



BOARD OF ADJUSTMENT MEETING CITY OF ST. PETE BEACH

155 Corey Avenue
St. Pete Beach, FL 33706

Wednesday, May 26, 2021
2:00 PM

Call to Order
Pledge of Allegiance
Roll Call

REGULAR MEETING

1. Changes to the Agenda -
2. Audience Comments - **Comments shall be limited to 3 minutes per person**
3. Approval of Minutes
 - a. **Minutes 4-28-2021**
4. Action Items
 - a. **Variance – 7201 Sunset Way (Case #21001)**
Request to install a freestanding sign that is a total of 10ft in height and that exceeds the maximum 5ft height allowed (LDC Sec. 26.37(d)).
 - b. **Variance – 450 82nd Ave (Case #21021)**
Request to encroach 1.2 feet into the required 6.7-foot side-yard setback for a single-family addition that will align with the existing home. (LDC Sec. 9.7 (a)(3))
 - c. **Variance – 504 Pass-A-Grille Way (Case #21023)**
Request to allow a 4.9-foot encroachment of new entry steps into the 5-foot secondary street (6th Ave) setback. (LDC Sec. 20.15)
 - d. **Variance – 410 81st Ave (Case #21037)**
Request to replace an existing sunroom that encroaches to 10'-3" from the rear property line where 20' is required. (LDC Sec. 9.7(a)(4))
5. Presentations -
 - a. **Sunshine Law Training** Florida's Public Records Laws, Sunshine Laws, and Ethics!
6. Adjournment - Next Meeting 6-30-2021

APPEAL: In accordance with 286.0105, Florida Statute (Notices of meetings and hearings must advise that a record is required to appeal), if a person decides to appeal any decision made by this committee, board, agency, or commission with respect to any matter considered at this meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

AMERICANS WITH DISABILITIES ACT (ADA): In accordance with the Americans with Disabilities Act and Florida Statutes, if any person with a disability defined by the ADA needs special accommodation to participate in this proceeding, then not later than two business days prior to the proceeding, he or she should contact City Hall at (727) 367-2735.

**The public is cordially invited to attend this meeting.
All agenda material is available for review at City Hall or www.stpetebeach.org.**

DRAFT BOARD OF ADJUSTMENT MEETING MINUTES

April 28, 2021 2:00 P.M.

PRESENT: Michael Bomar
Denise Chase
Jake Holehouse
Sandie Lyman, Vice Chair
Paul Skipper, Chair

STAFF PRESENT: Andrew Dickman, City Attorney
Ginny Bodkin, Deputy City Clerk
Lynn Rosetti Senior Planner
Brandon Berry, Planner II
Jordan Elmore, Zoning and Permit Tech

Chair Skipper called the meeting to order at 2:00 PM and led the Pledge of Allegiance.

The Deputy City Clerk swore in all individuals who would be speaking on agenda items.

1. Changes to the Agenda – There were no changes to the agenda.
2. Audience Comments - There were no audience comments.
3. Approval of Minutes - a. 2/24/2021

Motion: Member Chase moved and Member Holehouse seconded the approval of the minutes from the February 24, 2021 meeting; the motion carried unanimously.

4. Election of Officers –

a. **Chair** - Chair Skipper indicated that he would be willing to serve another term.

Motion: Member Holehouse moved and Member Chase seconded the appointment of Paul Skipper as the Committee Chair for 2021-2022; the motion carried unanimously.

b. **Vice Chair** – Vice Chair Lyman indicated that she would be willing to serve another term.

Motion: Member Bomar moved and Member Holehouse seconded the appointment of Sandie Lyman as the Committee Vice Chair for 2021-2022; the motion carried unanimously.

5. Action Items -

a. **Case 21024 - 3155 2nd St W - Variance**

A Practical Difficulty Variance to exceed the maximum permitted front setback of the House Small building type - to allow for a pool to be located in the front of the house (LDC Sec. 20.15).

Ms. Rosetti reviewed a presentation detailing the request for a variance for a front yard pool which included photographs, maps, survey, and conditions of approval. The property is a double frontage lot that faces both 1st Street West and 2nd Street West. The required front setback is 30 feet for an

accessory structure; the applicant requested a 10-foot setback. This is the only place on the property that has adequate room for a pool.

Staff found that a tree line and shrubs buffer the north and west neighboring properties and that the addition of a swimming pool would have minimal effect. Staff recommendation was for approval with the conditions that the pool be enclosed by a code compliant wall or fence but no screen enclosure and that the pool or deck not to exceed two feet above grade. Ms. Rosetti indicated that no letters had been received for or against this request.

Larry Brown, owner/license holder for Modern Pools appeared on behalf of the Applicant and stated that several other homes on 2nd Street have 10-foot setbacks. He brought a letter of approval from the neighbor from the south and a list of signatures of approval from other neighbors. These exhibits will become part of these minutes. Mr. Brown explained that there is no encroachment involved, the fence will be code compliant with no enclosure, and the pool will not exceed grade.

Hearing no public comment or opposition, the Chair opened to Board discussion.

Motion: Vice Chair Lyman moved and Member Bomar seconded the approval of the Variance for Case #21024 as presented by staff and including the two conditions. The motion carried unanimously.

b. Case 21027 - 7921 Boca Ciega Dr - Variance

An Unnecessary and Undue Hardship Variance to replace an existing dock and boat lift in a manner that extends out 17 feet beyond what the Code allows (LDC Sec. 6.23(d)(3)).

Ms. Rosetti gave a detailed presentation of the details of the variance request. The property is 50 feet in width and the allowable dock length is half of that - 25 feet. The existing dock is 37 feet (and in hazardous condition) – the request is for a 42 ft. dock – 5 feet of that would be a lower swim deck. The request did not receive neighbor approval on either side. The property next door has a 42 ft. dock.

Ms. Rosetti explained that staff found the request in harmony with the Comprehensive Plan and Land Development regulations, does not represent any navigational hazard, and would be similar to abutting neighbors. Staff recommended approval of the 42 ft. dock, including a boatlift and platform. If approved, the dock would still require the approval of Pinellas County Water and Navigation and any other necessary review. She received one letter in favor and three in opposition.

Joni McGurk of Island Marine Construction appeared on behalf of the Applicant and explained that lower water depths were a consideration in this request as silt and sand have built up at the end of the current dock and would be unsafe for a boatlift. The design length is similar to that of the neighbors.

The following residents spoke in opposition to the request:

Chad Bixler, 7951 Boca Ciega Drive
Phil Smithies, 7981 Boca Ciega Drive
Carrie Ruckdeschel, 7825 Boca Ciega Drive

Following public comment, City Attorney Dickman explained that each variance must be taken on its own merit and precedent is not a criteria.

Hearing no further public comment, the Chair opened Board discussion. Ms. McGurk was asked to give further details of the water depth and measurements at the dock area and specifications of the proposed 10,000 lb. boat lift.

Motion: Member Bomar moved and Member Chase seconded the approval of the Variance for Case #21027 to replace an existing dock and boat lift as presented by the staff. The motion carried 4-1, with Member Holehouse voting No.

c. 21029 - 3791 Belle Vista Dr E - Variance

A Practical Difficulty Variance to allow for a fence to be 6' rather than the permitted 4' in a secondary front yard (LDC Sec. 6.15).

Mr. Berry gave a presentation detailing the variance request to replace the current 4 ft. chain link fence with a 6 ft. PVC fence to run from the western side of the home to the property line and then the back yard; the east side is permitted by right. He provided site photographs and photos of surrounding properties. Mr. Berry stated that staff found that the request should provide reasonable security without a negative impact on visibility, aesthetics, or waterfront vistas. Staff's two recommendations were that the fence be white vinyl in keeping with the general character of the area, and that fence product information be submitted with the permit application.

Applicant Tim Brady appeared and explained that the intent of the variance is for privacy as there is considerable foot traffic and they may install a pool in the future.

Hearing no public comment, the Chair opened Board discussion.

Motion: Member Chase moved and Member Holehouse seconded the approval of the Practical Difficulty Variance for Case #21029 to allow for a fence to be 6' rather than the permitted 4' in a secondary front yard as presented by the staff. The motion carried unanimously.

Following the agenda items, Ms. Rosetti introduced Jordan Elmore, the City's new Planning Technician and he was welcomed by the Board.

City Attorney Dickman provided clarification on dock repair and replacement in Section 6.23 of the Land Development Code.

6. Adjournment – Next Meeting 5/26/2021 – There are three applications for next month.

Motion: Member Bomar moved to adjourn, Member Holehouse seconded, and Chair Skipper adjourned the meeting at 2:58 PM.

These minutes will be considered for approval at the May 26, 2021 Board of Adjustment meeting.

BOARD OF ADJUSTMENT MEETING CITY OF ST. PETE BEACH

Agenda Report

- Issue Considered:** Variance – 7201 Sunset Way (Case #21001)
- Date:** May 26, 2021
- Prepared By:** Lynn Rosetti, Senior Planner
- Through:** Wesley Wright, Community Development Director
- Summary of Issue:** The applicant originally applied in January 2021 to install an existing 15-foot high (8' pole and 7' sign) freestanding pole sign located on the southeast corner of the property. However, after review by staff and discussion with the applicant, it was determined that the applicant would revise the sign request and continue to a later meeting. It should be noted that at the time, the property was undergoing renovation. The applicant has resubmitted the signage request, which includes a new design and less of a height variance request for the Board's review.
- The double face sign is 40 square feet in area which is the maximum allowed by Code (LDC Sec. 26.37(d) and Sec.26.22). Because the property was undergoing extensive building and site renovation earlier this year, the former sign (4'x10x15') was removed during this process. The applicant is seeking to place the new freestanding pole sign in the same general location as the original sign. This property was formerly known as the Sunset Suites Hotel and has been renamed The Saint Hotel.
- Funding:** N/A
- Requested Motion:** Should the board move to approve variance #21001, staff recommends the following conditions should apply:
1. The sign shall not be internally illuminated;
 2. The Board shall consider the materials used in the construction of the sign;
 3. The sign shall be of high quality; and
 4. Any approval is contingent upon the removal of the

restaurant name ("82 Degrees") from the mural and dumpster enclosure.

Attachments:

1. 7201 Sunset Way Staff Report - Final - LR
2. The Saint Monument Sign
3. Sunset Way Sign Materials
4. 21001 Plans
5. 21001 Supporting Docs



**DEPARTMENT OF COMMUNITY DEVELOPMENT
PLANNING & ZONING
STAFF FINDINGS REPORT
TO THE
BOARD OF ADJUSTMENT**

VARIANCE CASE NO. 21001 – George Rovira for Alon Varsha (Sunset Suites, LLC)

MEETING DATE: May 26, 2021

PREPARED BY: Lynn Rosetti, AICP, CFM, Senior Planner

REQUEST	An <u>Unnecessary and Undue Hardship Variance</u> to allow for the installation of a new freestanding pole sign that exceeds the maximum height of 5 feet that is allowed (LDC Sec. 26.37(d)).
SUBJECT PROPERTY	7201 Sunset Way; RE-PLAT ST. PETERSBURG BEACH SUB-DIVISION, Block 45, Lots 1 and 2.
ACERAGE	0.32 ac (14,124 square feet)
LAND USE	UBV, Upham Beach Village Zoning District, UBV Upham Beach Village on the Future Land Use Map
FLOOD ZONE	AE-EL 12
SURROUNDING AREA	North – Vacant Land South - Residential Condominium East – Vacant Land West – Sunset Way / Residential Condominium

BACKGROUND

The applicant originally applied in January 2021 to install an existing 15-foot high (8' pole and 7' sign) freestanding pole sign located on the southeast corner of the property. However, after review by staff and discussion with the applicant, it was determined that the applicant would revise the sign request and continue to a later meeting. It should be noted that at the time, the property was undergoing renovation. The applicant has resubmitted the signage request, which includes a new design and less of a height variance request for the Board's review.

ANALYSIS

The double face sign is 40 square feet in area which is the maximum allowed by Code (LDC Sec. 26.37(d) and Sec.26.22). Because the property was undergoing extensive building and site renovation earlier this year, the former sign (4'x10x15') was removed during this process. The applicant is seeking to place the new freestanding pole sign in the same general location as the

original sign. This property was formerly known as the Sunset Suites Hotel and has been renamed The Saint Hotel.

The Land Development Code allows a freestanding pole sign up to 40 sq. ft. in area (per face for double face signs) and up to five (5) feet in overall height.

	Standard	Proposed (freestanding pole sign)	Variance Requested (%)
Freestanding Pole Sign	5' in height maximum	10' in height	100%
Freestanding Pole Sign	40 square feet in area	40 square feet in area	0%
Total Number Signs	Three signs maximum	One freestanding pole sign proposed / two wall signs in permitting	0%

Land Development Code Section 3.12, Variances: The appropriate board of authority may authorize unnecessary and undue hardship variances to the land development regulations if the applicant is able to demonstrate the following conditions:

- a) Special conditions and circumstances exist which are peculiar to the land, structure or building involved, and which are not applicable to other lands, structures or buildings in the same zoning district;**

Regarding the height variance, the sign is proposed to be relocated in an area to the west of the hotel recreational amenities area. There is also a fence surrounding the perimeter of the recreational area that would limit the visibility of a freestanding pole sign that was five feet in height. Because the recreational area includes a pool, it is required to have at least a four-foot perimeter fence around the pool for safety reasons.

The original signage was 15' in overall height and the proposed sign height is 10'. The sign face area is not greater than allowed by Code. Finally, the sign is proposed to be located in the southwest corner of the property between a palm cluster that is anticipated to soften the appearance of the proposed over height signage.

Alternatively, it may be possible to work with the City to allow a sign that complies with the 5 foot height standard of the LDC and which may be outside the fence on the southwest corner pending City Commission approval.

- b) The special conditions and circumstances do not result from the actions of the applicant or a prior owner of the property;**

Staff find that the proposed freestanding pole sign to be the only freestanding signage connected with the subject property. It is proposed to replace what had been a taller (15 foot) freestanding pole sign. The applicant wants to replace the former signage with a modern freestanding pole sign that is five feet less in overall height than the former sign. The former sign was removed by the applicant prior to the redevelopment of the subject property.

- c) Literal interpretation of the provisions of the Land Development Code deprives the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Land Development Code and results in unnecessary and undue hardship on the applicant;**

Staff find that the Land Development Code does not entitle a property to any specific type of signage, but rather a selection of signage that may be chosen by the owner to provide the “minimum reasonably necessary” to identify the business and its nature. With respect to this case, staff conducted a field survey of properties within the UBV zoning district and identified nine freestanding signs within the area. These signs except for one were at least 8 to 10 feet tall, some being taller. One shorter freestanding sign was identified (The Villas) which is approximately 6’4” tall.

According to the applicant, the proposed pole sign will have a 6-foot stucco-based column would match the rest of the columns on the perimeter walls of the property. The sign face would either be made from aluminum or a polycarbonate with the graphics as depicted in the attached rendering. The sign will be ground lit with directional lighting and the cabinet will be constructed in a manner to match the aesthetics of the Saint Hotel.

- d) The hardship has not been deliberately or knowingly created or suffered to establish a use or structure which is not otherwise consistent with the Comprehensive Plan or the Land Development Code, nor will it permit an increase in development density;**

No use disallowed in the district would be created by the issuance of this variance. The use of the property as a hotel will remain. This property currently contains a recently renovated hotel.

- e) An applicant's desire or ability to achieve greater financial return or maximum financial return from his property does not constitute hardship;**

Not applicable.

- f) Granting the variance application conveys the same treatment to the applicant as to the owner of other lands, buildings, or structures in the same zoning district;**

Other commercial properties in the UBV zoning district are subject to the same sign standards as the subject property. However, within this older neighborhood staff found numerous freestanding pole signs of a similar nature to the former older pole sign that was originally there.

- g) The requested variance is the minimum variance that makes possible the reasonable use of the land, building, or structure; and**

Staff finds that the applicant's visibility concerns regarding their renovated signage should it be restricted to the 5 feet allowed by Code to be a reasonable concern. Staff find that the requested 10-foot height (which is 5 feet less than the height of the former sign) to be a reasonable request and is not found to be excessive in this case.

- h) The requested variance is in harmony with the general intent and purpose of the Comprehensive Plan and the Land Development Code, is not injurious to the neighborhood or otherwise detrimental to the public safety and welfare, is compatible with the neighborhood, and will not substantially diminish or impair property values within the neighborhood.**

Staff find that the request for this freestanding pole sign may not be in harmony with the general purpose of the Comprehensive Plan and the Land Development Code. However, it should be noted that some of the surrounding land uses allow for greater height with respect to pole signs. For example, the RFM district, which is located to the south, west, and east of the UBV district provides for pole signs up to 20 feet in height and the CG-2 district to the northwest and the TC-2 district to the north of the subject property allow for 8-foot pole signs.

Please note that harmony can be achieved through aesthetic improvements.

Any variance granted hereunder shall expire one (1) year from the date of the development order providing for such variance, unless a building permit for the construction authorized by such variance is obtained within such time and said building permit has not expired prior to the completion of construction in accordance therewith.

SUMMARY:

Staff find the request to retain a freestanding monument/pole sign in its historic location and at 10-feet in overall height might be reasonable because a lower freestanding pole sign would be partially obscured by the pool fence and perimeter parking. Also, the applicant is installing two wall signs on the building that are Code compliant.

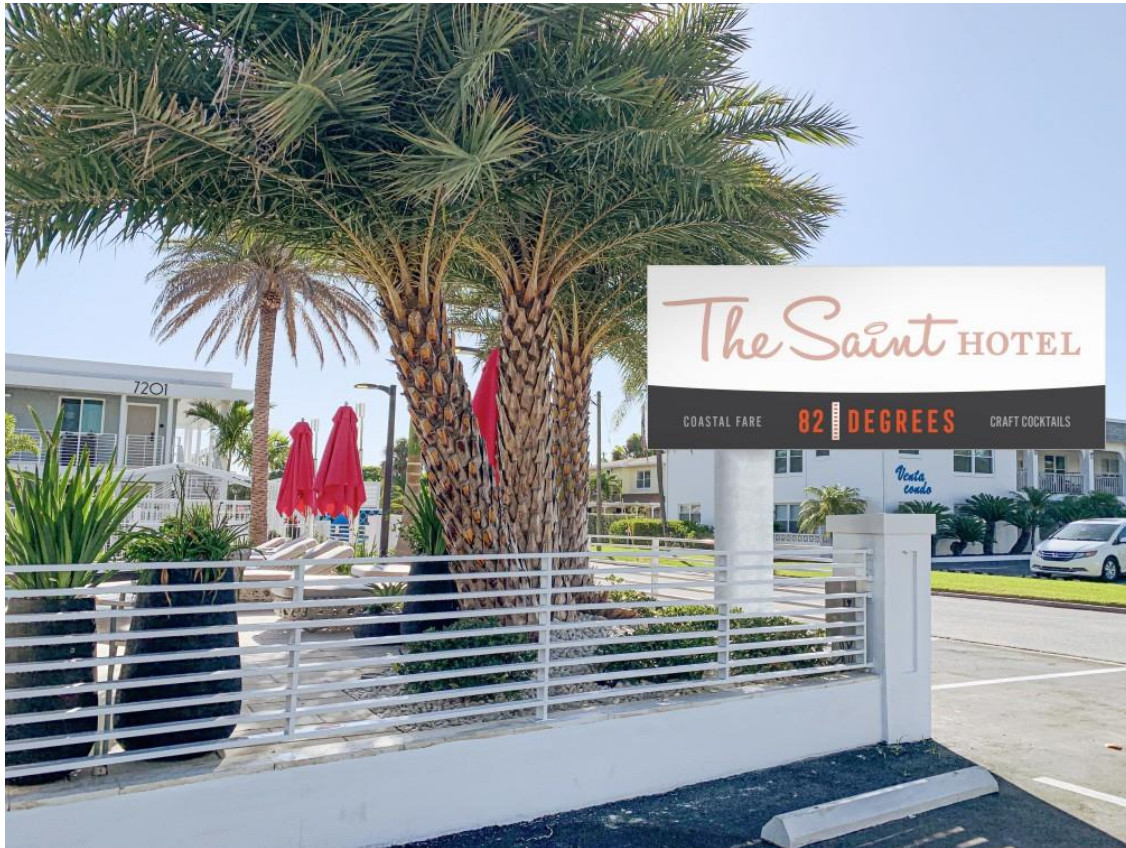
RECOMMENDATION:

If the Board chooses to approve this request to allow this freestanding pole sign to be 10-feet in overall height, the following conditions should apply:

- The sign shall not be internally illuminated;
- The Board shall consider the proposed materials to be used in the construction of the sign. The following is an excerpt from the applicant's agent:

"The sign will be mounted on a 6-foot stucco-based column to match the rest of the columns on the perimeter wall of the property. The actual sign will be ground lit with directional lighting. The face of the sign will either be made from aluminum or a polycarbonate with the graphics as depicted in the attached rendering (see following rendering). The cabinet will be constructed in a manner to match the aesthetics of the Saint Hotel."

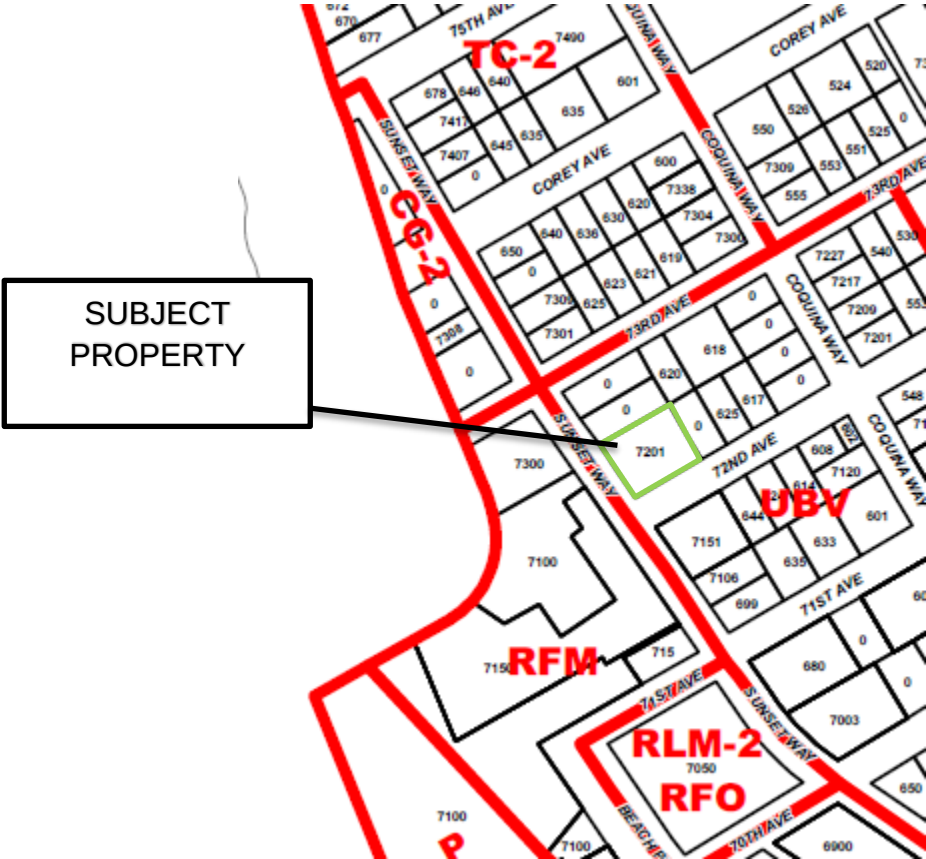
SIGN RENDERING



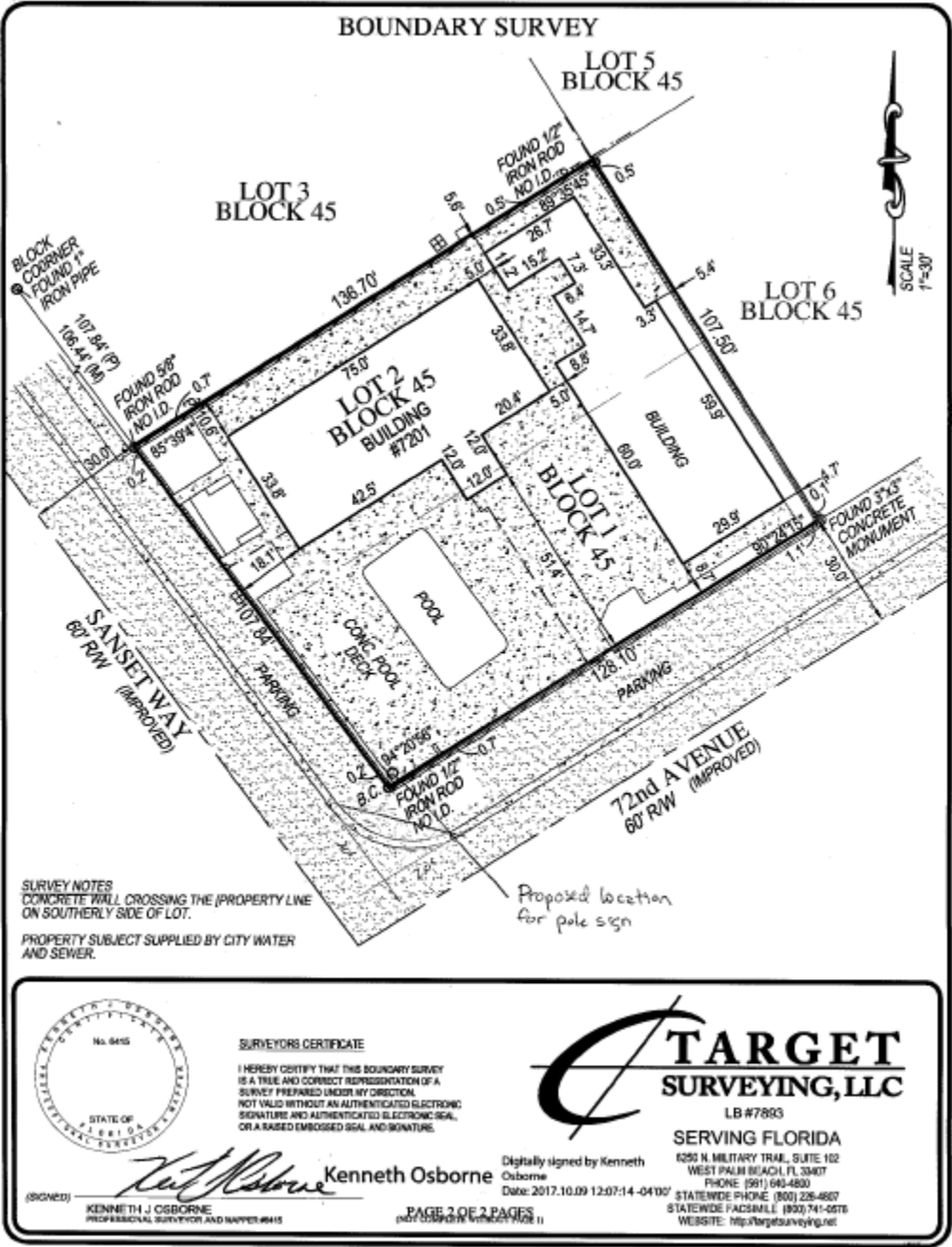
AERIAL MAP



ZONING MAP



SURVEY / SITE PLAN



ORIGINAL SIGNAGE ELEVATION



PROPOSED SIGNAGE



PROPOSED LOCATION



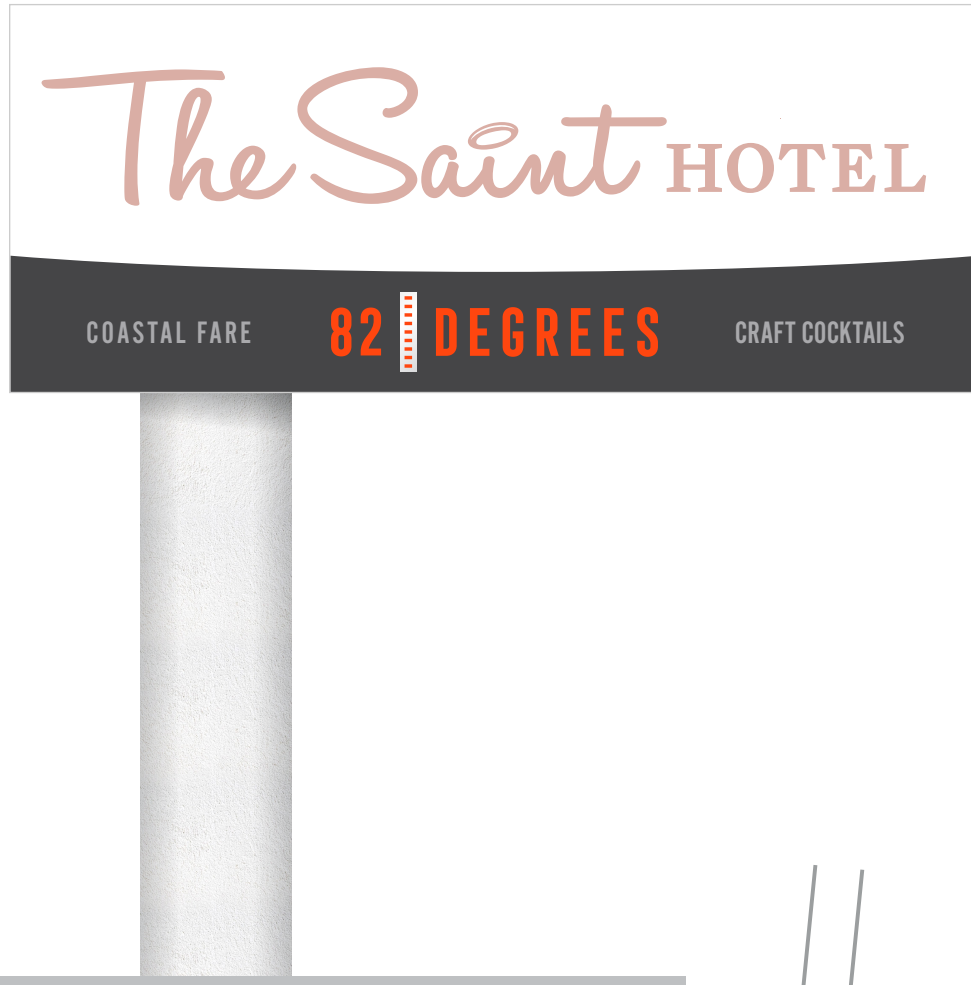


The Saint – Monument Sign Option B

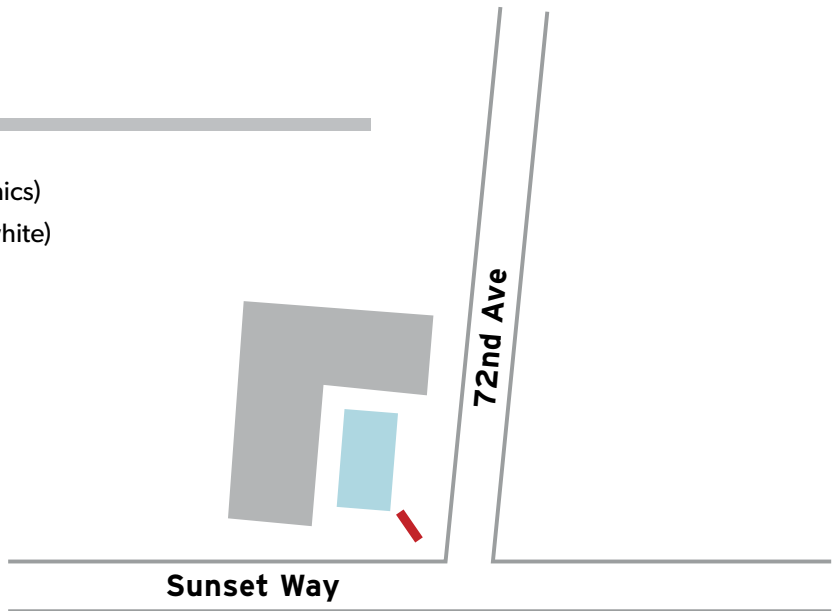


Alarie Design Associates, Inc.
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Sign Face: 10' (w) x 4' (h) (full color graphics)
Pole / Support: 6' (h) x 1.5' (w) (stucco white)



The Saint – Monument Sign Option B



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From: George Rovira <George@4courseconsultants.com>
Sent: Monday, May 24, 2021 5:40 AM
To: Lynn Rosetti <lrosetti@stpetebeach.org>
Cc: Brandon Berry <bberry@stpetebeach.org>; Alon Alon <alon@saintpeterrentals.com>
Subject: FW: Sign photoshop 7201 Sunset Way

CAUTION: This message has originated from **Outside of the Organization**. **Do Not Click** on links or open attachments unless you are expecting the correspondence from the sender and know the content is safe

Good Morning Lynn,

Attached is the sign rendering for the Saint Hotel at 7201 Sunset Way.

The sign will be mounted on a 6 foot Stucco based column to match the rest of the columns on the perimeter walls of the property. The actual sign will be ground lit with directional lighting. The face of the sign will either be made from aluminum or a polycarbonate with the graphics as depicted in the attached rendering. The cabinet will be constructed in a manner to match the aesthetics of the Saint Hotel.

If you have any further questions please don't hesitate to call.

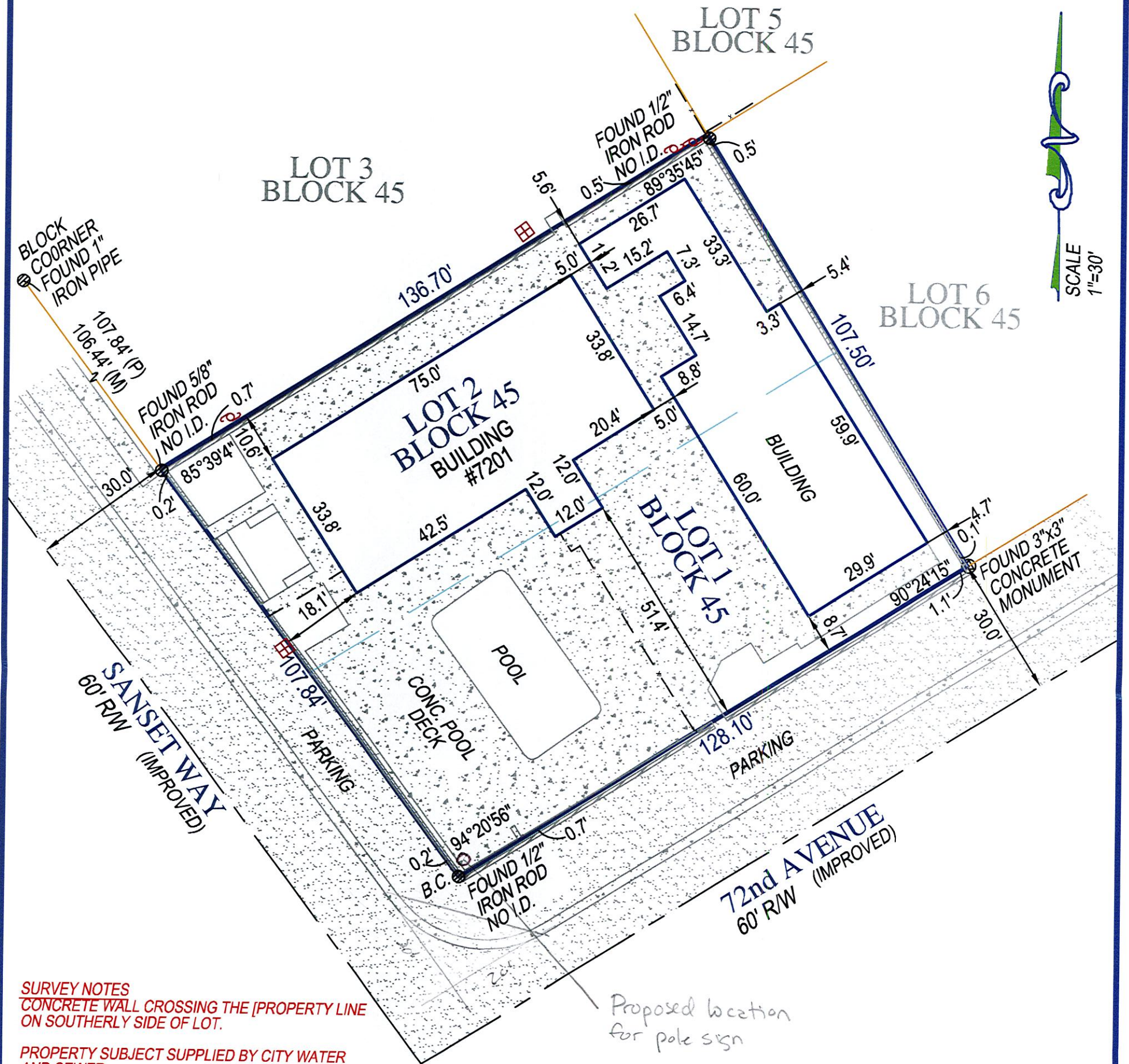
All the Best,

George

George Rovira
The Saint Hotel
407-461-3427

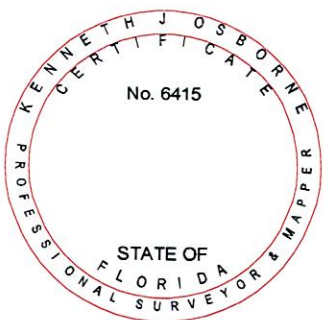
Sent from my iPhone

BOUNDARY SURVEY



SURVEY NOTES
 CONCRETE WALL CROSSING THE PROPERTY LINE ON SOUTHERLY SIDE OF LOT.

PROPERTY SUBJECT SUPPLIED BY CITY WATER AND SEWER.



SURVEYORS CERTIFICATE

I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY PREPARED UNDER MY DIRECTION. NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL, OR A RAISED EMBOSSED SEAL AND SIGNATURE.

(SIGNED)

Kenneth Osborne

Kenneth Osborne

KENNETH J OSBORNE
 PROFESSIONAL SURVEYOR AND MAPPER #6415

PAGE 2 OF 2 PAGES
 (NOT COMPLETE WITHOUT PAGE 1)

Digitally signed by Kenneth Osborne
 Date: 2017.10.09 12:07:14 -04'00'



TARGET SURVEYING, LLC
 LB #7893
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 6250 N. MILITARY TRAIL, SUITE 102
 WEST PALM BEACH, FL 33407
 PHONE (561) 640-4800
 STATEWIDE PHONE (800) 226-4807
 STATEWIDE FACSIMILE (800) 741-0576
 WEBSITE: <http://targetsurveying.net>

LEGAL DESCRIPTION AND CERTIFICATION

Lot 1 AND 2, Block 45, RE-PLAT ST PETERSBURG BEACH SUB-DIVISION according to the Plat thereof, as recorded in Plat Book 5, Pages 28 AND 29, of the Public Records of PINELLAS County, Florida.

Community Number: 125149 Panel: 12103c0257 Suffix: G F.I.R.M. Date: 9/3/2003 Flood Zone: AE(NAVD88) Field Work: 10/6/2017

Certified To:
PARK SHORE INVESTMENTS, LLC

Property Address:
7201 SUNSET WAY
ST PETE BEACH, FL 33706

Survey Number: 305078

Client File Number:

ABBREVIATION DESCRIPTION:

A.E.	ANCHOR EASEMENT	F.F. EL.	FINISH FLOOR ELEVATION	O.R.B.	OFFICIAL RECORDS BOOK
A/C	AIR CONDITIONER	F.I.P.	FOUND IRON PIPE	(P)	PLAT
B.M.	BENCH MARK	F.I.R.	FOUND IRON ROD	P.B.	PLAT BOOK
B.R.	BEARING REFERENCE	F.P.K.	FOUND PARKER-KALON NAIL	P.C.	POINT OF CURVATURE
(C)	CALCULATED	(L)	LENGTH	P.C.C.	POINT OF COMPOUND CURVE
Δ	CENTRAL / DELTA ANGLE	L.A.E.	LIMITED ACCESS EASEMENT	P.O.B.	POINT OF BEGINNING
CH	CHORD	L.M.E.	LAKE MAINTENANCE EASEMENT	P.O.C.	POINT OF COMMENCEMENT
(D)	DEED / DESCRIPTION	(M)	MEASURED / FIELD VERIFIED	P.R.C.	POINT OF REVERSE CURVE
D.E.	DRAINAGE EASEMENT	M.H.	MANHOLE	P.T.	POINT OF TANGENCY
D.H.	DRILL HOLE	N&D	NAIL & DISK	R/W	RIGHT-OF-WAY
D/W	DRIVEWAY	N.R.	NOT RADIAL	(R)	RADIAL / RADIUS
E.O.W.	EDGE OF WATER	N.T.S.	NOT TO SCALE	S.I.R.	SET IRON ROD
F.C.M.	FOUND CONCRETE MONUMENT	O.H.L.	OVERHEAD UTILITY LINES	T.O.B.	TOP OF BANK
				U.E.	UTILITY EASEMENT

SYMBOL DESCRIPTIONS:

	= CATCH BASIN		= MISC. FENCE
	= CENTERLINE ROAD		= PROPERTY CORNER
	= COVERED AREA		= UTILITY BOX
	= EXISTING ELEVATION		= UTILITY POLE
	= HYDRANT		= WATER METER
	= MANHOLE		= WELL
	= METAL FENCE		= WOOD FENCE

PAGE 1 OF 2 PAGES
(NOT COMPLETE WITHOUT PAGE 2)

GENERAL NOTES:

- LEGAL DESCRIPTION PROVIDED BY OTHERS
- THE LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS OR OTHER RECORDED ENCUMBRANCES NOT SHOWN ON THE PLAT.
- UNDERGROUND PORTIONS OF FOOTINGS, FOUNDATIONS OR OTHER IMPROVEMENTS WERE NOT LOCATED.
- WALL TIES ARE TO THE FACE OF THE WALL AND ARE NOT TO BE USED TO RECONSTRUCT BOUNDARY LINES.
- ONLY VISIBLE ENCROACHMENTS LOCATED.
- DIMENSIONS SHOWN ARE PLAT AND MEASURED UNLESS OTHERWISE SHOWN.
- FENCE OWNERSHIP NOT DETERMINED.
- ELEVATIONS INDICATED HEREON ARE IN FEET AND DECIMALS REFRENCED TO N.G.V.D. 1929
- IN SOME INSTANCES, GRAPHIC REPRESENTATIONS HAVE BEEN EXAGGERATED TO MORE CLEARLY ILLUSTRATE RELATIONSHIPS BETWEEN PHYSICAL IMPROVEMENTS AND/OR LOT LINES.
- IN ALL CASES, DIMENSIONS SHALL CONTROL THE LOCATION OF THE IMPROVEMENTS OVER SCALED POSITIONS.



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LB #7893

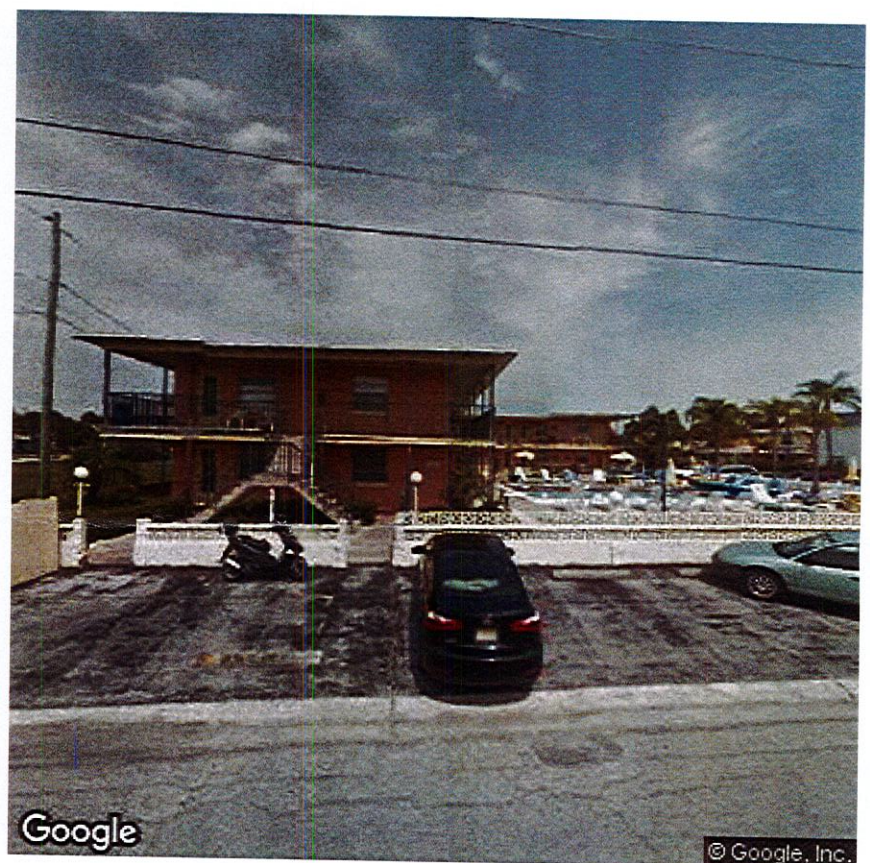
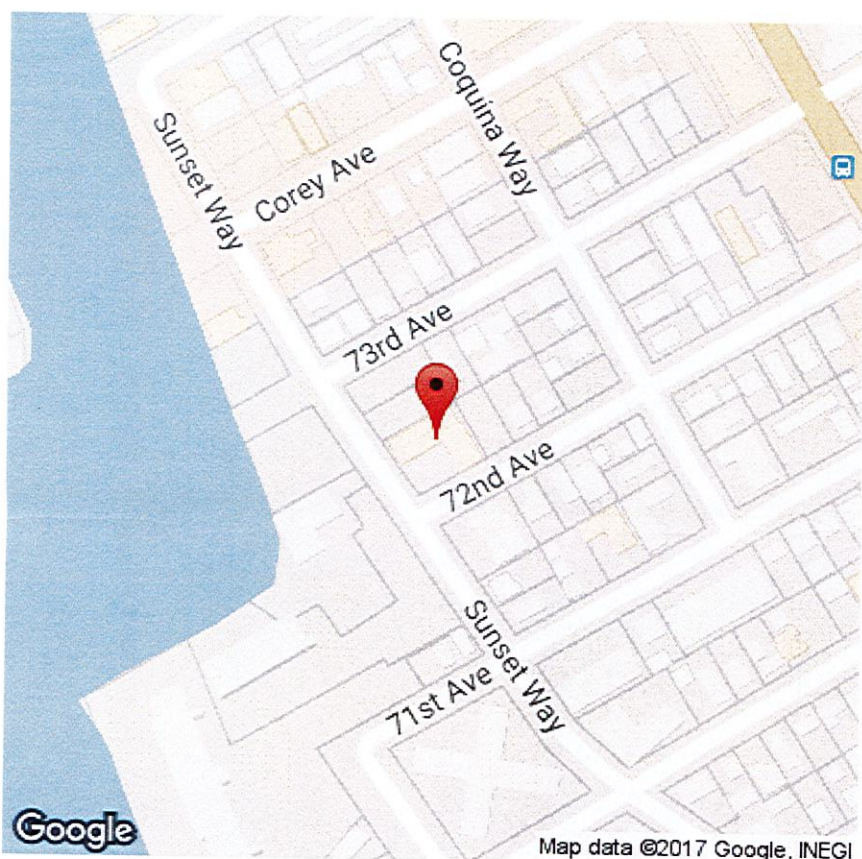
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LAND SURVEY PREPARED FOR PARK SHORE INVESTMENTS, LLC
7201 SUNSET WAY, ST. PETE BEACH, FL 33706



REQUESTED BY:

NONE

,
PH.



6250 N. Military Trail
Suite 102
West Palm Beach, FL 33407
Phone 1: 561-640-4800
Phone 2: 1-800-226-4807
Fax 1: 561-640-0576
Fax 2: 1-800-741-0576

Invoice

Invoice Date: 10/5/17

To: NONE
Survey Number: **305078**
Order Date: 10/5/17
Deliver To Attn: ALON VARSHA
Deliver To: NONE

Property Address: 7201 SUNSET WAY

ST. PETE BEACH, FL 33706

Buyers: PARK SHORE INVESTMENTS, LLC
Sellers: SUNDIAL MOTEL

Item	Description	Amount
ELEV	Elevation Certificate	\$150.00
SURV	Mortgage Survey	\$550.00
Invoice Total:		\$700.00

Amount Invoiced To Date: \$700.00
Payments Received To Date: (\$700.00)

Total Amount Due: **\$0.00**

Comment:

LEGAL DESCRIPTION AND CERTIFICATION

Lot 1 AND 2, Block 45, RE-PLAT ST PETERSBURG BEACH SUB-DIVISION according to the Plat thereof, as recorded in Plat Book 5, Pages 28 AND 29, of the Public Records of PINELLAS County, Florida.

Community Number: 125149 Panel: 12103c0257 Suffix: G F.I.R.M. Date: 9/3/2003 Flood Zone: AE(NAVD88) Field Work: 10/6/2017

Certified To:
PARK SHORE INVESTMENTS, LLC

Property Address:
7201 SUNSET WAY
ST PETE BEACH, FL 33706

Survey Number: 305078

Client File Number:

ABBREVIATION DESCRIPTION:

A.E.	ANCHOR EASEMENT	F.F. EL.	FINISH FLOOR ELEVATION	O.R.B.	OFFICIAL RECORDS BOOK
A/C	AIR CONDITIONER	F.I.P.	FOUND IRON PIPE	(P)	PLAT
B.M.	BENCH MARK	F.I.R.	FOUND IRON ROD	P.B.	PLAT BOOK
B.R.	BEARING REFERENCE	F.P.K.	FOUND PARKER-KALON NAIL	P.C.	POINT OF CURVATURE
(C)	CALCULATED	(L)	LENGTH	P.C.C.	POINT OF COMPOUND CURVE
Δ	CENTRAL / DELTA ANGLE	L.A.E.	LIMITED ACCESS EASEMENT	P.O.B.	POINT OF BEGINNING
CH	CHORD	L.M.E.	LAKE MAINTENANCE EASEMENT	P.O.C.	POINT OF COMMENCEMENT
(D)	DEED / DESCRIPTION	(M)	MEASURED / FIELD VERIFIED	P.R.C.	POINT OF REVERSE CURVE
D.E.	DRAINAGE EASEMENT	M.H.	MANHOLE	P.T.	POINT OF TANGENCY
D.H.	DRILL HOLE	N&D	NAIL & DISK	R/W	RIGHT-OF-WAY
D/W	DRIVEWAY	N.R.	NOT RADIAL	(R)	RADIAL / RADIUS
E.O.W.	EDGE OF WATER	N.T.S.	NOT TO SCALE	S.I.R.	SET IRON ROD
F.C.M.	FOUND CONCRETE MONUMENT	O.H.L.	OVERHEAD UTILITY LINES	T.O.B.	TOP OF BANK
				U.E.	UTILITY EASEMENT

SYMBOL DESCRIPTIONS:

	= CATCH BASIN		= MISC. FENCE
	= CENTERLINE ROAD		= PROPERTY CORNER
	= COVERED AREA		= UTILITY BOX
	= EXISTING ELEVATION		= UTILITY POLE
	= HYDRANT		= WATER METER
	= MANHOLE		= WELL
	= METAL FENCE		= WOOD FENCE

PAGE 1 OF 2 PAGES
(NOT COMPLETE WITHOUT PAGE 2)

GENERAL NOTES:

- LEGAL DESCRIPTION PROVIDED BY OTHERS
- THE LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS OR OTHER RECORDED ENCUMBRANCES NOT SHOWN ON THE PLAT.
- UNDERGROUND PORTIONS OF FOOTINGS, FOUNDATIONS OR OTHER IMPROVEMENTS WERE NOT LOCATED.
- WALL TIES ARE TO THE FACE OF THE WALL AND ARE NOT TO BE USED TO RECONSTRUCT BOUNDARY LINES.
- ONLY VISIBLE ENCROACHMENTS LOCATED.
- DIMENSIONS SHOWN ARE PLAT AND MEASURED UNLESS OTHERWISE SHOWN.
- FENCE OWNERSHIP NOT DETERMINED.
- ELEVATIONS INDICATED HEREON ARE IN FEET AND DECIMALS REFERENCED TO N.G.V.D. 1929
- IN SOME INSTANCES, GRAPHIC REPRESENTATIONS HAVE BEEN EXAGGERATED TO MORE CLEARLY ILLUSTRATE RELATIONSHIPS BETWEEN PHYSICAL IMPROVEMENTS AND/OR LOT LINES.
- IN ALL CASES, DIMENSIONS SHALL CONTROL THE LOCATION OF THE IMPROVEMENTS OVER SCALED POSITIONS.



TARGET

SURVEYING, LLC

LB #7893

SERVING FLORIDA

6250 N. MILITARY TRAIL, SUITE 102
WEST PALM BEACH, FL 33407
PHONE (561) 640-4800
STATEWIDE PHONE (800) 226-4807
STATEWIDE FACSIMILE (800) 741-0576
WEBSITE: <http://targetsurveying.net>

CASE #: 21001

PARCEL #: _____

SUBMITTAL DATE: _____ AMOUNT DUE: _____ PAYMENT DATE: _____

UNNECESSARY AND UNDUE HARDSHIP VARIANCE APPLICATION

The following Items are to be submitted, along with this application, **at least 30 days prior to the public hearing:**

- Two (2) copies of the property survey, completed in the last ten years, which contains the legal description, land area, and existing improvements on the site that has been signed and sealed by a surveyor licensed in the State of Florida;
- Seven (7) copies of a site plan showing the request, drawn to scale, of size between 11x17" and 36x48";
- Emailed copy of the survey and site plan to bberry@stpetebeach.org.
- The Application Fee, payable to the City of St. Pete Beach (non-refundable)

OWNER/AGENT INFORMATION:

Identification	Name	Address	Phone #
Owner	ALON Varsha	1320 Boca Ciega Isle drive, ST.Pete Beach, FL 33706	1 818-536-1752
Applicant/ Agent	George Rovira	16332 Lake Shore Dr. Minneola, FL 34715	407-461-3427
Owner Email Address: Alon <alon@saintpeterrentals.com>		Applicant/Agent Email Address: George@4CourseC onsultants.com	

PROPERTY FOR PROPOSED VARIANCE:

Zoning Designation	Future Land Use Designation	Lot Area
Legal Description: Lot 1 Block 45		
Address: 7201 Sunset Way, ST Pete Beach, 33706		
Explanation of Request: To Utilize the existing signage. Which is mounted on a 6" round post eight feet in height. The existing signage is 5'7"x7' which is 40 square feet of signage.		
The existing sign is Photo documented in Exhibit "A"		
Our desire is to Remodel the signage by placing new sign inserts on the sign and by covering the pole with a a new updated column.		

Findings Necessary for Granting Request: In order for an application for a unnecessary and undue hardship variance to be approved or approved with conditions, the Board of Adjustment must make a positive finding with regard to each of the provisions below, which are also located in Division 3 of the Land Development Code. The applicant has the burden of proof demonstrating that the application for the variance complies with each of these requirements. Please explain in detail how your case meets these requirements (attach additional sheets if necessary):

1. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved, and which are not applicable to other lands, structures, or buildings in the same zoning district;

The property is at a disadvantage as it is not on a developed commercial east to west street such as 75th, 74th, and 73rd. The South Side street 72nd avenue is more if a residential east to west street this places the business at a severe disadvantage to the other hotels and restaurants in the area.

2. The special conditions and circumstances do not result from the actions of the applicant or a prior owner of the property;

The property was purchases with the existing signage in tact which was assessed as an asset of the business. Not allowing the signage to be remodeled reduces the ability to compete it decreases the value of the property.

3. Literal interpretation of the provisions of the Land Development Code deprives the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Land Development Code and results in unnecessary and undue hardship on the applicant;

The Hotel only has perimeter parking which would block the view of any signage from the street further hindering the ability for guest to recognize the business as a restaurant or hotel.

The Proposed sign will be placed on the South West corner of hotel property with a 6' Rectangular pole wrapped in stucco with a 4'x10' sign mounted on top. This will Allow Patrons driving by to be able to easily identify the property.

4. The hardship has not been deliberately or knowingly created or suffered to establish a use or structure which is not otherwise consistent with the Comprehensive Plan or the Land Development Code, nor will it permit an increase in development density;

5. An applicant's desire or ability to achieve greater financial return or maximum financial return from his property does not constitute hardship;

The applicant is only attempting to work with the city, and hope and pray that the city does not remove signage that was already existing when the applicant purchased the property.

6. Granting the variance application conveys the same treatment to the applicant as to the owner of other lands, buildings, or structures in the same zoning district;

7. The requested variance is the minimum variance that makes possible the reasonable use of the land, building, or structure; and

The Ownership is not requesting anything that was not already located at and functioning at the location when he purchased the property.

8. The requested variance is in harmony with the general intent and purpose of the Comprehensive Plan and the Land Development Code, is not injurious to the neighborhood or otherwise detrimental to the public safety and welfare, is compatible with the neighborhood, and will not substantially diminish or impair property values within the neighborhood.

The Ownership is willing to have the sign modified to comply with an externally illuminated sign as the code requires.

**The Ownership
Acknowledges
that they will
comply with
the Cities Sign
codes for this
sign**



1/7/21

Signature of Applicant

Date

Signature of Authorized Agent

Date

VARIANCE APPLICATION

Applicants must acknowledge understanding of the following. Initial each of the statements below. If you do not understand any of these, staff will explain them to you.

gr I understand that the City will not accept or process an incomplete application.

gr I understand that a non-conforming use or structure in a particular zoning district does not, in any way, provide justification for the granting of a variance. Furthermore, the existence of a permitted use or structure in adjacent districts does not constitute grounds for a variance.

gr On all variances except for administrative (de-minimis) variances, a majority vote is required. Action on this application by the BOA/City Commission may be continued to a later meeting.

gr I understand that if a variance is approved by the BOA, City Commission or City Manager, the applicant is required to obtain the appropriate building permits within 1 year from the date of the decision. If no permit is obtained within 1 year, the approval becomes voided.

gr I understand that if any application filed under the provisions of this Code is denied, no subsequent application seeking substantially the same or similar approval shall be filed within six months of the final decision on the original application.

gr I understand that any person aggrieved by the final decision of the Board of Adjustment or City Commission has the right to file a petition in the Pinellas County Circuit Court within 30 calendar days after the decision. Appeals of decisions made by the City Manager for administrative variances are to a hearing officer designated by the City Commission and must be made within 30 days from the date of the final administrative decision. Permits for construction may be granted prior to the expiration of this 30-day period, but an appeal will be grounds for revocation of the permit.

gr I understand that I, as the applicant, or my authorized representative must be present at all scheduled public meetings on the application if applicable.

After acknowledgement of these conditions, complete the application form on the following pages.

Signature of Applicant

Date

Pole 6'

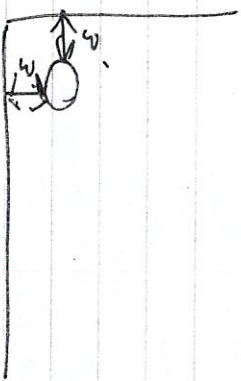
1.5'

Face 10' x 4' - 400

Total Height - 10' total height

Double Face

Front lit from ground



Face -

Black Backen

Black Bottom 0' - Red

Orange/Red Bottom





155 Corey Avenue St. Pete Beach, FL 33706 www.stpetebeach.org

City of St. Pete Beach - Community Development Department
155 Corey Avenue St. Pete Beach, FL • 727-367-2735 • www.stpetebeach.org

NOTICE OF PUBLIC HEARING

05/12/2021

To Owners of Properties within 300 feet:

The purpose of this letter is to notify you of the scheduled hearing before the City of St. Pete Beach Board of Adjustment for the property located at 7201 SUNSET WAY. The purpose of this hearing is to decide if the request satisfied the conditions for issuance. See enclosed Site Plan.

DATE: 05/26/2021

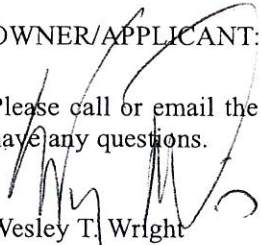
TIME: 2:00 PM

PLACE: City Hall - City Commission Chambers
155 Corey Ave
St. Pete Beach, FL 33706

REQUEST: VARIANCE (HARDSHIP): The Saint (Case #: 21001) Request to install a freestanding sign that is a total of 10ft in height and that exceeds the maximum 5ft height allowed (LDC Sec. 26.37(d)).

OWNER/APPLICANT: Sunset Suites c/o Alon Varsha / George Rovira

Please call or email the Community Development Department office at 727-363-9265 or wwright@stpetebeach.org if you have any questions.

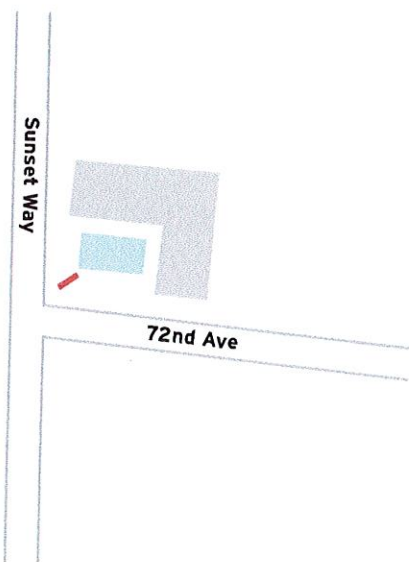
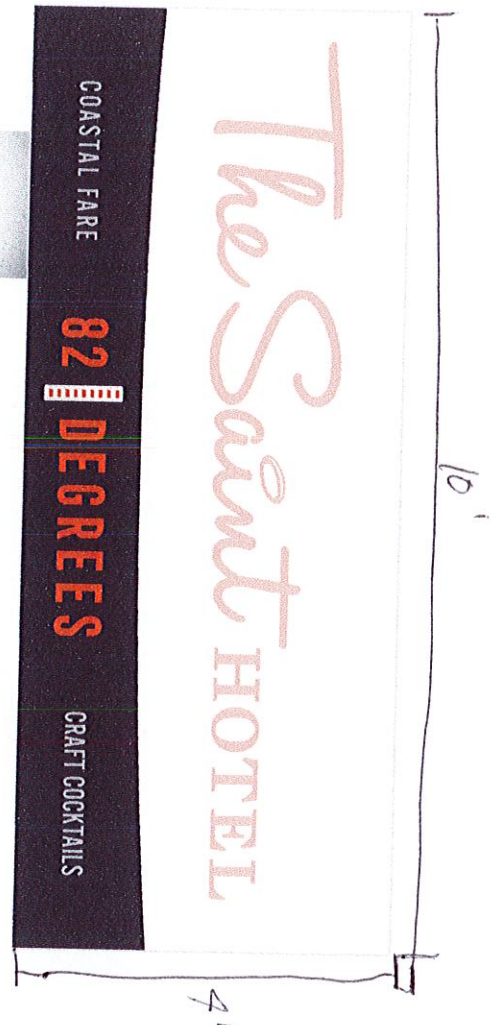

Wesley T. Wright
Community Development Director

c: DISTRICT 2 - MARK GRILL

The application is on file with the Community Development Department, which is located on the first floor in City Hall, 155 Corey Avenue, St. Pete Beach. You may examine the application materials prior to the scheduled hearing date. Prior to the hearing, you may file any written comments, objection, or support. All timely filed written communications will be presented to the Board for consideration. You also may appear at the public hearing and be heard the respect to the above referenced request(s). This public hearing is subject to special rules and procedures relative to evidence and appeals. Discussions with any board member prior to the hearing will be disclosed at the public hearing. The City does not provide verbatim transcripts.

APPEAL: Florida Statutes 289.0105 Notices of meetings and hearings must advise that a record is required to appeal. Each board, commission, or agency of this state or of any political subdivision thereof shall include in the notice conspicuously on such notice, the advice that, if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such a purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

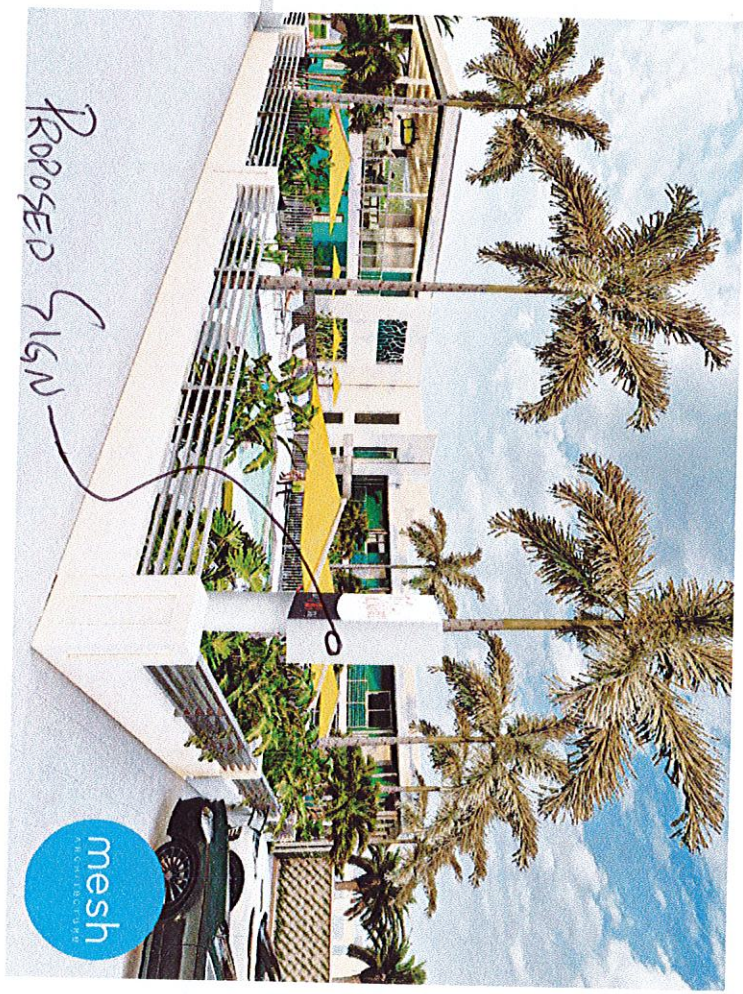
AMERICANS WITH DISABILITIES ACT: Florida Statutes 286.26 Accessibility of public meetings to the physically handicapped. In accordance with the Americans with Disabilities Act and Florida Statutes, persons needing special accommodations to participate in a meeting should contact City hall at (727) 367-2735 no later than forty-eight (48) hours prior to the meeting for assistance.



Sign Face: 10' (w) x 4' (h) (full color graphics)
Pole / Support: 6' (h) x 1.5' (w) (stucco white)

Option B

Sign to be placed on the South west corner of the property.



Proposed Sign

ALPHA DESIGN ASSOCIATES, INC.
 720 E. Foothill Blvd., Suite 100
 Fullerton, CA 92631
 Phone: 714-654-0171 Fax: 714-654-0172

**BOARD OF ADJUSTMENT MEETING
CITY OF ST. PETE BEACH**

Agenda Report

Issue Considered: Variance – 450 82nd Ave (Case #21021)

Date: May 26, 2021

Prepared By: Brandon Berry, Planner II

Through: Wesley Wright, Community Development Director

Summary of Issue: The applicant is requesting to construct a 26'x40' lanai-and-one-story-addition that will encroach into a required 6.7' side setback by 1.2' feet. This will result in a 5.5' side setback for the addition, which will align with the existing side setback for the home.

Funding: N/A

Requested Motion: Motion to APPROVE case #21021 for a Practical Difficulty Variance as presented by the staff.

Attachments:

1. 450 82nd Ave Staff Report
2. 21021 Supporting Docs



**DEPARTMENT OF COMMUNITY DEVELOPMENT
PLANNING & ZONING
STAFF FINDINGS REPORT
TO THE
BOARD OF ADJUSTMENT**

VARIANCE CASE NO. 21021 – Tiffany Secka, Applicant/Owner

MEETING DATE: May 26, 2021

PREPARED BY: Brandon Berry, Planner II

REQUEST	A Practical Difficulty Variance to allow for a single-family home addition that will encroach 1.2 feet into the required 6.7-foot side-yard setback and align with the existing home (LDC Sec. 9.7(a)(3)).
SUBJECT PROPERTY	450 82 nd Ave; ST PETERSBURG BEACH NORTH UNIT NO. 4 BLK 96, LOT 16; Property ID# 36-31-15-78210-096-0160.
ACERAGE	Approximately 0.15 acres (6,700 sq. ft.)
LAND USE	RU-2 Residential District on the Zoning Map; RU on the Future Land Use Map.
FLOOD ZONE	AE-9
SURROUNDING AREA	North – Church South - Single-family Residence East – Single-family Residence West – Single-family Residence

BACKGROUND

The zoning lot contains a single-family residence constructed in 1952 according to the Pinellas County Property Appraiser.

ANALYSIS

The applicant is requesting to construct a 26'x40' lanai-and-one-story-addition that will encroach into a required 6.7' side setback by 1.2' feet. This will result in a 5.5' side setback for the addition, which will align with the existing side setback for the home.

Structure	Yard	Required Setback	Proposed Setback	Variance Percentage
-----------	------	------------------	------------------	---------------------

Home Addition	Side	6.7'	5.5'	18%
---------------	------	------	------	-----

Land Development Code Section 3.12, Variances: The appropriate board of authority may authorize practical difficulty variances to the land development regulations if the applicant is able to demonstrate the following conditions:

a) How substantial the variance is in relation to the requirement sought to be varied;

The applicant is requesting a 5.5' side yard setback where 6.7' is required, representing a variance of 18% from the required standard.

b) Whether an adverse change will be produced in the character of the neighborhood;

Staff finds that no adverse change will be produced in the character of the neighborhood. The home was constructed prior to the adoption of a City zoning code, as with many other structures in the vicinity, and the setback proposed does not appear to be out of character with the neighborhood. Due to lot size, other structures in the neighborhood are permitted the same side setback as the applicant is proposing.

c) Whether the difficulty can be obviated by some method feasible for the applicant to pursue other than by a variance; and

The addition could be offset with the existing side of the structure without needing to receive a side setback variance. However, Staff agree with the applicant that the addition may have a negative aesthetic impact and negatively impact the layout of the home if offset, and alignment on the western side of the home where proposed results in a lesser side encroachment than if located on the eastern side, which has an existing 4.6' side setback.

d) Whether, in view of the manner in which the difficulty arose, the interest of justice will be served by allowing the variance.

Staff find the interest of justice will be served in the issuance of this variance. The request is minimal, reasonable, and preserves an existing side setback which preserves the home's aesthetic integrity. Staff are recommending eaves associated with the addition be equipped with gutters and downspouts as a condition of approval.

Any variance granted hereunder shall expire one (1) year from the date of the development order providing for such variance, unless a building permit for the construction authorized by such variance is obtained within such time and said building permit has not expired prior to the completion of construction in accordance therewith.

SUMMARY:

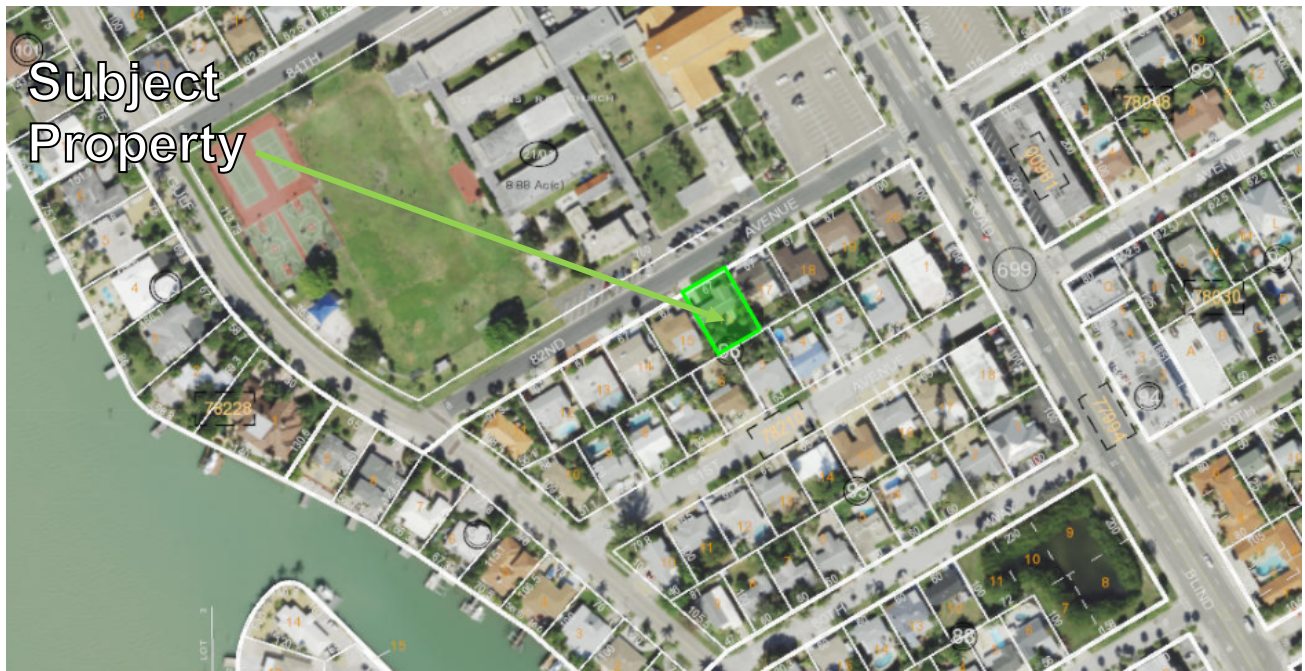
Staff find the request is reasonable given the existing conditions of the lot and will not have an adverse impact on the neighborhood.

RECOMMENDATION:

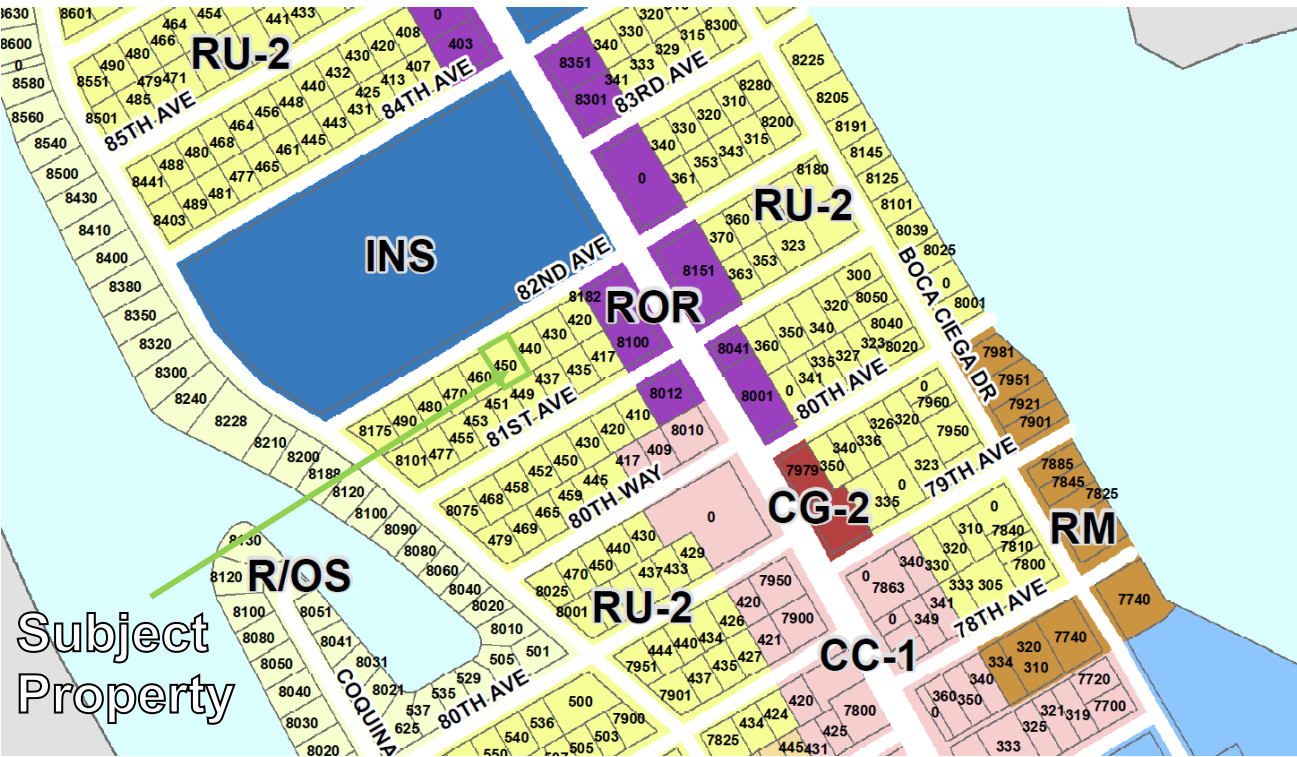
Staff recommend approval with one (1) condition:

- 1) Gutters and downspouts shall be installed along with the addition.

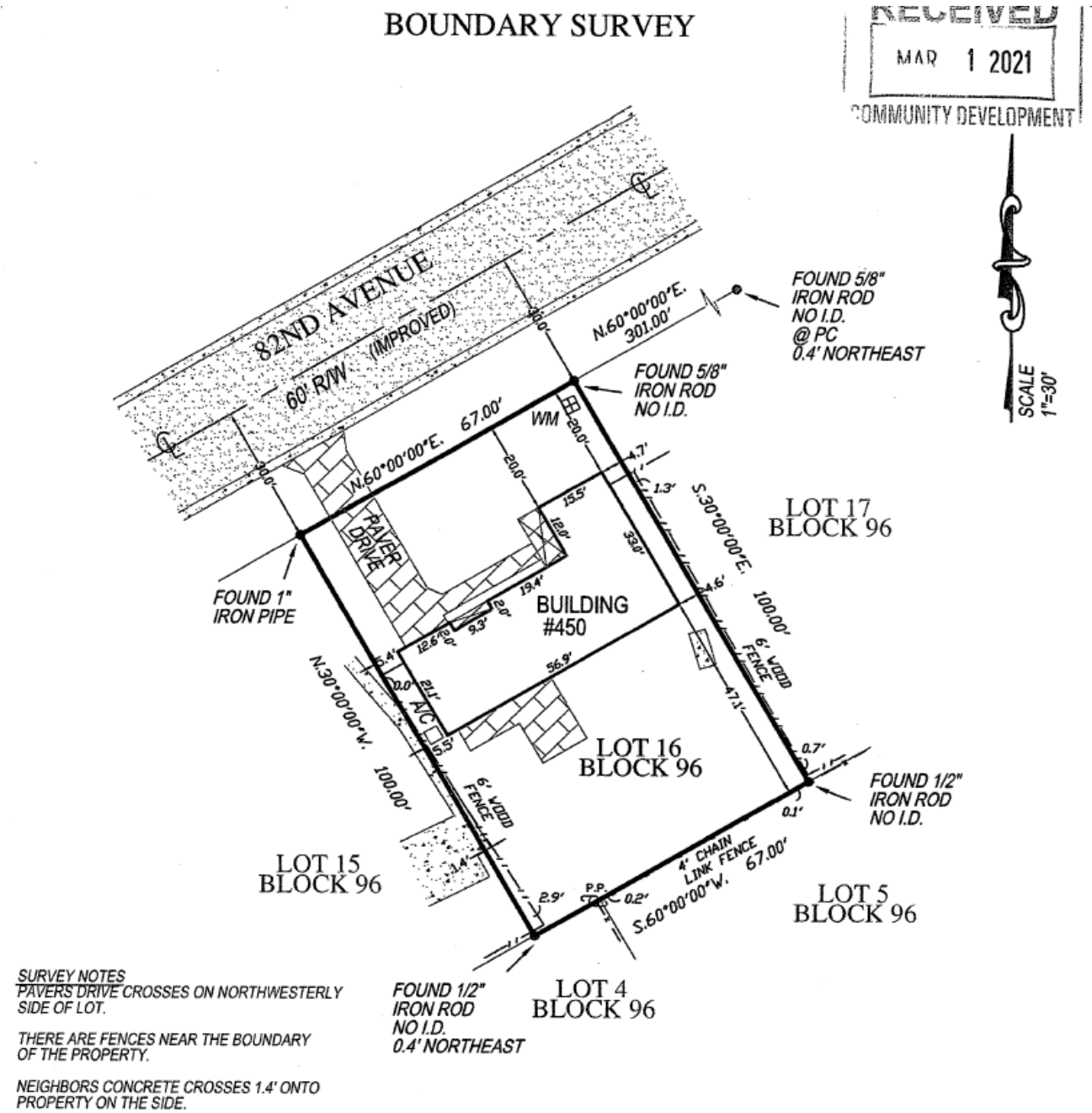
AERIAL MAP



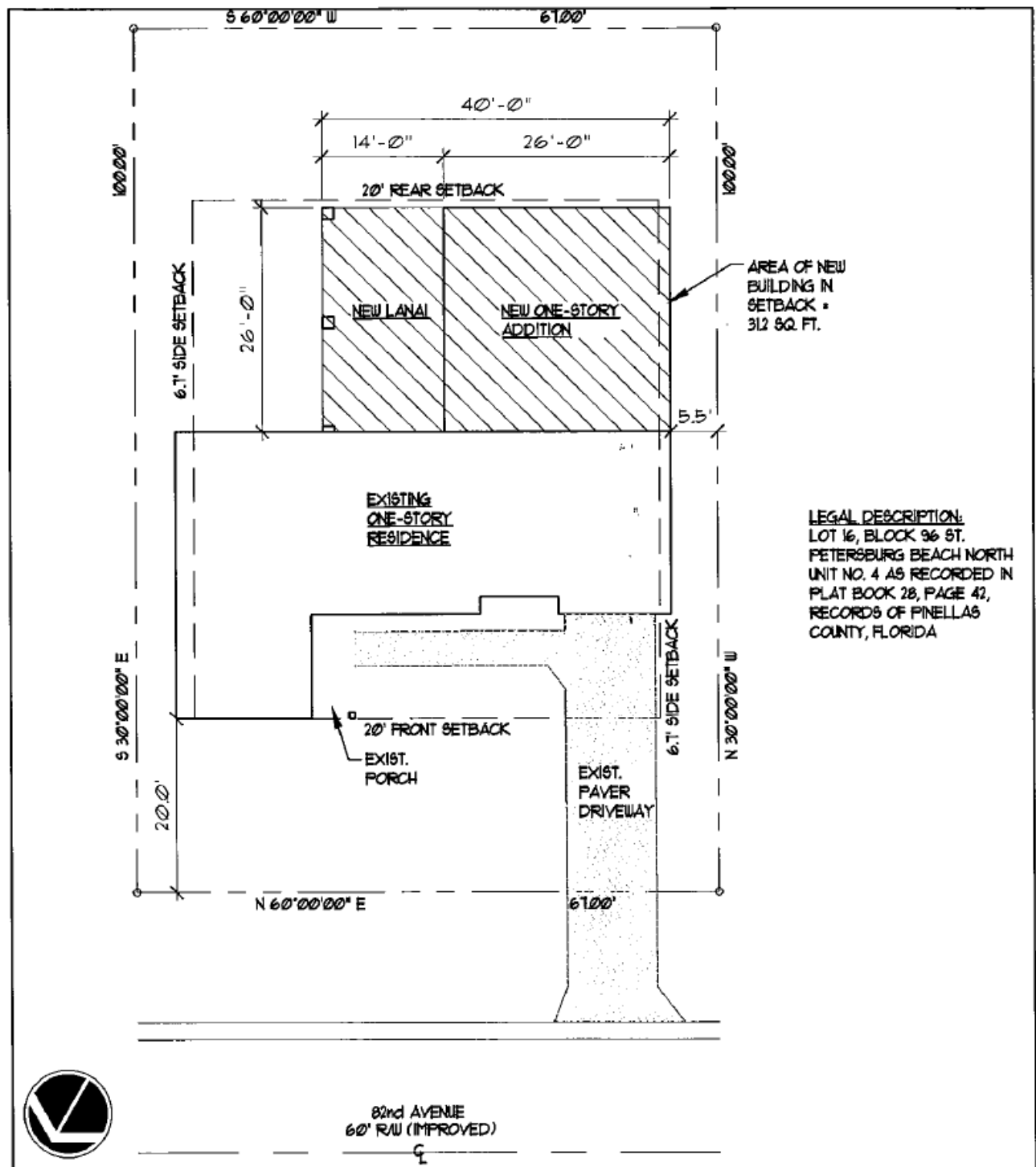
ZONING MAP



SURVEY



SITE PLAN PROPOSAL



CASE #: 21021

SUBMITTAL DATE: 3/1/21 AMOUNT DUE: \$522.40 PAYMENT DATE: 3/1/21

PRACTICAL DIFFICULTY VARIANCE APPLICATION

The following items are to be submitted, along with this application, **at least 30 days prior to the public hearing:**

- Two (2) copies of the property survey, completed in the last ten years, which contains the legal description, land area, and existing improvements on the site that has been signed and sealed by a surveyor licensed in the State of Florida;
- Seven (7) copies of a site plan showing the request, drawn to scale, of size between 11x17" and 36x48";
- Emailed copy of the survey and site plan to bberry@stpetebeach.org.
- The Application Fee, payable to the City of St. Pete Beach (non-refundable)



OWNER/AGENT INFORMATION:

Identification	Name	Address	Phone #
Owner	Tiffany Secka	450 82nd Ave, St Pete Beach, FL 33706	727-415-6007
Applicant/ Agent			

Owner Email Address: tmsmarie@aol.com	Applicant/Agent Email Address:
--	--------------------------------

PROPERTY FOR PROPOSED VARIANCE:

Zoning Designation RU-2	Future Land Use Designation RU	Lot Area
Legal Description:	Lot 16, Block 96, St Petersburg Beach North Unit No 4	
Parcel ID:	12103C0257	
Address:	450 82nd Ave, St Pete Beach, FL 33706	
Explanation of Request: <u>The intent of this variance request is to align the planned addition of the home up with the existing exterior wall on the Southwest side of the home.</u>		

Findings Necessary for Granting Request: In order for an application for a practical difficulty variance to be approved or approved with conditions, the Board of Adjustment must make a positive finding with regard to each of the provisions below, which are also located in Division 3 of the Land Development Code. The applicant has the burden of proof demonstrating that the application for the variance complies with each of these requirements. Please explain in detail how your case meets these requirements (attach additional sheets if necessary):

1. How substantial the variance is in relation to the requirement sought to be varied;

The requirement is 6.7' (10%) side setback. The existing wall is 5.5' from the property line. Total amount being requested is 14".



2. Whether an adverse change will be produced in the character of the neighborhood;

This is a planned addition to the existing structure and would not create an adverse change in the character of the neighborhood.

3. Whether the difficulty can be obviated by some method feasible for the applicant to pursue other than by a variance; and

An Administrative Variance would have not have achieved a sensible home layout and aesthetic as it would still fall 4" short of the existing exterior wall.

4. Whether, in view of the manner in which the difficulty arose, the interest of justice will be served by allowing the variance.

The variance would allow the proposed addition to be aligned with the existing structure.

Sydney Secka

3/1/21

Signature of Applicant

Date

Signature of Authorized Agent

Date

For office use only:

Hearing Date: _____ Fees: _____

Board Action: ☐ Approved as requested ☐ Approved with conditions ☐ Denied ☐ Continued



VARIANCE APPLICATION

Applicants must acknowledge understanding of the following. Initial each of the statements below. If you do not understand any of these, staff will explain them to you.

JA I understand that the City will not accept or process an incomplete application.

JA I understand that a non-conforming use or structure in a particular zoning district does not, in any way, provide justification for the granting of a variance. Furthermore, the existence of a permitted use or structure in adjacent districts does not constitute grounds for a variance.

JA On all variances except for administrative (de-minimis) variances, a majority vote is required. Action on this application by the BOA/City Commission may be continued to a later meeting.

JA I understand that if a variance is approved by the BOA, City Commission or City Manager, the applicant is required to obtain the appropriate building permits within 1 year from the date of the decision. If no permit is obtained within 1 year, the approval becomes voided.

JA I understand that if any application filed under the provisions of this Code is denied, no subsequent application seeking substantially the same or similar approval shall be filed within six months of the final decision on the original application.

JA I understand that any person aggrieved by the final decision of the Board of Adjustment or City Commission has the right to file a petition in the Pinellas County Circuit Court within 30 calendar days after the decision. Appeals of decisions made by the City Manager for administrative variances are to a hearing officer designated by the City Commission and must be made within 30 days from the date of the final administrative decision. Permits for construction may be granted prior to the expiration of this 30-day period, but an appeal will be grounds for revocation of the permit.

JA I understand that I, as the applicant, or my authorized representative must be present at all scheduled public meetings on the application if applicable.

After acknowledgement of these conditions, complete the application form on the following pages.

Jeffery Secka
Signature of Applicant

3/1/21
Date

Owner's Authorization for Agent

Community Development Department

City of St. Pete Beach, Florida

I/WE

(print name of property owner)

hereby authorize

(print name of agent)

to represent me/us in an application for

(type of application: variance, conditional use, zoning, etc.)

Signature of Owner

Signature of Owner

Print Name of Owner

Print Name of Owner

The forgoing instrument was acknowledged before me this _____ day of
_____ 2021 by _____ or _____ who is
personally known _____ produced
_____ as identification.

(Notary Signature)

(Date)

My Commission Expires _____



PUBLIC HEARING SIGN POSTING AFFIDAVIT

Applicant, TIFFANY SECKA, agrees to post the sign(s) in a conspicuous place, at the principal access to the property, in full view of the public, and not more than five (5) feet from the nearest street right of way or easement a minimum of seven (7) days in advance of the Public Hearing for unnecessary or undue hardship variances and practical difficulty variances, or seven (7) days in advance of the final administrative decision for administrative (de-minimis) variances, and remain in place until the requested action has been heard and decided. Multiple sign postings shall not be more than three hundred (300) feet apart. If the subject parcel(s) abut more than one (1) street, notices shall be posted along each street. When the subject parcel(s) does not front a public road, the sign shall be posted at the point on a public road by which the property is, or can be, reached.

The sign shall be maintained in good readable condition by the applicant. If the said sign is destroyed, lost, or becomes unreadable, the applicant or applicant's representative shall obtain a replacement sign. Any sign posted in accordance with these requirements shall be removed from the property and disposed of by the applicant or applicant's agent not later than 24 hours following the final decision.

Applicant/Agent (must fill out agent authorization form):

Name(print): TIFFANY SECKA

Address: 450 82ND AVE, ST PETE BEACH, FL 33706

Tiffany Secka
Signature

3/5/21
Date

STATE OF FLORIDA)
) SS:
PINELLAS COUNTY)

The foregoing instrument was acknowledged before me this 5th day of March, 2021 by:
Tiffany Secka who appeared before me, and is personally known to me, or has produced
FL Drivers License as identification, and did take an oath.

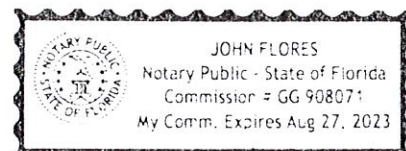
My commission Expires: 8/27/2023

NOTARY:

Print Name: John Flores Notary

Public, State of Florida

(Notarial Seal)



MAR 1 2021

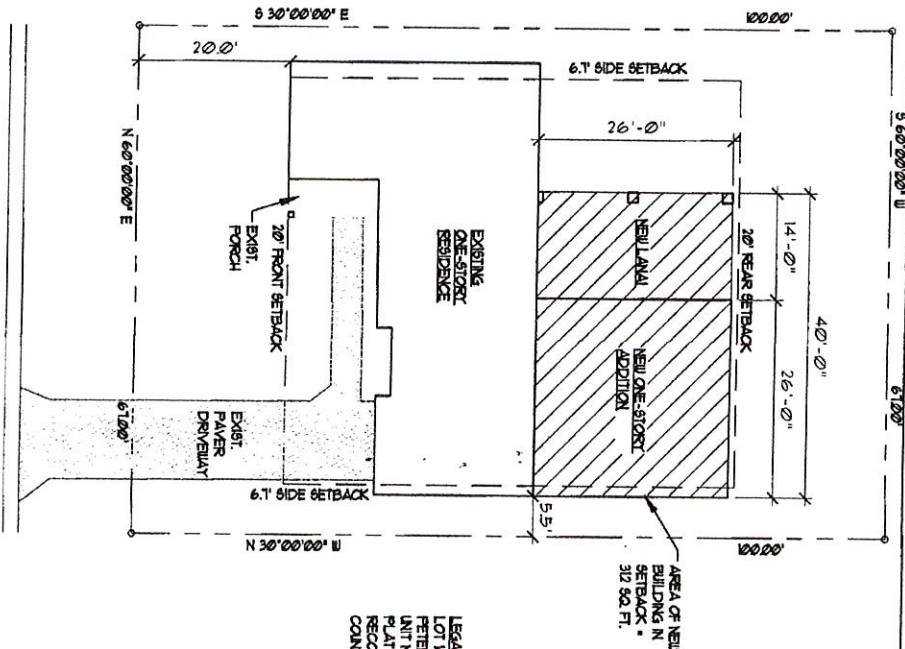
[illegible]

VICINITY MAP

NO SCALE



SITE PLAN

$$\frac{1/8" = 1'-0"}{2}$$


LEGAL DESCRIPTION:
LOT 16, BLOCK 36 5T,
PETERSBURG BEACH NORTH
UNIT NO. 4 AS RECORDED IN
PLAT BOOK 28, PAGE 42,
RECORDS OF PINELLAS
COUNTY, FLORIDA

82nd AVENUE
60' R/W (IMPROVED)

Construction Documents for:

FDI# 20064.00

SECKA RESIDENCE

450 82nd AVENUE
ST. PETE BEACH, FLORIDA

SHEET TITLE

SITE PLAN

DATE: 12-5-20

SHEET NUMBERS

SP-1



ORR FRANKLIN PRAZE, IV

E-MAIL: fdi@fraxdesign.com
1750 CENTRAL AVENUE
PHONE: 727/328-3608

ST. PI
FAX: 727/328-3609

FL. LISC NO. AA26000585
FLORIDA 33712

Page 47 of 115



Fraze Design, Inc.
Frank Frazee, AIA, NCARB
Fl. Lic. AA26000585

City of St. Pete Beach
Zoning Department
155 Corey Avenue
St. Pete Beach, FL 33706

December 15, 2020

Re: Secka Residence
450 82nd Avenue
St Pete Beach, Florida.

To Whom It May Concern:

The intent of this Site Variance request is to align the planned addition of the home up with the existing exterior wall on the Southwest side of the home.

The existing wall is 16" over the 6.7' (10%) side setback which is still 5.5' from the property line.

We were going to ask for the "Administrative" variance but it would look like a mistake to build the addition 4" offset to the existing exterior wall. Since we need a 16" variance vs. a 12" variance we are applying for the "Practical" Variance.

Please consider this minor request to the administrative variance that required the submittal of the Practical Variance.

Thank you for this consideration.

If you have any further questions, please feel free to contact me.

Sincerely,

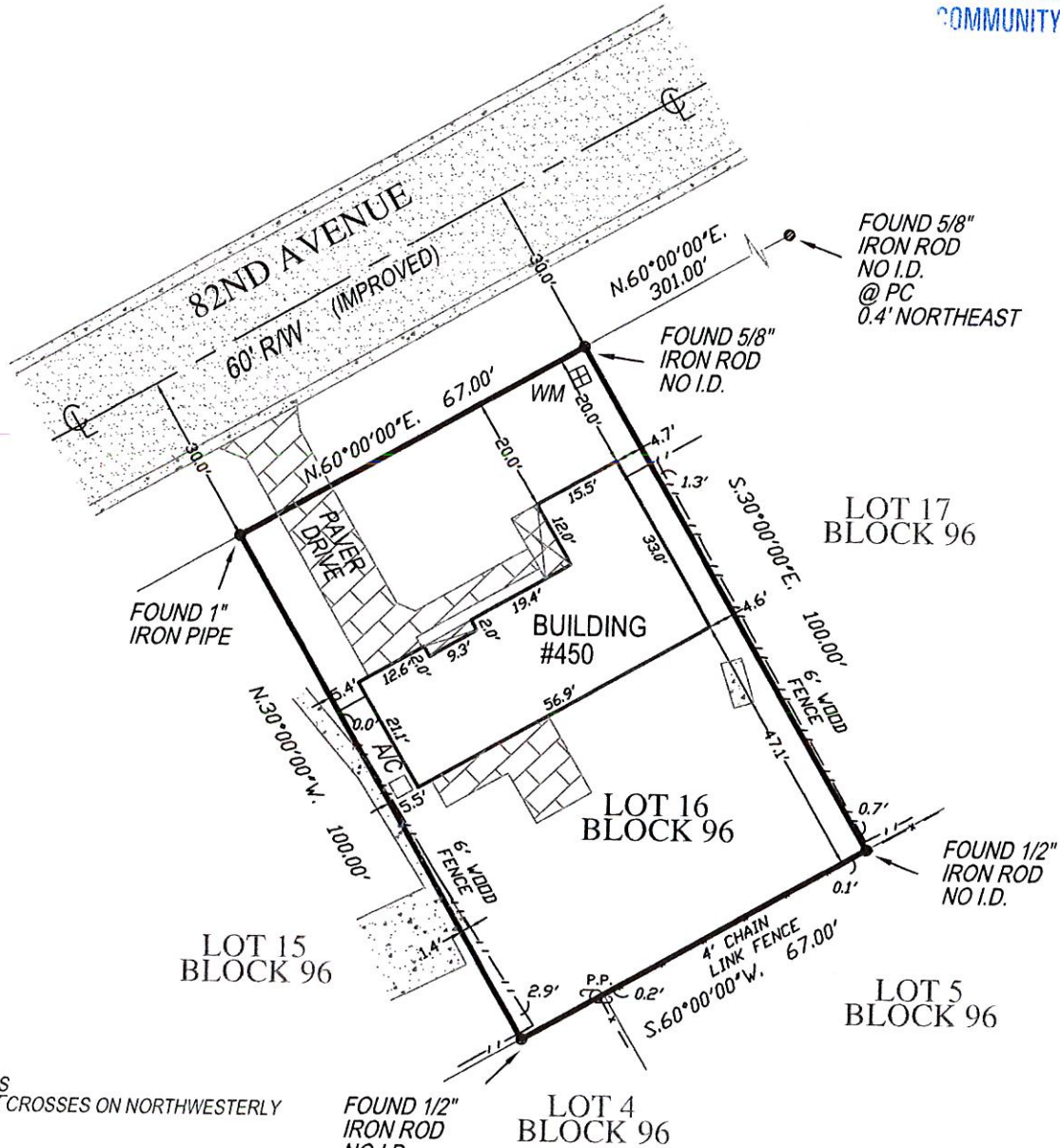
Frank Frazee, A.I.A., NCARB
President
Frazee Design, Inc.

BOUNDARY SURVEY

RECEIVED

MAR 1 2021

COMMUNITY DEVELOPMENT



SCALE
1"=30'

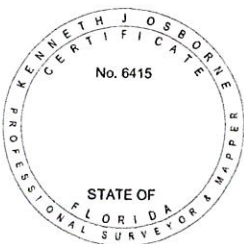
SURVEY NOTES

PAVERS DRIVE CROSSES ON NORTHWESTERLY SIDE OF LOT.

THERE ARE FENCES NEAR THE BOUNDARY OF THE PROPERTY.

NEIGHBORS CONCRETE CROSSES 1.4' ONTO PROPERTY ON THE SIDE.

FOUND 1/2" IRON ROD NO I.D. 0.4' NORTHEAST



SURVEYORS CERTIFICATE

I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY PREPARED UNDER MY DIRECTION. NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL, OR A RAISED EMBOSSED SEAL AND SIGNATURE.

Digitally signed by Kenneth Osborne
Date: 2016.06.28 13:14:29 -04'00'

(SIGNED)

KENNETH J. OSBORNE
PROFESSIONAL SURVEYOR AND MAPPER #6415

PAGE 2 OF 2 PAGES
(NOT COMPLETE WITHOUT PAGE 1)



**TARGET
SURVEYING, LLC**

LB #7893

SERVING FLORIDA

6250 N. MILITARY TRAIL, SUITE 102

WEST PALM BEACH, FL 33407

PHONE (561) 640-4800

STATEWIDE PHONE (800) 226-4807

STATEWIDE FACSIMILE (800) 741-0576

WEBSITE: <http://targetsurveying.net>

LEGAL DESCRIPTION AND CERTIFICATION

Lot 16, Block 96, ST PETERSBURG BEACH NORTH UNIT NO. 4, according to the Plat thereof, as recorded in Plat Book 28, Page 42, of the Public Records of PINELLAS County, Florida.

Community Number: 125149 Panel: 12103C0257 Suffix: G F.I.R.M. Date: 9/3/2003 Flood Zone: AE Field Work: 6/24/2016

Certified To:

TIFFANY SECKA; FIRST TITLE SOURCE; FIRST AMERICAN TITLE INSURANCE COMPANY; VANDYK MORTGAGE, its successors and/or assigns.

Property Address:

450 82ND AVENUE

ST PETE BEACH, FL 33706

Survey Number: 261396

Client File Number: FTS16-333

RECEIVED

MAR 1 2021

COMMUNITY DEVELOPMENT

ABBREVIATION DESCRIPTION:

A.E.	ANCHOR EASEMENT	F.F.E.L.	FINISH FLOOR ELEVATION	O.R.B.	OFFICIAL RECORDS BOOK
A/C	AIR CONDITIONER	F.I.P.	FOUND IRON PIPE	(P)	PLAT
B.M.	BENCH MARK	F.I.R.	FOUND IRON ROD	P.B.	PLAT BOOK
B.R.	BEARING REFERENCE	F.P.K.	FOUND PARKER-KALON NAIL	P.C.	POINT OF CURVATURE
(C)	CALCULATED	(L)	LENGTH	P.C.C.	POINT OF COMPOUND CURVE
Δ	CENTRAL / DELTA ANGLE	L.A.E.	LIMITED ACCESS EASEMENT	P.O.B.	POINT OF BEGINNING
CH	CHORD	L.M.E.	LAKE MAINTENANCE EASEMENT	P.O.C.	POINT OF COMMENCEMENT
(D)	DEED / DESCRIPTION	(M)	MEASURED / FIELD VERIFIED	P.R.C.	POINT OF REVERSE CURVE
D.E.	DRAINAGE EASEMENT	M.H.	MANHOLE	P.T.	POINT OF TANGENCY
D.H.	DRILL HOLE	N&D	NAIL & DISK	R/W	RIGHT-OF-WAY
D/W	DRIVEWAY	N.R.	NOT RADIAL	(R)	RADIAL / RADIUS
E.O.W.	EDGE OF WATER	N.T.S.	NOT TO SCALE	S.I.R.	SET IRON ROD
F.C.M.	FOUND CONCRETE MONUMENT	O.H.L.	OVERHEAD UTILITY LINES	T.O.B.	TOP OF BANK
				U.E.	UTILITY EASEMENT

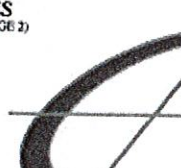
SYMBOL DESCRIPTIONS:

	= CATCH BASIN		= MISC. FENCE
	= CENTERLINE ROAD		= PROPERTY CORNER
	= COVERED AREA		= UTILITY BOX
	= EXISTING ELEVATION		= UTILITY POLE
	= HYDRANT		= WATER METER
	= MANHOLE		= WELL
	= METAL FENCE		= WOOD FENCE

PAGE 1 OF 2 PAGES
(NOT COMPLETE WITHOUT PAGE 2)

GENERAL NOTES:

- 1) LEGAL DESCRIPTION PROVIDED BY OTHERS
- 2) THE LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS OR OTHER RECORDED ENCUMBRANCES NOT SHOWN ON THE PLAT.
- 3) UNDERGROUND PORTIONS OF FOOTINGS, FOUNDATIONS OR OTHER IMPROVEMENTS WERE NOT LOCATED.
- 4) WALL TIES ARE TO THE FACE OF THE WALL AND ARE NOT TO BE USED TO RECONSTRUCT BOUNDARY LINES.
- 5) ONLY VISIBLE ENCROACHMENTS LOCATED.
- 6) DIMENSIONS SHOWN ARE PLAT AND MEASURED UNLESS OTHERWISE SHOWN.
- 7) FENCE OWNERSHIP NOT DETERMINED.
- 8) ELEVATIONS INDICATED HEREON ARE IN FEET AND DECIMALS REFERENCED TO N.G.V.D. 1929
- 9) IN SOME INSTANCES, GRAPHIC REPRESENTATIONS HAVE BEEN EXAGGERATED TO MORE CLEARLY ILLUSTRATE RELATIONSHIPS BETWEEN PHYSICAL IMPROVEMENTS AND/OR LOT LINES. IN ALL CASES, DIMENSIONS SHALL CONTROL THE LOCATION OF THE IMPROVEMENTS OVER SCALED POSITIONS.

 **TARGET**
SURVEYING, LLC

LB #7893

SERVING FLORIDA

6250 N. MILITARY TRAIL, SUITE 102
WEST PALM BEACH, FL 33407
PHONE (561) 640-4800
STATEWIDE PHONE (800) 226-4807
STATEWIDE FACSIMILE (800) 741-0576
WEBSITE: <http://targetsurveying.net>

ELEVATION CERTIFICATE

Important: Read the instructions on pages 1-9.

OMB No. 1660-0008
Expiration Date: July 31, 2015

261396

SECTION A - PROPERTY INFORMATION

A1. Building Owner's Name **TIFFANY SECKA**

FOR INSURANCE COMPANY USE

Policy Number:

A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.
450 82ND AVENUE

Company NAIC Number:

City ST PETE BEACH

State FL

ZIP Code 33706

A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.)

A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.) **RESIDENTIAL**

A5. Latitude/Longitude: Lat. **27°44'49.94"N** Long. **82°45'16.96"W**

Horizontal Datum: ☐ NAD 1983 ☒ NAD 1983

A6. Attach at least 2 photographs of the building if the Certificate is being used to obtain flood insurance.

A7. Building Diagram Number **1A**

A8. For a building with a crawlspace or enclosure(s):

- a) Square footage of crawlspace or enclosure(s) **N/A** sq ft
b) Number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade **0**
c) Total net area of flood openings in A8.b **0** sq in
d) Engineered flood openings? ☐ Yes ☒ No

A9. For a building with an attached garage:

- a) Square footage of attached garage **200** sq ft
b) Number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade **0**
c) Total net area of flood openings in A9.b **0** sq in
d) Engineered flood openings? ☐ Yes ☒ No

SECTION B - FLOOD INSURANCE RATE MAP (FIRM) INFORMATION

B1. NFIP Community Name & Community Number
125149

B2. County Name
PINELLAS

B3. State
Florida

B4. Map/Panel Number
12103C0257

B5. Suffix
G

B6. FIRM Index Date
9/3/2003

B7. FIRM Panel
Effective/Revised Date
9/3/2003

B8. Flood
Zone(s)
AE

B9. Base Flood Elevation(s) (Zone
AO, use base flood depth)
11

B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in Item B9.

☐ FIS Profile ☒ FIRM ☐ Community Determined ☐ Other/Source: _____

B11. Indicate elevation datum used for BFE in Item B9: ☐ NGVD 1929 ☒ NAVD 1988 ☐ Other/Source: _____

B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? ☐ Yes ☒ No
Designation Date: _____ ☐ CBRS ☐ OPA

SECTION C - BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

C1. Building elevations are based on: ☐ Construction Drawings* ☐ Building Under Construction* ☒ Finished Construction
*A new Elevation Certificate will be required when construction of the building is complete.

C2. Elevations - Zones A1-A30, AE, AH, A (with BFE), VE, V1-V30, V (with BFE), AR, AR/A, AR/AE, AR/A1-A30, AR/AH, AR/AO. Complete Items C2.a-h below according to the building diagram specified in Item A7. In Puerto Rico only, enter meters.

Benchmark Utilized: **PIN CITY # 268**

Vertical Datum: **NAVD 1988**

Indicate elevation datum used for the elevations in items a) through h) below. ☐ NGVD 1929 ☒ NAVD 1988 ☐ Other/Source: _____
Datum used for building elevations must be the same as that used for the BFE.

Check the measurement used.

- a) Top of bottom floor (including basement, crawlspace, or enclosure floor) **4.3** ☒ feet ☐ meters
b) Top of the next higher floor **N/A** ☒ feet ☐ meters
c) Bottom of the lowest horizontal structural member (V Zones only) **N/A** ☒ feet ☐ meters
d) Attached garage (top of slab) **3.7** ☒ feet ☐ meters
e) Lowest elevation of machinery or equipment servicing the building (Describe type of equipment and location in Comments) **4.8** ☒ feet ☐ meters
f) Lowest adjacent (finished) grade next to building (LAG) **3.2** ☒ feet ☐ meters
g) Highest adjacent (finished) grade next to building (HAG) **3.4** ☒ feet ☐ meters
h) Lowest adjacent grade at lowest elevation of deck or stairs, including structural support **N/A** ☒ feet ☐ meters

SECTION D - SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information. I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

☒ Check here if comments are provided on back of form.

☐ Check here if attachments.

Were latitude and longitude in Section A provided by a licensed land surveyor? ☒ Yes ☐ No

Certifier's Name **Kenneth J. Osborne**

License Number **6415**

Title **Registered Professional Surveyor**

Company Name **TARGET SURVEYING, LLC**

Address **6250 N Military Trail #102**

City **West Palm Beach**

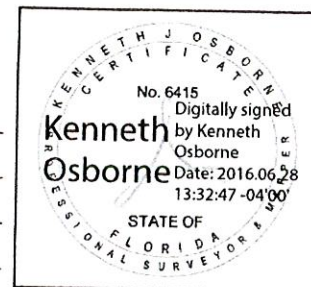
State **FL**

ZIP Code **33407**

Signature **Kenneth J. Osborne**

Date **6/24/2016**

Telephone **(561)640-4800**



ELEVATION CERTIFICATE, page 2**(261396) IMPORTANT: In these spaces, copy the corresponding information from Section A.**Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.
450 82ND AVENUE

City ST PETE BEACH

State FL

ZIP Code 33706

FOR INSURANCE COMPANY USE

Policy Number:

Company NAIC Number:

SECTION D – SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION (CONTINUED)

Copy both sides of this Elevation Certificate for (1) community official, (2) insurance agent/company, and (3) building owner.

Comments GARAGE SQUARE FOOTAGE IS ROUNDED TO THE NEAREST 100 SQUARE FEET. ACCESS UNAVAILABLE. ELEVATIONS IN SECTION C2-E ARE ELEVATIONS OF A/C SLAB.

Signature



Date 6/24/2016

SECTION E – BUILDING ELEVATION INFORMATION (SURVEY NOT REQUIRED) FOR ZONE AO AND ZONE A (WITHOUT BFE)

For Zones AO and A (without BFE), complete Items E1–E5. If the Certificate is intended to support a LOMA or LOMR-F request, complete Sections A, B, and C. For Items E1–E4, use natural grade, if available. Check the measurement used. In Puerto Rico only, enter meters.

- E1. Provide elevation information for the following and check the appropriate boxes to show whether the elevation is above or below the highest adjacent grade (HAG) and the lowest adjacent grade (LAG).
- a) Top of bottom floor (including basement, crawlspace, or enclosure) is ____ ☐ feet ☐ meters ☐ above or ☐ below the HAG.
- b) Top of bottom floor (including basement, crawlspace, or enclosure) is ____ ☐ feet ☐ meters ☐ above or ☐ below the LAG.
- E2. For Building Diagrams 6–9 with permanent flood openings provided in Section A Items 8 and/or 9 (see pages 8–9 of Instructions), the next higher floor (elevation C2.b in the diagrams) of the building is ____ ☐ feet ☐ meters ☐ above or ☐ below the HAG.
- E3. Attached garage (top of slab) is ____ ☐ feet ☐ meters ☐ above or ☐ below the HAG.
- E4. Top of platform of machinery and/or equipment servicing the building is ____ ☐ feet ☐ meters ☐ above or ☐ below the HAG.
- E5. Zone AO only: If no flood depth number is available, is the top of the bottom floor elevated in accordance with the community's floodplain management ordinance? ☐ Yes ☐ No ☐ Unknown. The local official must certify this information in Section G.

SECTION F – PROPERTY OWNER (OR OWNER'S REPRESENTATIVE) CERTIFICATION

The property owner or owner's authorized representative who completes Sections A, B, and E for Zone A (without a FEMA-issued or community-issued BFE) or Zone AO must sign here. The statements in Sections A, B, and E are correct to the best of my knowledge.

Property Owner's or Owner's Authorized Representative's Name

Address

City

State

ZIP Code

Signature

Date

Telephone

Comments

☐ Check here if attachments.**SECTION G – COMMUNITY INFORMATION (OPTIONAL)**

The local official who is authorized by law or ordinance to administer the community's floodplain management ordinance can complete Sections A, B, C (or E), and G of this Elevation Certificate. Complete the applicable item(s) and sign below. Check the measurement used in Items G8–G10. In Puerto Rico only, enter meters.

- G1. ☐ The information in Section C was taken from other documentation that has been signed and sealed by a licensed surveyor, engineer, or architect who is authorized by law to certify elevation information. (Indicate the source and date of the elevation data in the Comments area below.)
- G2. ☐ A community official completed Section E for a building located in Zone A (without a FEMA-issued or community-issued BFE) or Zone AO.
- G3. ☐ The following information (Items G4–G10) is provided for community floodplain management purposes.

G4. Permit Number

G5. Date Permit Issued

G6. Date Certificate Of Compliance/Occupancy Issued

G7. This permit has been issued for: ☐ New Construction ☐ Substantial ImprovementG8. Elevation of as-built lowest floor (including basement) of the building: ____ ☐ feet ☐ meters Datum ____G9. BFE or (in Zone AO) depth of flooding at the building site: ____ ☐ feet ☐ meters Datum ____G10. Community's design flood elevation: ____ ☐ feet ☐ meters Datum ____

Local Official's Name

Title

Community Name

Telephone

Signature

Date

Comments

☐ Check here if attachments.**RECEIVED**

MAR 1 2021

COMMUNITY DEVELOPMENT

Building Photographs

See Instructions for Item A6.

(261396) **IMPORTANT:** In these spaces, copy the corresponding information from Section A.Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.
450 82ND AVENUE

City ST PETE BEACH

State FL

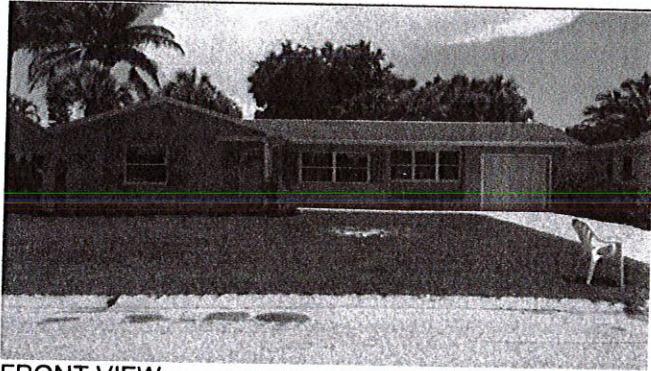
ZIP Code 33706

FOR INSURANCE COMPANY USE

Policy Number:

Company NAIC Number:

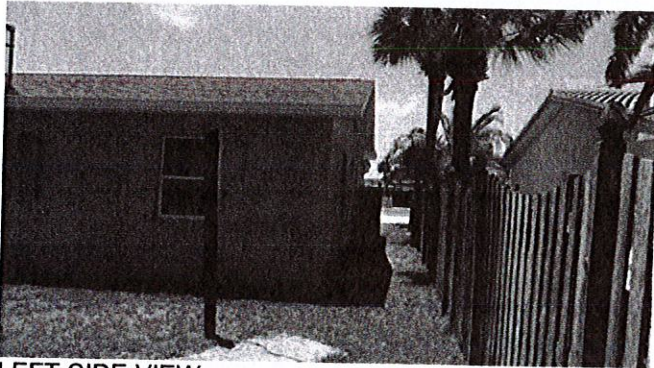
If using the Elevation Certificate to obtain NFIP flood insurance, affix at least 2 building photographs below according to the instructions for Item A6. Identify all photographs with date taken; "Front View" and "Rear View"; and, if required, "Right Side View" and "Left Side View." When applicable, photographs must show the foundation with representative examples of the flood openings or vents, as indicated in Section A8. If submitting more photographs than will fit on this page, use the Continuation Page.



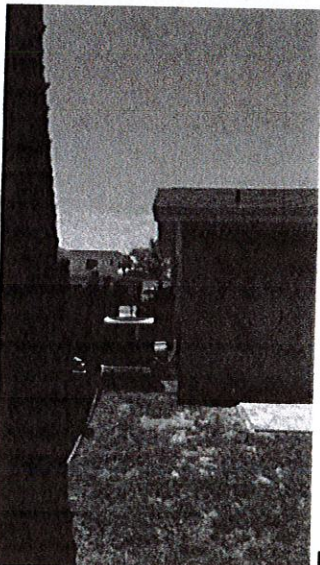
FRONT VIEW



REAR VIEW



LEFT SIDE VIEW



RIGHT SIDE AND A/C VIEW



Building Photographs

Continuation Page

(261396) **IMPORTANT: In these spaces, copy the corresponding information from Section A.**Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.
450 82ND AVENUE

City ST PETE BEACH

State FL

ZIP Code 33706

FOR INSURANCE COMPANY USE

Policy Number:

Company NAIC Number:

If submitting more photographs than will fit on the preceding page, affix the additional photographs below. Identify all photographs with: date taken; "Front View" and "Rear View"; and, if required, "Right Side View" and "Left Side View." When applicable, photographs must show the foundation with representative examples of the flood openings or vents, as indicated in Section A8.





155 Corey Avenue St. Pete Beach, FL 33706 www.stpetebeach.org

City of St. Pete Beach - Community Development Department
155 Corey Avenue St. Pete Beach, FL • 727-367-2735 • www.stpetebeach.org

NOTICE OF PUBLIC HEARING

05/12/2021

To Owners of Properties within 300 feet:

The purpose of this letter is to notify you of the scheduled hearing before the City of St. Pete Beach Board of Adjustment for the property located at 450 82ND AVE. The purpose of this hearing is to decide if the request satisfied the conditions for issuance. See enclosed Site Plan.

DATE: 05/26/2021

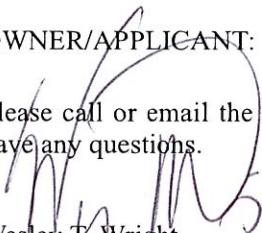
TIME: 2:00 PM

PLACE: City Hall - City Commission Chambers
155 Corey Ave
St. Pete Beach, FL 33706

REQUEST: VARIANCE (PRACTICAL) : (Case #21021) Request to encroach 1.2 feet into the required 6.7-foot side-yard setback for a single-family addition that will align with the existing home. (LDC Sec. 9.7 (a)(3)))

OWNER/APPLICANT: Tiffany Secka

Please call or email the Community Development Department office at 727-363-9265 or wwright@stpetebeach.org if you have any questions.


Wesley T. Wright
Community Development Director

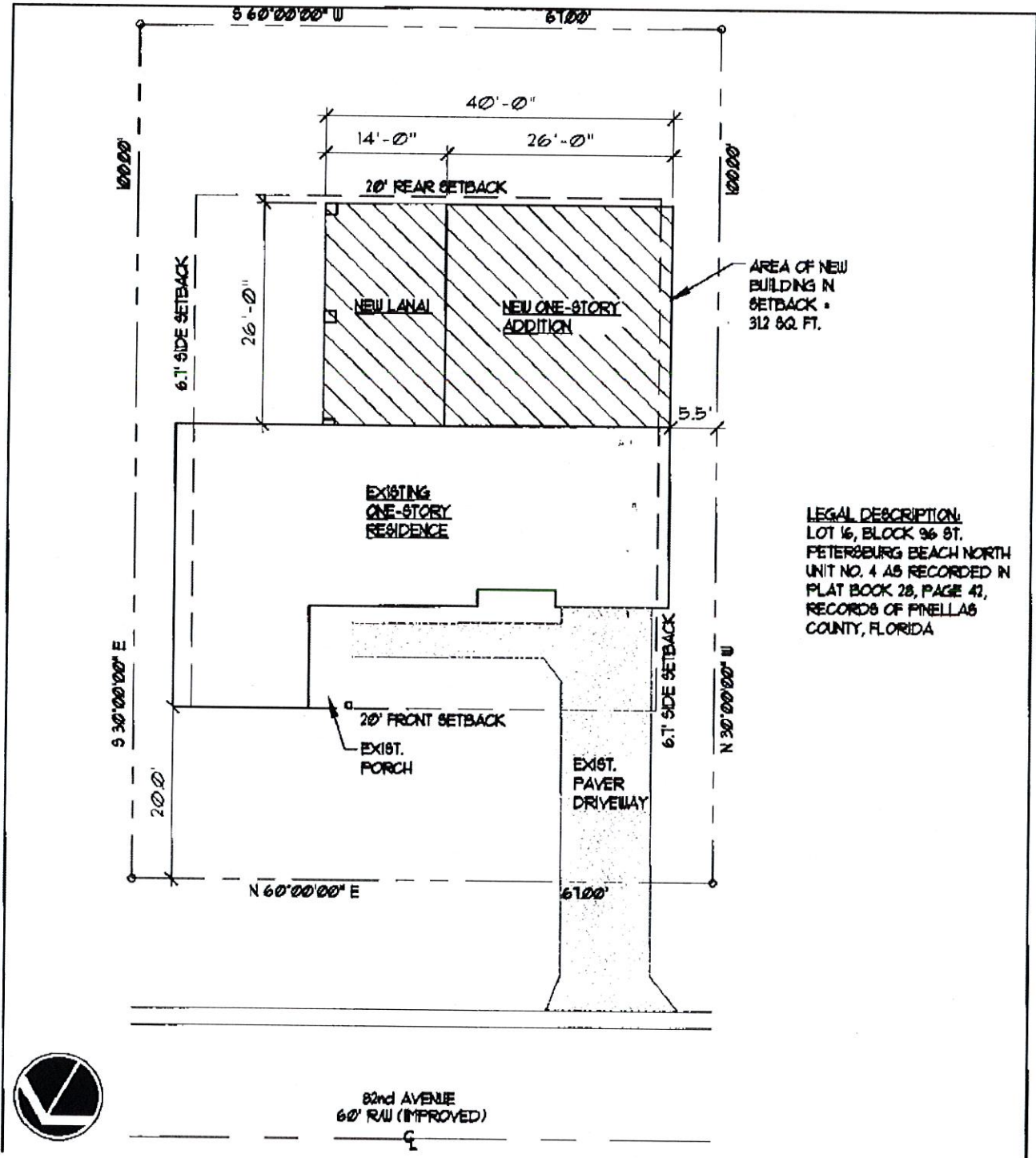
c: DISTRICT 1 - CHRIS GRAUS

The application is on file with the Community Development Department, which is located on the first floor in City Hall, 155 Corey Avenue, St. Pete Beach. You may examine the application materials prior to the scheduled hearing date. Prior to the hearing, you may file any written comments, objection, or support. All timely filed written communications will be presented to the Board for consideration. You also may appear at the public hearing and be heard the respect to the above referenced request(s). This public hearing is subject to special rules and procedures relative to evidence and appeals. Discussions with any board member prior to the hearing will be disclosed at the public hearing. The City does not provide verbatim transcripts.

APPEAL: Florida Statutes 289.0105 Notices of meetings and hearings must advise that a record is required to appeal. Each board, commission, or agency of this state or of any political subdivision thereof shall include in the notice conspicuously on such notice, the advice that, if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such a purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

AMERICANS WITH DISABILITIES ACT: Florida Statutes 286.26 Accessibility of public meetings to the physically handicapped. In accordance with the Americans with Disabilities Act and Florida Statutes, persons needing special accommodations to participate in a meeting should contact City hall at (727) 367-2735 no later than forty-eight (48) hours prior to the meeting for assistance.

SITE PLAN PROPOSAL



**BOARD OF ADJUSTMENT MEETING
CITY OF ST. PETE BEACH**

Agenda Report

Issue Considered: Variance – 504 Pass-A-Grille Way (Case #21023)

Date: May 26, 2021

Prepared By: Lynn Rosetti, Senior Planner

Through: Wesley Wright, Community Development Director

Summary of Issue: The applicant is requesting to add an entry to the north side of the house where an existing chimney that has been damaged is located. The entry door will be flanked by new windows that complement the existing structure. The requested variance is to allow for entry steps to the landing and door.

Funding: N/A

Requested Motion: Motion to APPROVE case #21023 for a Practical Difficulty Variance as presented by the staff.

Attachments:

1. Staff Report 504 Pass-a-Grille Way
2. 21023 Supporting Docs



**DEPARTMENT OF COMMUNITY DEVELOPMENT
PLANNING & ZONING
STAFF FINDINGS REPORT
TO THE
BOARD OF ADJUSTMENT**

VARIANCE CASE NO. 21023 – Barbara Remington

MEETING DATE: May 26, 2021

PREPARED BY: Lynn Rosetti, AICP, CFM, Senior Planner

REQUEST	A Practical Difficulty Variance to allow a 4.9-foot encroachment of new entry steps into the 5-foot secondary street (6 th Ave) setback. (LDC Section 20.15)
SUBJECT PROPERTY	504 Pass-a-Grille Way Duffey's, J.J., Lot 3 and North ½ of Lot 2 Parcel I.D. #19-32-16-22842-000-0030
ACERAGE	Approximately 0.103 acres (4,500 sq. ft.)
LAND USE	RLM-2 / PAG Residential District in the Pass-a-Grille Overlay District on the Zoning Map; RLM Residential Low Medium on the Future Land Use Map
FLOOD ZONE	Zone AE (EL 10 feet)
SURROUNDING AREA	North – 6 th Avenue / Single-family residence circa 2011 (three stories) South – Single-family residence circa 1909 (one story) East – Pass-a-Grille Way and Boca Ciega Bay West – Single-family residential circa 1910 (two stories)

BACKGROUND

The subject frame vernacular residential structure was constructed circa 1910 and is typical in scale and massing to other properties within the original boundary area of the Pass-a-Grille National Register Historic District. On September 14, 1989, the Pass-a-Grille Historic District was nominated to the National Register of Historic Places and included 504 Pass-a-Grille Way. The original Pass-a-Grille Historic District is comprised of mainly wood frame vernacular residences and one commercial street (8th Avenue) located in portions of an area 10 blocks long and one block wide and located at the southern end of historic Long Key (Long Key is the island that is known today as St. Pete Beach). The original district is made up of one and two-story houses, that generally reflect the construction techniques and building types that are characteristic of the period between 1890 to 1920. The subject property was Locally Landmarked in 2016 and is a contributing property to the Pass-a-Grille National Register Historic District. On May 6, 2021, the Historic Preservation Board reviewed a renovation

plan of this property through the Certificate of Appropriateness process and included a FEMA variance. The total cost of these improvements, including the new north side entry and related steps, is \$1,000,000. According to the Pinellas County Property Appraiser the value allocated to the structure would allow improvements not to exceed \$47,772 based on the FEMA 50% rule.

The major work proposed and approved by the HPB included the following:

- Remove vinyl siding, resheath, new horizontal siding;
- Remove deteriorating chimney.
- Reopen first and second story porches that were original to the structure.
- Add code compliant staircase to southwest corner of structure and a new entry to the north façade on the first story;
- Add first floor master suite, distinct from original structure;
- Retain box bays;
- Replace windows with vinyl impact windows; and
- Rehabilitate the historic rusticated block wall; and
- Add lanai, pool, and pool deck.

A copy of the site plan and north side elevation are included with this staff report.

ANALYSIS

The applicant is requesting to add an entry to the north side of the house where an existing chimney that has been damaged is located. The top half of the chimney is rumored to have been blown down during a storm. In any case, a historic photograph of the house shows a taller chimney decades ago. The COA application indicated that the owner preferred adding a north side entry rather than renovating the chimney. The entry door will be flanked by new windows that complement the existing structure. The requested variance is to allow for entry steps to the landing and door. Review of the site plan included in this report shows that the existing house is located 1.60 feet from the 6th Avenue property line. At the property line, the site plan shows 8.83 feet from the bottom of the subject stair to the public sidewalk.

This general area is typical of the Pass-a-Grille National Register Historic District wherein many of the existing older properties do not conform to current zoning setback standards. Review of the existing area reveals that numerous properties encroach into required building setbacks. The reason for such encroachments is because these properties are located within the oldest neighborhood in the City. Many existing properties were developed prior to existing zoning regulations and do not meet these standards, including the subject property. The request is in keeping with the existing development's setback characteristics.

	Structure	Required Setback	Proposed Setback	Percentage Encroachment
Secondary Street Yard	4.9-foot encroachment for new entry stairs into the secondary (6 th Ave) street yard setback area.	5.0 feet	0.1 feet	99%

Land Development Code Section 3.12, Variances:

- The appropriate board of authority may authorize practical difficulty variances to the land development regulations if the applicant is able to demonstrate the following conditions:

a) How substantial the variance is in relation to the requirement sought to be varied;

The applicant is requesting a variance to allow the encroachment of entry stairs to encroach 4.9 feet into the required 5-foot setback. This represents a 99% encroachment into the required setback. However, as noted in the previous section, review of the site plan shows that portions of the existing house are located 1.60 feet from the 6th Avenue property line. At the property line, the site plan shows 8.83 feet from the bottom of the subject stair to the public sidewalk. As such, the requested variance is minimal and in keeping with the character of the existing structure.

b) Whether an adverse change will be produced in the character of the neighborhood;

Pass-a-Grille is the City's oldest neighborhood which had its beginnings more than 120 years ago. Within the context of the neighborhood, development on properties is not uniform and these properties exhibit a multitude of setbacks. The surrounding properties are densely developed (see aerial). No adverse change to the character of the neighborhood is anticipated should the Board grant this request for variance to allow the 4.9 foot encroachment by the proposed entry stairs on the 6th Avenue side.

c) Whether the difficulty can be obviated by some method feasible for the applicant to pursue other than by a variance; and

The applicant could adhere to the required setbacks by not adding an entry door in this location. Something would still need to be done with the chimney as during a site meeting with the applicant, the indication was that the remains of the chimney were not in the best condition. Something else appropriate would need be allowed for this space that was appropriate to the house. The Historic Preservation Board found the proposed entry to be an appropriate addition to the existing structure and in keeping with the *Secretary of the Interior Standards for Rehabilitation* of historic properties. In addition, the abutting box bays are located just 1.6 and 1.5 feet respectively from the property line. Essentially, the two front entry stairs would extend out an additional 1.49 feet from the house.

The Historic Preservation Board reviewed this request though the Certificate of Appropriateness process and determined that this modification was in keeping with the federal standards. *However*, because this portion of the renovation encroaches into the secondary street setback area, a variance from the Board of Adjustment is an additional step to its approval.

d) Whether, in view of the manner in which the difficulty arose, the interest of justice will be served by allowing the variance.

Staff find that the request is reasonable and that the interest of justice will be served by allowing the variance. The existing residential structure is located as close as 1,50 feet from the north property line and the requested variance for entry stairs is an additional 1.49 feet closer to the property. The public sidewalk is an additional 8.85 feet away from the proposed stairs.

Any variance granted hereunder shall expire one (1) year from the date of the development order providing for such variance, unless a building permit for the construction authorized by such variance is obtained within such time and said building permit has not expired prior to the completion of construction in accordance therewith.

SUMMARY:

Staff find that the request is reasonable and should have minimal if any impact on the surrounding neighborhood. Staff also find that the request for the issuance of a practical difficulty variance meets the criteria laid out in the Land Development Code.

RECOMMENDATION:

Staff recommend APPROVAL.

AERIAL MAP



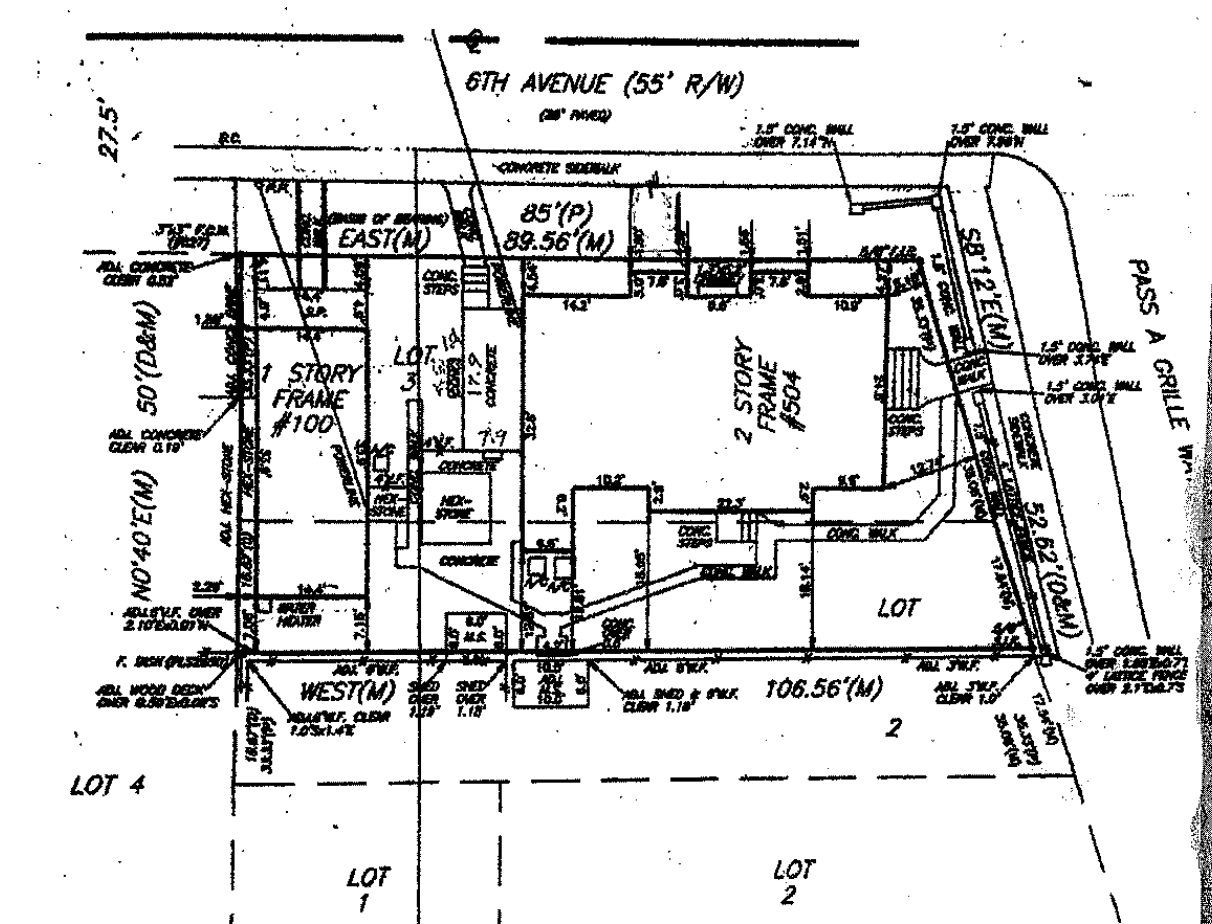
Subject
Property

ZONING MAP

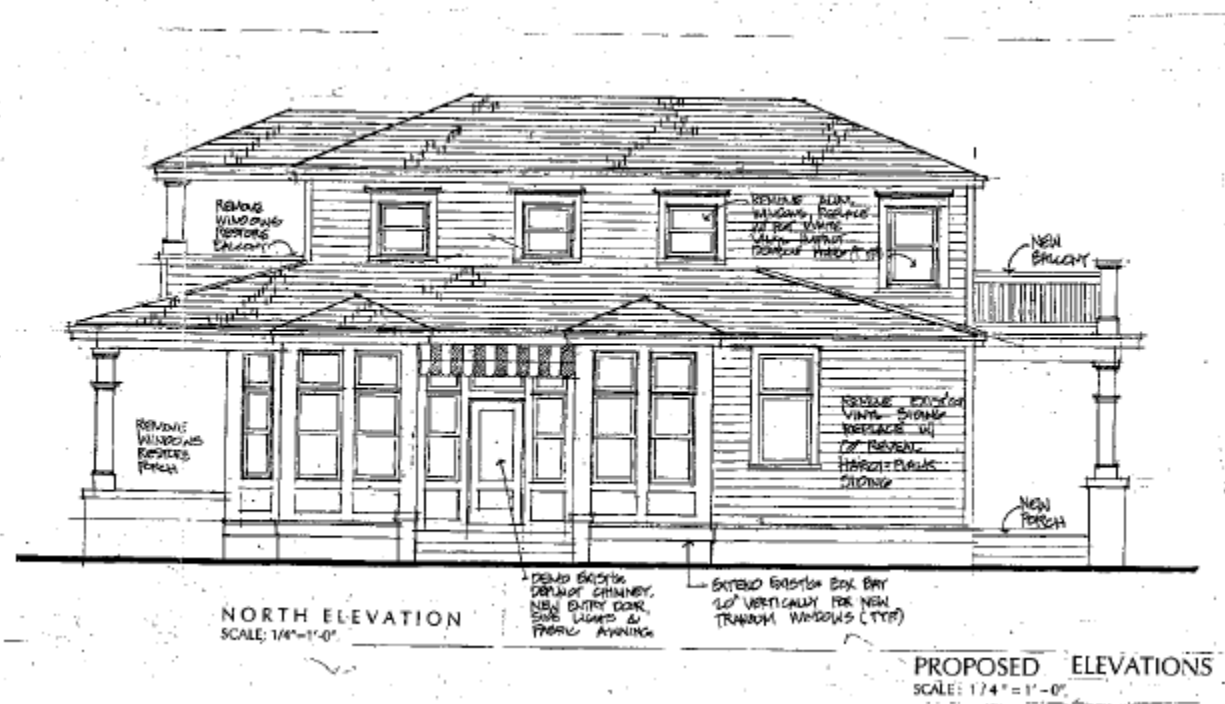
ZONING
RLM-2 / PAG



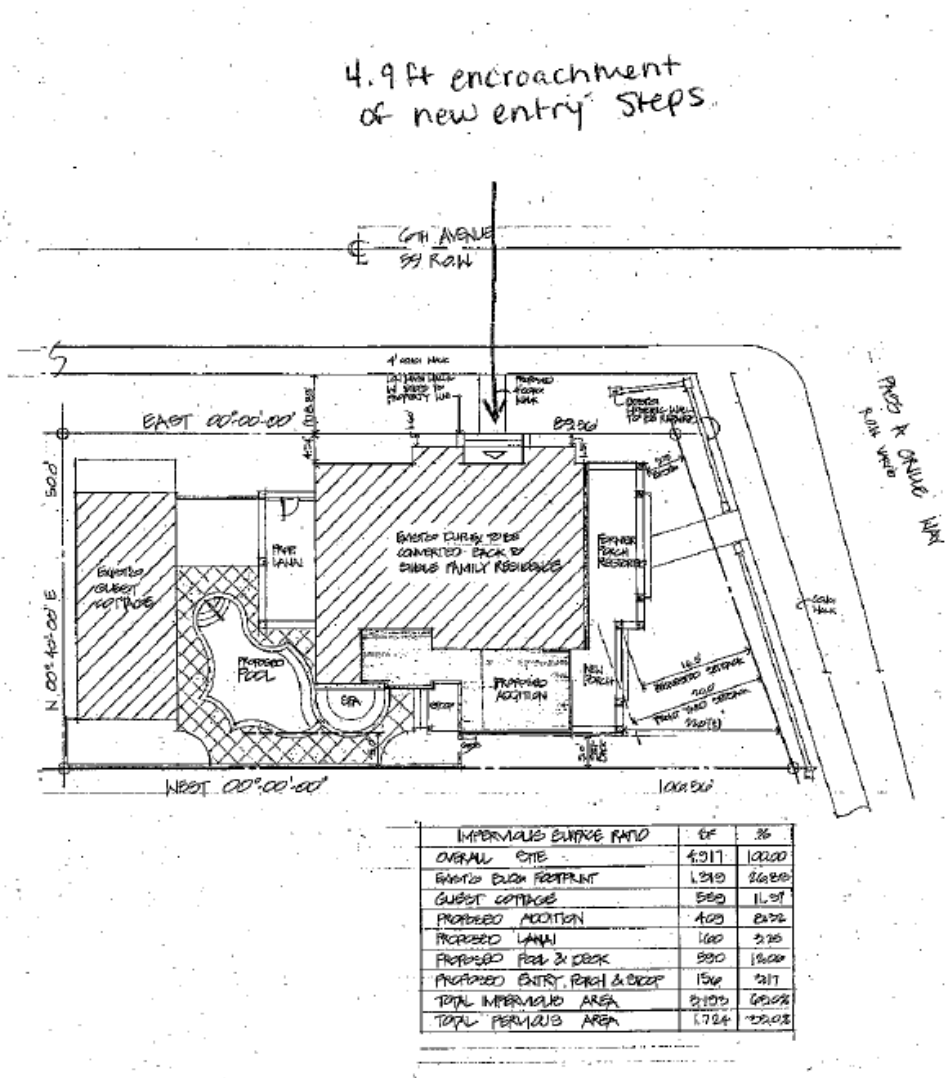
SURVEY



ELEVATION



SITE PLAN



CASE #: 21023

SUBMITTAL DATE: 3/22/21 AMOUNT DUE: \$552.50 PAYMENT DATE: 3/11/21

PRACTICAL DIFFICULTY VARIANCE APPLICATION

The following Items are to be submitted, along with this application, at least 30 days prior to the public hearing:

- Two (2) copies of the property survey, completed in the last ten years, which contains the legal description, land area, and existing improvements on the site that has been signed and sealed by a surveyor licensed in the State of Florida;
- Seven (7) copies of a site plan showing the request, drawn to scale, of size between 11x17" and 36x48";
- Emailed copy of the survey and site plan to bberry@stpetebeach.org.
- The Application Fee, payable to the City of St. Pete Beach (non-refundable)



OWNER/AGENT INFORMATION:

Identification	Name	Address	Phone #
Owner	ALLEN JOHNSON BARBARA REMINGTON	504 PASSA GRILLE WAY, ST. PETE BEACH, FL. " " " 33706	770 403 1021
Applicant/ Agent	FLORENCIA DESIGN BUILD	20 S ORION Clearwater, FL 33765	MATT S. 277-0545 MARK H. 603-496-3878
Owner Email Address: bjc959@gmail.com djohnsonwcgulf@hotmail.com		Applicant/Agent Email Address: schoeppe.matthew@gmail.com mfh.solutions@gmail.com	

PROPERTY FOR PROPOSED VARIANCE:

Zoning Designation	Future Land Use Designation	Lot Area 4,917 SF
Legal Description: A BOUNDARY SURVEY OF LOT 3 AND THE NORTH ONEHALF OF LOT 2, DUFFEY'S SUB-DIVISION, AS RECORDED IN PLAT BOOK 3, PAGE 43, OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, OF WHICH PINELLAS COUNTY WAS FORMERLY A PART.		
Parcel ID:		
Address:	504 PASS-A-GRIFF WAY, ST. PETE BEACH, FL. 33706	
Explanation of Request: RELOCATION OF MAIN ENTRY TO NORTH SIDE OF RESIDENCE, NEW ENTRY STEPS LOCATED WITHIN 5'-0" SIDE YARD SETBACK. NEW MASTER SUITE ADDITION LIVING AREA WILL COMPLY TO SETBACK REQUIREMENTS. NEW PORCH EXTENSION (ADDITION) WILL REQUIRE A 3.5' REDUCTION IN THE FRONTYARD 20' SETBACK.		

Findings Necessary for Granting Request: In order for an application for a practical difficulty variance to be approved or approved with conditions, the Board of Adjustment must make a positive finding with regard to each of the provisions below, which are also located in Division 3 of the Land Development Code. The applicant has the burden of proof demonstrating that the application for the variance complies with each of these requirements. Please explain in detail how your case meets these requirements (attach additional sheets if necessary):

1. How substantial the variance is in relation to the requirement sought to be varied;

THE PROPOSED VARIANCE IS MINOR AS THE HOMEOWNER SEEKS TO REHABILITATE THE EXISTING STRUCTURE AND HAS INHERITED A NON-COMPLIANT STRUCTURE.



2. Whether an adverse change will be produced in the character of the neighborhood;

THE PROPOSED VARIANCE WOULD ENHANCE THE CHARACTER OF THE NEIGHBORHOOD BY RESTORING AN EXISTING PORCH (NOW ENCLOSED A/C SPG.) AND ADDING A PORCH (STEPPED BACK FROM ORIGINAL BUT CONNECTED) FABRIC AWNINGS WILL BE USED TO DEMARKATE THE NEW ENTRY,

3. Whether the difficulty can be obviated by some method feasible for the applicant to pursue other than by a variance; and

THE GOAL OF THE HOMEOWNER IS TO INCREASE LIVABILITY AND TAKE ADVANTAGE OF EAST WATER VIEWS, TO RELOCATE PROPOSED FEATURES WOULD NOT BE PRACTICAL.

4. Whether, in view of the manner in which the difficulty arose, the interest of justice will be served by allowing the variance.

THE REQUEST IS JUST AS IT PRESERVES THE HISTORIC PRESENCE OF THE NON-COMPLIANT RESIDENCE.

Signature of Applicant

Date

Signature of Authorized Agent

Date

2/24/21

For office use only:

Hearing Date: _____ Fees: _____

Board Action: ☐ Approved as requested ☐ Approved with conditions ☐ Denied ☐ Continued



VARIANCE APPLICATION

Applicants must acknowledge understanding of the following. Initial each of the statements below. If you do not understand any of these, staff will explain them to you.

MAH I understand that the City will not accept or process an incomplete application.

MAH I understand that a non-conforming use or structure in a particular zoning district does not, in any way, provide justification for the granting of a variance. Furthermore, the existence of a permitted use or structure in adjacent districts does not constitute grounds for a variance.

MAH On all variances except for administrative (de-minimis) variances, a majority vote is required. Action on this application by the BOA/City Commission may be continued to a later meeting.

MAH I understand that if a variance is approved by the BOA, City Commission or City Manager, the applicant is required to obtain the appropriate building permits within 1 year from the date of the decision. If no permit is obtained within 1 year, the approval becomes voided.

MAH I understand that if any application filed under the provisions of this Code is denied, no subsequent application seeking substantially the same or similar approval shall be filed within six months of the final decision on the original application.

MAH I understand that any person aggrieved by the final decision of the Board of Adjustment or City Commission has the right to file a petition in the Pinellas County Circuit Court within 30 calendar days after the decision. Appeals of decisions made by the City Manager for administrative variances are to a hearing officer designated by the City Commission and must be made within 30 days from the date of the final administrative decision. Permits for construction may be granted prior to the expiration of this 30-day period, but an appeal will be grounds for revocation of the permit.

MAH I understand that I, as the applicant, or my authorized representative must be present at all scheduled public meetings on the application if applicable.

After acknowledgement of these conditions, complete the application form on the following pages.

MAH
Signature of Applicant

2/24/21
Date



Owner's Authorization for Agent
Community Development Department
City of St. Pete Beach, Florida

I/WE

Barbara J Remington
(print name of property owner)

hereby authorize

Mark Holden, Matt Schoeppe
(print name of agent)

to represent me/us in an application for

Variance
(type of application: variance, conditional use, zoning, etc.)

Barbara J Remington
Signature of Owner

Signature of Owner

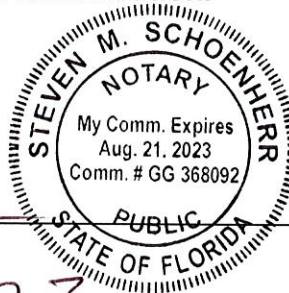
Barbara J Remington
Print Name of Owner

Print Name of Owner

The forgoing instrument was acknowledged before me this 25 day of
February 2021 by Barbara Remington or who is
personally known _____ produced

FL DL as identification.

[Signature]
(Notary Signature)



2-25-2021
(Date)

My Commission Expires 8-21-2023



PUBLIC HEARING SIGN POSTING AFFIDAVIT

Applicant, Barbara Remington, agrees to post the sign(s) in a conspicuous place, at the principal access to the property, in full view of the public, and not more than five (5) feet from the nearest street right of way or easement a minimum of seven (7) days in advance of the Public Hearing for unnecessary or undue hardship variances and practical difficulty variances, or seven (7) days in advance of the final administrative decision for administrative (de-minimis) variances, and remain in place until the requested action has been heard and decided. Multiple sign postings shall not be more than three hundred (300) feet apart. If the subject parcel(s) abut more than one (1) street, notices shall be posted along each street. When the subject parcel(s) does not front a public road, the sign shall be posted at the point on a public road by which the property is, or can be, reached.

The sign shall be maintained in good readable condition by the applicant. If the said sign is destroyed, lost, or becomes unreadable, the applicant or applicant's representative shall obtain a replacement sign. Any sign posted in accordance with these requirements shall be removed from the property and disposed of by the applicant or applicant's agent not later than 24 hours following the final decision.

Applicant/Agent (must fill out agent authorization form):

Name(print): Barbara Remington

Address: 504 Pass a Grille Way
St Pete Beach, FL 33706

Barbara Remington 2-25-21
Signature Date

STATE OF FLORIDA)
) SS:
PINELLAS COUNTY)

The foregoing instrument was acknowledged before me this 25 day of February, 2021 by:
FL DL who appeared before me, and is personally known to me, or has produced
as identification, and did take an oath.

My commission Expires:

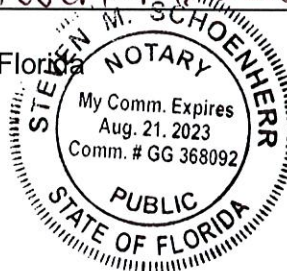
8-21-2023

NOTARY: Steven M. Schoenher

Print Name: Steven M. Schoenher Notary

Public, State of Florida

(Notarial Seal)



DEAR APPLICANT:

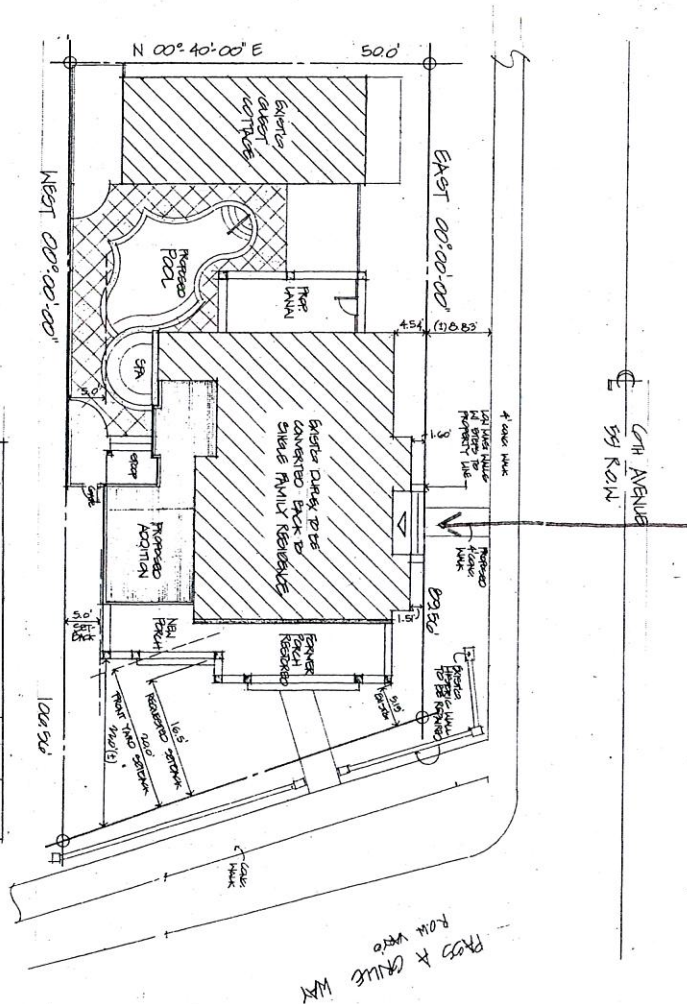
PLEASE COMPLETE THE ATTACHED AFFIDAVIT WHEN FINAL DATES HAVE BEEN DETERMINED FOR YOUR APPLICATION. PRESENT THE COMPLETED NOTARIZED AFFIDAVIT TO COMMUNITY DEVELOPMENT AND YOU WILL BE GIVEN THE SIGN(S) TO POST ON THE SUBJECT PROPERTY.

It is your responsibility to post the sign(s) in a conspicuous place, at the principal access to the property, in full view of the public, and not more than five (5) feet from the nearest street right of way or easement a minimum of seven (7) days in advance of the public hearing for unnecessary and undue hardship variances or final administrative decision for administrative variances. The sign(s) must remain in place until the requested action has been heard and decided by the City Commission, Planning Board, Board of Adjustment, Historic Preservation Board, City Manager, or withdrawn. Multiple sign postings cannot be more than three hundred (300) feet apart. If the subject parcel(s) abut more than one (1) street, notices shall be posted along each street. When the subject parcel(s) does not front a public road, the sign shall be posted at the point on a public road by which the property is, or can be, reached.

You must maintain the sign(s) in good readable condition. If the said sign is destroyed, lost, or becomes unreadable, you or your representative shall obtain a replacement sign. Any sign posted in accordance with these requirements shall be removed from the property and disposed of by the applicant or applicant's representative not later than 24 hours following the final decision by the City Commission, Planning Board, Board of Adjustment, Historic Preservation Board, or City Manager.

A Notary Public is available in City Hall; 155 Corey Avenue.

4.9 ft encroachment
of new entry steps



INTERVALS SURVEY RATIO		OF	%
OVERALL SITE	4:31.7	100.00	
EVENTS BAY REFRIG	1:31.9	26.89	
GUEST COTTAGE	55.9	11.31	
PROPOSED ADDITION	4.03	8.32	
PROPOSED LAVAL	1.60	3.25	
PROPOSED FEEL & DECK	59.0	12.40	
PROPOSED ENTRY PORCH & TERRACE	15.2	3.17	
TOTAL INTERVALS AREA	3:10.5	64.0%	
TOTAL PERIMETER AREA	1:72.4	23.0%	

SITE PLAN
SCALE: 1/8"=1'-0"



COA-1

DRAWING NO.

PROJECT NO.

DATE

REVISIONS

NO NOT SCALE PRINTS

PROPOSED FEMA VARIANCE:

ADDITION & RENOVATION

FOR THE:

JOHNSON RESIDENCE

504 PASSA GRILLE WAY

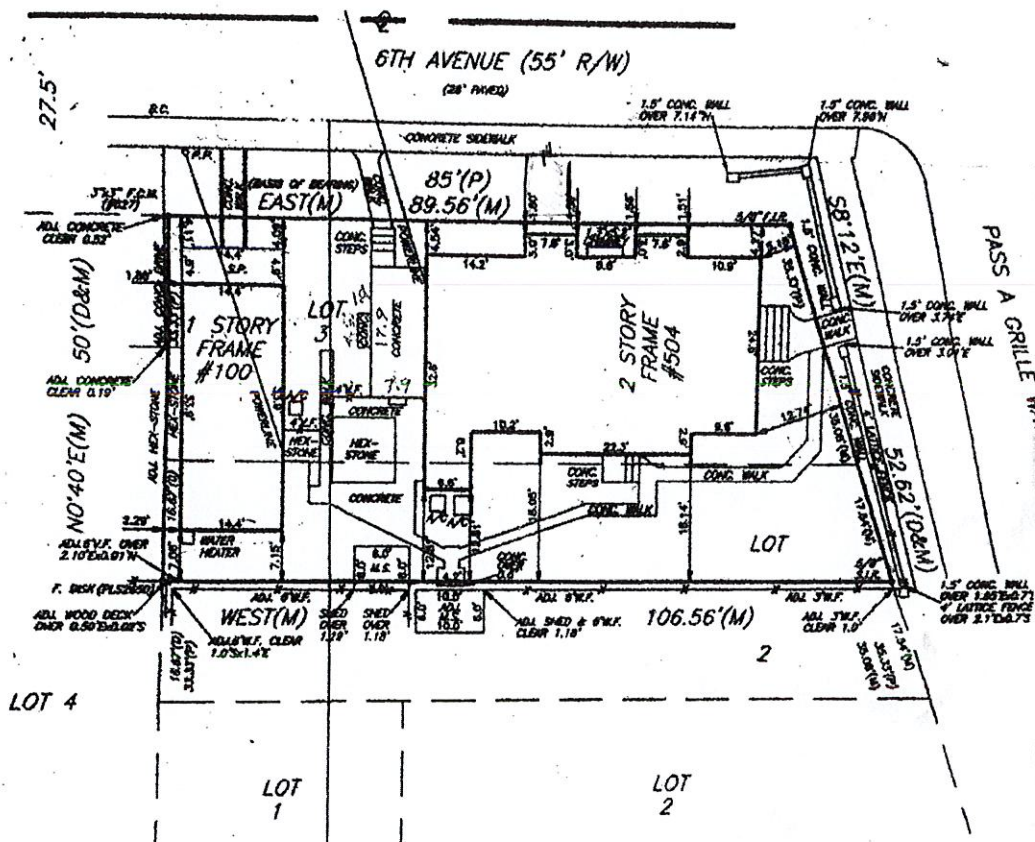
ST. PETE BEACH, FL 33706

28 SOUTH
ORION AVE.
CLEARWATER
FLORIDA
33745



RECEIVED
MAR 22 2021
COMMUNITY DEVELOPMENT

ASSUMED NORTH



A BOUNDARY SURVEY OF LOT 3 AND THE NORTH ONEHALF OF LOT 2, DUFFEY'S SUB-DIVISION, AS RECORDED IN PLAT BOOK 3, PAGE 43, OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, OF WHICH PINELLAS COUNTY WAS FORMERLY A PART.

JOB NUMBER: MMXIV453 TELEPHONE: (727) 360-0636 DATE OF FIELD SURVEY: 12/30/14 SCALE: 1 INCH = 20 FEET DRAWN BY: DCH	DAVID C. HARNER PROFESSIONAL LAND SURVEYOR 9925 GULF BOULEVARD TREASURE ISLAND, FL. 33706 SECTION 18 TOWNSHIP 32 SOUTH RANGE 16 EAST	FLOOD ZONE: "AE" FLOOD MAP DATE: 8/18/09 COMMUNITY NUMBER: 125149 PANEL NUMBER: 0286 G CHECKED BY: DCH
CERTIFIED TO: HARRY P. AND MOON D. METZ		
I HEREBY CERTIFY TO THE HEREON NAMED PARTY OR PARTIES, AND ONLY TO THOSE NAMED HEREON, THAT THE BOUNDARY SURVEY REPRESENTED HEREON MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 32-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO FLORIDA STATUTE 472.027. NOTES: UNDERGROUND FOUNDATIONS AND/OR IMPROVEMENTS, IF ANY, ARE NOT SHOWN. OTHER EASEMENTS AFFECTING THIS PROPERTY MAY EXIST IN THE PUBLIC RECORDS OF THIS COUNTY. THIS SURVEY IS NOT COVERED BY PROFESSIONAL LIABILITY INSURANCE. ONLY THOSE EASEMENTS KNOWN TO ME OR SUPPLIED TO ME BY THE HEREON NAMED PARTY OR PARTIES ARE DEPICTED HEREON. LEGEND: N.A.V.D.=NORTH AMERICAN VERTICAL DATUM OF 1988 B.F.E.=BASE FLOOD ELEVATION A=ARC LENGTH ADJ=ADJACENT B.C.=BACK OF CURB C=CHORD LENGTH C.L.F.=CHAINLINK FENCE R/W=RIGHT-OF-WAY CONC=CONCRETE M.H.=MANHOLE G/C=COVERED CONC CL=CENTERLINE C.B.=CHORD BEARING U.F.=UTILITY FENCE E.L.=ELEVATION FF=FINISHED FLOOR F.L.P.=FOUND IRON PIPE S.I.P.=SET IRON PIPE WITH CAP F.R.S.D.=OPEN FLOOR F.I.R.=FOUND IRON ROD F.C.M.=FOUND CONCRETE MONUMENT M=MEASURED M.S.=METAL SHED P.O.L.=POINT ON LINE D=DEED R=RADIUS W/W=WING WALL W.F.=WOOD FENCE DR=DRAINAGE U.E.=UTILITY EASE=EASEMENT P/S=PAVEDSTONE B.M.=BENCHMARK P.I.=POINT OF INTERSECTION P.R.M.=PERMANENT REFERENCE MONUMENT P=PLAT E.P.=EDGE OF PAVEMENT NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER		



155 Corey Avenue St. Pete Beach, FL 33706 www.stpetebeach.org

City of St. Pete Beach - Community Development Department
155 Corey Avenue St. Pete Beach, FL • 727-367-2735 • www.stpetebeach.org

NOTICE OF PUBLIC HEARING

05/12/2021

To Owners of Properties within 300 feet:

The purpose of this letter is to notify you of the scheduled hearing before the City of St. Pete Beach Board of Adjustment for the property located at 504 PASS A GRILLE WAY. The purpose of this hearing is to decide if the request satisfied the conditions for issuance. See enclosed Site Plan.

DATE: 05/26/2021

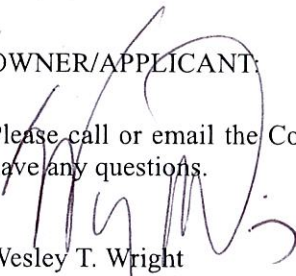
TIME: 2:00 PM

PLACE: City Hall - City Commission Chambers
155 Corey Ave
St. Pete Beach, FL 33706

REQUEST: VARIANCE (PRACTICAL) : (Case #21023) Request to allow a 4.9-foot encroachment of new entry steps into the 5-foot secondary street (6th Ave) setback. (LDC Sec. 20.15)

OWNER/APPLICANT: Florencia Design Build for Barbara Remington

Please call or email the Community Development Department office at 727-363-9265 or wwright@stpetebeach.org if you have any questions.


Wesley T. Wright
Community Development Director

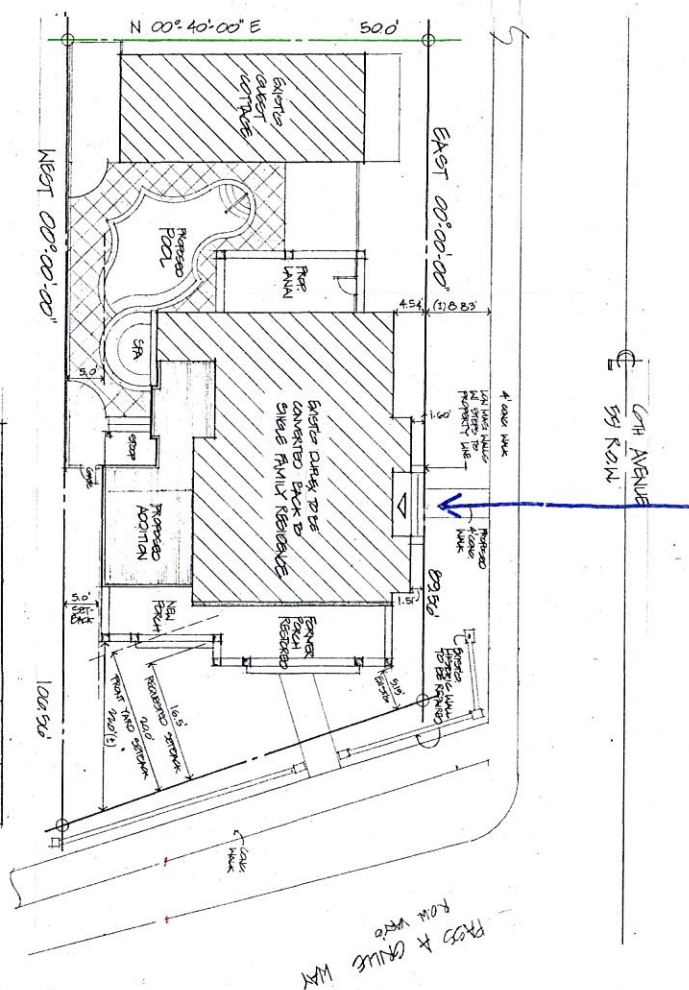
c: DISTRICT 4 - MELINDA PLETCHER

The application is on file with the Community Development Department, which is located on the first floor in City Hall, 155 Corey Avenue, St. Pete Beach. You may examine the application materials prior to the scheduled hearing date. Prior to the hearing, you may file any written comments, objection, or support. All timely filed written communications will be presented to the Board for consideration. You also may appear at the public hearing and be heard the respect to the above referenced request(s). This public hearing is subject to special rules and procedures relative to evidence and appeals. Discussions with any board member prior to the hearing will be disclosed at the public hearing. The City does not provide verbatim transcripts.

APPEAL: Florida Statutes 289.0105 Notices of meetings and hearings must advise that a record is required to appeal. Each board, commission, or agency of this state or of any political subdivision thereof shall include in the notice conspicuously on such notice, the advice that, if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such a purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

AMERICANS WITH DISABILITIES ACT: Florida Statutes 286.26 Accessibility of public meetings to the physically handicapped. In accordance with the Americans with Disabilities Act and Florida Statutes, persons needing special accommodations to participate in a meeting should contact City hall at (727) 367-2735 no later than forty-eight (48) hours prior to the meeting for assistance.

4.9 ft encroachment
of new entry steps.



INTERVALS SURVEY RATIO		SF	%
ORIGINAL SITE	4,311	100.00	
EXISTING BUILD FOOTPRINT	1,319	26.00	
EXISTING COMPLEX	550	11.37	
PROPOSED ADDITION	409	8.32	
PROPOSED LAWN	100	2.35	
PROPOSED POOL & DECK	500	12.00	
PROPOSED ENTRY, PORCH & STAIR	150	3.17	
TOTAL INTERVALS AREA	3,125	65.08	
TOTAL INTERVALS AREA	1,724	35.08	

SITE PLAN
SCALE: 1/8"=1'-0"



DRAWING NO.

COA-1

PROPOSED FEMA VARIANCE:
ADDITION & RENOVATION
FOR THE:
JOHNSON RESIDENCE
504 PASSA CRILLE WAY
ST. PETE BEACH, FL 33706

20 SOUTH
ORION AVE.
CLEARWATER
FLORIDA
33765
florencia
DESIGN - BUILD



MIKE TWITTY, MAI, CFA
Pinellas County Property Appraiser
www.pcpao.org mike@pcpao.org

REMINGTON, BARBARA
504 PASS-A-GRILLE WAY
ST PETE BEACH FL 33706-4332

12 May 2021

Re: 19-32-16-22842-000-0030 Situs: 100 6TH AVE

Windstorm Loss Mitigation (WLM)

Florida Statute 553.844: "Windstorm loss mitigation; requirements for roofs and opening protection," requires the use of "Just Value", as determined by the Property Appraiser's office for Ad Valorem taxation purposes.

For the referenced parcel, the values are: Structure(s): \$81,213; Extra Features: \$1,151; and Land: \$839,499. Extra Feature values include improvements such as screen porches, patios, pools, fireplaces, decks and docks, etc.

Federal Emergency Management (FEMA) "50% Rule"

FEMA Substantial Improvement/Damage determinations require the use of "Just Value", developed by the Property Appraiser's office for Ad Valorem taxation purposes, be adjusted to approximate market value. This is accomplished in our office by making a 15% adjustment to Just Value. This yields the following values: Structure(s): \$95,545; Extra Features: \$1,354; and Land: \$987,646.

The preceding value allocation to the structure would allow improvements not to exceed \$47,772 based on the "50% Rule".

If you disagree with the Property Appraiser's valuation of the structure, you may engage an independent real estate appraiser, state-certified by the State of Florida, to appraise the depreciated value of the structure (building). The Building Official within the property's jurisdiction will review and if approved, the depreciated value of the structure (building) may be used in lieu of the Pinellas County Property Appraiser's value estimate.

Please visit https://www.pinellascounty.org/flooding/sd_si_50.htm for more information regarding the FEMA "50% Rule".

Value Use Limitations

The above values are effective for the 2020 Final Property Tax Roll as of the date of this letter and does not include the value of any improvements completed after January 1st of 2020. This information is provided solely for the purposes stated above. It is invalid for any other purpose.

**BOARD OF ADJUSTMENT MEETING
CITY OF ST. PETE BEACH**

Agenda Report

Issue Considered: Variance – 410 81st Ave (Case #21037)

Date: May 26, 2021

Prepared By: Brandon Berry, Planner II

Through: Wesley Wright, Community Development Director

Summary of Issue: The applicant is requesting to construct a 22'-6"x32'-6" sunroom and lanai addition that that will encroach into a required 20' rear setback by 9.7'. The sunroom is replacing an existing sunroom which currently exists in the same footprint. The lanai addition is new.

Funding: N/A

Requested Motion: Motion to APPROVE case #21037 for a Practical Difficulty Variance as presented by the staff.

Attachments:

1. 410 81st Ave Staff Report
2. 21037 Supporting Docs



**DEPARTMENT OF COMMUNITY DEVELOPMENT
PLANNING & ZONING
STAFF FINDINGS REPORT
TO THE
BOARD OF ADJUSTMENT**

VARIANCE CASE NO. 21037 – Eric Burks, Applicant/Owner

MEETING DATE: May 26, 2021

PREPARED BY: Brandon Berry, Planner II

REQUEST	A Practical Difficulty Variance to allow for a home addition to encroach 9.7' into a required 20' rear setback (LDC Sec. 9.7(a)(4)).
SUBJECT PROPERTY	410 81 st Ave; ST PETERSBURG BEACH NORTH UNIT NO. 4 BLK 93, LOT 17; Property ID #36-31-15-78210-093-0170.
ACERAGE	Approximately 0.15 acres (6,500 sq. ft.)
LAND USE	RU-2 Residential District on the Zoning Map; RU on the Future Land Use Map.
FLOOD ZONE	AE-9
SURROUNDING AREA	North – Single-family Residence South - Single-family Residence East – Multifamily Residence West – Single-family Residence

BACKGROUND

The zoning lot contains a single-family residence constructed in 1952 according to the Pinellas County Property Appraiser.

ANALYSIS

The applicant is requesting to construct a 22'-6"x32'-6" sunroom and lanai addition that that will encroach into a required 20' rear setback by 9.7'. The sunroom is replacing an existing sunroom which currently exists in the same footprint. The lanai addition is new.

Structure	Yard	Required Setback	Proposed Setback	Variance Percentage
-----------	------	------------------	------------------	---------------------

Home Addition	Rear	20'	10'-3"	48.5%
---------------	------	-----	--------	-------

Land Development Code Section 3.12, Variances: The appropriate board of authority may authorize practical difficulty variances to the land development regulations if the applicant is able to demonstrate the following conditions:

a) How substantial the variance is in relation to the requirement sought to be varied;

The applicant is requesting a 9'-7" rear yard setback where 20' is required, representing a variance of 48.5%.

b) Whether an adverse change will be produced in the character of the neighborhood;

The applicant is encroaching no closer to the rear property line than the structure exists currently, although the addition of a lanai adds an approximately 7'-8" linear open addition where one did not exist previously. The existing setback and relative height of the sunroom is preserved, the addition appears to be relatively in line with the setback of the property's eastern neighbor, and the lanai rear encroachment is similar to other permitted setbacks for open accessory structures such as pool screen enclosures and gazebos. Furthermore, while the property to the rear of the subject property is currently a single-family home with the same required setback as the subject property, it could be redeveloped with other property in the future as a mixed-use which would have a 10' required setback adjacent the subject property. Staff find no adverse change will be produced in the character of the neighborhood.

c) Whether the difficulty can be obviated by some method feasible for the applicant to pursue other than by a variance; and

The sunroom could be cut back to meet the required setback with the renovation work proposed, but this would substantially reduce the size of the sunroom from how it has existed historically. The sunroom is proposed to be placed on an existing slab, with a new foundation for the lanai laid. The floor plan indicates that the location of the sunroom is sensical regarding the layout and existing openings of the home. While the difficulty could be obviated, it would not be feasible in the sense that it alters the relation of existing spaces within the home.

d) Whether, in view of the manner in which the difficulty arose, the interest of justice will be served by allowing the variance.

Staff find the request is reasonable and not out of character with the immediate vicinity. The highest point of the addition is approximately thirteen feet in height from grade, which is no taller than the existing roof ridge, and the setback is requested to be no less than the one that has existed historically. The lanai requested to be added is open with the exception of a post at the corner, which does not result in a more imposing structure encroaching toward neighboring properties.

Any variance granted hereunder shall expire one (1) year from the date of the development order providing for such variance, unless a building permit for the construction authorized by such

variance is obtained within such time and said building permit has not expired prior to the completion of construction in accordance therewith.

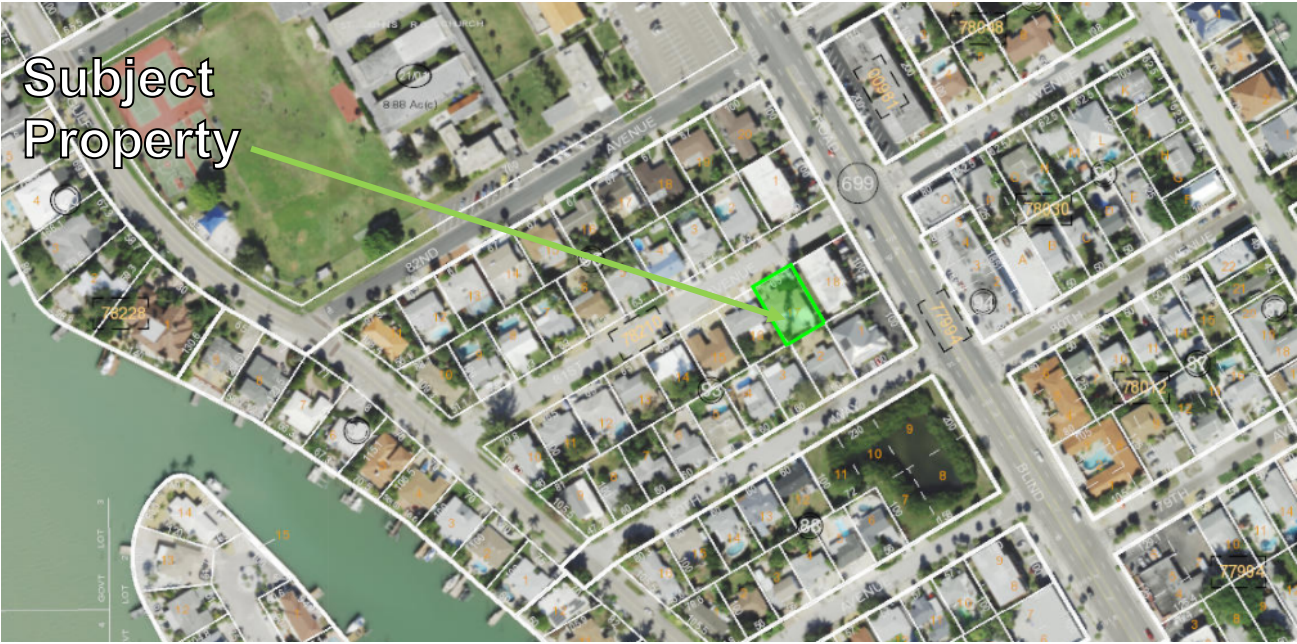
SUMMARY:

The request is reasonable given the rear setback of the replacement sunroom being preserved, the additional building area encroaching into the rear being an open-sided structure, and existing and potential setback patterns in the subject property's vicinity.

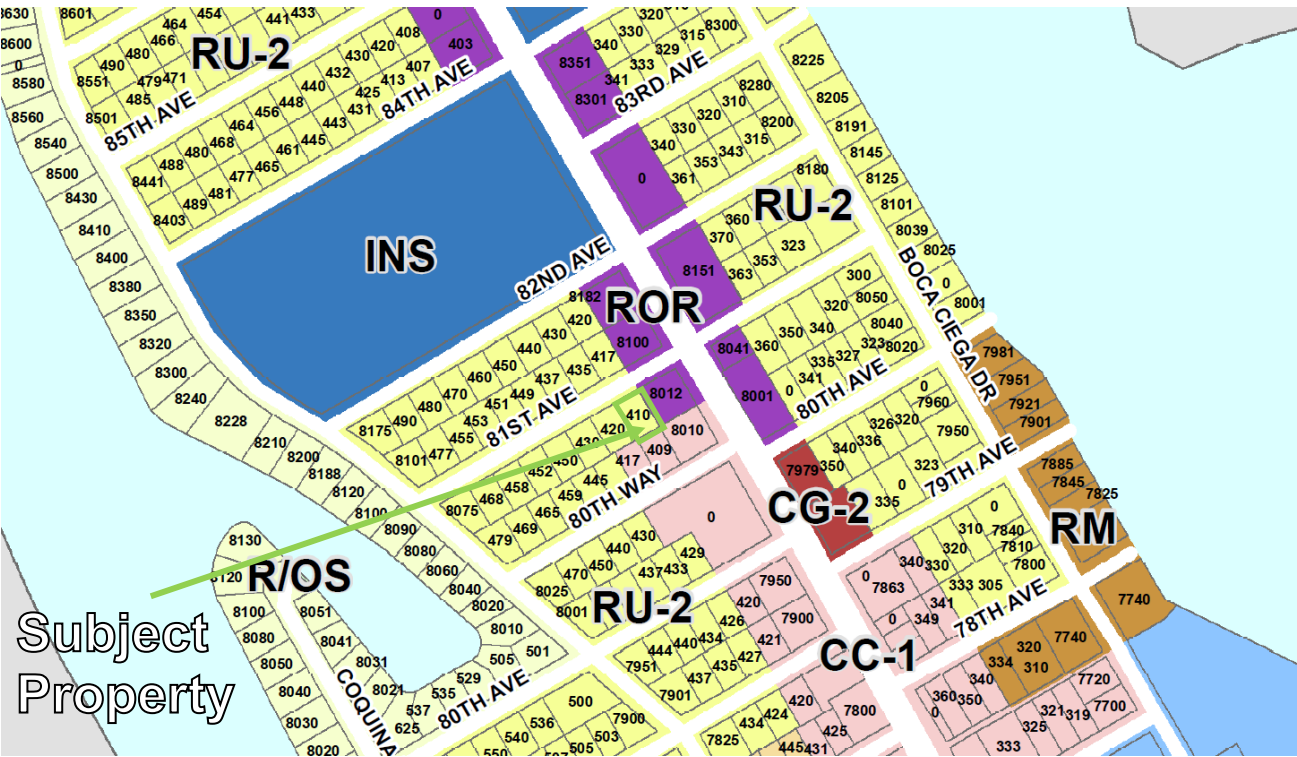
RECOMMENDATION:

Staff recommend approval.

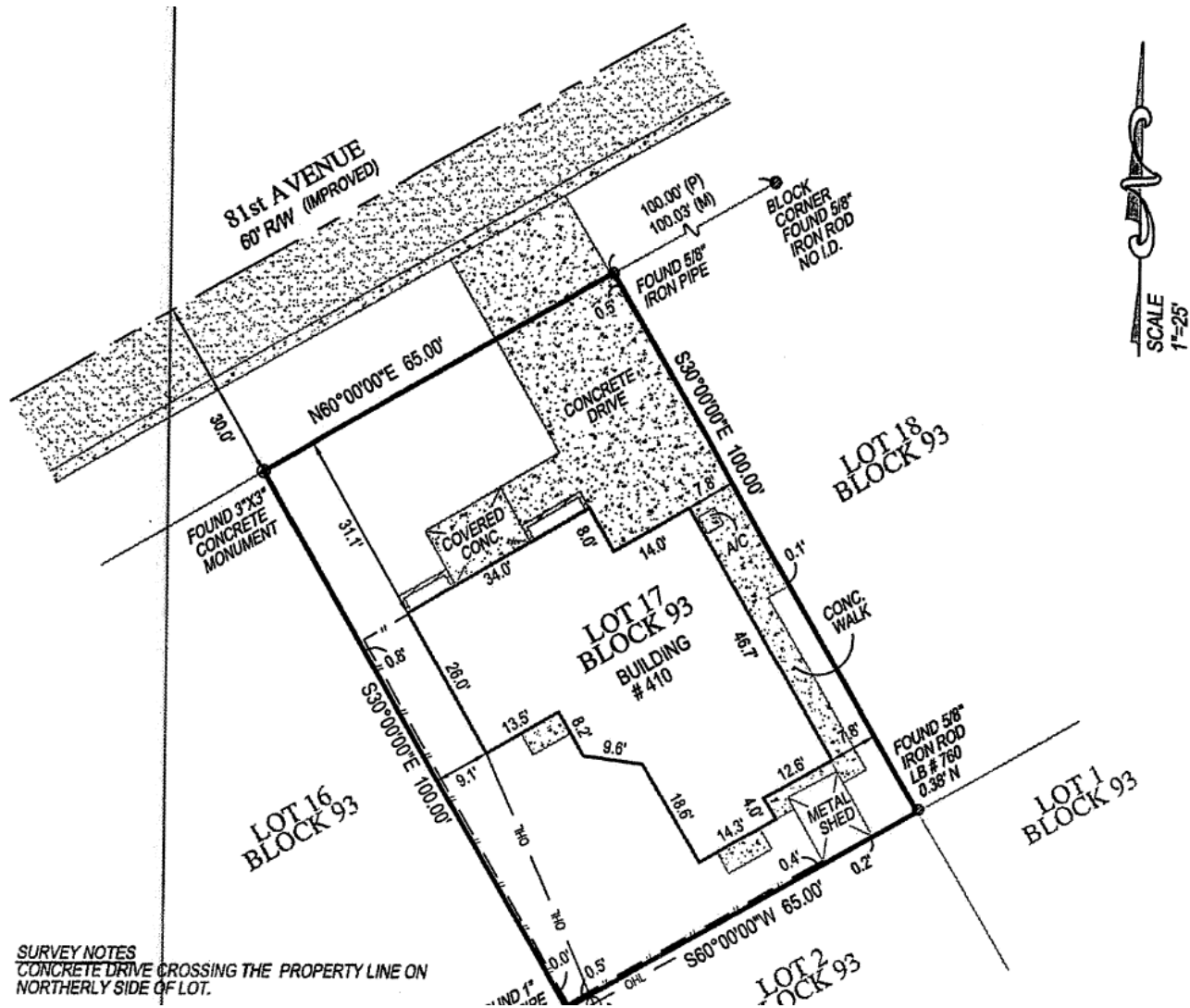
AERIAL MAP



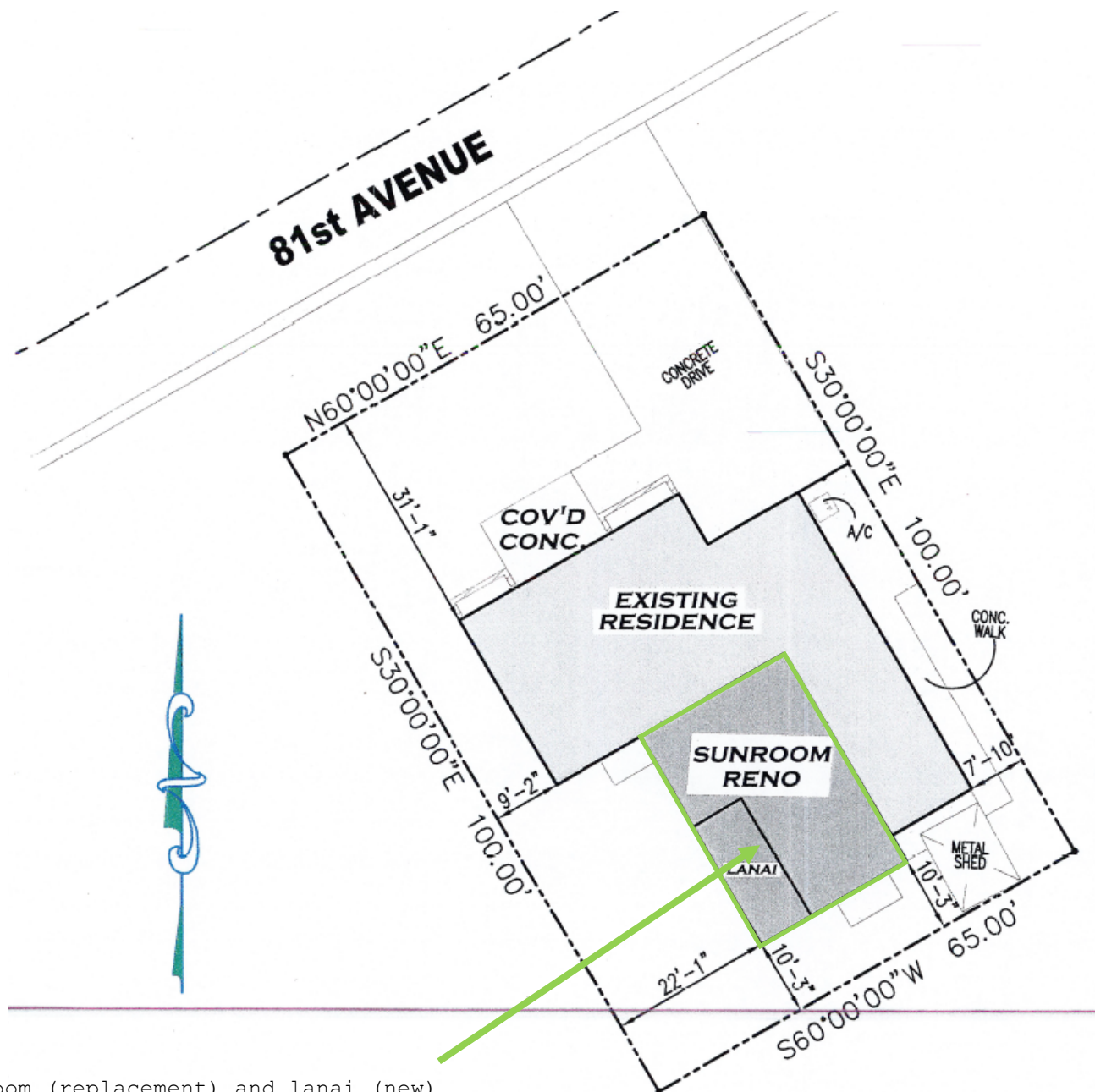
ZONING MAP



SURVEY



SITE PLAN PROPOSAL



Sunroom (replacement) and lanai (new)
proposed to encroach 9'-9" into required
20' rear setback.

CASE #: 21037

SUBMITTAL DATE: 4/26/21 AMOUNT DUE: \$542.70 PAYMENT DATE: 4/28/21

PRACTICAL DIFFICULTY VARIANCE APPLICATION

The following items are to be submitted, along with this application, **at least 6 weeks prior to the public hearing:**

- Two (2) copies of the property survey, completed in the last ten years, which contains the legal description, land area, and existing improvements on the site that has been signed and sealed by a surveyor licensed in the State of Florida;
- Seven (7) copies of a site plan showing the request, drawn to scale, of size between 11x17" and 36x48";
- Emailed copy of the survey and site plan to bberry@stpetebeach.org.
- The Application Fee, payable to the City of St. Pete Beach (non-refundable)

OWNER/AGENT INFORMATION:

Identification	Name	Address	Phone #
Owner	ERIC BURKS	410 81 st Ave SPB FL 33706	727 709-3187
Applicant/ Agent			
Owner Email Address: boomer63@GMAIL.COM		Applicant/Agent Email Address:	

PROPERTY FOR PROPOSED VARIANCE:

Zoning Designation	Future Land Use Designation	Lot Area
Legal Description:		
Parcel ID:	36-31-15-78210-093-0170	
Address:	410 81 st Ave SPB FL 33706	
Explanation of Request: <u>Replace long-existing sunroom that</u> <u>leaks and is outdated with the same.</u>		

Findings Necessary for Granting Request: In order for an application for a practical difficulty variance to be approved or approved with conditions, the Board of Adjustment must make a positive finding with regard to each of the provisions below, which are also located in Division 3 of the Land Development Code. The applicant has the burden of proof demonstrating that the application for the variance complies with each of these requirements. Please explain in detail how your case meets these requirements (attach additional sheets if necessary):

1. How substantial the variance is in relation to the requirement sought to be varied;

20' rear setback, we propose to go to 10'
(50%)

2. Whether an adverse change will be produced in the character of the neighborhood;

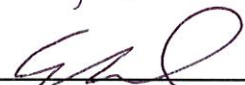
NO adverse change. Rear of our property adjoins rear of neighbor's.

3. Whether the difficulty can be obviated by some method feasible for the applicant to pursue other than by a variance; and

We could alter the layout at the expense of sacrificing what small backyard exists. Would like to preserve that space if possible

4. Whether, in view of the manner in which the difficulty arose, the interest of justice will be served by allowing the variance.

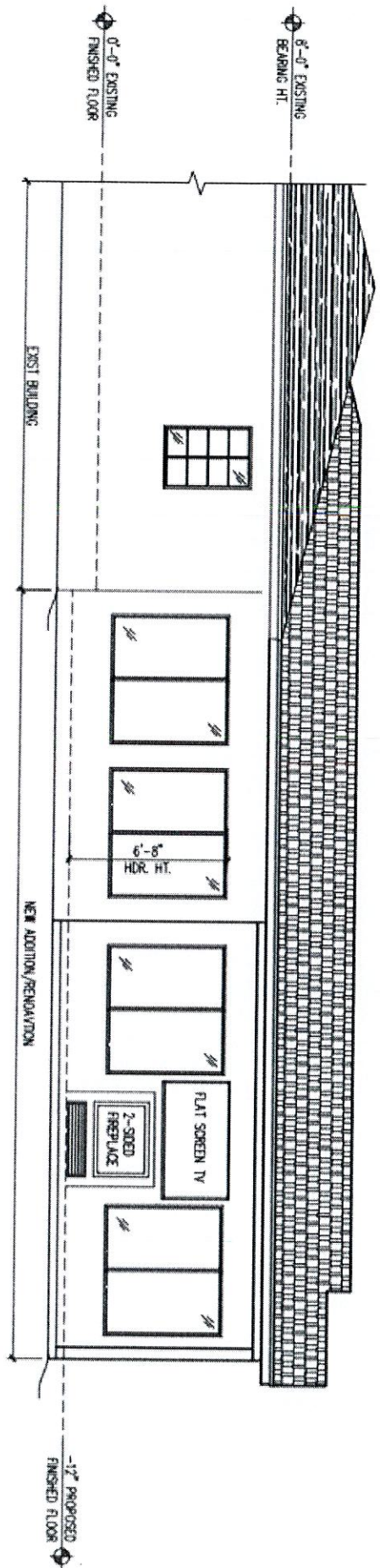
This will have no negative impact on neighbors/neighborhood. Simply replacing aged structure with new, no change to footprint or aesthetics.

 4/26/21
Signature of Applicant Date Signature of Authorized Agent Date

For office use only:

Hearing Date: _____ Fees: _____

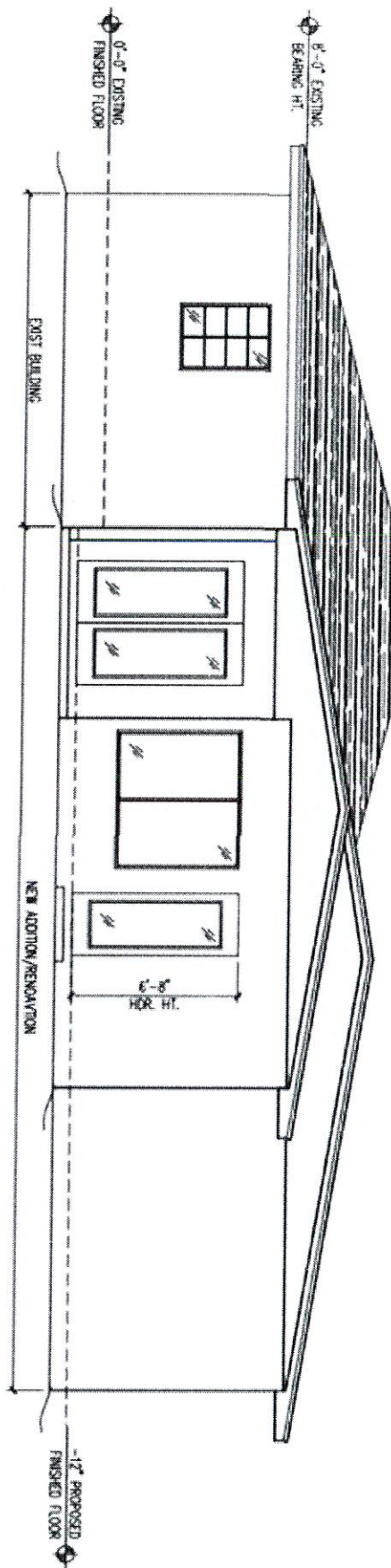
Board Action: ☐ Approved as requested ☐ Approved with conditions ☐ Denied ☐ Continued



3 EXTERIOR ELEVATION (GABLE)

1/4"=1'0"

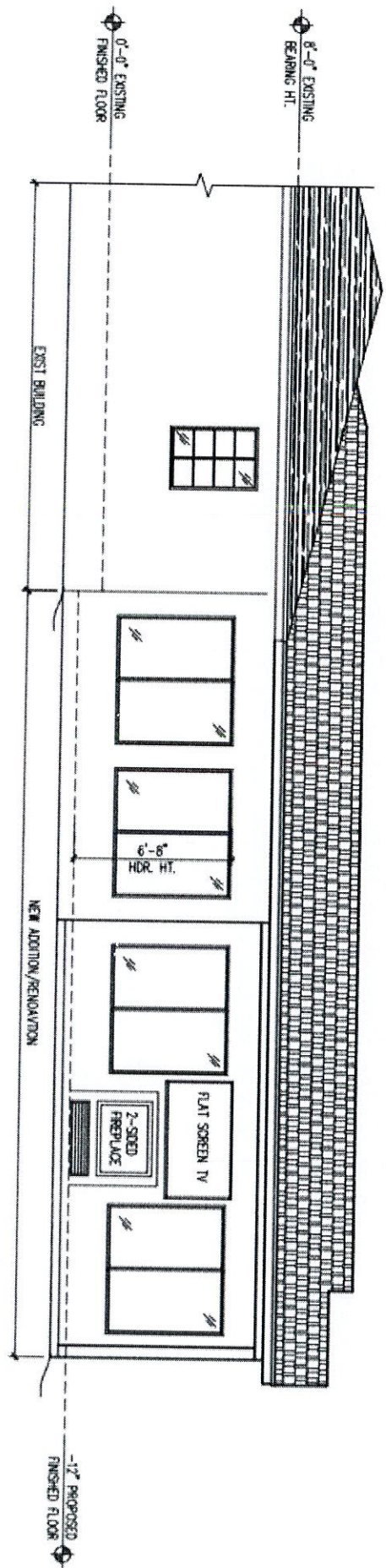
SIDE



3 EXTERIOR ELEVATION (GABLE)

1/4"=1'0"

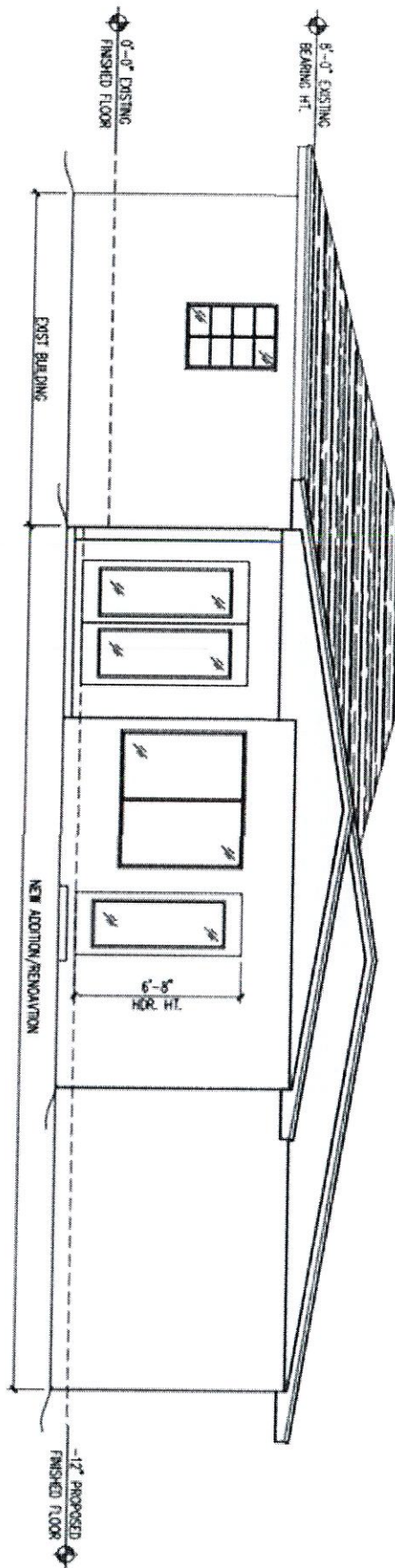
REAR



3 EXTERIOR ELEVATION (GABLE)

1/4"=1'0"

SIDE

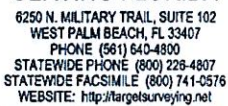
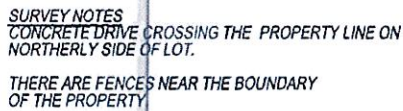


3 EXTERIOR ELEVATION (GABLE)

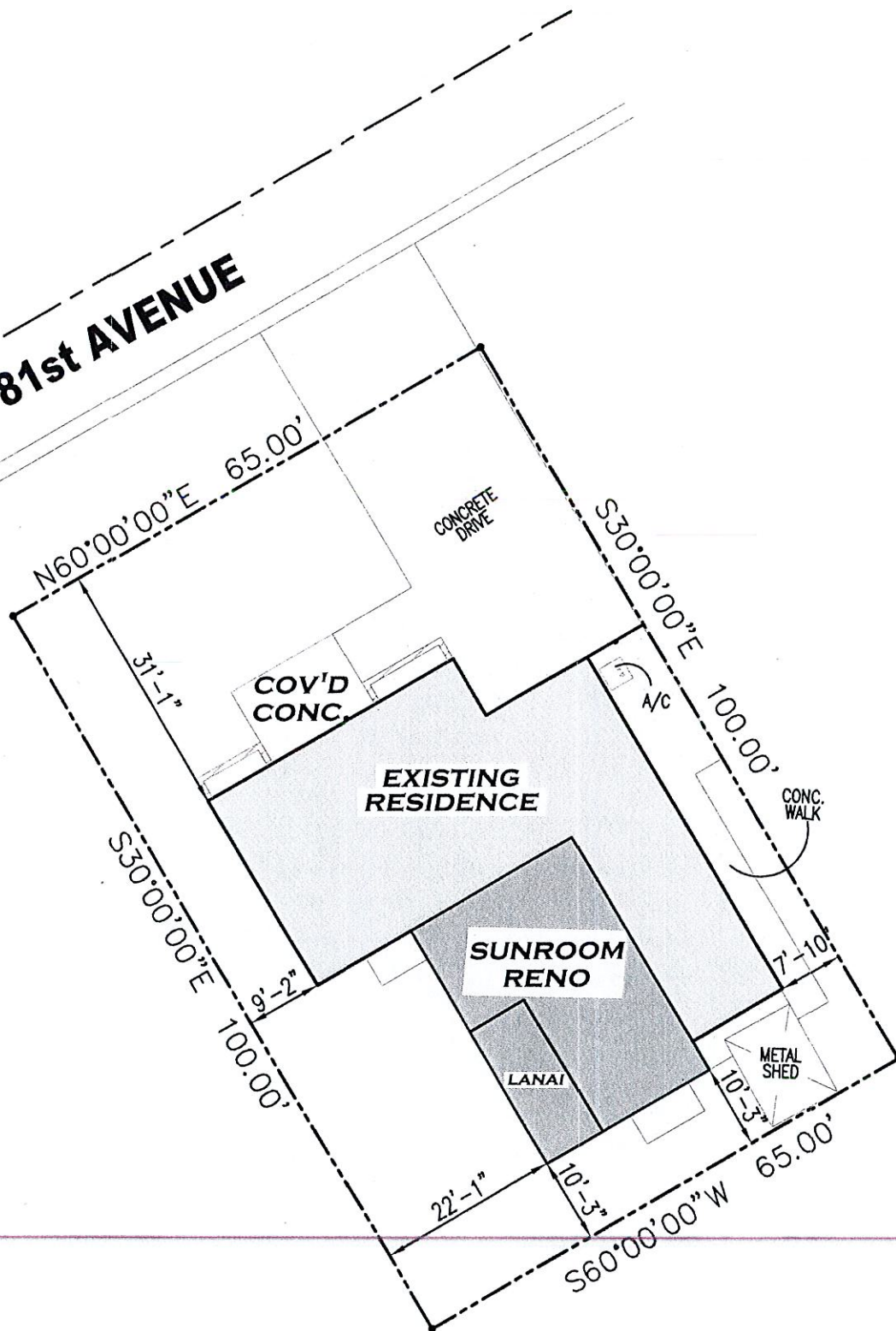
1/4"=1'0"

REAR

SCALE
1"=25'



81st AVENUE



SCALE: 1" = 30'-0"

SUNROOM RENOVATION
410 81st. AVE.
ST. PETE. BCH., FLORIDA

NEW IMAGE DESIGN & BUILD, LLC.

CLEARWATER, FLORIDA 33764
 PHONE: (813) 322-5959
 EMAIL: gswcet3979@gmail.com



LEGAL DESCRIPTION :

ST. PETERSBURG BEACH NORTH UNIT NO. 4, BLOCK 93, LOT 17 ACCORDING TO THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.



PUBLIC HEARING SIGN POSTING AFFIDAVIT

Applicant, ERIC A BURKS, agrees to post the sign(s) in a conspicuous place, at the principal access to the property, in full view of the public, and not more than five (5) feet from the nearest street right of way or easement a minimum of seven (7) days in advance of the Public Hearing for unnecessary or undue hardship variances and practical difficulty variances, or seven (7) days in advance of the final administrative decision for administrative (de-minimis) variances, and remain in place until the requested action has been heard and decided. Multiple sign postings shall not be more than three hundred (300) feet apart. If the subject parcel(s) abut more than one (1) street, notices shall be posted along each street. When the subject parcel(s) does not front a public road, the sign shall be posted at the point on a public road by which the property is, or can be, reached.

The sign shall be maintained in good readable condition by the applicant. If the said sign is destroyed, lost, or becomes unreadable, the applicant or applicant's representative shall obtain a replacement sign. Any sign posted in accordance with these requirements shall be removed from the property and disposed of by the applicant or applicant's agent not later than 24 hours following the final decision.

Applicant/Agent (must fill out agent authorization form):

Name(print): ERIC A BURKS
Address: 410 81st AVE SPB FL 33706

[Signature] 4/28/21
Signature Date

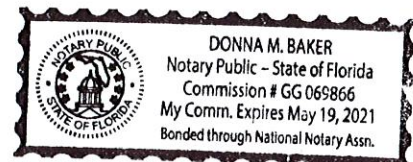
STATE OF FLORIDA)
) SS:
PINELLAS COUNTY)

The foregoing instrument was acknowledged before me this 28 day of APRIL, 2021 by:
ERIC BURKS who appeared before me, and is personally known to me, or has produced
as identification, and did take an oath.

My commission Expires: 5/19/21

NOTARY:
Print Name: Donna Baker Notary
Public, State of Florida

(Notarial Seal)



Donna Baker

VARIANCE APPLICATION

Applicants must acknowledge understanding of the following. Initial each of the statements below. If you do not understand any of these, staff will explain them to you.

EWB I understand that the City will not accept or process an incomplete application.

EWB I understand that a non-conforming use or structure in a particular zoning district does not, in any way, provide justification for the granting of a variance. Furthermore, the existence of a permitted use or structure in adjacent districts does not constitute grounds for a variance.

EWB On all variances except for administrative (de-minimis) variances, a majority vote is required. Action on this application by the BOA/City Commission may be continued to a later meeting.

EWB I understand that if a variance is approved by the BOA, City Commission or City Manager, the applicant is required to obtain the appropriate building permits within 1 year from the date of the decision. If no permit is obtained within 1 year, the approval becomes voided.

EWB I understand that if any application filed under the provisions of this Code is denied, no subsequent application seeking substantially the same or similar approval shall be filed within six months of the final decision on the original application.

EWB I understand that any person aggrieved by the final decision of the Board of Adjustment or City Commission has the right to file a petition in the Pinellas County Circuit Court within 30 calendar days after the decision. Appeals of decisions made by the City Manager for administrative variances are to a hearing officer designated by the City Commission and must be made within 30 days from the date of the final administrative decision. Permits for construction may be granted prior to the expiration of this 30-day period, but an appeal will be grounds for revocation of the permit.

EWB I understand that I, as the applicant, or my authorized representative must be present at all scheduled public meetings on the application if applicable.

After acknowledgement of these conditions, complete the application form on the following pages.

EWB
Signature of Applicant

4/29/21
Date



155 Corey Avenue St. Pete Beach, FL 33706 www.stpetebeach.org

City of St. Pete Beach - Community Development Department
155 Corey Avenue St. Pete Beach, FL • 727-367-2735 • www.stpetebeach.org

NOTICE OF PUBLIC HEARING

05/12/2021

To Owners of Properties within 300 feet:

The purpose of this letter is to notify you of the scheduled hearing before the City of St. Pete Beach Board of Adjustment for the property located at 410 81st Ave. The purpose of this hearing is to decide if the request satisfied the conditions for issuance. See enclosed Site Plan.

DATE: 05/26/2021

TIME: 2:00 PM

PLACE: City Hall - City Commission Chambers
155 Corey Ave
St. Pete Beach, FL 33706

REQUEST: VARIANCE (PRACTICAL) : (Case #21037) Request to replace an existing sunroom that encroaches to 10'-3" from the rear property line where 20' is required. (LDC Sec. 9.7(a)(4))

OWNER/APPLICANT: *****

Please call or email the Community Development Department office at 727-363-9265 or wwright@stpetebeach.org if you have any questions.


Wesley T. Wright
Community Development Director

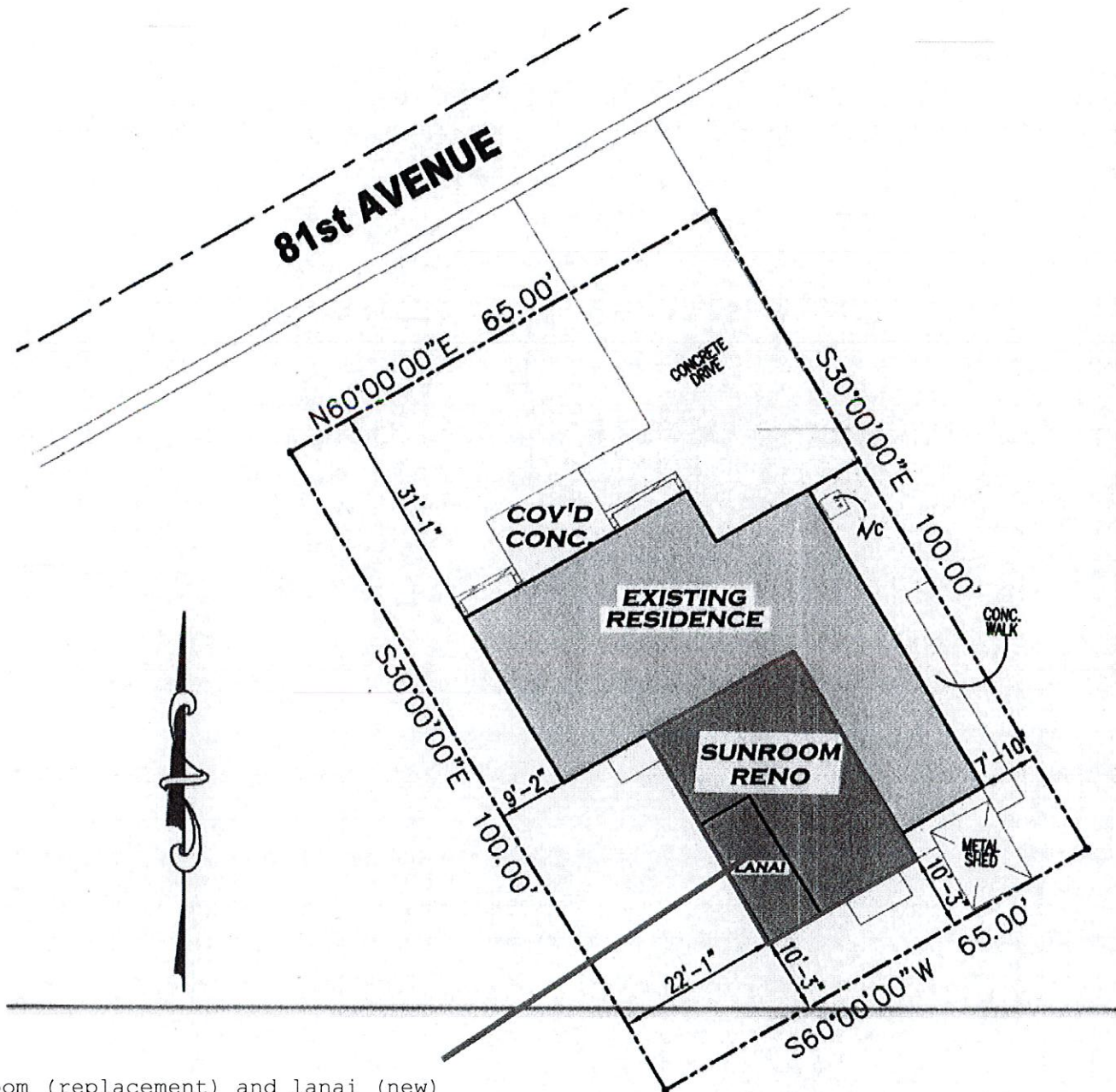
c: DISTRICT 1 - CHRIS GRAUS

The application is on file with the Community Development Department, which is located on the first floor in City Hall, 155 Corey Avenue, St. Pete Beach. You may examine the application materials prior to the scheduled hearing date. Prior to the hearing, you may file any written comments, objection, or support. All timely filed written communications will be presented to the Board for consideration. You also may appear at the public hearing and be heard the respect to the above referenced request(s). This public hearing is subject to special rules and procedures relative to evidence and appeals. Discussions with any board member prior to the hearing will be disclosed at the public hearing. The City does not provide verbatim transcripts.

APPEAL: Florida Statutes 289.0105 Notices of meetings and hearings must advise that a record is required to appeal. Each board, commission, or agency of this state or of any political subdivision thereof shall include in the notice conspicuously on such notice, the advice that, if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such a purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

AMERICANS WITH DISABILITIES ACT: Florida Statutes 286.26 Accessibility of public meetings to the physically handicapped. In accordance with the Americans with Disabilities Act and Florida Statutes, persons needing special accommodations to participate in a meeting should contact City hall at (727) 367-2735 no later than forty-eight (48) hours prior to the meeting for assistance.

SITE PLAN PROPOSAL



Sunroom (replacement) and lanai (new)
proposed to encroach 9'-9" into required
20' rear setback.

**BOARD OF ADJUSTMENT MEETING
CITY OF ST. PETE BEACH**

Agenda Report

Issue Considered: Sunshine Law Training

Date: May 26, 2021

Prepared By:

Through:

Summary of Issue: A review and training of Florida's Public Records Laws, Sunshine Laws, and Ethics.

Funding: N/A

Requested Motion: N/A

Attachments: 1. Sunshine Law and Public Records Law Presentation - Pat Gleason Jan. 2020 (00126359xE1F64)

OPEN GOVERNMENT OVERVIEW: January 2020

Patricia R. Gleason
Special Counsel for Open Government
Attorney General Ashley Moody



SUNSHINE LAW

- Florida's Government in the Sunshine Law provides a right of access to governmental proceedings at both the state and local levels. In the absence of statutory exemption, it applies to any gathering of two or more members of the same board to discuss some matter which will foreseeably come before that board for action.

SCOPE OF THE SUNSHINE LAW

- Board members may not engage in private discussions with each other about board business, either in person or by telephoning, emailing, texting or any other type of electronic communication (i.e Facebook, blogs).



SCOPE OF THE SUNSHINE LAW

- While an individual board member is not prohibited from discussing board business with staff or a nonboard member, these individuals may not be used as a liaison to communicate information between board members. For example, a board member cannot ask staff to poll the other board members to determine their views on a board issue.

SCOPE OF THE SUNSHINE LAW

There are three basic requirements:

1. Meetings of public boards or commissions must be open to the public
2. Reasonable notice of such meetings must be provided; and
3. Minutes of the meetings must be prepared and open to public inspection.

SCOPE OF THE SUNSHINE LAW

- The Sunshine Law applies to advisory boards created pursuant to law or ordinance or otherwise established by public agencies or officials.

SCOPE OF THE SUNSHINE LAW

- Staff meetings are not normally subject to the Sunshine Law.
- However, staff committees may be subject to the Sunshine Law if they are deemed to be part of the “decision making process” as opposed to traditional staff functions like factfinding or information gathering.

SCOPE OF THE SUNSHINE LAW

- Only the Legislature may create an exemption from the Sunshine Law (by a two-thirds vote). Exemptions are strictly construed.
- An exemption from the Public Records Law does not allow a board to close a meeting. Instead, a specific exemption from the Sunshine Law is required.

BOARD MEETINGS

- While boards may adopt reasonable rules and policies to ensure orderly conduct of meetings, the Sunshine law does not allow boards to ban nondisruptive videotaping, tape recording, or photography at public meetings.

BOARD MEETINGS

- Section 286.0114, F.S., provides, subject to listed exceptions, that boards must allow an opportunity for the public to be heard before the board takes official action on a proposition. The statute does not prohibit boards from “maintaining orderly conduct or proper decorum in a public meeting.”

PENALTIES

- Civil action
- Criminal penalties
- Suspension or removal from office

PUBLIC RECORDS LAW

- Florida's Public Records Act, Chapter 119, Florida Statutes, provides a right of access to records of state and local governments as well as to private entities acting on their behalf.
- If material falls within the definition of “public record” it must be disclosed to the public unless there is a statutory exemption.

THE TERM “PUBLIC RECORDS” MEANS:

- a) All “documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software or other material, regardless of the physical form, characteristics, or means of transmission” (**includes electronic communications like text messages, emails**).
- b) Made or received pursuant to law or ordinance or in connection with the transaction of official business
- c) By any agency [including a private entity acting ‘on behalf of’ a public agency]
- d) Which are used to perpetuate, communicate, or formalize knowledge.

PROVIDING PUBLIC RECORDS

- a) Public records cannot be withheld at the request of the sender
- b) A requestor is not required to show a “legitimate” or “noncommercial interest” as a condition of access
- c) A request cannot be denied because it is “overbroad”
- d) Unless authorized by another statute, an agency may not require that public records requests be in writing or require the requester to identify himself or herself

PROVIDING PUBLIC RECORDS

- The Public Records Act does not contain a specific time limit (such as 24 hours or 10 days).
- The Florida Supreme Court has stated that the only delay in producing records permitted under the statute is the reasonable time allowed the custodian to retrieve the record and redact those portions of the record the custodian asserts are exempt.

FEES

- Chapter 119 authorizes the custodian to charge a fee of up to 15 cents per one-sided copy for copies that are 14 inches by 8 1/2 inches or less. An additional 5 cents may be charged for two-sided copies. For other copies, the charge is the actual cost of duplication of the record. Actual cost of duplication means the cost of the material and supplies used to duplicate the record but does not include labor or overhead cost.

FEEES

- In addition to the actual cost of duplication, an agency may impose a reasonable service charge for the actual cost of extensive labor and information technology required due to the large volume of a request.



RETENTION

- All public records must be retained in accordance with retention schedules approved by the Department of State
- Even exempt records must be retained

PENALTIES FOR NONCOMPLIANCE

- A. Criminal penalties
- B. Civil action
- C. Attorney's fees



ADDITIONAL RESOURCES

- Office of Attorney General Ashley Moody website:
<http://www.myfloridalegal.com>
- First Amendment Foundation website:
<http://www.floridafaf.org>