

AGENDA ITEM 6A.

**15811 REDINGTON DR.
DOCK**

STAFF REPORT



Calvin, Giordano & Associates, Inc.
A **SAFEbuilt** COMPANY

Building Code Services
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Water / Utilities Engineering
Website Development

311 Park Place Blvd.
Suite 630
Clearwater, FL 33759
Tel: 727-394-3825

www.cgasolutions.com

STAFF REPORT

TO: Darcy Bellemore, Chair
Board of Adjustment
Town of Redington Beach

FROM: Zain Husain
Town Planner, Calvin, Giordano & Associates

SUBJECT: Variance from Sec. 5-57(a)(7)(b) for a Property Located at 15811
Redington Drive, Redington Beach, FL 33708; Parcel ID 04-31-15-
52560-018-0080

DATE: July 16, 2026, Board of Adjustment Meeting

I. GENERAL INFORMATION

Request: The Applicant is seeking a variance to the Town of Redington Beach Code of Ordinances, Section 5-57(a)(7)(b) to build a dock, boatlift, and wet slip 60 feet from the seawall into Boca Ciega Bay.

Applicant

Speeler Foundations
6111 142nd Ave. N.
Clearwater, FL 33760

Property Owner

Tim and Ashley Newton
14203 Valentine Trail
Largo, FL 33774

Physical Address

15811 Redington Drive
Redington Beach, FL 33708

Parcel ID Number

04-31-15-52560-018-0080



Legal Description

LONE PALM BEACH 2ND ADD BLK 18, PART OF LOTS 8 & 9 ALL DESC AS FROM SW COR OF LOT 11 TH CUR LT RAD 382.87FT ARC 123.77FT CB N05D56'18"W 123.23FT FOR POB TH CUR LT RAD 405.58FT ARC 61.88FT CB N19D49'46"W 61.82FT TH N73D49'59"E 162.65FT TO A POINT ON E'LY BNDRY OF SD LOT 8 TH CUR RT RAD 420FT ARC 101.6FT CB S09D21'20"E 101.35FT TH S88D42'10"W 151.76FT TO POB

Current Use

Primary: Single Family Residence

Requested Variances

Sec. 5-57.- Specifications for docks.

(a)(7)(b): Docks erected serving any lots in the town shall be subject to the following restrictions governing size, shape and location: (b) no dock construction, including all landings and stairs, shall project more than 30 feet from the face of the seawall, or 30 feet from the shoreline, which is defined for the purpose of this section as the mean low water line.

Proposed: Build a dock, boatlift, and wet slip 60 feet from the seawall into Boca Ciega Bay.

II. BACKGROUND

The applicant/owner requests a variance to construct a new dock, boatlift, and wet slip. The property is on Redington Drive and opens into Boca Ciega Bay. The applicant claims because of the shallow or non-existent water depth, they are limited in their ability to make reasonable and safe use of their property unless the dock, boatlift, and wet slip extends 60 feet from the seawall.



Figure 1: Subject Property



Figure 2: Proposed Dock Plan

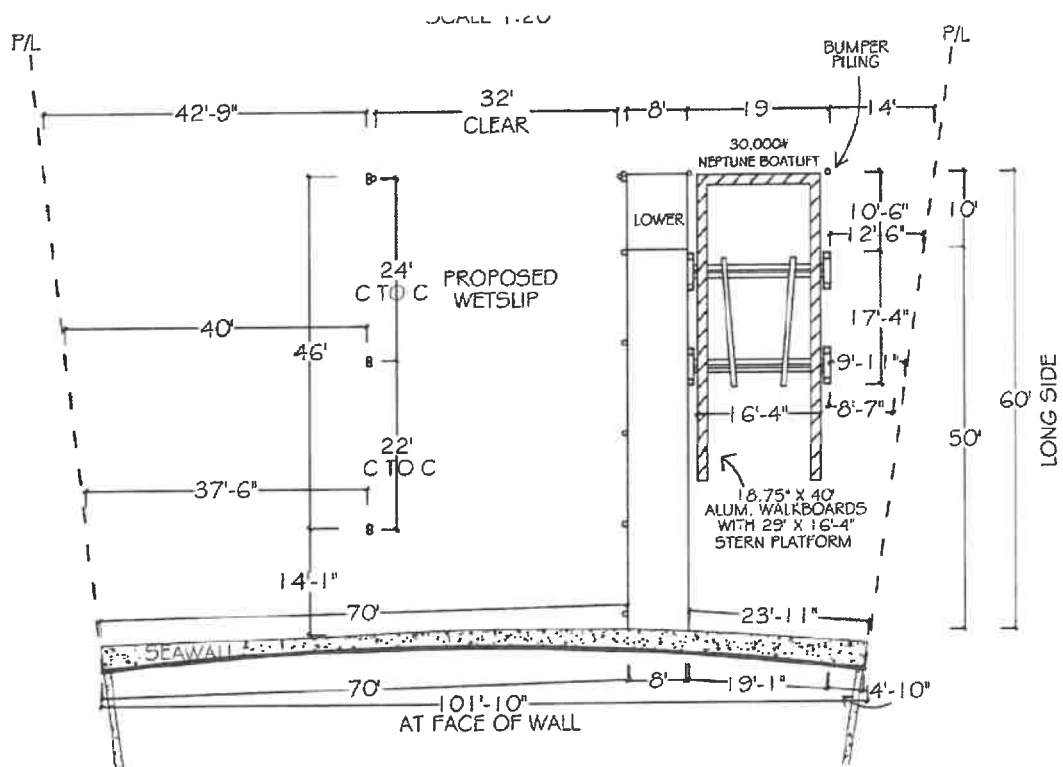




Figure 3: Aerial



III. FINDINGS

Summary of Development Standards for Docks *(Please refer to Article II, Sections 5-51 through 5-63 of the Land Development Code for complete regulations)*

Permitted	Proposed
No dock shall project more than 30 feet from the face of the seawall.	The applicant is proposing the dock, boatlift, and wet slip extends 60 feet from the seawall.



Variance Criteria: Staff Findings

Special conditions and circumstances exist which are peculiar to the land, structure, or building for which the variance is being sought, and which are not applicable to other similarly situated lands, structures, or buildings in the same zoning district;

Finding: The property has a shallow or non-existent water depth creating special circumstances and conditions that limit the use of a dock conforming to the 30 foot maximum, which is the purpose of the variance.

A literal interpretation of the provisions of the applicable code would deprive the applicant of rights commonly enjoyed by other similarly situated properties in the same zoning district under the terms of the applicable code;

Finding: The shallow water to the rear of the lot would deprive the applicant of the reasonable use of a significant portion of the property's riparian area commonly enjoyed among nearby properties with the literal interpretation of the applicable code which, according to the applicant's information, would not provide for depths suitable for boat access.

The property has an unusual hardship not suffered by other similarly situated properties within the same district;

Finding: The property's shallow water depths and shoaling of sediment reduces the owner's reasonable use of their waterfront with a dock that conforms to existing maximum dimensions for extension off the rear waterfrontage, contributing to the hardship.

The hardship of the property was not self-created by the applicant and was not the result of an action taken with the applicant's prior knowledge or approval. Further, no variance may be granted arising from illegal construction of a structure or an illegal use of the premises which would otherwise have required a permit to be issued, and which construction was commenced illegally.

Finding: The applicant did not take any action that created or contributed to the hardship.

The requested variance is necessary to permit the reasonable use of the property;

Finding: The applicant claims the request presented is the minimum variance necessary to permit the continued reasonable use of a dock on the property.

The requested variance will not confer on the applicant any special privilege that is denied by the applicable code to other similarly situated property owners;



Finding: No special privilege is conferred should the request be granted. The application ensures the continued reasonable use of the property for marine activities. There are adjacent properties which also require longer docks.

The literal interpretation of the applicable code would deprive the applicant of rights commonly enjoyed by other similarly situated property owners;

Finding: The site's lack of water depth due to sediment build-up inhibits the usefulness of dock facilities that must stay within the 30 feet of the seawall, depriving the applicant of rights commonly enjoyed by other similarly situated property owners.

The requested variance will not be contrary to the public interest and will be in harmony with general intent and purpose of the applicable code.

Finding: The request enables the use of the applicant's property as intended. All other agency approvals are required to be secured prior to Town approval of building permits, including those that ensure dock construction is in harmony with regulations that maintain safe navigability and environmental protection.

IV. RECOMMENDATION

Staff recommends the Board of Adjustment consider **approval** of the variance request contingent on the following:

1. All permitting approvals from applicable agencies or regulatory bodies that regulate the safety, navigational quality, or environmental conditions of the waterway must be obtained prior to submittal of Town building permits.
2. The Board of Adjustment has considered any comments in opposition to the proposed variance from neighboring or adjacent property owners.

APPLICATION AS SUBMITTED

JUN 04 2026

TOWN OF REDINGTON BEACH, FLORIDA
VARIANCE APPLICATION

(Please type or print clearly)

Property Owner(s)

Name Tim & Ashley Newton		Email timnewton@leadersfurniture.com	
Address 14203 Valentine Trail			
City Largo		State FL	Zip 33774
Phone 727-244-9448	Fax	Cellular	

Applicant

Name Same as property owners		Email	
Address			
City		State	Zip
Phone	Fax	Cellular	

Agent (if applicable)

Name Speeler Foundations		Email heather@speeler.com	
Address 6111 142nd Ave. N.			
City Clearwater		State FL	Zip 33760
Phone 727-239-7530	Fax	Cellular	

General Information

Property Location or Address 15811 Redington Dr. Redington Beach, FL. 33708	
Legal Description (attach additional sheet if necessary) Please see attached.	
Tax Parcel Number 04-31-15-52560-018-0080	Zoning District

Requested Action:

Describe request and applicable code section:

We are requesting a variance to Section 5-57(a)(3)e pertaining to the allowable length of a dock.

We are requesting to construct a new dock, install a new boatlift, and create a wet slip. The structure will extend to 60' from the seawall.

Required LDC Regulation(s): [list all that apply]

Section 5-57(a)(3)e.

TOWN OF REDINGTON BEACH

VARIANCE APPLICATION

JUN 04 2026

1. What special conditions or circumstances exist which are peculiar to the land, structure or building involved, and which are not applicable to other similarly situated lands, structures or buildings in the same zoning district?

There is shallow water at this lot that requires the dock and mooring areas to be longer than the 30' allowable length from the seawall.

2. What literal interpretation of the provisions of the applicable code would deprive the owner(s) of rights commonly enjoyed by other similarly situated properties in the same zoning district under the terms of the applicable code?

If strictly interpreted, the code would restrict the homeowner's ability to make full use of the waterfront commonly enjoyed by others.

3. What special conditions or circumstances entitles the owner to a variance that are NOT self-created by the owner or an action taken with the owner's prior knowledge or approval?

The applicant did not create the shallow water conditions at this location.

4. Explain how the granting of the variance will not confer on the owner any special privilege that is denied by the applicable code to other similarly situated lands, structures or buildings in the same district.

If granted, the variance will not confer any special privilege to the applicant. Any homeowner has the right to request a variance.

5. Explain how the variance requested is the minimum variance necessary to permit the reasonable use of the lands, structures or buildings, will be in harmony with the general purpose and intent of the applicable code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

The requested variance is the minimum variance that will allow the applicant to safely moor/access their boat and enjoy the waterfront. There will be no navigational issues created if the variance is granted. A shorter dock/mooring area would prevent the homeowner from making full use of their waterfrontage.

NOTICE: To ensure compliance with Florida Statutes § 454.23 (providing that it is a felony for a person not an attorney to practice law in Florida), and to ensure the Town is not a party to facilitating the unauthorized practice of law, while an Owner who is a natural person may represent her or himself at the Board of Adjustment hearing, and while a licensed attorney may represent an Owner at the hearing, relatives, contractors, architects, engineers, or other agents of the Owner will not be permitted to represent an Owner at the hearing, including calling or cross-examining witnesses or making arguments for approval. Owners or their legal counsel must be present to present cases, and the Board of Adjustment will decline to proceed with a hearing where the Owner or her or his legal counsel is not present to present the case.

Note: No variance may be granted arising from illegal construction of a structure or an illegal use of the premises which would otherwise have required a permit to be issued, and which construction was commenced illegally. Further, no variance may be granted for any property in the town where the property has a pending unresolved code violation, or where the owner has failed to satisfy any recorded code enforcement lien or to have complied with any court or magistrate order related to a code enforcement violation within the town. Under such conditions, the property owner shall have no legal right to obtain a variance, and the Board shall have no legal right to grant a variance.

Section 6-290(7): Any variance granted under the provisions of this Code shall expire within sixty (60) days from the date of the executed order granting the variance unless a building permit for construction or alteration has been issued in accordance with the plans and conditions upon which the variance was granted. The building official may grant extensions to this deadline if that official determines that the applicant is proceeding in good faith.

JUN 04 2026

AFFIDAVIT

I (we), the undersigned, certify ownership of the property within this application, that said ownership has been fully divulged, whether such ownership by contingent or absolute, and that the name of all parties to an existing contract for sale or any options are filed with this application.

NOTICE: To ensure compliance with Florida Statutes § 454.23 (providing that it is a felony for a person not an attorney to practice law in Florida), and to ensure the Town is not a party to facilitating the unauthorized practice of law, while an Owner who is a natural person may represent her or himself at the Board of Adjustment hearing, and while a licensed attorney may represent an Owner at the hearing, relatives, contractors, architects, engineers, or other agents of the Owner will not be permitted to represent an Owner at the hearing, including calling or cross-examining witnesses or making arguments for approval. Owners or their legal counsel must be present to present cases, and the Board of Adjustment will decline to proceed with a hearing where the Owner or her or his legal counsel is not present to present the case.

I (we) certify that Speeler Foundations is/are duly designated as the agent(s) for the owner, that the agent(s) is (are) authorized to provide subject matter on the application contained herein, whether verbal or written. Further, it is understood that this application must be complete and accurate, and the appropriate fee paid prior to processing.

Date: ☒ 5/13/26

Title Holder: ☒ Tim Newton

Date: ☒ 5/13/26

Title Holder: ☒ Ashley New

Date: _____

Title Holder: _____

Date: _____

Title Holder: _____

AFFIDAVIT

STATE OF FLORIDA)

COUNTY OF PINELLAS)

The foregoing instrument was acknowledged before me by ☒ physical presence or _____ online notarization this 13 day of May, 20 26 A.D., by Tim Newton who is personally known to me or who has produced _____ as identification and who did (did not) take an oath.

NOTARY PRINTED NAME: ☒ Kimberly Sullivan

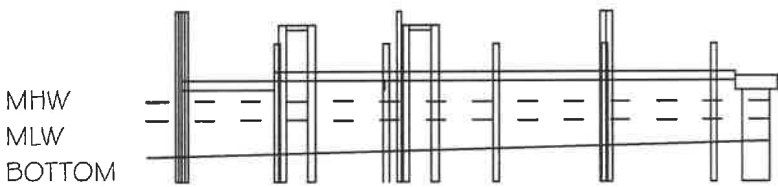
NOTARY SIGNATURE: ☒ [Signature]

NOTARY STAMP



KIMBERLY SULLIVAN
Notary Public
State of Florida
Comm# HH426234
Expires 7/26/2027

OWNER NAME: Newton, Tim SITE ADDRESS: 15811 Redington Dr. Redington Beach, FL. 33708



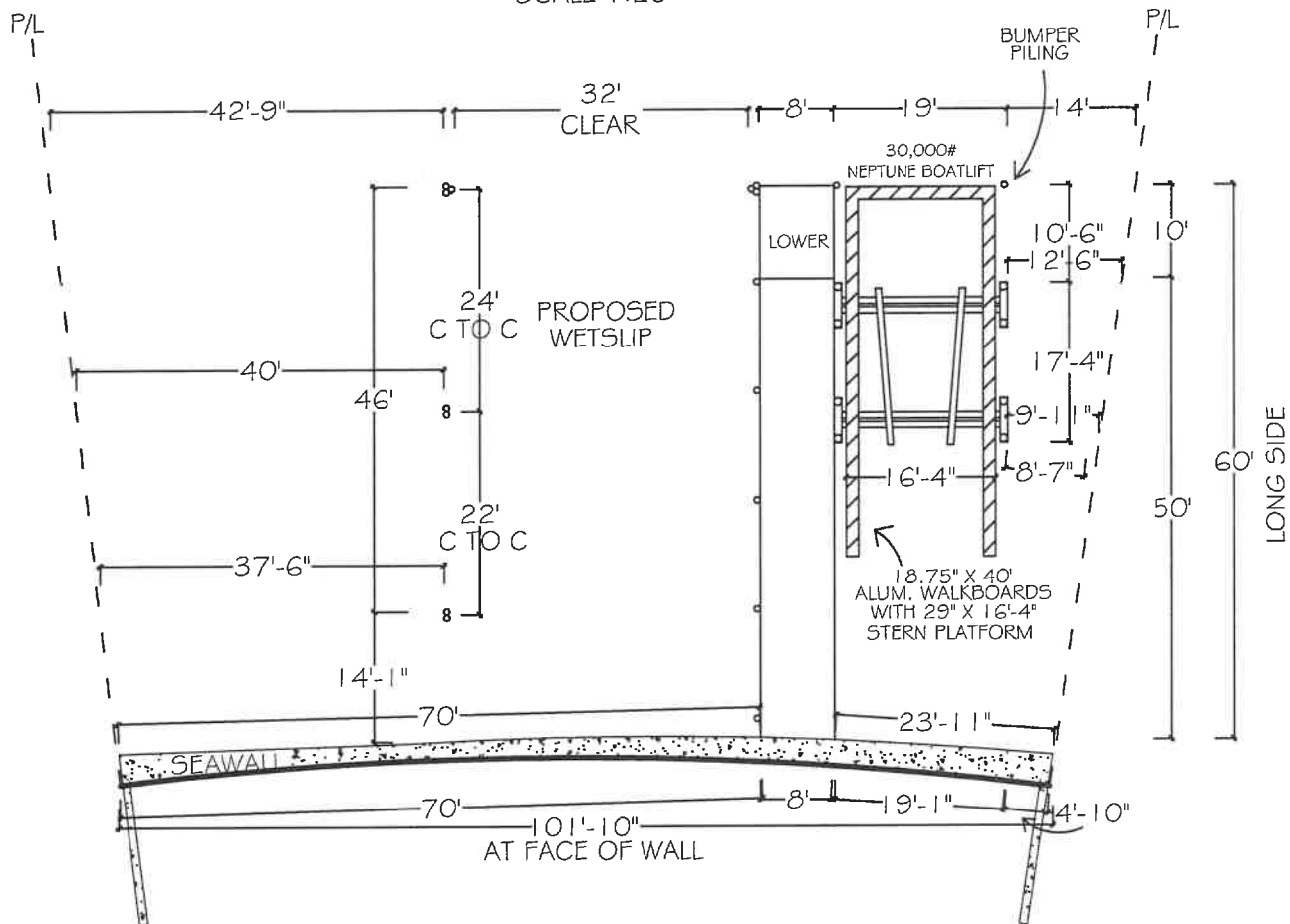
Profile View
SCALE 1:20

OWNER NAME: Newton, Tim SITE ADDRESS: 15811 Redington Dr. Redington Beach, FL. 33708

NATURE AND SIZE OF PROJECT: Set piling and construct a new 60' dock as follows: an 8' X 50' main dock with an 8' X 10' lower dock on the front. Install a 30,000# capacity boatlift to the right of the dock with two (2) 18.75" X 40' aluminum walkboards and a 29" X 16'-4" sternwalk. Set piling to create a wet slip to the left of the dock. Set one bumper piling for lift. NOTE: ALL ELECTRIC TO BE PERMITTED AND INSTALLED BY OTHERS

TOTAL PROJECT SQUARE FOOTAGE: 635.82(Total)478.9(Dock) NEW SQUARE FOOTAGE: 635.82'
TOTAL PROJECT SQUARE FOOTAGE: 156.92'(Walkboard) LIFT PILING DIAMETER: 10"
TOTAL NUMBER OF PILING: Thirty(30) DIAMETER OF PILING: 8" Tip Min(Dock)
WATERWAY WIDTH: Over 400' WATERFRONT WIDTH: 101'-10"

Plan View
SCALE 1:20



The undersigned does not object to the proposed project as drawn in the space provided above.

Left Owner: N/A

Right Owner: N/A

Signature

Date

Signature

Date

Municipality Approval

Water and Navigation Approval

LEGAL DESCRIPTION FOR
15811 REDINGTON DR.
REDINGTON BEACH, FL. 33708

**LONE PALM BEACH 2ND ADD BLK 18, PART OF LOTS 8 & 9 ALL DESC AS FROM SW COR
OF LOT 11 TH CUR LT RAD 382.87FT ARC 123.77FT CB N05D56'18"W 123.23FT FOR POB
TH CUR LT RAD 405.58FT ARC 61.88FT CB N19D49'46"W 61.82FT TH N73D49'59"E
162.65FT TO A POINT ON E'LY BNDRY OF SD LOT 8 TH CUR RT RAD 420FT ARC 101.6FT
CB S09D21'20"E 101.35FT TH S88D42'10"W 151.76FT TO POB**

15811 REDINGTON DR. REDINGTON BEACH, FL. 33708

VARIANCE HEARING

We are requesting variances to Section 5-57(a)(3)e, pertaining to the overall length of a dock structure.

We are requesting to construct a dock, boatlift, and wet slip that will extend to 60 from the seawall.

Due to the shallow water the whole structure must be pushed out farther from the seawall in order for the homeowner to make reasonable use of their property. The homeowner would very much like to be able to use their waterfront property to the fullest extent possible. In order to be able to moor their boats safely, the dock must be longer than the allowable 30'. We believe that the proposed design is the minimum variance necessary to make use of the property.

Allowing the dock to extend further than 30' will not create any navigational issues,

If any further information is needed, we will gladly provide it at your request.

15811 REDINGTON DR. REDINGTON BEACH, FL. 33708

VARIANCE HEARING

CONTACT INFORMATION

CONTRACTOR/AGENT

Speeler Foundations

6111 142nd Ave. N.

Clearwater, FL. 33760

Contact Person: Heather Borsh

Contact Phone: 727-239-7530

Contact Email: heather@speeler.com

HOMEOWNER

Tim & Ashley Newton

14203 Valentine Trail

Largo, FL. 33774

Contact Phone: 727-244-9448

Contact Email: timnewton@leadersfurniture.com

DOCK LENGTH AERIAL

30' OFFSET FROM SHORELINE

15811 Redington Dr.

Redington Dr

200 ft

Google Earth

Images © 2013 Google





Adriana Nieves <townclerk@townofredingtonbeach.com>

Newton Dock Variance Hearing - 15811 Redington Drive

Tim Newton <timnewton@leadersfurniture.com>

Sat, Jul 18, 2026 at 8:12 AM

To: Adriana Nieves <townclerk@townofredingtonbeach.com>

Cc: Jake Troyer <jtroyer@speeler.com>, Heather Borsh <heather@speeler.com>

Adriana,

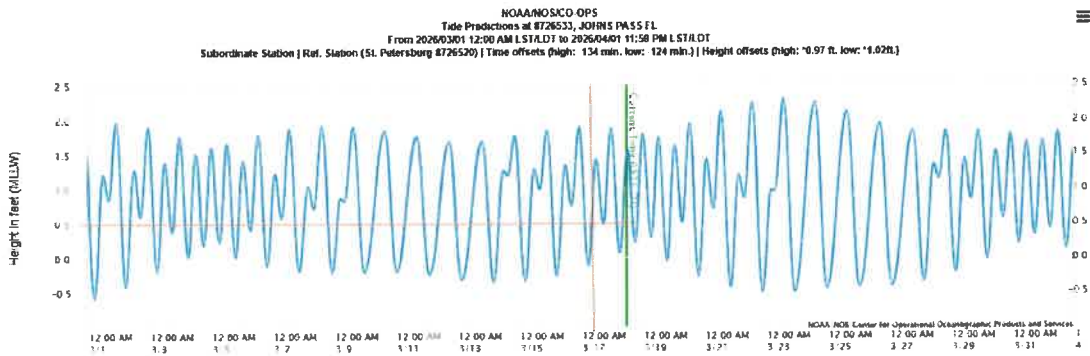
We hope you are doing well!

The variance hearing for our dock at 15811 Redington Drive was canceled from July 16th and moved to July 30th. We are out of town from August 24th to July 10th. A representative from Speeler Marine can make the 30th, and I cannot. Should we move the hearing so that I can attend?

The information we wanted to present to the board to help them with a decision is below.

- We are asking for a 60' dock so that there is enough water at the bow of the boat near the seawall to get a boat on and off a lift during normal tides. This photo was taken at 8:16 am on the 17th of March, 2026.
- The tide level was .5 MLLW (according to the NOAA site, citation below) or -1.19 NAVD
- The water level assumed for the depth readings in the attached bathymetry survey is -1.19 NAVD
 - According to NOAA tide predictions, the tide drops below -1.19 NAVD approximately 25 – 30 times per month
- Regular low tide is 0 MLLW, 6" lower than the survey and the image
- Because of the shallow bathymetry of the cove where the residence is located, we are asking for 60' dock to ensure that the lift can be used in most conditions without impacting the floor of the bay.





Thank you,



Tim Newton

President

Phone: (727) 244-9448

[6303 126th AVE](#)

[Largo FL, 33773](#)



2 attachments

 **NewtonPer3-Pg2.pdf**
408K

 **15811 Redington Drive BATHY ESS 2026-04-22.pdf**
8274K

LETTER SENT TO AFFECTED NEIGHBORS



TOWN OF REDINGTON BEACH

105 164th AVENUE

REDINGTON BEACH, FL 33708

PHONE: 727-391-3875

FAX: 727-397-6911

[email: info@townofredingtonbeach.com](mailto:info@townofredingtonbeach.com)

NOTICE OF PUBLIC HEARING

VARIANCE APPLICATION

Property located at **15811 Redington Dr., LONE PALM BEACH 2ND ADD BLK 18, PART OF LOTS 8 & 9 ALL DESC AS FROM SW COR OF LOT 11 TH CUR LT RAD 382.87FT ARC 123.77FT CB N05D56'18"W 123.23FT FOR POB TH CUR LT RAD 405.58FT ARC 61.88FT CB N19D49'46"W 61.82FT TH N73D49'59"E 162.65FT TO A POINT ON E'LY BNDRY OF SD LOT 8 TH CUR RT RAD 420FT ARC 101.6FT CB S09D21'20"E 101.35FT TH S88D42'10"W 151.76FT TO POB** as recorded in plat book 20 page 72 of the Pinellas County Official Records, is requesting the Board of Adjustment approve a variance request to construct a dock facility consisting of a dock, boatlift, and wetslip that will extend 60' from the seawall. Town Code Section 5-57(a)(3)(e) states: ***"The maximum allowable dock facility shall be within a 30-foot length from the seawall."***

As a property owner within 150' of the subject property, you are invited to register your opinion at a Public Hearing to be held **Thursday, July 16th, 2026 at 6:30pm** in the Town Hall Assembly Room located at 105 164th Avenue, Redington Beach, FL 33708 or you may respond by letter to the Town Clerk stating your reasons for your opinion. This letter should be mailed or emailed to Town Hall at the above address. It is imperative that the Board of Adjustment members know the reasons for your approval or disapproval so that they can give your comments proper consideration.

Any person wishing to appeal any decision of the Board of Adjustment with respect to any matter considered at this meeting will need a record of the proceedings, and for such purposes, may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which an appeal is to be based.

Adriana Nieves, CMC, CFM

Town Clerk

Date of Notice: June 4th, 2026

NEWTON, JERRY O TRE
NEWTON, LINDA JANE TRE
438 HARBOR DR N
INDIAN ROCKS BEACH, FL 33785-3115

COVINGTON, JON
MITCHELL-COVINGTON, WENDY
15807 REDINGTON DR
REDINGTON BEACH, FL 33708-1743

MILLER, RICHARD
MILLER, CHELY
15816 REDINGTON DR
REDINGTON BEACH, FL 33708-1744

KRAUS, FREDERICK O JR
KRAUS, DEBRA M
15808 REDINGTON DR
REDINGTON BEACH, FL 33708-1751

DIANGELO, ERICA
ALLEN, WILLIAM MAXWELL
421 4TH AVE N
TIERRA VERDE, FL 33715-1730

GOMEZ, ROBERT
15810 REDINGTON DR
REDINGTON BEACH, FL 33708-1744

BARRETT, ELIZABETH A
15815 REDINGTON DR
REDINGTON BEACH, FL 33708-1743

THREE SEASONS HOLDINGS LLC
9040 TRYFON BLVD UNIT A104
TRINITY, FL 34655-9413

MOROS, JOSE A
15818 REDINGTON DR
REDINGTON BEACH, FL 33708-1744

AAA MILANO HOUSE LUXURY OCEANFRONT
DEVELOPER LLC
3212 PARK GREEN DR
TAMPA, FL 33611-4601

ADAMS, ALBERTA LOUISE
15825 Redington Drive
Redington Beach, FL 33708

UNGER, GREGORY T
15829 Redington Drive
Redington Beach, FL 33708

BRUBAKER, RICHARD MILLER REV LIV
TRUST
BRUBAKER, RICHARD MILLER TRE
15833 Redington Drive
Redington Beach, FL 33708

BRANDT, SAMUEL I
BRANDT, SUSAN HANKET
5332 SAGE THRASHER RD
PARKER, CO 80134-2779



MIKE TWITTY, MAI, CFA
Pinellas County Property Appraiser

www.pcpao.gov

mike@pcpao.gov

Run Date: 05 Jun 2026

Subject Parcel: 04-31-15-52560-018-0080

Radius: 150 feet

Parcel Count: 10

Total pages: 2

Public information is furnished by the Property Appraiser's Office and must be accepted by the recipient with the understanding that the information received was developed and collected for the purpose of developing a Property Value Roll per Florida Statute. The Pinellas County Property Appraiser's Office makes no warranties, expressed or implied, concerning the accuracy, completeness, reliability or suitability of this information for any other particular use. The Pinellas County Property Appraiser's Office assumes no liability whatsoever associated with the use or misuse of such information.

OPINIONS FROM AFFECTED NEIGHBORS



Redington Beach Town of <info@townofredingtonbeach.com>

Fw: 15811 Redington Drive variance request

2 messages

cmilr@aol.com <cmilr@aol.com>

Tue, Jun 23, 2026 at 9:02 PM

To: "info@townofredingtonbeach.com" <info@townofredingtonbeach.com>

To: Town Clerk

From:

Richard Miller

Chely Hernandez-Miller

15816 Redington Drive

Redington Beach, FL 33708

We do not object to the variance requested by 15811 Redington Drive to the Board of Adjustments to construct a dock facility that will extend 60' from the sea wall. The property sits on a cove, away from the canals and will not interfere with safe boat navigation, would not block boat traffic and neighboring properties will still be protected.

Thank you,

Chely and Dick Miller



Image (5).jpg
587K

Redington Beach Town of <info@townofredingtonbeach.com>

Wed, Jun 24, 2026 at 10:39 AM

To: "cmilr@aol.com" <cmilr@aol.com>

Good morning,

Thank you for your email. We will ensure your opinion is included in the agenda packet for the Board of Adjustment hearing.

Regards,

Adriana Nieves, CMC, CFM

Town Clerk



Town of Redington Beach
105 164th Ave.
Redington Beach, FL 33708
Office: 727-391-3875
Hours: 8am - 4pm
Building Department: 727-202-6825

Under Florida law, e-mail addresses are public records.

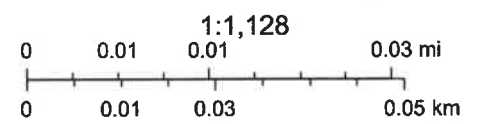
[Quoted text hidden]

AERIAL VIEW OF PROPERTY

04-31-15-52560-018-0080



7/8/2026



AGENDA ITEM 6B.

15909 1st St E.

FRONT SETBACK ENCROACHMENT

STAFF REPORT



Calvin, Giordano & Associates, Inc.
A **SAFEbuilt** COMPANY

Building Code Services
Civil Engineering / Roadway
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Landscape Architecture
Planning
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Redevelopment &
Urban Design
Surveying & Mapping
Transportation & Mobility
Transportation Planning
Water / Utilities Engineering
Website Development

311 Park Place Blvd.
Suite 630
Clearwater, FL 33759
Tel: 727-394-3825

www.cgasolutions.com

STAFF REPORT

TO: Darcy Bellemore, Chair
Board of Adjustment
Town of Redington Beach

FROM: Zain Husain
Town Planner, Calvin, Giordano & Associates

SUBJECT: Variance from Section 5 (B)(1)(B) for a Property Located at 15909
1st Street East, Redington Beach, FL 33708; Parcel ID 04-31-15-
52578-021-0040; Board of Adjustment Meeting

I. GENERAL INFORMATION

Request: The Applicant is seeking a variance to the Town of Redington Beach Code of Ordinances, Section 5 (B)(1)(B) to build stairs encroaching 4 feet 6 inches into the front yard setback for an existing one-story single-family residence.

Applicant

Kirk Johnson
15909 1st Street East
Redington Beach, FL 33708

Property Owner

KMJ Holdings, LLC
1808 N. Boise Avenue #200
Loveland, CO 80538

Physical Address

15909 1st Street East
Redington Beach, FL 33708

Parcel ID Number

04-31-15-52578-021-0040



Legal Description

LONE PALM BEACH 3RD ADD BLK 21, LOT 4

Current Use

Primary: Single Family Residence

Requested Variances

Section 5 - Building Regulations.

(B)(1)(B): The front setback line shall be located twenty (20) feet from the property line abutting the building lot.

Proposed: To build an overhang that will encroach 7 feet into the front yard setback.

II. BACKGROUND

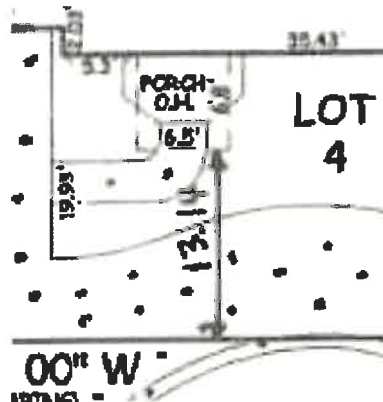
The applicant/owner requests a variance to build an overhang that will encroach 7 feet into the front yard setback. The property is on 1st Street East and is within the Single-Family zoning. The lot is 5,998 square feet (0.13 acres). The footprint of the proposed single-family home is 20 from the front property line. On the provided survey/site plan, the proposed overhang encroaches 7 feet into the setback.



Figure 1: Subject Property



Figure 2: Proposed (Labeled) Plan





III. FINDINGS

Permitted	Proposed
The front setback line shall be located twenty (20) feet from the property line abutting the building lot.	The applicant is proposing to build an overhang that will encroach 7 feet into the front yard setback.

Variance Criteria: Staff Findings

Special conditions and circumstances exist which are peculiar to the land, structure, or building for which the variance is being sought, and which are not applicable to other similarly situated lands, structures, or buildings in the same zoning district;

Finding: The single-family structure is 20 feet from the front property line. An overhang is allowed to be 2 ½ feet from the structure. To have the overhang cover the stairs, the overhang will encroach 7 feet into the front setback.

A literal interpretation of the provisions of the applicable code would deprive the applicant of rights commonly enjoyed by other similarly situated properties in the same zoning district under the terms of the applicable code;

Finding: The applicant wants to cover their stairs. By building this, they will need to have an overhang that is 13 feet away from the front property line. The Code allows a structure to be 20 feet away.

The property has an unusual hardship not suffered by other similarly situated properties within the same district;

Finding: The structure cannot be built closer to the front property line without a variance. The overhang is allowed to be 2 ½ feet from the property line, but cannot encroach 7 feet. The structure was built in 1939 and lacks the roofline and architectural weather protection of modern homes. A single-story structure of this age is very uncommon in this zone district.

The hardship of the property was not self-created by the applicant and was not the result of an action taken with the applicant's prior knowledge or approval. Further, no



variance may be granted arising from illegal construction of a structure or an illegal use of the premises which would otherwise have required a permit to be issued, and which construction was commenced illegally.

Finding: The construction of an overhang to cover the entry and encroach 7 feet into the setback is deemed necessary by the applicant, as the front door is situated at the very front of the façade right at the 20-foot setback, which only permits a 2 ½ feet eave projection over the door. Other 1930s and 1940s residential structures in the neighborhood typically have their entry door "inset" allowing the roof overhand to become the weather protection. This is lacking in the applicant's home design.

The requested variance is necessary to permit the reasonable use of the property;

Finding: The request to build an overhang over the stairs that will encroach 7 feet into the front setback is not the minimum necessary to permit. An overhang is allowed to encroach 2 ½ feet into the setback.

The requested variance will not confer on the applicant any special privilege that is denied by the applicable code to other similarly situated property owners;

Finding: Allowing an overhang to encroach 7 feet into the setback will give special privilege to the applicant.

The literal interpretation of the applicable code would deprive the applicant of rights commonly enjoyed by other similarly situated property owners;

Finding: A 20-foot front setback is consistent among the Town's single-family zone districts. The code's literal interpretation allows for 2 ½ feet of weather overhang; creating more conventional weather protection over the front door would require substantial demolition and relocation of the front entry, therefore the application of code would deprive the owners of the convenience, and to an extent the reasonable use of property, that is commonly enjoyed by other similarly situated property owners.

The requested variance will not be contrary to the public interest and will be in harmony with general intent and purpose of the applicable code.

Finding: The request will not be contrary to the public interest. The purpose of the allowable 2 ½ foot overhang encroachment, is meant to give shade within the setbacks.

IV. RECOMMENDATION



Staff finds the application does not meet all criteria for variance approval. Should the Board of Adjustment consider approval of the variance request, Staff recommends the Board consider the following:

1. All permitting must be submitted to the Town before construction is done.
2. The Board of Adjustment has considered any comments in opposition to the proposed variance from neighboring or adjacent property owners.
3. The Board of Adjustment may consider an alternative dimension for the overhang encroachment.

APPLICATION AS SUBMITTED

TOWN OF REDINGTON BEACH, FLORIDA
VARIANCE APPLICATION

(Please type or print clearly)

Property Owner(s)

Name <u>KMT Holdings, LLC (a CO LLC)</u>	Email <u>nacohomebuyer@gmail.com</u>
Address <u>1808 N. Boise Ave # 200</u>	
City <u>Cleveland</u>	State <u>CO</u>
Phone <u>970.988-3244</u>	Zip <u>80538</u>
Fax	Cellular

Applicant

Name <u>Kirk Johanson (owner)</u>	Email <u>" "</u>
Address <u>15909 1st St E</u>	
City <u>Redington Beach</u>	State <u>FL</u>
Phone	Zip <u>33708</u>
Fax	Cellular <u>970.988-3244</u>

Agent (if applicable)

Name	Email
Address	
City	State
Phone	Zip
Fax	Cellular

General Information

Property Location or Address	
Legal Description (attach additional sheet if necessary)	
Tax Parcel Number	Zoning District

Requested Action: To encroach an extra 4 feet... the length of my front step.

Describe request and applicable code section:

Section 5 (b)(1) B. For all other lots, the front setback
line shall be located twenty (20) ~~from~~ feet from the
property line abutting the building lot.

Required LDC Regulation(s): (list all that apply)

TOWN OF REDINGTON BEACH

VARIANCE APPLICATION

1. What special conditions or circumstances exist which are peculiar to the land, structure or building involved, and which are not applicable to other similarly situated lands, structures or buildings in the same zoning district?

House was built in 1939 and is exactly 20' from boundary, so anything added is encroachment. Should be able to have an overhang to block sun & rain.

2. What literal interpretation of the provisions of the applicable code would deprive the owner(s) of rights commonly enjoyed by other similarly situated properties in the same zoning district under the terms of the applicable code?

Many houses have front door overhangs. It only goes past my concrete steps by 14". (fourteen inches)

3. What special conditions or circumstances entitles the owner to a variance that are NOT self-created by the owner or an action taken with the owner's prior knowledge or approval?

The front door and house is exactly 20' from the "boundary line" in front of house. 20' is also the minimum allowed.

4. Explain how the granting of the variance will not confer on the owner any special privilege that is denied by the applicable code to other similarly situated lands, structures or buildings in the same district.

It is allowed to encroach 2.5', and I am only 4' of encroachment. The boundary line cut my front yard in half, I am STILL 30' from the Road!

5. Explain how the variance requested is the minimum variance necessary to permit the reasonable use of the lands, structures or buildings, will be in harmony with the general purpose and intent of the applicable code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

It only encroaches 4' past allowed, ~~it~~ it fits the neighborhood and makes house more aesthetically pleasing (once finished nicely), it serves a purpose.

NOTICE: To ensure compliance with Florida Statutes § 454.23 (providing that it is a felony for a person not an attorney to practice law in Florida), and to ensure the Town is not a party to facilitating the unauthorized practice of law, while an Owner who is a natural person may represent her or himself at the Board of Adjustment hearing, and while a licensed attorney may represent an Owner at the hearing, relatives, contractors, architects, engineers, or other agents of the Owner will not be permitted to represent an Owner at the hearing, including calling or cross-examining witnesses or making arguments for approval. Owners or their legal counsel must be present to present cases, and the Board of Adjustment will decline to proceed with a hearing where the Owner or her or his legal counsel is not present to present the case.

Note: No variance may be granted arising from illegal construction of a structure or an illegal use of the premises which would otherwise have required a permit to be issued, and which construction was commenced illegally. Further, no variance may be granted for any property in the town where the property has a pending unresolved code violation, or where the owner has failed to satisfy any recorded code enforcement lien or to have complied with any court or magistrate order related to a code enforcement violation within the town. Under such conditions, the property owner shall have no legal right to obtain a variance, and the Board shall have no legal right to grant a variance.

Section 6-290(7): Any variance granted under the provisions of this Code shall expire within sixty (60) days from the date of the executed order granting the variance unless a building permit for construction or alteration has been issued in accordance with the plans and conditions upon which the variance was granted. The building official may grant extensions to this deadline if that official determines that the applicant is proceeding in good faith.

AFFIDAVIT

I (we), the undersigned, certify ownership of the property within this application, that said ownership has been fully divulged, whether such ownership by contingent or absolute, and that the name of all parties to an existing contract for sale or any options are filed with this application.

NOTICE: To ensure compliance with Florida Statutes § 454.23 (providing that it is a felony for a person not an attorney to practice law in Florida), and to ensure the Town is not a party to facilitating the unauthorized practice of law, while an Owner who is a natural person may represent her or himself at the Board of Adjustment hearing, and while a licensed attorney may represent an Owner at the hearing, relatives, contractors, architects, engineers, or other agents of the Owner will not be permitted to represent an Owner at the hearing, including calling or cross-examining witnesses or making arguments for approval. Owners or their legal counsel must be present to present cases, and the Board of Adjustment will decline to proceed with a hearing where the Owner or her or his legal counsel is not present to present the case.

I (we) certify that Kirk Johanson is/are duly designated as the agent(s) for the owner, that the agent(s) is (are) authorized to provide subject matter on the application contained herein, whether verbal or written. Further, it is understood that this application must be complete and accurate, and the appropriate fee paid prior to processing.

Date: 7-1-26

Title Holder: [Signature]

Date: _____

Title Holder: _____

Date: _____

Title Holder: _____

Date: _____

Title Holder: _____

AFFIDAVIT

STATE OF FLORIDA)

COUNTY OF PINELLAS)

The foregoing instrument was acknowledged before me by ✓ physical presence or _____ online notarization this 30th day of June, 20 26 A.D., by Kirk Johanson who is personally known to me or who has produced drivers license as identification and who did (did not) take an oath.

NOTARY PRINTED NAME: Kacie Dubois

NOTARY SIGNATURE: Kacie Dubois

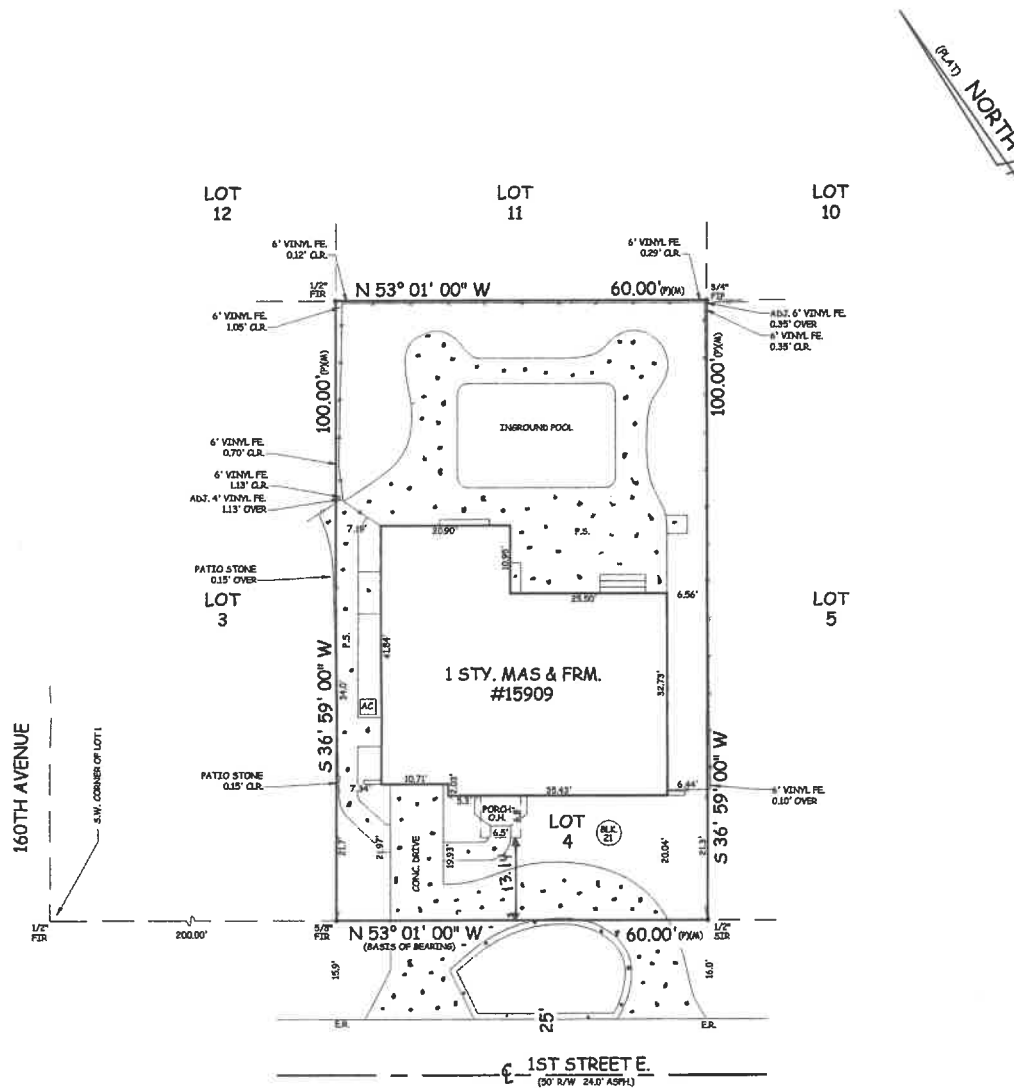
NOTARY STAMP



CERTIFIED TO: KMJ Holdings LLC

SCALE: 1" = 20'

SEC. 05 TWP. 31 S. RGE. 15 E.



A BOUNDARY SURVEY OF: Lot 4, Block 21, THIRD ADDITION TO LONE PALM BEACH, as recorded in Plat Book 20, Page 74 of the Public Records of Pinellas County, Florida.

According to the maps prepared by the U.S. Department of Homeland Security, this property appears to be located in:

Flood zone: AE Comm. Panel No.: 125140 0191 H Map Date: 8/24/2021 Base Flood Elev.: 10.0'

FOR THE EXCLUSIVE USE OF THE HEREIN PARTY(IES), I HEREBY CERTIFY TO ITS ACCURACY (EXCEPT SUCH ENDEAVORS, IF ANY, THAT MAY BE LOCATED BELOW THE SURFACE OF THE LAND, OR ON THE SURFACE OF THE LAND AND NOT VISIBLE), AND THAT THE SURVEY REPRESENTED HEREON MEETS THE MINIMUM REQUIREMENTS OF CHAPTER 84-17, FLORIDA ADMINISTRATIVE CODE TO THE BEST OF MY KNOWLEDGE AND BELIEF. UNDERGROUND FOUNDATIONS AND/OR IMPROVEMENTS, IF ANY, ARE NOT SHOWN AND OTHER RESTRICTIONS AFFECTING THIS PROPERTY MAY EXIST IN THE PUBLIC RECORDS OF THIS COUNTY. THIS SURVEY HAS BEEN DONE WITHOUT THE BENEFIT OF REVIEWING A CURRENT TITLE SEARCH. SURVEY NOT VALID FOR MORE THAN ONE YEAR FROM DATE OF FIELD WORK AND NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL, OR AN EMBOSSED SURVEYOR'S SEAL AND SIGNATURE. BEARINGS SHOWN ARE BASED ON PLAT, UNLESS OTHERWISE NOTED.



Edward D. Murphy
Digitally signed by Edward D. Murphy
Date: 2026.05.07 10:14:59 -0400

EDWARD D. MURPHY REG. P.L.S. # 5333

LEGEND:
P.O.L. - POINT ON LINE
P.O.C. - POINT OF COMMENCEMENT
P.O.B. - POINT OF BEGINNING
P.I. - POINT OF INTERSECTION
P.C. - POINT OF CURVATURE
P.R.C. - POINT OF REVERSE CURVATURE
P.C.C. - POINT OF COMPOUND CURVATURE
P.R.M. - PERMANENT REFERENCE MONUMENT
P.N. P.L.R. ELEV. - FINISHED FLOOR ELEVATION
N.A.V.D. - NORTH AMERICAN VERTICAL DATUM OF 1989
F.O. - FOUND
N.A.D. - NAIL AND DISK
F.I.P. - FOUND IRON PIPE
F.C.M. - FOUND CONCRETE MONUMENT
F.I.R. - FOUND IRON ROD
S.I.R. - SET IRON ROD
F.E. - FENCE
A.D.J. - ADJACENT
F.V.F. - FENCE
A.A.F. - ADJACENT FENCE
C.L.P. - CHAIN LINK FENCE
M.T.L. - METAL
R. - RADIUS
A. - ARC
C. - CHORD
Δ - DELTA
R.W. - RIGHT OF WAY
- NUMBER
M.S. - MAISONRY
F.R.M. - FRAME
STY. - STORY
G.I. - GRATE INLET
C.B. - CATCH BASIN
F.H. - FIRE HYDRANT
M.B. - METAL BINED
A.L.U.M. - ALUMINUM
W.H. - WATER HEATER
P.S. - PATIO STONE
C.P. - CURBPORT
P.L. - PLANTER
B.C. - BACK OF CURB
E.P. - EDGE OF PAVEMENT
E.R. - EDGE OF ROAD
E.O.W. - EDGE OF WATER
T.O.B. - TOP OF BANK
TYP. - TYPICAL
O.H. - OVERHEAD
W.W. - WIND WALL
C. - CENTERLINE
R.W. - RIGHT OF WAY
(P) - PLAT
(C) - CALCULATION
(D) - DEED
(M) - MEASURED
N. - NORTH
S. - SOUTH
E. - EAST
W. - WEST
E.S.M.T. - EASEMENT
M.H. - MANHOLE
CONC. - CONCRETE
CLR. - CLEAR
COL. - COLLAR
W.D. - WOOD
B.L.C. - BLOCK
S.W. - BEANWALL
ASPH. - ASPHALT
UTL. - UTILITY
D.R. - DRAINAGE
D.B. - DRAIN BASIN
GAR. - GARAGE
A.G.P. - ABOVEGROUND POOL
C/ W.D. - COVERED WOOD
C/P. - COVERED PATIO STONE
C/C. - COVERED CONCRETE
C.A.R. - COVERED AREA
A.C. - AIR CONDITIONER
S.P. - SCREENED PORCH
P-P. - OVERHEAD POWER LINES
C-C. - OVERHEAD CABLE LINES
P.P. - POWER POLE
L.P. - LIGHT POLE



WORK
PERMITS

26RED-00082

In Progress

15909 1ST ST E Redington
Beach 33708Addition - Residential
ARTISAN CUSTOM HOMES
LLC

Stop Work Order ?

Workflow

Details

Plan Reviews

Fees: \$0.00

Transactions

Inspections

Documents

Plan Reviews: 26RED-
00082

Planning/Zoning Plan

Submittal #: 2

Review(s) Due Date:

Review

06/09/2026

Submittal	Status	Discipline
Details	Resubmittal Required ▼	Planning/Zoning X
Plan	Assigned To	
Reviews	Zain Husain ▼	

Documents

2



Previous Comments:

On the site plan/survey: Provide the setback to the front property line from the proposed addition.

New Comments:

The required setback in the Single-Family zoning district is 20 feet in the front. With the overhang, the setback would be 13 feet from the front property line. An eve can encroach 2 and a half feet into the setback. To build this overhang, you will need an approved variance.

4' setback request

[Building](#)
[Code](#)

 Estimate
 (Hrs):

Time

Remaining:

Completed Date:

06/04/2026 12:48 PM

LETTER SENT TO AFFECTED NEIGHBORS



TOWN OF REDINGTON BEACH

105 164th AVENUE

REDINGTON BEACH, FL 33708

PHONE: 727-391-3875

FAX: 727-397-6911

email: info@townofredingtonbeach.com

NOTICE OF PUBLIC HEARING

VARIANCE APPLICATION

Property located at **15909 1st St E., LONE PALM BEACH 3RD ADD BLK 21, LOT 4** as recorded in plat book 20 page 74 of the Pinellas County Official Records, is requesting the Board of Adjustment approve a variance request to install a front porch overhang that will encroach into the front setback area 4 feet. **Town Code Appendix A Section 5 (b)(1)(B) states: “For all other lots, the front setback line shall be located twenty (20) feet from the property line abutting the building lot.”**

As a property owner within 150' of the subject property, you are invited to register your opinion at a Public Hearing to be held **Thursday, August 20th, 2026 at 6:30pm** in the Town Hall Assembly Room located at 105 164th Avenue, Redington Beach, FL 33708 or you may respond by letter to the Town Clerk stating your reasons for your opinion. This letter should be mailed or emailed to Town Hall at the above address. It is imperative that the Board of Adjustment members know the reasons for your approval or disapproval so that they can give your comments proper consideration.

Any person wishing to appeal any decision of the Board of Adjustment with respect to any matter considered at this meeting will need a record of the proceedings, and for such purposes, may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which an appeal is to be based.

Adriana Nieves, CMC, CFM

Town Clerk

Date of Notice: July 20th, 2026

TERRACCIANO, RALPH J
TERRACCIANO, LINDA J
202 ELKMORE RD
ELKTON, MD 21921-7231

SECURITY REALTY & CAPITAL LLC
ATTN: FULLER, DOUG
8341 NW MACE RD STE 200
KANSAS CITY, MO 64152-4618

SOPKO, MICHAEL
DEMPSEY, MICHELLE
15458 1ST ST E
MADEIRA BEACH, FL 33708-1803

BALMORES, WARREN
BALMORES, ALEXANDRA
1 SLAB BRANCH RD
MEDFORD, NJ 08055-8186

PAUL, PATRICIA T TRE
PAUL, CHRISTOPHER E TRE
25 160TH AVE
REDINGTON BEACH, FL 33708-1641

REYNOLDS, EDWARD L & ANNA TRUST
REYNOLDS, ANNA
15933 1ST ST E
REDINGTON BEACH, FL 33708-1709

ROBERTSON, JOSHUA W
ROBERTSON, KAYLA S
15908 1ST ST E
REDINGTON BEACH, FL 33708-1710

RISKUS, WILLIAM V
THARPE-RISKUS, MARY A
15906 2ND ST E
REDINGTON BEACH, FL 33708-1715

CHANDY, JOBY JOSEPH
CHANDY, DANUSHA SELVENDRAN
15912 2ND ST E
REDINGTON SHORES, FL 33708-1715

AKERY, ROBERT L TRE
AKERY, PEGGY C TRE
12288 JULIA ST
SEMINOLE, FL 33772-4410

MINO, JEFFREY S
MONTEIRO, ROSEBEL
629 ONTARIO AVE
TAMPA, FL 33606-4047

FERNANDEZ, OSBERTO B TRUST
FERNANDEZ, OSBERT TRE
5607 MACALLAN DR
TAMPA, FL 33625-1354

GILLESPIE, MICHELLE
2812 W ALLINE AVE
TAMPA, FL 33611-2806

SMALL HOLDINGS GROUP LLC
215 NORMAN AVE
BROOKLYN, NY 11222-3502

HANSEN, BRENT
15912 1ST ST E
REDINGTON BEACH, FL 33708-1710

DUNKLE, MICHAEL CHARLES
3045 10TH ST N
ST PETERSBURG, FL 33704-2038

FRENCH, RAYMOND D
15949 1ST ST E
REDINGTON BEACH, FL 33708-1709

COMBS, PHYLLIS S
15914 1ST ST E
REDINGTON BEACH, FL 33708-1710

5998 PELICAN INVESTMENTS LLC
301 W PLATT ST UNIT A343
TAMPA, FL 33606-2292



MIKE TWITTY, MAI, CFA
Pinellas County Property Appraiser

www.pcpao.gov

mike@pcpao.gov

Run Date: 20 Jul 2026

Subject Parcel: 04-31-15-52578-021-0040

Radius: 150 feet

Parcel Count: 19

Total pages: 2

Public information is furnished by the Property Appraiser's Office and must be accepted by the recipient with the understanding that the information received was developed and collected for the purpose of developing a Property Value Roll per Florida Statute. The Pinellas County Property Appraiser's Office makes no warranties, expressed or implied, concerning the accuracy, completeness, reliability or suitability of this information for any other particular use. The Pinellas County Property Appraiser's Office assumes no liability whatsoever associated with the use or misuse of such information.

OPINIONS FROM AFFECTED NEIGHBORS

7-23-2026

to whom it may CONCERN:

In response to the Variant
request concerning 15909 1st St E.
Redington Beach, Fl., I have
no objections to the request.
(In fact, I think it would
be an improvement to the
look of the property.)

Brent Hansen
15912 1st St E.
REDINGTON BEACH, FL.

received
7-23-26
an

AGENDA ITEM 6C.

**15700 GULF BLVD.
FENCE**

STAFF REPORT



Calvin, Giordano & Associates, Inc.
A SAFEbuilt COMPANY

Building Code Services
Civil Engineering / Roadway
& Highway Design
Coastal Engineering
Code Enforcement
Construction Engineering &
Inspection (CEI)
Construction Services
Data Technologies &
Development
Electrical Engineering
Engineering
Environmental Services
Facilities Management
Grant Management &
Writing
Geographic Information
Systems (GIS)
Governmental Services
Indoor Air Quality (IAQ)
Landscape Architecture
Planning
Project Management
Redevelopment &
Urban Design
Surveying & Mapping
Transportation & Mobility
Transportation Planning
Water / Utilities Engineering
Website Development

311 Park Place Blvd.
Suite 630
Clearwater, FL 33759
Tel: 727-394-3825

www.cgasolutions.com

STAFF REPORT

TO: Darcy Bellemore, Chair
Board of Adjustment
Town of Redington Beach

FROM: Zain Husain
Town Planner, Calvin, Giordano & Associates

SUBJECT: Variance from Sec. 6-284 for a Property Located at 15700 Gulf
Boulevard, Redington Beach, FL 33708; Parcel ID 09-31-15-52542-
010-0080

DATE: August 20, 2026, Board of Adjustment Meeting

I. GENERAL INFORMATION

Request: The Applicant is seeking a variance to the Town of Redington Beach Code of Ordinances, Section 6-284 to build a 20-inch glass panel on top of the existing 28-inch masonry wall along the rear and side yards of an existing one-story single-family residence.

Applicant

Daniel Rouen
15700 Gulf Boulevard
Redington Beach, FL 33708

Property Owner

Daniel Rouen and Shefali
Rouen
15700 Gulf Boulevard
Redington Beach, FL 33708

Physical Address

15700 Gulf Boulevard
Redington Beach, FL 33708

Parcel ID Number

09-31-15-52542-010-0080



Legal Description

LONE PALM BEACH 1ST ADD BLK 10, LOT 8 LESS RD R/W

Current Use

Primary: Single Family Residence

Requested Variances

Sec. 6-284.- Maximum height; placement.

(b): A fence, wall or hedge no greater in height than six feet may be constructed in a rear yard that is not waterfront. On waterfront or gulf-front property, fences, walls or hedges located within the setback area of the rear yard shall not exceed three feet in height. An additional one foot of fencing may be added on top of a three-foot wall or fence provided that the additional fencing has a minimum three-inch opening between all vertical members, and each vertical member is not greater than one and one-half inch in width and that the additional fencing is either chain link, or has a minimum three-inch opening between all horizontal members and each horizontal member is not greater than one and one-half inch in width except for the top horizontal member can't exceed three and one-half inches.

Proposed: Relief from the requirement to have small air-gap openings between all vertical and horizontal members, to build a 20-inch continuous glass panel on top of an existing 28-inch wall that wraps around the rear yard.

II. BACKGROUND

The property is on Gulf Boulevard and the rear faces the beach/Gulf. The lot is 12,698 square feet (0.29 acres). The applicant claims because of the natural grade and topography, measurements from each side of the lot are significantly different. There is an existing perimeter opaque privacy wall approximately four feet in height separating the applicant's property from the Gulf-side dunes and neighboring properties. The request would not exceed the maximum height allowed for fences or walls; the variance is required for using glass, an unpermitted material, and for using a continuous solid material without the required vertical and horizontal gaps otherwise needed to create transparency needed to allow light and air through fences along waterfront rear yards.



Figure 1: Subject Property



Figure 2: Aerial View Of The Proposed Plan





III. FINDINGS

Variance Criteria: Staff Findings

Special conditions and circumstances exist which are peculiar to the land, structure, or building for which the variance is being sought, and which are not applicable to other similarly situated lands, structures, or buildings in the same zoning district;

Finding: The topographic condition of the lot provides different elevations from adjacent properties. The applicant did not create this hardship, as this is due to the topography.

A literal interpretation of the provisions of the applicable code would deprive the applicant of rights commonly enjoyed by other similarly situated properties in the same zoning district under the terms of the applicable code;

Finding: The Code states that "fences, walls or hedges located within the setback area of the rear yard shall not exceed three feet in height. An additional one foot of fencing may be added on top of a three-foot wall or fence provided that the additional fencing has a minimum three-inch opening between all vertical members, and each vertical member is not greater than one and one-half inch in width and that the additional fencing is either chain link, or has a minimum three-inch opening between all horizontal members and each horizontal member is not greater than one and one-half inch in width except for the top horizontal member can't exceed three and one-half inches. Shallow water to the rear of the lot would deprive the applicant of the reasonable use of a significant portion of the property's riparian area commonly enjoyed among nearby properties with the literal interpretation of the applicable code which, according to the applicant's information, would not provide for depths suitable for boat access." The glass panel material is not allowed by Code, but is found to be functionally similar to permitted materials, therefore meeting the code's intent, which is to allow privacy and security while accommodating the passage of light and air on waterfront properties.

The property has an unusual hardship not suffered by other similarly situated properties within the same district;

Finding: Topographic changes across the subject property that are not found on other properties in the same district may limit the applicability of fence or wall materials that would otherwise provide for reasonable security and privacy, while meeting code requirements.

The hardship of the property was not self-created by the applicant and was not the result of an action taken with the applicant's prior knowledge or approval. Further, no variance may be granted arising from illegal construction of a structure or an illegal



use of the premises which would otherwise have required a permit to be issued, and which construction was commenced illegally.

Finding: The applicant did not take any action that created or contributed to the hardship.

The requested variance is necessary to permit the reasonable use of the property;

Finding: The maximum height in the rear is 4-feet tall. The material and spacing/opening will not be provided as the applicant is proposing a glass topper.

The requested variance will not confer on the applicant any special privilege that is denied by the applicable code to other similarly situated property owners;

Finding: The maximum height in the rear for a fence is 4-feet. The additional 20-inches of glass topper above the existing 28-inch wall, will maximize the height at 4-feet.

The literal interpretation of the applicable code would deprive the applicant of rights commonly enjoyed by other similarly situated property owners;

Finding: The Code states that "fences, walls or hedges located within the setback area of the rear yard shall not exceed three feet in height. An additional one foot of fencing may be added on top of a three-foot wall or fence provided that the additional fencing has a minimum three-inch opening between all vertical members, and each vertical member is not greater than one and one-half inch in width and that the additional fencing is either chain link, or has a minimum three-inch opening between all horizontal members and each horizontal member is not greater than one and one-half inch in width except for the top horizontal member can't exceed three and one-half inches. shallow water to the rear of the lot would deprive the applicant of the reasonable use of a significant portion of the property's riparian area commonly enjoyed among nearby properties with the literal interpretation of the applicable code which, according to the applicant's information, would not provide for depths suitable for boat access.' The applicant is proposing to build a glass topper instead of a fence with horizontal members.

The requested variance will not be contrary to the public interest and will be in harmony with general intent and purpose of the applicable code.

Finding: The request is for the material and spacing/openings of the fence. Instead of open spacing, the applicant is proposing to build a glass topper above the existing wall.



IV. RECOMMENDATION

Staff finds the application meets the criteria for variance approval and recommends the Board of Adjustment consider **approval** of the variance request contingent on the following:

1. The Board of Adjustment has considered any comments in opposition to the proposed variance from neighboring or adjacent property owners.

APPLICATION AS SUBMITTED

TOWN OF REDINGTON BEACH, FLORIDA
VARIANCE APPLICATION

(Please type or print clearly)

Property Owner(s)

Name <u>Daniel P. Rouen and Shefali S. Rouen,</u>		Email <u>Dan. Rouen@gmail.com</u>	
Address <u>15700 Gulf Blvd</u>			
City <u>Redington Beach,</u>	State <u>FL</u>	Zip <u>33708</u>	
Phone <u>913-314-9711</u>	Fax <u>NA</u>	Cellular <u>913-314-9711</u>	

Applicant

Name <u>Daniel Rouen</u>		Email <u>Dan. Rouen@gmail.com</u>	
Address <u>15700 Gulf Blvd</u>			
City <u>Redington Beach</u>	State <u>FL</u>	Zip <u>33708</u>	
Phone <u>913-314-9711</u>	Fax <u>NA</u>	Cellular <u>913-314-9711</u>	

Agent (if applicable)

Name <u>Tiffani K. Thornton, Esq</u>		Email <u>Tiffani@TKTLAW.ORG</u>	
Address <u>653 West Lumsden Rd</u>			
City <u>Brandon</u>	State <u>FL</u>	Zip <u>33511</u>	
Phone <u>813-337-7349</u>	Fax <u>NA</u>	Cellular <u>813-337-7349</u>	

General Information

Property Location or Address <u>15700 Gulf Blvd Redington Beach, FL 33708</u>	
Legal Description (attach additional sheet if necessary) <u>See Additional Sheet</u>	
Tax Parcel Number <u>09-31-15-52542-010-0080</u>	Zoning District <u>Single family</u>

Requested Action:

Describe request and applicable code section:

Variance to Section 6-284 to permit a 20-inch tempered safety glass panel topper on: (a) the south portion of the rear (west) seawall/retaining wall - from the beach access gate opening.

Required LDC Regulation(s): [list all that apply]

Section 6-282 - Height Measurements and Section 6-284 - Maximum Height; Placement (Waterfront Rear Yard and Side Yard)

TOWN OF REDINGTON BEACH

VARIANCE APPLICATION

1. What special conditions or circumstances exist which are peculiar to the land, structure or building involved, and which are not applicable to other similarly situated lands, structures or buildings in the same district?

The natural topography of this parcel places the interior lot grade at a higher elevation than the adjacent beach grade to the west.

2. What literal interpretation of the provisions of the applicable code would deprive the Applicant(s) of rights commonly enjoyed by other similarly situated properties in the same district under the terms of the applicable code?

Most similarly situated property owners can have a secondary pool fence or entry barrier meeting the 48 inch standard, but for this property, measured from beach grade it would be in excess of the height & materials restriction, needing to be shorter with gaps at the top at the height of a child.

3. What special conditions or circumstances entitles the Applicant to a variance that are NOT self-created by the Applicant or an action taken with the Applicant's prior knowledge or approval?

The differential between the beach grade and interior lot grade is natural topography, so measurements from each side are significantly different.

4. Explain how the granting of the variance will not confer on the Applicant any special privilege that is denied by the applicable code to other similarly situated lands, structures or buildings in the same district.

The variance requested is equitable as it enables this lot to have a fence with the same effective dimensions as similarly situated lots with more consistent grade and the glass topper does not grant greater privacy or obscurity than similarly situated lots enjoy.

5. Explain how the variance requested is the minimum variance necessary to permit the reasonable use of the lands, structures or buildings, will be in harmony with the general purpose and intent of the applicable code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

The variance requested is limited in area, in height to meet the equivalent of a pool barrier, and in materials to utilize an opaque material. It allows the lot to have a appropriate height secondary pool and entry barrier for safety meeting the purpose of the code, use material more durable than wood, vinyl, or chain link, and maintain a consistent aesthetic appearance.

Note: No variance may be granted arising from illegal construction of a structure or an illegal use of the premises which would otherwise have required a permit to be issued and which construction was commenced illegally. Under such conditions, the property owner shall have no legal right to apply for a variance and the Board shall have no legal right to grant a variance.

Section 6-290(g): Any variance granted under the provisions of this code shall expire within sixty (60) days from the date of the executed order granting the variance unless a building permit for construction or alteration has been issued in accordance with the plans and conditions upon which the variance was granted.

**TOWN OF REDINGTON BEACH, FLORIDA
VARIANCE APPLICATION**

AFFIDAVIT

I (we), the undersigned, certify ownership of the property within this application, that said ownership has been fully divulged, whether such ownership by contingent or absolute, and that the name of all parties to an existing contract for sale or any options are filed with this application.

I (we) certify that Tiffani K. Thornton, Esq is/are duly designated as the agent(s) for the owner, that the agent(s) is (are) authorized to provide subject matter on the application contained herein, whether verbal or written, and appear at any public hearing(s) involving this petition. Further, it is understood that this application must be complete and accurate and the appropriate fee paid prior to processing.

Date: 6-24-2026

Title Holder: Daniel P. Row

Date: 6-24-2026

Title Holder: [Signature]

Date: _____

Title Holder: _____

Date: _____

Title Holder: _____

STATE OF ~~FLORIDA~~ Kansas
COUNTY OF ~~PINELLAS~~ Sansom

The foregoing instrument was acknowledged before me by Dan Raven physical presence or _____ online notarization this 24th day of June, A.D. 2026, by Dan Raven who is personally known to me or who has produced _____ as identification and who did (did not) take an oath.

NOTARY PRINTED NAME: Michael Kreisler

NOTARY SIGNATURE: [Signature]

NOTARY STAMP



Commission # 12192606
04/16/26

JUL 10 2020

Prepared by:
David A Wolis, Esq.
USA Trust Title, LLC
20801 Biscayne Blvd, STE 403
Aventura, FL 33180
954-491-0378

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 16th day of December, 2019 between 15700 R B H LLC, a Delaware Limited Liability Company, whose post office address is 16406 Millan De Avila, Tampa, FL 33613, grantor, and Daniel P. Rouen and Shefali S. Rouen, Trustees of Rouen Trust dated October 5, 2010, whose post office address is 15700 Gulf Boulevard, Redington Beach, FL 33708, with full power and authority to protect, conserve, sell, lease, encumber, or to otherwise manage and dispose of the real property hereinafter described, grantee:

(Whenever used herein the terms "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, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Pinellas County, Florida to-wit:

Lot 8, Block 10, First Addition to Lone Palm Beach, according to the map or plat thereof as recorded in Plat Book 20, Page 67, Public Records of Pinellas County, Florida. LESS that part of said Lot 8, lying within 40.00 feet Southerly of the survey line on State Road 699, Section 15140, as shown by Order of Taking recorded in O.R. Book 5518, Page 726, of the Public Records of Pinellas County, Florida.

Parcel Identification Number: 09-31-15-52542-010-0080

Subject to taxes for 2020 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any, which are not hereby reimposed.

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 whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2019.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Lorenza Serna

Witness Name: LORENZA SERNA

15700 R B H LLC, a Delaware Limited Liability Company,
By its Member The Blossom M. Leibowitz 2012 Family Trust
dated 10/18/2012

Edward R. Leibowitz

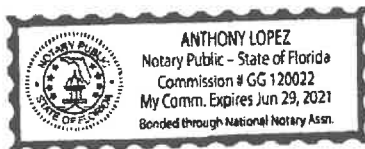
By Edward R. Leibowitz, As Trustee
of The Blossom M. Leibowitz 2012 Family Trust dated
10/18/2012

Farney Cestron
Witness Name: Farney Cestron

State of Florida
County of Hillsborough

The foregoing instrument was acknowledged before me this 10 day of December, 2019 by Edward R. Leibowitz, As Trustee of The Blossom M. Leibowitz 2012 Family Trust dated 10/18/2012, Member of 15700 R B H, LLC a DE Limited Liability Company, on behalf of the Company. Who ☐ is personally known or ☒ has produced a Florida Driver License as identification.

[Notary Seal]



Anthony Lopez
Notary Public

Printed Name: Anthony Lopez

JUL 10 2020

WRITTEN DESCRIPTION OF HARDSHIP

Variance Application — Town of Redington Beach Board of Adjustment

15700 Gulf Boulevard, Redington Beach, FL 33708 | Parcel 09-31-15-52542-010-0080

I. PROPERTY AND REQUEST SUMMARY

Property Owner:

Daniel P. Rouen, Trustee, and Shefali S. Rouen, Trustee

Property:

15700 Gulf Boulevard, Redington Beach, FL 33708

Lot 8, Block 10, First Addition to Lone Palm Beach, according to the map or plat thereof, as recorded in Plat Book 20, Page 67, of the Public Records of Pinellas County, Florida, LESS that part of said Lot 8, lying within 40.00 feet Southerly of the survey line on State Road 699, Section 15140, as shown by Order of Taking recorded in Official Records Book 5518, Page 726, of the Public Records of Pinellas County, Florida.

Parcel ID: 09-31-15-52542-010-0080 | Zoning: Redington Beach (RB)

Orientation: Gulf of Mexico / beach to the west (rear); Gulf Boulevard to the east (front)

Existing Permitted Structures:

Rear (west) seawall/retaining wall — Permit No. RB-BLDG-250251

South side fence/wall — Permit No. RB-BLDG-250634

Code Sections at Issue:

§6-282 — Height Measurements

§6-284 — Maximum Height; Placement (Waterfront Rear Yard and Side Yard)

Florida Building Code §454.2.17 — Pool Barrier Minimum Height (48 inches)

Nature of Request:

Variance to §6-284 to permit a 20-inch tempered safety glass panel topper on: (a) the south portion of the rear (west) seawall/retaining wall — from the beach access gate opening southward to the south side wall junction; and (b) the south side boundary wall.

Note: the north portion of the rear wall, north of the beach access gate, receives no glass topper.

II. THE POOL BARRIER SYSTEM AND ENCLOSURE METHOD

The pool enclosure employs a layered, redundant barrier design consisting of two independent systems.

Property Orientation and Pool Location

The Gulf of Mexico lies to the west (rear of property); Gulf Boulevard to the east (front). The pool is on the south side of the property between the main structure and the rear (west) boundary wall. The beach access gate in the rear wall sits slightly north of the property's east-west centerline, placing the pool-adjacent rear wall section to the south of the gate.

Layer 1 (Outer) — Rear Seawall/Retaining Wall and South Side Wall with Glass Topper

South portion of the rear (west) wall: runs from beach access gate southward to south side wall junction. Pool-adjacent section borders public land only.

This is permitted as a seawall/retaining wall under Permit No. RB-BLDG-250251.

South side boundary wall: permitted under Permit No. RB-BLDG-250634.

North portion of the rear wall (from gate northward to north side wall); receives no glass topper. This is not pool-adjacent, as a 48" standalone fence will border the pool deck on this side. This deliberate exclusion demonstrates the minimum-variance scope of this request.

Layer 2 (Inner) — Free-Standing 4-Foot Glass Fence and Self-Closing Gate (Planned)

Our plans include the installation of a separate, free-standing 4-foot frameless tempered glass fence positioned on the interior of the property between the North wall and the pool. This inner fence, with a self-closing, self-latching glass gate, would constitute the primary pool code barrier under Florida Building Code §454.2.17. A child who accessed the outer wall area would still face this independent 4-foot barrier before reaching the pool. The glass topper on the outer wall supplements the outer boundary layer; it is not the sole pool barrier.

Beach Access Path and Property Gate

A paved path runs from the pool deck through the inner glass gate and through the beach access opening (property gate) in the rear wall to the public beach corridor to the west. The property gate sits slightly north of the east-west center of the rear wall. The glass topper runs from the south jamb of this gate southward along the rear wall and south side wall.

See Exhibit A — 3D Design Renderings and Photos

III. THRESHOLD ISSUE — REAR (WEST) WALL IS LIKELY A RETAINING/SEAWALL STRUCTURE NOT SUBJECT TO §6-284

Structural Classification

The rear (west) wall was permitted as a seawall/retaining wall under Permit No. RB-BLDG-250251. Its primary structural function is to retain the elevated interior lot grade against the lower natural beach grade to the west, especially now, after the sand dune loss during prior hurricanes. The natural topography of this Gulf-front parcel places the interior lot at a higher elevation than the adjacent beach, a condition characteristic of Gulf-front lots where the interior grade sits above the beach level. The wall retains the higher interior soil; it is not a fence or enclosure wall in the conventional sense.

§6-284 Applies to Fences, Walls, and Hedges — Not Retaining Structures

Section 6-284 governs the maximum height of "fences, walls, or hedges." These terms, in their ordinary meaning and in standard building code construction, refer to enclosure and boundary structures, not to structural retaining elements. A retaining wall serves an engineering function (soil retention, grade separation) that is categorically distinct from the enclosure function a fence or boundary wall serves. Many municipal codes specifically exempt retaining walls from fence height ordinances for this reason. If the Board determines that the rear wall's classification as a permitted seawall/retaining wall places it outside the scope of §6-284, then no variance is required for the glass topper on the rear wall Gulf-front

portion of this application. However, in the event the Board determines §6-284 applies notwithstanding the seawall/retaining wall classification, analysis and hardship information are still presented herein.

Impact on Board's Analysis

If §6-284 does not govern the rear (west) wall, the variance analysis reduces to the south side wall glass topper only. This narrowed scope further supports the minimum-variance character of the request and reduces the Board's task to a straightforward pool safety analysis on the south side wall.

IV. HEIGHT ANALYSIS UNDER §6-282

This analysis applies if the Board determines §6-284 governs the rear (west) wall notwithstanding its seawall/retaining wall classification.

Grade Relationship at the Rear (West) Wall

The natural topography of this Gulf-front parcel places the interior lot grade at a higher elevation than the adjacent beach grade to the west. The rear wall retains this higher interior grade. Under §6-282, height is measured from whichever is lower: the grade of the abutting property or the grade of the subject property.

- Interior lot grade (subject property, higher side): approximately 28 inches below the top of the rear wall
- Beach grade (abutting property/public access corridor, lower side): approximately 50 inches below the top of the rear wall
- Controlling §6-282 measurement elevation: beach grade (lower): 50 inches below wall top
- Effective wall height from controlling grade: approximately 50 inches: 14 inches above §6-284's 36-inch waterfront rear yard baseline

Note: The existing permitted rear wall, measured from the controlling beach grade under §6-282, already exceeds §6-284's 36-inch limit. This overage exists as a result of the natural topographic grade relationship on this parcel as an interior lot higher than the beach, and the wall's structural retaining function. It was permitted by the building official and reflects the practical reality of this site's natural grade conditions. This further supports the argument that §6-284 was not intended to govern retaining/seawall structures on Gulf-front lots with this topographic profile.

Glass Topper Height From Controlling Grade

- Existing wall from controlling (beach) grade: approximately 50 inches
- Proposed glass topper: +20 inches
- Total from controlling grade: approximately 70 inches
- Variance overage above §6-284 baseline: approximately 32 inches total (14 inches existing + 20 inches topper)

Height From Interior Grade — Pool Safety Context

Measured from the interior lot grade, the side on which the pool is located, the wall stands approximately 28 inches. The proposed glass topper brings this to exactly 48 inches from the interior grade. Florida Building Code §454.2.17 requires a minimum 48-inch pool barrier. The glass topper closes the gap between the existing interior wall height and the state pool safety minimum to exactly 48 inches — precisely the state minimum, and consistent with the 48-inch free-standing glass fence on the north side of the pool deck.

Material Variance

Section 6-284 permits one additional foot atop a 3-foot wall only if the topper meets open-construction specifications: minimum 3-inch openings between all vertical members, each not exceeding 1.5 inches in width. Tempered glass does not meet this specification. Accordingly, a material variance is required in addition to height relief for the project to proceed.

V. THE ROUEN REQUEST IS NOT CONTRARY TO PUBLIC INTEREST

Pool Safety

Measured from the interior side, the existing wall stands approximately 28 inches above the pool area grade, approximately 20 inches below the Florida Building Code §454.2.17 minimum. The inner 4-foot glass fence would provide the primary pool code barrier, but the outer wall is the first line of protection against unauthorized access from the public beach access corridor to the west.

The south boundary abuts a public beach access corridor while the rear boundary is gulf and public beach facing. The proximity of an active public walkway and public beach directly south and west of the pool enclosure area creates a heightened safety obligation. Closing the gap at the outer boundary layer is a direct public safety benefit.

Florida's pool barrier requirements are aimed at ensuring barriers are non-climbable and free of handholds or footholds that a child could use to scale them. This request eliminates the ground-level gap risk entirely, while the glass topper provides an unobstructed sightline for adult supervision, a key safety advantage, without creating the ladder-like horizontal rails or spacing gaps that traditional fencing and rail-top configurations can present. By contrast, a fence with spacing under the topper creates potential breach points that may not meet the rules depending on installation, and may offer footholds that facilitate climbing. The glass enclosure system, when properly installed with no gaps at grade and compliant panel heights, addresses each of the core vulnerability points.

No Adverse Community Impact

Tempered safety glass is fully transparent. The improvement introduces no view obstruction, no blockage of light or coastal air movement, and no adverse visual or practical impact on adjacent properties, the beach access corridor, or the Gulf Boulevard streetscape.

This is distinct from a request to have a material variance for an opaque material at a greater height than code or ordinance permit. An opaque material would obstruct the line of sight from both the interior of the lot and the public beach side, in a manner that would be patently distinct from adjacent homes. This transparent material viewed from either side will not cause the lot to appear patently distinct from adjacent homes or give an appearance of this lot having greater privacy than others, nor would it enjoy same.

VI. THE ROUENS FACE UNNECESSARY AND UNDUE HARDSHIP

The Three-Way Regulatory Conflict

This property sits at the intersection of three regulatory regimes that cannot simultaneously be satisfied without the requested relief:

- Local zoning (§6-284): 36-inch maximum in the waterfront rear yard; topper must be open-frame construction with minimum 3-inch spacing between members

- State pool safety (FBC §454.2.17): minimum 48-inch pool barrier measured from the exterior grade
- Federal/state coastal construction (VE zone): the open-frame topper permitted by §6-284's exception has 3-inch minimum gaps, through which a child's body could pass, and therefore does not appear to satisfy the pool containment standard, however solid masonry additions below BFE create structural load concerns in a VE zone

Tempered glass is an ideal material to simultaneously provides true pool containment, avoids solid-masonry structural load concerns in the VE zone, and achieve the needed height with a frameless baserail mounted coastal system that does not obstruct views or give the lot greater privacy that neighboring properties enjoy.

Moreover, this enables the use of consistent materials on the walls and fences surrounding the lot and pool rather than mixed materials which would require a re-working of construction plans to, within the Florida Building Code requirements, accommodate areas with tempered glass use and areas with a material encompassing vertical members as required by the terms of Section 6-284. Notwithstanding aesthetic concerns, the owners have no guarantee that such construction would be viable or structurally sound, but the construction proposed in this variance request has been vetted for same.

Natural Topography — Hardship Is Not Self-Created

The grade differential that produces this conflict is a natural feature of the land. The interior lot sits at a higher elevation than the beach to the west. This is characteristic of Gulf-front lots in this coastal geography. The applicant did not create this topographic condition. The rear wall's retaining function is a direct consequence of it. Both walls were legally permitted (Permit Nos. RB-BLDG-250251 and RB-BLDG-250634). The hardship arises from the interaction of natural site conditions, an existing legally permitted structure, and the measurement methodology of §6-282, not from any choice or action by the applicant.

VII. REVIEW OF SPECIAL CONDITIONS PECULIAR TO THIS LAND

a. Rear Wall Permitted as Seawall/Retaining Wall

The rear (west) boundary wall is a permitted seawall/retaining wall (Permit No. RB-BLDG-250251), not a standard fence or enclosure structure. Its structural function, retaining the higher interior lot grade against the lower beach grade, is peculiar to Gulf-front parcels with this natural topographic profile and is not present on standard interior residential lots in the district.

b. Natural Interior-to-Beach Grade Differential

The interior lot grade is naturally elevated above the adjacent beach grade, producing an approximately 22-inch differential across the rear wall. Under §6-282, this means the controlling measurement elevation is the lower beach grade, making the wall appear taller for code purposes than it reads from the pool/interior side. This natural grade relationship is peculiar to this Gulf-front parcel's topography.

c. Adjacency to Public Beach Access Corridor (South Boundary)

The side (south) boundary abuts a public beach access corridor. This condition is not shared by the majority of properties in the district and heightens the pool safety obligation at the outer wall boundary.

d. FEMA Flood Zone VE — Material Constraint

The property lies entirely within Flood Zone VE (BFE 14.0 ft.). This designation constrains available topper materials: chain link is climbable, and the open-frame materials permitted by §6-284's exception do not provide true pool containment. Glass is the appropriate VE zone coastal pool barrier material.

VIII. REVIEW OF RIGHTS COMMONLY ENJOYED BY SIMILARLY SITUATED PROPERTIES

Gulf-front residential property owners throughout Pinellas County routinely complete pool enclosures with glass panels meeting Florida Building Code §454.2.17 without variance.

However, strict application of §6-284 without accommodation for this parcel's natural topographic conditions and retaining wall structure uniquely prevents this applicant from completing a lawful pool enclosure that many other residential property owners in the district can achieve.

IX. THIS IS A MINIMUM VARIANCE REQUEST

Minimum Variance

The glass topper is limited to:

- Rear (west) wall: south portion only — from the beach access gate southward to the south side wall junction. The north portion of the rear wall (gate to north side wall) receives no topper.
- South side boundary wall only.

The 20-inch height is the minimum needed to bring the inner pool-side barrier to exactly 48 inches from the interior grade, exactly meeting the 48-inch Florida Building Code §454.2.17 minimum, consistent with the 48-inch free-standing glass fence on the north side of the pool deck. The inner 4-foot glass fence would constitute the primary pool code barrier; the glass topper supplements the outer layer only. If the Board agrees the rear wall's seawall/retaining wall classification places it outside §6-284, the variance reduces further to the south side wall topper only.

Harmony with Code

The purpose of §6-284's waterfront height limit is to preserve views, light, and the open coastal character of Gulf Boulevard. Tempered glass is fully transparent and risks posing none of the harms the ordinance is designed to prevent. The variance is consistent with the spirit and intent of the code.

Not Injurious

The request is for use of transparent glass panels. These will present no view obstruction, no blockage of light or air, no adverse impact on adjacent properties, the public beach access corridor, or the neighborhood. This is a public safety benefit from an improved pool enclosure on a Gulf-front lot adjacent to a public access area.

X. THE CONDITIONS NOT SELF-CREATED

The conditions giving rise to this variance are the natural topography of the land, specifically the higher interior lot grade relative to the adjacent beach, and the permitted seawall/retaining wall construction that is a direct consequence of that natural condition. These conditions were not created by the applicant, were not the result of any action by the applicant, and were not the result of illegal construction.

Both walls are legally permitted structures:

- Rear (west) seawall/retaining wall: Permit No. RB-BLDG-250251

- South side fence/wall: Permit No. RB-BLDG-250634

To the best of the applicants' knowledge: there are no pending unresolved code violations on this property, no unsatisfied recorded code enforcement liens, and no unresolved court or magistrate orders related to code enforcement violations within the Town of Redington Beach.

XI. SUMMARY

Request:

Variance to §6-284 to permit a 20-inch tempered safety glass panel topper on: (a) the south portion of the rear (west) seawall/retaining wall — from the beach access gate opening southward to the south side wall junction; and (b) the south side boundary wall.

This application presents two issues for the Board's consideration in the variance request.

Threshold Issue:

Is the rear (west) wall is a permitted seawall/retaining wall, not a fence or enclosure wall subject to §6-284? If the Board agrees, no variance is required for the glass topper on that wall section, and the application reduces to the south side wall topper only.

Main Issue:

If §6-284 does apply to both walls notwithstanding the seawall/retaining wall classification, the natural topographic grade differential on this parcel, the retaining wall's structural condition, the pool's location adjacent to pool-side wall sections only, the adjacency to a public beach access corridor, and the VE zone material constraints together establish a genuine and legally sufficient hardship that satisfies all six Board of Adjustment review standards. The proposed material, tempered safety glass, is fully transparent, architecturally appropriate, and the perfect material that simultaneously satisfies all applicable regulatory requirements. The barrier system is layered and redundant. The scope is limited to pool-adjacent sections only.

The applicants respectfully request that the Board grant the requested variance.

Respectfully submitted,

Signed by:

A247A2A5C63D4B7...

Daniel P. Rouen, Trustee

6/30/2026

Date: _____

Signed by:

5FE4E96DA0AA46C...

Shefali S. Rouen, Trustee

6/30/2026

Date: _____

15700 Gulf Boulevard, Redington Beach, FL 33708

Parcel ID: 09-31-15-52542-010-0080

EXHIBIT A — 3D DESIGN RENDERINGS

The following renderings illustrate the complete pool barrier system. Submitted as supporting information per the application checklist. Orientation: Gulf of Mexico to the west (rear); Gulf Boulevard to the east (front).

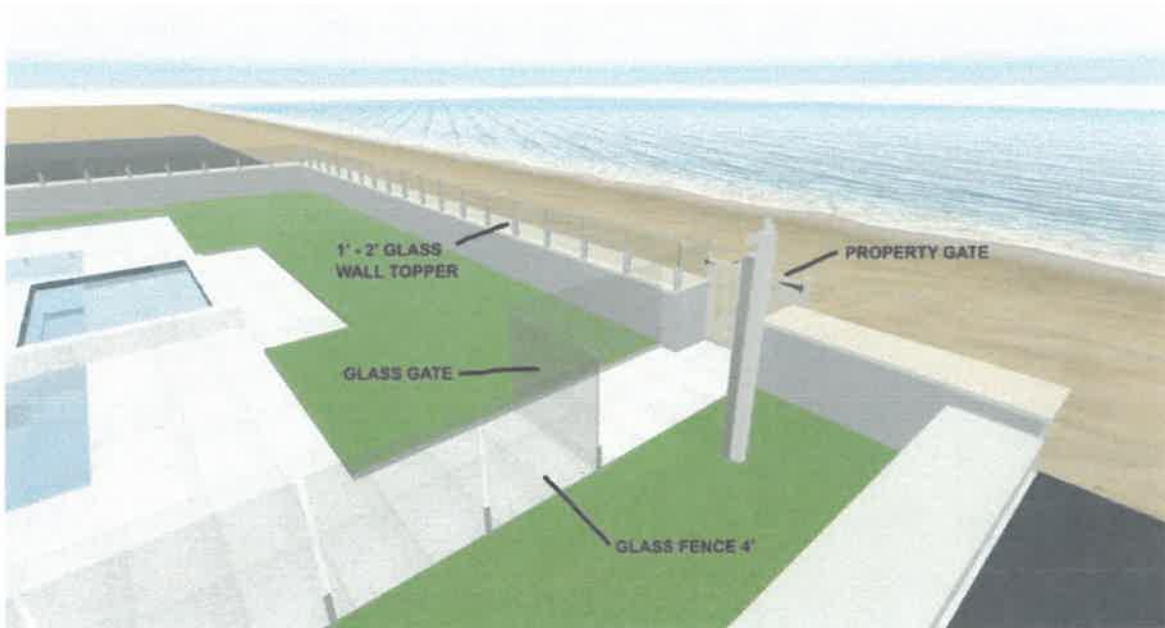


Exhibit A-1: Aerial view from the Northeast (Neighbor side-wall) looking Southwest: rear (west) seawall/retaining wall with 20-inch glass topper on south/pool-adjacent section (beyond the gate), beach access property gate (center), interior 4' glass fence, and glass gate.

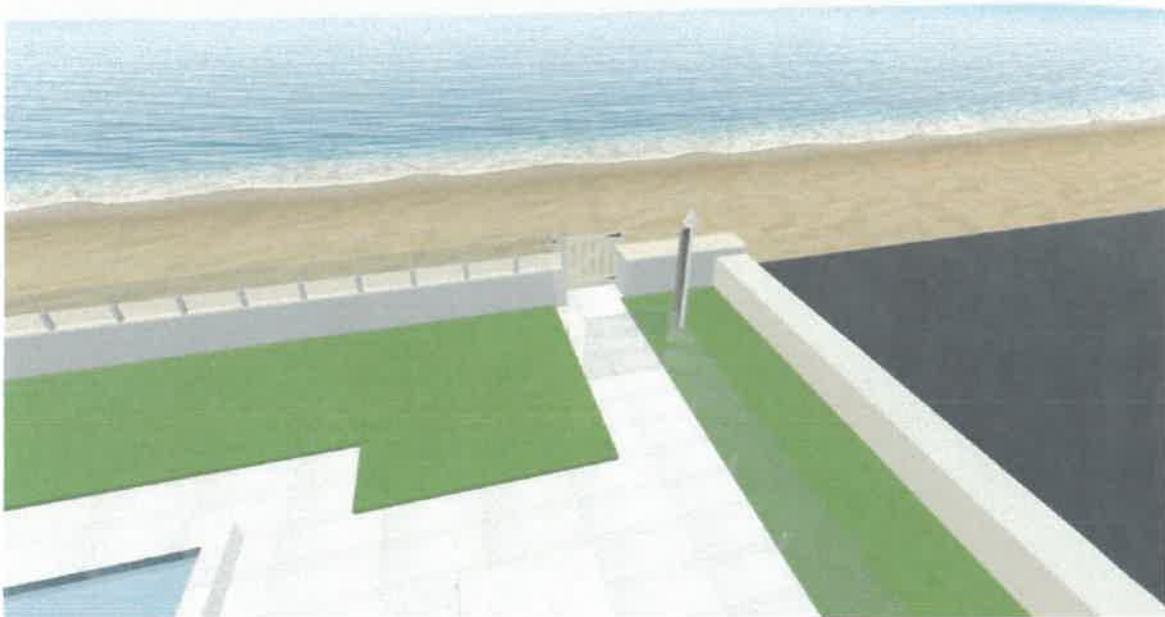


Exhibit A-2: Interior view looking west from above the pool deck: layered barrier system; outer seawall/retaining wall with glass topper on the section south of the beach access property gate in rear wall opening, and interior 4' glass fence perimeter with self-closing gate.



Exhibit A-3: Full property overview from the Northwest: pool (Central), inner 4' glass fence - Left side of pool deck (North), seawall/retaining wall with glass topper – Bottom section(West), side-wall with glass topper – right side(South), and beach access



EXHIBIT B — PRESENT CONDITION PHOTOS

The following photos demonstrate present site conditions and relevant measurements.



Access gate – bottom-left (West). Gulf Boulevard is to the east (background).



















LETTER SENT TO AFFECTED NEIGHBORS



TOWN OF REDINGTON BEACH
105 164th AVENUE
REDINGTON BEACH, FL 33708
PHONE: 727-391-3875
FAX: 727-397-6911
[email: info@townofredingtonbeach.com](mailto:info@townofredingtonbeach.com)

NOTICE OF PUBLIC HEARING
VARIANCE APPLICATION

Property located at **15700 Gulf Blvd., LONE PALM BEACH 1ST ADD BLK 10, LOT 8 LESS RD R/W** as recorded in plat book 20 page 67 of the Pinellas County Official Records, is requesting the Board of Adjustment approve a variance request to install a 20-inch tempered safety glass panel topper on the south portion of the rear (west) seawall/retaining wall and the southside boundary wall. **Town Code Sec. 6-284 states: "Rear yard. A fence, wall or hedge no greater in height than six feet may be constructed in a rear yard that is not waterfront. On waterfront or gulf-front property, fences, walls or hedges located within the setback area of the rear yard shall not exceed three feet in height. An additional one foot of fencing may be added on top of a three-foot wall or fence provided that the additional fencing has a minimum three-inch opening between all vertical members, and each vertical member is not greater than one and one-half inch in width and that the additional fencing is either chain link, or has a minimum three-inch opening between all horizontal members and each horizontal member is not greater than one and one-half inch in width except for the top horizontal member can't exceed three and one-half inches."**

As a property owner within 150' of the subject property, you are invited to register your opinion at a Public Hearing to be held **Thursday, August 20th, 2026 at 6:30pm** in the Town Hall Assembly Room located at 105 164th Avenue, Redington Beach, FL 33708 or you may respond by letter to the Town Clerk stating your reasons for your opinion. This letter should be mailed or emailed to Town Hall at the above address. It is imperative that the Board of Adjustment members know the reasons for your approval or disapproval so that they can give your comments proper consideration.

Any person wishing to appeal any decision of the Board of Adjustment with respect to any matter considered at this meeting will need a record of the proceedings, and for such purposes, may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which an appeal is to be based.

Adriana Nieves, CMC, CFM
Town Clerk

Date of Notice: July 20th, 2026

NOWAK, MALGORZATA
NOWAK, BOGUSLAW
1500 CHRISTINA LN
NORTHBROOK, IL 60062-5183

MORAN, JANETE
MORAN, RONALD IVAN SR
15645 GULF BLVD
REDINGTON BEACH, FL 33708-1729

MCGROGAN, FRANCIS R
MCGROGAN, CHRISTINA MARIE
15701 GULF BLVD
REDINGTON BEACH, FL 33708-1731

HUMMEL, TIMOTHY S
HUMMEL, PATRICIA G
15708 GULF BLVD
REDINGTON BEACH, FL 33708-1732

JONES, RONALD STEPHEN TRE
JONES, RONALD STEPHEN TRUST
15712 GULF BLVD
REDINGTON BEACH, FL 33708-1732

SHAY, SHOSHANA TRE
RAY, BARBARA REV LIV TRUST
PO BOX 47727
ST PETERSBURG, FL 33743-7727

SIMON, JOHN V JR
SIMON, KRISTY S
2614 W PARKLAND BLVD
TAMPA, FL 33609-5314

VALDES, MICHAEL
VALDES, CANDACE
3307 W SAN NICHOLAS ST
TAMPA, FL 33629-7034

REDINGTON BEACH, CITY OF
105 164TH AVE
REDINGTON BEACH, FL 33708-1519

FLEISCHER, KAREN KAY
15643 GULF BLVD
REDINGTON BEACH, FL 33708-1729

SUAREZ, CYNTHIA FUENTE
29 W SPANISH MAIN ST
TAMPA, FL 33609-3534

PURA, EWA
847 SUTTON CT
LINCOLNSHIRE, IL 60069-3431



MIKE TWITTY, MAI, CFA
Pinellas County Property Appraiser

www.pcpao.gov

mike@pcpao.gov

Run Date: 20 Jul 2026

Subject Parcel: 09-31-15-52542-010-0080

Radius: 150 feet

Parcel Count: 12

Total pages: 2

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OPINIONS FROM AFFECTED NEIGHBORS



Redington Beach Town of <info@townofredingtonbeach.com>

variance 15700 Gulf Blvd

Tim Hummel <thummel985@gmail.com>
To: info@townofredingtonbeach.com

Tue, Aug 11, 2026 at 4:25 PM

Please find attached our objection to a variance at 15700 Gulf Blvd. We strongly oppose the glass wall topper. Please let us know how to access their permit application. And forward this letter to all appropriate people, commissioners, and Safebuilt.

Thank you for your help in this matter.

Tim and Patricia Hummel



Wall Variance 15700 Gulf Blvd.docx

18K

Homeowners- Timothy Hummel and Patricia Hummel- 15708 Gulf Blvd Redington Beach, since 2012 (504)813-6679 thummel985@gmail.com

We strongly oppose the 20 inch tempered safety glass panel topper wall on top of the 36 inch tall by 18-24 inch wide concrete fortified wall that my next door neighbor, Dan Rouen, 15700 Gulf Blvd, wants to install for the following reasons.

1) It is against the town code Sec. 6-284. The property owner should submit plans to Safebuilt. The building codes and mandatory state regulations cannot be legally waived in Redington Beach. Safebuilt must enforce the Redington Beach building codes, FEMA flood rules, and FDEP rules and oversight. Variances might be considered if under strict pre-existing structural hardships and they may be occasionally reviewed. No homeowner on the beach has a glass wall. All other homeowners have built to code as required.

2) Glass wall would obstruct and impede our gulf view. It would always have a salt water film and be dirty and opaque.

3) No plans have been submitted to us from Dan Rouen at 15700 Gulf Blvd for our shared wall. The initial 30-40 feet of beach set back wall between our houses is entirely on our property and was built at our expense. We will not allow a glass wall topper to be installed on the wall on our property. The balance of wall between us is a shared wall and jointly owned. This should require an agreement with any plans for this wall submitted to both owners at 15708 and 15700 Gulf. We are against a glass wall as it will break in a big water storm and always be dirty and need to be cleaned. In fact, we could not find any construction plans or wall installation plans submitted to Safebuilt regarding this project.

4) A 20 inch tempered safety glass panel topper wall may not withstand 100+ mph winds. Frame and anchors may give way or bend. The hydrostatic forces of the waves and storm surge crashing into the wall will break the tempered glass. Glass does not bend. Tempered safety glass breaks into tiny pieces. The proposed 20 inch glass wall would break into 800,000 to 1,000,000 pieces. This would be a real disaster for the beach, my yard, the Rouen's yard, and Moon Park. I am sure FDEP would not approve of this variance. It was extremely difficult cleaning up after the last storm. Next time this would add almost a million small pieces of glass to the debris making the clean up of the beach, Moon Park and our yards hazardous and difficult. Please do not grant this variance.

5) A strong metal frame supporting this glass wall anchored in cement wall is not structurally possible against hurricane forces and waves battering all day.

Please deny this request as wall not code, obstructs our view, not planned, and unsafe and dangerous.

Timothy Hummel – former manager 2 Meyer Corp-owner 15708 Gulf blvd and next door neighbor (504) 813-6679 thummel985@gmail.com

I designed, drew the plans, permitted and arranged all inspections on the seawalls of 15700, 15708, 15712 Gulf Blvd, the Moon Park wall and dividing wall between 15700, 15708, and 15712 Gulf Blvd. I permitted everything with Safebuilt, followed all Redington Beach building codes 6-284 and others and got FDEP (Florida Dept of Environmental Protection) permission.

I originally designed a 36" tall by 18-24" wide fortified wall with a 12 inch metal top fence. I told Dan Rouen's people that a glass wall was a bad idea because it would break. They wanted the wall to accommodate the owners' dogs which are at the house occasionally.

I worked, contracted and permitted for the Rouens the following: beach seawall, Moon Park wall, dividing wall between 15700 and 15708. I also rebuild a stairwell concrete pad, scaffolded backsteps and arranged to have their pool demolished and removed. I supplied all equipment and subcontractors.

It is my professional opinion that the 20 inch tempered glass topper on the seawall will break into almost a million pieces under similar hurricane conditions as Helene. A 20 inch framed, tempered safety glass cannot withstand the waves battering all day during a storm along the wind. Glass cannot flex and sitting upright on a concrete wall with waves battering it could become a real ecological disaster. Putting any kind of glass wall on a seawall is dangerous and structurally a really bad decision.