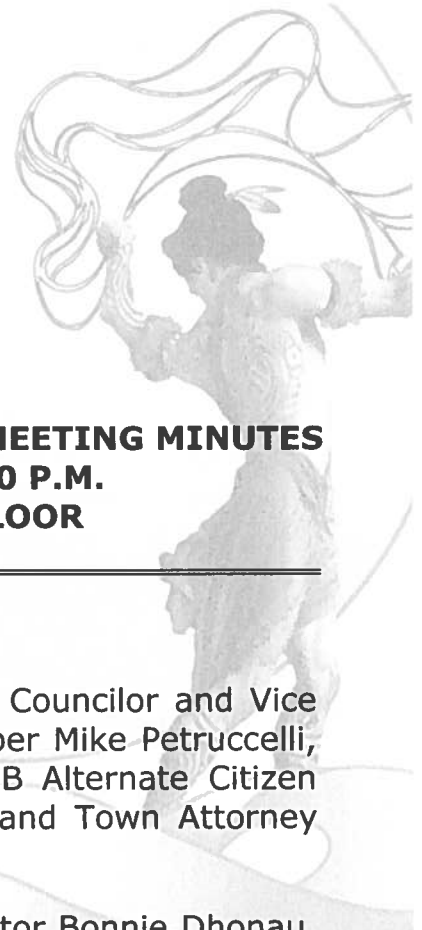
Freddie Lozano
Town Clerk

Any person who decides to appeal any decision of the Planning, Zoning and Building Committee with respect to any matter considered at any such meeting will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes that testimony and evidence upon which the appeal is to be based.

Any person with a disability requiring reasonable accommodation in order to participate in this meeting should contact the Town Clerk's office with your request within 24 hours prior to the start of the meeting. Phone 727.595.4020, Fax 727.596.0050.

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PLANNING, ZONING AND BUILDING (PZB) COMMITTEE MEETING MINUTES TUESDAY, NOVEMBER 9, 2021, BEGAN AT 4:00 P.M. INDIAN SHORES MUNICIPAL CENTER, 4TH FLOOR

The Meeting convened at 4:00 P.M.

Those present: Councilor and Madam Chair Diantha Schear, Councilor and Vice Chair Bill Smith, Alternate PZB Council Member Mike Petruccelli, PZB Citizen Member Dr. Candiss Rinker, PZB Alternate Citizen Members Claudia Riva and Mark Housman, and Town Attorney Regina Kardash.

Also present: Vice Mayor Mike Hackerson, Town Administrator Bonnie Dhonau, Town Clerk Freddie Lozano, Building Official Neal Mazzei, Interim Town Engineer Jerry Dabkowski, Police Captain Glen Smith, Forward Pinellas Planning Analyst Nousheen Rahman, Jude Hendershot of Hendershot General Contractors, LLC, Attorney Angela Rauber of Hill Ward Henderson Law Firm, Project Engineer Josh Bradley of Native Engineering, PLLC, Fire Commissioner Larry Schear, PZB Alternate Citizen Member Roland Goerner, and Administration and Finance Committee Citizen Member Art Newsome.

Those absent: None

ITEM # AGENDA ITEM

1.0 Consideration of approving the Planning, Zoning and Building Committee Meeting Agenda for November 9, 2021.

Motion by Councilor Smith – seconded by **Dr. Rinker** to approve the Planning, Zoning and Building Committee Meeting agenda for November 9, 2021. **All ayes. Motion carried 3-0.**

2.0 Comments from the public on any agenda item. None.

Patrick C. Soranno
Mayor

Mike Hackerson
Vice Mayor

Diantha Schear
Councilor

Michael (Mike) Petruccelli
Councilor

William F. (Bill) Smith
Councilor

Bonnie Dhonau
Town Administrator

Richard (Rick) Swann
Town Clerk

Susan L. Scrogham
Director of Planning
and Personnel

Freddie G. Lozano
Town Clerk

Regina Kardash, Esq.
Town Attorney

3.0 Consideration of approving the Planning, Zoning and Building Committee Meeting Minutes of September 8, 2021.

Motion by Dr. Rinker – seconded by **Councilor Smith** to approve the Planning, Zoning and Building Committee Meeting minutes of September 8, 2021. **All ayes. Motion carried 3-0.**

4.0 Presentation on Future Land Use Map (FLUM) Amendment by Forward Pinellas Planning Analyst Nousheen Rahman.

Ms. Rahman presented the FLUM amendment related to the proposed land use change ordinance from Transportation/Utility to Institutional designation for the vacant 0.74-acre property located at 18455 Gulf Blvd. Recently adopted ordinances 2021-07 and 2021-08 allow increases in density or intensity in the coastal high hazard area and allowing residential use for the Institutional category. The amendment would apply to the Town’s Comprehensive Plan and Land Development Code. The Town has been interested in converting this property to maximize the use of the available land. The amendment would allow for the proposed construction of an 8-unit townhome, which will have minimal impacts to the coastal high hazard area, base flood elevation requirements, and traffic.

She concluded her presentation. There were no comments from the Committee and the public.

5.0 PUBLIC HEARING: Quasi-Judicial

First reading of Ordinance 2021-09.

AN ORDINANCE OF THE TOWN OF INDIAN SHORES, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN BY REVISING THE FUTURE LAND USE MAP PURSUANT TO THE SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT PROCEDURES IN SECTION 163.3187, FLORIDA STATUTES, TO RECLASSIFY A PARCEL OF PROPERTY FROM TRANSPORTATION/UTILITY TO INSTITUTIONAL FOR A MORE OR LESS 0.74 ACRE PARCEL LOCATED AT 18455 GULF BOULEVARD, PARCEL NUMBER 30-30-15-00000-330-1300; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Dr. Rinker read the Quasi-Judicial announcement.

Mr. Lozano administered the Oath to those who wished to testify in this and the following site plan review hearings: Ms. Rahman, Mr. Dabkowski, Mr. Mazzei, Mr. Hendershot, Josh Bradley, Attorney Rauber, Residents of 19910 Gulf Blvd.

There were no comments from those who were sworn in and from the public.

Mr. Housman asked if there could be any potential long-term negative impacts with this proposed designation change.

Ms. Rahman replied that there are no immediate negative impacts.

Motion by Mr. Housman – seconded by **Ms. Riva** to approve the first reading of Ordinance 2021-09 for Council consideration. **All ayes.**
Motion carried 3-0.

6.0 PUBLIC HEARING: Quasi-Judicial

Consideration of a request for a Site Plan Review from Robert and Erica Balkema for the construction of a single-family home, 1-unit with 2 stories over parking. The location is at 19914 Gulf Blvd., Unit #1, Indian Shores, FL 33785, Parcel #24-30-14-42912-001-0430.

Attorney Rauber stated that Mr. Hendershot rescinded the prior building permits after discrepancies in the original plans were found upon inspection. A new site plan review application has been submitted with revised drawings all discrepancies corrected.

Discussion ensued regarding rescinding the previous site plan review application. It was stated that construction was not compliant with the FEMA flood maps in force during that time. However, on August 26, 2021, new FEMA flood maps were adopted that brought the structure into compliance. FDEM was consulted on how to properly cure the prior site plan review application and construction, and the remedy was to rescind all prior applications and reapply as though it was new construction.

Mr. Dabkowski reviewed the site plan and concluded that it meets and exceeds the Town building code requirements and recommends approval with the following conditions:

1. The applicant/owners are to obtain a building permit for the unpermitted retaining wall back of the property.
2. The applicant/owners are to obtain an FDEP (Florida Department of Environmental Protection) permit for creating a dune walkover
3. All water lines extending from Gulf Blvd. onto the site need to be contained in a utility easement on the property for protection and maintenance.
4. A fire suppression system and automatic sprinkler system is required for this building due to the inability of an emergency apparatus to access the back of the property. These systems must be approved by (PSFRD) Pinellas Suncoast Fire & Rescue District).
5. The homeowners must be made aware that a potential cross-traffic agreement may be requested by the owners of 19914 Gulf Blvd., Units 2 and 3 in the future.
6. The developer agreed to the 12-foot driveway easement from Gulf Blvd. to the back of the property.

There were no additional comments from the Town's staff and Dr. Rinker opened the floor for public comments.

Residents from 19910 Gulf Blvd. expressed concern over drainage and storm water runoff from the proposed site. They requested a one-month continuance of the hearing to allow them to hire their own engineer to review the plans to determine the property's impact on the surrounding properties and vice versa regarding water runoff and flooding.

Mr. Bradley, Native Engineering, 18856 North Dale Mabry Hwy., Lutz, FL, did the engineering, including drainage, for this site. He stated that all drainage plans meet the Town's code. The drainage system has a 5-foot wide and 4-inch-deep swale that will capture the water runoff. All roof runoff is piped underground, and the property's pavement is pervious.

Mr. Dabkowski is not aware of flooding issues with the surrounding properties as his review was only for 19914 Gulf Blvd. and added that water runoff will be contained on site. No further risk of flooding to the adjacent properties is anticipated based on the new FEMA (Federal Emergency Management Agency) maps.

Mr. Hendershot, 14395 Oliver St., Largo, FL., stated that waiting an additional month for the site plan's approval significantly impacts his family and livelihood. This project has been on hold since September 28.

Mr. Bradley stated that drainage at this property will be improved with this site's current drainage plans. Water runoff is captured underground with an emergency overflow system.

Mr. Dabkowski is comfortable with recommending the site's approval based on the discussions on drainage and the six conditions.

Motion by **Mr. Housman** – seconded by **Ms. Riva** to approve and recommend the site plan review application for Council consideration for 19914 Gulf Blvd., Unit #1, Indian Shores, FL 33785, Parcel #24-30-14-42912-001-0430, without a continuance and subject to the six conditions Mr. Dabkowski listed. **All ayes. Motion carried 3-0.**

7.0 Citizen's comments on any subject. None.

8.0 PZB Committee members' comments on any subject. None.

9.0 Meeting adjournment.

4:57 P.M.

Freddie Lozano
Town Clerk