

## BELLEAIR PLANNING AND ZONING BOARD MEETING NOTICE

**DATE:** January 7, 2014

**TO:** Bonnie-Sue Brandvik, Chairman  
Gloria Burton, Vice Chairman  
Al Acken  
Rogers Haydon  
Jim Millspaugh  
Peter Marich  
Randy Ware

Stephen R. Fowler, Commission Advisor  
JP Murphy, Assistant Town Manager

There will be a meeting of the Belleair Planning and Zoning Board on **MONDAY, JANUARY 13, 2014 at 5:30 p.m.** in the Town Hall auditorium.

Please plan to attend. In the event you are unable to attend this meeting, please notify the Town Clerk's office at 588-3769 ext. 214 or 312.

Your attendance is very important!

The following agenda items are provided for your consideration:

1. Approval of Minutes - December 16, 2013

Documents: [12-16-13.PDF](#)

2. Citizen's Comments

(Discussion of items not on the agenda. Each speaker will be allowed 3 minutes to speak.)

3. Request for Variance - 1357 Pinellas Rd. - Brand Shank

Documents: [1357 VARAINCE.PDF](#), [VARIANCE PACKET - PINELLAS RD. - BRAND SHANK 01.21.2014.PDF](#)

4. Commission Advisor Report

5. Adjournment

\*\* To be distributed.  
\* Previously distributed.

Copy to: Micah Maxwell, Town Manager  
Donna Carlen, Town Clerk  
JP Murphy, Assistant Town Manager

**MINUTES OF MEETING OF THE BELLEAIR PLANNING AND ZONING BOARD  
HELD AT TOWN HALL, BELLEIR, FLORIDA ON DECEMBER 16, 2013 AT 5:30 PM**

**MEMBERS PRESENT:** Bonnie Sue Brandvik, Chairman  
Gloria Burton, Vice Chairman  
Rogers Haydon  
Peter Marich  
James Millspaugh  
Randy Ware

**MEMBERS ABSENT:** Al Acken

**OTHERS PRESENT:** Micah Maxwell, Town Manager  
JP Murphy, Assistant Town Manager  
David Ottinger, Town Attorney  
Tom Shelly, Commission Advisor  
David Healey, Planning Consultant

There was a quorum present with Chairman Brandvik presiding; the meeting was called to order at 5:30 pm.

**APPROVAL OF MINUTES**

Mrs. Burton moved approval of the Minutes of the meeting held on November 18, 2013, as amended. Motion seconded by Mr. Haydon and carried unanimously.

**CITIZENS' COMMENTS**

There were no citizens' comments regarding items not on the agenda.

**REVIEW AND RECOMMENDATION OF ORDINANCE NO. 490 – AMENDING THE  
COMPREHENSIVE LAND USE PLAN**

Mrs. Brandvik stated that the board had for review and recommendation proposed Ordinance No. 490 amending the comprehensive land use plan.

David Healey, Planning Consultant, stated that there were two ordinances on the agenda for consideration and recommendation; that the first ordinance dealt with a proposed amendment to the comprehensive plan; that the ordinance would address three specific points and he would speak to each one separately;

1. was to clarify in the town's plan in Policy 1.1.1 and 1.1.2 to be consistent with the countywide plan; that the term "consistent with" was being substituted with "including"; that the point being that the town plan must stay within the parameter of the countywide rules but could be more restrictive;

**REVIEW AND RECOMMENDATION OF ORDINANCE NO. 490 (Continued)**

2. that the provisions were first specific to the land development code suggesting that the provision for consistency was subject to further details and specific regulations in the land development code; that the plan was general and addresses the goals, policies and objectives in a more general terms; that the zoning regulations further set those details in more specific regulations;

3. that in Policy 1.1.2 provided for residential mixed use and public/semi-public uses pursuant to specific categories listed; that the current term said non-residential and was inconsistent internally with the present plan as listed in Policy 1.3.8 which provided for residential office limited use with specified density for residential use; that the terminology was unclear and also stated that residential use would be permitted in a commercial planned category.

Discussions ensued regarding the purpose of the proposed language as housekeeping measures; regarding the current zoning on the hotel property as commercial; regarding the proposed change to the comprehensive plan that would allow the town to entertain a request for residential use on the property; regarding the interpretation to allow residential use on commercial property; regarding the recommendation to making clear the intent of the provision; regarding the latest revision of the comprehensive plan.

Rae Claire Johnson, 1717 Indian Rocks Road, asked if the proposed ordinance would have any effect the town's historic preservation ordinance; if a caveat could be added that the ordinance would not be applied to the hotel property.

Mr. Healey stated that the ordinance would not have any effect on the hotel property as it did not apply to any specific property; that the issue regarding a new designation being applied to the hotel property and the historic designation on the hotel property was a separate decision; that the proposed amendment simply allows residential use in a commercially designation; that all measures in the historic preservation ordinance must be followed and would be considered at such time as an application would be submitted.

Mrs. Burton stated that it was necessary to bring the comprehensive plan up to date; complimented staff for their work on the proposed ordinance and making it understandable.

Mr. Haydon moved that the planning and zoning board recommend approval of proposed Ordinance No. 490. Motion seconded by Mrs. Burton. Vote on the motion was: ayes 5; nays 1; motion carried by a vote of 5 to 1.

**REVIEW AND RECOMMENDATION OF ORDINANCE NO. 491 – AMENDING THE LAND DEVELOPMENT CODE**

Mrs. Brandvik stated that the board had for review and recommendation proposed Ordinance No. 491 amending the land development code.

**REVIEW AND RECOMMENDATION OF ORDINANCE NO. 491 (Continued)**

Mr. Healey stated that the amendment to the land development code that addressed two issues; that it is the proposed creation a new multi-family zoning district RM-10; that the RM-10 would allow a maximum of 10 dwelling units per acre; that the new category was designed to fit between current categories of single family, RM-5 and RM-15; that the proposed RM-10 would be classified as a low medium density; that the proposed uses of the property would be consistent with residential use; that the minimum parcel size would be five acres and would be consistent with minimum parcel size in the RPD; discussed the proposed dwelling sizes; discussed the maximum building height and proposed height bonus; stated that the proposed zoning designation would allow someone to apply for and use the RM-10 zoning district; discussed the consideration of having under-building parking allowing more open space; stated that no application had been submitted at this time but did provide some examples of calculations based on average unit sizes in the RPD; that it was the idea to provide some ability to vary height and achieve an average that would reasonably be in line with what was otherwise permitted; that there was one other housekeeping matter in Section 74-175 regarding the required points of ingress-egress for development of 75 units or more and that language be added to address the matter.

Rae Claire Johnson, 1717 Indian Rocks Road, asked if there were any other parcels except for the hotel property that could use the zoning change; asked how high the buildings could be.

Mr. Murphy stated that there several parcels that could use the proposed zoning designation and stated their locations.

Mr. Healey explained the building height calculations and the minimum and maximum building height.

Mrs. Johnson stated that she felt that the actions being taken were in consideration of the demolition of the hotel; commented on the letter sent from the National Trust regarding the hotel.

Mr. Ware asked Mrs. Johnson if she was a representative of the National Trust.

Mrs. Johnson stated that she was not a representative; that she felt certain people wanting the hotel to be demolished; that the building could be saved as it was in the same basic condition as when the Legg Mason was making plans to restore the building; that there would be a fight to save the building and any actions taken to undermine saving the building if viewed by the National Trust to be a step taken to develop the property would be challenged in court.

Doris Hanson, 6 Belleveiw Blvd., spoke in opposition of proposed Ordinance No. 491; stated that the hotel was the highest and best use of the property; urged the planning and zoning board not to move forward with the ordinance.

Lou White, 220 Belleview Blvd., urged the board to delay approval of the proposed ordinance; stated that it should be addressed after the sale of the property.

**REVIEW AND RECOMMENDATION OF ORDINANCE NO. 491 (Continued)**

Lavonne Johnson, 220 Belleview Blvd., spoke in opposition to the proposed ordinance.

Mr. Ottinger, town attorney, addressed comments made; that with respect to Mrs. Johnson's comments, he confirmed remarks made by Mr. Healey regarding zoning changes and did not affect the protection of the historic preservation ordinance; that the actions was prudent in the event the property should go to redevelopment, the only option currently on the property was for single family homes up to 15 units per acre; that , for clarification, a letter was received from the National Trust for Historic Preservation and it did not threaten any litigation against the town but did encourage thought be given to the hotel in connection with the passing of any land use changes.

Charlotte Dillion, 220 Belleview Blvd., stated that she was a recent resident to the RPD, spoke in opposition to the proposed ordinance; spoke to the proposed purchase of 2 acres of the property by the Belleair Country Club.

Mrs. Brandvik stated that the board members would now discuss the matter.

Mr. Marich stated that he had two issues with the ordinance; that 2 cars per unit should be allowed and the pervious calculations should be clearly defined.

Mr. Healey stated that there was no proposed change the parking formula from what it is currently; that parking calculations would be based on the number of bedrooms in then unit; that there was no proposed distinction between existing districts unless staff wanted to revisit the matter.

Discussions ensued regarding the definitions stated in the code.

Mr. Maxwell stated that Mr. Healey and he had met with a number of the HOA members in the PRD to discuss the hotel property; that there were various comments but no unanimous comments from the residents on the property.

Mrs. Burton stated that she felt the height bonus for the buildings could work; that she was concerned about the minimum square footage for unit size; that the town should do everything possible to protect the value of current home owners in the area.

Discussions ensued regarding the unit size for the proposed RM-10 designation; regarding the importance of specifying the minimum size of the units; regarding the calculations for the minimum square footage in the current RPD; regarding the town's desire not to become too involved in the project in order to allow the architects to design the structures; regarding increasing the proposed minimum unit size.

Mr. Ware stated that he felt there was too much concern about the minimum size for units; that he felt the proposed RM 10 would be a good compromise.

**REVIEW AND RECOMMENDATION OF ORDINANCE NO. 491 (Continued)**

Mrs. Brandik commented on the proposed RM 10 designation; spoke in opposition of the proposed ordinance 491; stated that she felt that creating the new designation would be an incentive for the owners to continue to market the property and would not be an incentive for preservation of the hotel; that she felt the primary purpose of the planning and zoning board was to protect the future of Belleair while protecting the town's heritage.

Mr. Haydon moved that the planning and zoning board recommend approval to the commission for Ordinance No. 491. Motion seconded by Mr. Ware. Chairman Brandvik asked for a roll call vote on the motion.

Discussion: Mrs. Burton asked if it would be appropriate for the board to make suggestions regarding the ordinance. Mr. Haydon stated that he did think it would be necessary to make suggestions; commented on comments made by the chairman as he felt she was bias in favor of the hotel; that if persons of interest and funds to purchase the hotel they would have already appeared; that he felt there was a huge gap in the zoning designations and he felt the proposed ordinance was appropriate. Mrs. Burton stated she was in favor of moving forward and amending the land development code to include a new zoning designation; that she was not in favor of everything in the ordinance; that she would hope the commission and the planning consultant take into consideration comments made by the board members.

Roll call vote on the motion was: ayes; Mr. Haydon, Mr. Millspough, Mrs. Burton, Mr. Ware; nays; Mr. Marich, Mrs. Brandvik. The motion carried by a vote of 4 to 2.

**REQUEST FOR VACATION – 303 SUNNY LANE**

Mr. Maxwell stated that the town received a vacation request from the owner of property located at 303 Sunny Lane; that the property was located at the corner of Sunny Lane and Indian Rocks Road; that there was a large right of way space in front of that home and the home located to the north of that property; that the right of way was not the same for any other property on Indian Rock Road; that there was certain criteria to be considered when such a request to vacate a right of way was received; that the request was for vacation of 34.6 feet; that it was staff's recommendation that 15 feet from the back of the curb be vacated; that currently there were no utilities located in that area there could be a future need for some sort on utility to be located in that area; that vacation of the 15 feet would have a positive impact on the property; that the town did expect and increase in the taxable value of the property.

Mr. Ware asked about the hedge located on the property; if the town would require removal of the hedge; if the improvements on the property were located within the proposed 15 ft. area; if the improvements would remain on the property.

Mr. Maxwell stated the improvements would remain should the vacation request be approved; that a portion of the improvements located on the Sunny Lane side of the property was located within the set back and a variance would be required for the secondary front property.

**REQUEST FOR VACATION – 303 SUNNY LANE (Continued)**

Discussions ensued regarding the existing easements; regarding maintenance of the easement area; regarding effect on the property to the north at the corner of Indian Rocks Road and Eastleigh; regarding the possible sale of the vacated property; regarding requiring payment for the property by placing a caveat on the approval of the vacation of easement as it should not just be a gift to the property owner; regarding the measurement of the easement and proposed area to be vacated; regarding the measurement to be taken from the center line of the roadway and not the back of the curb; regarding all expenses involved in the proposal to be passed to the property owner;

Mr. Millspaugh commented on historic establishment of easement; asked if staff had researched the history of the particular easement.

Mr. Haydon moved that the planning and zoning board recommend approval vacate of the request to vacate a portion of the easement for property located at 303 Sunny Lane and approve Ordinance No. 492. Motion seconded by Mr. Marich.

Vote on the motion was 4 to 1; motion carried.

**COMMISSION ADVISOR'S REPORT**

Commissioner Shelly was attending the board meeting in the absence of Commission Fowler; stated that he felt a better definition of pervious/impervious surface should be included in the land development code.

**ADJOURNEMNT**

There being no further action to come before the board the meeting was adjourned in due form at 7:00 pm.

**APPROVED:**

\_\_\_\_\_  
**Chairman**

# Summary

To: Planning and Zoning Board  
From: Micah Maxwell, Town Manager  
Subject: Variance Request  
Memo Date: 1/9/2014

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**Summary:** The owner of the vacant lot located at 1357 Pinellas has requested a variance related that would allow him to construct a home on a currently unbuildable lot.

**Previous Commission Action:** The town commission approved a variance to split the lot and to allow for construction on the lot in 2008.

**Background/Problem Discussion:** The owner of the lot at 1357 Pinellas is asking to have his previously expired variance reapproved so that he can construct a home on the property. The lot is deficient in width by 5 feet and is deficient in square footage by 625 SF.

**Alternatives/Options:**

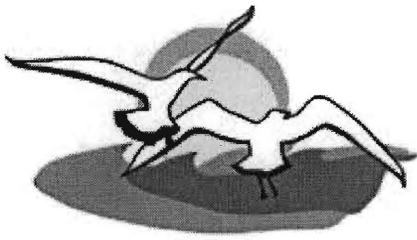
1. Approve the variance to allow for construction.
2. Deny and no construction will be allowed on the lot with the current zoning.  
Property owner could request a zoning change to R-2 which would not require a variance. No R-2 zoned properties currently exist in the area.

**Financial Implications:**

Each \$100,000 of increased valuation on the property will equate to around \$120.00 in tax revenue to the town.

**Recommendation:** Staff recommends approval of the variance.

**Proposed Motion:** I move approval of the variance request.



**TOWN OF BELLEAIR  
BUILDING DEPARTMENT**  
901 Ponce de Leon Blvd.  
Belleair, Florida 33756-1096  
Phone: (727) 588-3769 ext. 215  
Fax: (727) 588-3768

**MEMORANDUM**

**DATE:** December 20th, 2013  
**TO:** Mayor and Commissioners  
**FROM:** Micah Maxwell, Town Manager  
**SUBJECT:** Request for Variance –Belleair Estates  
**Parcel No.** 28/29/15/06732/011/0270

**Property Owner:** Brand Shank  
0 Pinellas Road (Address TBD)  
Belleair, Florida 33756

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The following information is regarding the above referenced variance request.

- I. Existing conditions of land and structure(s):
- A. Zoning designation: R-1 (Single Family Residential)
  - B. Original Construction date:
    - TBD
  - C. Structural and other improvements to date:  
None
  - D. Existing Easements: None shown on survey

II. Proposed request:

The applicant is requesting a previously approved variance which would allow for a non-conforming building lot, The building lot would be 75ft. in width, which is 5ft. less than the minimum 80ft. lot frontage width requirement for a R-1 Single Family Residential zoning.

Additionally the proposed new building lot would be 9,375 square ft. in area, which is 625 square ft. less than the minimum 10,000 square ft. lot area requirement for a R-1 Single Family Residential zoning .

## NOTICE OF PUBLIC HEARING

Notice is hereby given that Public Hearing will be held by the Town Commission of the Town of Belleair, Florida, on request for variances, which would allow for the property at 0 Pinellas Rd., Belleair, Florida to be a buildable lot. 0 Pinellas Rd., Belleair, Florida is more particularly described as:

**28/29/15/06732/011/0270/Belleair Estates Block 11, Lots 27 and 28  
LESS THE NORTH 25.0 feet in width, as recorded in OR Book  
16275, Page 0531, Public Records of Pinellas County, Florida.**

The Planning and Zoning Board will meet on this matter on **MONDAY, January 13, 2014 at 5:30 P.M.** at the Belleair Town Hall, 901 Ponce de Leon Blvd., Belleair, Florida.

Said hearing will be held on **TUESDAY, January 21, 2014 at 6:30 P.M.**, at the Belleair Town Hall, 901 Ponce de Leon Boulevard, Belleair, Florida. Additional information may be obtained from the Town Clerk's office. All parties interested are invited to attend and be heard.

Persons are advised that if they decide to appeal any decision made at these hearings, they will need records of these proceedings and for such purposes they may need to ensure that verbatim records of the proceedings are made, which records include the testimony and evidence upon which the appeal is to be based.

Notice to persons needing special accommodations and to all hearing impaired persons: In accordance with the Americans with Disabilities Act persons needing special accommodations or an interpreter to participate in this proceeding should contact the Town Clerk's Office at 901 Ponce de Leon Blvd., Belleair, Florida 33756 or call (727) 588-3769 x214 or Fax (727) 588-3778, not later than seven (7) days prior to the proceeding.

This matter is subject to court imposed Quasi-Judicial rules of procedures. Interested parties should limit contact with the Town Commissioners and Planning and Zoning Board members on this topic to properly notice public hearings or to written communication care of Town Clerk's Office, Town of Belleair, 901 Ponce de Leon Blvd., Belleair, Florida 33756.

D. Carlen  
Town Clerk  
Town of Belleair

**TOWN OF BELLEAIR, FLORIDA  
NOTICE OF APPEARANCE  
FOR QUASI-JUDICIAL HEARINGS**

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**NOTICE OF APPEARANCE**

I, \_\_\_\_\_, (individual or corporate representative), hereby file and serve notice of my appearance/lawyer or other appropriate representative's appearance, to present testimony and/or cross examine other witnesses at the quasi-judicial hearing to be held on January 13, 2014 at 5:30 PM. and January 21, 2014 at 6:30 P.M.

I understand that upon filing this Notice of Appearance, I shall be considered a participant in the hearing, subject to a determination of standing if challenged.

Address of variance property 0 Pinellas Rd. , Belleair, FL

Name: \_\_\_\_\_

(Please Print)

Address: \_\_\_\_\_

\_\_\_\_\_

D. Carlen, <sup>Town</sup> Clerk

To: Town of Belleair  
Planning & Zoning Board.

Re: Vacant lot (0)

RECEIVED  
BELLEAIR TOWN HALL

JAN 7 - 2014

Board Members -

TIME REC. \_\_\_\_\_

The same lot was given a  
variance at that time. (3-4 yrs ago)  
Neighbors David W. and  
C.R. Noding were given  
house plans to see where  
house would sit on lot.

— Christine R. Nodine  
(new neighbors we welcome—)  
Hope to see house plans.

CRN

(Copy to D. Wieteska)

**28-29-15-06732-011-0270**

Online Property Record Card

[Portability Calculator](#)

**Data Current as of January 08, 2014**

[Print](#) [Radius Search](#)

Ownership/Mailing Address	Site Address
SHANK, BRAND L 505 REBSTOCK BLVD PALM HARBOR FL 34683-1836	0 PINELLAS RD BELLEAIR 33756-



**Property Use:** 0000 (Vacant Residential - lot & acreage less than 5 acres)

Living Units:

[\[click here to hide\]](#) **2014 Legal Description**

BELLEAIR ESTATES BLK 11, LOT 27 & S 25FT OF LOT 28

<a href="#">2014 Exemptions</a>	<a href="#">Mortgage Letter</a>	<a href="#">File for Homestead Exemption</a>	<b>2014 Parcel Use</b>	
Homestead: No	Government: No		Homestead Use Percentage: 0.00%	
Institutional: No	Historic: No		Non-Homestead Use Percentage: 100.00%	Classified Agricultural: No

**2013 Parcel Information 2013 Trim Notice**

Most Recent Recording	<a href="#">Sales Comparison</a>	<a href="#">Census Tract</a>	Evacuation Zone <small>(NOT the same as a FEMA Flood Zone)</small>	Plat Book/Page
16275/0531	\$106,400	12103025700	NON EVAC	018/009

**2013 Interim Value Information**

Year	<a href="#">Just/Market Value</a>	<a href="#">Assessed Value/ SOH Cap</a>	<a href="#">County Taxable Value</a>	<a href="#">School Taxable Value</a>	<a href="#">Municipal Taxable Value</a>
2013	\$87,485	\$87,485	\$87,485	\$87,485	\$87,485

[\[click here to hide\]](#) Value History as Certified (yellow indicates correction on file)

Year	<a href="#">Homestead Exemption</a>	<a href="#">Just/Market Value</a>	<a href="#">Assessed Value/ SOH Cap</a>	<a href="#">County Taxable Value</a>	<a href="#">School Taxable Value</a>	<a href="#">Municipal Taxable Value</a>
2013	No	\$87,485	\$87,485	\$87,485	\$87,485	\$87,485
2012	No	\$110,184	\$110,184	\$110,184	\$110,184	\$110,184
2011	No	\$119,856	\$119,856	\$119,856	\$119,856	\$119,856
2010	No	\$129,752	\$129,752	\$129,752	\$129,752	\$129,752
2009	No	\$206,781	\$206,781	\$206,781	\$206,781	\$206,781
2008	No	\$219,700	\$219,700	\$219,700	\$219,700	\$219,700
2007	No	\$0	\$0	\$0	N/A	\$0
2006	No	\$0	\$0	\$0	N/A	\$0
2005	No	\$0	\$0	\$0	N/A	\$0
2004	No	\$0	\$0	\$0	N/A	\$0
2003	No	\$0	\$0	\$0	N/A	\$0
2002	No	\$0	\$0	\$0	N/A	\$0
2001	No	\$0	\$0	\$0	N/A	\$0
2000	No	\$0	\$0	\$0	N/A	\$0
1999	No	\$0	\$0	\$0	N/A	\$0
1998	No	\$0	\$0	\$0	N/A	\$0
1997	No	\$0	\$0	\$0	N/A	\$0
1996	No	\$53,200	\$53,200	\$53,200	N/A	\$53,200

**2013 Tax Information**

[Click Here for 2013 Tax Bill](#)

	Tax District: <a href="#">BL</a>
2013 Final Millage Rate	22.3656
2013 Est Taxes w/o Cap or Exemptions	\$1,956.65

**A significant change in taxable value may occur when sold due to changes in the market or the removal of exemptions. [Click here for more information.](#)**

**Ranked Sales** (What are Ranked Sales?) [See all transactions](#)

Sale Date	Book/Page	Price	Q/U	V/I
04 Jun 2008	16275 / 0531	\$265,000	Q	V
16 Dec 1996	09554 / 0663	\$350,000	U	V
18 Jun 1996	09377 / 1917	\$429,200	U	V
22 Dec 1989	07160 / 0663	\$475,000	U	V

**2013 Land Information**

Seawall: No		Frontage: None		View:		
Land Use	Land Size	Unit Value	Units	Total Adjustments	Adjusted Value	Method
Vacant (00)	75x125	1375.00	75.0000	1.0000	\$103,125	FF

[\[click here to hide\]](#) **2014 Extra Features**

Description	Value/Unit	Units	Total NewValue	Depreciated Value	Year

No Extra Features on Record

[\[click here to hide\] Permit Data](#)

Permit Information is received from the County and Cities. This data may be incomplete and may exclude permits that do not result in field reviews (for example for water heater replacement permits). Any questions regarding permits should be directed to the permitting office in which the structure is located.

Permit Number	Description	Issue Date	Estimated Value
No Permit Data Found			



[Interactive Map of this parcel](#)

[Back to Query Results](#)

[New Search](#)

[Tax Collector Home Page](#)

[Contact Us](#)

Prepared by & Return To:  
Statewide Title Solutions  
Statewide Title Solutions, Inc.  
645 S. Missouri Avenue  
Clearwater, Florida 33756

File Number: 07-10092

265,000.00

### General Warranty Deed

Made this May 27, 2008 A.D. By **Karen S. Brown, a single woman**, whose address is: 1340 Indian Rocks Road, Belleair, Florida 33756, hereinafter called the grantor, to **Brand L. Shank**, whose post office address is: 505 Rebstock Blvd., Palm Harbor, Florida 34683, hereinafter called the grantee:

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

**Witnesseth**, that the grantor, for and in consideration of the sum of Ten Dollars, (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Pinellas County, Florida, viz:

Lots 27 and 28 LESS THE NORTH 25.0 Feet in Width, BLOCK 11, BELLEAIR ESTATES, according to the map or plat thereof, as recorded in Plat Book 18, Page 9 through 23, Inclusive, of the Public Records of Pinellas County, Florida.

Parcel ID Number:

**Together** with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

**To Have and to Hold**, the same in fee simple forever.

**And** the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whatsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31, 2007..

**In Witness Whereof**, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

*Karen S. Smith*  
Witness Printed Name Karen S. Smith

*Donda Doyle*  
Witness Printed Name Donda Doyle

*Karen S. Brown* (Seal)  
Karen S. Brown  
Address: 1340 Indian Rocks Road, Belleair, Florida 33756

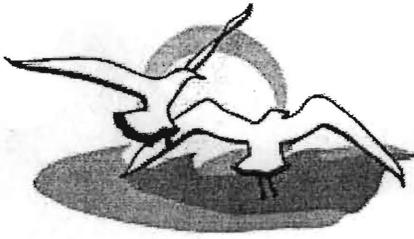
\_\_\_\_\_  
(Seal)  
Address:

State of Florida  
County of Pinellas

The foregoing instrument was acknowledged before me this 27th day of May, 2008, by Karen S. Brown, a single woman, who is/are personally known to me or who has produced FLDL as identification.

*Karen S. Smith*  
Notary Public  
Print Name \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_





**TOWN OF BELLEAIR**  
 901 Ponce de Leon Blvd.  
 Belleair, Florida 33756-1096  
 Phone: (727) 588-3769 ext. 215  
 Fax: (727) 588-3768

**VARIANCE APPLICATION CHECK OFF SHEET**

Application shall be **fully completed** and must include the following information:

OWNERS NAME Brand Shank

OWNERS MAILING ADDRESS 505 Rebstock Blvd, Palm Harbor, 34683

PROPERTY ADDRESS lot 27 & the S. 25 Ft. of lot 28, block 11, Belleair Estates

PHONE NUMBER 727-785-8918

REPRESENTATIVE NAME AND ADDRESS (if any) n/a

PHONE NUMBER \_\_\_\_\_

DATE OF ORIGINAL CONSTRUCTION n/a - vacant lot

IMPERVIOUS COVER \_\_\_\_\_

FLOOD ZONE AND ELEVATION Flood Zone X

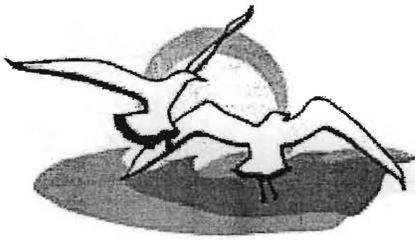
**REQUIRED INFORMATION:**

<u>REQUIRED</u>	<u>RECEIVED</u>	PROVIDE (18) COPIES EACH..
<u>  X  </u>	_____	PLANS/SPECS/PRODUCT BROCHURE
<u>  X  </u>	_____	PHOTOS OF AREA (straight/right angle/left angle)
<u>  X  </u>	_____	SURVEY W/ SETBACKS SHOWN
<u>  X  </u>	_____	SITE PLAN W/ SETBACKS SHOWN

REVIEWED BY:   ZONING     PUB.WK     FIRE     BLDG.     MRG.  

DATE SENT: \_\_\_\_\_

DATE RETURNED: \_\_\_\_\_



**TOWN OF BELLEAIR**

901 Ponce de Leon Blvd.  
Belleair, Florida 33756-1096  
Phone: (727) 588-3769 ext. 215  
Fax: (727) 588-3768

DATE 12-19-2013

To the Town Commission of the Town of Belleair, Florida

1. The undersigned, Brand Shank, owner of Lot 27 1/2 S. 25' of Lot 28  
Block 11, Subdivision Belleair Estates, property  
Commission of the Town of Belleair for a variance on the abovedescribed property.

2. The property is presently zoned R-1.

3. The present land use on the property is single family residential.

4. The decision involves Article \_\_\_\_\_ Section \_\_\_\_\_ of the Belleair Land  
Development Code.

5. The Commissions power arises under Article V, Section 66.253 of the Belleair Land Development  
Code.

6. The Relief prayed by the applicant is: a variance in lot width, lot area  
and return to buildable status. Lot was deemed  
buildable but prior variance expired after 1 year.

7. The Justification for the request is (requests for the variances must demonstrate the practical  
difficulty or unnecessary hardship which justifies the variance): see attached

8. Attached is a non-refundable fee to defray expenses incurred by the Town of Belleair in processing  
this application. (\*\* Note: All costs incurred by the Town of Belleair, above and beyond the  
variance application fee, will be the responsibility of the applicant regardless of approval or denial  
of the request\*\*)

9. I am aware that this request will be voided should I or myrepresentative fail to appear at the public  
hearings scheduled to consider this request.

10. I am aware that any variance that may be granted will automatically expire twelve months after  
approval by the Town Commission unless a building permit id produced from the Town with  
respect to the improvements contemplated by this application for variance within said twelve  
month period unless the constnuction of said improvements is promptly commenced pursuant to  
the building permit and diligently pursued to completion thereafter.

FEE: \$300.00

Paid: \_\_\_\_\_

Brand Shank  
Owner  
505 Rebstock Blvd, P.A. 34683  
Address  
727-785-8918  
Telephone Number

Addendum  
To  
Variance Application  
For  
Lot 27 & the South 25 Ft of Lot 28  
  
Belleair Estates

No. 7 of the application,

In determining the criteria for this application, the response is as follows:

- 1) The special conditions and circumstances are a result of changes in the times when smaller lots and homes were built and the conditions are not a result from the actions of the applicant.
- 2) Literal interpretation of the code would work an undue and unnecessary hardship on the applicant in that the lot is unbuildable and prevents even a minimum of use of the property.
- 3) If granted, the variance is minimum in nature i.e. five (5) feet on the front lot width and approximately 645 sq.ft. in lot area, and would allow the reasonable use of the land for a single family home.
- 4) The grant of the variance will be in harmony with the general interest of the code and the variance will not be injurious to the zoning district or otherwise detrimental to the street, neighborhood or the community as a whole.
- 5) Plans show the new home would fit the lot within the normal setbacks.

**SURVEY SKETCH OF BOUNDARY SURVEY**

**NOT FOR FENCE CONSTRUCTION  
NOT FOR CONSTRUCTION  
NOT FOR DESIGN**

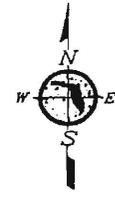
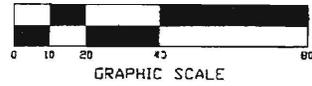
FLORIDA STATUTE 61G17-6.004:  
(TWO SITE BENCHMARKS REQUIRED FOR CONSTRUCTION)

STREET ADDRESS:  
UNASSIGNED PINELLAS ROAD  
BELLEAIR, FLORIDA

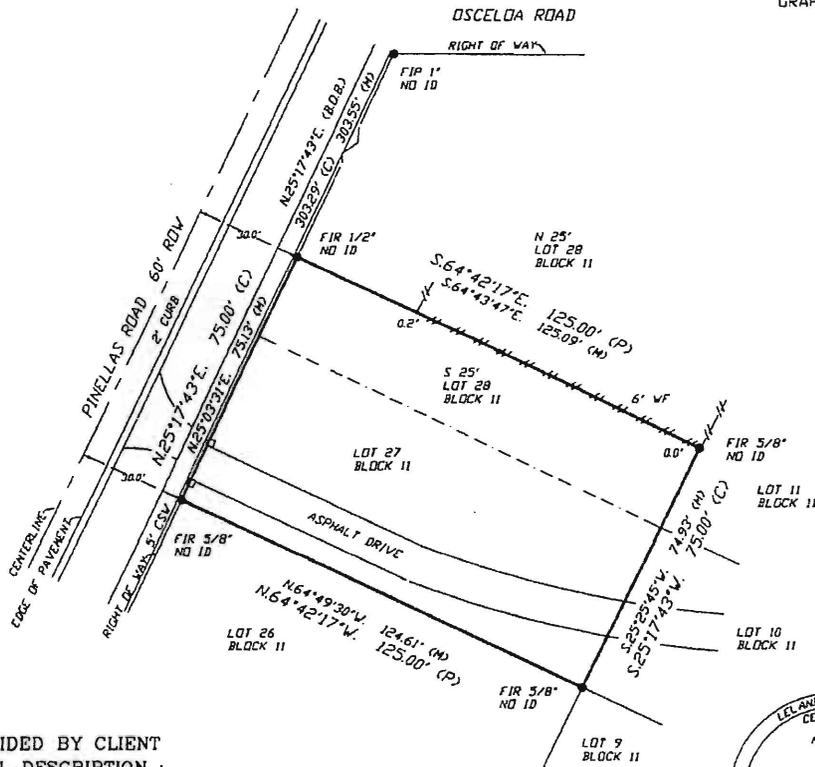
COPYRIGHT 2008 F.L.A. SURVEYS CORP.  
NOTE: THE INTENT OF THIS SURVEY  
IS FOR TITLE TRANSFER ONLY  
THIS SURVEY DOES NOT REFLECT OR  
DETERMINE OWNERSHIP.

**PAGE 1 OF 2**  
SEE REVERSE SIDE FOR PAGE 2 OF 2

THE LINES ON THIS SKETCH DO  
NOT CONSTITUTE OWNERSHIP.



SCALE 1" = 40'



**PROVIDED BY CLIENT  
LEGAL DESCRIPTION :**

LOTS 27 AND 28, LESS THE NORTH 25.0 FEET IN WIDTH, BLOCK 11, BELLEAIR ESTATES, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 18, PAGES 9 THROUGH 23, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA

**PROVIDED BY CLIENT  
CERTIFIED TO :**

BRAND SHANK

**QUALITY CONTROLLED**

BY: HAROLD ASHLEY SIGNATURE DATE: 3/19/08

NOTE: FEMA FLOOD HAZARD MAPPING: THIS DATE PRODUCT WAS NOT DESIGNED TO MAKE PRECISE IN/ OUT FLOOD RISK DETERMINATIONS. THIS PRODUCT IS NOT SUITABLE FOR ENGINEERING APPLICATIONS AND CANNOT BE USED TO DETERMINE ABSOLUTE DELINEATIONS OF FLOOD BOUNDARIES. CALL 1-877-FEMA MAP OR EMAIL A MAP SPECIALIST AT WWW.FEMA.ORG/MIT/TSD/FO-MAP17.HTM

**CERTIFICATION :**

I CERTIFY THAT THIS SURVEY WAS MADE UNDER MY DIRECTION AND THAT IT MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE BOARD OF PROFESSIONAL LAND SURVEYORS AND MAPPERS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

BY: Leland F. Dwyer FIELD SURVEY DATE: 3/19/08  
SIGNATURE DATE: 03-19-08



**PROVIDED BY COUNTY**

FLOOD ZONE : X  
COMMUNITY PANEL 125088-0116H  
DATED : 5/17/05  
(FLOOD ZONE : "B", "C", "D", & "X" ARE NOT IN DESIGNATED FLOOD HAZARD ZONE AREA.)

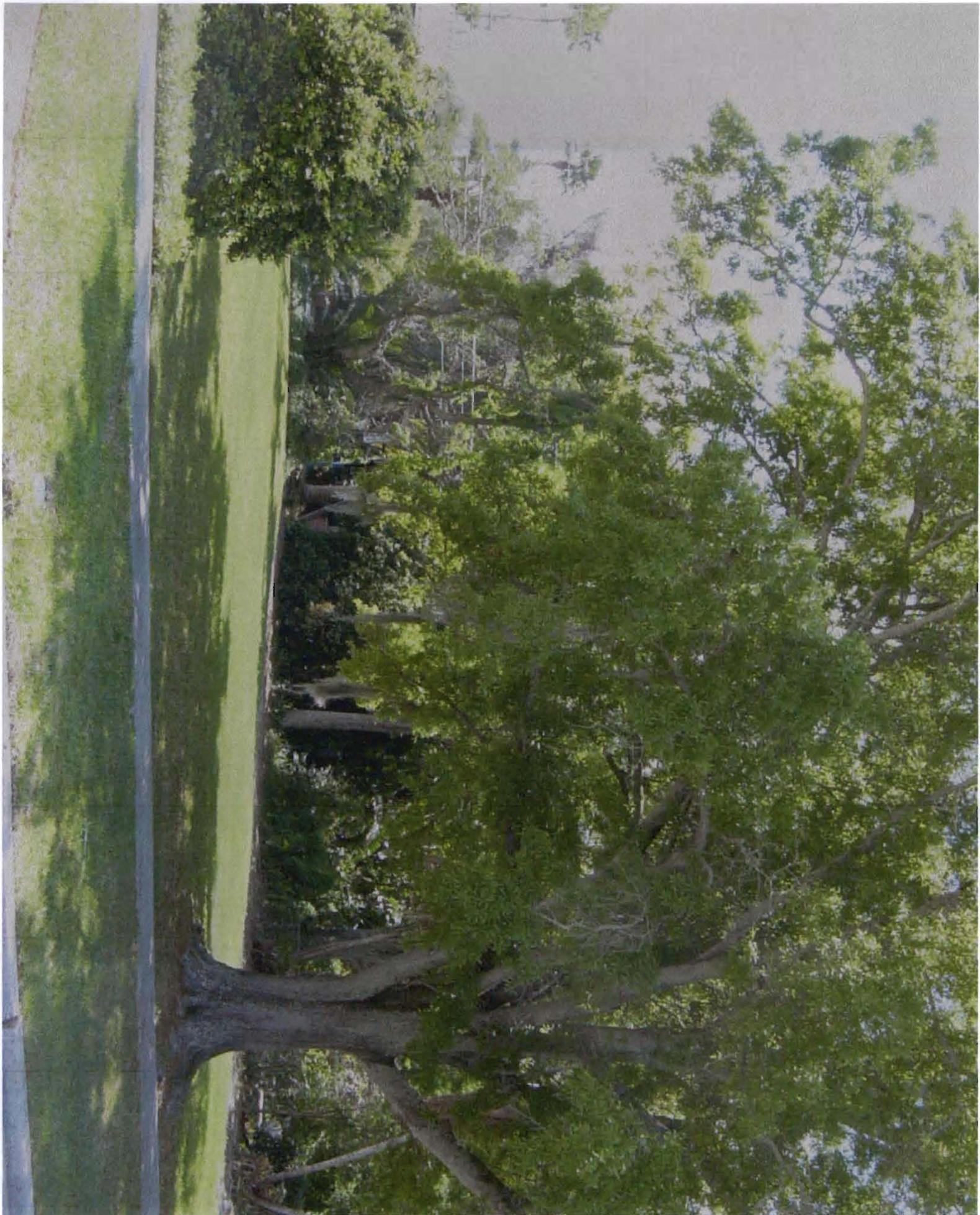
NOTE: PROPERTY OWNER SHOULD OBTAIN WRITTEN FLOOD ZONE DETERMINATION FROM OUR LOCAL PERMITTING, PLANNING, AND BUILDING DEPARTMENT PRIOR TO ANY CONSTRUCTION PLANNING AND/OR CONSTRUCTION.

NOTE: IF APPLICABLE, FENCES SHOWN MEANDER ON OR OFF LINES. (APPROX. LOCATION ONLY)

FOUNDATION/UTILITIES DISCLAIMER  
NOTE:  
FOUNDATION BENEATH THE SURFACE OF THE GROUND HAS NOT BEEN LOCATED.  
UNDERGROUND UTILITIES HAVE NOT BEEN LOCATED.

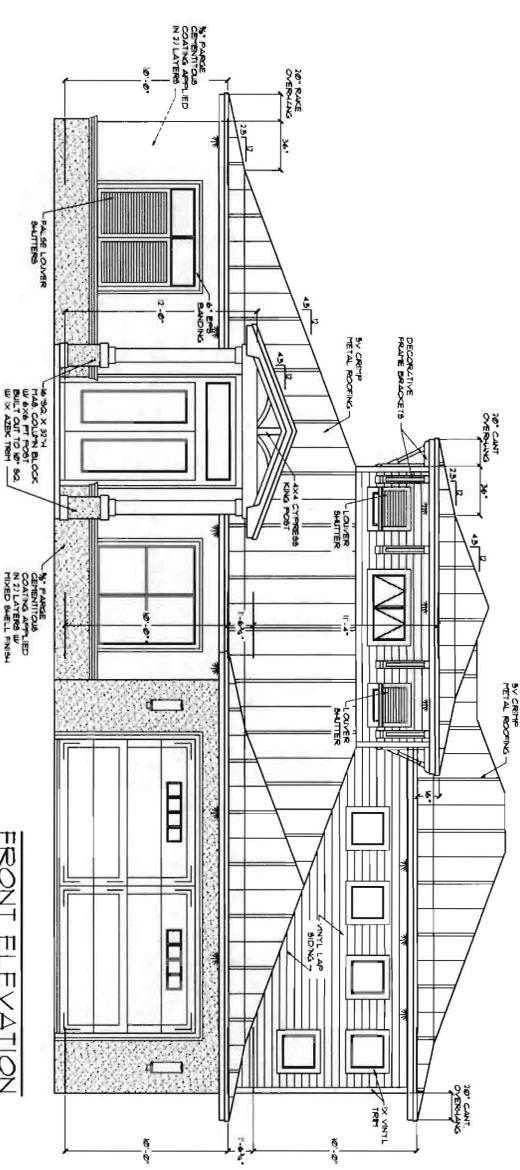
NOTE:  
IN COMPLIANCE WITH F.A.C.



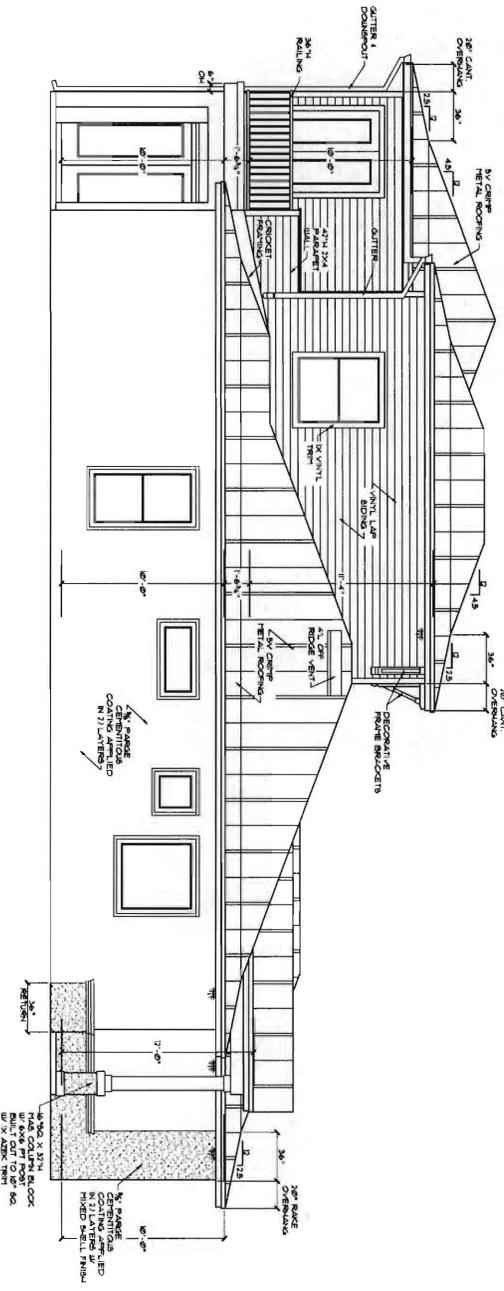








FRONT ELEVATION  
SCALE: 1/4" = 1'-0"



LEFT SIDE ELEVATION  
SCALE: 1/4" = 1'-0"

NO.	REVISIONS	BY

793 San Christopher Dr Suite D  
Dunedin, Florida 34698

**SHORE LINES**  
DESIGN GROUP, LLC

727-736-4196 (5483) est. 1983

I HEREBY STATE THAT I HAVE REVIEWED THE STRUCTURE DESCRIBED ON THESE PLANS AND I AM SURE THAT THE SAME MEET ALL REQUIREMENTS OF THE FLORIDA BUILDING CODE AND ALL APPLICABLE LOCAL ORDINANCES. THE PLANS, SPECIFICATIONS AND CONTRACT DOCUMENTS SHALL BE HELD TO BE THE ENTIRE AGREEMENT BETWEEN THE PARTIES AND NO OTHER INSTRUMENTS OR DOCUMENTS SHALL BE INCLUDED IN THE DETERMINATION.

ENGINEER OF WORK:  
PAUL E. HAIGLER, P.E.  
1000 W. HIGHLAND AVE.  
SUITE 100  
DUNEDIN, FLORIDA 34698  
PHONE (727) 736-4196  
FAX (727) 736-8005  
VOICE (727) 736-8005

PAUL E. HAIGLER, P.E. 20156

CUSTOM HOME FOR:  
**Brand Shank**  
LOT 27 PINELLAS ROAD, BELLEAIR, FL.

DRAWN BY: TJB  
CHECK BY: GLB

JOB#  
12-040

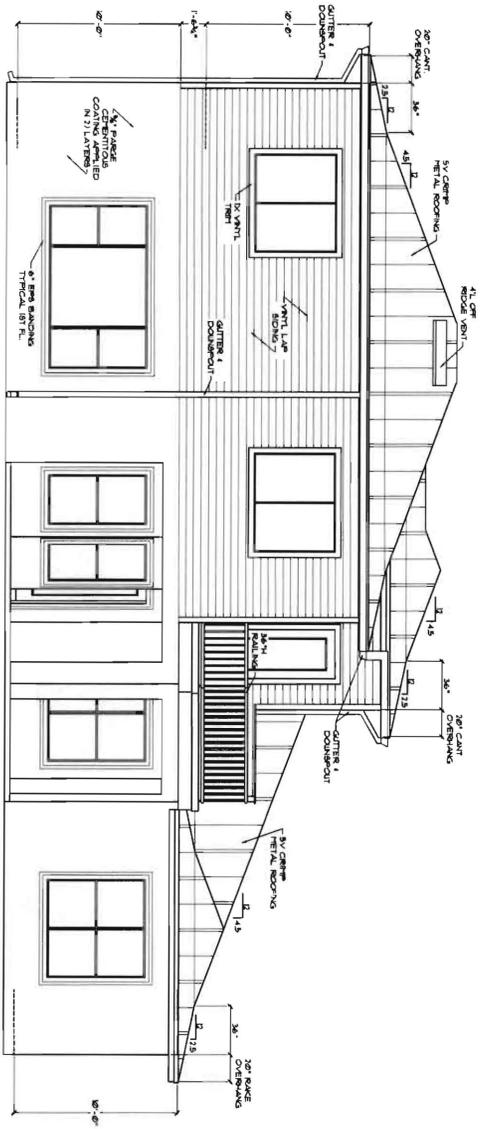
DATE  
07/09/13

DATE REV.  
10/08/13

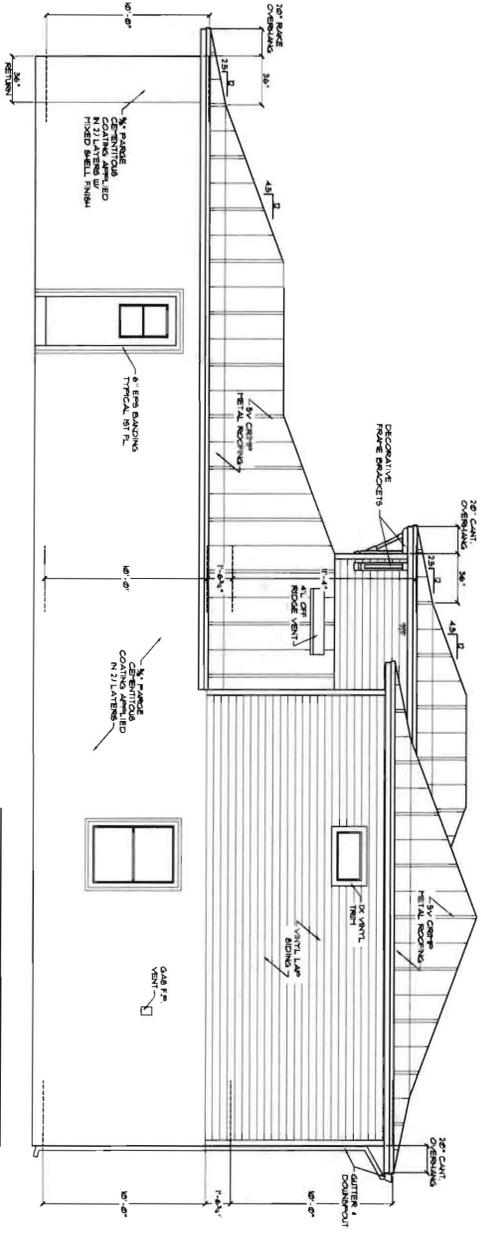
SCALE  
1/4" = 1'-0"

BID SET   
PERMITTING SET   
PRODUCTION RUN

PAGE  
**5**  
OF 12



REAR ELEVATION  
SCALE - 1/4" = 1'-0"



RIGHT SIDE ELEVATION  
SCALE - 1/4" = 1'-0"

REVISIONS	BY

793 San Christopher Dr Suite D  
Dunedin, Florida 34698

**SHORE LINES**  
DESIGN GROUP, LLC

727-738-4INE (5463) #41-1963

DESIGNER OF WORK:  
PAUL E. HAGLER, P.E.  
REGISTERED ENGINEER  
1280 HEATHER RIDGE BLVD  
LARGO, FL 34682  
PHONE (727) 738-9425  
VOICE (727) 738-9425

PAUL E. HAGLER, P.E. 20158

CUSTOM HOME FOR:

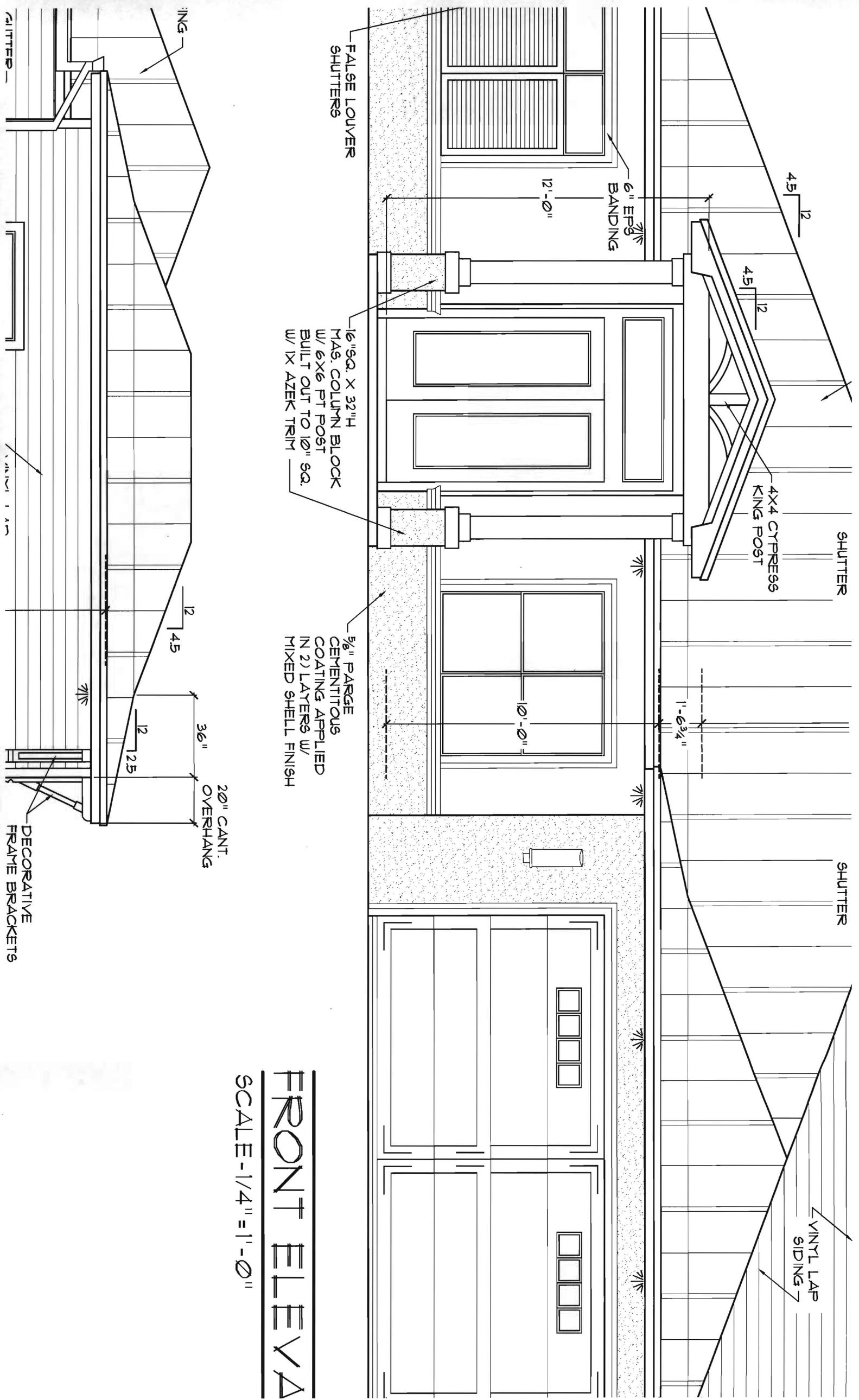
**Brand Shank**

LOT 27 PINELLAS ROAD, BELLEAIR, FL.

DRAWN BY: TJB  
JOB#  
12-040  
DATE  
07/09/13  
DATE REV.  
1 02/08/13  
SCALE  
1/4" = 1'-0"

GRID SET   
PERMITTING SET   
PRODUCTION RUN

PAGE  
6  
OF 12



SHUTTER

SHUTTER

VINYL LAP SIDING

4X4 CYPRESS KING POST

6" EPG BANDING

FALSE LOUVER SHUTTERS

16" SQ. X 32" H MAS. COLUMN BLOCK W/ 6X6 PT POST BUILT OUT TO 10" SQ. W/ IX AZEK TRIM

5/8" PARGE CEMENTITIOUS COATING APPLIED IN 2 LAYERS W/ MIXED SHELL FINISH

20" CANT. OVERHANG

DECORATIVE FRAME BRACKETS

**FRONT ELEVATION**  
SCALE - 1/4" = 1'-0"

45 | 12

45 | 12

12'-0"

1'-6 3/4"

10'-0"

ING

SHUTTER

SHUTTER

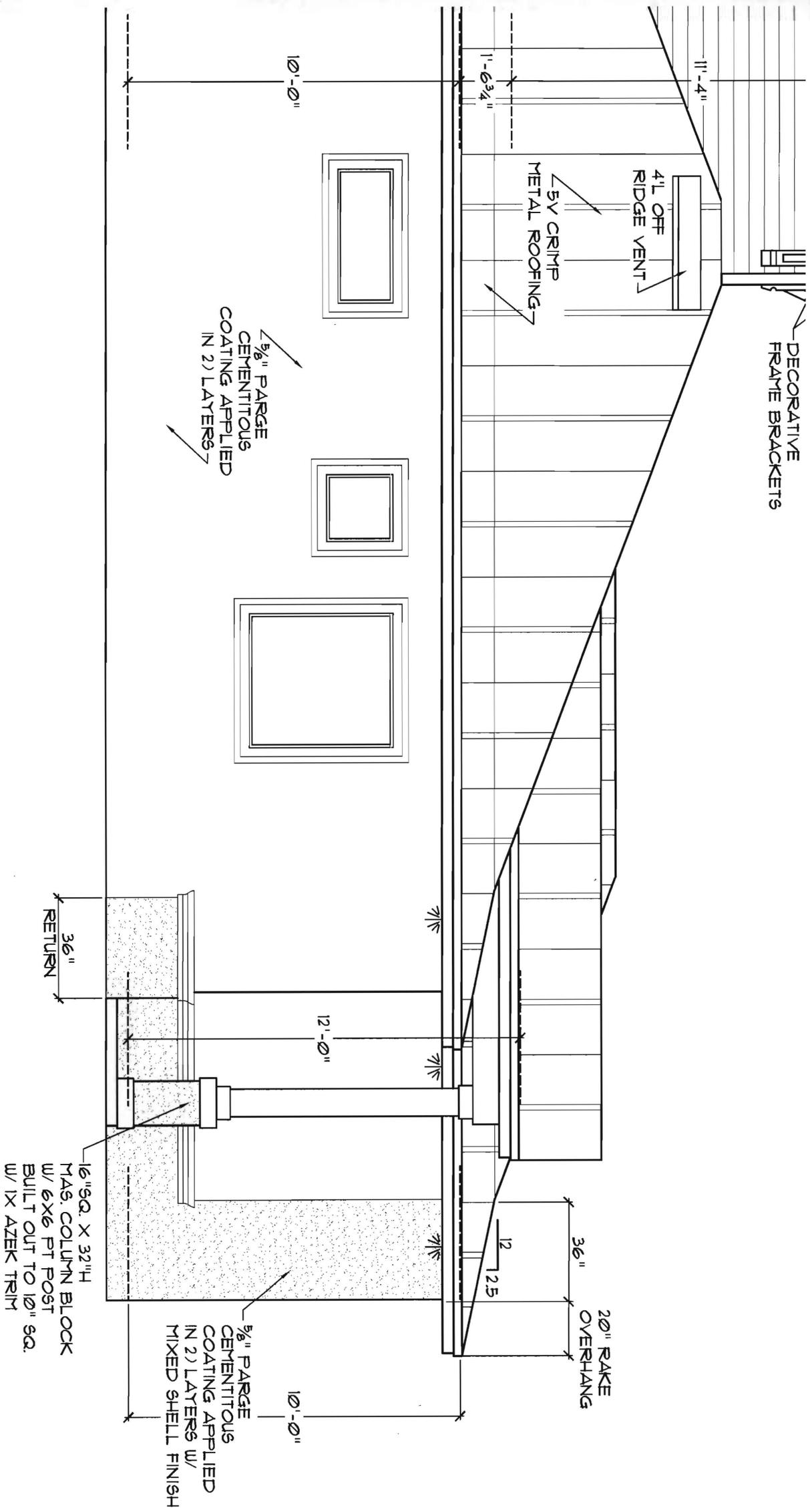
12

4.5

36"

12

12.5



# LEFT SIDE ELEVATION

SCALE - 1/4" = 1'-0"