

M I N U T E S

REGULAR COMMISSION MEETING
SOUTH PASADENA, FLORIDA

TUESDAY, DECEMBER 13, 2011
COMMISSION CHAMBERS - 7:00 P.M.

MAYOR PETERS CALLED THE MEETING TO ORDER AT 7:00 P.M. THE INVOCATION WAS GIVEN BY VICE MAYOR HOWRY. ALL PARTICIPATED IN THE PLEDGE TO THE FLAG.

ROLL CALL: VICE MAYOR BRUCE HOWRY, COMMISSIONERS MAX ELSON, ARTHUR PENNY, LARRY CROWLEY, AND MAYOR KATHLEEN PETERS. ALSO PRESENT: CITY CLERK MARY BRAISTED, CITY ATTORNEY LINDA HALLAS, FINANCE DIRECTOR JAMES GRAHAM, PUBLIC WORKS DIRECTOR GARY ANDERSON, COMMUNITY IMPROVEMENT DIRECTOR GARY BREVOORT, PUBLIC SAFETY DIRECTOR DAYTON SALTSMAN, AND DEPUTY CITY CLERK CARLEY LEWIS.

PEOPLE'S FORUM

There was no participation under People's Forum.

AGENDA COMMENT

There was no participation under Agenda Comment.

REPORTS

Commissioner Penny thanked Public Works Director Anderson and staff for the very successful holiday boat parade that was held on December 9, 2011. He also thanked all sponsors of the boat parade.

Mayor Peters thanked all staff for the holiday boat parade and tree lighting ceremony.

Vice Mayor Howry thanked Public Safety Director Saltsman for his efforts on the December 10, 2011 Palms of Pasadena Hospital Holiday Health Fair that was held in Hibiscus Hall.

DISCUSSION ITEMS

PUBLIC HEARING - QUASI-JUDICIAL

RECOMMENDATIONS BY THE PLANNING & ZONING BOARD

1. TO APPROVE REQUEST FROM STEVE DOMINSKI AND GAIL NEIDINGER FOR A VARIANCE FROM SECTION 86-6 OF THE CITY CODE OF ORDINANCES TO INSTALL A NEW CRADLE LIFT 7.66 FEET OUTSIDE

REGULAR COMMISSION MEETING
TUESDAY, DECEMBER 13, 2011 - 7:00 P.M.

OF THE CENTER 1/3 OF THE PROPERTY AT THE SEAWALL AT PREMISES KNOWN AS 7052 SOUTH SHORE DRIVE SOUTH IN THE CITY OF SOUTH PASADENA, FLORIDA.

Mayor Peters opened the Public Hearing at 7:11 p.m.

City Clerk Braisted administered the oath to those intending to give testimony on this issue.

Building Official Brevoort presented the staff report (attached to Minutes as Exhibit A) reviewing all criteria pertaining to this variance.

Gary DeBaylo, DeBaylo Marine Inc., representing the applicant, stated that two other boats have broken off the davits and that is why the applicants want to have a cradle lift. He further stated there is more seagrass on the left side of the dock and he feels it would be better to place the cradle lift on the right side.

In response to Commissioner Crowley, Mr. DeBaylo stated the water is deep enough for a cradle lift.

Mayor Peters stated that in unprotected waterways, docks can be lost in severe storms. She further stated she feels davits do not provide enough protection.

In response to Mayor Peters, Mr. DeBaylo stated that certified letters were sent to neighbors and no one objected to the cradle lift.

Commissioner Elson stated he feels it would be a hardship to move the dock. He further stated that there is not a significant difference in having a cradle lift.

In response to Commissioner Penny, Mr. Brevoort stated that the county application has no bearing on this variance.

In response to City Attorney Hallas, Mr. DeBaylo stated that the five foot aluminum platform is part of the cradle lift.

There being no further public comment, Mayor Peters closed the public hearing at 7:28 p.m.

REGULAR COMMISSION MEETING
TUESDAY, DECEMBER 13, 2011 - 7:00 P.M.

MOTION WAS MADE BY COMMISSIONER ELSON, SECONDED BY COMMISSIONER PENNY TO FIND THAT THE SIX CRITERIA FOR THIS VARIANCE HAVE BEEN MET AS FOLLOWS:

- THAT AN UNNECESSARY HARDSHIP EXISTS.
- THAT SUCH UNNECESSARY HARDSHIP HAS NOT BEEN CREATED BY THE APPLICANT.
- THAT THERE ARE NO OTHER CHOICES FOR THE DEVELOPER, WHICH WOULD NOT REQUIRE A VARIANCE, WHICH WOULD ALLOW THE PROPERTY TO BE UTILIZED IN A MANNER SATISFACTORY TO ITS DESIGNATED USE AND DENSITY.
- THAT THERE IS A CLEAR AND CONVINCING BENEFIT, BOTH TO FUTURE RESIDENTS OF THE PROPERTY AND TO THE PUBLIC AT LARGE, IN PERMITTING THE VARIANCE TO OCCUR.
- THAT THE VARIANCE, IF AUTHORIZED, WILL NOT ALTER THE ESSENTIAL CHARACTER OF THE NEIGHBORHOOD OR DISTRICT IN WHICH THE PROPERTY IS LOCATED NOR SUBSTANTIALLY OR PERMANENTLY IMPAIR THE APPROPRIATE USE OR DEVELOPMENT OF ADJACENT PROPERTY NOR BE DETRIMENTAL TO PUBLIC WELFARE.
- THAT THE VARIANCE, IF AUTHORIZED, WILL REPRESENT THE MINIMUM VARIANCE THAT WILL AFFORD RELIEF AND WILL REPRESENT THE LEAST MODIFICATION POSSIBLE OF THE REGULATION IN ISSUE.

VOTE:	VICE MAYOR HOWRY	AYE
	COMMISSIONER ELSON	AYE
	COMMISSIONER PENNY	AYE
	COMMISSIONER CROWLEY	AYE
	MAYOR PETERS	AYE

UNANIMOUSLY APPROVED

2. MOTION WAS MADE BY COMMISSIONER PENNY, SECONDED BY COMMISSIONER ELSON TO APPROVE REQUEST FROM STEVE DOMINSKI AND GAIL NEIDINGER FOR A VARIANCE FROM SECTION 86-6 OF THE CITY CODE OF ORDINANCES TO INSTALL A NEW CRADLE LIFT 7.66 FEET OUTSIDE OF THE CENTER 1/3 OF THE PROPERTY AT THE SEAWALL AT PREMISES KNOWN AS 7052 SOUTH SHORE DRIVE SOUTH IN THE CITY OF SOUTH PASADENA, FLORIDA.

REGULAR COMMISSION MEETING
TUESDAY, DECEMBER 13, 2011 - 7:00 P.M.

VOTE:	COMMISSIONER CROWLEY	AYE
	VICE MAYOR HOWRY	AYE
	COMMISSIONER ELSON	AYE
	COMMISSIONER PENNY	AYE
	MAYOR PETERS	AYE

UNANIMOUSLY APPROVED

PUBLIC HEARING - LEGISLATIVE

3. ORDINANCE NO. 2011-14 - AN ORDINANCE OF THE CITY OF SOUTH PASADENA, FLORIDA, REZONING THE PROPERTY LOCATED AT 3400 PASADENA AVENUE (STARLITE PRINCESS PROPERTY) FROM RESIDENTIAL MULTIFAMILY 12.5 TO COMMERCIAL GENERAL, PROVIDING AN EFFECTIVE DATE - SECOND AND FINAL READING.

City Attorney Hallas read Ordinance No. 2011-14 by title and approved it as to form and content.

This Ordinance has been properly noticed.

Mayor Peters opened the public hearing 7:30 p.m. There being no public comment, Mayor Peters closed the public hearing at 7:31 p.m.

MOTION WAS MADE BY VICE MAYOR HOWRY, SECONDED BY COMMISSIONER PENNY TO ADOPT ORDINANCE NO. 2011-14 ON SECOND AND FINAL READING.

VOTE:	COMMISSIONER ELSON	AYE
	COMMISSIONER PENNY	AYE
	COMMISSIONER CROWLEY	AYE
	VICE MAYOR HOWRY	AYE
	MAYOR PETERS	AYE

UNANIMOUSLY APPROVED

UNFINISHED BUSINESS

NONE

CONSENT AGENDA

MOTION WAS MADE BY COMMISSIONER ELSON, SECONDED BY COMMISSIONER PENNY TO APPROVE THE ENTIRE CONSENT AGENDA.

REGULAR COMMISSION MEETING
TUESDAY, DECEMBER 13, 2011 - 7:00 P.M.

4. APPROVAL OF COMMISSION MEETING MINUTES FOR MONTH OF NOVEMBER, 2011 ON FILE IN CITY CLERK'S OFFICE
AGENDA MEETING, NOVEMBER 1, 2011; ADMINISTRATIVE WORKSHOP MEETING, NOVEMBER 1, 2011; REGULAR COMMISSION MEETING, NOVEMBER 8, 2011; ADMINISTRATIVE WORKSHOP MEETING, NOVEMBER 15, 2011.

UNANIMOUS APPROVAL BY ACCLAMATION

NEW BUSINESS

5. MOTION - TO AUTHORIZE MAYOR PETERS TO SIGN INTERLOCAL AGREEMENT WITH PINELLAS COUNTY PROVIDING JOINT CONTROL OF POLLUTANTS WITHIN PINELLAS COUNTY.

MOTION WAS MADE BY COMMISSIONER PENNY, SECONDED BY COMMISSIONER ELSON TO AUTHORIZE MAYOR PETERS TO SIGN INTERLOCAL AGREEMENT WITH PINELLAS COUNTY PROVIDING JOINT CONTROL OF POLLUTANTS WITHIN PINELLAS COUNTY.

VOTE:	COMMISSIONER PENNY	AYE
	COMMISSIONER CROWLEY	AYE
	VICE MAYOR HOWRY	AYE
	COMMISSIONER ELSON	AYE
	MAYOR PETERS	AYE

UNANIMOUSLY APPROVED

6. MOTION - TO AWARD BID FOR ON GRID SOLAR STREET LIGHTS TO HIMES ELECTRIC COMPANY INC. AT A COST NOT TO EXCEED \$159,750.

MOTION WAS MADE BY COMMISSIONER PENNY, SECONDED BY COMMISSIONER ELSON TO AWARD BID FOR ON GRID SOLAR STREET LIGHTS TO HIMES ELECTRIC COMPANY INC. AT A COST NOT TO EXCEED \$159,750.

VOTE:	COMMISSIONER CROWLEY	AYE
	VICE MAYOR HOWRY	AYE
	COMMISSIONER ELSON	AYE
	COMMISSIONER PENNY	AYE
	MAYOR PETERS	AYE

UNANIMOUSLY APPROVED

REGULAR COMMISSION MEETING
TUESDAY, DECEMBER 13, 2011 - 7:00 P.M.

Mayor Peters wished happy holidays to everyone and best wishes for a good new year.

There being no further discussion, the meeting was adjourned at 7:33 p.m.

Kathleen Peters, Mayor

ATTEST:

Mary Braisted, City Clerk
12-13.11r