



**PLANNING AND ZONING BOARD**  
**HEARING MINUTES**  
**August 3, 2017**

Members Present: John Creighton, Steve Suzanski, Randy Kountoupis, Bob Decker, Debra Hammil, (alternate), John Mace (alternate) and Roland Arellano (alternate).

**CALL TO ORDER**

Chairman Creighton called the August 3, 2017 meeting of the Planning and Zoning Board to order at 8:30 a.m. The meeting was held at the Town Hall building at 190 - 173<sup>rd</sup> Avenue East, North Redington Beach, Florida.

**ESTABLISH A QUORUM**

A quorum of the Board was confirmed.

**PROOF OF NOTICE**

The Deputy Town Clerk substantiated that the meeting was posted as required.

**APPROVAL OF MINUTES**

Chairman Creighton asked for any comments or corrections of the Minutes of April 26, 2017. With there being no comments or corrections, board member Steve Suzanski made a motion to approve the minutes, which was seconded by Bob Decker and approved by affirmation.

**1. HEARING ON VARIANCE 212 BATH CLUB BOULEVARD NORTH – TZOUMAS, GUS AND DENISE.**

Chairman Creighton stated that the Planning and Zoning Board are volunteers made up of five members and up to three alternates which are residents of the community. The Board is appointed by the Board of Commissioners to serve a three-year term. The Board members must abide by the rules as outlined in the Code of Ordinances and The Sunshine Law. An Appeal to the decision of the Board would be made to the Town Clerk within 30 days of the hearing. Mr. Creighton reviewed the five criteria from the Code of Ordinances.

Today the Board will be hearing a Variance Application for 212 Bath Club Boulevard North. Chairman Creighton asked if any board members required an Ex Parte Communication form for visiting the property or communicating with the owner. None were needed.

Chairman Creighton introduced Town Attorney Jay Daigneault and Florida Municipal Services, Inc., Building Official, Neal Mazzei. The Planning and Board Members introduced themselves.

Chairman Creighton asked Deputy Clerk Schmader to swear in the public wishing to speak at the hearing.

Property owner Gus Tzoumas made his presentation on the application for variance. He is adding a second floor addition to the house with a balcony with a spiral staircase. Mr. Tzoumas is asking for a rear setback adjustment for the staircase. Although it's not required, the staircase could be used as an Emergency exit from 2<sup>nd</sup> floor. Joe Lacki, the architect for the property, stated that the neighbor to the right is at the 20 feet rear setback. The back of this house would be in line with neighbor and spiral staircase would not obstruct any view. This is a minor encroachment. The architect commented that they could reduce how many feet they need for the variance. They would use the smallest stairs available and which are made of aluminum. Town Attorney Daigneault commented that the application is requesting a 5 foot encroachment and now the owner is saying it could be reduced to 2 or 3 feet. He asked the owner to explain to Board exactly what he would like. Mr. Tzoumas answered that he can reduce it from 5 feet to 3 feet.

Chairman Creighton asked for a motion to grant the variance. The motion was made by Steve Suzanski and seconded by Randy Kountoupis. With the motion, the Board can now discuss the application. Building Official Mazzei commented that the staircase is a very open design and by reducing it from 5 feet to 3 feet does minimalize the request. He also commented that it does allow for 2<sup>nd</sup> floor egress but that is not required by building code.

Chairman Creighton stated that the application is now open for discussion and asked for a legal interpretation. Town Attorney Daigneault gave his legal analysis of the application and reviewed the criteria per the town ordinance. He did not feel that this application met the criteria and therefore should be denied.

Chairman Creighton asked for discussion from the board. Mr. Suzanski asked how Mr. Tzoumas neighbors felt about the variance request. Mr. Tzoumas said that both residents on either side had no objections. Town Attorney Daigneault added that how the neighbors feel is not legal reason in the board's determination. Chairman Creighton reviewed the setback rules. He stated that a staircase is not allowed in the setbacks, like a pool and therefore the board should follow the ordinance. Building Official Mazzei asked the resident if he could set the staircase within the porch and therefore not need the variance. The resident's architect answered yes, but he's trying to make best use of the porch, which is already a very small area. He continued with saying that the support post would not be in set back – it's just the stair stringers on the one side. The architect asked what is allowable in the setback – such as the overhang of the house and if a variance is even required. Building Official Mazzei agrees with the prior Building Officials determination that the stairs would require a variance to be built. The Board members discussed setback rules and what's allowable. The owner currently has a building permit that has been approved (without the stairs).

The board reviewed the criteria: 1-No, 2-applicant created by addition, 3-there is another option for them, 4-reasonable and 5-probably not.

Chairman Creighton closed the discussion and asked for a vote to be taken.

Steve Suzanski	No
Debra Hammil	No
Randy Kontoupsis	No
Bob Decker	Yes
John Creighton	No

The variance request is denied. Chairman Creighton apologized to Mr. Tzoumas, but said it just cannot be approved.

**ANY OTHER ITEM(S) TO COME BEFORE THE BOARD/MISCELLANEOUS**

Chairman Creighton announced that The Wine Cellar property has sold and a new development is coming. The owner/developer said that he is going to build a restaurant village with a few stand-alone restaurants and a little strip building with a few businesses.

A motion was made to close the meeting by Randy Kountoupis, and was seconded by Debra Hammil and approved by affirmation.

Meeting Adjourned at 9:04 a.m.

Respectfully submitted,



Renee Schmader  
Deputy Town Clerk