



BOARD OF ADJUSTMENT MEETING

CITY OF ST. PETE BEACH

155 Corey Avenue
St. Pete Beach, Florida

Wednesday, February 28, 2018
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. Approval of Minutes**

1/31/18
- 4. Agenda Items**
 - I. Case 17-00046: 390 North Tessier Drive – Applicant requests variances to Section 8.7 of the Land Development Code to decrease the minimum required secondary front yard setback to allow for

the construction of a residential bedroom addition and an awning roof.

- II. Case 18-00002: 104 5th Avenue – Applicant requests variances to Section 6.13(a) of the Land Development Code to decrease the minimum required side yard setback and minimum required rear yard setback to allow for the construction of a carport on an existing detached garage.

5. Adjournment

APPEAL: In accordance with Chapter 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 48 hours prior to the proceeding, he or she should contact City Hall at (727) 367-2735.

Electronic media must be submitted a minimum of 24 hours in advance to cityclerk@stpetebeach.org

The public is cordially invited to attend.

All agenda material is available for review at City Hall.

BOARD OF ADJUSTMENT MEETING

MINUTES

JANUARY 31, 2018

2:00 P.M.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT:

Sandie Lyman, Vice Chairwoman
Michael Bomar, Member
Denise Chase, Member
Jake Holehouse, Member

ABSENT:

Paul Skipper, Chairman

ALSO PRESENT:

Andrew Dickman, City Attorney
Rebecca Haynes, City Clerk
Mike Larimore, Planner I
Mary Jo Murphy, Deputy City Clerk

1. Changes to the Agenda

Mike Larimore, Planner I, informed the Board there was a request for continuance for Case No. 17-00046 until the February 2018 Board of Adjustment meeting to modify their variance request.

Member Bomar made a motion to postpone Case No. 17-00046 until the February meeting. The motion was seconded by Member Holehouse and unanimously approved by a roll call vote (4 yeses – 0 nos).

2. Audience Comments

There were no audience comments.

3. Approval of Minutes – 12/13/17

Member Bomar made a motion to approve the minutes for December 13, 2017. The motion was seconded by Member Holehouse and unanimously approved by a roll call vote (4 yeses – 0 nos).

4. Agenda Items

- I. **Case 17-00031:** 7700 Boca Ciega Drive - Applicant requests variances to Section 6.13(b) of the Land Development Code to increase the maximum allowable height and size of a residential shed to allow for its placement.

Mike Larimore gave Staff's presentation to the board, and the recommendation was for denial.

Vice Chairwoman Lyman asked the applicant to come forward.

Shirley Lockwood, 7700 Boca Ciega Drive, owner of property, spoke about the progress of work on the subject property.

Vice Chairwoman Lyman asked if anyone would like to speak for or against the variances.

Hearing no comments, Vice Chairwoman Lyman closed the public hearing portion and opened it for discussion among the Board members.

Member Bomar made a motion to approve Case No. 17-00031. The motion was seconded by Member Chase and approved by an individual roll call vote, (3 yeses: Member Chase, Member Bomar, Vice Chairwoman Lyman – 1 no: Member Holehouse).

- II. **Case 17-00042:** 4506 Gulf Boulevard – Applicant requests variances to Section 26.34(d) of the Land Development Code to decrease the minimum required front yard setback and increase the maximum allowable height to allow for the reconstruction of a freestanding monument sign.

Mike Larimore gave Staff's presentation to the board, and the recommendation was for approval of the front yard setback variance and denial of the requested height variance.

Vice Chairwoman Lyman asked the applicant to come forward.

Robert Czyszczonek, 4506 Gulf Boulevard, general manager of the property and co-owner, spoke about the history and details of the sign on the subject property.

Vice Chairwoman Lyman asked if anyone would like to speak on behalf of the variance.

Doug Izzo, Tampa Bay Beaches Chamber, spoke in support of the variance.

Vice Chairwoman Lyman asked if anyone would like to speak for or against the variances.

Hearing none, Vice Chairwoman Lyman closed the public hearing portion and opened it for discussion among the Board members.

Hearing no further Board discussion, Vice Chairwoman Lyman asked for a motion.

Member Holehouse made a motion for the approval of the requested front yard setback variance and the denial of the required height variance.

Vice Chairwoman Lyman asked for a second, and the motion died due to lack of a second.

Vice Chairwoman Lyman asked for another motion.

Member Chase made a motion to approve both the height and setback of the variance. The motion was seconded by Member Bomar and approved by an individual roll call vote, (3 yeses: Member Chase, Member Bomar, Vice Chairwoman Lyman – 1 no: Member Holehouse).

At this time there was a brief recess.

III. Case 17-00044: 5414 Aloha Drive - Applicant requests a variance to Section 8.7 of the Land Development Code to decrease the minimum required side yard setback to allow for the construction of an attached residential garage.

Mike Larimore gave Staff's presentation to the board, and the recommendation was for denial.

Vice Chairwoman Lyman asked the applicant to come forward.

Dominic Texeira, 5414 Aloha Drive, property owner, spoke about increasing the side yard and building a garage.

Vice Chairwoman Lyman asked if anyone would like to speak in support of the variance.

William Kordis, 5412 Aloha Drive, property owner, spoke in support of the variance.

Vice Chairwoman Lyman asked if anyone would like to speak in opposition of the variance.

Hearing none, Vice Chairwoman Lyman closed the public hearing portion and opened it for discussion among the Board members.

Hearing no further Board discussion, Vice Chairwoman Lyman asked for a motion.

Member Holehouse made a motion for approval of Case No. 17-00044. The motion was seconded by Member Bomar and unanimously approved by an individual roll call vote, (4 yeases – 0 nos).

IV. Case 17-00045: 60 44th Avenue - Applicant requests a variance to Section 6.13(c) of the Land Development Code to decrease the minimum required rear yard setback to allow for the construction of a residential pool.

Mike Larimore gave Staff's presentation to the board, and the recommendation was for approval.

Vice Chairwoman Lyman asked the applicant to come forward.

Scott Perkins, 60 44th Avenue, owner, spoke about the history and details of the pool, land and a neighbor's fence.

Vice Chairwoman Lyman asked for further public comment. Hearing none, Vice Chairwoman Lyman closed the public hearing portion and opened it for discussion among the Board members.

Member Bomar made a motion to approve variance 17-00045. The motion was seconded by Member Chase and unanimously approved by an individual roll call vote, (4 yeases – 0 nos).

An unidentified person spoke about the land in regard to the subject property and 44th Avenue.

V. Case 17-00046: 390 Tessier Drive - Applicant requests variances to Section 8.7 of the Land Development Code to decrease the minimum required secondary front yard setback to allow for the construction of a residential addition and an awning roof.

This item was continued during Item No. 1, "Changes to the Agenda," until the February 2018 Board of Adjustment meeting.

5. Discussion

I. BATCHELOR v. CITY OF ST. PETE BEACH, BOARD OF ADJUSTMENT (Case No. 16-0000-43AP-88A)

II. CHMIELEWSKI v. CITY OF ST. PETE BEACH, BOARD OF
ADJUSTMENT (Case No. 16-0000-41AP-88A)

City Attorney Dickman addressed the board about variances in regard to the law and court and reviewed the above-mentioned cases with the Board while referencing the following documents entitled: "NOT FINAL UNTIL TIME EXPIRES FOR REHEARING AND, IF FILED, DETERMINED; Case No. 16-000043AP-88A"; "NOT FINAL UNTIL TIME EXPIRES FOR REHEARING AND, IF FILED, DETERMINED; Case No. 16-000041AP-88A."

6. Adjournment

There being no further business before the board, the meeting was adjourned at 3:42 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

2/28/18

Variance Case
#17-00046

Applicant/Agent
Amy Seeks, Homeowner

Location
390 North Tessier Dr.

Commission District
District 4

Staff Representative
Mike Larimore,
Planner I

Related Cases
N/A

Staff Recommendation
Denial

ITEM SUMMARY:

Item	LDC Requirements	Existing Condition	Proposed Variances
Land Development Code 8.7(a): Minimum Yard Requirements	Minimum Secondary Front Yard Setback: 20 feet	N/A	15.25 feet (Bedroom Addition)
Land Development Code 8.7(a): Minimum Yard Requirements	Minimum Secondary Front Yard Setback: 20 feet	N/A	12.4 feet (Awning Roof)

Applicant requests variances to Section 8.7(a) of the Land Development Code (LDC) to:

1) Decrease the minimum required secondary front yard setback for a sign from 20 feet to 15.25 feet to allow for the construction of a bedroom addition; and

2) Decrease minimum required secondary front yard setback from 20 feet to 12.4 feet to allow for the construction of a new awning roof.

Existing Use: Residential (Detached Single-Family)

Adjacent Uses

North: Residential (Detached Single-Family)

South: Infrastructure (West Vina del Mar Blvd.)

East: Infrastructure (North Tessier Drive)

West: Residential (Detached Single-Family)

The homeowner requests variances to decrease the minimum required secondary front yard setback to allow for the construction of a bedroom addition and an awning roof over a reconfigured front door. The homeowner proposes adding a bedroom addition to the southeast corner of the existing home where the driveway is currently located, reconfiguring the ingress/egress of the garage from North Tessier Drive to West Vina del Mar Boulevard, and reconfigure the front door from West Vina del Mar Boulevard to North Tessier Drive. Additionally, the homeowner wishes to place an awning roof over the reconfigured front door that would encroach further into the secondary front yard setback than it currently exists.

These variance requests were continued from the January 31st Board of Adjustment meeting as the Applicant wished to make modifications to their requests.

PUBLIC NOTICE:

Notice of public hearing has been advertised as required by State Statutes, including: a legal advertisement in a local newspaper, written notices of hearing to owners of property within 300 feet of the subject property, and the posting of a public hearing sign for 7 days on the subject property prior to the public hearing. As of the time of this report (February 22nd), no comments have been received.

COMPREHENSIVE PLAN/LAND DEVELOPMENT CODE:

The subject property has a Future Land Use Designation of Residential Urban (RU). The Comprehensive Plan encourages the improvement of existing residential neighborhoods and the construction of residences suitable for families with children (Future Land Use Policies - Green Practices, Residential Character and Introduction to Land Use Categories - Policy 2.1.4).

The subject property is located in the RU-1 Residential zoning district. The RU-1 zoning district allows for detached single-family residential uses and subordinate accessory structures. The LDC allows for encroachment of patio covers into rear yard setbacks only.

CRITERIA REVIEW (LDC 3.12.a):

The Board of Adjustment may authorize variances to the land development code if the applicant is able to demonstrate compliance with all five (5) of the following conditions. Staff analysis of criteria in *red italics* below:

- 1) The existence of conditions and circumstances that are peculiar to the subject land, structure or building and do not apply generally to neighboring lands, structures or buildings in the same district which have complied with these regulations without hardship; that the strict application of the provisions of the land development regulations would deprive the applicant of reasonable use of such

land, structure or building; and the peculiar conditions and circumstances are not the result of the actions of the applicant. *The curve of the property's front lot lines present a peculiar circumstance that does not generally apply to neighboring lands. However, the reasonable use of the land and structure is not affected by this peculiar condition or by the strict application of the LDC. The existing layout and orientation of the property is not the result of the Applicant.*

- 2) Neither a nonconforming use of neighboring lands, structures or buildings, legal or illegal, in the same district, nor a permitted use in adjacent districts shall be considered as grounds for issuance of a variance. *No other structures or uses are being considered.*
- 3) The proposed variance will not have the effect of changing any district boundary on the zoning map, nor constitute the granting of a nonconforming use. Under no circumstances shall a variance permit an increase in development density or permit a use not specifically permitted in the district. *The proposed variances will not affect any district boundaries, permit a nonconforming use, increase density, or permit a use not permitted in the zoning district.*
- 4) The granting of a variance will be in harmony with the general purpose and intent of the land development code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare. In granting the variance, the appropriate board of authority may prescribe any conditions and safeguards it deems necessary or desirable as a condition of approval of the variance application. *The requested variances are not in harmony with the general intent of the LDC. The requested reduction in setback would not match existing neighborhood design patterns. Staff is not recommending any conditions.*
- 5) The appropriate board of authority finds as a reasonable conclusion that hardship would unnecessarily result from a literal enforcement of the provisions of the land development code as set forth in the application, and the variance proposed is the minimum variance that will make possible the reasonable use of the land, structure and building. *The literal enforcement of the LDC would not result in a hardship for the Applicant. This application for variances is the result of the Applicant's desire to construct a bedroom addition and not a hardship. The reduction of setback for both the bedroom addition and the awning covering are not the minimum variances that will make possible the reasonable use of the building.*

STAFF RECOMMENDATION:

Staff recommends denial. The Applicant has not demonstrated compliance with the criteria to approve the variances. The Applicant's revision to expand the bedroom addition setback variance request from the initial 1.5 foot reduction to the revised 4.75 foot reduction is not the minimum variance required to make possible the reasonable use of the land and further diverges from the intent of the LDC.

Attachments:

- A. Relevant Code Section
- B. Aerial Photo
- C. Site Photo
- D. Revised Variance Application
- E. Survey
- F. Revised Floor Plan
- G. Originally Submitted Variance Application
- H. Originally Submitted Floor Plan

Attachment A.

LDC Sec. 8.7. - Minimum yard requirements.

The minimum yard requirements for principal structures in the RU-1 Residential District are as required in this section.

(a) Detached single-family dwellings.

- (1) Front yard: 20 feet.
- (2) Secondary front yard: 20 feet.
- (3) Side yards: The lesser of ten percent of the lot width or seven feet.
- (4) Rear yard: 20 feet.

Comprehensive Plan

GOAL 2:

The City shall ensure that the residential character of the City of St. Pete Beach is maintained and protected while:

- Maximizing the potential for economic benefit resulting from the tourist trade and the enjoyment of natural and man-made resources by residents and visitors alike.
- Minimizing the threat to health, safety, and welfare posed by hazards, nuisances, incompatible land uses, and environmental degradation.
- Maintaining the community's recreation, open space and beaches.

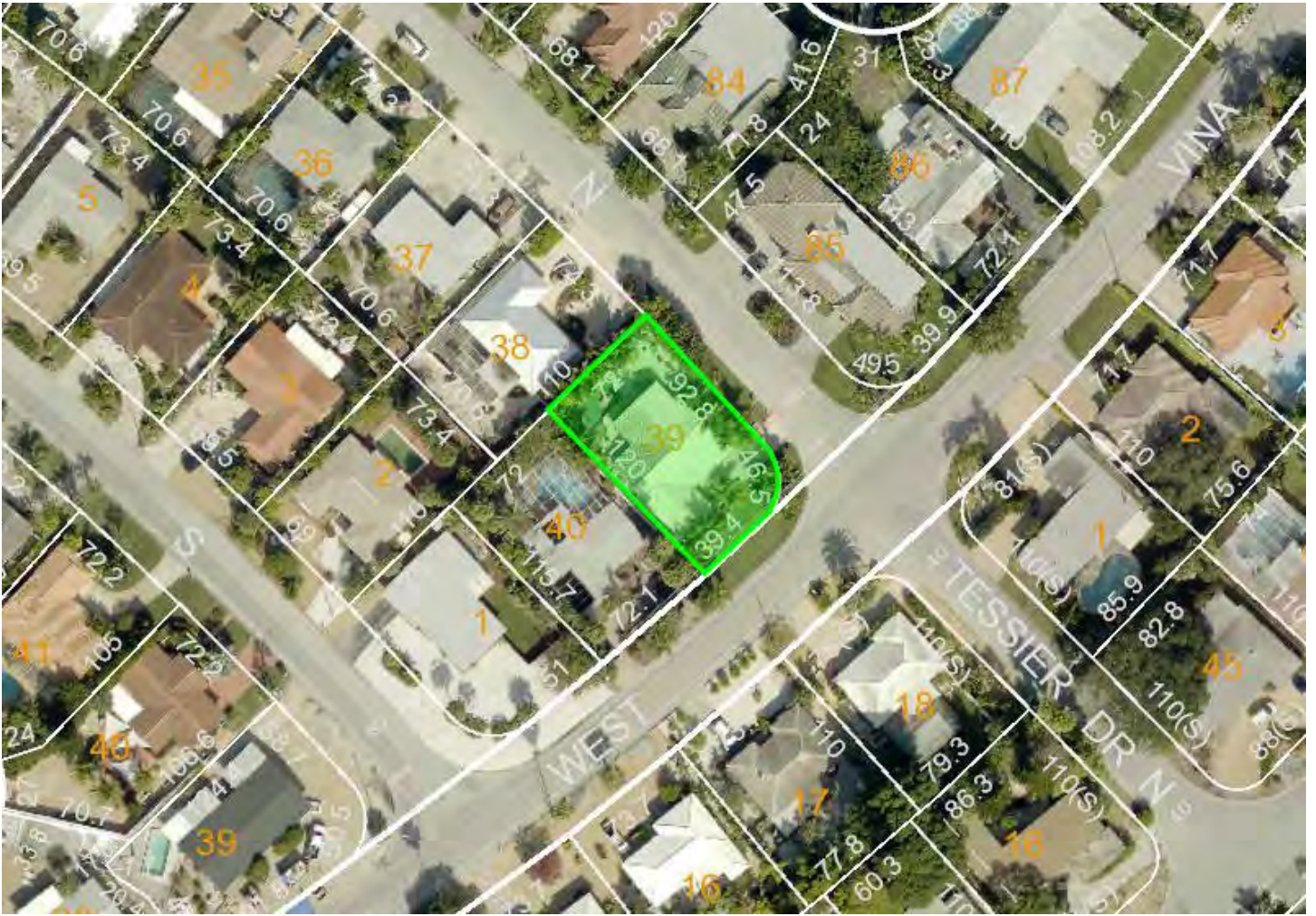
Objective 2.1

The integrity and quality of life throughout the City, including existing residential neighborhoods, as well as core commercial and resort areas, will be maintained through the enforcement of the land development regulations and shall be encouraged to be improved, and for those properties experiencing blighting conditions such as deterioration, degradation, and distress shall be encouraged to redevelop through the use of land development regulations and other incentives, in accordance with the Future Land Use Element.

Policy 2.1.4

The City will continue to encourage the construction of residential units suitable for families with children.

Attachment B.



Above: Subject property highlighted.

Attachment C.



Above: Subject property, facing southwest



Above: Subject Property, facing northwest

REVISION



City of St. Pete Beach
Community Development Department
155 Corey Avenue
St. Pete Beach, Florida 33706
727-367-2735
www.stpetebeach.org



VARIANCE APPLICATION

Case Number: PLN 17. 00046

PROPERTY FOR PROPOSED VARIANCE

Legal Description: Lot 39 Block 6 Vina del Mar Section TWO
Page 1 as recorded in Plat Book 39 Pg 35 Pinellas County Florida
Parcel ID: 18-32-16-9458-006-0390
Address: 390 N. Tessier Dr. St. Pete Beach FL 33706
Current Zoning: RU1 FLUM Designation: RU Lot Area: 72 x 122
Existing Use: Res Proposed Use: Res

APPLICANT/AGENT:

Name: Amy Seeks
Address: 390 N. Tessier Dr
City: St Pete Beach State: FL
Zip: 33706 Phone: 727 692 6122
Email: amyseeks@gmail.com

PROPERTY OWNER:

Name: Amy Seeks / Heather Lauter
Address: same
City: _____ State: _____
Zip: _____ Phone: _____
Email: _____

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

RU1 SEC 8.7A ADDITION 4.75' IN SET BACK

RU1 SEC 8.7A COVERED ROOF 7.6' IN SETBACK

Additional Documents:

Check here if document is attached	Required Document
	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.

CORNER LOT WITH SKEWED PROPERTY LINES, RADIUS FRONT YARD SETBACK. SET BACK THAT HAVE FURTHER ADJUSTED BUILDABLE AREA AFTER CONSTRUCTION OF THE ORIGINAL HOME

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.

THE REVISED (2003) SETBACK WITH RADIOS WILL NOT ALLOW FOR PROPOSED ADDITION AND COVERED ROOF FOR NEW ENTRY INTO EXIST HOUSE

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 ADDITION WILL BE IN LINE WITH THE EXISTING WALL OF THE CURRENT HOUSE AND WILL NOT AFFECT VISIBILITY TURNING THE CORNER IN ANY WAY

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

YES, AND WILL BE IN KEEPING WITH THE AESTHETICS OF THE EXISTING HOUSE, AND NEIGHBORHOOD

 2/6/18

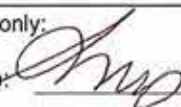
Signature of Applicant

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.

AS

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

AS

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.

AS

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

AS

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.

AS

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.

AS

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.

AS

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

Amber

Signature of Applicant

2/6/18

Date



PUBLIC HEARING SIGN POSTING AFFIDAVIT

Applicant, Amy Seeks, 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): Amy Seeks
Address: 390 N. Tessier Dr. St. Pete Beach FL

[Signature] 2/6/18
Signature Date

STATE OF FLORIDA)
PINELLAS COUNTY) SS:

The foregoing instrument was acknowledged before me this 6 day of Feb, 2018 by Amy Seeks, who appeared before me, and is personally known to me, or has produced VALE, FLA ID as identification, and did take an oath.

My commission Expires:
3/19/2019

NOTARY:
Print Name: Helene Higgins
Notary Public, State of Florida
(Notarial Seal)



MURPHY'S LAND SURVEYING, INC.
PROFESSIONAL LAND SURVEYORS
5760 11TH AVENUE NORTH
ST. PETERSBURG, FLORIDA 33710
WWW.MURPHYSLANDSURVEYING.COM

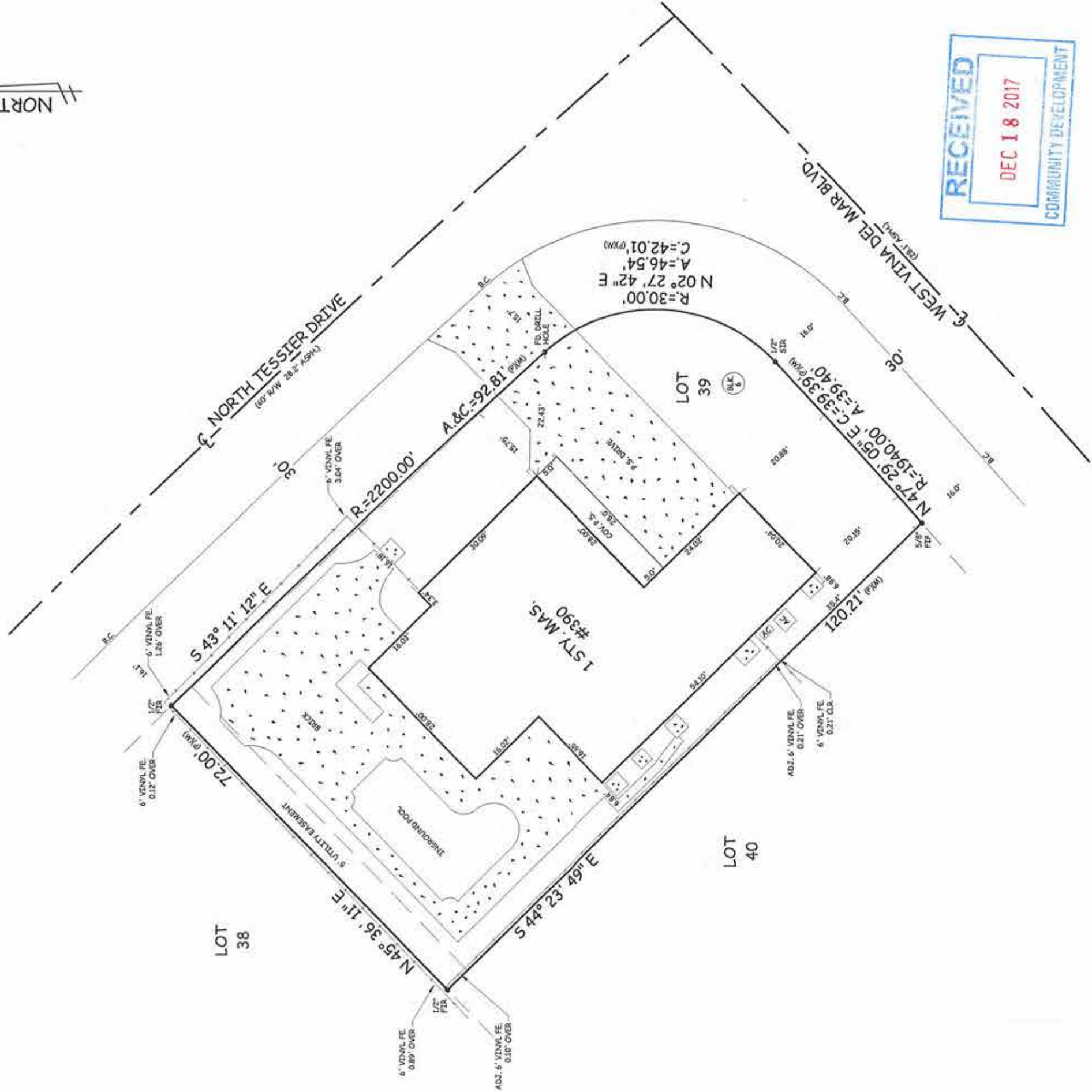
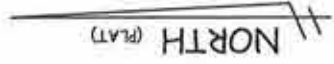
JOB NO.: 172140
DRAWN BY: MRB
CHECKED BY: EDM
DATE OF FIELD WORK: 12/08/17

CERTIFIED TO: Amy K. Seeks and Heather K. Lauter

L.B. #7410
PH. (727) 347-8740
FAX (727) 344-4640

SCALE: 1" = 20' SEC. 18 TWP. 32 S. RGE. 16 E.

Survey not valid for more than one (1) year from date of field work.



A BOUNDARY SURVEY OF: Lot 39, Block 6, VINA DEL MAR SECTION TWO PAGE ONE, as recorded in Plat Book 39, Page 35 of the Public Records of Pinellas County, Florida.

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

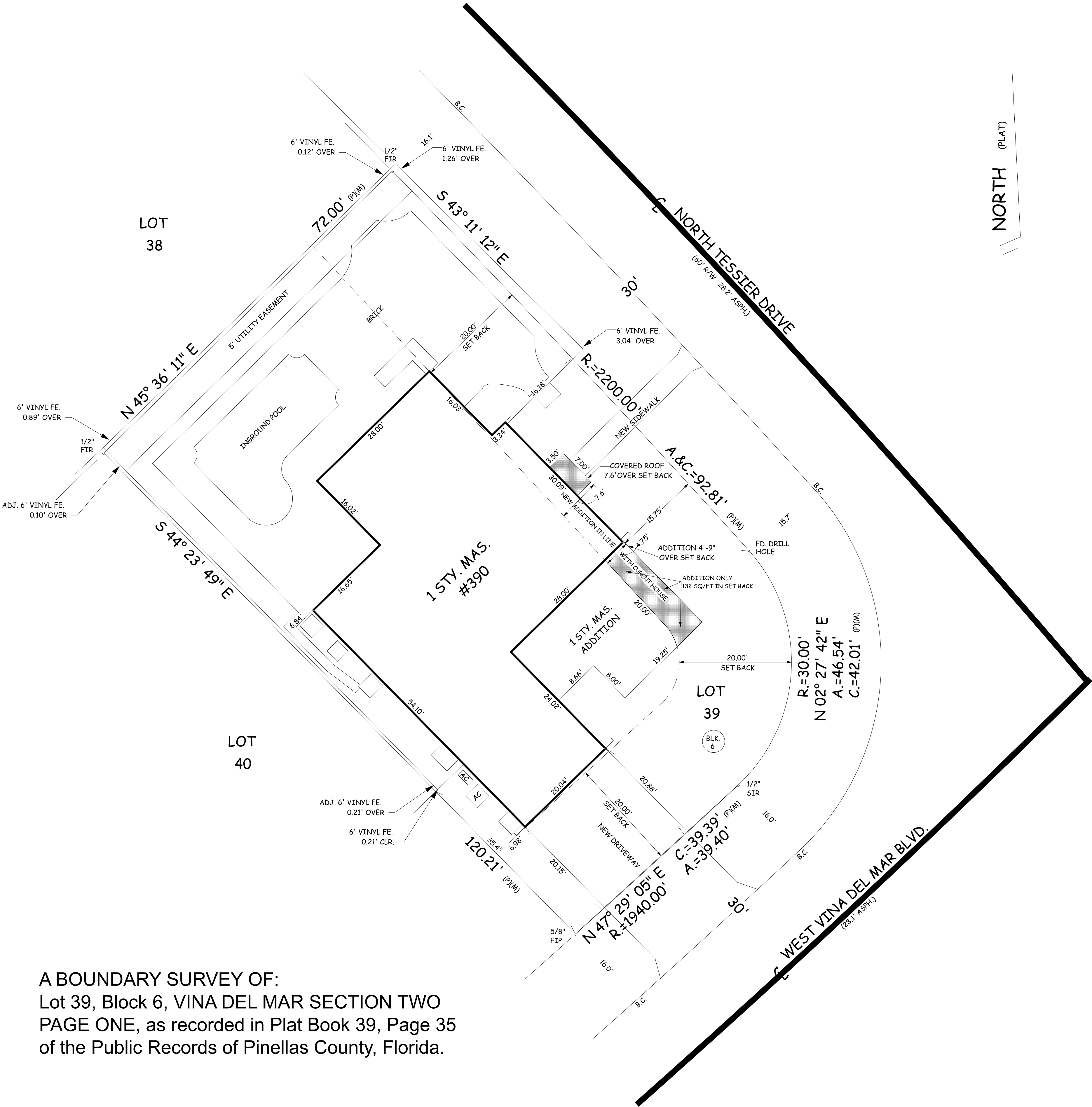
Comm. Panel No.: 125149 0278 G Map Date: 9/03/03

Base Flood Elev: 11.0'

FOR THE EXCLUSIVE USE OF THE HEREON PARTY(IES), I HEREBY CERTIFY TO ITS ACCURACY (EXCEPT SUCH EASEMENTS, IF ANY, THAT MAY BE LOCATED BELOW THE SURFACE OF THE LANDS, OR ON THE SURFACE OF THE LANDS AND NOT VISIBLE), AND THAT THE SURVEY REPRESENTED HEREON MEETS THE MINIMUM REQUIREMENTS OF CHAPTER 5A-17, FLORIDA ADMINISTRATIVE CODE TO THE BEST OF MY KNOWLEDGE AND BELIEF. UNDERGROUND FOUNDATIONS AND/OR IMPROVEMENTS, IF ANY, ARE NOT SHOWN AND OTHER RESTRICTIONS AFFECTING THIS PROPERTY MAY EXIST IN THE PUBLIC RECORDS OF THIS COUNTY. (THIS SURVEY HAS BEEN DONE WITHOUT THE BENEFIT OF REVIEWING A CURRENT TITLE SEARCH). SURVEY NOT VALID FOR MORE THAN ONE YEAR FROM DATE OF FIELD WORK AND NOT VALID UNLESS EMBOSSED WITH SURVEYOR'S SEAL. BEARINGS SHOWN ARE BASED ON PLAT, UNLESS OTHERWISE NOTED.

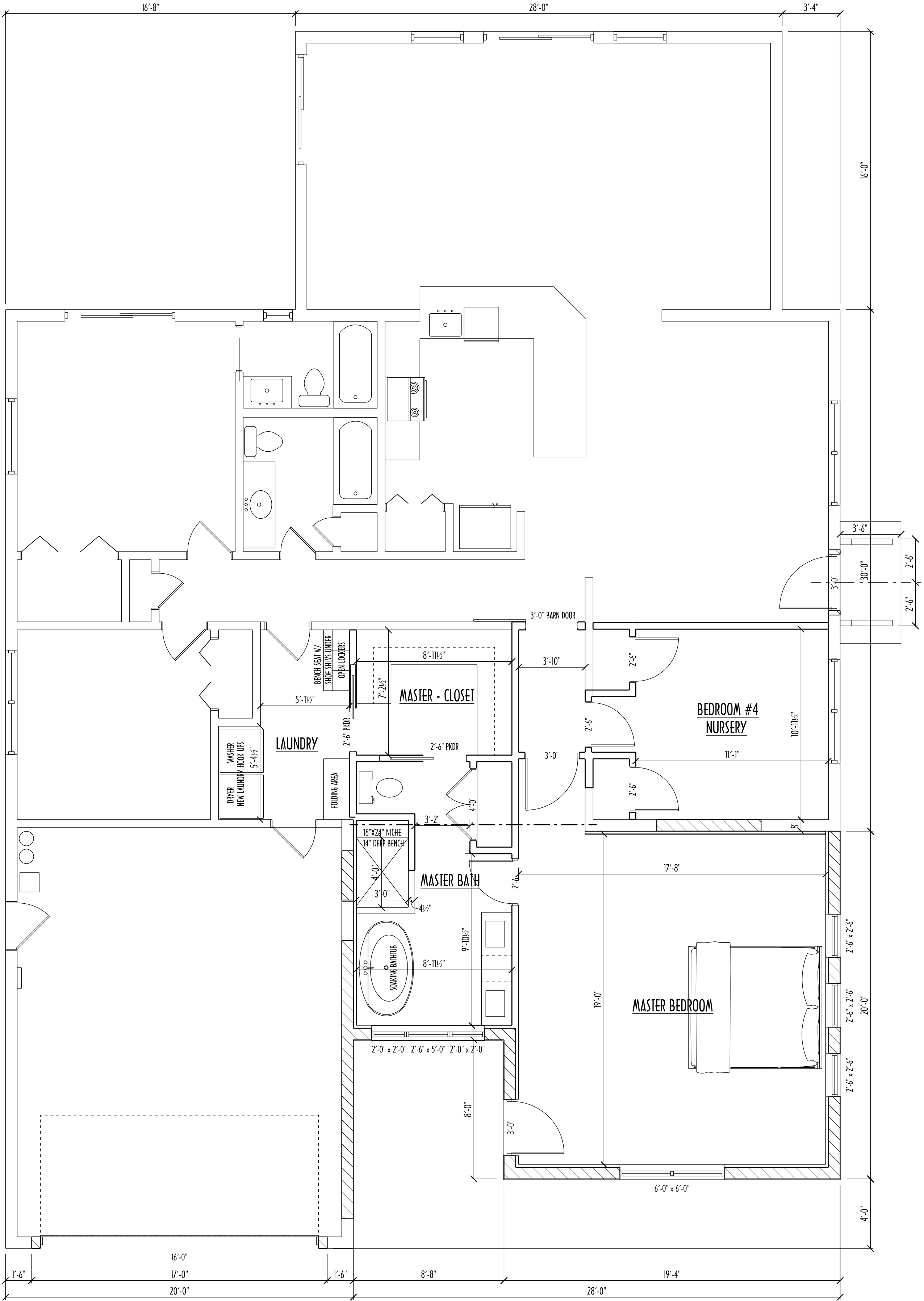
EDWARD D. MURPHY REG. P.L.S. #5333

- LEGEND:**
- | | | | | | | |
|--|------------------------------|---------------------|-------------------------|---------------------|---------------------|------------------------------|
| P.F. - FOUND IRON PIPE | FD. - FOUND | R. - RADIUS | M.S. - METAL SHIELD | W.W. - WING WALL | E.S.M.T. - EASEMENT | O.H. - OVERHANG |
| P.C.M. - FOUND CONCRETE MONUMENT | N.A.D. - NAIL AND DISK | A. - ARC | ALUM. - ALUMINUM | E. - CENTERLINE | M.H. - MANHOLE | GAR. - GARAGE |
| F.I.R. - FOUND IRON ROD | P.O.L. - POINT ON LINE | C. - CHORD | W.H. - WATER HEATER | R.W. - RIGHT OF WAY | CONC. - CONCRETE | C.W.D. - COVERED WOOD |
| S.I.R. - SET IRON ROD 1/2" LB #7410 | P.T. - POINT OF TANGENCY | D. - DEGREE | C.S. - PATIO STONE | (P) - PLAT | CLR. - CLEAR | C.P.S. - COVERED PATIO STONE |
| P.R.C. - POINT OF REVERSE CURVATURE | P.I. - POINT OF INTERSECTION | R. - RADIUS | P.L. - PLANTER | (C) - CALCULATION | COL. - COLUMN | CC. - COVERED CONCRETE |
| P.C.C. - POINT OF COMPOUND CURVATURE | -X-X- - FENCE | # - NUMBER | E.P. - EDGE OF PAVEMENT | (N) - NORTH | W.D. - WOOD | AC. - AIR CONDITIONER |
| P.N.I. - FINISHED FLOOR ELEVATION | FE - FENCE | M.S. - MASONRY | B.C. - BACK OF CURB | (S) - SOUTH | W.D. - WOOD | AC. - AIR CONDITIONER |
| P.R.M. - PERMANENT REFERENCE MONUMENT | CL.F. - CHAIN LINK FENCE | FRM. - FRAME | E.R. - EDGE OF ROAD | N. - NORTH | W.D. - WOOD | AC. - AIR CONDITIONER |
| N.A.V.D. - NORTH AMERICAN VERTICAL DATUM OF 1988 | -A/- - ADJACENT FENCE | G.I. - GRATE INLET | E.O.W. - EDGE OF WATER | S. - SOUTH | W.D. - WOOD | AC. - AIR CONDITIONER |
| | ADJ. - ADJACENT | C.B. - CATCH BASIN | T.O.B. - TOP OF BANK | E. - EAST | W. - WEST | AC. - AIR CONDITIONER |
| | | F.H. - FIRE HYDRANT | | W. - WEST | | AC. - AIR CONDITIONER |



A BOUNDARY SURVEY OF:
Lot 39, Block 6, VINA DEL MAR SECTION TWO
PAGE ONE, as recorded in Plat Book 39, Page 35
of the Public Records of Pinellas County, Florida.

1 PROPOSED SITE PLAN
SCALE 1" = 10' - 132sq/ft IN SET BACK



2 PROPOSED FLOOR PLAN
1/4" = 1'-0" REMODELED sq/ft. ON MAIN FL. 383
ADDITION sq/ft. ON MAIN FL. 510
TOTAL REMODELED & ADDITION sq/ft. ON MAIN FL. 893

STROBEL

DESIGN. BUILD.

2716 6TH AVENUE SOUTH
ST. PETERSBURG, FL 33712
P. 727.321.5588 | F. 727.323.2329
STATE CERTIFIED #: CBC028160
STROBELDESIGNBUILD.COM

PROJECT:

LAUTER
SEEKS
RESIDENCE

PROJECT ADDRESS:
390 N. TESSIER DR.
ST. PETE BEACH, FL 33706

PREPARED FOR:
HEATHER LAUTER
AMY SEEKS

CONCEPTUAL SCHEMATIC DESIGN DRAWING

PLANS APPROVED BY OWNER

OWNER APPROVED SIGNATURE:

DATE:

OWNER APPROVED SIGNATURE:

DATE:

ISSUE DATE:
CONCEPTUAL SCHEMATIC DESIGN DRAWING
DATE: 12/15/2017

1. REVIEW SET:

2. REVIEW SET:

3. BID SET:

4. FINAL REVIEW SET: 02/08/2018

5. FINAL PLANS APPROVED:

6. BUILDING PERMIT:

PROFESSIONAL SEAL

DESIGN BY: SCOTT CURTIS
DRAWN BY: SCOTT CURTIS
COPYRIGHT ©2018
STROBEL DESIGN BUILD

SHEET TITLE
PROPOSED SITE PLAN
PROPOSED FLOOR PLAN

SHEET NUMBER
CS1 OF 2

Wednesday, February 14, 2018



City of St. Pete Beach
Community Development Department
155 Corey Avenue
St. Pete Beach, Florida 33706
727-367-2735
www.stpetebeach.org



VARIANCE APPLICATION

Case Number: PLN 17-00046

PROPERTY FOR PROPOSED VARIANCE

Legal Description: VINA DEL MAR SEC 2 PAGE 1 BLK 6 LOT 39
Parcel ID: 18-32-16-94158-006-0390
Address: 390 N. TESSIER DR, ST PETE BEACH, FL 33706
Current Zoning: RV 1 FLUM Designation: RV Lot Area: 72X 122
Existing Use: RES Proposed Use: RES

APPLICANT/AGENT:

Name: AMY SEEKS
Address: 390 N. TESSIER DR
City: ST. PETE BEACH State: FL
Zip: 33706 Phone: 727-692-6122
Email: AMYSEEKS@GMAIL.COM

PROPERTY OWNER:

Name: AMY SEEKS/HEATHER LAUTER
Address: 390 N. TESSIER DR.
City: ST. PETE BEACH State: FL
Zip: 33706 Phone: 727-692-6122
Email: AMYSEEKS@GMAIL.COM

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

RV1 SEC 8.7A ADDITION 18" IN SET BACK

RV1 SEC 8.7A AWNING ROOF 7'0" IN SETBACK

Additional Documents:

Check here if document is attached	Required Document
	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.

CORNER LOT WITH SKEWED PROPERTY LINES
AND RADIUS FROM SET BACK

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.

THE FRONT SETBACK WITH RADIUS WILL NOT
ALLOW FOR THE PROPOSED ADDITION

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 ADDITION WILL BE IN LINE WITH THE EXISTING
REAR OF THE CURRENT HOUSE THAT CONFORM WITH THE
SETBACK

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

YES, THE ADDITION WILL ONLY ENCROACH 32" WITHIN
THE SET BACK AND KEEP IN LINE WITH THE EXISTING HOUSE

	12/15/17		
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.

AS

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

AS

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.

AS

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

AS

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.

AS

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.

AS

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.

AS

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

12/15/17

Date



THE SUNSET CAPITAL OF FLORIDA

PUBLIC HEARING SIGN POSTING AFFIDAVIT

Applicant, AMY SEEKS, 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): AMY SEEKS

Address: 390 N. TESSIER DR, ST PETE BEACH, FL 33706

[Signature]
Signature

12/18/17
Date

STATE OF FLORIDA)
) SS:
PINELLAS COUNTY)

The foregoing instrument was acknowledged before me this 18 day of Dec, 2017 by Amy Seeks, who appeared before me, and is personally known to me, or has produced Valid FL DL as identification, and did take an oath.

My commission Expires:

3/19/2019

NOTARY: [Signature]

Print Name: Helene Higgins

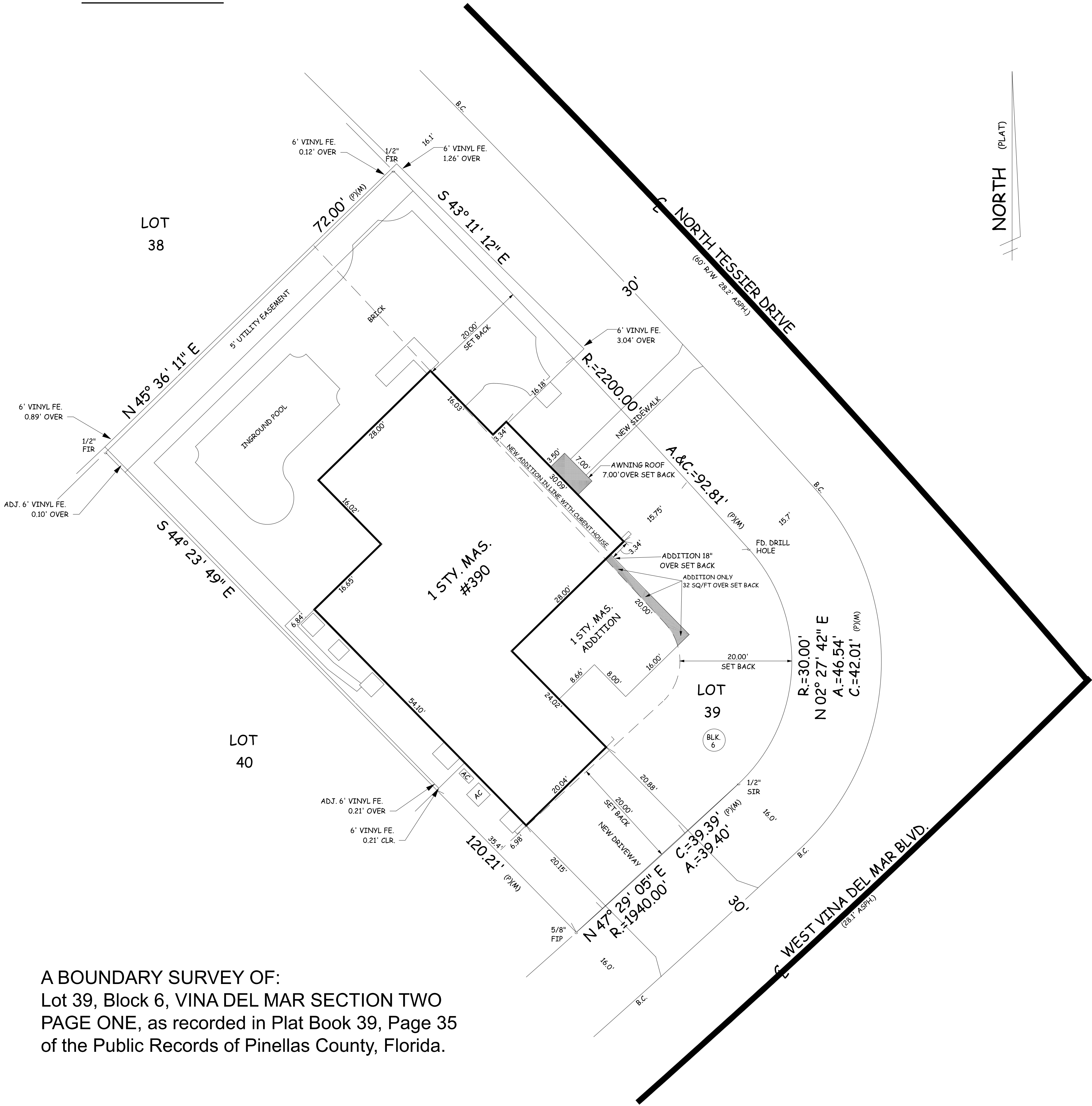
Notary Public, State of Florida

(Notarial Seal)



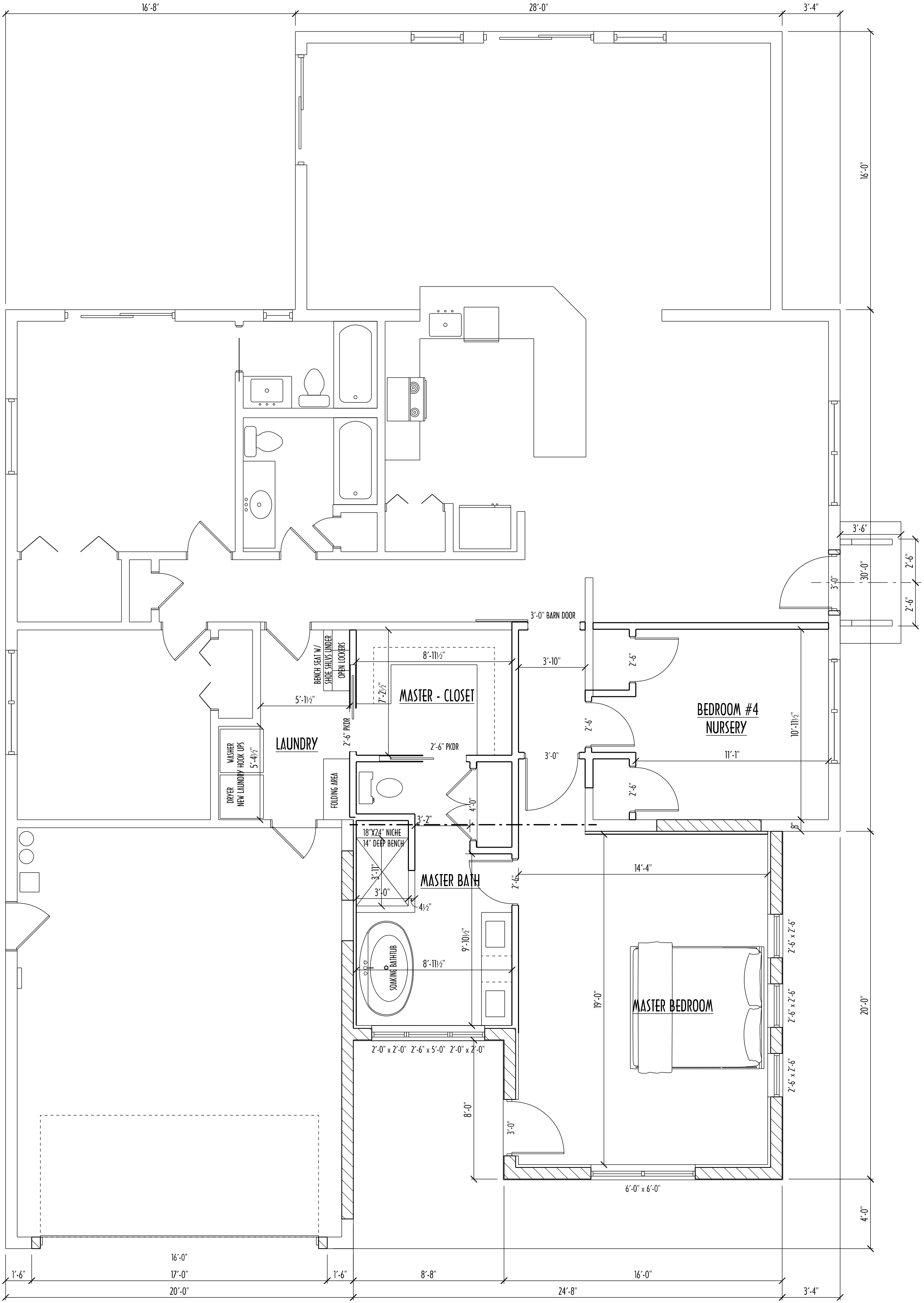
HELENE MAE HIGGINS
MY COMMISSION # FF 212017
EXPIRES: March 19, 2019
Bonded Thru Budget Notary Services

Attachment H.



A BOUNDARY SURVEY OF:
Lot 39, Block 6, VINA DEL MAR SECTION TWO
PAGE ONE, as recorded in Plat Book 39, Page 35
of the Public Records of Pinellas County, Florida.

1 PROPOSED SITE PLAN
SCALE 1" = 10' - 32sq/ft IN SET BACK



2 PROPOSED FLOOR PLAN
1/4" = 1'-0" REMODELED sq/ft. ON MAIN FL. 383
ADDITION sq/ft. ON MAIN FL. 442
TOTAL REMODELED & ADDITION sq/ft. ON MAIN FL. 825

STROBEL

DESIGN. BUILD.

2716 6th AVENUE SOUTH
ST. PETERSBURG, FL 33712
P. 727.321.5588 | F. 727.323.2329
STATE CERTIFIED #: CBC028160
STROBELDESIGNBUILD.COM

PROJECT:

LAUTER
SEEKS
RESIDENCE

PROJECT ADDRESS:
390 N. TESSIER DR.
ST. PETE BEACH, FL 33706

PREPARED FOR:
HEATHER LAUTER
AMY SEEKS

CONCEPTUAL SCHEMATIC DESIGN DRAWING

PLANS APPROVED BY OWNER

OWNER APPROVED SIGNATURE:

DATE:

OWNER APPROVED SIGNATURE:

DATE:

ISSUE DATE:
CONCEPTUAL SCHEMATIC DESIGN DRAWING
DATE: 12/15/2017

1. REVIEW SET:
2. REVIEW SET:
3. BID SET:
4. FINAL REVIEW SET:
5. FINAL PLANS APPROVED:
6. BUILDING PERMIT:

PROFESSIONAL SEAL

DESIGN BY: SCOTT CURTIS
DRAWN BY: SCOTT CURTIS
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STROBEL DESIGN BUILD

SHEET TITLE
PROPOSED SITE PLAN
PROPOSED FLOOR PLAN

SHEET NUMBER
CS1 OF 2

Wednesday, December 20, 2017



St. Pete Beach Board of Adjustment

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

2/28/18

Variance Case
#18-00002

Applicant/Agent
Cathy Schell, Applicant

Location
104 5th Avenue

Commission District
District 4

Staff Representative
Mike Larimore,
Planner I

Related Cases
N/A

Staff
Recommendation
Denial

ITEM SUMMARY:

Item	LDC Requirement	Existing Condition	Proposed Variances
Land Development Code 6.13(a):	Minimum Side Yard Setback: 4.53 feet	Side Yard Setback: 4.57 feet	Side Yard Setback: 0 (zero) feet
Residential Accessory Structures	Minimum Rear Yard Setback: 10 feet	Rear Yard Setback: 4.52 feet	Rear Yard Setback: 0 (zero) feet

Applicant requests a variance to Section 6.13(a) of the Land Development Code (LDC) to:

- 1) Decrease the minimum required side yard setback from 4.53 feet to 0 (zero) feet, and;
- 2) Decrease the minimum required rear yard setback from 10 feet to 0 (zero) feet to allow for the construction of a residential carport attached to an existing detached garage.

Existing Use: Residential (Detached Single-Family)

Adjacent Uses

North: Infrastructure (5th Avenue)

South: Infrastructure (Alleyway)

East: Residential (Detached Single-Family)

West: Residential (Detached Single-Family)

The Applicant wishes to construct a carport attaching to an existing detached garage structure. The proposed carport would be 14 feet in length, 10 feet in width, and 8 feet in height.

PUBLIC NOTICE:

Notice of public hearing has been advertised as required by State Statutes, including: a legal advertisement in a local newspaper, written notices of

hearing to owners of property within 300 feet of the subject property, and the posting of a public hearing sign for 7 days on the subject property prior to the public hearing. As of the time of this report, no comments have been received.

COMPREHENSIVE PLAN/LAND DEVELOPMENT CODE:

The subject property has a Future Land Use Designation of Residential Urban (RU). The Comprehensive Plan encourages the improvement of existing residential neighborhoods.

The subject property is located in the RU-1 Residential zoning district. The RU-1 zoning district allows for detached single-family residential uses and subordinate accessory structures. Carports and attached garages must comply with the same yard setbacks as the principal structure.

CRITERIA REVIEW (LDC 3.12.a):

The Board of Adjustment may authorize variances to the LDC if the applicant is able to demonstrate compliance with all five (5) of the following conditions. Staff analysis of criteria in *red italics* below:

- 1) The existence of conditions and circumstances that are peculiar to the subject land, structure or building and do not apply generally to neighboring lands, structures or buildings in the same district which have complied with these regulations without hardship; that the strict application of the provisions of the land development regulations would deprive the applicant of reasonable use of such land, structure or building; and the peculiar conditions and circumstances are not the result of the actions of the applicant. *No conditions or circumstances exist that are peculiar to the subject land, structure, or building. The strict application of the provisions of the LDC would not deprive the applicant reasonable use of the land, structure, or building.*
- 2) Neither a nonconforming use of neighboring lands, structures or buildings, legal or illegal, in the same district, nor a permitted use in adjacent districts shall be considered as grounds for issuance of a variance. *No other structures or uses are being considered.*
- 3) The proposed variance will not have the effect of changing any district boundary on the zoning map, nor constitute the granting of a nonconforming use. Under no circumstances shall a variance permit an increase in development density or permit a use not specifically permitted in the district. *The proposed variances will not affect any district boundaries, permit a nonconforming use, increase density, or permit a use not permitted in the zoning district.*
- 4) The granting of a variance will be in harmony with the general purpose and intent of the land development code and will not be

injurious to the neighborhood or otherwise detrimental to the public welfare. In granting the variance, the appropriate board of authority may prescribe any conditions and safeguards it deems necessary or desirable as a condition of approval of the variance application. *The requested variances are not in harmony with the general intent of the LDC. The requested variances would decrease the required setbacks of the proposed carport to zero creating an overcrowded condition and therefore not meeting the intent of the LDC. Staff is not recommending any conditions.*

- 5) The appropriate board of authority finds as a reasonable conclusion that hardship would unnecessarily result from a literal enforcement of the provisions of the land development regulations as set forth in the application, and the variance proposed is the minimum variance that will make possible the reasonable use of the land, structure and building. *The literal enforcement of the LDC would not result in a hardship for the Applicant. This application for variances is the result of the Applicant's desire to construct a carport and not a hardship. The reasonable use of the land and existing structures remains intact without the granting of variances.*

STAFF RECOMMENDATION:

Staff recommends denial. The Applicant has not demonstrated compliance with the criteria to approve a variance. The general purpose and intent of the LDC to prevent the overcrowding of land does not harmonize with the requested variances to allow for the construction of a carport with zero setbacks.

Attachments:

- A. Relevant Code Sections
- B. Aerial Photo
- C. Site Photo
- D. Variance Application
- E. Property Survey & Site Plan
- F. Proposed Elevations

Attachment A.

LDC Sec. 1.1. – Title and purpose.

This ordinance shall be known as the "Land Development Code." The provisions of this Land Development Code shall be held to be the minimum requirements for the promotion of the public safety, health, convenience, comfort, morals, prosperity and general welfare.

The purpose of the Land Development Code is to promote the orderly and efficient development of the City of St. Pete Beach, in accordance with the goals, objectives and policies of the Comprehensive Plan; to secure safety from fire, panic and other dangers; to promote health and the general welfare; to provide adequate light and air; promote or enhance aesthetics; to prevent the overcrowding of land; to avoid undue concentration of population; to protect natural and historic resources; and to facilitate adequate and concurrent provision of transportation, water, sewerage, parks and other public improvements, facilities and services.

These regulations have been made with reasonable consideration, among many things, as to the character of the districts hereinafter provided for, and their peculiar suitability for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land, air and water throughout the city, consistent with the goals, objectives and policies of the Comprehensive Plan.

LDC Sec. 6.13. - Residential accessory structures.

Accessory residential structures may be permitted only on zoning lots having one or more existing residential dwelling units and shall be regulated as follows:

(a) Garage, private residential, as defined, fall into one of two types, either attached to or detached from the principal residential structure. Under the terms of this section, the term "garage" shall also include carports. For the purposes of this Code, a garage shall be deemed to be attached only when it shares at least 75 percent of the length of one wall in common with the principal structure to which it is an accessory.

(1) Attached garage. An attached garage shall be subject to the same required yard and height requirements as the principal structure.

(2) Detached garage. Detached garages shall be regulated as follows:

a. Required yards:

Front yard:	20 feet
Secondary front yard:	As required for the principal structure
Side yards:	As required for the principal structure
Rear yard:	Ten feet if accessible from an alley; otherwise 20 feet

b. Maximum height: 12 feet above the crown of any street abutting the property.

c. In no case shall a detached garage have any sleeping room, kitchen facilities or plumbing

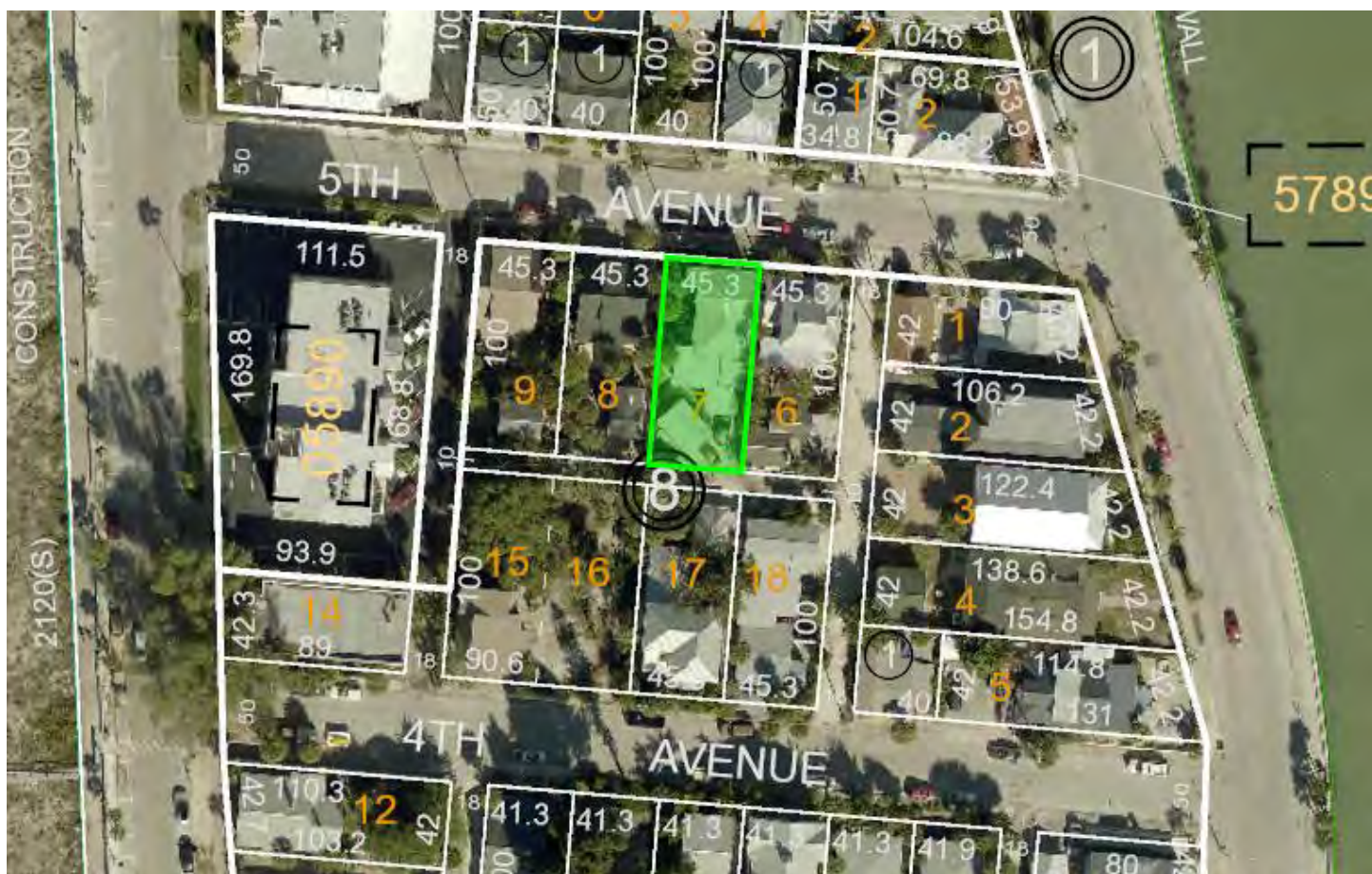
LDC Sec. 11.7. - Minimum yard requirements.

The minimum yard requirements for principal structures in the RLM-2 Residential District are as required in this section.

(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.

Attachment B.



Above: Subject property highlighted.

Attachment C.



Above: Subject property, facing west



Above: Subject property, facing east



City of St. Pete Beach
Community Development Department
155 Corey Avenue
St. Pete Beach, Florida 33706
727-367-2735
www.stpeteach.org



VARIANCE APPLICATION

Case Number: **PLN 18-00002**

PROPERTY FOR PROPOSED VARIANCE

Legal Description: Lot 7, Block 8, Morey Beach
Parcel ID: 19-32-16-58932-008-0070
Address: 104 5th Avenue St. Pete Beach FL 33706
Current Zoning: Single Family 0110 FLUM Designation: RM Lot Area: 45' x 100'
Existing Use: Single Family Proposed Use: Single Family

APPLICANT/AGENT:

Name: Cathy Schell
Address: PO Box 518
City: Earleton State: FL
Zip: 32631 Phone: (352) 214-0152
Email: cathrinaschell@gmail.com

PROPERTY OWNER:

Name: William J. Schell, Tre
Address: 104 5th Avenue
City: St. Pete Beach State: FL
Zip: 33706 Phone: _____
Email: _____

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

(Land Ord. No. 6.13a)

Reduce side yard setback from 4.53' to 0'

Reduce rear setback from 10' to 0'

Additional Documents:

Check here if document is attached	Required Document
X	Recent Survey of the property illustrating all boundaries, easements, and physical improvements.
X	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.

Variance is requested to construct an on-site carport to (1) provide for additional parking with sun protection; (2) accomodate three healthcare providers from the Veterans Hospital who come approximately once a month around the same time to care for Mr. William Schell [homeowner who is approaching 101 years old] (3) prevent the current problem with the public parking in this area without the homeowner's consent - especially during beach events to avoid paying for metered parking - thereby blocking homeowner's use and (4) to prevent the area from being utilized as a public trash dump thereby causing homeowner the additional expense of having to pay for junk removal

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.

The area in which the homeowner proposes to build the carport, to the West of the garage, is currently covered with pavers. The addition of a covered carport would make better use of this area.

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.

Yes

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

Yes

		<i>Catherine J. Schaefer, P.D.A.</i>	<i>1/11/18</i>
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.

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

_____ 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.

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

_____ 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.

_____ 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.

_____ 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.

_____ 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

Catherine J. Schell, P.O.A.
Signature of Applicant

1/11/18
Date

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

I/WE WILLIAM J Schell
(print name of property owner)
hereby authorize CATHERINE H. Schell
(print name of agent)
to represent me/us in an application for VARIANCE
(type of application: variance, conditional use, zoning, etc.)

W J Schell
Signature of Owner

Catherine H Schell
Signature of Owner

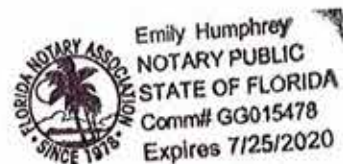
WILLIAM J Schell
Print Name of Owner

CATHERINE H. Schell
Print Name of Owner

The forgoing instrument was acknowledged before me this 11th day of January
2018, by William & Catherine Schell or who is personally known FL ID'S
produced Florida Driver as identification.

Emily Humphrey
(Notary Signature)
My Commission Expires 7/25/2020

7/25/2020
(Date)





THE SUNSET CAPITAL OF FLORIDA

PUBLIC HEARING SIGN POSTING AFFIDAVIT

Applicant, CATHERINE L. Schell, 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): CATHERINE L. Schell, P.O. A

Address: 104 Fifth Ave St. Pete Beach, FL 33706

Catherine L. Schell / 11 / 18
Signature Date

STATE OF FLORIDA)

PINELLAS COUNTY)

SS:

The foregoing instrument was acknowledged before me this 11 day of January 2018 by Catherine Schell, who appeared before me, and is personally known to me, or has produced FL Driver License as identification, and did take an oath.

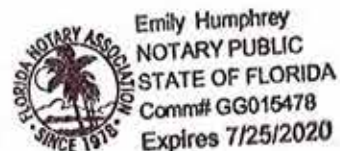
My commission Expires: 7/25/2020

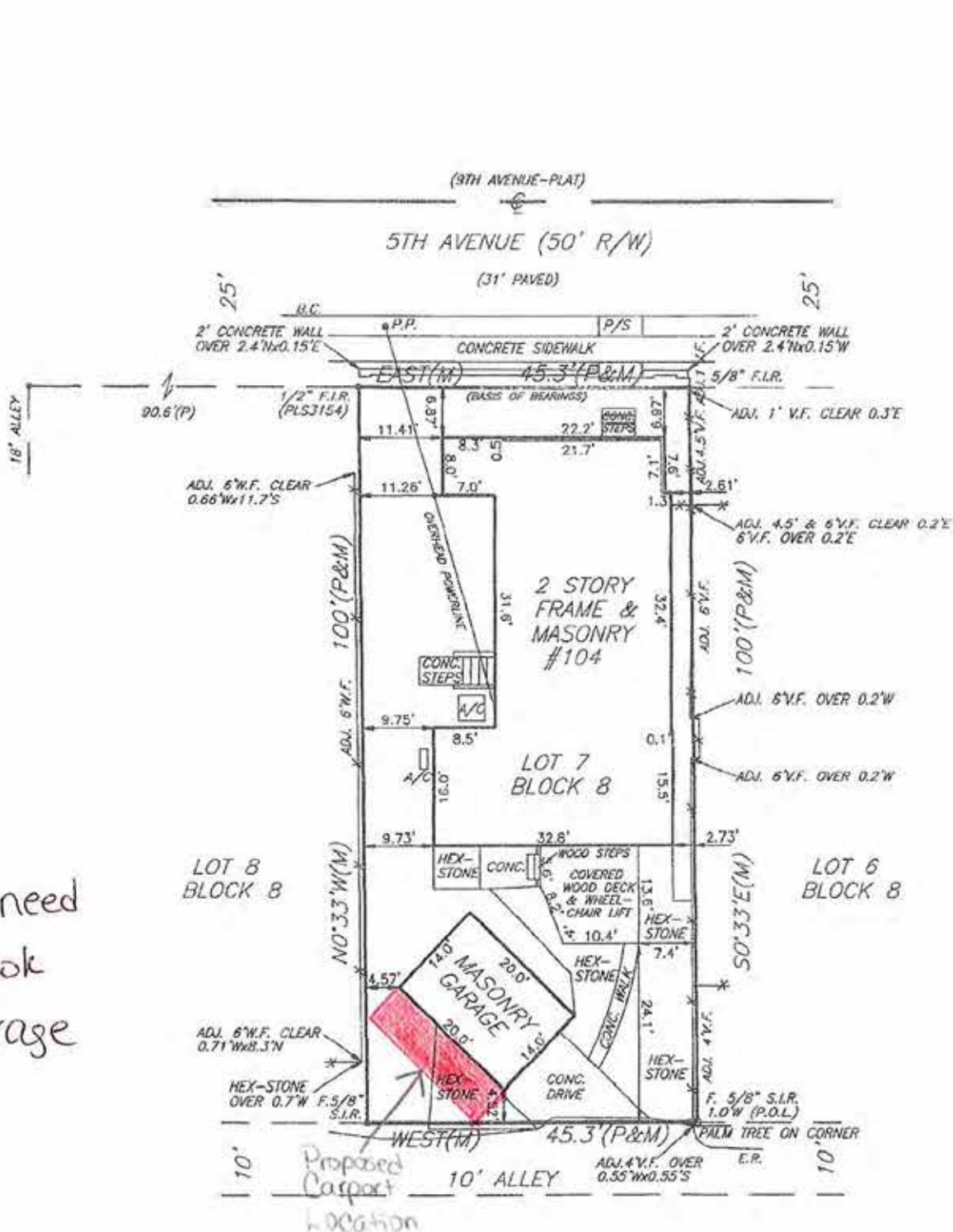
NOTARY:

Print Name:

Notary Public, State of Florida

(Notarial Seal)





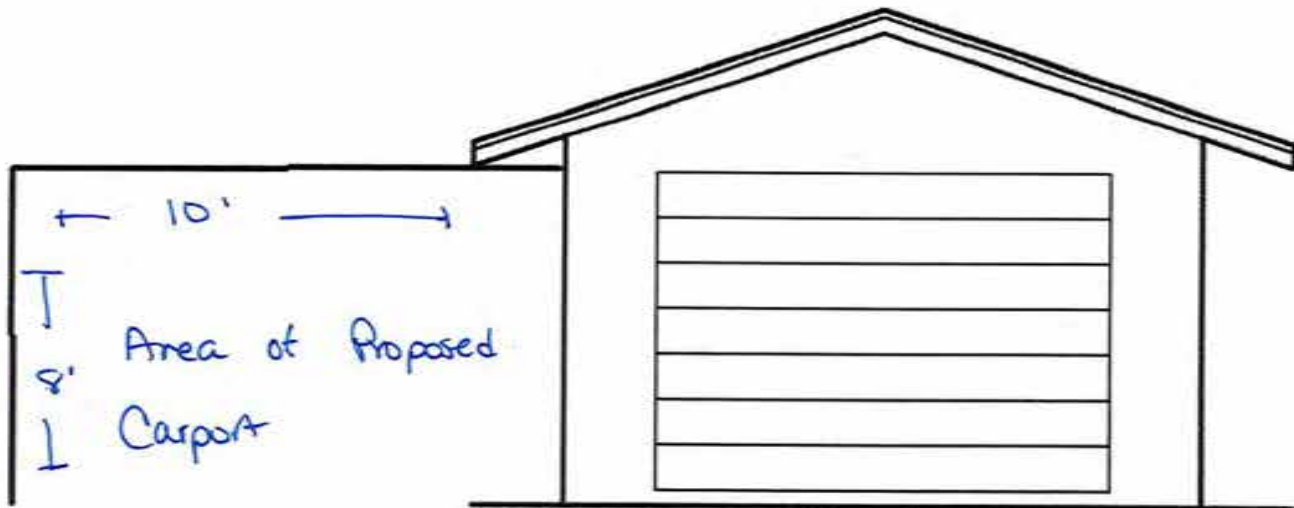
A BOUNDARY SURVEY OF LOT 7, BLOCK 8, MOREY BEACH, AS RECORDED IN PLAT BOOK 1, PAGE 102, OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, OF WHICH PINELLAS COUNTY WAS FORMERLY A PART.

JOB NUMBER: MM/XVII/579
TELEPHONE: (727) 360-0635
DATE OF FIELD SURVEY: 1/02/18
SCALE: 1 INCH = 20 FEET
DRAWN BY: DCH

DAVID C. HARNER
PROFESSIONAL LAND SURVEYOR
9925 GULF BOULEVARD
TREASURE ISLAND, FL. 33706
SECTION 19 TOWNSHIP 32 SOUTH RANGE 16 EAST

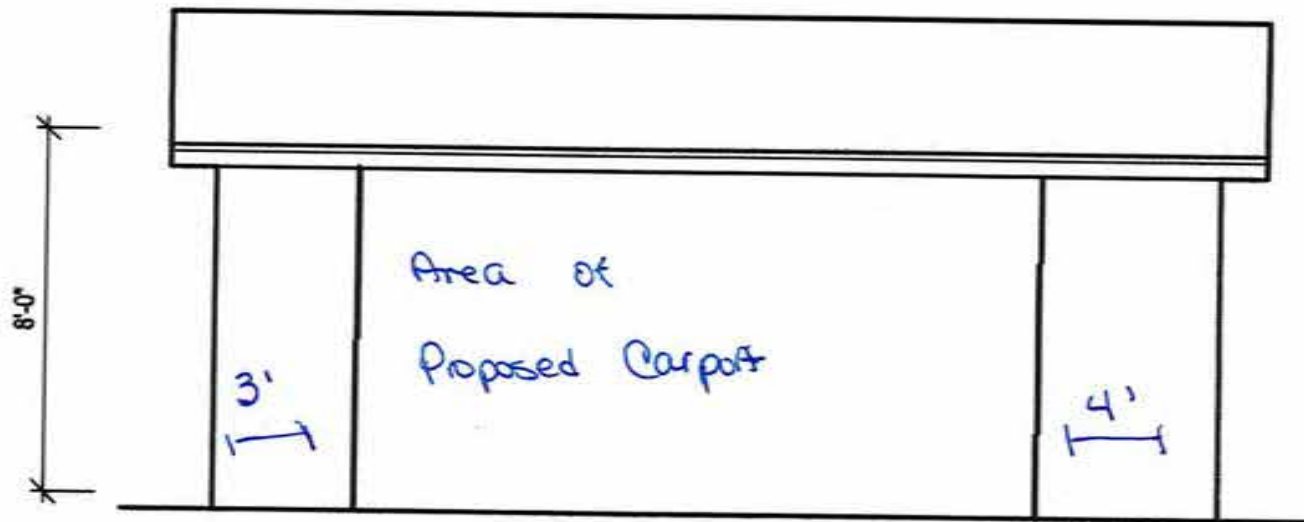
FLOOD ZONE: "AE"
FLOOD MAP DATE: 8/18/09
COMMUNITY NUMBER: 125149
PANEL NUMBER: 0286 G
CHECKED BY: DCH

Attachment F.



FRONT ELEVATION

SCALE : 1/4" = 1'-0"



LEFT ELEVATION

SCALE : $1/4" = 1'-0"$