

Nguyen, Julie

From: Frank Bankard <Frank.Bankard@CityofBelleairBeach.com>
Sent: Friday, January 16, 2026 3:38 PM
To: BCC Agenda Comments
Subject: Tuesday Commissioners Meeting
Attachments: IMG_1784.mov

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To Whom It May Concern:

I plan on speaking during public comments section at the Commissioners Meeting this coming Tuesday. Please, especially provide the attached video to the Commission as I will also have ability to demonstrate or show.

The additional information is last communication from the Director of Building and inspection which I will further provide input.

I was told to send any information I wish to discuss to commissioners a day before the meeting which this email suffices.

Thank you,
Frank Bankard
Councilman Belleair Beach
267-784-7744

December 19th 2025 email

Thank you, Mr. McAndrew for your timely reply.

As previously noted, along with 'My' 'Right to Know' request found under Chapter 19 of the Public information Act, which my constituents have also sought, for a 'Permit' in regards to the Fences/Gates now, past or ever regarding the erection/modification or repair of said Gates and Fences and absent 'any' permit in your reply, I will accept NONE exists, now or in the past.

As previously noted along with evidence I provided in video/pictures of sign(s) improperly mounted/installed (swaying and bent from 'mild' wind) with obvious disregard to wind rating of ASCE 7-22 which Florida Building Codes acknowledges and applies, along with counties and other Codes as previously mentioned, along with height violations of Belleair Shore own Code in this regard, I acknowledge within your reply, this Department is condoning this, which if injury or worst occurs, Florida Statute § 768.28 would hold all accountable in this matter.

Frank Bankard
Councilman Belleair Beach Florida
267-784-7744

From: McAndrew, Kevin <kmcandrew@pinellas.gov>

Date: Thursday, December 18, 2025 at 2:08 PM

To: Frank Bankard <Frank.Bankard@CityofBelleairBeach.com>

Cc: McKillen, James W <jmckillen@pinellas.gov>

Subject: RE: Un-permitted Structure(s) - fence/gate - Belleair Shore Complaint

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Good afternoon Councilman Bankard,

Thank you for the follow-up email. After further review, there is no further action to be taken by our Building Division regarding the gates. This is also the case regarding the referenced signs which fall under a City of Belleair Shore ordinance outside of our authority.

Kevin

Kevin McAndrew, RLA, AICP, CFM, LEED AP

Director

Building & Development Review Services and Code Enforcement

Pinellas County Government

440 Court Street

Clearwater, FL 33756

kmcandrew@pinellas.gov

Office (727) 464-6053

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The new Florida Building Code (FBC) 8th Edition takes effect Jan. 1, 2024.

All building plans must be submitted and applications for permits deemed complete by Dec. 31, 2023, to qualify for vesting under the FBC 7th Edition. Applicants may check the status of their permit(s) at pinellas.gov/access-portal

From: Frank Bankard <Frank.Bankard@CityofBelleairBeach.com>

Sent: Monday, December 15, 2025 8:22 AM

To: McAndrew, Kevin <kmcandrew@pinellas.gov>

Subject: Re: Un-permitted Structure(s) - fence/gate - Belleair Shore Complaint

Dear Mr. McAdrew, on Friday I had a conversation with Jim McGullen the inspector for the Area of Belleair Beach. He noted that the Fences and Gates mentioned were not installed but repaired. I disagree, for reason that they were beyond repair

Dear Mr. McAdrew, on Friday I had a conversation with Jim McGullen the inspector for the Area of Belleair Beach. He noted that the Fences and Gates mentioned were not installed but repaired. I disagree, for reason that they were beyond repair from the storm of 2024. Simply the pickets, upper and lower structures were bent or mangled. Being aluminum built, this makes straightening impossible. Furthermore, speaking over the weekend with one of the contractors who bid the job, he further confirmed they were not repairable. Mr. McGullen noted he had the workorder in hand and would forward this to me. At this time, I am waiting for this Document.

All that said, Mr. McGullen conclusion was, that repair work does not need a Permit. I further disagree. Belleair Shore Code is specific on Permits needed and exempt (1) along with the Florida Building Codes regarding Floodplain work. Gates and Fences are fully noted as NOT exempt. Furthermore, the height of the Fences and Gates violate not only the Florida Building Code, but as previously noted and provided, the Belleair Shore Code.

When I asked Mr. Andrews about the height violation(s) he noted that this may have been done before the Code was in place. The Gates were installed on or about the year of 2018 which the Florida Code was in place along with the Belleair Shore Code, he noted he had no information on that. That statement, or position is one of the statements I am not in argument with, for reason, it has come to my knowledge, NO permit, was ever sought for these Gates at any time. If this is not true, please provide when a permit was issued and under the Right to Know laws of Florida, the Permit itself.

Surely, if no Permit was ever issued, the argument 'repair' is further invalid.

Another Fact, while these Access Lots are in the Town of Belleair Shore, they are in Trust to Belleair Shore for the Landowners East of Gulf Blvd. (Bellaire Beach). As you are most probably aware, Florida Law a 736.0801 a Trustee > has the Duty to administer trust. That said, the Trustee cannot harm the Beneficiary.

I note this because the Kirkeby Deeds (2) so notes, to the *grantee, heirs, executors, administrators and assigns shall have an irrevocable license to pass in , through and over the road shown on the map aforesaid for the purpose of ingress and egress to the lands hereinabove described, free of let, hinderance or molestation of any kind from said grantors,*

Unequivocally, a Gate or Fence would violate this Agreement since a fence and gate by Black Laws so notes *"Fence:...intended to prevent intrusion.. Gate: a movable barrier or door forming a part of a fence, wall or enclosure, used to permit or restrict passage.*

Therefore, before a Permit is sought or approved the Landowners would have a say in this. Being one, along with many of my constituents, further research has shown NO notification to the landowners were given 'if' a Permit was sought, therefore, should be invalid if granted. or not entertained until the provisions are met. At minimum, the Board of Adjustment of the County, if a Permit was sought should have notified all Landowners of this. I for one can attest no notification was ever sent to me on this matter.

Mr. McGullen noted, he was going to close this matter, I am addressing you with information Now at hand this matter is not ripe to be closed.

On the issue of the signs, (3) as previously and again provided, Mr. McGullen noted Belleair Shore Mayor has the right to place signs at his means and how they are to be installed and erected. I again disagree especially in a VE Zone on this position, which the Department of Environmental Protection further has guidelines on this.

While it is not my job to go over and comb the Code(s) or structure of size of sign(s) in questions, that is why our Tax Dollars have provided your Department with this expertise, although, I find nowhere in the Belleair Shore code this unfetter right exist for the Mayor.

I do find that the signs are erected with U-channel with a wind rating of 75-90mph for a 2 square foot sign. Not a 4 foot by 5 foot sign. I do find that a ground requirement of at least 3 feet must be adhere which is not, especially noted in note 3. I bring this to your attention because of safety reasons for my constituents. If one is hurt from this out of code sign(s) the County could be brought into a lawsuit with Mr. McGullen position.

I conclude in bringing this back to your hand to correct these matters.
I await, for your response.

Frank Bankard
Councilman Belleair Beach
267-784-7744

1. Sec. 38-55. - Buildings, structures and facilities exempt from the Florida Building Code.
2. Kirkeby Deed refer to page 2
3. Video of Sign

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From: Frank Bankard <Frank.Bankard@CityofBelleairBeach.com>

Date: Monday, December 8, 2025 at 11:24 AM

To: kmcandrew@pinellas.gov <kmcandrew@pinellas.gov>

Subject: Re: Un-permitted Structure(s) - fence/gate - Belleair Shore Complaint

Good day Mr. McAndrew, following up on our conversation of November 23rd along with email of November 24th and additional information of December 1st. Could you provide me an update.

Thank you,
Frank Bankard
Councilman Belleair Beach

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From: Frank Bankard <Frank.Bankard@CityofBelleairBeach.com>

Date: Monday, December 1, 2025 at 1:22 PM

To: kmcandrew@pinellas.gov <kmcandrew@pinellas.gov>

Subject: FW: Un-permitted Structure(s) - fence/gate - Belleair Shore Complaint

Good day Mr. McAndrew, yesterday the video attached, was sent to me by a constituent while taking his grandkids for a walk to the beach. He called and questioned me if I dropped the ball on the signs, I noted below to you, in previous correspondences.

I told him I contacted your Department, along with you, about the Sign(s) not being Permitted and out of code as noted in the below correspondences.

He asked is someone is hurt because of this, who is responsible? You can see now the post is titled, shaking heavily in the 'mild' wind?

I informed him, I put on the Record at a Belleair Shore meeting regarding these signs the beginning of summer and nothing has been done, and NOW, hoping your Department will do their job and correct, or remove them as well as the Gate(s)and Fence(s)unpermitted and further out of code.

Frank Bankard
Councilman Belleair Beach FL
267-784-7744

On Mon, Nov 24, 2025, 5:05 PM Frank Bankard <Frank.Bankard@cityofbelleairbeach.com> wrote:

Good day Mr. McAndrew, I am attaching some pictures of the 6th Street Gulf Blvd Gate/Fence, which is typical on 12th and [1880 Gulf Blvd](#).

After briefly looking over chapter 158 of Pinellas and FEMA regarding VE flood zone, I can see why no permit was obtained.

As noted in the pictures some of the post structures are actually placed inside the broken old structure(s). Surely no Floodplain Engineer designed this as FEMA notes.

I further have attached a picture of a sign on u-channel unpermitted too! This u-channel is rated for wind speed of 70-90 mph for a sign under 2'. Residents have complained to their commissioners since Spring because they shake fiercely in mild wind. BS said they would address but haven't!

I note this because same structure was used for same sign at the water edge of the beach which the state notified them to remove for no permit and out of code, but they didn't!

Hurricane Helene removed them, but left broken u u-channel post sticking out of the sand which the state ordered them again to remove the broken structure, which our Deputy went out with his gator and winch to remove and ended up losing part of his finger.

Hence, we need help!

Frank Bankard
Councilman
Belleair Beach

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