

CHECKLIST AND WORKSHEET
BOARD OF ADJUSTMENT AND APPEALS HEARING
BA CASE NUMBER: VAR-23-22

DRC MEETING: N/A

BOA HEARING: February 7, 2024 @ 9:00 AM - 5th Floor, Board Assembly Room

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OWNER/ADDRESS: Couture Revocable Trust
600 Pennsylvania Avenue
Palm Harbor, FL. 34683

REP/ADDRESS: Craig Taraszki.
Johnson, Pope, Boker, Ruppel & Burns, LLP
490 1st Avenue South STE. 700
St. Petersburg, FL. 33701

PROPERTY ZONING: R-3, Single Family Residential

LAND USE DESIG: RL, Residential Low, P, Preservation

TYPE APPLICATION: Variance

CASE DESCRIPTION (Variance Request): The Applicant owns the Applicant Property, which is zoned for single-family residential use. Abutting the Applicant Property to the west is the Project Property, which is owned by Ryan’s Woods Townhomes HOA, Inc. and zoned for multi-family residential use. Notably, the Project Property includes both dry and submerged lands. The Applicant holds an easement (the “Easement”) over certain dry and submerged lands on the Project Property that establishes a satisfactory property interest under County Code Section 58-550(e)(3) to apply for a County private (i.e. single-family residential) dock permit. However, depth constraints limit the allowable structure to an observation pier (i.e. not a traditional dock that can accommodate vessels for permanent mooring). More importantly for purposes of the Public Hearing, the Easement only stretches (perpendicularly) 50 feet south from the north property line of the Project Property. The property on the other side of this north property line (the “North Property”) is owned by Michael and Kristine Janish and zoned for single-family residential use; the North Property’s address is 672 Soundview Drive, Palm Harbor, FL 34683 and Parcel ID is 02-28-15-77917-000-0690. The Applicant Property, Project Property, and North Property are all located in Unincorporated County.

County Code Section 58-555(b)(2) sets forth setback requirements for single-family residential docking facilities in Unincorporated County. These setback requirements are based upon waterfront property width: Specifically, Section 58-555(b)(2) requires that docking facilities be located within the center 1/3 of the property, or 50 feet from the adjacent property, whichever is less restrictive. As the waterfront property where the Pier would be built, the Project Property is the appropriate property to assess compliance with Section 58-555(b)(2). To that end, the waterfront width of the Project Property is approximately 1600 feet; thus, the center 1/3 of the Project Property begins approximately 533.3 feet from the North Property. It follows that 50 feet from the North Property is “less restrictive” than the center 1/3 of the Project Property and thus the applicable north setback here. However, as noted above, the Easement only extends 50 feet from the North Property, meaning the Pier must be constructed

within the setback. Therefore, a variance to Section 58-555(b)(2) is required for the Applicant to build the Pier. Specifically, here, the Pier is proposed to be setback 33.5' from the North Property. Therefore, a variance of 16.5' to Section 58-555(b)(2) is sought.

**Note: Compliance with Section 58-555(b)(2) may be waived by County Staff if a signed statement of no objection is received from the encroached upon neighbor. However, a signed statement of no objection has not been provided by Mr. and Ms. Janish – the owners of the North Property – to date.*

PARCEL ID NUMBER: 02/28/15/97380/001/0001 and 02/28/15/77662/000/0001

NOTICES SENT TO: Couture Revocable Trust (Owner), Craig Taraszki, Johnson, Pope, Boker, Ruppel & Burns, LLP (Representative), Cynthia Johnson, Economic Development, Surrounding Owners (All Notices sent by Water & Nav) & BCC Office

DISCLOSURE: N/A

Reference #: VAR-23-00029

CHECKLIST AND WORKSHEET
BOARD OF ADJUSTMENT AND APPEALS HEARING
BA CASE NUMBER: VAR-23-27

DRC MEETING: January 8, 2024 @ 9:00 AM - 1st Floor, Housing & Community Development Conference Room, 310 Court Street, Clearwater, FL

BOA HEARING: February 7, 2024 @ 9:00 AM - 5th Floor, Board Assembly Room, 315 Court Street, Clearwater, FL

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OWNER/ADDRESS: Joseph Easley
Lucy Easley
1963 Trailside Drive
Palm Harbor, FL 34683

REP/ADDRESS: Lucy Easley
1963 Trailside Drive
Palm Harbor, FL 34683

PROPERTY ZONING: RPD, Residential Planned Development

LAND USE DESIG: RL, Residential Low

TYPE APPLICATION: Variance

CASE DESCRIPTION: A variance to allow for the construction of a screen room with composite roof having a 3-foot setback from the rear property line where 10 feet is required, for the property located at 1963 Trailside Drive in Palm Harbor.

PARCEL ID NUMBER: 02/28/15/61011/000/0190

NOTICES SENT TO: Joseph and Lucy Easley (Owners), Cynthia Johnson, Economic Development, Surrounding Property Owners (See Attached List) & BCC Office

DISCLOSURE: N/A

Reference #: VAR-23-00038

CHECKLIST AND WORKSHEET
BOARD OF ADJUSTMENT AND APPEALS HEARING
BA CASE NUMBER: VAR-23-28

DRC MEETING: January 8, 2024 @ 9:00 AM - 1st Floor, Housing & Community Development Conference Room, 310 Court Street, Clearwater, FL

BOA HEARING: February 7, 2024 @ 9:00 AM - 5th Floor, Board Assembly Room, 315 Court Street, Clearwater, FL

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OWNER/ADDRESS: Dolphin Real Estate Holdings, LLC.
1116 Sunnydale Drive
Clearwater, FL 33755

REP/ADDRESS: Sean P. Cashen, P.E.
Gulf Coast Consulting, Inc.
13825 Icot Blvd., Suite 605
Clearwater, FL 33760

PROPERTY ZONING: CP, Commercial Parkway

LAND USE DESIG: ROR, Residential/Office/Retail

TYPE APPLICATION: Variance

CASE DESCRIPTION: A variance to allow for the proposed onsite building to occupy 23.4 percent of the primary roadway frontage along US 19 where the Pinellas County Land Development Code District Design Criteria requires 40 percent in a CP zone for the property located at 35952 US Highway 19 North in Palm Harbor

PARCEL ID NUMBER: 31/27/16/00000/210/0300

NOTICES SENT TO: Dolphin Real Estate Holdings, LLC. (Owner), Sean P. Cashen, P.E., Gulf Coast Consulting, Inc. (Representative) Cynthia Johnson, Economic Development, Surrounding Property Owners (See Attached List) & BCC Office

DISCLOSURE: N/A

Reference #: VAR-23-00039

Revised 1-8-24

CHECKLIST AND WORKSHEET
BOARD OF ADJUSTMENT AND APPEALS HEARING
BA CASE NUMBER: VAR-23-29

DRC MEETING: January 8, 2024 @ 9:00 AM - 1st Floor, Housing & Community Development Conference Room, 310 Court Street, Clearwater, FL

BOA HEARING: February 7, 2024 @ 9:00 AM - 5th Floor, Board Assembly Room, 315 Court Street, Clearwater, FL

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OWNER/ADDRESS: Eduardo Martinez
Carol Martinez
9044 Cypress Trail
Largo, FL 33777

REP/ADDRESS: Eduardo Martinez
9044 Cypress Trail
Largo, FL 33777

PROPERTY ZONING: R-R, Rural Residential

LAND USE DESIG: RL, Residential Low

TYPE APPLICATION: Variance

CASE DESCRIPTION: A variance to allow for the construction of a 1,628 sq. ft. detached accessory dwelling unit where 750 sq. ft. is the maximum permitted for the property located at 9225 95th Street North in unincorporated Seminole.

PARCEL ID NUMBER: 23/30/15/70704/400/0802

NOTICES SENT TO: Eduardo Martinez, Carol Martinez (Owners), Cynthia Johnson, Economic Development, Surrounding Property Owners (See Attached List) & BCC Office

DISCLOSURE: N/A

Reference #: VAR-23-00040