BOARD OF ADJUSTMENT MEETING

CITY OF ST. PETE BEACH

155 Corey Avenue
St. Pete Beach, Florida

Wednesday, 1/27/2016
2:00 p.m.

Call to Order
Pledge of Allegiance
Roll Call

1. **Changes to the Agenda** – Agenda items to be added, moved or deleted will be addressed at this time. Added items will be assigned agenda item numbers and moved items should remain with the same item numbers. Notation will be made that those items will be taken out of order.

2. **Audience Comments** – Comments shall be limited to three minutes per person to issues not on the agenda.

3. **Minutes for Acceptance**

   12/16/2015

4. Public Hearings

I. Case 2015-0067: 1801 Gulf Way – Applicant requests a variance to Section 11.7(a) of the Land Development Code to allow for reconstruction of stairs and placement of air conditioning units within the required front and rear yard setback.

II. Case 2015-0068: 3216 El Centro, #A – Applicants request a variance to Section 12.7(a) of the Land Development Code to allow for construction of an elevator and interior walkway within the required side yard setback.

III. Case 2016-0001: 3815, 3855, 3859 Gulf Blvd. – Applicant requests a variance to Section 6.11(d)(1) of the Land Development Code for a temporary use permit extension.

5. Adjournment

APPEAL

If a person decides to appeal any decision made at this meeting, he or she will need a record of the proceeding and, for such purpose, may need to ensure that a verbatim record of the meeting is made, which record includes the testimony and evidence upon which the appeal is to be based. (F.S. 286.0105) The City does not furnish verbatim transcripts; interested parties should make the necessary arrangements for verbatim transcripts.

AMERICANS WITH DISABILITIES ACT

In Accordance with the American's with Disabilities Act and F.S. 286.26, persons with disabilities needing special accommodations to participate in this meeting should contact City Hall at (727) 367-2735 no later than (4) days prior to the meeting for assistance. The public is cordially invited to attend. All agenda material is available for review at City Hall.

BOARD OF ADJUSTMENT MEETING

MINUTES

DECEMBER 16, 2015

2:00 P.M.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT:

Paul Skipper, Chairman
David Littell, Vice Chairman
Sandie Lyman, Member
Tom DeYampert, Member
Laurie Vallett, Member

ALSO PRESENT:

Jennifer Bryla, Community Development Director
Mike Larimore, Zoning Tech II
Chelsey Welden, Planner II
Mary Jo Murphy, Deputy City Clerk

1. Changes to the Agenda

There were no changes to the agenda.

2. Audience Comments

Chairman Skipper asked for audience comments in regard to items that were not on the agenda. There were no audience comments.

3. Minutes for Acceptance – 11/18/2015

Member Vallett made a motion to approve the minutes from the November 18, 2015 meeting. The motion was seconded by Vice Chairman Littell and unanimously approved by a roll call vote (5 yeses – 0 nos).

4. Public Hearing

a. Case 20150066: 7701 Blind Pass Road

Applicant requests variances to Sections 22.6(c), 23.5(a), 32.9, 39.10(b) of the Land Development Code to reduce the parking, setback and landscaping design requirements to allow for the redevelopment of the property.

Mike Larimore gave Staff's presentation to the board. Staff's recommendation was to approve the variances with further exploration of additional parking options.

Chairman Skipper asked for the applicant or agent to come forward if they desired to speak and to state their name and address.

Greg Walden, RRW Architects, 4112 W. Cypress Street, Tampa, Florida 33607, agent, spoke in favor of the variance.

Matthew Dahm, 2844 67th Way, St. Petersburg, Florida 33710, owner, spoke in favor of the variance.

Doug Izzo, Tampa Bay Beaches Chamber of Commerce, 6990 Gulf Boulevard, Government Affairs Representative, spoke in support of the variance.

Chairman Skipper asked if anyone would like to speak on behalf of the applicant. There were no comments.

Chairman Skipper asked if anyone would like to speak in opposition of the application. There were no comments.

Hearing none, Chairman Skipper closed the public hearing portion and opened it for discussion among the Board members.

Member DeYampert asked the applicant the following: to establish his background in running these types of facilities, explain plans for additional parking and state the anticipated hours of operation.

Matthew Dahm, 2844 67th Way, St. Petersburg, Florida 33710, owner, replied to Member DeYampert's posed questions.

Member Lyman made a motion to approve Variance Case No. 20150066 as requested. The motion was seconded by Member Vallett. The motion was unanimously approved by an individual roll call vote, (5 yeses – 0 nos).

Matthew Dahm, 2844 67th Way, St. Petersburg, Florida 33710, owner, informed the board that the anticipated opening of the brewery will be in May 2016.

Mr. Larimore stated the next Board of Adjustment meeting will be January 27, 2016 at 2:00 p.m. with two cases on the agenda.

Ms. Bryla encouraged the Board of Adjustment members to participate in the 2:30 p.m. workshop meeting to walk and discuss design elements of Pass-A-Grille at the Warren Webster Community Center in Pass-A-Grille.

5. Adjournment

There being no further business before the Board, the meeting was adjourned at 2:27 p.m.

Attest:

_____ _____

Rebecca C. Haynes, City Clerk Paul Skipper, Chairman

Minutes approved on: _____

St. Pete Beach
Board of Adjustment

155 Corey Avenue
St. Pete Beach, FL 33706
727-367-2735

1/27/16

Variance Case #2015-0067

Applicant/Agent
Dennis F. DiTinno, Agent

Location
1801 Gulf Way

Commission District
District 4

Staff Representative
Mike Larimore, Zoning Tech II

Findings
1. Denial would deprive applicant of proposed use of property.
2. Does not alter district boundary, create a non-conforming use, increase density or allow a use not permitted in the district.
3. The variance is in general harmony with the Land Development Code.
4. The variance requested is the minimum allowable.

ITEM SUMMARY:

Code Item	Requirement	Existing Condition	Proposed
Front & Rear Yard Setback Requirement 11.7 (a)	Front Yard: 20 ft. Rear Yard: 20 ft.	Front Yard: 10 ft. Rear Yard: 10 ft.	Front Yard: 6 ft. (staircase); 3.5 ft. (a/c units) Rear Yard: 6 ft. (staircase); 3.5 ft. (a/c units)

Applicant requests a variance to Section 11.7 (a) of the Land Development Code (LDC) to allow for reconstruction of stairs and placement of air conditioning units within the required front and rear yard setback.

Existing Use: Condo / Timeshare
Proposed Use: Condo / Timeshare
Adjacent Uses
North: Infrastructure (19th Avenue)
South: Infrastructure (18th Avenue)
East: Infrastructure (Alley)
West: Infrastructure (Gulf Way)

The Applicant requests this variance in order to replace the existing staircases and balconies with new structures that are built to building code and are Americans with Disabilities Act (ADA) compliant. In order to meet new regulations, the replacement construction will expand the footprint of the staircases and will encroach into the required front and rear yard setbacks and will also displace four existing air conditioning units into each of the front and rear required setbacks. The Applicant states that the staircases provide emergency escape access and have reached the end of their functional life spans.

Staff Recommendation Approval	**PUBLIC NOTICE:** Notice of public hearing has been advertised as required by State Statutes. As of the date of this report, no written comments have been received. Oral and written comments may be presented at the public hearing. **COMPREHENSIVE PLAN/LAND DEVELOPMENT CODE:** The subject property is zoned RLM-2 Residential Low Medium with the PAG Pass-A-Grille Overlay District. This zone and overlay allow for condo-style residential. The Code allows for a degree of allowable encroachment of open staircases (6.22.b) and air conditioning units (6.14) within the front and rear yard setbacks. The proposed construction would be a covered, but not fully enclosed staircase. **STAFF RECOMMENDATION:** Staff recommends approval — the replacement of the staircases are necessary to ensure continued emergency escape access and would provide additional ADA access to the building. The Code allows for some degree of setback encroachment for open-air stairs and air conditioning units (Secs. 6.14 & 6.22). The existing building is a legal nonconformity in regards to setbacks and the proposed reconstruction would not affect the building footprint itself. Additionally, the proposed reconstruction would most likely have virtually no impact on surrounding properties and would likely have a positive impact on the subject property. Attachments: A) Relevant Code Sections B) Aerial Photo C) Site Photo D) Narrative E) Variance Application F) Survey G) Site Plan

Attachment A:

Sec. 11.7 – Minimum yard requirements.

a) *Residential dwellings.*

(1) Front yard: 20 feet.
(2) Secondary front yard: Ten feet.
(3) Side yards: Ten percent of the lot width.
(4) Rear yard: 20 feet.

Sec. 6.14 – Encroachment of certain specified ancillary residential equipment into required yards.

Ancillary residential equipment, such as air conditioning compressors, swimming pool and spa filters and pumps, and lawn irrigation pumps shall be allowed to encroach only into the rear or front yards up to four feet, provided that any such equipment located in front of the residence shall be adequately shielded from the adjoining property by either a solid enclosure or solid fence or wall. This shall apply to any equipment installed for new or substantially improved structures or to such items being installed for existing structures the first time. Change-outs of existing equipment shall be exempt.

Sec. 6.22 – Yards and measurement of required yards.

b) *Encroachment of open balconies and stairs*. Open balconies and stairs may be permitted to encroach into required front or rear yards a distance of up to three feet.

Attachment B:

Above: Subject property; northern highlighted property site of proposed construction

Attachment C:

Above: 18th Avenue, facing West

Above: 19th Avenue, facing East

Attachment D.

Camelot by the Sea
Variance Application

Details of the Request

The variance is requested in order to expand the existing north and south stairs/balconies to make these components compliant with current building code and ADA requirements. The goal of the project is to provide new safe and code compliant stairs/balconies and at the same time improve the aesthetics of the building. The existing stairs/balconies are original and have reached the end of their useable life. There is a concern that, due to their condition and age, they may collapse in time of an emergency. The Association plans to completely replace both north and south stairs/balconies. The existing configuration of the stairs/balconies does not meet current building and ADA requirements for stair tread rise and run, stair width, and walkway width. In order to meet these requirements, the foot print of the stairs/balconies would need to be expanded. The expansion would encroach closer to the north and south property line; as a result requires a zoning variance. Due to the location of existing A/C condenser units at both the north and south in relation to the stairs/balconies, these will also require relocation closer to the north and south property lines. Please see the attached site plan that shows the propose footprint of the new stairs/balconies and locations of the A/C condenser units. Also attached is a copy of the plans that will be submitted for permitting for the project. These illustrate what the completed stairs will look like.

Attachment E.

THE SUNSET CAPITAL OF FLORIDA

VARIANCE APPLICATION

RECEIVED
NOV 24 2015
COMMUNITY DEVELOPMENT

Case Number: 20150067

PROPERTY FOR PROPOSED VARIANCE

Legal Description: CAMELOT CONDO BLDG 1801, CARETAKER'S APT

Parcel ID 18-32-16-13105-801-0000

Address 1801 Gulf Way; St. Pete Bch. FL 33706

Current Zoning: RLM-2/PAG FLUM Designation: RLM Lot Area: 215x110

Existing Use: Condo/M.Family Proposed Use: Condo./M.Family

APPLICANT/AGENT:

Name: Dennis F. DiTinno

Address: 118-107 St

City: Treasure Island State: FL

Zip: 33764 Phone: 727-360-2006

Email: CEO@LibertéMANAGEMENT.COM

PROPERTY OWNER:

Name: Camelot-by-the-Sea-Condo Assoc

Address: 1801-Gulf Way

City: St Pete Beach State: FL

Zip: 33706 Phone: 1-727-360-6988

Email: Liberteecamelotmgr@TampaBay.rr.com

DETAILS OF THE REQUEST: Cite code sections for which variance is requested: (Add additional sheets if necessary)

See attached Details of The Request, Site Plan, and Project Drawings

Additional Documents:

Check here if document is	Required Document

attached	
	Recent Survey of the property illustrating all boundaries, easements, and physical improvements.
	Site Plan drawn to scale showing proposed deviations of the code.

In order for an application for a 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 the requirements. Please explain in detail how your case meets these requirements (attach additional sheets if necessary):

1. Conditions and circumstances exist that are peculiar to the subject land, structure or building and do not apply generally to neighboring lands, structures or buildings in the same zoning district which have complied with these regulations without hardship.

   The scope of work, existing conditions, and building configuration is unique to this building and does not exist at the neighboring lands, structures of buildings in the zoning district.

2. The strict application of the provisions of the land development regulations would deprive the applicant of reasonable use of such land, structure or building.

   Strict application of the provisions of land development would make it not possible to reconstruct/reconfigure the north and south stairs to meet current building code and ADA requirements which may cause danger to residents/guests

3. The peculiar conditions and circumstances are not the result of the actions of the applicant.

   The existing north and south stairs and related balconies have reached the end of their usable life span by no fault of the applicant and require complete replacement to ensure they are safe for residents/guests to use.

4. The proposed variance will not have the effect of changing any district boundary on the zoning map.

   All work will be confined inside the existing property lines and will not affect any district boundary on the zoning map.

5. The variance shall not permit a non-conforming use or permit a use not specifically permitted in the zoning district.
The intended use of the land and building within the property line will be the same as the current building and therefore not be a non-confirming use

6. The variance shall not increase density or intensity over that which is permitted in the Comprehensive Plan.
The scope of work will not change the density or intensity since the number of dwelling units/ beds will not be change as all work will be performed outward of the exterior building walls.

7. The granting of a variance will be in harmony with the general purpose and intent of the land development regulations and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
The work will only change the overall footprint of the building slightly and will in fact approve the appearance on the existing building. Therefore we believe it will be in harmony with the general purpose and intent of the land development regulations and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

8. The variance proposed is the minimum variance that will make possible the reasonable use of the land, structure and building.
The north and south stairs/balconies and nearby A/C units and their corresponding footprints will be expanded/modified the minimum amount to meet current building code and ADA requirements.

11/4/15

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.

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

DD 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.

DD On all variances, a majority vote is required. Action on this application by the BOA/City Commission may be continued to a later meeting.

DD I understand that if a variance is approved by the BOA/City Commission, 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 from the Board/City Commission becomes voided.

DD 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.

DD I understand that any person aggrieved by the final decision has the right to file a petition in the Pinellas County Circuit Court within 30 calendar days after the 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.

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

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

Signature of Applicant Date 11/4/15

Owner's Authorization for Agent

Community Development Department
City of St. Pete Beach, Florida

I/WE Camelot-by-the-Sea Condo Assoc. Inc.
(print name of property owner)

hereby authorize Dennis F DiTinno
(print name of agent)

to represent me/us in an application for VARIANCE
(type of application: variance, conditional use, zoning, etc.)

Signature of Owner

Signature of Owner

Dennis F. DiTinno
Print Name of Owner

Print Name of Owner

The forgoing instrument was acknowledged before ~~me this~~ 4th day of Nov 2015, by Dennis DiTinno who is ~~personally known~~ or produced _____ as identification.

(Notary Signature) Robert M. Henderson (Date) 4 Nov 15

My Commission Expires _____

Notary Public State of Florida
Robert M Henderson III
My Commission FF 060154
Expires 10/03/2017

THE SUNSET CAPITAL OF FLORIDA

PUBLIC HEARING SIGN POSTING AFFIDAVIT

Applicant, Camelot-by-the-Sea Condo, 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 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): Dennis F. DiTiano

Address: 118 - 107th St. Treasure Island FL 33706

Dennis F. DiTiano 11/4/15

Signature *Date*

STATE OF FLORIDA)
) SS:
PINELLAS COUNTY)

The foregoing instrument was acknowledged before me this 4th day of November, 2015 by Dennis F. DiTiano, who appeared before me, and is personally known to me, or has produced _____ as identification, and did take an oath.

My commission Expires:

Notary Public State of Florida
Robert M Henderson III
My Commission FF 060154
Expires 10/03/2017

NOTARY: [signature]

Print Name: Robert M. Henderson III

Notary Public, State of Florida

(Notarial Seal)

DEAR APPLICANT:

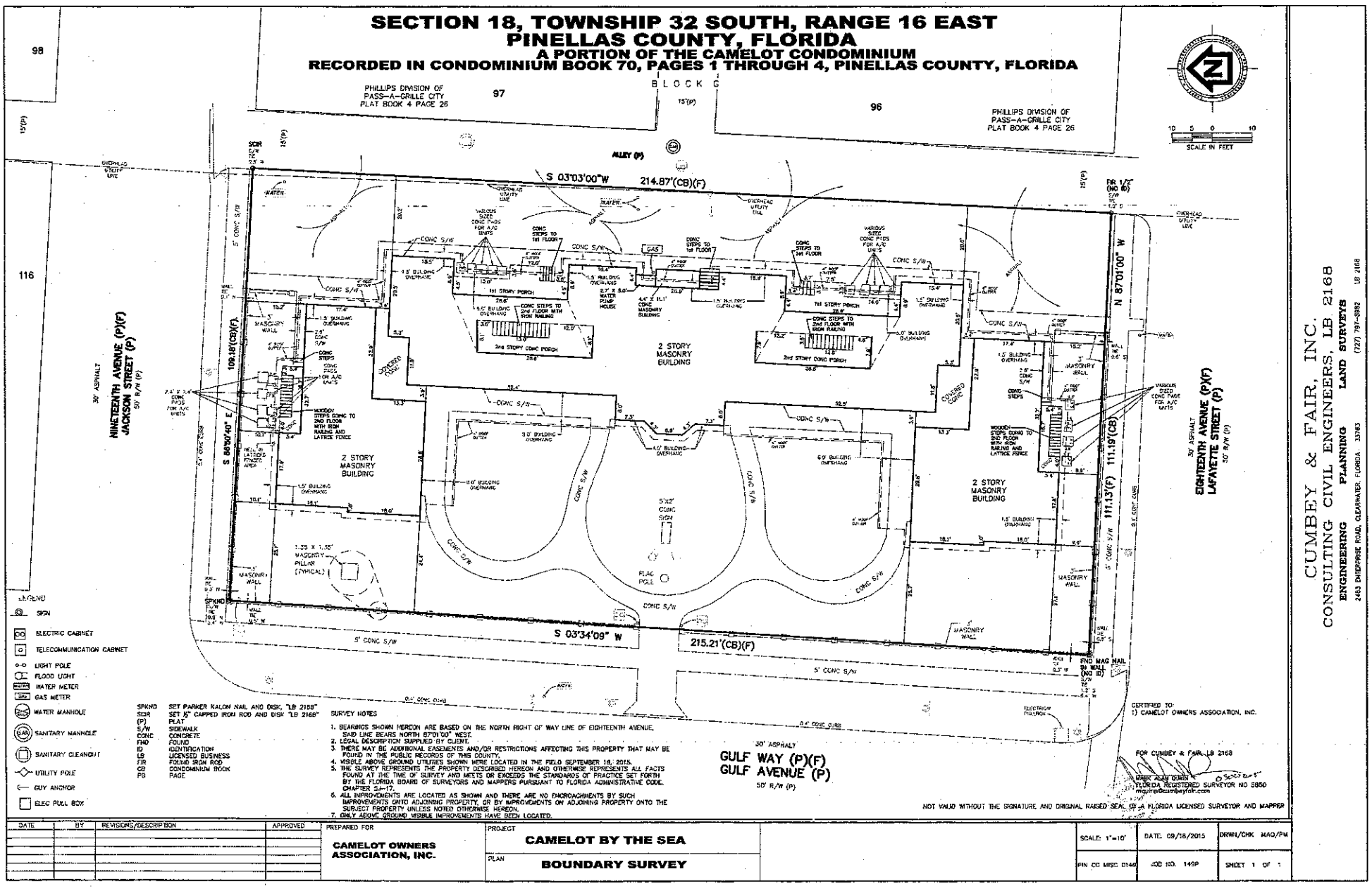
PLEASE COMPLETE THE ATTACHED AFFIDAVIT WHEN PUBLIC HEARING DATES HAVE BEEN DETERMINED FOR YOUR APPLICATION. PRESENT THE COMPLETED NOTARIZED AFFIDAVIT TO COMMUNITY DEVELOPMENT AND YOU WILL BE GIVEN THE SIGN(S) TO POST ON THE SUBJECT PROPERTY.

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. 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 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.

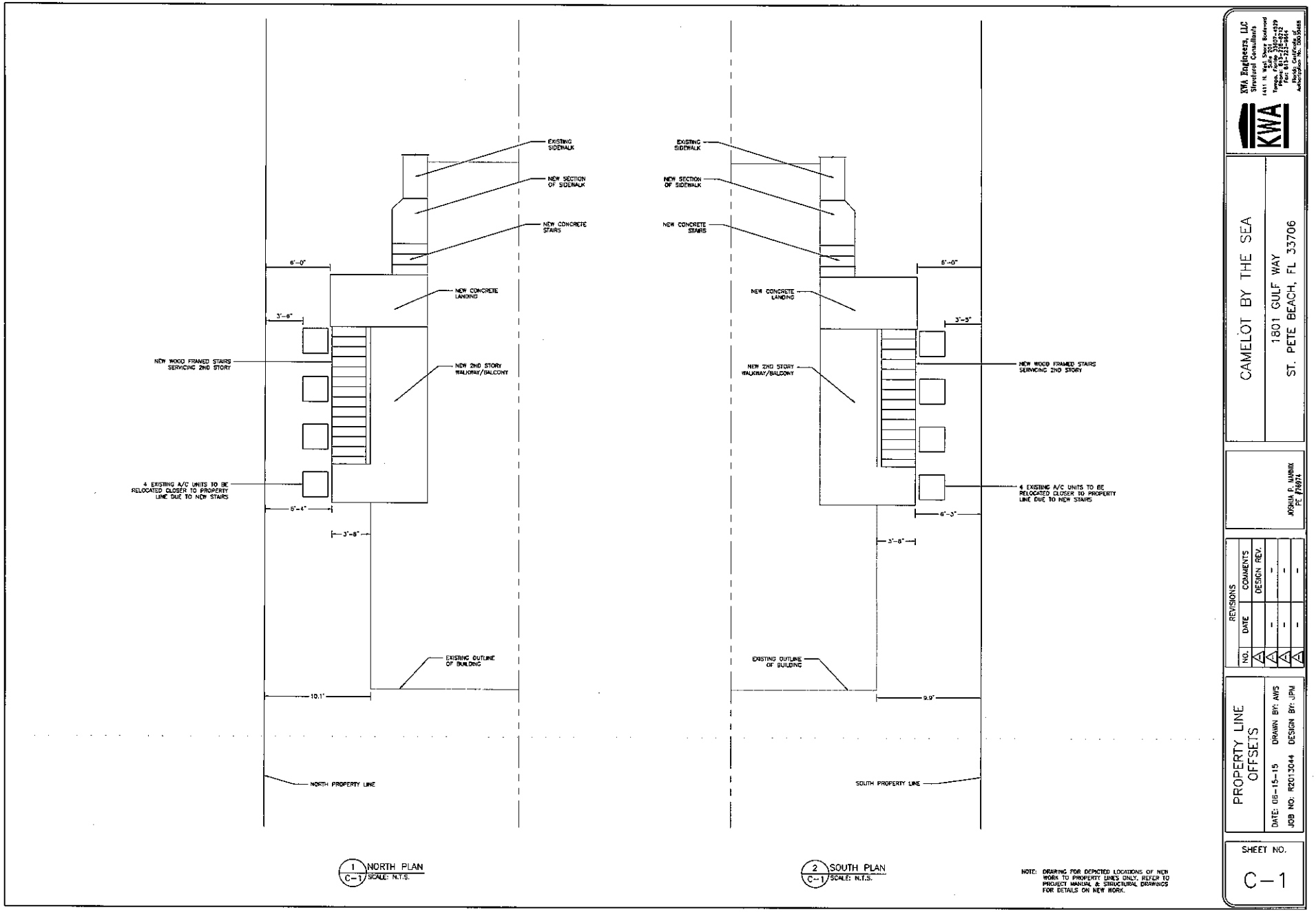
You must maintain the sign(s) in good readable condition. If the said sign is destroyed, lost, or becomes unreadable, you or your representative shall obtain a replacement sign. Any sign posted in accordance with these requirements shall be removed from the property and disposed of by the applicant or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

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

Attachment F.



Attachment G.



GENERAL STRUCTURAL NOTES

A. BUILDING CODES AND SPECIFICATIONS
1. Florida Building Code 2010 (FBC 2010).

B. DESIGN LOADS (used for repaired areas only)
1. Roof Live Load ..... 20 PSF
2. Balcony Live Load ..... 60 PSF
3. Walkway/Stairs Live Load ..... 100 PSF
4. Wind Load
   Ultimate Wind Speed ..... 145 MPH
   Nominal Design Wind Speed ..... 112.3 MPH
   Importance Factor 1.0
   Exposure Category ..... D
   Components and Cladding Pressure, Roof = +/- 55.4 PSF

C. DRAWINGS AND SPECIFICATIONS
1. Do not scale these drawings for dimensions not given.
2. Advise of dimensional discrepancies.
3. Verify all existing field conditions and dimensions prior to commencing
4. Dimension shown on drawings are a combination of those measured in field and available drawings. Some dimensions may be different than those shown on the plans. Contractor is responsible for verifying all dimensions.

D. CONSTRUCTION SAFETY
1. These drawings do not include provisions to satisfy safety requirements. Contractor is solely responsible for ensuring safety during construction, and for conformance to all applicable OSHA Standards. Jobsite visits by Engineer shall not constitute approval, awareness or liability for any hazardous conditions.

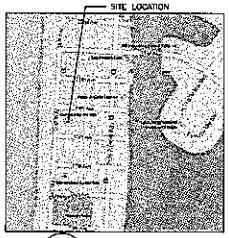
E. SHORING AND UNDERPINNING
1. Contractor is responsible for any damage caused by temporary shoring or underpinning. Roof framing must be supported the entire time while repairs are being made.

F. CONSTRUCTION MATERIALS
1. Wood Framing: All new framing at new stairs exposed to weather to be No.2 SYP pressure treated (Type MCQ/MCQ, ACQ-C, ACQ-D, CA-B, CA-C w/ no ammonia), U.N.O. All other framing shall be No.2 SYP, U.N.O
2. Wood Framing Connectors: Connectors shall have ZMAX coating. Nails shall be hot-dipped galvanized
3. Concrete: f'c = 4,000 psi (min) w/ integral corrosion inhibitor
4. Reinforcing Steel: ASTM A-615, Grade 60
5. Epoxy: HILTI HIT-HY70
6. New Doors: Plastpro Smooth Series Fiberglass Inswing Doors (FL Product Approval # 15210.5)

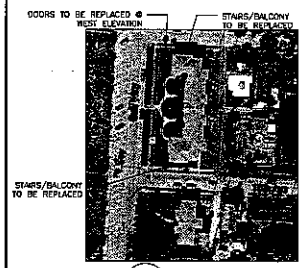
G. DELEGATED ENGINEERING
1. Guardrails:
   The design of all guardrail systems is being delegated to a Specialty Engineer retained by the Contractor and/or the manufacturer of these elements. The Contractor shall submit the signed and sealed drawings to the Building Department for review and approval as part of the permitting process.

H. DESIGN
All repairs will be made in accordance with the building codes and specifications above. KWA assumes no responsibility for the original engineers design of building elements including but not limited to foundation, walls, roof, etc. These repairs are only intended to replace individual members which are in need of replacement and are not intended to bring the entire structure up to the current Florida Building Code, only the individual elements replaced.

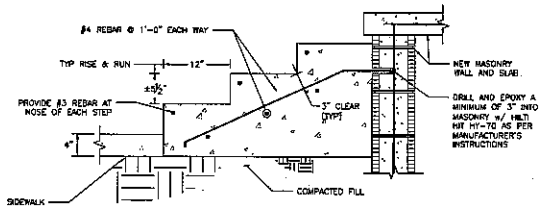
I. SCOPE OF WORK
Scope of Work is to replace the existing stairs and balconies @ the north & south elevations @ the North building. The scope also includes the replacement of existing entry doors @ the west elevation of the north building.



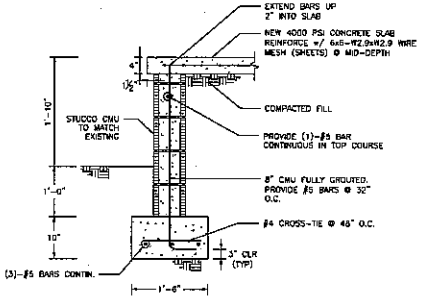
1 / S-1 SITE LOCATION
SCALE: N.T.S.



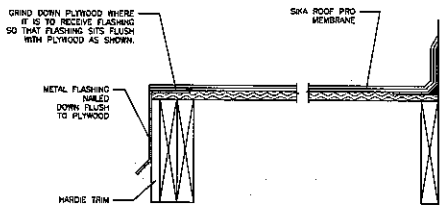
2 / S-1 SITE PLAN
SCALE: N.T.S.



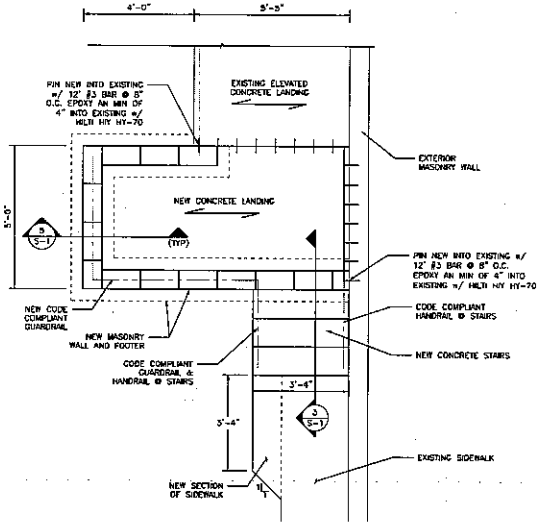
3 / S-1 CONCRETE STAIRS DETAIL
SCALE: N.T.S.



5 / S-1 CONCRETE FOOTING DETAIL
SCALE: N.T.S.



4 / S-1 WATERPROOFING DETAIL
SCALE: N.T.S.



NOTE: DIMENSIONS MAY NEED TO BE MODIFIED BY ENGINEER IN FIELD

6 / S-1 NEW CONCRETE LANDING PLAN
SCALE: N.T.S.

KWA Engineers, LLC
Structural Consultants
1411 N. West Shore Boulevard
Suite 1000
Tampa, Florida 33607-1639
Phone 813-221-2697
Fax 813-221-8864
Florida Certificate of Authorization No. 00004892

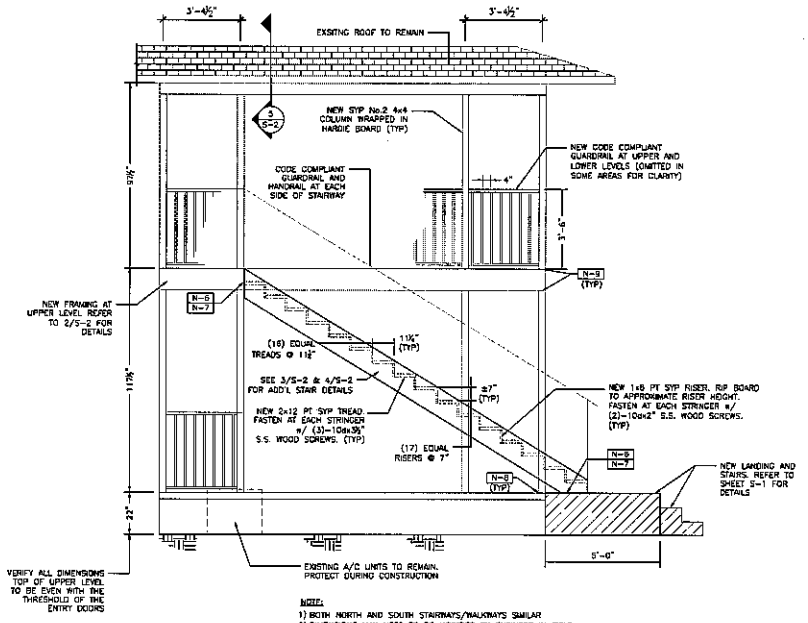
CAMELOT BY THE SEA
1801 GULF WAY
ST. PETE BEACH, FL 33706

JOSHUA P. MANNIX
PE #76574

REVISIONS		
NO.	DATE	COMMENTS
1	- -	-
2	- -	-
3	- -	-

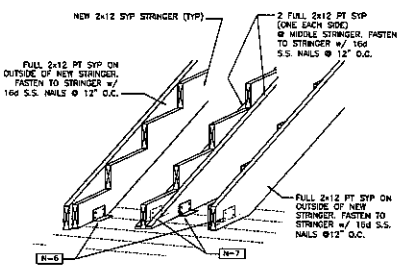
NORTH AND SOUTH STAIR REPLACEMENT
DATE: 06-15-15 DRAWN BY: AWS
JOB NO: R2013044 DESIGN BY: JPM

SHEET NO.
S-1

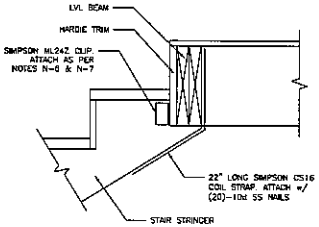


NOTE:
1) BOTH NORTH AND SOUTH STAIRWAYS/WALKWAYS SIMILAR
2) DIMENSIONS MAY NEED TO BE MODIFIED BY ENGINEER IN FIELD

1 S-2 STAIRWAY ELEVATION
SCALE: N.T.S.



3 S-2 STAIR BOTTOM DETAIL
SCALE: N.T.S.



4 S-2 STAIR TOP DETAIL
SCALE: N.T.S.

NOTES:

N-1 PROVIDE (1)-SIMPSON LUS26 AT END OF FLOOR JOIST. ATTACH TO JOIST w/ 4-10d NAILS. ATTACH TO HEADER w/ 4-10d NAILS (FL APPROVAL # 10855.111)

N-2 PROVIDE (1)-SIMPSON HUC46 AT END OF BEAM TO CONNECT TO MASONRY. ATTACH TO BEAM w/ 6-10d NAILS. ATTACH TO MASONRY w/ (12)-1"x2¾" TITEN SCREWS (FL APPROVAL # 10855.83)

N-3 PROVIDE (1)-SIMPSON MUSC48 AT END OF BUILT-UP BEAM TO CONNECT TO LVL BEAM. ATTACH TO BUILT-UP BEAM w/ 6-16d NAILS. ATTACH TO LVL BEAM w/ 6-16d NAILS (FL APPROVAL # 10855.84)

N-4 (2)-1¾"x11¾" MICRO=LAM LVL'S BY WEYERHAUSER. ATTACH TOGETHER w/ (3)-16d NAILS SPACED @ 1'-4" O.C.

N-5 SYP No.2 (2)-2x12 BUILT-UP MEMBER w/ ½" FLITCH PLATE. ATTACH LAYERS TOGETHER w/ (3)-16d NAILS SPACED @ 1'-4" O.C.

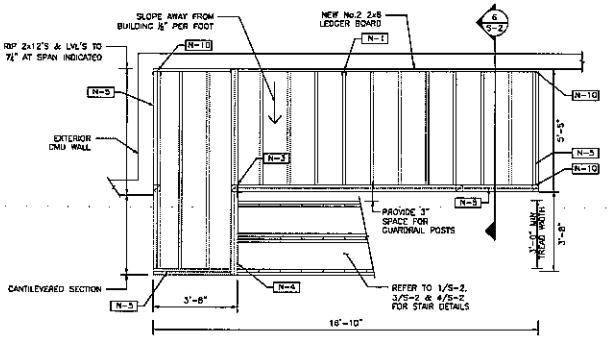
N-6 AT GROUND LEVEL, ATTACH INSIDE AND OUTSIDE STRINGERS TO CONCRETE w/ (1)-ML26Z w/ (4)-¼"x1¾" SDS SCREWS TO STRINGER AND (4)-¾"x1¾" S.S. TAPCONS TO CONCRETE. AT TOP LEVEL, ATTACH INSIDE AND OUTSIDE STRINGERS TO UPPER LANDING w/ (1)-ML24Z w/ (3)-¼"x1¾" SDS SCREWS TO STRINGER AND (3)-¾"x2½" SDS SCREWS TO LVL BEAM AND 22" LONG CS16 COIL STRAP ATTACHED w/ (20)-10d S.S. NAILS. (FL APPROVAL # 13904.6)

N-7 AT GROUND LEVEL, ATTACH CENTER STRINGER TO CONCRETE w/ (2)-ML26Z (ONE EACH SIDE). ATTACH EACH w/ (4)-¼"x1½" SDS SCREWS TO STRINGER AND (4)-¾"x1½" S.S. TAPCONS TO CONCRETE. AT TOP LEVEL, ATTACH STRINGER TO LANDING w/ (2)-ML24Z (ONE EACH SIDE). ATTACH EACH w/ (3)-¼"x1¾" SDS SCREWS TO STRINGER AND (3)-¾"x2½" SDS SCREWS TO LANDING. ALSO ATTACH STRINGER w/ 22" LONG CS16 COIL STRAP ATTACHED w/ (20)-10d S.S. NAILS. (FL APPROVAL # 13904.6)

N-8 ATTACH 4x4 COLUMN TO CONCRETE w/ (1)-SIMPSON ABA44Z BASE. ATTACH BASE TO COLUMN w/ 6-10d NAILS. ATTACH BASE TO CONCRETE w/ (1)-½"x3" S.S. POWERS WEDGE BOLT w/ WASHER (FL APPROVAL # 10849.2)

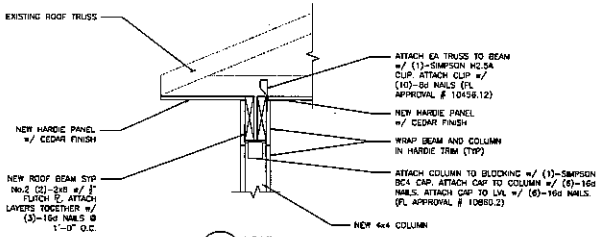
N-9 ATTACH 4x4 COLUMN TO LVL BEAM/BLOCKING w/ (1)-SIMPSON BC4Q. ATTACH BASE TO COLUMN w/ (6)-16d NAILS. ATTACH BASE TO LVL w/ (4)-16d NAILS. (FL APPROVAL # 10880.2). PROVIDE SOLID BLOCKING AT 4x4 COLUMN

N-10 PROVIDE (1)-SIMPSON LUS26-2 AT EACH END OF DOUBLE 2x12 JOIST. ATTACH TO JOIST w/ 4-10d NAILS. ATTACH TO HEADER w/ 4-10d NAILS (FL APPROVAL # 10855.112)

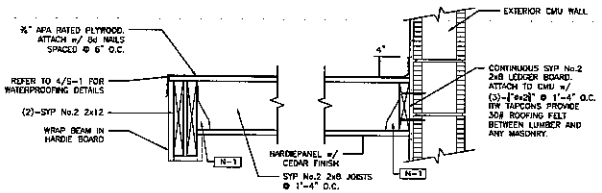


NOTE: DIMENSIONS MAY NEED TO BE MODIFIED DURING CONSTRUCTION TO MEET EXISTING CONDITIONS & CODE REQUIREMENTS

2 S-2 UPPER LEVEL FRAMING PLAN
SCALE: N.T.S.



5 S-2 SECTION
SCALE: N.T.S.



6 S-2 SECTION
SCALE: N.T.S.

KWA Engineers, LLC
Structural Consultants
1411 N. West Shore Boulevard
Suite 1000
Tampa, Florida 33607-4572
Phone 813-289-1992
Fax 813-223-3864
Florida Certificate of Authorization No. 00005444

CAMELOT BY THE SEA
1801 GULF WAY
ST. PETE BEACH, FL 33706

JOSHUA P. MANNIX
PE #76974

REVISIONS			
NO.	DATE	COMMENTS	DESIGN REV.
1	-	-	-
2	-	-	-
3	-	-	-

WALKWAY/STAIR REPLACEMENT

DATE: 06-15-15 DRAWN BY: AWS
JOB NO: R20135044 DESIGN BY: JPM

SHEET NO.
S-2

St. Pete Beach
Board of Adjustment

155 Corey Avenue
St. Pete Beach, FL 33706
727-367-2735

1/27/15

Variance Case #2015-0068

Applicant/Agent
Susanne & Michael A. Ward, Homeowners

Location
3216 El Centro St, #A

Commission District
District 4

Staff Representative
Mike Larimore, Zoning Tech II

Findings
1. Denial would not deprive applicant of proposed use of property.
2. Does not alter district boundary, create a non-conforming use, increase density or allow a use not permitted in the district.
3. The variance is in general harmony with the Land Development Code.

ITEM SUMMARY:

Code Item	Requirement	Existing Condition	Proposed
Side Yard Setback Requirement (12.7.a)	10% of lot width (10 feet)	10 feet	5 feet

Applicant requests a variance to Section 12.7 (a) of the Land Development Code (LDC) to allow for construction of an elevator and interior walkway within the required side yard setback.

Existing Use: Multi-Family Residential
Proposed Use: Multi-Family Residential
Adjacent Uses
North: Multi-Family Residential (Unit #B)
South: Single-Family Residential (3214 El Centro St.)
East: Infrastructure (El Centro St.)
West: Preservation (Beach & Dune)

The Applicants request this variance in order to allow for construction of an elevator with an interior connection. The Applicants state that health issues are their primary reason for their desire to build an elevator. The subject unit is Unit #A which is the southernmost unit of the triplex. The Applicant states that an identical variance was granted for the northernmost unit, Unit #C, in 2004 (BoA Case #2004-0027). The Applicants state that the same architect/designer employed for the design of the elevator for Unit #C will be employed to create an identical elevator for Unit #A if the variance is granted. The plans for the past elevator were submitted by the Applicants and are included as an attachment for this variance request.

As an important note, while a similar past variance was granted, the Applicants must prove hardship in this case and the Board must use only the information presented in this case to reach a decision.

Staff Recommendation Exploration of other options	**PUBLIC NOTICE:** Notice of public hearing has been advertised as required by State Statutes. As of the date of this report, no written comments have been received. Oral and written comments may be presented at the public hearing. **COMPREHENSIVE PLAN/LAND DEVELOPMENT CODE:** The subject property is zoned Residential Medium (RM) which allows for attached multi-family residential. There is no language in either the Comprehensive Plan or Land Development Code that precludes the construction or use of a residential elevator. **STAFF RECOMMENDATION:** Staff recommends the Applicants explore other options – The lack of allowable buildable area due to the original construction of the building is not peculiar nor a basis for the granting of a variance. Additionally, the scale of the proposed construction may have ill effects on the neighboring residential property. Staff recommends the Applicants explore other interior mobility options. Attachments: A) Relevant Code Sections B) Aerial Photo C) Site Photos D) Narrative E) Variance Application F) Survey G) Site Plan

Attachment A:

Sec. 12.7. – Minimum yard requirements.

The minimum yard requirements for principal structures in the RM Residential District are as required in this section. No structures shall be permitted seaward of the city's coastal construction and excavation setback line.

a) Residential dwellings.
   a. Front yard: 20 feet.
   b. Secondary front yard: ten feet.
   c. Side yard: Ten percent of the lot width.
   d. Rear yard: 20 feet.

Attachment B:

Attachment C:

Above: Subject property facing west

(1)

Attachment D.

We are Susanne & Michael A. Ward, and we live at 3216 El Centro St S # A, St Pete Beach.

The variance - we are requesting - would allow us to install an elevator and a hallway for the elevator on the south side of the existing structure. The elevator will be three stories to accommodate all the floors of the existing residence. The Hallway to access the elevator will be on the first floor only. The proposed elevator shaft and hallway will be a mirror image of the 3216 El Centro # C addition, for which a variance was granted in 2004.

The proposed elevator is a medical necessity. Husband- a former marathon runner - who has growing knee problems climbing stairs - and elderly parent (92 years old) & family members no longer able to climb stairs.

Attachment E.

RECEIVED
DEC 14 2015
COMMUNITY DEVELOPMENT

VARIANCE APPLICATION

Case Number: 20150068

PROPERTY FOR PROPOSED VARIANCE

Legal Description: PASS-A-GRILLE TOWNHOUSES CONDO UNIT A

Parcel ID 07 32 16 67779 000 0010

Address 3216 EL CENTRO ST S # A ST Pete Beach FL 33706

Current Zoning: RM RES. CONDO FLUM Designation: RM Lot Area: 0010

Existing Use: RESIDENTIAL Proposed Use: NO CHANGE

APPLICANT/AGENT:

Name: SUSANNE & MICHAEL A. WARD
Address: 3216 EL Centro ST S # A
City: ST Pete Beach State: FL
Zip: 33706 Phone: 727-5048848
Email: FLORIDASUS@AOL.com

PROPERTY OWNER:

Name: SUSANNE & MICHAEL A. WARD
Address: 3216 EL Centro ST S # A
City: ST PETE BEACH State: FL
Zip: 33706 Phone: 727-5048848
Email: FLORIDASUS@AOL.com

DETAILS OF THE REQUEST: Cite code sections for which variance is requested: (Add additional sheets if necessary)

Variance Request do Section 12.7 requirements of 10% of lot width (10 feet) do permit a reduction do 5 feet for an elevator and elevator hallway addition - an addition already granted (variance) and in place for 3216 EL CENTRO ST S # C.

Attach the following supporting documentation to this application:

- **Recent survey of the property**
- **A site plan, drawn to scale, illustrating the proposed variance**

see additional sheet Attached (1).

This completed application, together with all required supporting documents and fees, shall be submitted by 12:00 noon on the stated filing date for the Board of Adjustment. Failure to do so will delay your application to a later date. If any materials are missing or

any part of this application is left blank, staff may refuse the application until such time as it is completed by the applicant. SW (applicant's initials)

Application Checklist:

Check here if document is attached	Required Document
SUBMITTED VIA EMAIL	Recent Survey of the property illustrating all boundaries, easements, and physical improvements.
-11-	Site Plan drawn to scale showing proposed deviations of the code.

In order for an application for a 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 the requirements. Please explain in detail how your case meets these requirements (attach additional sheets if necessary):

1. Conditions and circumstances exist that are peculiar to the subject land, structure or building and do not apply generally to neighboring lands, structures or buildings in the same zoning district which have complied with these regulations without hardship.

After extensive communications with building contractors it has been established that the option of an inground elevator would cause significant damage, disruption & structural problems, which would significantly inhibit the living space, which would negatively affect the quality of life. Same conclusion made by unit C (2004).

2. The strict application of the provisions of the land development regulations would deprive the applicant of reasonable use of such land, structure or building.

FOR MEDICAL REASONS. See attached additional sheet.

3. The peculiar conditions and circumstances are not the result of the actions of the applicant.

NO

4. The proposed variance will not have the effect of changing any district boundary on the zoning map.

NO

5. The variance shall not permit a non-conforming use or permit a use not specifically permitted in the zoning district.

NO

6. The variance shall not increase density or intensity over that which is permitted in the Comprehensive Plan.

NO

7. The granting of a variance will be in harmony with the general purpose and intent of the land development regulations and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

The Variance - we are requesting - is a medical necessity. The use is for residential purpose only.

8. The variance proposed is the minimum variance that will make possible the reasonable use of the land, structure and building.

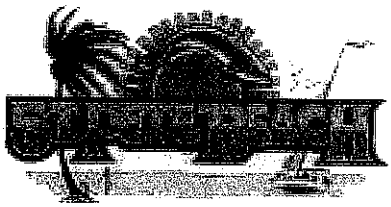
Yes - The Variance - we are requesting - would put the side of the proposed elevator shaft and Hallway 5 feet 2 inches from the existing wall on South property line. A Variance already granted in 2004 to 3240 El Centro ST S #C - 1ST Pete Beach

Signature of Applicant _____ Date 12/14/15 Signature of Authorized Agent _____ Date 12-14-15

For office use only:

Hearing Date: _____ Fees: _____

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



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 _____ 2015, by _____who is personally known _____ or produced _____as identification.

_____
(Notary Signature) **(Date)**

My Commission Expires _____

THE SUNSET CAPITAL OF FLORIDA

Community Development
Department
155 Corey Avenue
St. Pete Beach, Florida 33706
727.363.9241
www.stpetebeach.org

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.

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

NW 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.

NW On all variances, a majority vote is required. Action on this application by the BOA/City Commission may be continued to a later meeting.

NW I understand that if a variance is approved by the BOA/City Commission, 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 from the Board/City Commission becomes voided.

NW 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.

NW I understand that any person aggrieved by the final decision has the right to file a petition in the Pinellas County Circuit Court within 30 calendar days after the 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.

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

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

D. Ward 12-14-15

Signature of Applicant Date

PUBLIC HEARING SIGN POSTING AFFIDAVIT

Applicant, Susanne Ward, 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 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 representative not later than 24 hours following the final decision.

S Ward

(signature of applicant or applicant's representative)

S. WARD

(printed name of applicant or applicant's representative)

3216 EL Centro ST S #A

(address of applicant or applicant's representative, line 1)

St Pete Beach, FL 33706

(address of applicant or applicant's representative, line 2)

STATE OF FLORIDA)
) SS:
PINELLAS COUNTY)

The foregoing instrument was acknowledged before me this 14th day of Dec, 2015 by Suzanne Ward, who appeared before me, and is personally known to me, or has produced DR ID W630-780-52-669-0 as identification, and did take an oath.

My commission Expires:

NOTARY:

Print Name: MARY T. MACRIDES

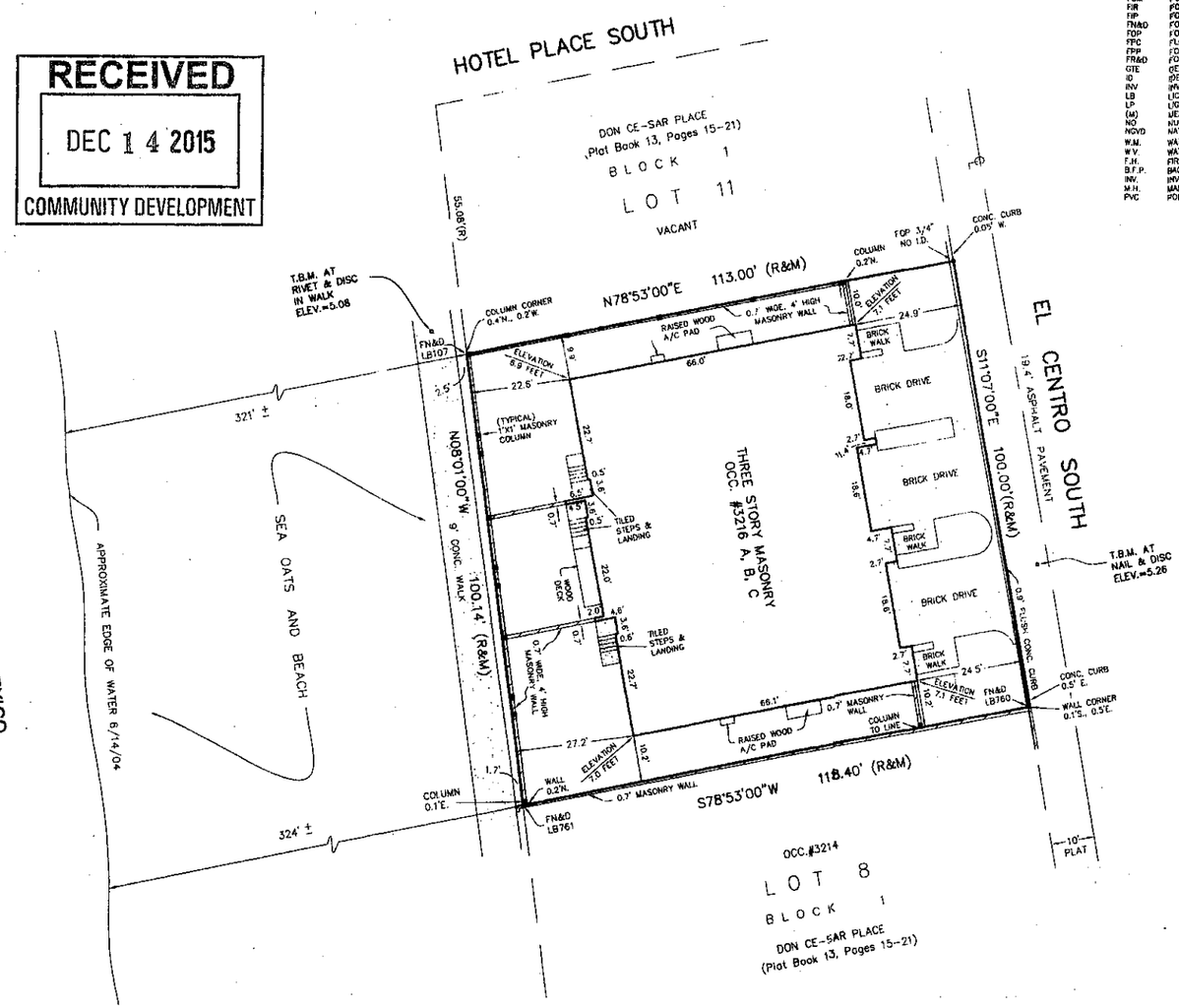
Notary Public, State of Florida

(Notarial Seal)

MARY T. MACRIDES
MY COMMISSION # FF 922446
EXPIRES: September 29, 2019
Bonded Thru Budget Notary Services

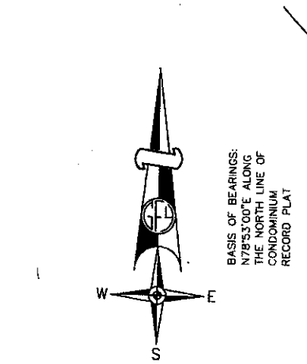
Attachment F.

RECEIVED
DEC 14 2015
COMMUNITY DEVELOPMENT



LEGEND

A	ARC	OCC	OCCUPIED
A\C	AIR CONDITIONER	OHL	OVER HEAD LINES
BLDG.	BUILDING	(P)	PLAT
C	CHORD	PC	POINT OF CURVE
CALC	CALCULATED	PCC	POINT OF COMPOUND CURVE
CB	CHORD BEARING	PCP	PERMANENT CONTROL POINT
℄	CENTER LINE	PI	POINT OF INTERSECTION
CLF	CHAIN LINK FENCE	PLS	PROFESSIONAL LAND SURVEYOR
CONC	CONCRETE	P.O.B.	POINT OF BEGINNING
COV	COVERED	PP	POWER POLE
(D)	DESCRIPTION	PRC	POINT OF REVERSE CURVE
DIP	DUCTILE IRON PIPE	PRM	PERMANENT REFERENCE MONUMENT
ELEV	ELEVATION	PSM	PROFESSIONAL SURVEYOR AND MAPPER
ESMT	EASEMENT	PVC	POLYVINYL CHLORIDE
FCM	FOUND CONCRETE MONUMENT	RAD	RADIUS
FIR	FOUND IRON ROD	(R)	RECORD
FIP	FOUND IRON PIPE	RCP	REINFORCED CONCRETE PIPE
FN&D	FOUND NAIL AND DISK	RNG	RANGE
FOP	FOUND OPEN IRON PIPE	R/W	RIGHT OF WAY
FPC	FLORIDA POWER CORPORATION	SCM	SET CONCRETE MONUMENT
FPP	FOUND PINCHED IRON PIPE	SEC	SECTION
FR&D	FOUND RIVET AND DISK	SIR	SET 1/2" IRON ROD LB 021
GTE	GENERAL TELEPHONE EXCHANGE	SN&D	SET NAIL AND DISK
ID	IDENTIFICATION	SR&D	SET RIVET AND DISK
INV	INVERT ELEVATION	TBM	TEMPORARY BENCH MARK
LB	LICENSED BUSINESS	TV	TELEVISION
LP	LIGHT POLE	TWP	TOWNSHIP
(M)	MEASURED	WF	WOOD FENCE
NO	NUMBER	#	NUMBER
NGVD	NATIONAL GEODETIC VERTICAL DATUM		
W.M.	WATER METER		
W.V.	WATER VALVE		
F.H.	FIRE HYDRANT		
B.F.P.	BACK FLOW PREVENTOR		
INV.	INVERT		
M.H.	MANHOLE		
PVC	POLYVINYL CHLORIDE PIPE		



GRAPHIC SCALE
1" = 20'

A BOUNDARY SURVEY OF

PASS-A-GRILLE TOWNHOUSES, A CONDOMINIUM
As recorded in Condominium Plat Book 108, Pages 96 and 97
Public Records of Pinellas County, Florida

St. Petersburg Beach, Florida

NOTES:

1. AS PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) NUMBER 12103C0278G, PANEL 278, EFFECTIVE DATE 09/03/03, THE ABOVE DESCRIBED PROPERTY APPEARS TO BE IN ZONE AE WITH A BASE FLOOD ELEVATION OF 12 FEET.
2. THIS SURVEY IS A GRAPHIC DEPICTION OF THE CURRENT BOUNDARY AND CURRENT IMPROVEMENTS IN ACCORDANCE WITH THE LEGAL DESCRIPTION SHOWN HEREON AND MAY NOT REFLECT OWNERSHIP.
3. THIS SURVEY IS MADE FOR THE EXCLUSIVE USE OF THE CURRENT OWNERS OF THE PROPERTY AND ALSO THOSE WHO PURCHASE, MORTGAGE OR GUARANTEE THE TITLE THERETO WITHIN ONE (1) YEAR FROM DATE HEREOF.
4. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES ARE PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
5. THIS SURVEY WAS MADE WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT.
6. THE LOCATION OF FOUNDATIONS OR STRUCTURES BENEATH THE SURFACE HAS NOT BEEN DETERMINED
7. ELEVATIONS SHOWN HEREON REFER TO NORTH AMERICAN VERTICAL DATUM (N.A.V.D.) 88. BENCHMARK USED WAS "NOAA 1973", LOCATED NEAR THE INTERSECTION OF EL CENTRO AND 33RD AVENUE, HAVING A PUBLISHED ELEVATION OF 6.82 FEET.

THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

CERTIFIED TO:

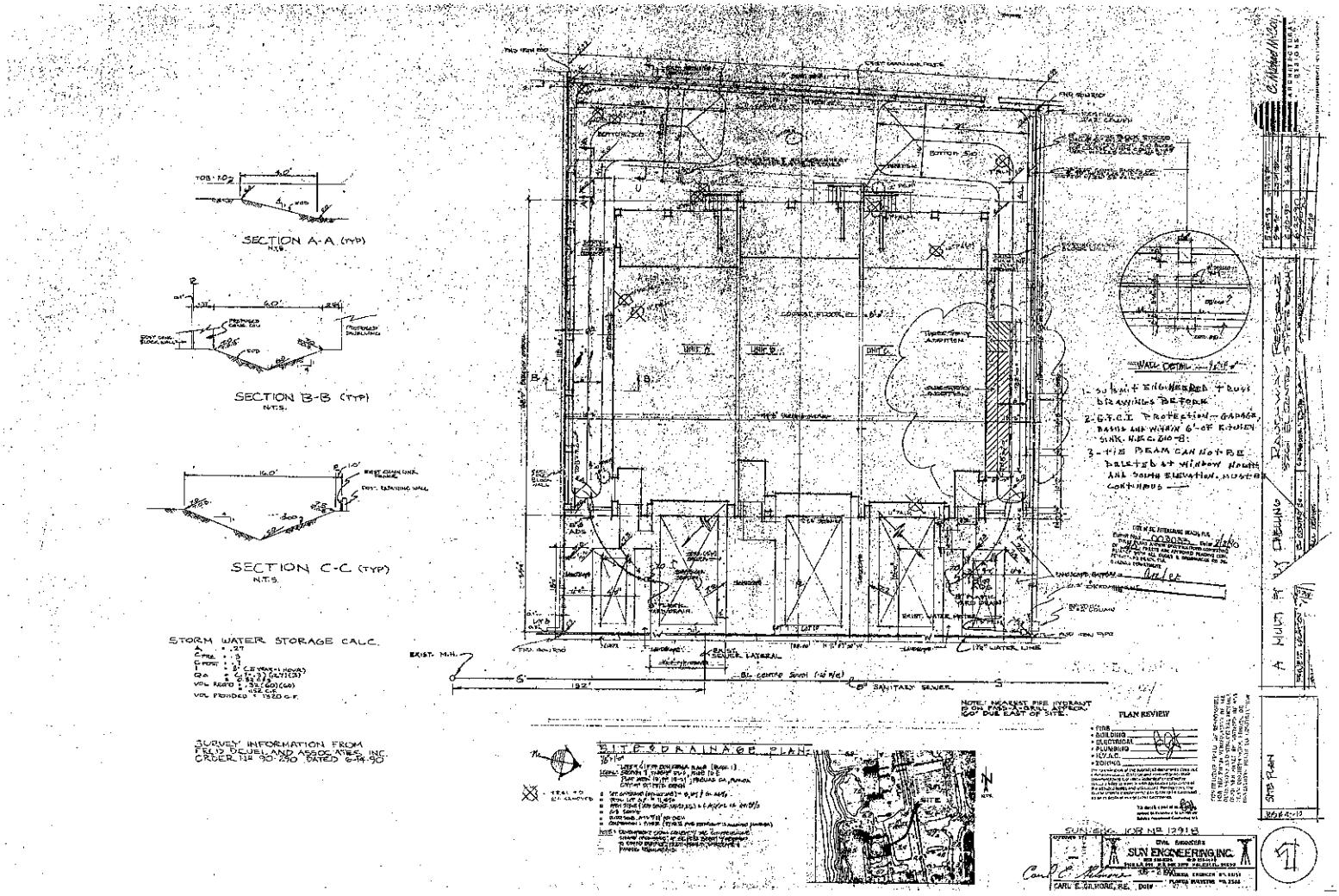
Pass-A-Grille Townhouses Condominium Assoc.

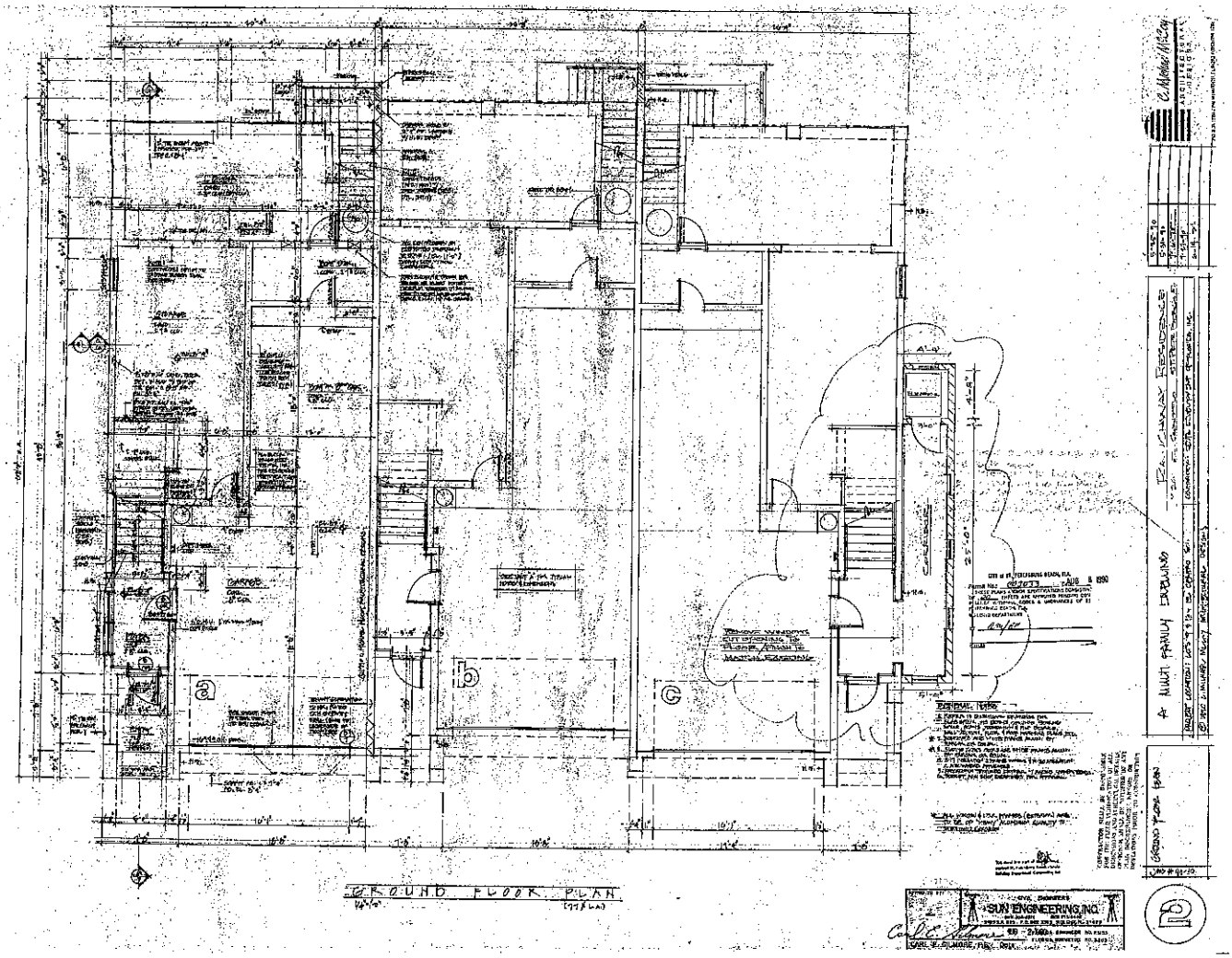
REVISIONS

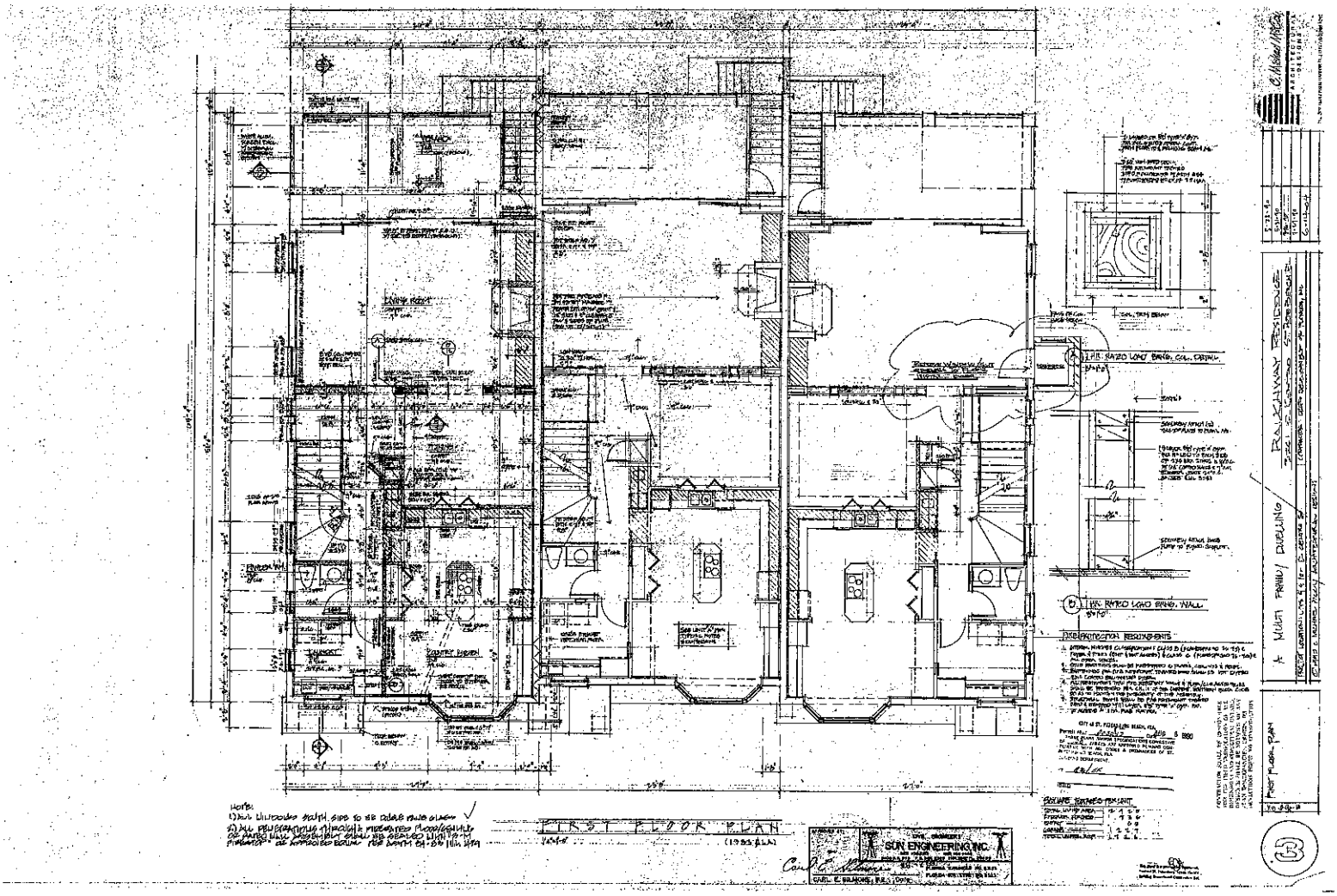
George F. Young, Inc.
LICENSED BUSINESS 021
ARCHITECTURE ▪ ENGINEERING ▪ ENVIRONMENTAL
LANDSCAPE ARCHITECTURE ▪ PLANNING ▪ SURVEYING
ST. PETERSBURG ▪ TAMPA ▪ BRADENTON ▪ GAINESVILLE
RESPONSIBLE OFFICE: 299 Dr. Martin Luther King, Jr. Place North

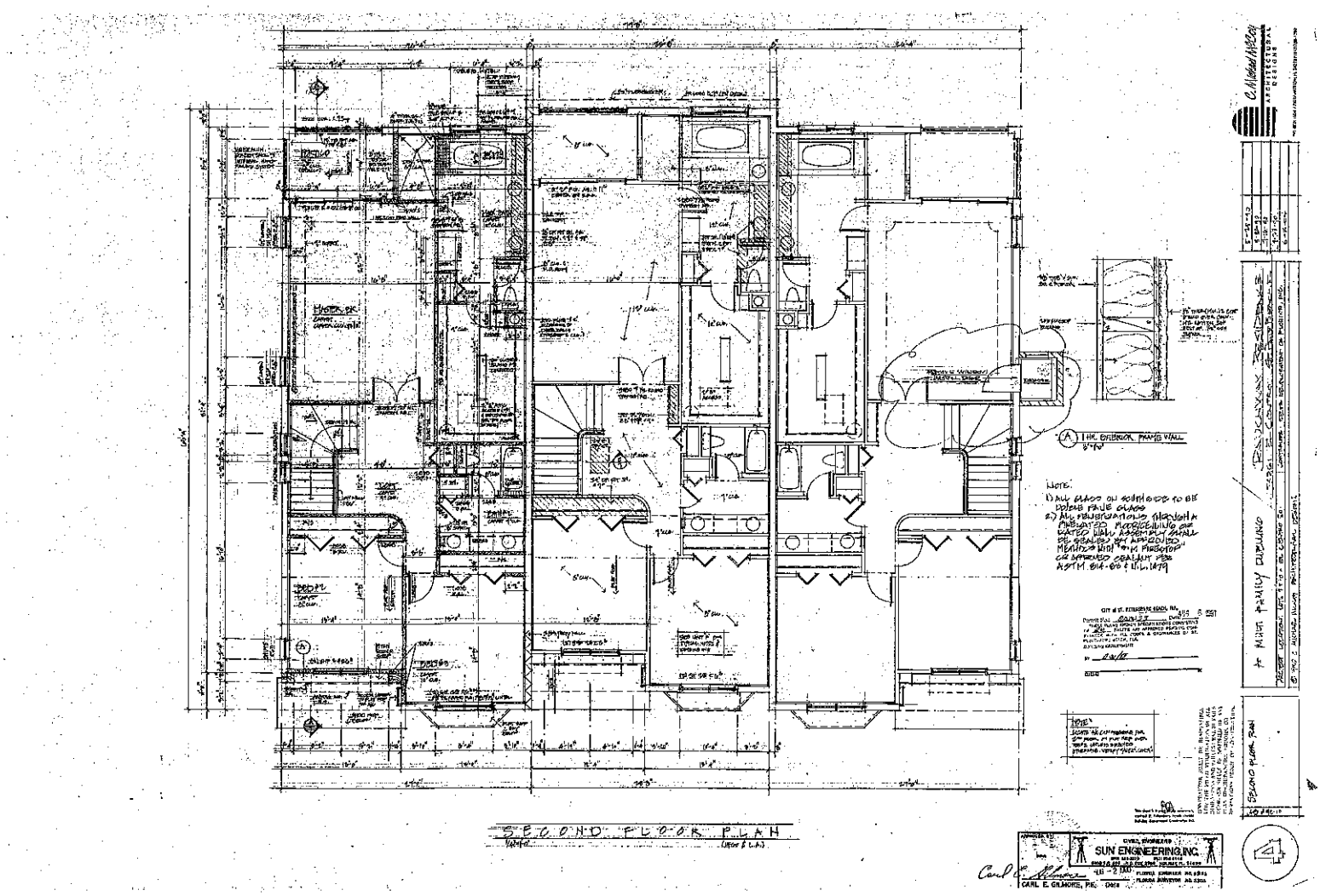
SHEET 1

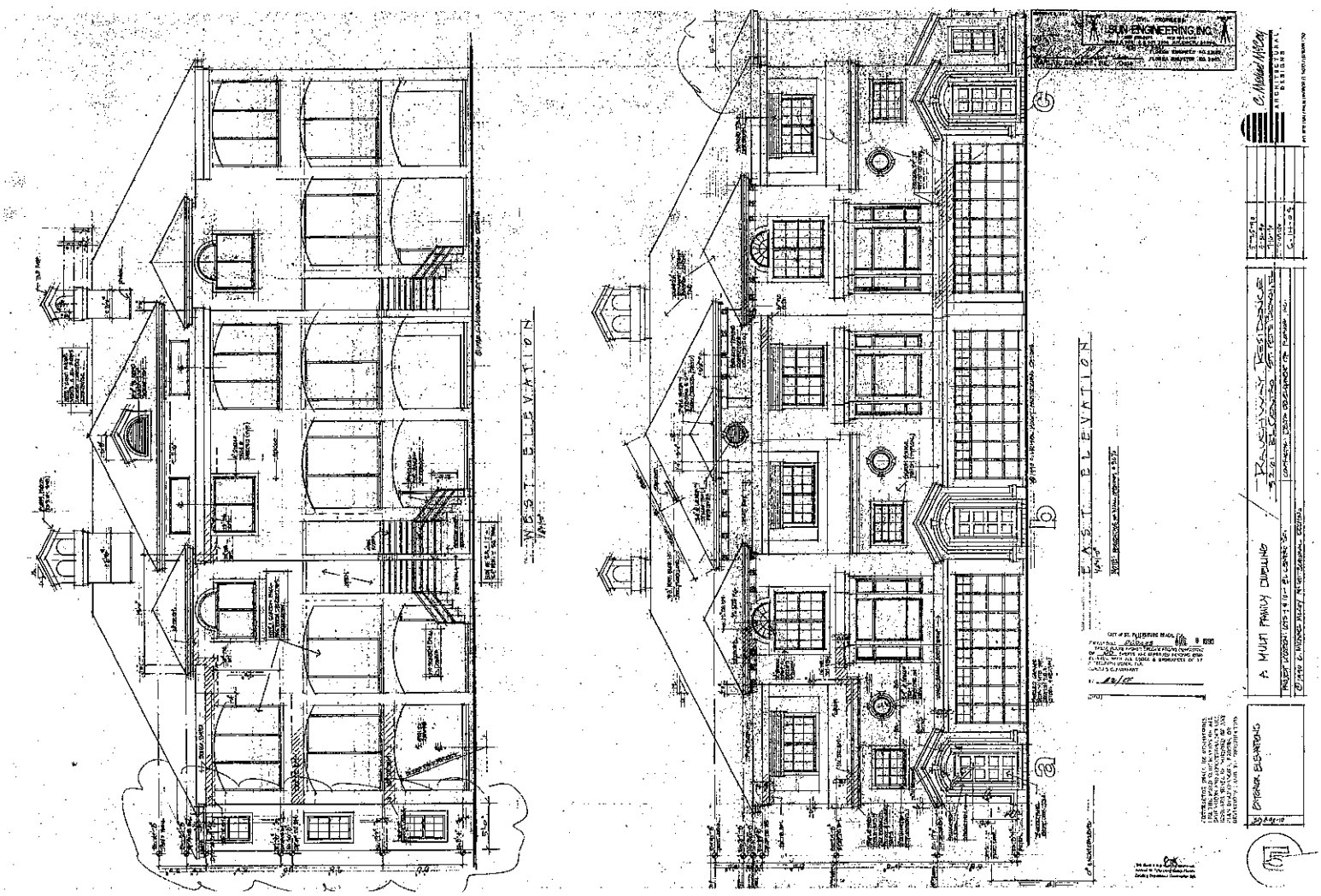
Attachment G.

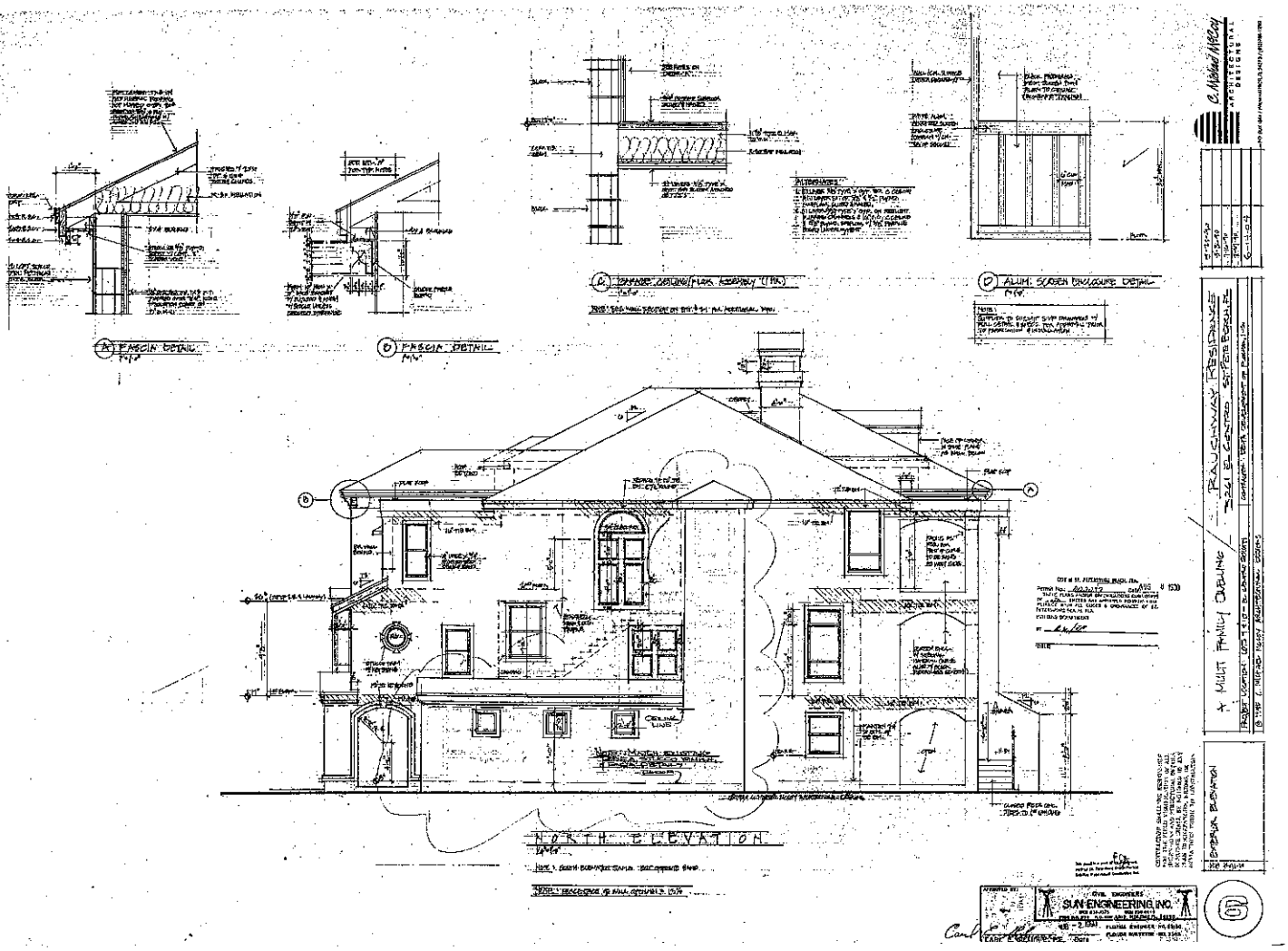



GROUND FLOOR PLAN
SUN ENGINEERING INC.


FIRST FLOOR PLAN
SUN ENGINEERING INC.
RAILWAY RESIDENCE
FIRST FLOOR PLAN


SECOND FLOOR PLAN
SUN ENGINEERING, INC.
CARL E. GILMORE, P.E.
NOTE:
1) ALL GLASS ON SOUTH SIDE TO BE DOUBLE PANE GLASS
2) ALL PENETRATIONS THROUGH A FINE-RATED FLOOR/CEILING OR RATED WALL ASSEMBLY SHALL BE SEALED BY APPROVED METHODS WITH "FIRESTOP" OR APPROVED SEALANT PER ASTM E14-80 & U.L. 1479
SECOND FLOOR PLAN
4


WEST ELEVATION
EAST ELEVATION
SUN ENGINEERING INC.
A MULTI FAMILY DWELLING
RAUCHWAY RESIDENCE
BYRON ELEVATIONS


A FASCIA DETAIL
B FASCIA DETAIL
C GARAGE CASTING/FLOW ASSEMBLY (TYP.)
D ALUM. SCREEN ENCLOSURE DETAIL
NORTH ELEVATION
SUN ENGINEERING, INC.
C. Michael McCoy
ARCHITECTURAL DESIGNS
RAUCHWAY RESIDENCE
3241 EL CENTRO ST. PETE BEACH, FL
MULTI FAMILY DUPLEX
EXTERIOR ELEVATION
6

St. Pete Beach
Board of Adjustment

155 Corey Avenue
St. Pete Beach, FL 33706
727-367-2735

01/27/16

Variance Case #2016-0001

Applicant/Agent
Sungold LLC /
Beth Morean

Location
3815, 3855, & 3859
Gulf Boulevard

Commission District
District 3

Staff Representative
Jennifer Bryla, AICP
CD Director

Related Cases
Variance 2nd Extension expired 12/31/2015
#2015-0050

Variance 1st Extension
#2015-0043

Temporary Use Permit
#2014-0056

Temporary Use Permit
#2014-0021

Temporary Use Permit
#2011-0006

Staff Recommendation
Denial

ITEM SUMMARY:

Item	Requirement	Existing Condition	Proposed
Temporary Use Permit	Only one extension allowed	Received two extensions	One additional extension

Applicant requests a variance to Section 6.11(d)(1) of the Land Development Code for a temporary use permit extension.

Existing Use: Commercial Parking
Proposed Use: Parking
Adjacent Uses
North: Multi-family Residential
South: Multi-family Residential
East: Water
West: Infrastructure

The vacant lot at the above-mentioned addresses spans the 3800 block of Gulf Boulevard. The applicant received an initial temporary use permit for commercial parking on the lot in 2011 (2011-0006), which expired in 2012. The applicant received another temporary use permit in 2014 (2014-0021), during which time the City was re-writing its temporary use ordinance. After the new temporary use ordinance passed, the applicant again received a temporary use permit (#2014-0056). The ordinance allows only one 30-day extension, which the applicant received administratively on May 28, 2015. The applicant applied for and received a variance to this requirement at the June Board of Adjustment meeting (#2015-0043), granting the lot an extension of the use which expired on July 27, 2015. The applicant then applied for another extension until December 31, 2015. The owner at that time felt that was adequate time for develop plans for the lot. Upon recommendation from staff, the owner applied for a conditional use permit, which is required for the lot to remain; this application was subsequently withdrawn. The applicant has communicated that they are actively marketing the property to developers; and require additional time to

develop plans for the parcel. To date no interested parties have contacted the Community Development Office regarding the site.

PUBLIC NOTICE:

Notice of public hearing has been advertised as required by State Statutes. One (1) written letter of opposition has been received. Oral and written comments may be presented at the public hearing.

COMPREHENSIVE PLAN:

The proposed renewal to this temporary use permit is not consistent with the City of St. Pete Beach's Comprehensive Plan as this Land Use Category and Zoning District, Bayou Residential (BR), is intended to be a mixed-use area, allowing mainly residential uses, with commercial and temporary lodging allowed as secondary and conditional uses respectively. Parking lots are permitted in this area by conditional use approval only and are limited to a time period of two years.

LAND DEVELOPMENT CODE:

The proposed extension to this temporary use permit is not consistent with the City's Land Development Code, specifically Division 6. Specifically section 6.11 (d) states:

> (d) *Specific conditions*. The following standards shall govern the establishment and renewal of any temporary use:
>
> (1) The time period for a temporary use permit shall be limited to a maximum period of ninety (90) days, subject to one (1) extension that may be authorized by the city manager up to an additional period of thirty (30) days.
>
> (2) The period of time established for the temporary use permit may be issued and limited to less than ninety (90) days if determined to be warranted in the initial review and approval process.
>
> (3) No temporary use permit shall be approved for the same property for any one or combination of multiple time periods that exceed ninety (90) days [plus any additional period of thirty (30) days that may have been approved] within any twelve (12) month period of time.
>
> (4) The city shall retain the right to revoke the temporary use permit and require immediate removal of the temporary use if it fails to comply with any of the conditions of the permit, or creates a public safety hazard or nuisance.

The Land Development Code also states that the city may impose additional conditions to a temporary use permit as are necessary to prevent or minimize adverse effects on the public interest.

The Land Development authorizes that a Variance may be granted if the applicant is able to demonstrate the following conditions:

(1) The existence of conditions are particular to this piece of property

and do not generally apply to neighboring lands. Also that the strict application of the Code would deprive the applicant of reasonable use of the land.

The conditions that this lot exhibits are unique as very few completely vacant lots exist in the City. In that respect, it is unique to adjacent lands within the district, however depriving the applicant this particular use would not limit the property for future uses.

(2) No other variances granted shall be just cause for issuance of this particular variance.

As stated, no other lands adjacent or within the same district have been granted a variance for a similar use.

(3) The proposed variance will not have the effect of changing any district boundary on the zoning map, nor constitute the granting of a non-conforming use. Under no circumstances shall a variance be granted that increases development density or permit a use not specifically permitted in the district.

Should the variance be granted, it would not increase density or intensity. The code does include the proposed use and requires a conditional use approval for such a use.

(4) The variance shall be in general harmony with the general purpose and intent of the land development regulations and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

A parking lot use is not consistent with the purpose and intent that is set forth in the Character Districts of the Special Area Plan. As a result this is required to obtain a conditional use approval in order to ensure the proper mechanisms are put in place to mitigate any impacts that may be necessary.

(5) A hardship would be created from the literal enforcement of the provisions of the land development regulations and the variance requested is the minimum required to make reasonable use of the property.

The property has the ability to develop with several different options open to the applicant regardless if the variance is granted.

STAFF RECOMMENDATION:

Upon review of the above guiding documents, staff does not feel that the criteria listed above has been achieved, nor is the lot in agreement with the Land Use catagory of the Comprehensive Plan and therefore staff recommends denial of the applicant's request for an additional renewal. Should the Board feel justified in granting the request, criteria can be placed on the lot to prohibit any pay-to-park activities.

Attachments :

A) Relevant Code Sections

B) Aerial Photo

C) Site Photos

D) Variance Application

E) Site Plan

F) One (1) Letter of Opposition

Attachment A:

Section 6.11 - Temporary uses.

(d) Specific conditions. The following standards shall govern the establishment and renewal of any temporary use:

(1) The time period for a temporary use permit shall be limited to a maximum period of ninety (90) days, subject to one (1) extension that may be authorized by the city manager up to an additional period of thirty (30) days.

Attachment B:

Attachment C:

Above: Subject properties facing East

Attachment D.

VARIANCE APPLICATION

Case Number: 2016-0001

PROPERTY FOR PROPOSED VARIANCE

Legal Description: _____

Parcel ID 07321607398001017O, 07321607398001023O, 07321618143001002O

Address 3800 BLOCK GULF BLVD. (3815, 3855, and 3859 Gulf Blvd.)

Current Zoning: BR FLUM Designation: BR Lot Area: _____

Existing Use: PARKING Proposed Use: TEMP PARKING

APPLICANT/AGENT:

Name: _____

Address: _____

City: _____ State: _____

Zip: _____ Phone: _____

Email: _____

PROPERTY OWNER:

Name: BETH MOREAN

Address: 3618 EL CENTRO

City: ST PETE BEACH State: FL

Zip: 33706 Phone: 727-367-7911

Email: BETHDOLPHIN@AOL.COM

DETAILS OF THE REQUEST: Cite code sections for which variance is requested: (Add additional sheets if necessary)

Section 6.11(d)(3) of the Land Development Code

Additional Documents:

Check here if document is	Required Document

attached	
	Recent Survey of the property illustrating all boundaries, easements, and physical improvements.
	Site Plan drawn to scale showing proposed deviations of the code.

In order for an application for a 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 the requirements. Please explain in detail how your case meets these requirements (attach additional sheets if necessary):

1. Conditions and circumstances exist that are peculiar to the subject land, structure or building and do not apply generally to neighboring lands, structures or buildings in the same zoning district which have complied with these regulations without hardship.

   NA

2. The strict application of the provisions of the land development regulations would deprive the applicant of reasonable use of such land, structure or building.

   NA

3. The peculiar conditions and circumstances are not the result of the actions of the applicant.

   NA

4. The proposed variance will not have the effect of changing any district boundary on the zoning map.

   NA

5. The variance shall not permit a non-conforming use or permit a use not specifically permitted in the zoning district.

NA

6. The variance shall not increase density or intensity over that which is permitted in the Comprehensive Plan.

NA

7. The granting of a variance will be in harmony with the general purpose and intent of the land development regulations and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

NA

8. The variance proposed is the minimum variance that will make possible the reasonable use of the land, structure and building.

NA

Beth A. Moreau 12/29/15

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

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 _____ 2016, by _____who is personally known _____ or produced _____as identification.

_____
(**Notary Signature)** **(Date)**

My Commission Expires _____

THE SUNSET CAPITAL OF FLORIDA

PUBLIC HEARING SIGN POSTING AFFIDAVIT

Applicant, BETH MOREAN, 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 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): BETH MOREAN

Address: 3618 EL CENTRO ST ST PETE BEACH FL 33706

Beth A. Morean 12/29/15

Signature *Date*

STATE OF FLORIDA)
) SS:
PINELLAS COUNTY)

The foregoing instrument was acknowledged before me this _____ day of _____, 2016 by _____, who appeared before me, and is personally known to me, or has produced _____ as identification, and did take an oath.

My commission Expires:

NOTARY:

Print Name: _____

Notary Public, State of Florida

(Notarial Seal)

THE SUNSET CAPITAL OF FLORIDA

PUBLIC HEARING SIGN POSTING AFFIDAVIT

Applicant, ~~CORY FLACHOFSKY~~ BETH MORGAN of, 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 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 representative not later than 24 hours following the final decision.

_____
(signature of applicant or applicant's representative)

CORY FLACHOFSKY
(printed name of applicant or applicant's representative)

7093 CALLE DE NARVAEZ NAVARRE, FL. 32566
(address of applicant or applicant's representative, line 1)

(address of applicant or applicant's representative, line 2)

STATE OF FLORIDA)
) SS:
PINELLAS COUNTY)

The foregoing instrument was acknowledged before me this 14th day of Jan, 2016 by CORY FLACHOFSKY, who appeared before me, and is personally known to me, or has produced DL F421-101-83-526-0 as identification, and did take an oath.

My commission Expires:

NOTARY:

Print Name: MARY T. MACRIDES

Notary Public, State of Florida

(Notarial Seal)

MARY T. MACRIDES
MY COMMISSION # FF 922446
EXPIRES: September 29, 2019
Bonded Thru Budget Notary Services

DEAR APPLICANT:

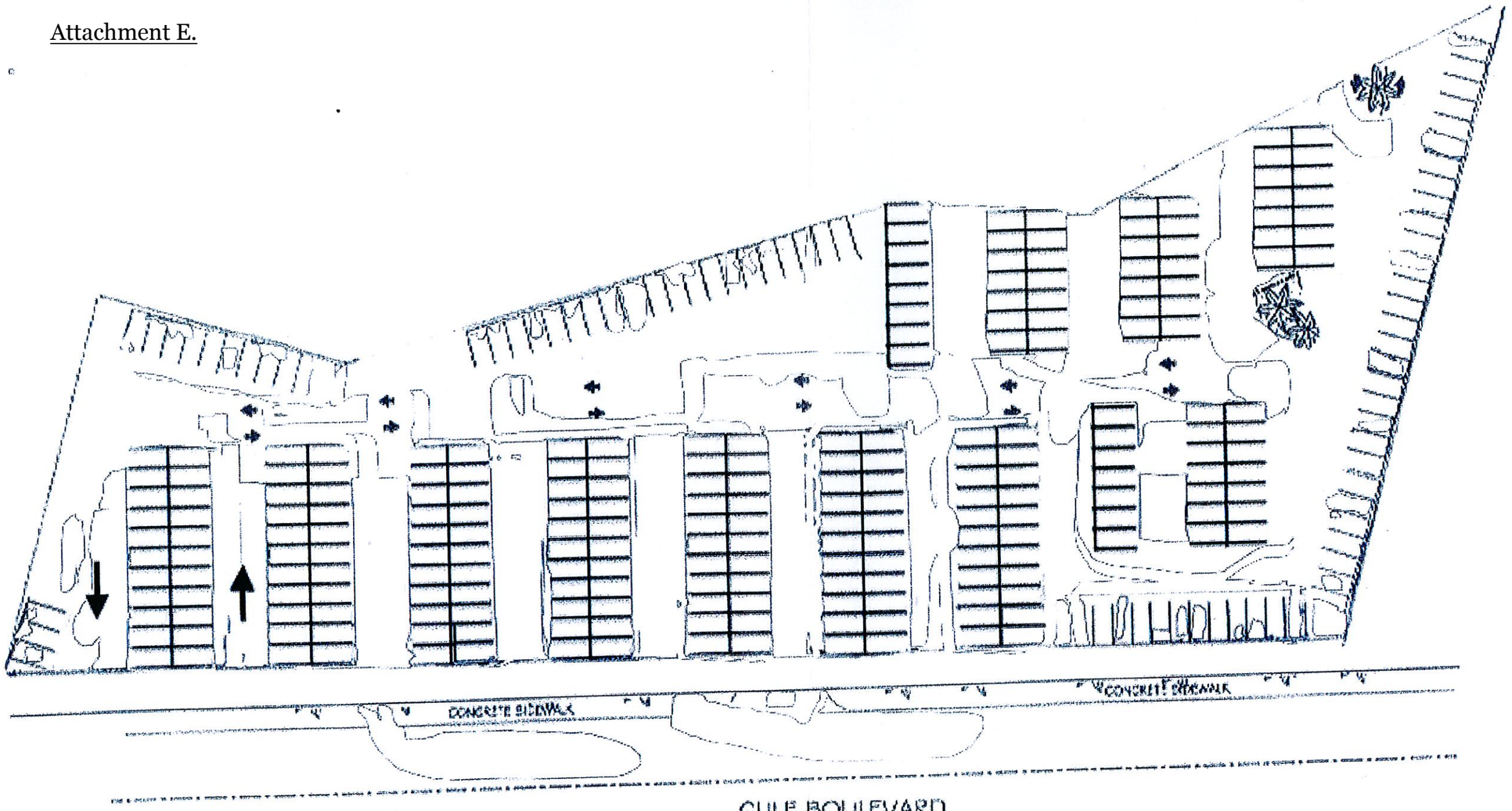
PLEASE COMPLETE THE ATTACHED AFFIDAVIT WHEN PUBLIC HEARING DATES HAVE BEEN DETERMINED FOR YOUR APPLICATION. PRESENT THE COMPLETED NOTARIZED AFFIDAVIT TO COMMUNITY DEVELOPMENT AND YOU WILL BE GIVEN THE SIGN(S) TO POST ON THE SUBJECT PROPERTY.

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. 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 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, or Board of Adjustment, Historic Preservation Board.

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

Attachment E.



GULF BOULEVARD
3800 BLOCK

COMMUNITY DEVELOPMENT
RECEIVED
JUN 08 2015

REVISED

C.U.
Case #2015-0028

1/A0 SITE PLAN
1" = 53.8'
NORTH

Drive Aisles = 1/2" = 26+ ft. (req. 24ft.)
Parking Spaces = 1/4" = 13+ ft. (req. 9ft.)

Attachment F.

Mike Larimore

From: Jennifer Bryla
Sent: Tuesday, January 19, 2016 9:10 AM
To: Mike Larimore
Subject: FW: Board of Adjustment, Notice of Public Hearing 2/27/2016, Case # 2016-0001

Please put into the case file and print for the hearing.

RECEIVED
JAN 19 2016
COMMUNITY DEVELOPMENT

BOA Case #2016-0001

Jennifer C. Bryla, AICP
Community Development Director

City of St. Pete Beach
Sunset Capital of Florida
155 Corey Avenue
St. Pete Beach Florida 33706
jbryla@stpetebeach.org
727.363.9265 – voice
727.363.9222 – fax

Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public-records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

From: Lori Miller [mailto:freddie1515@gmail.com]
Sent: Monday, January 18, 2016 5:35 PM
To: Jennifer Bryla
Subject: Board of Adjustment, Notice of Public Hearing 2/27/2016, Case # 2016-0001

Community Development Department, St. Pete Beach, FL,

Please be advised that my husband and I, as owners of 4103 Gulf Blvd., Unit 105, St. Pete Beach, FL 33706, recently received your notice of a public hearing scheduled for January 27, 2016 regarding a variance request for the properties located at 3815, 3855 & 3859 Gulf Blvd., St. Pete Beach, FL 33706, case number 2016-0001.

This is to inform you that we would like to object to any variance which would allow a renewal of a temporary use permit for a commercial parking lot. As owners of property which is situated within 300 feet of the subject properties, and pursuant to ordinance #2009-24, we believe use of the subject properties as a commercial parking lot has had and is having a negative impact on our residence and the entire neighborhood. Our property values are being negatively impacted by the use of the properties as a commercial parking lot. The vacant, deteriorating properties are inadequately maintained...the landscaping is dying from lack of attention in some areas and growing out of control in others. There is evidence of overgrown and dead vegetation, as well as trash, which is being dropped by individuals using the properties as a parking lot. Even though the subject properties are surrounded by a fence, the trash is blown onto our property by the wind and down drafts created by passing automobiles. Weeds from the subject properties are growing under the fence which separate our properties and taking root in our beds. Noises from the vehicles parking in the subject properties, and their operators, are disturbing the peace during all hours of the day. Animals such as vermin may be living within the weeds and brush, creating a health hazard. Dirt and dust from the unpaved subject properties are being blown onto our property, soiling our windows and doors, making it difficult to maintain a pristine exterior.

We ask that you consider denying the applicant's request for variance to Section 6.11(d)(3) of the Land Development Code for renewal of a temporary use permit for a commercial parking lot due to the above listed reasons.

Sincerely,

William P & Lori L Miller
4103 Gulf Blvd., Unit 105
St. Pete Beach, FL 33706