

Town of Indian Shores

19305 Gulf Boulevard, Indian Shores, FL 33785
ph 727.595.4020 fax 727.596.0050

www.myindianshores.com



PLANNING, ZONING AND BUILDING COMMITTEE MEETING AGENDA – SEPTEMBER 7, 2010

BEGINS AT 4:30 p.m.

- | <u>ITEM NO.</u> | <u>ITEM</u> |
|-----------------|---|
| 1.0 | Approval of Agenda |
| 2.0 | Consideration of Approving Minutes of Meeting Held on August 17, 2010. (Pages 2 & 3) |
| 3.0 | Public Hearing (Pages 4-9) |
| 3.1 | Consideration of a request from Lawrence G. Nayman, Building Official to review the Floodplain Management Plan/Local Mitigation Strategy Annual Report. |
| 4.0 | Items for Committee Action: (Pages 10-12) |
| 4.1 | Consideration of a request from the Building Official to review the proposed revisions to Ordinance No. 2010-6. |
| 5.0 | Items for Review: |
| 5.1 | Project Status Report for August 2010. (Pages 13–15) |
| 5.2 | Building Permit Log for July and August 2010. (Pages 16 & 17) |
| 6.0 | Unscheduled Items. |


MARCIA GRANTHAM, CMC
Town Clerk

Any person who decides to appeal any decision of the Planning, Zoning & 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.

James J. Lawrence
Mayor

Joan G. Herndon
Vice Mayor

Carole Irelan
Councilor

Steve Sutch
Councilor

William F. Smith
Councilor

E.D. Williams
Town Administrator
Chief of Police

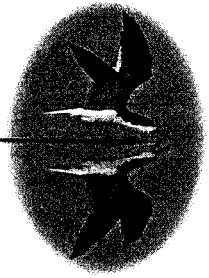
Mary Karayianes
Director of Finance
and Personnel

Marcia Grantham
Town Clerk

James Yacavone
Town Attorney

Lawrence G. Nayman
Building Code
Administrator

Town of Indian Shores



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PLANNING, ZONING AND BUILDING COMMITTEE MEETING MINUTES – AUGUST 17, 2010

The Planning, Zoning and Building Committee convened at 4:30 p.m. Those present were: Councilor Smith, Chairperson; Councilor Sutch, Vice Chairperson; John McBaine, Citizen Member; Anne Miller, and Fred Strahlendorf, Alternate Citizen Members.

Also present: Mayor James J. Lawrence, Vice Mayor Herndon, Councilor Irelan, Lawrence G. Nayman, Building Official; Joyce Ciccarello, Administrative Assistant; E. D. Williams, Chief of Police/Town Administrator; Rod Karcher, Art Newsome.

ITEM NO. ITEM

1.0 *Approval of Agenda*

-MOTION BY Councilor Sutch-seconded by Mr. McBaine to approve the agenda for August 17, 2010. Motion carried 3-0.

2.0 *Consideration of approving Minutes of meeting held on August 3, 2010.*

-MOTION BY Mr. McBaine-seconded by Mr. McBaine to approve the Minutes of meeting held on August 3, 2010. Motion carried 3-0.

Chairperson Smith called the Public Hearing to order, read the General Rules and Procedures and administered the oath. Note: When the PZB Committee sits as a quasi-judicial body, the two Council/Committee members shall be excused from the Committee and the Committee shall consist of John McBaine, Citizen Member, who will Chair the Public Hearing, with Ms. Miller and Mr. Strahlendorf, the two alternate Citizen Members.

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Vice Mayor

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Building Code
Administrator

Lawrence G. Nayman and Rod Karcher stood and took the oath.

3.0 *Public Hearing*
 Quasi-Judicial

- 3.1 *Consideration of a request from Elizabeth A. Barrett, to construct a single family home located at 19646 Gulf Blvd, Indian Shores, FL., parcel number 24/30/14/42912/004/0040. The new single family residence will consist of two stories over parking.*

Mr. Nayman, the Building Official, submitted his Staff Report and recommended approval to the Committee stating that the application for the new single family home had an error in the description from Elizabeth A. Barrett. The new single family home consist of two stories over a pool and not parking as the application submitted showed. Also, the plans submitted meet the required Town Ordinances.

-MOTION BY Ms. Miller-seconded by Mr. Strahlendorf to recommend Council approval of a request for a site plan review for Consideration of a request from Elizabeth A. Barrett, to construct a single family home located at 19646 Gulf Blvd, Indian Shores, FL., parcel number 24/30/14/42912/004/0040. The new single family residence will consist of two stories over parking.

Motion carried 3-0.

4.0 *Items for Committee Action.*

ITEMS FOR COMMITTEE ACTION: (Information to be distributed at meeting)

- 4.1 *Consideration of a request from the Building Official to review and consider increasing Building Permit fees.*

This Item has been tabled to an undetermined future meeting.

5.0 *Unscheduled Items.*
 None.

The PZB Committee adjourned at 4:50 p.m.

Submitted by



Joyce Ciccarello

Administrative Assistant

Building/Planning Department

Town of Indian Shores



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MEMORANDUM

TO: Mayor James J. Lawrence, and Town Council

FROM: Lawrence G. Nayman, Building Official, & CFM

DATE: August 2010

SUBJECT: Status of Floodplain Management Plan (FMP)/Local Mitigation Strategy (LMS) Annual Report

.....

Ordinance 2009-3, May 14, 2009, adopted the Town of Indian Shores Floodplain Management Plan (FMP). This memo is our progress report. It was prepared by Lawrence G. Nayman, Building Official, and Certified Floodplain Manager. It was reviewed and approved by our Planning, Zoning, and Building Committee (PZB) who also serves as our Local Planning Agency (LPA) at the September 7, 2010 PZB Committee meeting and on September 8, 2010 the Town Council Meeting.

The FMP is more stringent than the LMS based on the fact that the Town agreed to adopt building to Higher Regulatory Standards. Some of these Standards are as follows:

- All improvements, modifications, reconstruction, repairs, and/or additions to all existing structures shall be calculated cumulatively for ten years from the date of the initial permit date.*
- An addition or renovation shall be considered a substantial improvement when the cost of improving the structure exceeds 50 percent of the market value of the building.*
- All new structures regardless of what flood zone they are located in must have the following:
 - Breakaway walls and hydro-static vents.*
 - Shall be elevated to or above base flood elevation plus four feet freeboard.**

The Town continues to maintain the Town's drainage system. This includes routine inspection, removal of debris, and repairs. The Town also continues to maintain and monitor the open space throughout the Town.

The Building Department continues to provide:

- Map Determination Service.*
- Flood library documents available at the Town's public library.*
- Provide technical assistance where possible of flood issues.*
- Continue publicizing all of these services.*
- Encourage the elevation/retrofitting of structures to FEMA requirements through the enforcement of the Fifty Percent Rule through distribution of information to repetitive loss areas, as well as the entire Town.*

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Vice Mayor

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The Local Mitigation Strategy (LMS) was developed cooperatively with representatives of Pinellas County and the 24 municipalities. The LMS is a unified, coordinated effort to develop local initiatives to mitigate for future property damage and possible loss of life from severe storms and flooding. LMS participants meet regularly to discuss the LMS and prioritize local topics including major drainage improvement projects, hardening of public structures, Emergency Operation Center purchases, etc. and other mitigation construction type projects or through an educational outreach program to the community. The LMS is updated and revised annually as goals are reached or priorities shifted.

The LMS qualifies for credit as a Floodplain Management Plan under the National Flood Insurance Program's (NFIP) Community Rating System (CRS) program. The CRS is a point system program that rewards communities that undertake floodplain management activities that exceed the minimum NFIP standards by reducing flood insurance premiums for the citizens of participating communities. There are 10 CRS classes: Class 1 requires the most credit points and gives the greatest premium reduction; Class 10 receives no premium reduction. Indian Shores has participated in the CRS program since 1986 and is currently a Class 6 community. As a Class 6 community, the residents receive a twenty percent discount on their flood insurance premiums.

In order to continue to receive CRS points for the FMP/LMS a progress report must be submitted as part of the required documentation during the annual CRS recertification process. This memo is the Town of Indian Shores annual progress report. It was prepared for review by the Town Council at the September 8, 2010 Town Council meeting. Copies of this report are available to the public and posted on the Town's Website.

STATUS OF FLOODPLAIN MANAGEMENT PLAN/LOCAL MITIGATION STRATEGY INITIATIVES

<i><u>Initiative</u></i>	<i><u>Status</u></i>
<i>Storm water management in redevelopment area to control and mitigate flooding.</i>	<i>Completed.</i>
<i>Redeveloped one repetitive loss structure to meet FEMA's requirements.</i>	<i>Completed.</i>
<i>Storm water management at 19305 Gulf Blvd.</i>	<i>Completed.</i>
<i>Distributed sand bags during the hurricane warning.</i>	<i>Completed.</i>
<i>FDOT repaving Gulf Blvd (SR699) and installing new drainage.</i>	<i>Completed.</i>
<i>Build New Town Hall/EOC/Police Department above 500 year flood plain.</i>	<i>Under Construc.</i>

**STATUS OF FLOODPLAIN MANAGEMENT PLAN /LOCAL MITIGATION
STRATEGY INITIATIVES**

FUTURE

Initiative:

Erosion Control.

- Seawall replacement with tiebacks at Intracoastal Waterway and Town street.
- Distribute sand bags during storm warnings.

**STATUS OF FLOODPLAIN MANAGEMENT PLAN /LOCAL MITIGATION
GOALS AND OBJECTIVES**

Increase Public Awareness Regarding Mitigation

Initiative: *Provide education and information to property and business owners about storm damage and ways to properly protect structures. Utilize print media, computer technology to educate public on mitigation.*

Status: *This was accomplished by presentations on hurricanes and storm preparedness. The Town library and the Town website, along with quarterly newsletters offer flood information for properties within the Town which is a Special Flood Hazard Area. Letters were mailed to all lenders, insurance agents, and real-estate offices regarding flood mitigation and the availability of elevation certificates, which are posted on our Town website and available in the Building Department.*

Create a Disaster Resistant Community

Initiative: *Enforce the Land Development Regulations regarding flood management provisions and stormwater management.*

Status: *These regulations are strictly enforced. There is an ongoing review of these regulations including a future requirement that new construction must have the lowest elevated structural member at four feet over the BFE. All construction regardless if a VE or AE zone must have flood vents and break-a-way walls. In 2002, the Town began utilizing the Florida Building Code which has increased requirements for structural stability. For example, windows must be resistant to*

greater wind loads. The Town will continue to enforce the requirements of the Florida Building Code.

Initiative: *Enforce Storm Water Management Requirements.*

Status: *All development is regulated with regard to surface water runoff. Detention and retention are required to be designed for the 100-year storm. While the Town maintains its own system, it has the power to inspect, bi-annually, privately-owned drainage systems and remove, or cause to be removed, obstructions in any drainage system. The Town requires temporary erosion/sedimentation controls during construction. The Town has a Master Drainage Plan that has been developed and maintained. Any significant new development or redevelopment must obtain an environmental resource permit through SWFWMD which regulates storm water management. The Town enforces this requirement and will continue to do so.*

Initiative: *Provide flood related information to the residents.*

Status: *The Town maintains elevation certificates on all buildings built in the Town after 1986. While the Town cannot verify that elevation certificates are available for all post-FIRM buildings within the Town. The Town also enforces the elevation of all new and substantially improved structures. This practice will continue. The Town sends flood proofing and flood insurance information annually to the residents of each repetitive loss area. This task will continue. While not necessarily a formal program, technical service information and advice is available to residents and businesses regarding flooding and methods to prevent or reduce flooding. This may include on-site visits. This task will continue.*

The Town's Action Plan

The following makes recommendations on the actions the Town should take.

- 1. Continue monitoring use of open space throughout the Town.*
- 2. Continue the maintenance of the Town's drainage system. This includes routine inspection, removal of debris, and repairs.*
- 3. Continue the mail-out of flood proofing information to the residents of each repetitive loss area.*
- 4. Encourage the elevation/retrofitting of structures to FEMA requirements through the enforcement of 50% rule, through the distribution of information to repetitive loss areas, as well as the entire Town.*
- 5. Continue to provide the Map Determination Service, including the publicizing of the service.*
- 6. Continue to maintain and publicize the Flood Library documents available at the Town's public library.*

7. *Continue to provide technical assistance where possible of flood issues.*
8. *The Town of Indian Shores will continue to be an active participant in the LMS.*
9. *The Town has adopted its own Floodplain Management Plan, which is more stringent than the LMS. The Town will review the Floodplain Management Plan on an annual basis.*

CRS 2010/510 Progress Report

Revised 8/20/2010

**TOWN OF INDIAN SHORES
NOTICE OF PUBLIC MEETING**

The Planning, Zoning, and Building Committee of Indian Shores, Florida, will hold a Public Meeting on Tuesday, September 7, 2010 at 4:30 p.m. for Status of Floodplain Management Plan/Local Mitigation Strategy Annual Report. The Town of Indian Shores Town Council will review the Annual Report on September 8, 2010. The Town Hall is located at 19305 Gulf Boulevard, Indian Shores, Florida. This Report is available at Town Hall Building Department and at myindianshores.com

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.

Phone: 727-595-4020, Fax: 727-596-0050.



JOYCE CICCARELLO
CRS COORDINATOR

Publish Date: 8/22/10
8/29/10

ORDINANCE NO. 2010-6

AN ORDINANCE OF THE TOWN OF INDIAN SHORES, FLORIDA, AMENDING SECTION 18-254 OF ARTICLE VIII OF CHAPTER 18 OF THE CODE OF ORDINANCES REGARDING THE BOARD OF ADJUSTMENTS AND APPEALS TO HEAR APPEALS UNDER THE STANDARD UNSAFE BUILDING ABATEMENT CODE (SUBAC) BY TERMINATING THE TERMS OF THE CURRENT MEMBERS OF THE BOARD AND PROVIDING THAT FUTURE BOARD MEMBERS SHALL BE APPOINTED AS NECESSARY TO HEAR SUBAC APPEALS FOLLOWING WHICH THEIR TERMS SHALL END; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR THE UNIFORM NUMBERING SYSTEM OF THE INDIAN SHORES CODE.

NOW, THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF INDIAN SHORES:

Section 1: Section 18-254 of the Code of Ordinances is hereby amended as follows:

Sec. 18-254. Board of adjustments and appeals.

(a) *Established.* A board of adjustment and appeals is hereby established, pursuant to section 105.1 of the Standard Unsafe Building Abatement Code (hereinafter referred to as the Code), for the purposes provided the Code. The terms of the current members of the board shall end upon the adoption of this ordinance. Any future ~~The board shall be appointed by the town council when necessary in order to hear an appeal under the Code and shall consist of five regular members and such two alternate members as may be deemed necessary by the town council. Members may who are not be employees of the town and shall have no interest in the matter at issue shall be appointed by the town council.~~ The composition of the regular members of the board shall be one engineer, one architect, and three members at large from the construction industry. The alternate members may be an engineer, an architect or a member of the construction industry.

(b) *Term of office.* Members and alternate members of the board shall serve only as long as necessary to hear the appeal or appeals necessitating their appointment. At the conclusion of such appeal or appeals, the service of the members and alternate members of the board shall end and their appointments shall terminate. ~~Of the regular members first appointed, two shall be appointed for a term of one year, two for a term of two years, and one for a term of three years, and thereafter they shall be appointed for terms of four years. Of the alternate members first appointed, one shall be for a term of two years and the other shall be for a term of four years, and thereafter they may be appointed for a term of four years. Vacancies shall be filled for an unexpired term by appointment by the town council.~~

(c) *Quorum.* Three members of the board shall constitute a quorum. In the event that a regular member is not present or has a conflict of interest, his or

her place may be taken by an alternate member. In varying the application of any provisions of this Code or in modifying an order of the building official, affirmative votes of the majority present, but not less than three affirmative votes, shall be required. A board member shall not act in a case in which he or she has a personal interest.

(d) *Records.* The building official shall be an ex-officio member of the board. The building official or his or her designate shall act as secretary to the board and shall make a detailed record of all its proceedings. The record shall set forth the reasons for the board's decisions, the vote of each member participating therein, the absence of a member and any failure of a member to vote.

(e) *Procedures.* The board shall establish rules and regulations for its own procedures not inconsistent with the Code, this article and Florida law and statutes. The board shall meet at the request of the building official, or in any event, within 60 days after a notice of appeal has been filed with the building official.

Section 2: All ordinance or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 3: If any section of this ordinance is declared invalid, all other provisions of this ordinance shall remain valid and enforceable.

Section 4: This ordinance shall become effective immediately upon adoption.

Section 5: The provisions of this ordinance shall be included and incorporated into the Code of Ordinances of the Town of Indian Shores, Florida, as additions or amendments to the Code, and shall be renumbered to conform to the uniform numbering system of the Code of Ordinances.

Passed on First Reading: _____

Passed on Second Reading: _____

ENACTED BY THE TOWN COUNCIL OF THE TOWN OF INDIAN SHORES,
FLORIDA, THIS _____ DAY OF _____, _____.

ATTEST:

JAMES J. LAWRENCE
Mayor

MARCIA GRANTHAM, CMC
Town Clerk

PROJECT STATUS REPORT

August 2010

New Town Hall

Seventeen Request for Qualifications (RFQ) for engineers and architects received September 8, 2009 at 1:00 p.m.

December 8, 2009 Town selected ARC3 architectural services, Adams Design for civil engineering and surveying services, EMA Engineers, Inc for the structural engineering services, and Gulf Coast Testing Laboratory Inc., geotechnical services. December 2009 working on information to demolish current structures.

New Community Center ground-breaking took place on January 29, 2010.

Annex building was demolished in April 2010.

Pile driving completed in July 2010.

VIOLATIONS:

Mr. C. H. Chapman

Mrs. Jacqueline Chapman

4309 Bayshore Blvd.

Tampa, Florida 33611-1630

Location of violation: 18527 Gulf Blvd.

Violation issued on June 12, 2006

-Installation of a roof on a Sunday without a permit

-As of September 30, 2006 no permit secured.

-Waiting for search warrant. 4/2007.

-Inspection warrant issued and inspection performed on July 25, 2007.

-Hearing is scheduled for 12/12/07.

-Final Decision issued on December 13, 2007.

-January 15, 2008 is 60 days from original "Unsafe Building" notice.

-No response on January 15, 2008 from Chapman, waiting for a draft of a certificate to file as an official record with the County that the building was determined to be unsafe.

-January 2008 Certificate of Unsafe Building submitted to Yacavone to file it with the County.

-January 2008 waiting for a court date.

-March 2008 waiting for a court date.

-May 2008 waiting for a court date.

-August 2008 waiting for a court date.

-October 2008 waiting for a court date.

-June 2, 2009 mediation scheduled.

-July thru September waiting for a court date.

-December 2009 - Trial date scheduled to begin February 16, 2010.

-April 2010 no activity.

-Trial rescheduled for the week of August 23, 2010.

-Trial canceled for the week of August 23, 2010.

Violations continued

Florence Erickson
2959 Los Gatos Drive

Belleair Bluffs, FL 33770 1704

Location of violation: 20238 Gulf Blvd.

Violation issued on September 2, 2009

-Deteriorating condition of the structure is creating life-safety conditions.

-CE20100015 scheduled for Special Magistrate Hearing on April 7, 2010.

-As of April 2010 property is now in the name of David Jenkins. Violation issued to Jenkins on April 5, 2010.

-Scheduled for Special Magistrate Hearing on July 14, 2010.

-The Special Magistrate gave David Jenkins sixty days from, July 14, 2010 to apply for a permit.

Indian Pass Cattlemen's Assn, Inc

18395 Gulf Blvd., Unit 103

Indian Shores, FL 33785 2001

Location of violation: 19325 Gulf Blvd.

Violation issued on July 12, 2010

-Construction of ADA accessibility ramp and construction under the existing structure.

Lion's Share Enterprises Inc.

20025 Gulf Blvd

Indian Shores, FL 33785 2406

Location of violation: 20025 Gulf Blvd.

Violation issued on July 12, 2010

-Electrical work performed without a permit. Address needs to be posted at property.

Mohammed/Faye Borteh

235 N. Parkway Dr

Delaware OH 43015 8915

Location of violation: 18610 Gulf Blvd., Unit 103

Violation issued on July 12, 2010

-A/C installed without a permit.

Mr. Peter Gibson

c/o Sand Castle III Condominium Association Inc.

2040 Larchmont N.

Clearwater, FL 33764

Location of violation: 20040 Gulf Blvd.

Violation issued on August 17, 2010

-Discharge pipe in garage.

Quality Properties Asset Management Co

964 Spafford Street

Antioch IL 60002 1456

Location of violation: 19519 Gulf Blvd

Violation issued on August 17, 2010

-Property not maintained.

Violation continued

Sherri L. Hirsh
8909 Vienna Rd

Evansville IN 47720 8045

Location of violation: 20000 Gulf Blvd., Unit 804

Violation issued on August 23, 2010

-Un-permitted clothes dryers installed in living unit pose a fire hazard.

Ann C. Preston

20000 Gulf Blvd., Unit 603

Indian Shores, FL 33785

Location of violation: 20000 Gulf Blvd., Unit 603

Violation issued on August 23, 2010

-Un-permitted clothes dryers installed in living unit pose a fire hazard.

