



BOARD OF ADJUSTMENT MEETING CITY OF ST. PETE BEACH

155 Corey Avenue
St. Pete Beach, FL 33706

Wednesday, October 26, 2022
2:00 PM

Call to Order
Pledge of Allegiance
Roll Call

REGULAR MEETING

1. Approval of the Agenda -
2. Audience Comments - **Comments shall be limited to 3 minutes per person**
3. Approval of Minutes
 - a. Minutes from August 31, 2022
4. Action Items
 - a. Approval/Acceptance of 2023 Board Meeting Dates
 - b. **Variance, Practical Difficulty - 638 70th Ave. (Case No. 22038)**

JSS Property Professionals, Inc. for Joseph and Coreen Guagenti requests Practical Difficulty Variance to construct 2, one-story additions that do not meet the required minimum side yard setback requirements where 7 feet is required, with 5.9 feet and 5.1 feet proposed. (LDC Sec. 36.8)
 - c. **Variance, Practical Difficulty - 6815 Bay St. (Case No. 22050)**

David and Rebekah Ogburn requests a Practical Difficulty Variance to construct 12' x 16', 192 sq. ft. covered pavilion that does not meet the maximum size requirement of 64 sq. ft. with 192 sq. ft. proposed and setback requirement of waterfront yard of 20 feet with 10 feet proposed. (LDC 6.13(c)(4))
 - d. **Variance, Practical Difficulty - 200 44th Ave. (Case No. 22056)**

Ken and Lisa Amos requests a Practical Difficutly Variance to construct an 18' x 12', 216 sq. ft. residential storage building, 12' high and 13' (overall) above grade that exceeds maximum size requirement of 80 sq. ft. with 216 sq. ft. proposed and maximum height

of 8' with 13' proposed. (LDC Sec. 6.13(5) (a-b))

e. Variance, Practical Difficulty - 409 59th Ave. (Case No. 22049)

Craig Jackson for Andras and Andrea Fenyves, requests Practical Difficulty Variance to construct a 36.9' x 7', second story roofed deck that does not meet the required rear yard setback requirement of 20', with 15.5' proposed and construct elevated second story living space and a ground-floor entryway that does not meet the front yard setback requirement of 20' with 11' proposed. (LDC Sec. 8.7(a)(1) & Sec. 6.13(c)(3))

5. Adjournment

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

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

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

CITY OF ST. PETE BEACH
DRAFT BOARD OF ADJUSTMENT MEETING MINUTES
August 31, 2022 2:00 P.M.

PRESENT: Paul Skipper, Chair
Sandie Lyman, Vice Chair
Dan Small, Member
Denise Chase, Member

EXCUSED: Michael Bomar, Member

STAFF PRESENT: Matthew McConnell, Assistant City Attorney
Kristin Coman, Senior Planner
Ginny Bodkin, Deputy City Clerk

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

1. Approval of the Agenda

Motion: Member Chase moved, and Member Lyman seconded the approval of the agenda as presented with no changes; the motion passed unanimously.

2. Audience Comments – There were no general audience comments.

3. Approval of Minutes - a. 6/29/2022

Motion: Member Lyman moved, and Member Small seconded the approval of the June 29, 2022 minutes as presented. The motion passed unanimously.

4. Action Items

- a. Variance - 1805 Pass-A-Grille Way (Case No. 22025) - Request to construct a residential dock that is proposed to be 35 feet in length (25 feet allowed).**

Kristin Coman, Senior Planner for the City reviewed a presentation on this variance request. The presentation is part of the meeting record. Exhibits included an aerial map, zoning map, property survey, site plan, and photographs.

Staff recommendation was for approval as proposed with a 10'x12' boatlift on the north side of the dock as depicted on the site plan and subject to the removal of two wet slips.

The Deputy City Clerk played a voicemail of a public comment from Wendy Hopwood and Victor Tonas of 1807 Pass-a-Grille Way speaking against the variance request.

Construction Contractor Bryan Bettencourt of 6798 Crosswinds Drive N. appeared on behalf of the Applicant. He testified that the dock plan has been totally redesigned since his last appearance. He explained the plan alterations that have made in consideration of the neighbors. This would be an improvement from what is currently there. He can shorten to 30 feet if necessary.

The Board Chair opened audience public comment.

Debra Colburn 1803 Pass a Grille Way spoke against the variance application and showed photographs as evidence that will become part of the meeting record.

Mark Colburn 1803 Pass a Grille Way spoke against the variance request.

Previous letters in opposition were included in the meeting packet.

The Chair closed public comment and opened Board discussion.

The Board asked the Applicant's representative to answer some additional questions and deliberated.

Motion: Member Chase moved, and Vice Chair Lyman seconded to approve the variance for 1805 Pass-a-Grille Way with conditions as requested for a dock to exceed the allowable length by 10 feet as proposed, subject to the removal of the two 48-foot wet slips which will significantly reduce the amount of dockage available to the subject property. The motion failed 4-0.

5. Adjournment – The next meeting is 9/28/2022 and there are three cases to be heard.

Motion: Member Lyman moved and Member Chase seconded adjournment at 2:38 PM.

These minutes will be considered for approval at the September 28, 2022 Board of Adjustment meeting.

Notice of Meetings
Board of Adjustment
2023

The Board of Adjustment meets on the last Wednesday of the month in the Commission Chambers of City Hall, 155 Corey Avenue, St. Pete Beach, Florida.

<u>Meeting Date</u>	<u>Time</u>
January 25, 2023	2:00 pm
February 22, 2023	2:00 pm
March 29, 2023	2:00 pm
April 26, 2023	2:00 pm
May 31, 2023	2:00 pm
June 28, 2023	2:00 pm
July 26, 2023	2:00 pm
August 30, 2023	2:00 pm
September 27, 2023	2:00 pm
October 25, 2023	2:00 pm
November 29, 2023	2:00 pm
December 27, 2023	2:00 pm

Meeting to elect the Chair and Vice Chair will be on April 26, 2023, or the next meeting as soon thereafter.

The Code of Ordinances pertaining to this board can be found at:
https://www.municode.com/library/fl/st._pete_beach/codes/code_of_ordinances?nodeId=PTIICOOR_CH22BOCOCO_ARTIIBOAD

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

Agenda Report

Issue Considered: **Variance, Practical Difficulty - 638 70th Ave.
(Case No. 22038)**

Date: October 26, 2022

Prepared By: Kristin Coman, Senior Planner

Through: Jennifer McMahon, Chief Operating Officer

Summary of Issue: Request to construct 2, one-story additions that do not meet the required minimum side yard setback requirements where 7 feet is required, with 5.9 feet and 5.1 feet proposed. (LDC Sec. 36.8)

Funding: n/a

Requested Motion: Motion to approve Variance Case No. 22038 to permit construction of two, one-story additions which do not meet the required minimum side yard setback requirements, where 7 feet is required, with 5.9 feet and 5.1 feet proposed as per LDC Sec. 36.8, with staff recommendation the following conditions should apply:

1. Areas that are to be removed as indicated on the plan shall be stabilized in accordance with Division 22 of the LDC., specifically compliance with Sec. 22.4(f) and recommend complete installation and site inspection approval by the Planning Department or appropriate representative prior to the issuance of the Certificate of Occupancy.
2. Gutters shall be installed on the new additions and tied into existing downspouts or install new downspouts as necessary.
3. Applicant shall submit an As-Built Plan noting all setbacks and ISR calculation and approved by Planning/Zoning prior to the issuance of a Certificate of Occupancy.

Attachments:

1. 22038 - Certificate of Completeness with Submittal Documents
2. 22038 - Existing and Proposed Site Plan dated 08.15.22
3. 22038 - 638 70th Ave Staff Report
4. 22038 - Letters Received



Memo To: Board of Adjustment
From: Kristin Coman, Senior Planner
Re: **CERTIFICATE OF COMPLETENESS**
Date: 8/16/2022

Please be advised that on this date, the following application has been deemed complete and will be scheduled for the agenda on the next available hearing date of **September 28, 2022**.

Applicant: JSS Property Professionals, Inc.
Owner: Joseph and Coreen Guagenti
Address: 638 70th Ave.
Parcel Number: #36-31-15-05940-002-0210
Application Type: Practical Difficulty Variance
Variance Case No: 22038

Submittal Documents:

1. Completed application form
2. Elevation sheet prepared by Lan-Anh Nguyen dated 6/4/22, consisting of 1 sheet.
3. Proposed Site Plan prepared by Lan-Anh Nguyen dated 8/15/22, consisting of 1 sheet
4. Narrative from JSS Property Professionals, LLC dated 8/3/22
5. Floor Plan, no date or preparer information, consisting of 1 sheet
6. Survey prepared by Christopher Noyes PSM, LLC dated 6/15/22 consisting of 1 sheet
7. Google Earth image dated 7/7/22 submitted by applicant

The application and submittal documents will be forwarded to the following agents for review:

City/Board Professionals:

- | | |
|---|--|
| ☒ Board of Adjustment Attorney via email | ☐ Building Official |
| ☐ Engineer | ☐ Fire Marshal |

Board Members:

- | | |
|--|--|
| ☒ Paul Skipper, Chair | ☒ Denise Chase |
| ☒ Sandie Lyman, Vice Chair | ☒ Dan Small |
| ☒ Michael Bomar | |

Cc: JSS Property Professionals, Inc., Applicant **via email** (frontdesk@jsspropertypros.com)
Joseph and Coreen Guagenti, Owner **via email** (jrguag@gmail.com)

CASE #:

22038

C.C. payment

SUBMITTAL DATE:

7/14/22

AMOUNT DUE:

652.60

PAYMENT DATE:

7-14-22

PRACTICAL DIFFICULTY VARIANCE APPLICATION

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

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

OWNER/AGENT INFORMATION:

Identification	Name	Address	Phone #
Owner	Jr & Cori Guaganti	638 70th Ave St Pete Beach FL 33706	(419) 204-9111
Applicant/ Agent	JSS Property Professionals	1100 123rd Circle Suite 100 Largo, FL 33773	(727) 392-4766
Owner Email Address:		Applicant/Agent Email Address:	
Jrguag@gmail.com		Frontdesk@jsspropertypros.com	

PROPERTY FOR PROPOSED VARIANCE:

Zoning Designation UBV	Future Land Use Designation UBV	Lot Area 5,000 sq ft
Legal Description:		
Parcel ID:	638 70th Ave St Pete Beach FL 33706	
Address:	36-31-15-05940-002-0210	
Explanation of Request: Previous non conforming request two additions within the non conforming setback		
Addition (2) One Story 13' 10 1/2" X 13' 6 1/2" (BEDROOM) SET BACK 5' 1"		
One Story 5' 8 1/2" X 11' 4" (BATHROOM/LAUNDRY) SET BACK 5' 9"		

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

1. How substantial the variance is in relation to the requirement sought to be varied;
VERY LITTLE AS ENTIRE HOME HAS PREEXISTING NON CONFORMING SET BACKS. OUR ADDITION IS IN LINE WITH THE PREEXISTING NON CONFORMING SET BACKS.
2. Whether an adverse change will be produced in the character of the neighborhood;
EXISTING SURROUNDING HOMES HAVE NON CONFORMING PREEXISTING SET BACKS THE SAME
3. Whether the difficulty can be obviated by some method feasible for the applicant to pursue other than by a variance; and
NOT REALLY AS HOME IS ALREADY SMALL AND NO OTHER ROOM
4. Whether, in view of the manner in which the difficulty arose, the interest of justice will be served by allowing the variance. NEW OWNER, ASSUMING THE PRIORITY TO ADD ON TO THE HOME

Signature of Applicant

Date

Signature of Authorized Agent

Date

For office use only:

Hearing Date:

8/31/22

Fees:

\$ 652.60

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.

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

JSS 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.

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

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

JSS 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.

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

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

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

J Scott Sweeney
Signature of Applicant

7/8/22
Date



PUBLIC HEARING SIGN POSTING AFFIDAVIT

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

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

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

Name(print): J. SCOTT SUAREZ

Address: 638 20th AVE ST PETE, FL 33206

J. Scott Suarez Agent 7/8/22
Signature Date

STATE OF FLORIDA)
) SS:
PINELLAS COUNTY)

The foregoing instrument was acknowledged before me this 7th day of July, 2022 by:
Joseph Scott Suarez who appeared before me, and is personally known to me, or has produced
Driver's License as identification, and did take an oath.

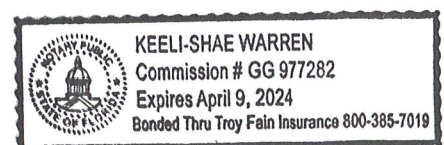
My commission Expires:

NOTARY:

Print Name: Keeli-shae Warren Notary

Public, State of Florida

(Notarial Seal)



Owner's Authorization for Agent

Community Development Department

City of St. Pete Beach, Florida

I/WE

JR & CORI GUAGENTI
(print name of property owner)

hereby authorize

J. SCOTT SUAREZ
(print name of agent)

to represent me/us in an application for

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

[Signature]
Signature of Owner

Joseph R. Guagenti
Print Name of Owner

[Signature]
Signature of Owner

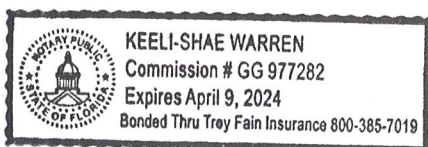
Cori Guagenti
Print Name of Owner

The forgoing instrument was acknowledged before me this 11th day of July 2021 by Cori & Jr Guagenti or who is personally known _____ produced Drivers License as identification.

[Signature]
(Notary Signature)

07/11/22
(Date)

My Commission Expires 04/09/24



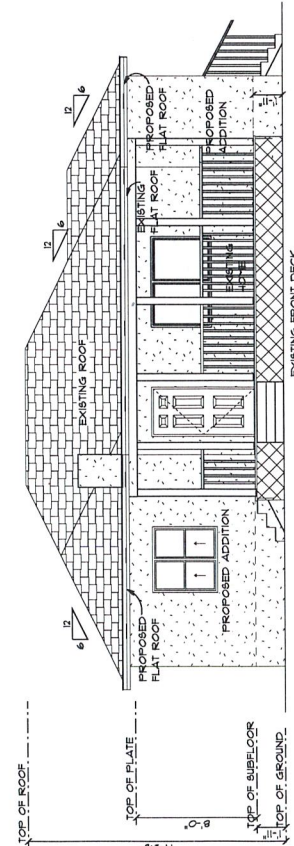
4

ELEVATIONS

DATE: 06/04/22 SCALE: N/A
639 10TH AVENUE NORTH
ST. PETE BEACH, FL 33706

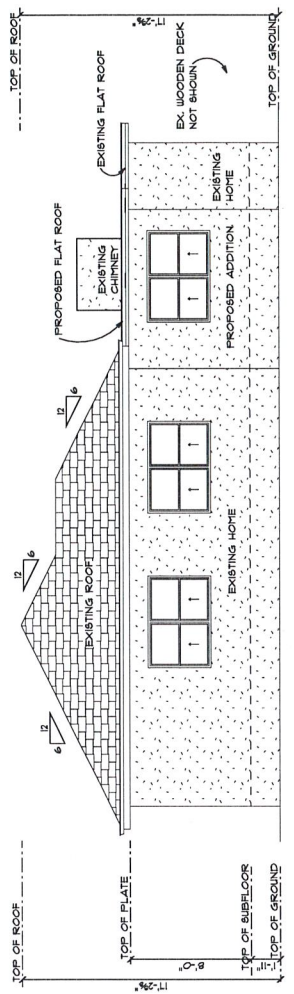
DESIGN ENGINEER
LAN-ANH T. NGUYEN
4801 48TH AVE. NORTH
ST. PETERSBURG, FL 33714
FL P.E. #68226

PAGE # 4 OF 8



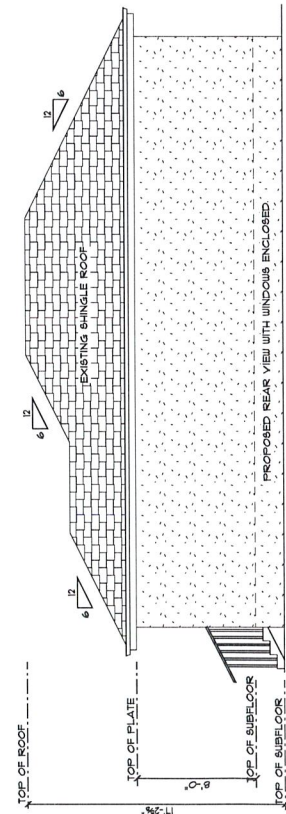
PROPOSED FRONT ELEVATION

SCALE: 1/8" = 1'



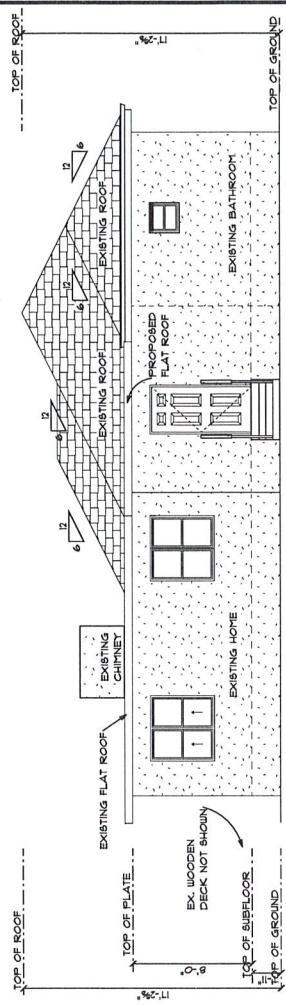
PROPOSED LEFT ELEVATION

SCALE: 1/8" = 1'



PROPOSED REAR ELEVATION

SCALE: 1/8" = 1'



PROPOSED RIGHT ELEVATION

SCALE: 1/8" = 1'



PROPERTY PROFESSIONALS, INC.

Administrative Offices:
7100 123rd Circle N, Unit 100
Largo, FL 33773

Phone: (727) 392-4766
Fax: (727) 399-9550
J. Scott Suarez, CEO-President
Keeli-Shae Warren, CFO

To: St Pete Beach Building Department

08/03/22

1. The survey submitted indicates substantial portions of existing concrete to be removed (T.B.R.) which includes the existing stoop and stairs on the western property line. The floor plan shows relocation or installation of a new door along the western property line, but no details were provided on the survey showing the dimensions of a stoop and stairs to allow access from the new location of the door. This is needed to verify compliance with code.

- Please see updated Proposed Site Plan for the stair with dimensions.

2. Detail should be provided on the concrete area to remain surrounding the existing AC unit. Any areas that are to remain should be noted to scale on the survey and dimensions indicated.

- Please see table added to Proposed Site Plan for the impervious area for the parcel.

3. Dimensions shown on the survey submitted indicate the interior measurements of the additions, and do not match the exterior dimensions as shown on the floor plan and should be amended to be consistent.

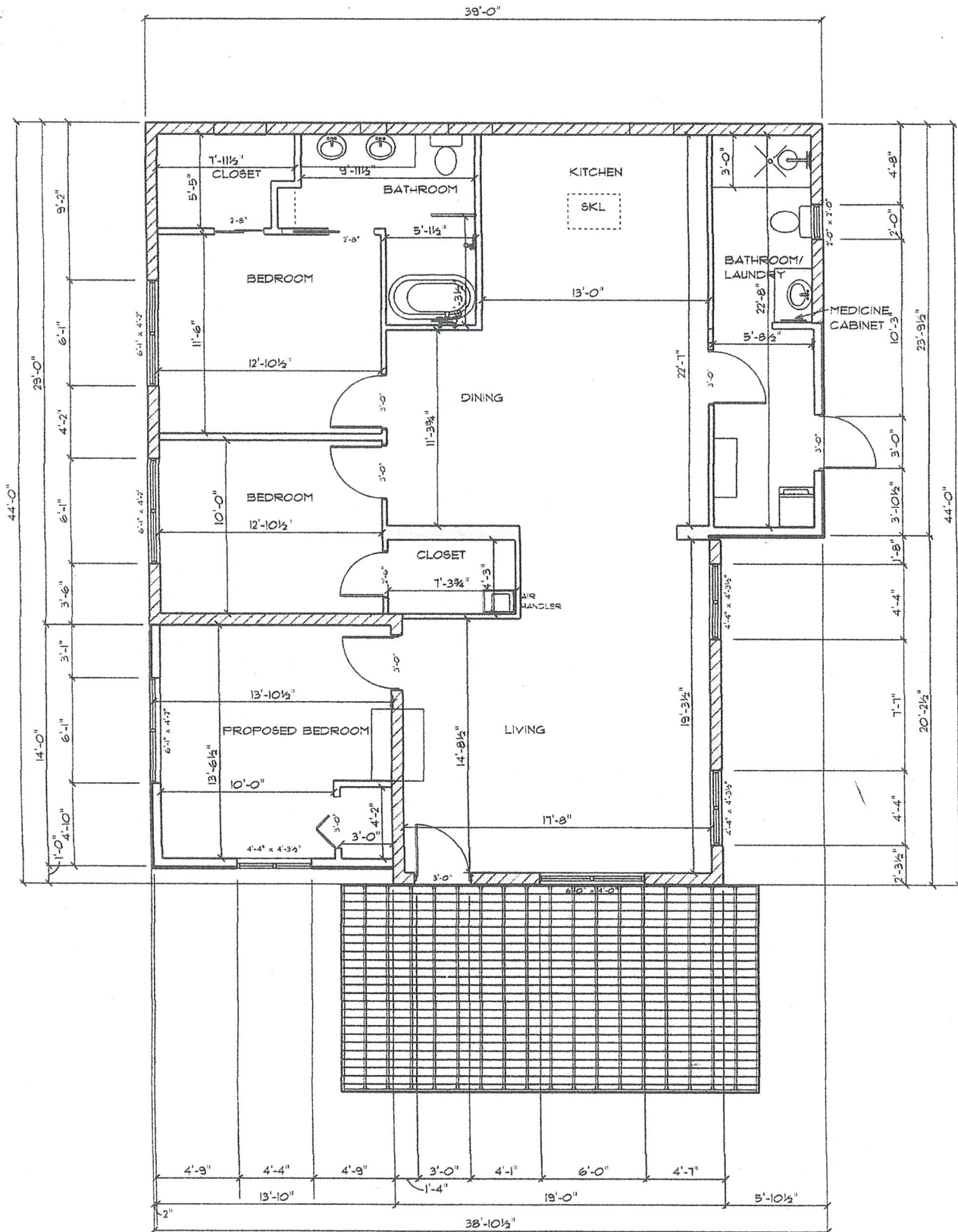
- Please see amended dimensions on the Proposed Site Plan to match the Floorplan measurements.

4. No information was provided with regards to the height(s) of the proposed additions and should be indicated on the application.

- The Proposed Elevations are attached to show the proposed addition with flat roof to match with existing flat roof in the living area.

Regards,

JSS Property Professionals, INC



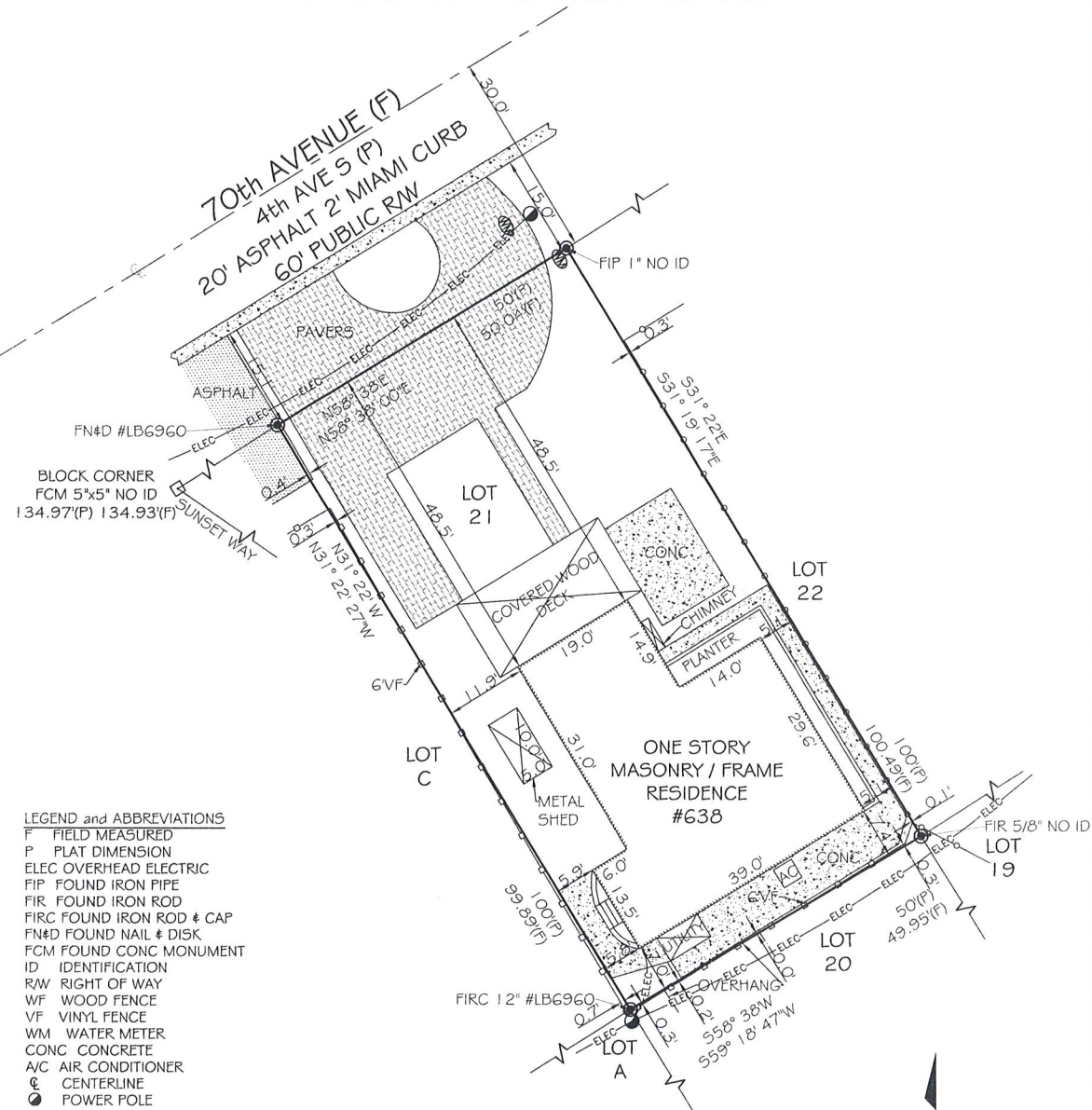
PROPERTY ADDRESS;
638 70th AVENUE
ST. PETERSBURG BEACH FL 33706

SECTION 36 TOWNSHIP 31 S RANGE 15 E

A BOUNDARY SURVEY OF:
BLOCK 2, LOT 21

BEACH PLAZA SECTION

ACCORDING TO PLAT THEREOF AS RECORDED IN PLAT BOOK 23
PAGE 14 OF THE PUBLIC RECORDS OF PINELLAS COUNTY FLORIDA



LEGEND and ABBREVIATIONS
F FIELD MEASURED
P PLAT DIMENSION
ELEC OVERHEAD ELECTRIC
FIP FOUND IRON PIPE
FIR FOUND IRON ROD
FIRC FOUND IRON ROD & CAP
FN&D FOUND NAIL & DISK
FCM FOUND CONC MONUMENT
ID IDENTIFICATION
R/W RIGHT OF WAY
WF WOOD FENCE
VF VINYL FENCE
WM WATER METER
CONC CONCRETE
A/C AIR CONDITIONER
CL CENTERLINE
P POWER POLE

FLOOD PLAIN
PER THE FEDERAL INSURANCE ADMINISTRATION
FLOOD INSURANCE RATE MAP COMMUNITY NUMBER
125149 SUBJECT PROPERTY APPEARS LOCATED IN
ZONE "AE" BASE FLOOD ELEVATION= 10 FEET AS
REFERENCED TO THE FIRM (FLOOD INSURANCE RATE
MAP) 12103C0257H EFFECTIVE DATE 08/24/2021

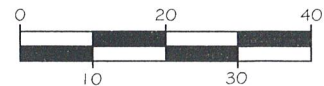
IN COMPLETE ACCORDANCE WITH FLORIDA STATUTE 472.025 AND PURSUANT TO THE ELECTRONIC
SIGNATURE ACT OF 1996 OR FLORIDA STATUTE TITLE XXXIX CHAPTER 668 IF THIS DOCUMENT WAS
RECEIVED ELECTRONICALLY VIA PDF THEN IT HAS BEEN LAWFULLY ELECTRONICALLY SIGNED
THEREFORE THIS SURVEY PDF IF AUTHENTIC IS COMPLETELY OFFICIAL AND INSURABLE
BASIS OF BEARINGS; PER PLAT, THE SOUTH R/W LINE OF 70 AVE BEING N58° 38'E

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE SEARCH AND
IS SUBJECT TO ALL EASEMENTS RIGHTS-OF-WAY AND OTHER MATTERS OF
RECORD
UNDERGROUND IMPROVEMENTS NOT SHOWN

SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY THAT THE SURVEY REPRESENTED HEREON MEETS THE
REQUIREMENTS OF CHAPTER 5J-17.05 FLORIDA ADMINISTRATIVE CODE
PURSUANT TO SECTION 472.027 FLORIDA STATUTES

CHRISTOPHER J NOYES PSM FLORIDA SURVEYOR REGISTRATION # 6381

Digitally
signed by
Christopher J
Noyes
Date:
2022.06.24
16:47:01
-04'00'



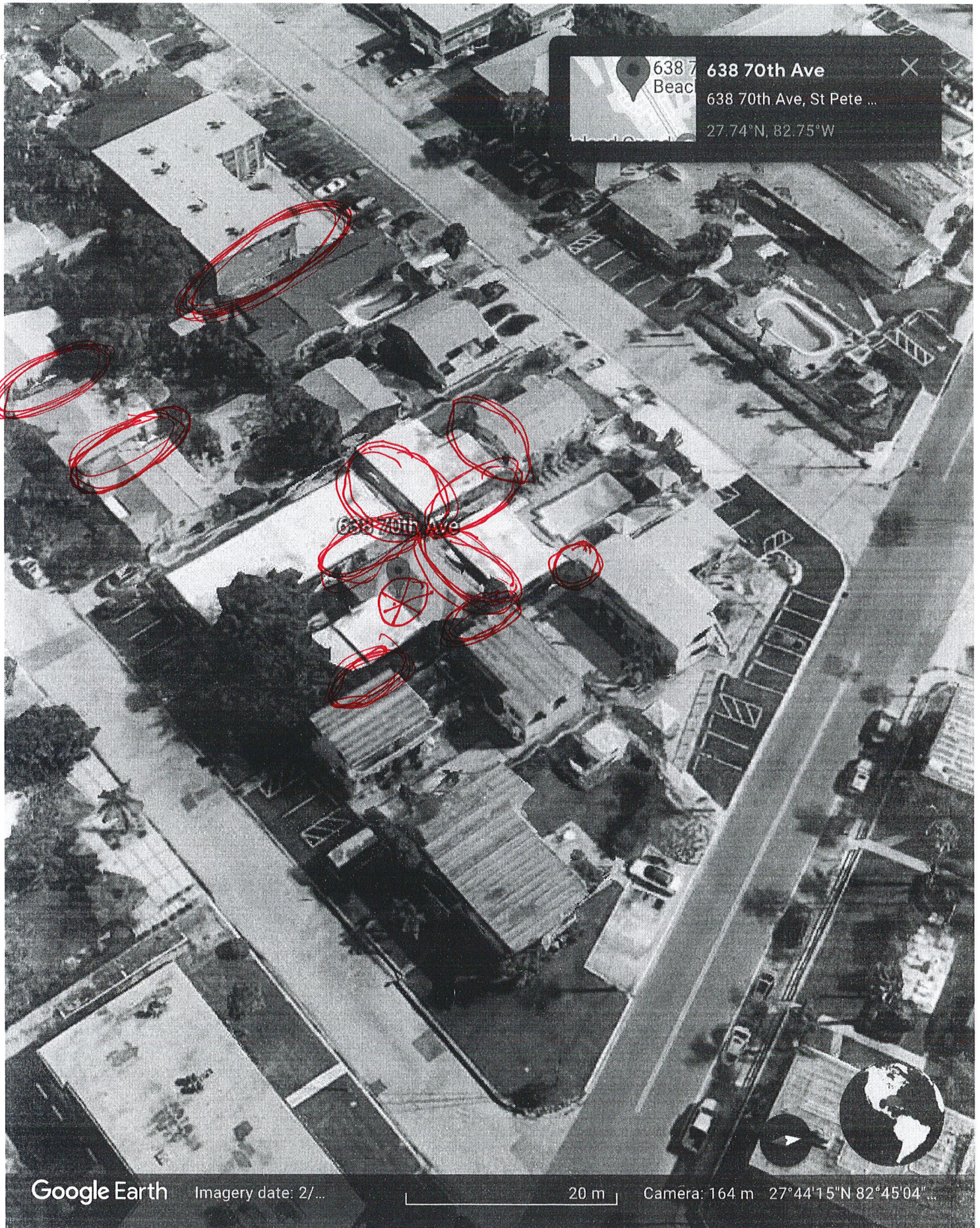
SCALE: 1"=20'

CERTIFIED TO:
JOSEPH R # COREEN A GUAGENTI

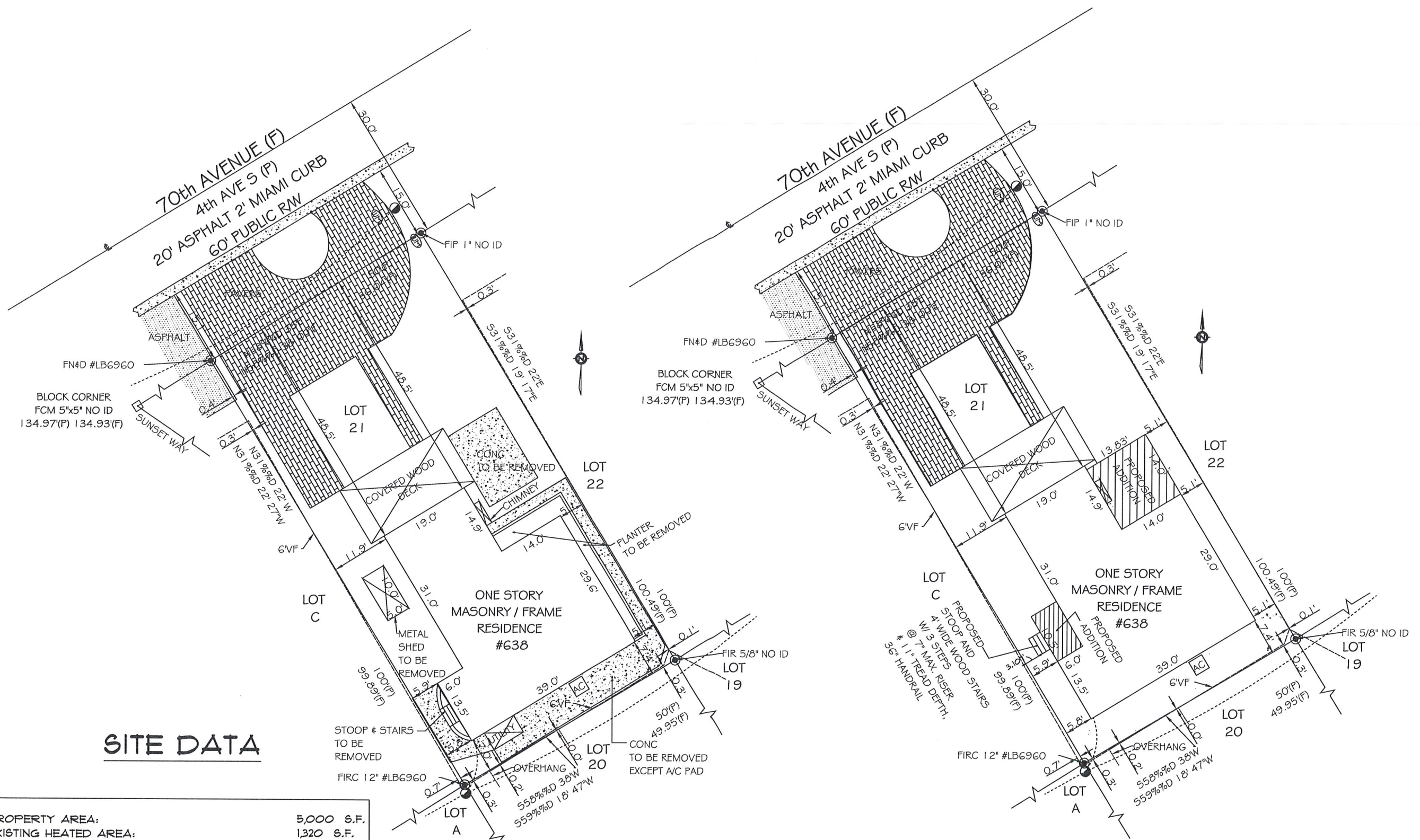
DRAWN BY: CN	SURVEY DATE: 6/15/22
CHECKED BY: RS	DRAWING NO.: 1
JOB NO.: 22-190	SHEET 1 OF 1

SURVEY NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED
SEAL OR AN ELECTRONIC EQUIVALENT OF A FLORIDA LICENSED
SURVEYOR AND MAPPER

PREPARED BY:
CHRISTOPHER J. NOYES PSM, LLC
LS 6381
7168 65TH STREET NORTH
PINELLAS PARK, FLORIDA 33781
PHONE (727) 545-9777
CHRISPSM6381@GMAIL.COM



5' SET BACK OTHER HOUSE
ON SAME BLOCK & AREA



SITE DATA

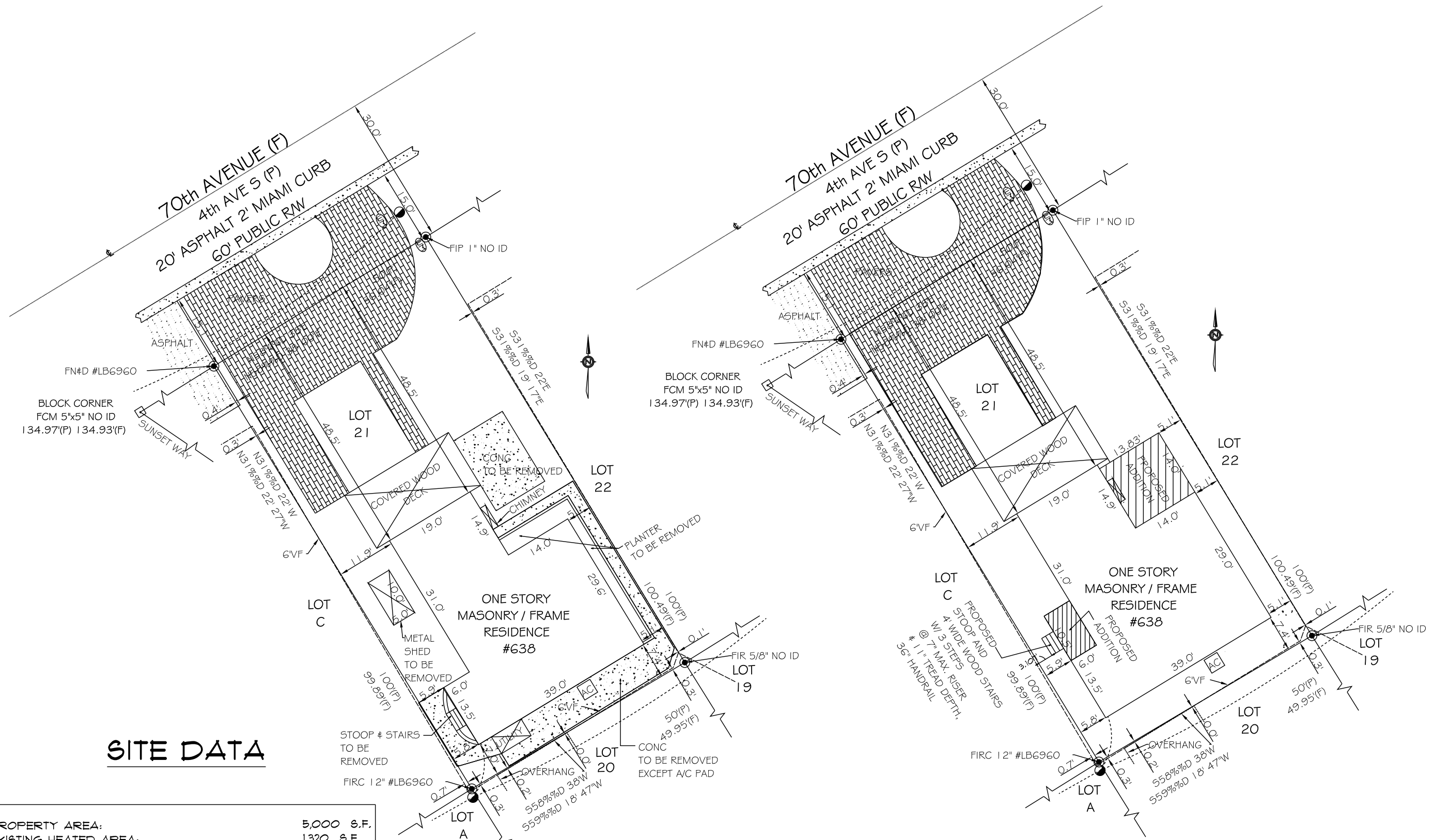
PROPERTY AREA:	5,000 S.F.
EXISTING HEATED AREA:	1,320 S.F.
OPEN PORCH:	288 S.F.
EXISTING CONC. & UTILITY SHED:	130 S.F.
EXISTING PAYER DRIVEWAY:	128 S.F.
TOTAL EXISTING IMPERVIOUS AREA:	3,066 S.F.
PROPOSED ADDITION:	259 S.F.
PROPOSED REMOVED CONCRETE & SHED:	-130 S.F.
TOTAL PROPOSED IMPERVIOUS AREA:	2,595 S.F.
IMPERVIOUS AREA RATIO: 2595 SF/ 5000 SF = 51.9%	
FRONT SETBACK:	20'
SIDE SETBACK:	1'
REAR SETBACK:	20'

EXISTING/DEMO SITEPLAN

SCALE: 1" = 20'

PROPOSED SITEPLAN

SCALE: 1" = 20'



SITE DATA

PROPERTY AREA:	5,000 S.F.
EXISTING HEATED AREA:	1,320 S.F.
OPEN PORCH:	288 S.F.
EXISTING CONC. & UTILITY SHED:	730 S.F.
EXISTING PAVER DRIVEWAY:	728 S.F.
TOTAL EXISTING IMPERVIOUS AREA:	3,066 S.F.
PROPOSED ADDITION:	259 S.F.
PROPOSED REMOVED CONCRETE & SHED:	-730 S.F.
TOTAL PROPOSED IMPERVIOUS AREA:	2,595 S.F.
IMPERVIOUS AREA RATIO: 2595 SF/ 5000 SF = 51.9%	
FRONT SETBACK:	20'
SIDE SETBACK:	7'
REAR SETBACK:	20'

EXISTING/DEMO SITEPLAN

SCALE: 1" = 20'

PROPOSED SITEPLAN

SCALE: 1" = 20'



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

PLANNING DEPARTMENT

Date: September 12, 2022
To: Board of Adjustment
Re: Staff Findings Report
Variance Case No: 22038
Practical Difficulty Variance
Address: 638 70th Ave.
Parcel Number: #36-31-15-05940-002-0210
JSS Property Professionals, Inc. for Joseph and Coreen Guagenti, Owner

Prepared by: Kristin Coman, Senior Planner

Hearing Date: 9/28/2022

Please be advised that staff has received and reviewed the following items submitted in support of the application:

1. Variance application deemed complete on 8/16/2022
2. Elevation sheet prepared by Lan-Anh Nguyen dated 6/4/22, consisting of 1 sheet.
3. Proposed Site Plan prepared by Lan-Anh Nguyen dated 8/15/22, consisting of 1 sheet
4. Narrative from JSS Property Professionals, LLC dated 8/3/22
5. Floor Plan, no date or preparer information, consisting of 1 sheet
6. Survey prepared by Christopher Noyes PSM, LLC dated 6/15/22 consisting of 1 sheet
7. Google Earth image dated 7/7/22 submitted by applicant

Staff offers the following comments for the Board's consideration:

Site Description/Surrounding Land Uses

The subject site is a 5,000 sq. ft. (approx. 0.11 acre) parcel located at 638 70th Ave. known as parcel number #36-31-15-05940-002-0210 and legal description of BEACH PLAZA SEC OF ST PETE BEACH BLK 2, LOT 21 within the AE-Elevation 10 flood zone. The property is located in the UBV, Urban Beach Village zone; UBV on the future land map and contains a single-family residence constructed in 1956 according to the Pinellas County Property Appraiser. It is located 165 feet west of the intersection of 70th Ave. and Sunset Way. It is surrounded by multifamily uses to the north and east and hotel/motel use to the south and west. The site is improved with a one-story dwelling with 20' x 12' covered wood deck to the front, shed, paver driveway and patio area with concrete walkways.

Figure 1: Aerial Photography



Source: Pinellas County Property Appraiser

Figure 2: Zoning Map



Source: City of St. Pete Beach Official Zoning Map Page 4 of 15, dated 7/20/2012

Request

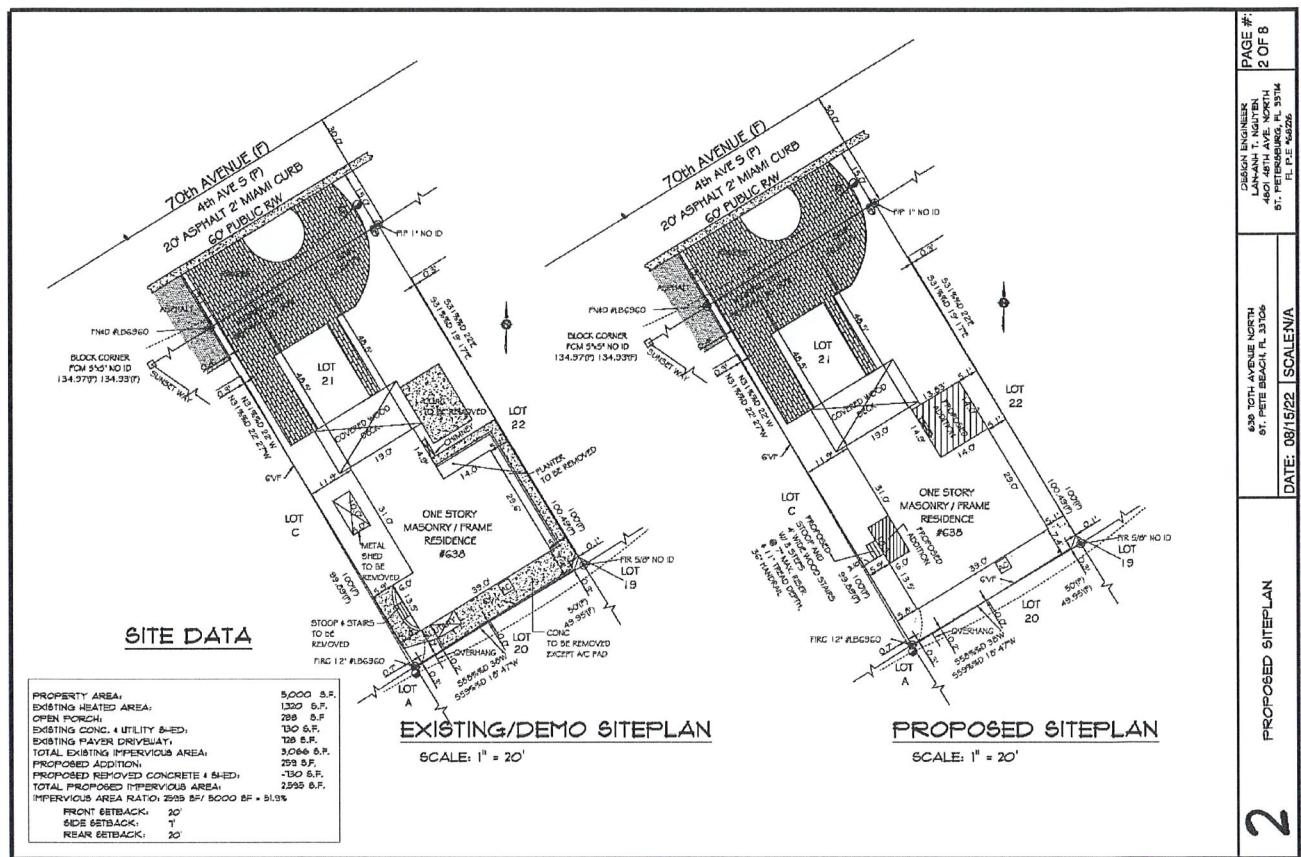
The applicant proposes to remove the existing 10' x 5' shed, 8' x 4' utility area and various concrete areas including patio, stoop and stairs located in the western side yard and construct 2, one-story additions. The proposed additions are a 13.83' x 14', 193 sq. ft. addition to be utilized for a bedroom and 10.5' x 6', 63 sq. ft. addition for a laundry/bathroom expansion. Variances are required for side yard setbacks. A new stoop and stairs are to be constructed due to the relocation of a door but will meet code compliance.

Analysis

1. Existing nonconforming conditions of the site that are not proposed to change:
 - a. Minimum lot area: where 5,808 sq. ft. is required and 5,000 sq. ft. exists. (LDC 36.6a)
 - b. Minimum front yard setback: where 10' minimum and a maximum of 20' is required, 48.5' exists. (LDC 36.8)
 - c. Minimum side yard setback: where a 7' minimum is required, 5.9' (western) and 5.1' (eastern) exists. (LDC 36.8)
 - d. Minimum rear yard setback: where a 20' minimum is required, 7' exists. (LDC 36.8)
2. New variances required as a result of the proposed changes:
 - a. Side yard setback: where 7' is required and 5.9' (western) and 5.1' (eastern) are proposed. (LDC 36.8). The applicant is proposing to maintain the existing non-conforming side yard setbacks with the proposed additions.

Figure 3: Zoning Table			
Detached, Single-Family Residential			
	UBV Required	Existing	Proposed
Lot Area (Min.)	5,808 sq. ft.	5,000 sq.ft*	5,000 sq.ft*
Front Yard Setback (Min.)	10', max of 20'	48.5'*	48.5'*
Secondary Front Yard Setback (Min.)	10'	n/a	n/a
Side Yard Setback (Min)	10% of lot width on each side; min. required setback of 7'	5.9' West*(v), 5.1' East*(v)	5.9' West*(v), 5.1' East*(v)
Rear Yard Setback (Min.)	20'	7'*	7'*
ISR (Max.)	0.70	0.61	0.52
Height (Max.)	35'	not provided, dwelling is currently one-story	not provided, dwelling is currently one-story
*Denotes existing non-conformity			
(v) Variance required			

Figure 4: Existing and Proposed Site Plan



Additional Comments

The Applicant should provide testimony regarding the necessity for the requested variances.

- The Board has standards of review for a practical difficulty variance and must make a positive finding with regards to the provisions located in Division 3 of the Land Development Code in order to grant the variance(s). The applicant should be prepared to provide evidence by answering the following independently from staff comments:

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

Staff finds the applicant is requesting a 5.1' east side yard setback where 7' is required, representing a variance of 27% from the required standard and 5.9' west side yard setback where 7' is also required, representing a variance of 16% from the required standard.

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

Staff finds that no adverse change will be produced in the character of the neighborhood. The home was constructed prior to the adoption of a city zoning code, as

with many other structures in the vicinity, and the setback proposed does not appear to be out of character with the neighborhood.

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

The additions could be revised to meet the required side yard setback without the need to receive a side setback variance. However, staff feel that the reduced dimensions of the additions, particularly the addition to the front of the dwelling may have a negative aesthetic impact and impact the layout of the home.

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

Staff find the interest of justice will be served in the granting of this variance. The request is minimal, reasonable, and preserves existing side setbacks which preserves the home's aesthetic integrity without increasing the existing degree of nonconformity. It should also be noted the applicant has proposed to remove the existing shed and concrete areas for a total of 730 sq. ft., reducing the current ISR of 0.61 to a proposed ISR of 0.52 with the construction of the one-story additions. This results in a 9% reduction of impervious coverage overall.

- No information was provided on any changes to the materials of the exterior of the home with regards to color or roofing. Applicant should discuss the proposed changes.
- The home currently has gutters and downspouts. Applicant should advise if the additions will also have installation of same.
- No information was provided for ground stabilization in the multiple locations where the existing concrete areas are to be removed and testimony should be provided if additional landscaping and/or sod are proposed. Per LDC Sec. 22.4(f), the applicant would need to improve their lot to no less than 24% greenspace or submit an alternative landscaping plan should variance approval be granted.

Recommendation

Staff find the request is reasonable given the existing conditions of the lot and will not have an adverse impact on the neighborhood. Staff recommends **approval** with the following condition(s):

- Areas that are to be removed as indicated on the plan shall be stabilized in accordance with Division 22 of the LDC., specifically compliance with Sec. 22.4(f) and recommend complete installation and site inspection approval by the Planning Department or appropriate representative **prior** to the issuance of the Certificate of Occupancy.
- Gutters shall be installed on the new additions and tie into existing downspouts or install new downspouts as necessary
- Applicant shall submit an As-Built Plan noting all setbacks and ISR calculation and approved by Zoning prior to the issuance of a Certificate of Occupancy.

Should the board look favorably on the application, the applicant should be advised that any variance granted hereunder shall expire one (1) year from the date of the development order providing such variance, unless a building permit for the construction authorized by such variance is obtained within such time and said building permit has not expired prior to the completion of construction in accordance therewith.

Respectfully submitted,



Kristin Coman
Senior Planner

Cc: JSS Property Professionals, Inc. Applicant **via email** (frontdesk@jsspropertypros.com)
Joseph and Coreen Guagenti, Owner **via email** (jrguag@gmail.com)
Matthew McConnell, Board of Adjustment Attorney

Letters Received

From: [Marnee Grzebien](#)
To: [Kristin Coman](#)
Subject: Letter of support for Joe (JR) and Cori Guagenti 638 70th Av Project
Date: Friday, September 9, 2022 8:53:09 AM

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

Good morning Kristin,
Tom and I are across the street neighbors of JR and Cori. We just wanted to lend our support for their building permit application. We understand they need to get approval for a variance to extend and add a 3rd bedroom. We are completely on board with their project and know they will only enhance our neighborhood with their improvements. We cannot attend the hearing on Sept 28th as we are out of town, but we wanted to let you know as one of the abutters, we are 100% in support of Cori and JR's home improvement project.
Thank you very much for accepting our letter of approval/support.

Marnee and Tom Grzebien

Marnee Grzebien
Marnee123@gmail.com
401-207-9930

SPT. 9, 2022

TO: City of St Pete Beach Planning Division

Attn: Kristin Coman

FROM: Richard McCormick

505 70th Ave
St. Pete Beach

RE: Guagenti Variance Request

638 70th Ave - #22038JR

I've owned my house on 70th Avenue since 1970 and have seen many neighbors come and go. It is always refreshing to meet new neighbors who want to improve and enhance their property.

Everyone on the block has watched The Guagenti's clean up the yard and it already shows how much pride they take in making sure their place is groomed and kept up.

Their plans to expand seem to be an extension of the original home and it seems like a very good use of space without compromising the value or look of the property. I would like to go on record fully supporting the variance and look forward to seeing the finished project!

Sincerely,

Richard McCormick

Richard McCormick



Beverly Hall
507 70th Avenue
St Pete Beach, FL 33706

September 12, 2022

To: Kristin Coman, Senior Planner
Planning Division
City of St. Pete Beach

From: Beverly Hall
507 70th Ave
St. Pete Beach, FL 33706

RE: **638 70th Ave Variance Request Support
#22038JR**

Dear Kristin and Planning Division,

I am writing in support of our neighbors, J.R. & Cori (aka Joseph and Coreen) Guagenti for their variance request at 638 70th Ave. I've been in my home for over twenty years and love seeing new neighbors move in who take pride in their property!

They purchased the home in April 2022 and have already made a positive impact on our block and in our community. Their planned improvements on their home would certainly help our overall neighborhood home value. Their plans are to keep the same footprint of the original build which helps to preserve the character of the neighborhood.

Thank you for the opportunity to speak out in support.

My Best,

Beverly Hall
Beverly Hall



Kristin Coman

From: dicksamy@aol.com
Sent: Friday, September 16, 2022 9:49 AM
To: Kristin Coman
Subject: case #22038

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

Hello I am the owner of 620 70th Ave. I am ok with their request to construct the one story addition even if it does not meet the required setbacks. I feel it will add to the value of their house and our neighborhood. I hope you pass the request for them to go ahead with the addition.
Amy Dicks

SPT. 18, 2022



TO: City of St Pete Beach Planning Division
ATTN: Kristin Coman, Senior Planner
FROM: James Teichert
RE: 638 70th Ave Variance Request

I am a joint owner of three properties on 70th Ave (565, 547 and 545). We received a letter about their variance request and wanted to write in supporting the project. We know the Guagenti's and have watched the work they've already put into cleaning up their property. I'm sure the addition to their home will be beautiful and also enhance the street.

Thank You,

James Teichert

A handwritten signature in dark ink, appearing to be "James Teichert", written over a horizontal line.

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

Agenda Report

Issue Considered: **Variance, Practical Difficulty - 6815 Bay St.
(Case No. 22050)**

Date: October 26, 2022

Prepared By: Kristin Coman, Senior Planner

Through: Jennifer McMahon, Chief Operating Officer

Summary of Issue: Construct 12' x 16', 192 sq. ft. covered pavilion that does not meet the maximum size requirement of 64 sq. ft. with 192 sq. ft. proposed and setback requirement of waterfront yard of 20 feet with 10 feet proposed.

Funding: n/a

Requested Motion: Motion to APPROVE Variance Case No. 22050 to construct 12' x 16', 192 sq. ft. covered pavilion that does not meet the maximum size requirement of 64 sq. ft. with 192 sq. ft. proposed and setback requirement of waterfront yard of 20 feet with 10 feet proposed as evaluated by staff.

Attachments: 1. 22050 - 6815 Bay St. - Certificate of Completeness with Submittal Documents
 2. 22050 - 6815 Bay Street-Proposed Construction
 3. 22050 - 6815 Bay St. - Staff Report
 4. 22050 - 6815 Bay St. - Letters Received



Memo To: Board of Adjustment
From: Kristin Coman, Senior Planner
Re: **CERTIFICATE OF COMPLETENESS**
Date: 8/18/2022

Please be advised that on this date, the following application has been deemed complete and will be scheduled for the agenda on the next available hearing of **September 28, 2022**.

Applicant/Owner: John and Rebekah Ogburn
Parcel Number: 36-31-15-90666-000-0100
Address: 6815 Bay St.
Application Type: Practical Difficulty Variance
Variance Case Number: 22050

Submittal Documents:

1. Completed application form
2. Survey prepared by Exacta Land Surveyors, LLC dated 8/22/22 consisting of 1 sheet
3. Enlarged portion of survey showing proposed covered pavilion indicating dimensions and setbacks prepared by applicant, consisting of 1 sheet
4. Construction drawings consisting of 1 sheet, prepared by Mella Development Group dated 6/16/22.
5. Set of 5 photographs showing existing rear yard from different vantage points, no date provided.
6. Adjacent property owner letter dated 8/12/22 submitted by applicant

The application and submittal documents will be forwarded to the following agents for review and/or comment:

City/Board Professionals:

- | | |
|--|--|
| ☒ Board of Adjustment Attorney <i>via email</i> | ☐ Building Official |
| ☐ Engineer | ☐ Fire Marshal |

Board Members:

- | | |
|--|--|
| ☒ Paul Skipper, Chair | ☒ Denise Chase |
| ☒ Sandie Lyman, Vice Chair | ☒ Dan Small |
| ☒ Michael Bomar | |

Cc: John and Rebekah Ogburn Applicant ***via email*** (dogburn@valley.com)

CASE #: 22050
 SUBMITTAL DATE: 8.16/22 AMOUNT DUE: \$521.70 PAYMENT DATE: 8.16.22

PRACTICAL DIFFICULTY VARIANCE APPLICATION

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

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



OWNER/AGENT INFORMATION:

Identification	Name	Address	Phone #
Owner	John David Ogburn and Rebekah Ogburn	6815 Bay St. SPB 33706	813-340-5954
Applicant/Agent	David Ogburn	" " "	Same
Owner Email Address:		Applicant/Agent Email Address:	
dogburn@valley.com		dogburn@valley.com	

PROPERTY FOR PROPOSED VARIANCE:

Zoning Designation	Future Land Use Designation	Lot Area
Single family RU-1	Single family RU	75x120 (9000) sf
Legal Description:	Lot 10 of Three Palms Point Unit One	
Parcel ID:	36-31-15-90666-000-0100	
Address:	6815 Bay St. St. Pete Beach 33706	
Explanation of Request: Construct covered pavillion w/one end w/in the 15' set back from back property line. The two posts are 10' from property line. There are no walls, only 4 posts and a tin gable roof. The structure is 12'x16', 192sf. Height is 9'-8" (to align w/roof line).		

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

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

The variance is 5' ~~from the~~ within the 15' ~~set~~ set back requirement. ~~The only~~ Only the roof end + two posts are w/in the setback area.

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

Not at all. I have made ~~substantive~~ improvements to the home over the past 3 years and this request will complete the outside/pool area ~~up~~ improvements. The look/design of the pavilion will match the home.

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

In order to place the pavilion in a logical location, based on the pool + deck area, the only practical solution is to place the pavilion @ the requested position.

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

The only viable and aesthetic option is to have the two side posts w/in the set back. Reducing the size by 5 feet would render the pavilion unusable/too small for its purpose

Danif Oglu 8/8/22

Signature of Applicant

Date

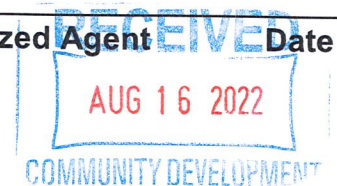
Signature of Authorized Agent Date

For office use only:

Hearing Date: 9/28/2022

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.

- DO I understand that the City will not accept or process an incomplete application.
- DO 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.
- DO On all variances except for administrative (de-minimis) variances, a majority vote is required. Action on this application by the BOA/City Commission may be continued to a later meeting.
- DO I understand that if a variance is approved by the BOA, City Commission or City Manager, the applicant is required to obtain the appropriate building permits within 1 year from the date of the decision. If no permit is obtained within 1 year, the approval becomes voided.
- DO 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.
- DO I understand that any person aggrieved by the final decision of the Board of Adjustment or City Commission has the right to file a petition in the Pinellas County Circuit Court within 30 calendar days after the decision. Appeals of decisions made by the City Manager for administrative variances are to a hearing officer designated by the City Commission and must be made within 30 days from the date of the final administrative decision. Permits for construction may be granted prior to the expiration of this 30-day period, but an appeal will be grounds for revocation of the permit.
- DO I understand that I, as the applicant, or my authorized representative must be present at all scheduled public meetings on the application if applicable.

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

Daniel Ogden
Signature of Applicant

8/8/22
Date





PUBLIC HEARING SIGN POSTING AFFIDAVIT

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

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

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

Name(print): John David Ogburn
Address: 6815 Bay St., St. Pete Beach FL 33706

David Oghn 8/12/22
Signature Date

STATE OF FLORIDA)
) SS:
PINELLAS COUNTY)

The foregoing instrument was acknowledged before me this 12th day of August, 2021 by:
John David Ogburn who appeared before me, and is personally known to me, or has produced
as identification, and did take an oath.

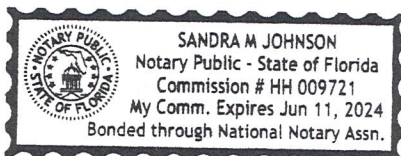
My commission Expires:

NOTARY:

Print Name: Sandra M. Johnson Notary

Public, State of Florida

(Notarial Seal)



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

N/A

I/WE

(print name of property owner)

hereby authorize

(print name of agent)

to represent me/us in an application for

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

Signature of Owner

Signature of Owner

Print Name of Owner

Print Name of Owner

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

(Notary Signature)

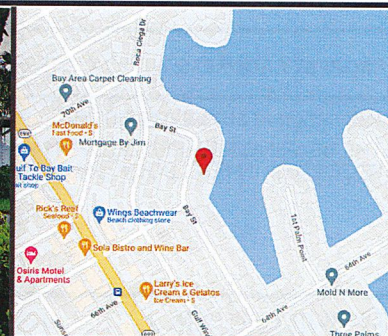
(Date)

My Commission Expires _____





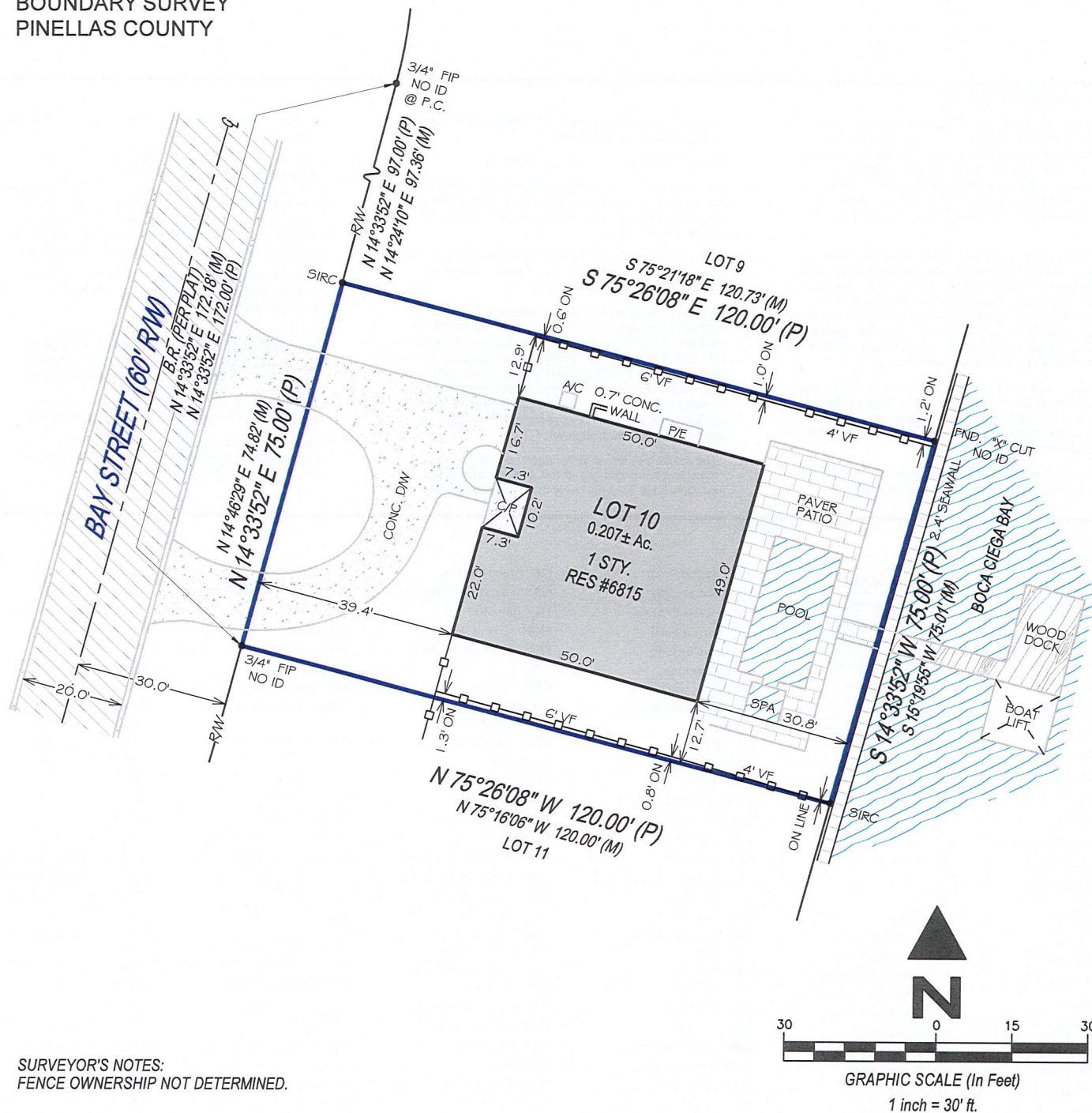
www.exactaland.com | office: 866.735.1916 | fax: 866.744.2882



PROPERTY ADDRESS: 6815 BAY STREET, ST PETE BEACH, FLORIDA 33706

SURVEY NUMBER: 2208.1126

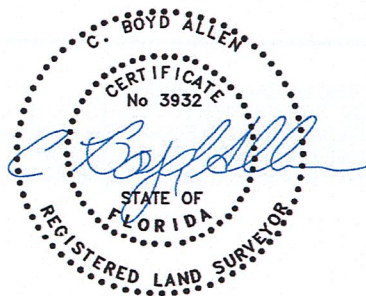
2208.1126
BOUNDARY SURVEY
PINELLAS COUNTY



SURVEYOR'S NOTES:
FENCE OWNERSHIP NOT DETERMINED.

SURVEYORS CERTIFICATION:

I hereby certify that this Survey of the lands described hereon was made under my direct supervision, and to the best of my knowledge and belief is a true and accurate representation of said lands and meets the Standards of Practice set forth in Chapter 5J-15.050 through 5J-15.053, Florida Administrative Code, pursuant to section 472.027, Florida Statutes. This survey is not valid without the signature and original raised seal of a Florida licensed surveyor and mapper, except when the electronic signature and seal of a Florida licensed surveyor and mapper is affixed hereto.



C. BOYD ALLEN
State of Florida Professional Surveyor and Mapper
License Number 3932
Exacta Land Surveyors, LLC | LB# 8291

POINTS OF INTEREST: NONE VISIBLE



Exacta Land Surveyors, LLC
LB# 8291
o: 866.735.1916 | f: 866.744.2882
3846 Blanding Boulevard, Jacksonville, FL 32210



**AFFILIATE
MEMBERS**

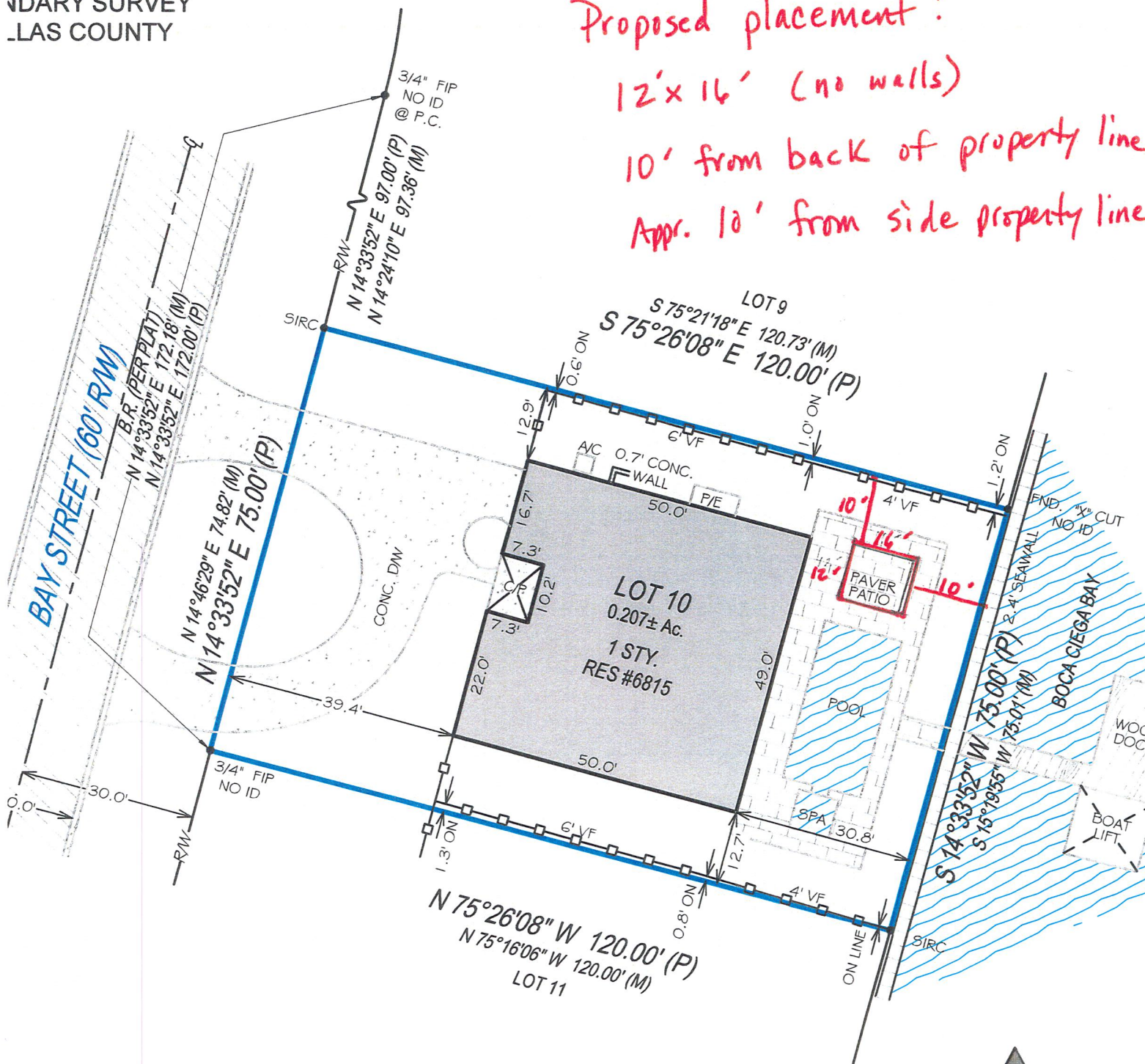
DATE SIGNED: 08/12/22

FIELD WORK DATE: 8/11/2022

REVISION DATE(S): (REV.0 8/12/2022)

SEE PAGE 2 OF 2 FOR LEGAL DESCRIPTION
PAGE 1 OF 2 - NOT VALID WITHOUT ALL PAGES

Proposed placement:
12' x 16' (no walls)
10' from back of property line
Appr. 10' from side property line



EXAMINER'S NOTES:
OWNERSHIP NOT DETERMINED.

SURVEYORS CERTIFICATION:

I hereby certify that this Survey of the lands described hereon was made under my direct supervision, and to the best of my knowledge and belief is a true and accurate representation

POINTS OF INTEREST:

NONE VISIBLE

AUG 16 2022

BOYD ALLEN
CERTIFICATE

CODES:

1. 2020, 7th EDITION OF THE FLORIDA BUILDING CODE, AND WIND LOAD REQUIREMENTS PER SECTION 1609.
2. BUILDING CODE REQUIREMENTS FOR REINFORCED CONCRETE (ACI 318-08).
3. AMERICAN SOCIETY OF CIVIL ENGINEERS MINIMUM DESIGN LOADS FOR BUILDINGS AND OTHER STRUCTURES (ASCE 7-08).
4. SPECIFICATION FOR THE DESIGN, FABRICATION AND ERECTION OF STRUCTURAL STEEL FOR BUILDINGS (AISC 360 15TH EDITION).
5. DESIGN SPECIFICATION FOR LIGHT METAL PLATE CONNECTED WOOD TRUSSES" PER ANSI/ TPI 1-2005.

1. DWELLING FLOORS - 40 PSF LIVE LOAD.
2. BALCONIES - N/A
3. WALKWAYS - N/A
4. ROOF OVER LIVING AREAS - 20 PSF LIVE LOAD, 15 PSF DEAD LOAD
ROOFS; 25 PSF (15 PSF T/C & 10 PSF B/C) DEAD LOAD FOR CONCRETE TILE ROOFS.
5. WIND - 150 MPH, PER FBC-2020 UNLESS NOTED OTHERWISE.
6. NET UPLIFT DEAD LOADS 10 PSF SHINGLE; 15 PSF TILE.

3.1 MINIMUM ALLOWABLE SOIL PRESSURE 2000 PSF. (ASSUMED)

1.1 CONCRETE COMPRESSIVE STRENGTH AT 28 DAYS: 3000 PSI (NORMAL WEIGHT).

1.2 REINFORCING BARS: ASTM A615 GRADE 60.
1.3 WELDED WIRE FABRIC (WWF): ASTM A185.
1.4 DETAIL REINFORCEMENT IN ACCORDANCE WITH ACI 315.
1.5 MINIMUM COVER: REINFORCEMENT FOOTINGS 3" BOTTOM AND SIDES.
1.6 EARTH SUPPORTED SLABS: INCLUDING EXTERIOR WALK AND DRIVE SLABS 1 1/2" THICK MIN. REINFORCED WITH 6X6 - W14 X W14 WWF AT MID-DEPTH OF SLAB. FIBERMESH MAY BE USED IN LIEU OF WWF AT CONTRACTOR'S OPTION.
1.7 CONCRETING OPERATIONS SHALL COMPLY WITH ACI STANDARDS.
1.8 LAP SPICE SHALL BE AS FOLLOWS: 15 BAR 25', 14 BAR 20', 13 BAR 15'.

5.1 DESIGN AND CONSTRUCTION SHALL CONFORM TO THE SPECIFICATION OF THE NATIONAL CONCRETE MASONRY ASSOCIATION AND ACI 530.

5.2 MINIMUM MASONRY UNIT STRENGTH: 1'm 1350 PSI.
5.3 MORTAR SHALL BE TYPE S.
5.4 ALL BLOCK CELLS AND CAVITIES BELOW GRADE SHALL BE FILLED WITH CONCRETE WHEN STEM WALL IS GREATER THAN 24" TALL ABOVE GRADE.
5.5 FILL CELLS N° (1) 45 BAR SHALL BE LOCATED • 10" - 8" O/C MAX, AT EACH CORNER AND EACH SIDE OF OPENINGS GREATER THAN OR EQUAL TO 6'-0".

5.1 WOOD STRUCTURAL FRAMING MEMBERS: 12 SOUTHERN YELLOW PINE (UNLESS NOTED OTHERWISE) WITH AN ALLOWABLE BENDING STRESS (Fb) PER NDS-91 = 1250 PSI AND A MODULUS OF ELASTICITY = 1,600,000 PSI EXCEPT STUDS WHERE SPF STUD OR CONSTRUCTION GRADE MAY BE USED.

5.3 ALL EXPOSED WOOD OR WOOD IN CONTACT WITH EARTH OR CONCRETE TO BE PRESSURE TREATED.
5.4 ROOF SHEATHING: APA RATED EXPOSURE 11 1/2" PLYWOOD OR 7/16" OSB MINIMUM SHINGLES OR TILE
5.5 UNTREATED WOOD SHALL NOT BE IN DIRECT CONTACT WITH CONCRETE. SEAT PLATES SHALL BE PROVIDED
AT BEARING LOCATIONS WITHOUT WOODEN TOP PLATES.



<u>AREA TABULATION</u>	
NEW CABANA:	192 sq. ft.
TOTAL AREA:	192 sq. ft.

RECEIVED
AUG 16 2022
COMMUNITY DEVELOPMENT

PIERRE M. VALLES, P.E.
5470 E. BUSCH BLVD. SUITE 202
TAMPA, FL. 33617

PIERRE M. VALLES, P.E.
FLORIDA LICENSE No. P.E. 66356

THESE PLANS ARE IN COMPLIANCE WITH SECTION 1609
OF THE 2020 FLORIDA BUILDING CODE FOR 150 MPH,
• A 3 SECOND GUST WIND ZONE, 7th. EDITION.

SIGN & SEAL

REVISIONS	

BUILDER:

M E L L A

DEVELOPMENT GROUP
1111 2nd. AVE. NE. SUITE 332, ST. PETERSBURG, FL. 33701
PHONE NUMBER 041-780-0275 737-456-0004

11

PROJECT: DOGBURN RESIDENCE

DATE 6-16-2021

SCALE AS NOTED

DRAWN J.P.

SUB NO.
TRUJILLO

SHEET NUMBER

OF

View from neighbor (on left)



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View from neighbor (on right)



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Facing north from neighbor fence
(on right)



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Neighbor's view - Faces to right/south
Away from subject pavilion



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COMMUNITY DEVELOPMENT

August 16, 2022

City of St. Pete Beach
Variance Review Committee

Re: John D. & Rebekah N. Ogburn
6815 Bay St.
St. Pete Beach, FL 33706

To Whom It May Concern:

We have been advised by our neighbors, David & Becky Ogburn, that they will be applying for a variance in order to construct a covered pavilion on their main pool deck area, favoring the north side of their back yard. We do not feel the structure will impede our water view based on the proposed placement as well as the lack of direct line of sight to the main water view.

We fully support their request as their neighbor.

Sincerely,



Joe & Teri Pike

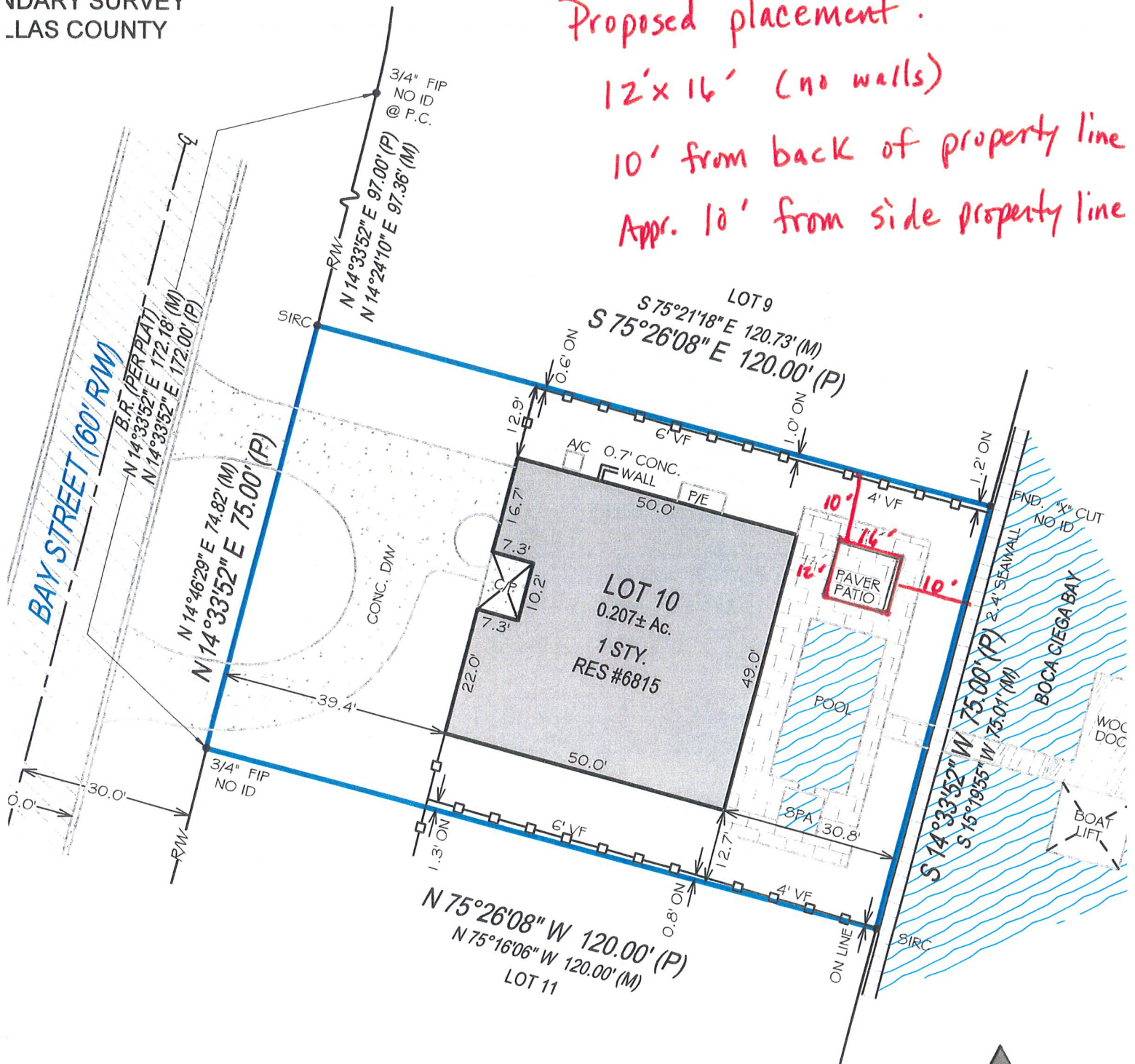


Proposed placement:

12'x16' (no walls)

10' from back of property line

Appr. 10' from side property line



FOR'S NOTES:
OWNERSHIP NOT DETERMINED.

SURVEYORS CERTIFICATION:

I hereby certify that this Survey of the lands described hereon was made under my direct supervision, and to the best of my knowledge and belief is a true and accurate representation

POINTS OF INTEREST:

NONE VISIBLE

AUG 16 2022

BOYD ALLEN
CERTIFICATE



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

PLANNING DEPARTMENT

Date: September 12, 2022
To: Board of Adjustment
Re: Variance Case No: 22050
Practical Difficulty Variance
Address: 6815 Bay St.
Parcel Number: #36-31-15-90666-000-0100
John and Rebekah Ogburn

Prepared by: Kristin Coman, Senior Planner

Hearing Date: 9/28/2022

Please be advised that staff has received and reviewed the following items submitted in support of the application:

1. Completed application form
2. Survey prepared by Exacta Land Surveyors, LLC dated 8/22/22 consisting of 1 sheet
3. Enlarged portion of survey showing proposed covered pavilion indicating dimensions and setbacks prepared by applicant, consisting of 1 sheet
4. Construction drawings consisting of 1 sheet, prepared by Mella Development Group dated 6/16/22.
5. Set of 5 photographs showing existing rear yard from different vantage points, no date provided.
6. Letter dated 8/12/22 from the adjacent property owner submitted by applicant

Staff offers the following comments for the Board's consideration:

Site Description/Surrounding Land Uses

The subject site is a 9,000 sq. ft. (approx. 0.20 acre) parcel located at 6815 Bay St. known as parcel number #36-31-15-90666-000-0100 and legal description THREE PALMS POINT UNIT 1 LOT 10 within the VE-Elevation 11 flood zone. The property is located in the RU-1, Residential District zone; RU, Residential Urban on the future land map and contains a single-family residence constructed in 1959 according to the Pinellas County Property Appraiser. It is located 150 feet northeast of the intersection of 67th Ave. and Bay St. It is a waterfront parcel surrounded by single family dwelling uses to the north, west and south and Boca Ciega Bay to the east. The site is improved with a one-story dwelling with circular driveway, dock with lift and rear patio area complete with inground pool and spa.

Figure 1: Aerial Photography



Source: Pinellas County Property Appraiser

Figure 2: Zoning Map



Source: City of St. Pete Beach Official Zoning Map Page 4 of 15, dated 7/20/2012

Request

The applicant proposes to construct a 12' x 16', 192 sq. ft. covered pavilion, 9' 8" high on the existing rear patio adjacent to the pool and spa area that was constructed in 2020. Variance relief required for the proposed waterfront yard setback where 20' is required and 10' is proposed and maximum square footage of 64 sq. ft. is permitted where 192 sq. ft. is proposed.

Analysis

1. New variances required as a result of the proposed changes:
 - a. Rear yard setback: where 20' is required with 10' proposed (LDC 6.13(c)(4)). The applicant is proposing a variance of 50% of the required setback for waterfront yards.
 - b. Maximum size: where 64 sq. ft. is the maximum square footage permitted and 192 sq. ft. is proposed (LDC 6.13(c)(4)). The applicant is requesting a square footage 3 times greater than what is permitted by code.

Figure 3: Zoning Table			
Detached, Single-Family Residential	6815 Bay Street		
	RU-1 Required	Existing	Proposed
Lot Area (Min.)	7,000 sq. ft.	9,000 sq.ft	No Change
Front Yard Setback (Min.)	20'	39.4	No Change
Secondary Front Yard Setback (Min.)	20'	n/a	n/a
Side Yard Setback (Min.)	Lesser of 10% of lot width or 7'	12.9' North, 12.7' South	No Change
Rear Yard Setback (Min.)	20'	30.8	No Change
ISR (Max.)	0.70	0.44	No Change
Height (Max.)	30'	not provided, dwelling is currently one-story	not provided, dwelling is currently one-story
Accessory Structure			
Gazebo			
Size (Max.)	64 sq. ft.	n/a	192 sq. ft.(v)
Front Yard Setback (Min.)	20'	n/a	n/a
Side Yard Setback (Min.)	Lesser of 10% of lot width or 7'	n/a	10'
Rear Yard Setback (Min.)	15', 20' waterfront yard	n/a	10'(v)
Height (Max.)	12'	n/a	9'8"
*Denotes existing non-conformity (v) = Variance required			

Figure 4: Existing Survey

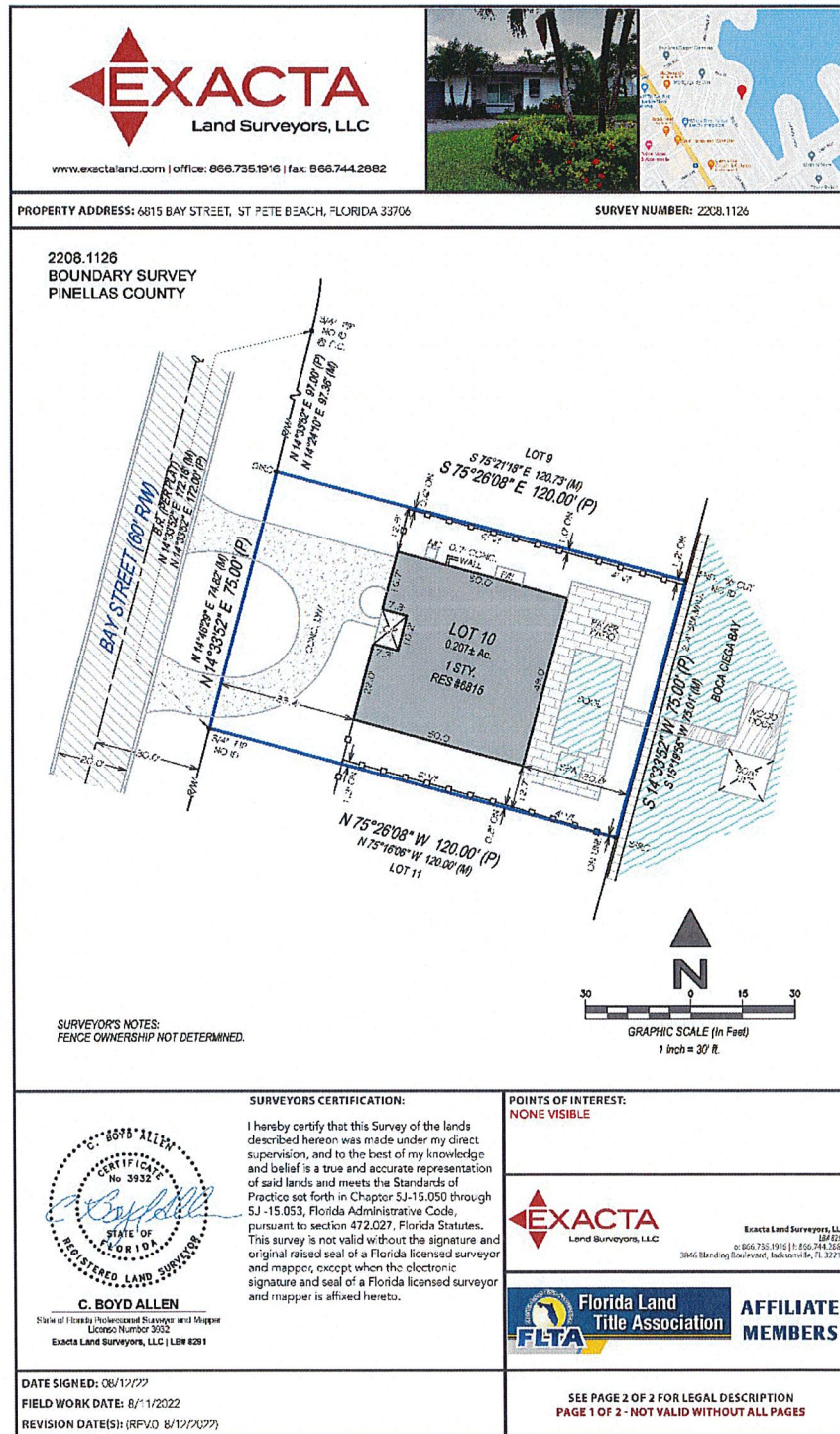
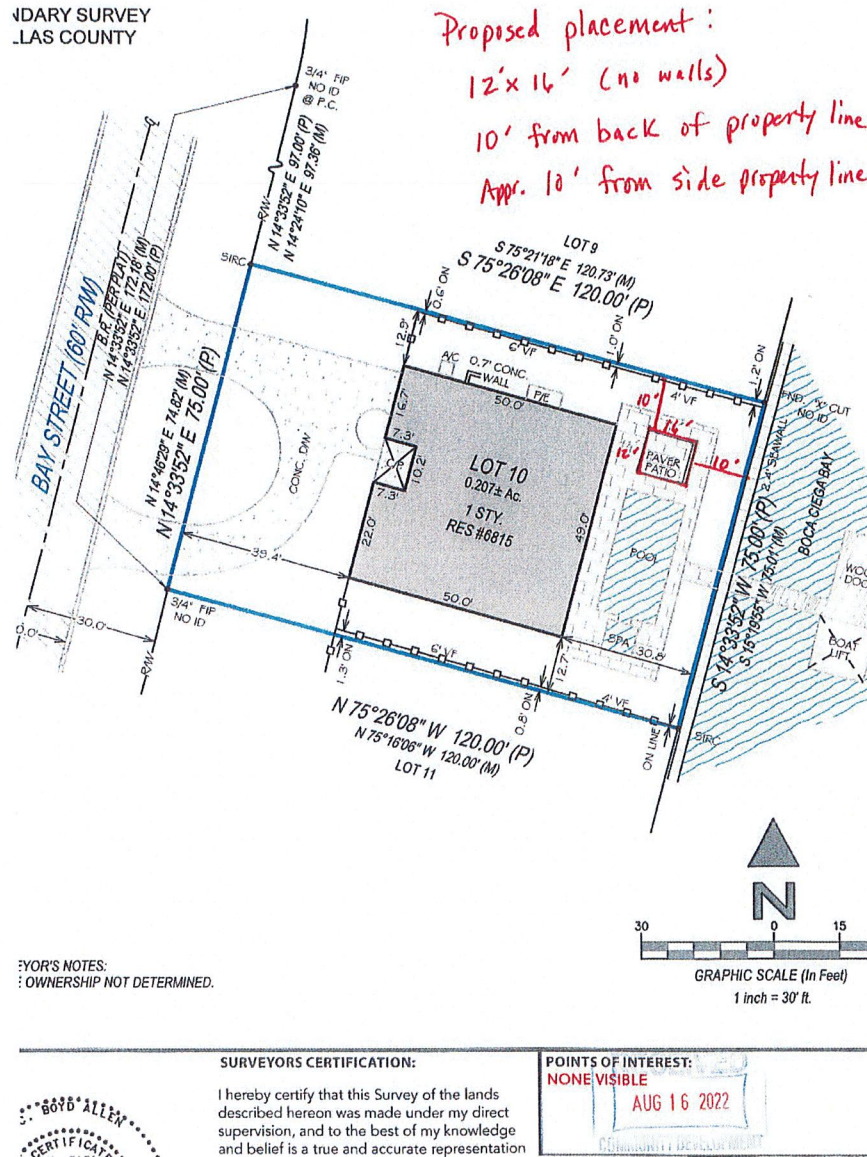


Figure 5: Survey with proposed structure (N.T.S.)



Additional Comments

It should be noted that the Land Development Code does not specifically address this type of proposed structure within Section 6.13-Residential accessory structures. The applicant had applied for zoning approval and was denied when applying section 6.13(c)(4)-Gazebos.

The Applicant should provide testimony regarding the necessity for the requested variances.

- The Board has standards of review for a practical difficulty variance and must make a positive finding with regards to the provisions located in Division 3 of the Land Development Code in

order to grant the variance(s). The applicant should be prepared to provide evidence by answering the following **in addition** to staff comments:

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

Staff finds the applicant is requesting a 10' waterfront rear yard setback where 20' is required representing a variance of 50% from the required standard. The request of 192 sq. ft. where 64 sq. ft. is permitted represents a structure 3 times larger than what is permitted.

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

Staff finds no adverse change will be produced in the character of the neighborhood. The proposed structure is to contain open sides and will allow the adjacent neighbors to maintain an open line of sight of views.

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

Staff understands the proposed pavilion is to be located on top of the newly constructed rear patio containing a pool and spa which would allow for coverage over an existing seating area. The current layout has a 4' separation from the dwelling and 4' separation from the pool sidewall. In reviewing alternative configurations, such as rotating the structure, adequate walkway around the exterior of the pavilion would be difficult it appears the layout presented is the most suitable.

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

Staff finds the interest of justice will be served in granting of this variance. The proposed structure will not increase the impervious surface ratio (ISR) and all other setback requirements will be met minus the waterfront yard requirement.

- Construction drawings submitted show the sides of the structure to be open. Applicant should advise if there are any plans to enclose the structure at a future date.

Recommendation

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

Should the board look favorably on the application, the applicant should be advised that any variance granted hereunder shall expire one (1) year from the date of the development order providing such variance, unless a building permit for the construction authorized by such variance is obtained within

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

Respectfully submitted,



Kristin Coman
Senior Planner

Cc: John and Rebecca Ogburn, Applicant/Owner *via email* (dogburn@valley.com)
Board of Adjustment Attorney

Letters Received

August 12, 2022

City of St. Pete Beach
Variance Review Committee

Re: John D. & Rebekah N. Ogburn
6815 Bay St.
St. Pete Beach, FL 33706

To Whom It May Concern:

We have been advised by our neighbors, David & Becky Ogburn, that they will be applying for a variance in order to construct a covered pavilion on their main pool deck area. We do not feel the structure will impede our water view based on the proposed placement as well as the lack of direct line of sight to the main water view.

We fully support their request as their neighbor.

Sincerely,

Joe & Terri Pike



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

Agenda Report

Issue Considered: **Variance, Practical Difficulty - 200 44th Ave.
(Case No. 22056)**

Date: October 26, 2022

Prepared By: Kristin Coman, Senior Planner

Through: Jennifer McMahon, Chief Operating Officer

Summary of Issue: Request to construct an 18' x 12', 216 sq. ft. residential storage building, 12' high and 13' (overall) above grade that exceeds maximum size requirement of 80 sq. ft. with 216 sq. ft. proposed and maximum height of 8' with 13' proposed. (LDC Sec. 6.13(5) (a-b))

Funding: n/a

Requested Motion: Motion to APPROVE approval of Variance Case No. 22050 as reviewed by staff where Ken and Lisa Amos request to construct an 18' x 12', 216 sq. ft. residential storage building, 12' high and 13' (overall) above grade that exceeds the maximum size requirement of 80 sq. ft. with 216 sq. ft. proposed and maximum height of 8' with 13' proposed.

Attachments: 1. 22056 - 200 44th Ave. -Certificate of Completeness with Submittal Documents
 2. 22056 - 200 44th Ave. - Survey with Proposed Residential Storage Building
 3. 22056 - 200 44th Ave. Staff Report



Memo To: Board of Adjustment
From: Kristin Coman, Senior Planner
Re: **CERTIFICATE OF COMPLETENESS**
Date: 9/14/2022

Please be advised that on this date, the following application has been deemed complete and will be scheduled for the agenda on the next available hearing of **October 26, 2022**.

Owner/Applicant: Ken and Lisa Amos
Parcel Number: 07-32-16-07398-003-0180
Address: 200 44th Ave., St. Pete Beach, FL 33706
Zone: RU-2
Application Type: Practical Difficulty Variance
Variance Case Number: 22056

Submittal Documents:

1. Completed application form
2. Survey prepared by Murphy's Land Surveying, Inc. dated 8/16/22 consisting of 1 sheet
3. Driveway & Concrete Pad Location Plan showing proposed 12' x 18' shed location with dimensions and setbacks prepared by ELCO Design Consulting, Inc., consisting of 1 sheet
4. Print of 1 aerial photograph of property showing existing property with proposed shed location marked with an "X", no date provided.

The application and submittal documents will be forwarded to the following agents for review and/or comment:

City/Board Professionals:

- | | |
|---|--|
| ☒ Board of Adjustment Attorney <i>via email</i> | ☐ Building Official |
| ☐ Engineer | ☐ Fire Marshal |

Board Members:

- | | |
|--|--|
| ☒ Paul Skipper, Chair | ☒ Denise Chase |
| ☒ Sandie Lyman, Vice Chair | ☒ Dan Small |
| ☒ Michael Bomar | |

Cc: Ken and Lisa Amos, Owner/Applicant **via email** (kamos@Florida-Law.com)

CASE #:

22054

SUBMITTAL DATE:

9.13.22

AMOUNT DUE:

540.00

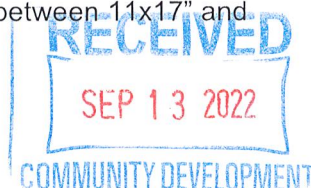
PAYMENT DATE:

9-13-22

PRACTICAL DIFFICULTY VARIANCE APPLICATION

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

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

**OWNER/AGENT INFORMATION:**

Identification	Name	Address	Phone #
Owner	Kenneth and Lisa R. Amos	200 44th Ave. St. Pete Beach, FL 33706	727-323-3931 (H) 727-580-2802 (C)
Applicant/ Agent	Kenneth and Lisa R. Amos	Same as above	727-323-3931 (H) 727-580-2802 (C)
Owner Email Address:		Applicant/Agent Email Address:	
kamos@Florida-Law.com		kamos@Florida-Law.com	

PROPERTY FOR PROPOSED VARIANCE:

Zoning Designation	Future Land Use Designation	Lot Area
RV-2	RV, Residential Urban	10,620 sq. Ft
Legal Description:	BELLE VISTA BEACH 1 st ADD BLK C LOT 18 + E 30 FT OF LOT 17	
Parcel ID:	07-32-16-07398-003-0180	
Address:	200 44 th Ave., St. Pete Beach, FL 33706	
Explanation of Request: We are requesting an 18' long by 12' wide by 12' high with a 12" foundation above grade (total 13' high with foundation) Accessory Storage Shed to store our outdoor maintenance equipment, holiday decorations and many miscellaneous household items.		

RECEIVED

SEP 10 2022

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

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

We need an extra 10' x 4' of space, which is more sq. ft. than the 8' x 8' Accessory Storage Shed allowed by the City.

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

No. It is an oversized Accessory Storage Shed and we meet the setback requirements.

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

No. See #2.

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

Absolutely because there are no legal issues that would affect any surrounding property or the City with the requested variance.

Lisa R. Ames

9/12/22

Signature of Applicant

Date

Signature of Authorized Agent

Date

For office use only:

Hearing Date:

10/26/22

Fees:

540.60

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.

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

RA SA 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.

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

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

RA SA 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.

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

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

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

Lion R. Ames

Signature of Applicant

9/12/22

9/12/2022

Date



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

I/WE

(print name of property owner)

hereby authorize

(print name of agent)

to represent me/us in an application for

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

N/A

Signature of Owner

Signature of Owner

Print Name of Owner

Print Name of Owner

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

(Notary Signature)

(Date)

My Commission Expires _____



PUBLIC HEARING SIGN POSTING AFFIDAVIT

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

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

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

Name(print): Kenneth E. Amos, Jr.

Address: 200 44th Ave., St. Pete Beach, FL 33706

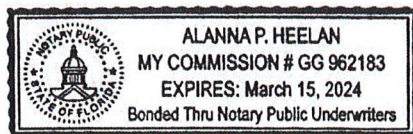
Signature [Signature] Date 9/12/2022

STATE OF FLORIDA)
) SS:
PINELLAS COUNTY)

The foregoing instrument was acknowledged before me this 13th day of September, 2022 by: Kenneth E. Amos Jr. 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: Alanna P. Heelan Notary

Public, State of Florida

(Notarial Seal)

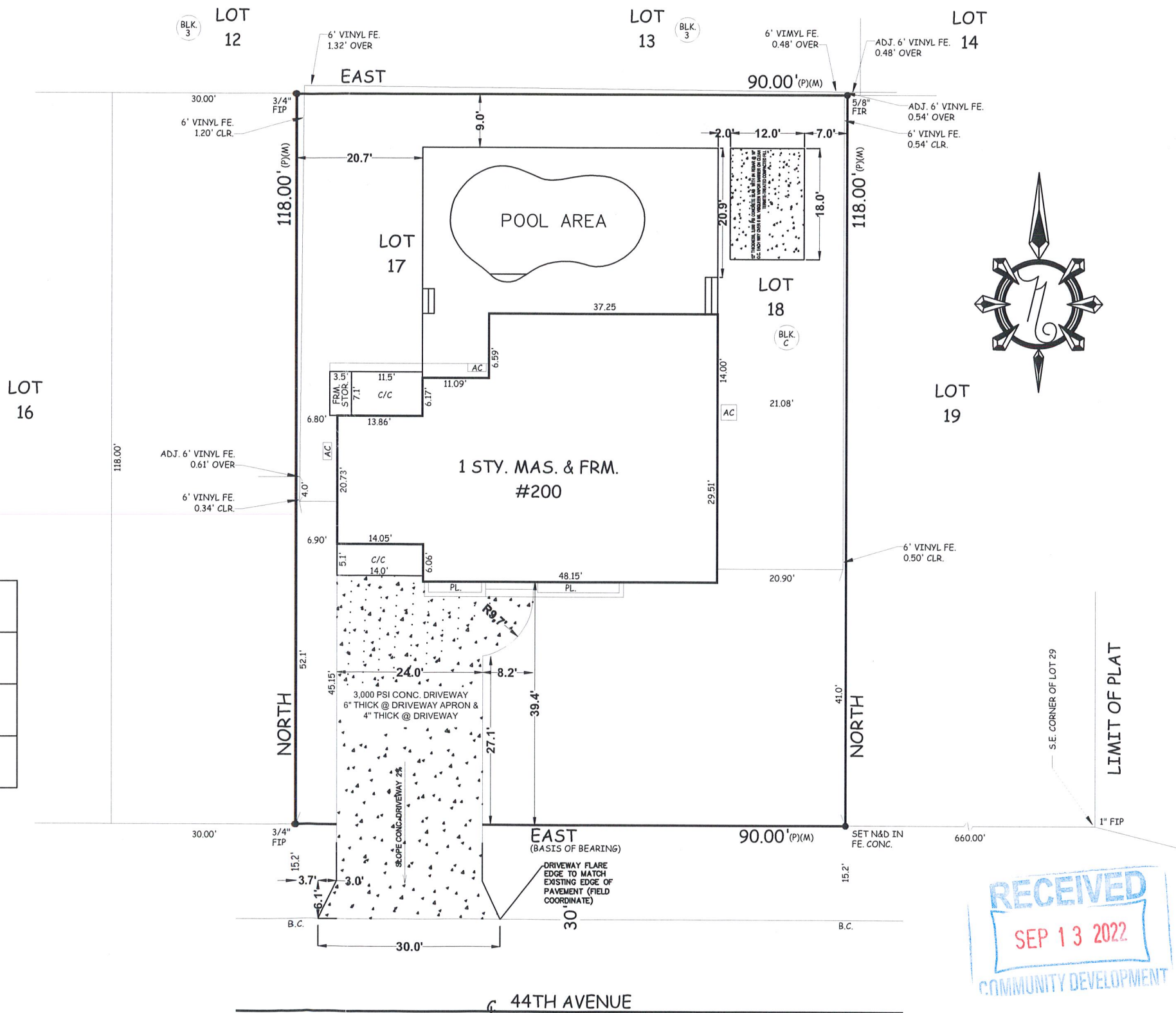
A BOUNDARY SURVEY OF: Lot 18 and the East 1/2 of Lot 17, Block C, FIRST ADDITION TO BELLE VISTA BEACH, as recorded in Plat Book 8, Page 28 of the Public Records of Pinellas County, Florida.

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 EVALUATION OF THIS PROPERTY

LIDO BEACH SUBDIVISION
P.B. 34, PG. 7

LIDO BEACH 1ST ADDITION
P.B. 37, PG. 32



SITE DATA TABLE

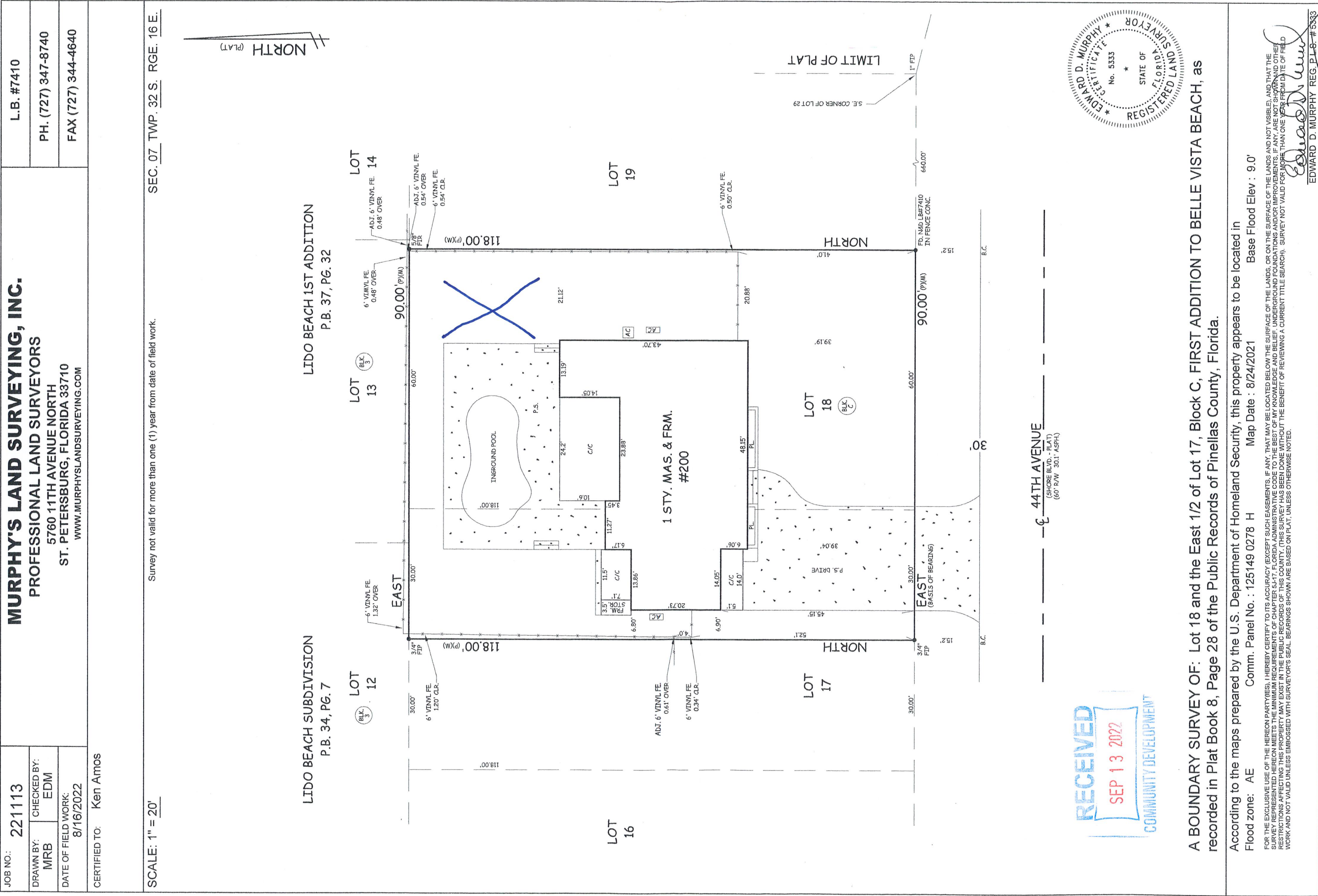
TOTAL AREA	10,620.00 SF	100%
IMPERVIOUS PAVE AREA	5,160.00 SF	48.60%
PERVIOUS AREA	5,461.00 SF	51.40%

ELCO Design Consulting, Inc.
12743 N 19TH ST.
Tampa, FL 33612 PHONE: (813) 892-2300

PLANS PREPARED FOR:
AMOS KENNETH E JR
200 44TH AVE
ST PETE BEACH, FL 33706

AMOS KENNETH E JR
200 44TH AVE
ST PETE BEACH, FL 33706

DRAWN
ELCO
DATE
8/31/2022
SCALE
NOTED
SHEET
Page 86 of 121





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SEP 13 2022
COMMUNITY DEVELOPMENT



SEP 13 2022

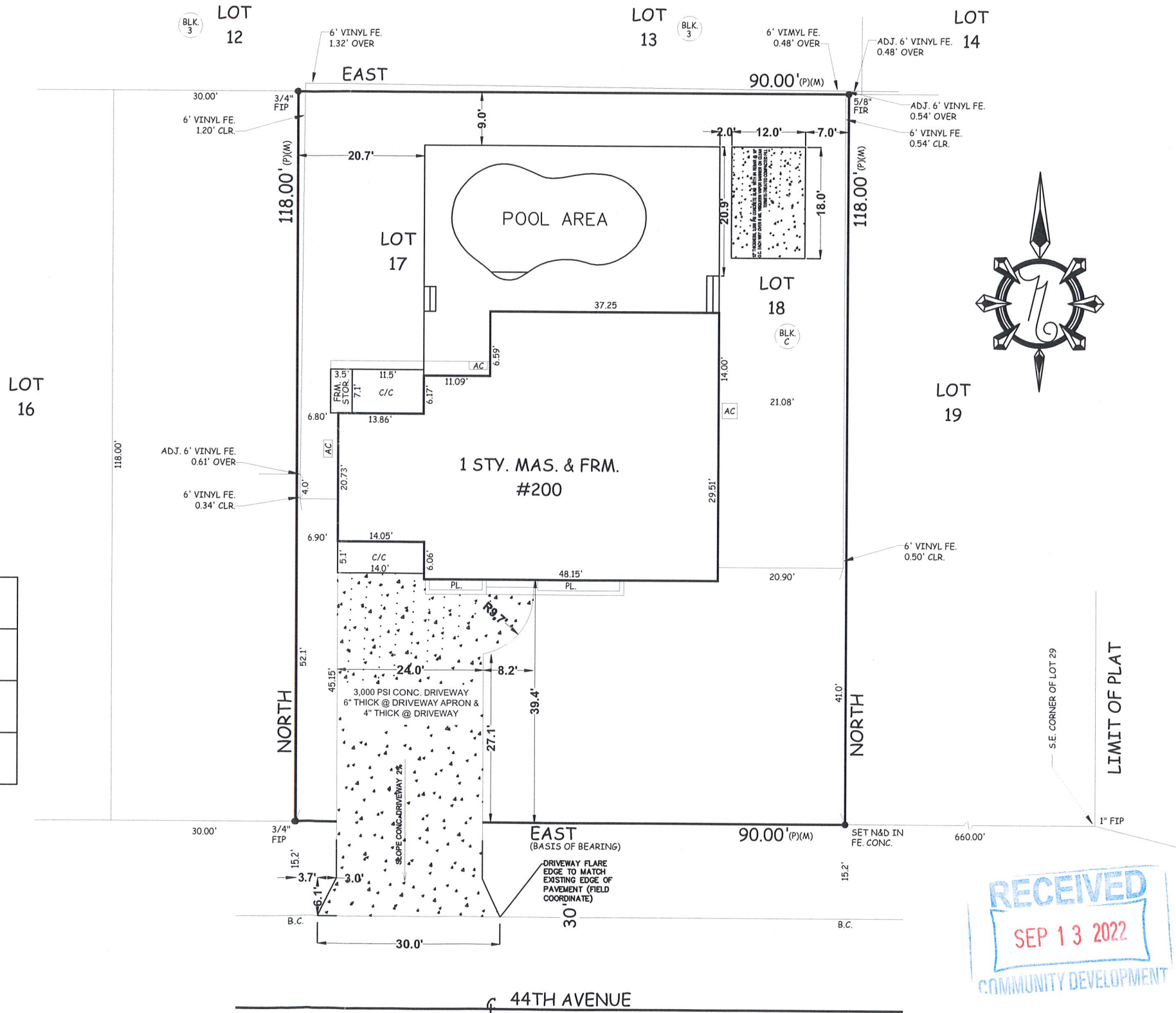
A BOUNDARY SURVEY OF: Lot 18 and the East 1/2 of Lot 17, Block C, FIRST ADDITION TO BELLE VISTA BEACH, as recorded in Plat Book 8, Page 28 of the Public Records of Pinellas County, Florida.

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 THIS PROJECT ONLY

LIDO BEACH SUBDIVISION
P.B. 34, PG. 7

LIDO BEACH 1ST ADDITION
P.B. 37, PG. 32



RECEIVED
SEP 13 2022
COMMUNITY DEVELOPMENT

SITE DATA TABLE		
TOTAL AREA	10,620.00 SF	100%
IMPERVIOUS PAVE AREA	5,160.00 SF	48.60%
PERVIOUS AREA	5,461.00 SF	51.40%

ELCO Design Consulting, Inc.
12743 N 19TH ST.
Tampa, FL 33612 PHONE: (813) 892-2300

PLANS PREPARED FOR:
AMOS KENNETH E JR
200 44TH AVE
ST PETE BEACH, FL 33706

AMOS KENNETH E JR
200 44TH AVE
ST PETE BEACH, FL 33706

DRAWN
ELCO
DATE
8/3/ 2022
SCALE
NOTED
SHEET
Page 69 of 121



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

PLANNING DEPARTMENT

Date: October 7, 2022
To: Board of Adjustment
Re: Staff Findings Report
Practical Difficulty Variance
Variance Case No: 22056
Address: 200 44th Ave.
Parcel Number: #07-32-16-07398-003-0180
Ken and Lisa Amos

Prepared by: Kristin Coman, Senior Planner

Hearing Date: 10/26/2022

Please be advised that staff has received and reviewed the following items submitted in support of the application:

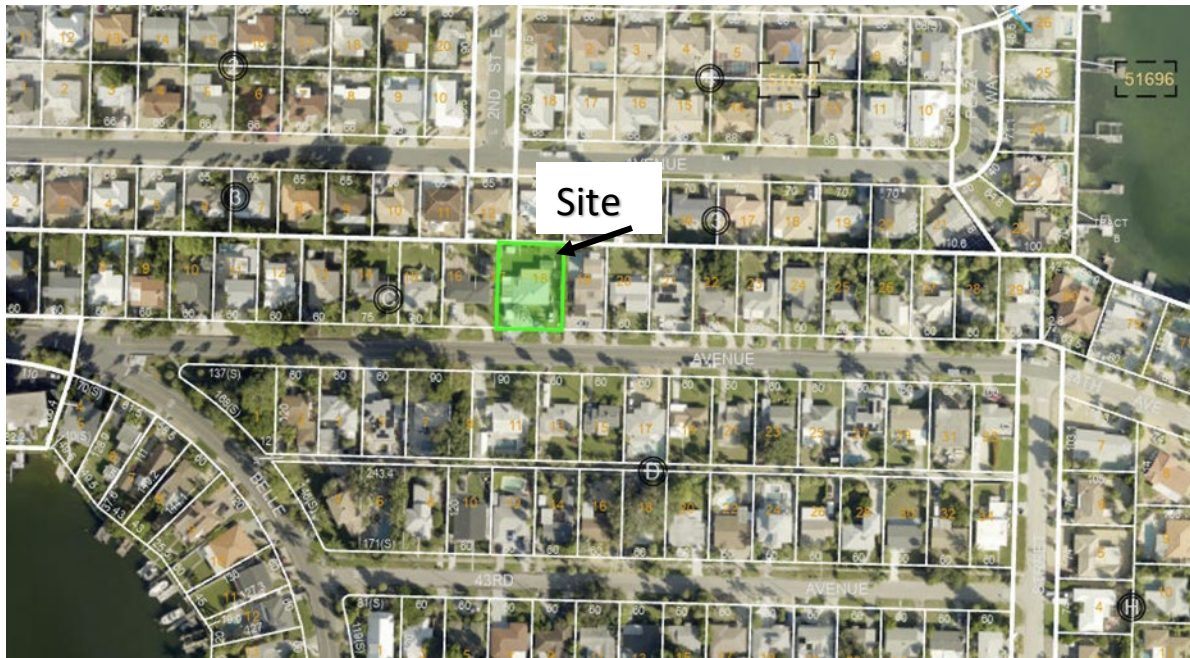
1. Completed application form
2. Survey prepared by Murphy's Land Surveying, Inc. dated 8/16/22 consisting of 1 sheet
3. Driveway & Concrete Pad Location Plan showing proposed 12' x 18' residential storage building/shed location with dimensions and setbacks prepared by ELCO Design Consulting, Inc., consisting of 1 sheet
4. Print of 1 aerial photograph of property showing existing property with proposed residential storage building location marked with an "X", no date provided.

Staff offers the following comments for the Board's consideration:

Site Description/Surrounding Land Uses

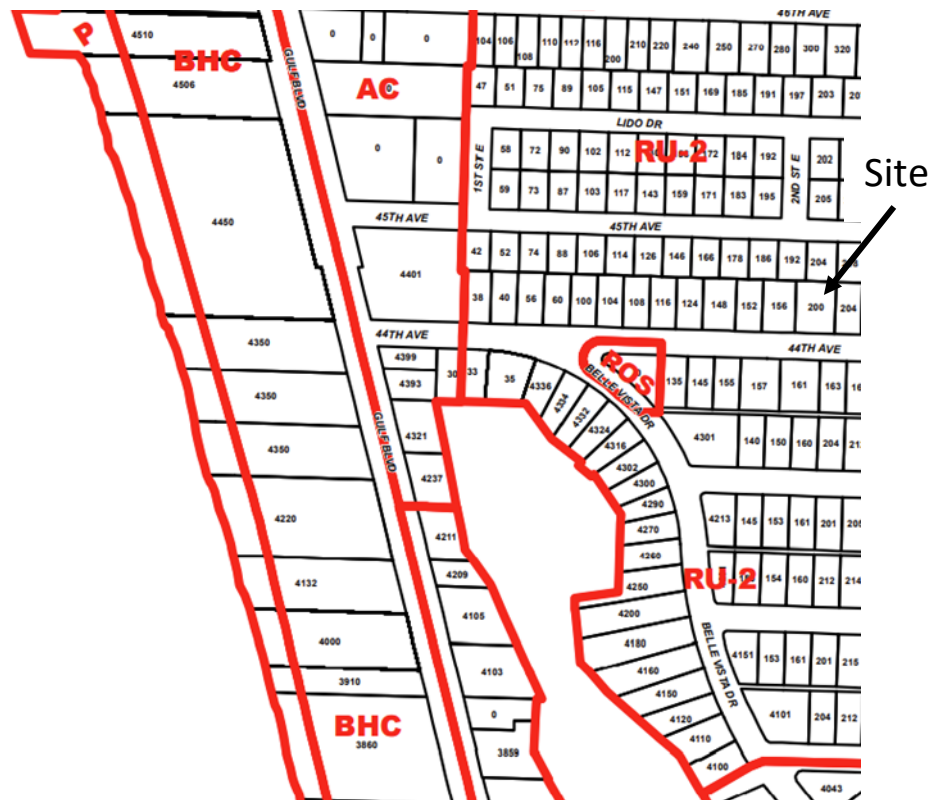
The subject site is a 10,620 sq. ft. (approx. 0.24 acre) parcel located at 200 44th Ave. known as parcel number #07-32-16-07398-003-0180 and legal description BELLE VISTA BEACH 1ST ADD BLK C, LOT 18 & E 30FT OF LOT 17 within the AE-Elevation 9 flood zone. The property is located in the RU-2, Residential District zone; RU, Residential Urban on the future land map and contains a single-family residence constructed in 1940 according to the Pinellas County Property Appraiser. It is located .10 miles west of the intersection of 44th Ave. and Belle Visa Dr. It is an interior parcel surrounded by single family dwelling uses to the north, south, east and west. The site is improved with a one-story dwelling with single driveway, rear patio area with inground pool.

Figure 1: Aerial Photography



Source: Pinellas County Property Appraiser

Figure 2: Zoning Map



Source: City of St. Pete Beach Official Zoning Map Page 9 of 15, dated 7/20/2012

Request

The applicant proposes to construct an 18' x 12', 216 sq. ft. residential storage building that exceeds maximum size requirement of 80 sq. ft. with 216 sq. ft. proposed and maximum height of 8' permitted with 12' building height with a total of 13' above grade proposed.

Analysis

1. New variances required as a result of the proposed changes:
 - a. **Maximum size:** Where 80 sq. ft. is the maximum square footage permitted and 216 sq. ft. is proposed (LDC 6.13(b)(5)(a)). The applicant is requesting a square footage 2.7 times greater than what is permitted by code.
 - b. **Maximum height:** Where a maximum height of 8' (measured grade to the highest point on the structure) is permitted and proposed height grade to peak is 13' (LDC Sec. 6.13(5)(b)).

Figure 3: Zoning Table			
Detached, Single-Family Residential	200 44th Ave.		
	<u>RU-2 Required</u>	<u>Existing</u>	<u>Proposed</u>
Lot Area (Min.)	6,000 sq. ft.	10,620 sq. ft.	No Change
Lot Width (Min.)	60'	90'	No Change
Front Yard Setback (Min.)	20'	39.4'	No Change
Secondary Front Yard Setback (Min.)	10'	n/a	n/a
Side Yard Setback (Min.)	9' (10% of lot width)	6.8'* west, 20.9' east	No Change
Rear Yard Setback (Min.)	20'	35'	No Change
ISR (Max.)	0.70	0.47	0.49
Height (Max.)	30'	not provided, dwelling is currently one-story	not provided, dwelling is currently one-story
Accessory Structure			
Residential Storage Building			
Size (Max.)	80 sq. ft.	n/a	216 sq. ft.(v)
Front Yard Setback (Min.)	60'	n/a	n/a
Side Yard Setback (Min.)	along property line	n/a	7'
Rear Yard Setback (Min.)	along property line	n/a	9'
Height (Max.)	8'	n/a	12' structure (v), 13' overall (v)
*Denotes existing non-conformity (v) = Variance required			

Figure 4: Existing Survey

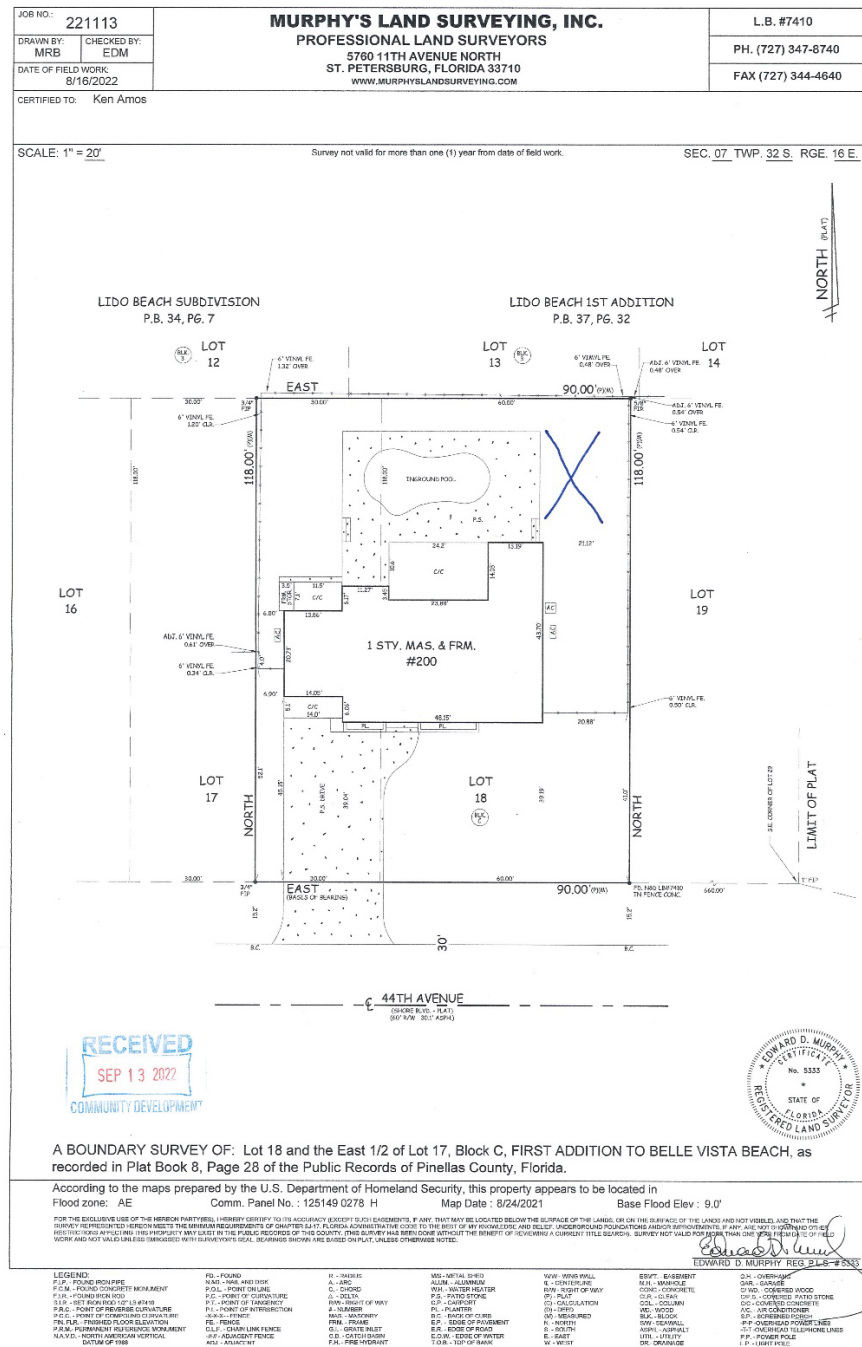
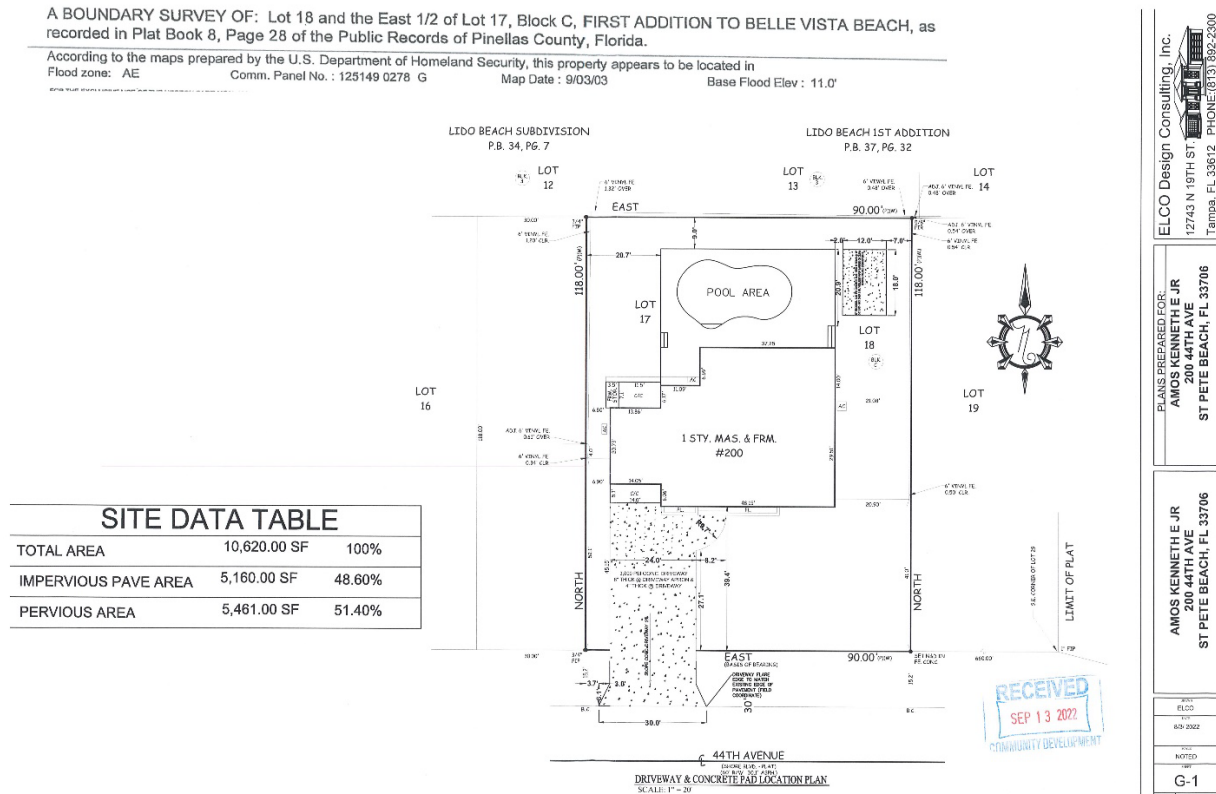


Figure 5: Survey with proposed structure (N.T.S.)



Additional Comments

The Applicant should provide testimony regarding the necessity for the requested variances.

- The Board has standards of review for a practical difficulty variance and must make a positive finding with regards to the provisions located in Division 3 of the Land Development Code in order to grant the variance(s). The applicant should be prepared to provide their own testimony by answering the following items 1-4 **in addition** to staff comments below:

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

Staff finds the applicant is requesting a 13' overall height, 5' above the permitted height of 8'. It should be noted that the proposed residential storage building height is 12' but due to the elevated nature of the existing pool patio it appears the applicant proposes to construct a foundation 12" high so the floor level of the residential storage building would be flush with current patio height. The request of 216 sq. ft. where 80 sq. ft. is permitted represents a structure 2.7 times larger than what is permitted.

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

Staff finds no adverse change will be produced in the character of the neighborhood. The proposed storage building while oversized, would be screened from adjacent properties by an existing 6' high fence.

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

Staff understands the proposed storage building to be located at the end of the newly constructed rear patio containing a pool within the larger eastern side yard. The parcel is oversized for the zone and has proposed greater side yard setbacks from the property line than required by code.

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

Staff finds the interest of justice will be served in granting of this variance. The LDC allows for only one residential storage building permitted as an accessory on a residential property, therefore no additional storage buildings would be permitted. The proposed residential storage building will meet all setback requirements in addition to compliance with impervious surface ratio (ISR) of .49 proposed where .70 is permitted.

- Applicant should provide testimony as to the materials to be stored on or within building.
- Information should be provided on any proposed installation of landscaping around the foundation to visually screen the excess height of the building.
- Applicant should provide testimony as to how the stormwater runoff shall be directed and maintained on the property to ensure compliance with LDC Sec. 6.13(b)(3).
- Applicant should provide explanation for the proposed 2' separation from the elevated patio to the building location and if access to the building is intended from the patio.

Recommendation

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

Should the board look favorably on the application, the applicant should be advised that any variance granted hereunder shall expire one (1) year from the date of the development order providing such variance, unless a building permit for the construction authorized by such variance is obtained within such time and said building permit has not expired prior to the completion of construction in accordance therewith.

Respectfully submitted,



Kristin Coman
Senior Planner

Cc: Ken and Lisa Amos, Applicant/Owner **via email** (kamos@Florida-Law.com)
Board of Adjustment Attorney

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

Agenda Report

**Issue Considered: Variance, Practical Difficulty - 409 59th Ave.
(Case No. 22049)**

Date: October 26, 2022

Prepared By: Kristin Coman, Senior Planner

Through: Jennifer McMahon, Chief Operating Officer

Summary of Issue: Craig Jackson for Andras and Andrea Fenyves, requests Practical Difficulty Variance to construct a 36.9' x 7', second story roofed deck that does not meet the required rear yard setback requirement of 20', with 15.5' proposed and construct elevated second story living space and a ground-floor entryway that does not meet the front yard setback requirement of 20' with 11' proposed. (LDC Sec. 8.7(a)(1) & Sec. 6.13(c)(3))

Funding: n/a

Requested Motion: Motion to APPROVE Variance Case No. 22049 as presented to construct a 36.9' x 7', second story roofed deck that does not meet the required rear yard setback requirement of 20', with 15.5' proposed and construct elevated second story living space and a ground-floor entryway that does not meet the front yard setback requirement of 20' with 11' proposed.

Attachments:

1. 22049 - 409 59th Ave. - Certificate of Completeness with Submittal Documents
2. 22049 - 409 59th Ave. - Proposed
3. 22049 - 409 59th Ave. Staff Report
4. 22049 - Letters Received



Memo To: Board of Adjustment
From: Kristin Coman, Senior Planner
Re: **CERTIFICATE OF COMPLETENESS**
Date: 9/15/2022

Please be advised that on this date, the following application has been deemed complete and will be scheduled for the agenda on the next available hearing of **October 26, 2022**.

Owner: Andrea and Andras Fenyes
Applicant/Agent: Craig Jackson
Parcel Number: 06-32-16-02340-000-0100
Address: 409 59th Ave., St. Pete Beach, FL
Zone: RU-2
Application Type: Practical Difficulty Variance
Variance Case Number: 22049

Submittal Documents:

1. Completed application form
2. Survey prepared by Murphy's Land Surveying, Inc. dated 7/29/22, consisting of 1 sheet
3. Survey prepared by Murphy's Land Surveying, Inc. dated 5/14/13, consisting of 1 sheet with 20022 current structure overlay
4. Survey prepared by Murphy's Land Surveying, Inc. dated 7/29/22, consisting of 1 sheet with proposed impervious surface calculations.
5. Previous plot pan with original dwelling, no date or preparer information provided indicating the building envelope.
6. Plot Plan dated 8/1/22, prepared by Sands Engineering, LLC consisting of 1 sheet
7. Plot Plan dated 8/1/22, prepared by Sands Engineering, LLC consisting of 1 sheet with overlay of 2013 pre-construction structure, new construction and proposed driveway extension.
8. Development Order for BOA Case No. 20140023 dated 7/31/14
9. Letter and Development Order for BOA Case No. 20039 dated 7/30/20, 2 pages
10. Fenyes Residence Permit Set prepared by Sands Engineering, LLC dated 2/22/22 consisting of 18 sheets

The application and submittal documents will be forwarded to the following agents for review and/or comment:

City/Board Professionals:

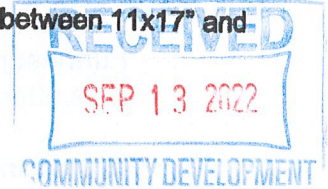
☒ Board of Adjustment Attorney *via email* ☐ Engineer

CASE #: 22049
 SUBMITTAL DATE: 9/13/22 AMOUNT DUE: \$520.00 PAYMENT DATE: 8/15/22

PRACTICAL DIFFICULTY VARIANCE APPLICATION

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

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



OWNER/AGENT INFORMATION:

Identification	Name	Address	Phone #
Owner	Andrea Fenyves Andras Fenyves	409 59th Ave, St Pete Beach, FL 33706	718-687-6161
Applicant/ Agent	Craig Jackson	515 9th St E, Ste 203, Bradenton, FL 34208	941-866-2215
Owner Email Address:		Applicant/Agent Email Address:	
andras@fenyves.net andrea@fenyves.net		Kristi@jacksoncd.com Craig@jacksoncd.com	

PROPERTY FOR PROPOSED VARIANCE:

Zoning Designation <u>RV-1</u>	Future Land Use Designation <u>Residential Urban</u>	Lot Area <u>7.025 sq ft.</u>
Legal Description:	Bahia Shores 1st Add Lot 10	
Parcel ID:	Parcel #: 063216023400000100	
Address:	409 59th Ave, St Pete Beach, FL 33706	
Explanation of Request: Case #20039 - Variance expired - Previously approved (2020) To allow for the encroachment of 2nd story living space (total 2nd story- approx. 58'4" w x 53'31/2"d) and a ground floor entryway (18' 5 3/4" x 4' 9 7/8") into the required front setback (20'), and the encroachment of an elevated deck (Rear Deck 41' x 7') into the required rear setback (20'). *Front Garage setback 8'8" past front setback- proposed setback for garage -11'4"(Garage dimensions 22'8 1/4" x 23'4 1/4"); Front entry 3' past setback *Rear setback - only the open deck goes over setback line - Furthest point 4'2" over setback (Rear Deck 41' x 7')- proposed rear setback 16'5 1/2"		

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

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

Case #20039 - Variance expired - Previously approved

Front Garage setback 8'8" past front setback; Front entry 3' past setback;
For the Rear setback - only the open deck goes over setback line
Furthest point 4'2" over setback
(see attached Plot plan with setbacks)

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

No adverse change will be produced in the character of the neighborhood
Case #20039 - Variance expired - Previously approved (2020)

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

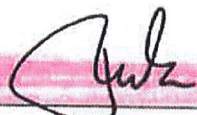
It would affect the project by changing the finished appearance and desired look.

Case #20039 - Variance expired - Previously approved (2020)

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

The justice would be served because the home will be change from below flood plain to above the base flood level. This will help mainly with the insurance costs related to FEMA

Case #20039 - Variance expired - Previously approved (2020)

	08/23/2022		8/22/22
Signature of Applicant	Date	Signature of Authorized Agent	Date

For office use only:

Hearing Date: 10/26/22 Fees: 510.80

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.

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

AF CJ 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.

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

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

AF CJ 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.

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

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

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

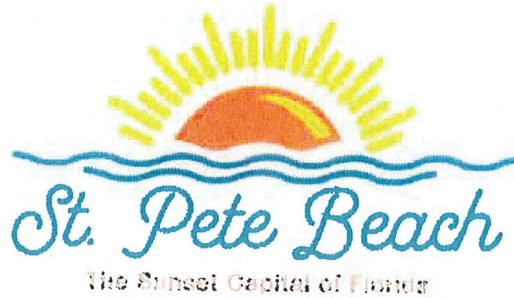


Signature of Applicant

08/23/2022

Date

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PUBLIC HEARING SIGN POSTING AFFIDAVIT

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

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

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

Name(print): Andrea & Andras Fenyves

Address: 409 59th Ave, St Pete Beach, FL 33706

[Signature] 08/23/2022
Signature Date

STATE OF FLORIDA)
PINELLAS COUNTY) SS:

The foregoing instrument was acknowledged before me this 23rd day of August, 2022 by: Andrea & Andras Fenyves who appeared before me, and is personally known to me, or has produced as identification, and did take an oath.

My commission Expires:



NOTARY: [Signature]
Print Name: Kristi McEnery Notary

Public, State of Florida

(Notarial Seal)

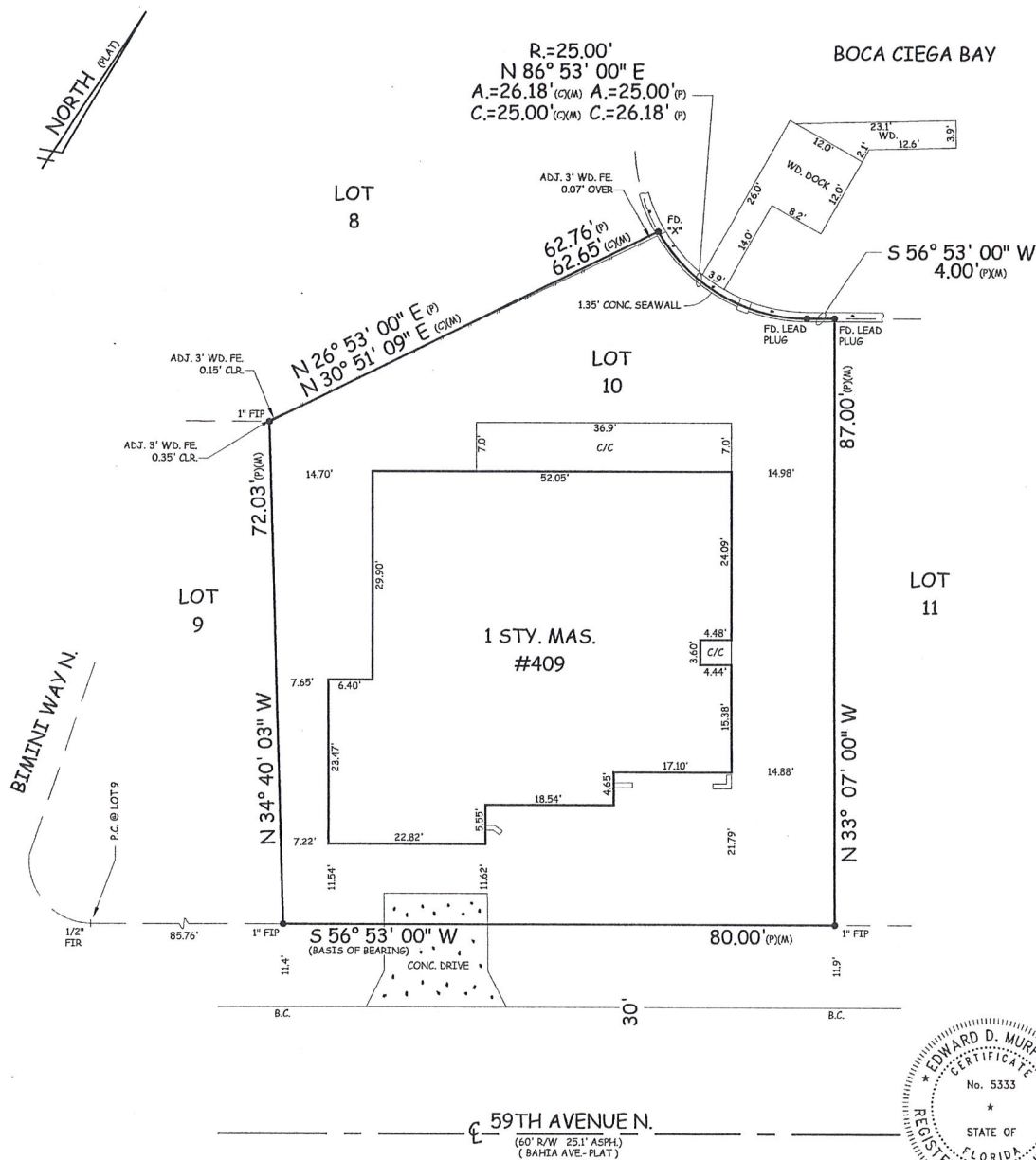
JOB NO.: 221009		MURPHY'S LAND SURVEYING, INC. PROFESSIONAL LAND SURVEYORS 5760 11TH AVENUE NORTH ST. PETERSBURG, FLORIDA 33710 WWW.MURPHYSLANDSURVEYING.COM	L.B. #7410
DRAWN BY: MRB	CHECKED BY: EDM		PH. (727) 347-8740
DATE OF FIELD WORK: 7/29/2022			FAX (727) 344-4640

CERTIFIED TO: Andras Fenyves and Andrea Fenyves

SCALE: 1" = 20'

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

SEC. 06 TWP. 32 S. RGE. 16 E.



A BOUNDARY SURVEY OF: Lot 11, BAHIA SHORES FIRST ADDITION, as recorded in Plat Book 36, Page 3 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 0276 H Map Date : 8/24/2021 Base Flood Elev : 10.0'

FOR THE EXCLUSIVE USE OF THE HEREON PARTY(ES), 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 5J-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 EMPLOYED WITH SURVEYORS SEAL. BEARINGS SHOWN ARE BASED ON PLAT, UNLESS OTHERWISE NOTED.

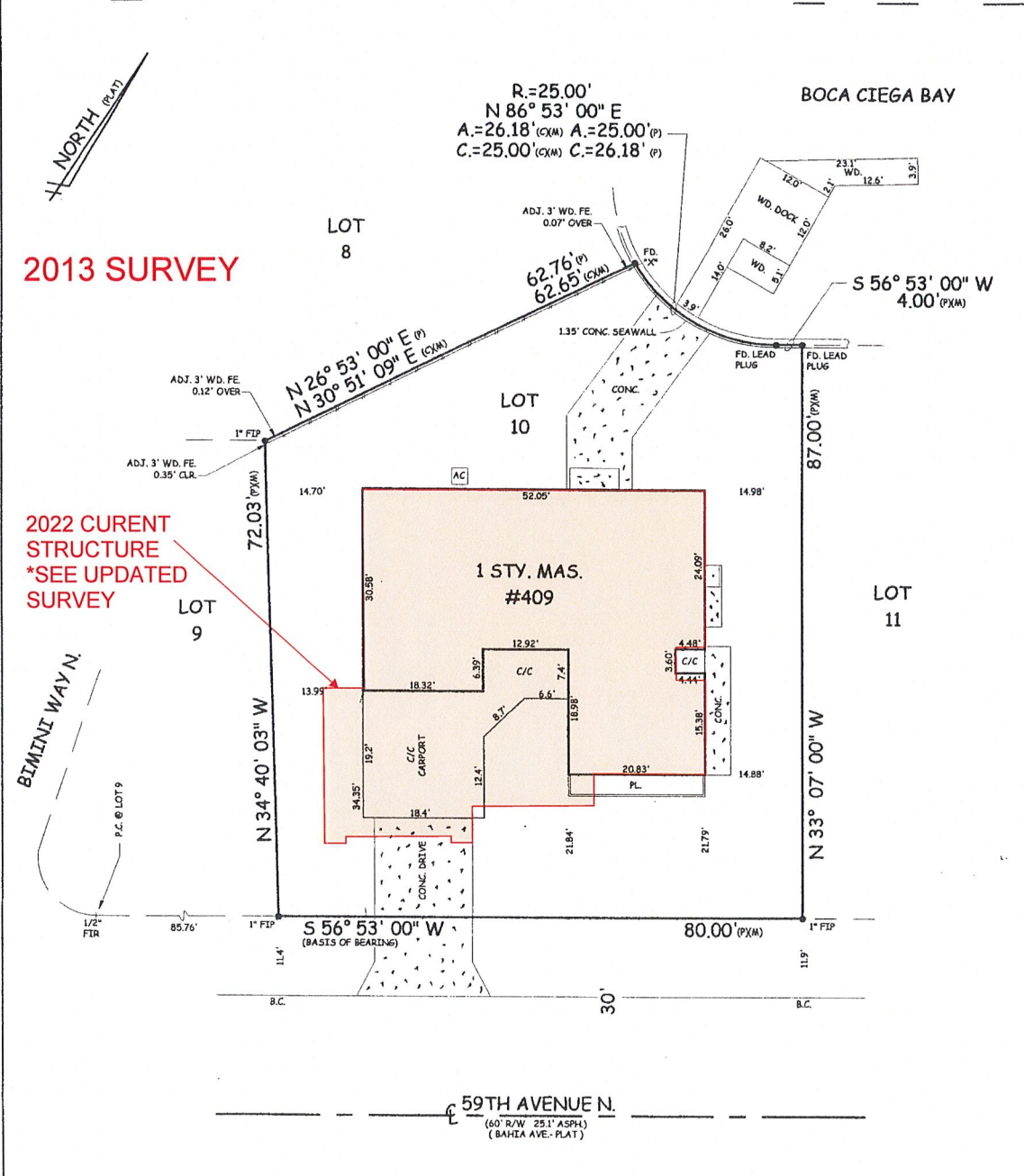
EDWARD D. MURPHY REG. P.L.S. #5333

LEGEND:					
F.I.P. - FOUND IRON PIPE	FD. - FOUND	R. - RADIUS	M/S - METAL SHED	W/W - WING WALL	ESMT. - EASEMENT
F.C.M. - FOUND CONCRETE MONUMENT	N.A.D. - NAIL AND DISK	A. - ARC	ALUM. - ALUMINUM	C. - CENTERLINE	M.H. - MANHOLE
F.I.R. - FOUND IRON ROD	P.O.L. - POINT ON LINE	C. - CHORD	W.H. - WATER HEATER	R/W - RIGHT OF WAY	C/WD. - COVERED WOOD
S.I.R. - SET IRON ROD 1/2\" LB #7410	P.C. - POINT OF CURVATURE	Δ - DELTA	P.S. - PATIO STONE	(P) - PLAT	CLR. - CLEAR
P.R.C. - POINT OF REVERSE CURVATURE	P.T. - POINT OF TANGENCY	R/W - RIGHT OF WAY	C.P. - CARPORT	(C) - CALCULATION	C/C - COVERED CONCRETE
P.C.C. - POINT OF COMPOUND CURVATURE	P.I. - POINT OF INTERSECTION	# - NUMBER	PL. - PLANTER	(D) - DEED	A/C - AIR CONDITIONER
FIN. FLR. - FINISHED FLOOR ELEVATION	X-X-X - FENCE	MAS. - MASONRY	B.C. - BACK OF CURB	(M) - MEASURED	S.P. - SCREENED PORCH
P.R.M. - PERMANENT REFERENCE MONUMENT	FE. - FENCE	FRM. - FRAME	E.P. - EDGE OF PAVEMENT	N. - NORTH	P.P. - OVERHEAD POWER LINES
N.A.V.D. - NORTH AMERICAN VERTICAL DATUM OF 1988	CL.F. - CHAIN LINK FENCE	G.I. - GRATE INLET	E.R. - EDGE OF ROAD	S. - SOUTH	T-T - OVERHEAD TELEPHONE LINES
	J-I-I - ADJACENT FENCE	C.B. - CATCH BASIN	E.O.W. - EDGE OF WATER	E. - EAST	P.P. - POWER POLE
	ADJ. - ADJACENT	F.H. - FIRE HYDRANT	T.O.B. - TOP OF BANK	W. - WEST	L.P. - LIGHT POLE

JOB NO.: 130622		MURPHY'S LAND SURVEYING, INC. PROFESSIONAL LAND SURVEYORS 5760 11TH AVENUE NORTH ST. PETERSBURG, FLORIDA 33710 WWW.MURPHYLANDSURVEYING.COM	L.B. #7410
DRAWN BY: MRB	CHECKED BY: EDM		PH. (727) 347-8740
DATE OF FIELD WORK: 5/14/13			FAX (727) 344-4640

CERTIFIED TO: Andras Fenyves and Andrea Fenyves
 Vandyk Mortgage Corporation
 Anderson & Brodersen, P.A.
 Old Republic Title Insurance Company

SCALE: 1" = 20' Survey not valid for more than one (1) year from date of field work. SEC. 06 TWP. 32 S. RGE. 16 E.



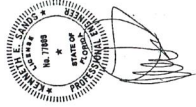
A BOUNDARY SURVEY OF: Lot 10, BAHIA SHORES FIRST ADDITION, as recorded in Plat Book 36, Page 3 of the Public Records of Pinellas County, Florida.

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 0276 G Map Date: 9/03/03 Base Flood Elev: 12.0'

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 61G17-8, 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 IN THE EVENT OF A TITLE SEARCH. SEAL BEARINGS SHOWN ARE BASED ON PLAT, UNLESS OTHERWISE NOTED.

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

LEGEND: F.I.P. - FOUND IRON PIPE F.C.M. - FOUND CONCRETE MONUMENT F.I.R. - FOUND IRON ROD S.I.R. - SET IRON ROD 1/2" LB #7410 P.R.C. - POINT OF REVERSE CURVATURE P.C.C. - POINT OF COMPOUND CURVATURE FIN. FLR. - FINISHED FLOOR ELEVATION P.R.M. - PERMANENT REFERENCE MONUMENT N.A.V.D. - NORTH AMERICAN VERTICAL DATUM OF 1988	FD. - FOUND N.A.D. - NAIL AND DISK P.O.L. - POINT ON LINE P.C. - POINT OF CURVATURE P.T. - POINT OF TANGENCY P.I. - POINT OF INTERSECTION X-X-X - FENCE FE - FENCE C.L.F. - CHAIN LINK FENCE -H- - ADJACENT FENCE ADJ. - ADJACENT	R. - RADIUS A. - ARC C. - CHORD Δ - DELTA R/W - RIGHT OF WAY # - NUMBER MAS. - MASONRY FRM. - FRAME G.I. - GRATE INLET C.B. - CATCH BASIN F.H. - FIRE HYDRANT	M/S - METAL SHED ALUM. - ALUMINUM W.H. - WATER HEATER P.S. - PATIO STONE C.P. - CARPORT PL. - PLANTER B.C. - BACK OF CURB E.P. - EDGE OF PAVEMENT E.R. - EDGE OF ROAD E.O.W. - EDGE OF WATER T.O.B. - TOP OF BANK	W.W. - WING WALL C. - CENTERLINE R/W - RIGHT OF WAY (P) - PLAT (C) - CALCULATION (D) - DEED (M) - MEASURED N - NORTH S - SOUTH E - EAST W - WEST	ESMT. - EASEMENT M.H. - MANHOLE CONC. - CONCRETE CLR. - CLEAR COL. - COLUMN WD. - WOOD BLK. - BLOCK S/W - SEAWALL ASPH. - ASPHALT UTIL. - UTILITY DR. - DRAINAGE	O.H. - OVERHANG GAR. - GARAGE C/WD. - COVERED WOOD CP.S. - COVERED PATIO STONE C/C - COVERED CONCRETE A.C. - AIR CONDITIONER S.P. - SCREENED PORCH P.P. - OVERHEAD POWER LINES T.T. - OVERHEAD TELEPHONE LINES P.P. - POWER POLE L.P. - LIGHT POLE
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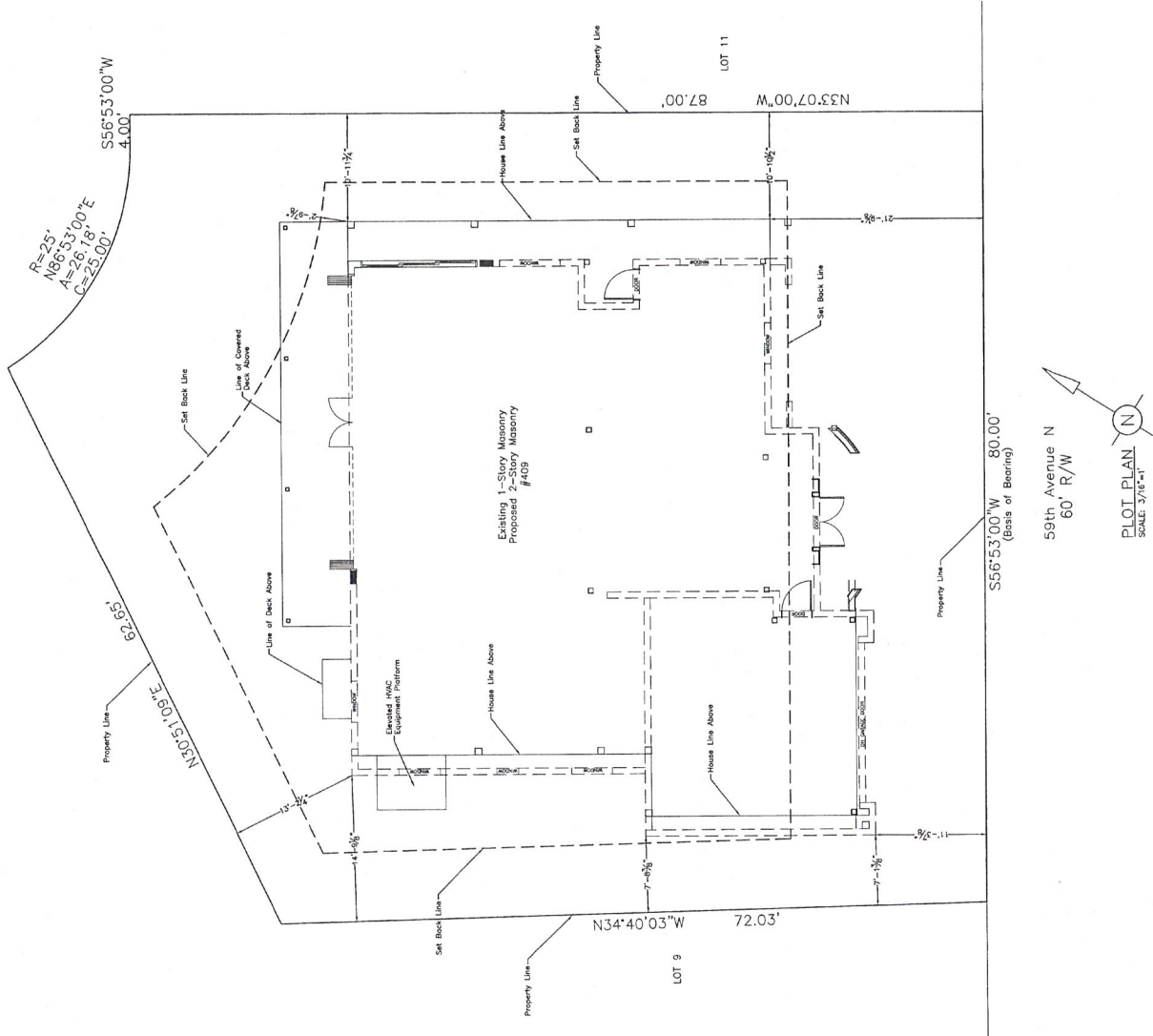
KENNETH E. SANDS, PE
SANDS ENGINEERING, LLC
FLORIDA REGISTRATION #77809
10809 GOLF COURSE BLVD. #100
FORT LAUDERDALE, FL 33304
TEL: 954-888-4343
FAX: 954-888-4343
KSANDS@SANDSENGINEERING.COM



FENYVES RESIDENCE
Home Remodel & Addition
409 59th Avenue
St. Pete Beach, Florida 33706

Project:
Drawn For:
Date:
Sheet No.: 8/7/22

SHEET TITLE:
Plot Plan
PROJECT NO:
21003-70
SHEET NO:
C1.0



PLOT PLAN
SCALE 3/16\"/>



59th Avenue N
60' R/W

SS6°53'00\"/>

(Basis of Bearing)

SS6°53'00\"/>

80.00'

Property Line

Set Back Line

House Line Above

Line of Deck Above

Line of Covered Deck Above

Set Back Line

Property Line

Set Back Line

House Line Above

Set Back Line

Property Line

Set Back Line

House Line Above

Set Back Line

SCALE: 1" = 20'

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

SEC. 06 TWP. 32 S. RGE. 16 E



SCALE: 1" = 20.0'

- PREVIOUS PLOT PLAN (ORIGINAL STRUCTURE)

Page 87 of 121

JOB NO.: 221009		MURPHY'S LAND SURVEYING, INC. PROFESSIONAL LAND SURVEYORS 5760 11TH AVENUE NORTH ST. PETERSBURG, FLORIDA 33710 WWW.MURPHYSLANDSURVEYING.COM	L.B. #7410
DRAWN BY: MRB	CHECKED BY: EDM		PH. (727) 347-8740
DATE OF FIELD WORK: 7/29/2022			FAX (727) 344-4640

CERTIFIED TO: Andras Fenyves and Andrea Fenyves

SCALE: 1" = 20'

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

SEC. 06 TWP. 32 S. RGE. 16 E.

PROPOSED IMPERVIOUS SURFACE:

BUILDING(S): 2652 SQFT

DRIVEWAY(S): 218 SQFT

WALKWAY(S): 200 SQFT

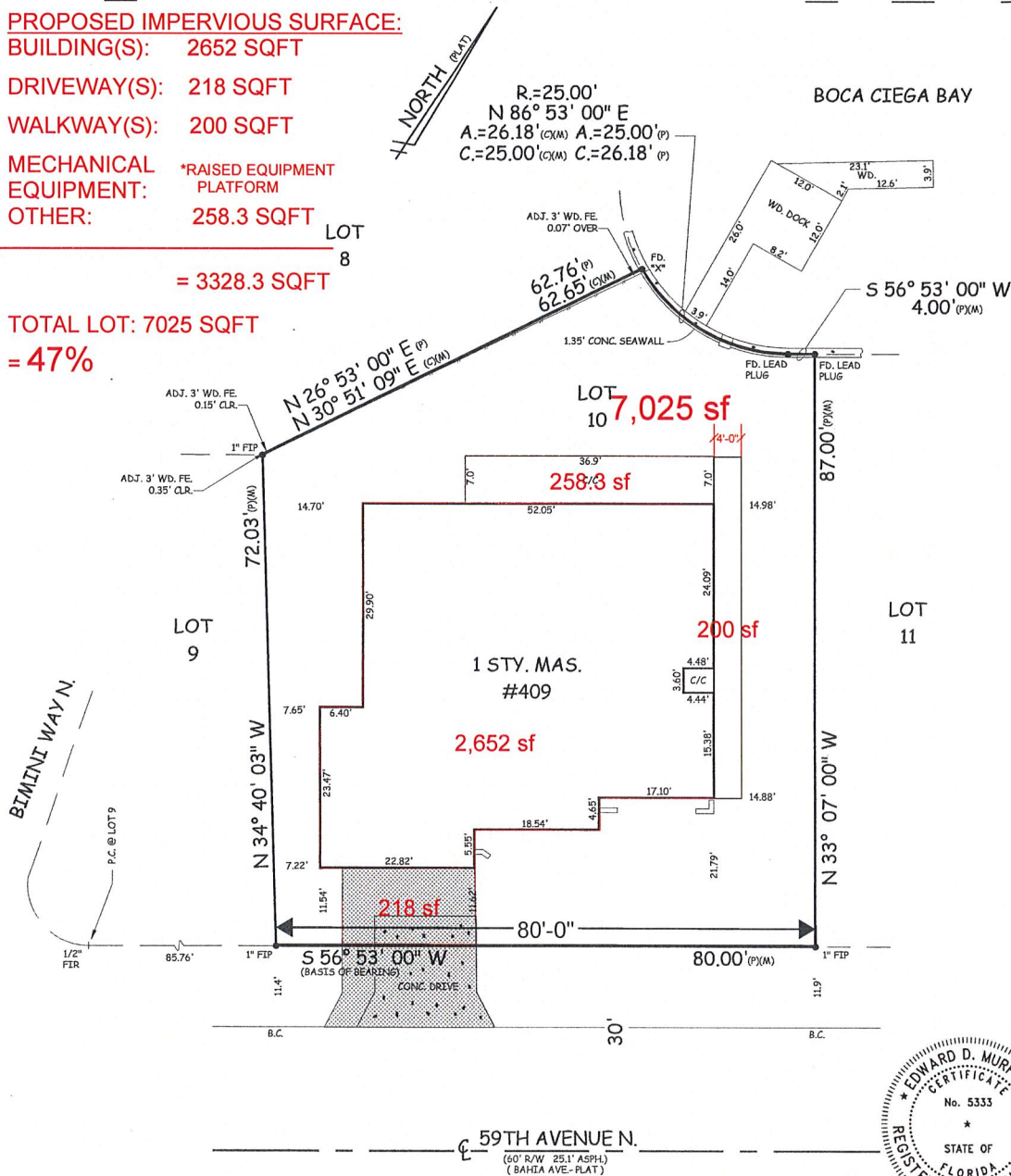
MECHANICAL EQUIPMENT: *RAISED EQUIPMENT PLATFORM

OTHER: 258.3 SQFT

= 3328.3 SQFT

TOTAL LOT: 7025 SQFT

= 47%



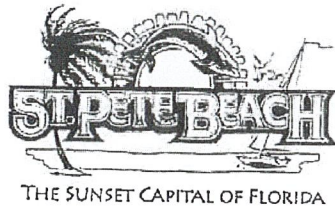
A BOUNDARY SURVEY OF: Lot 11, BAHIA SHORES FIRST ADDITION, as recorded in Plat Book 36, Page 3 of the Public Records of Pinellas County, Florida.

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 0276 H Map Date : 8/24/2021 Base Flood Elev : 10.0'

FOR THE EXCLUSIVE USE OF THE HEREON PARTY(ES), 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 5J-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 IMPRESSED WITH SURVEYORS SEAL. BEARINGS SHOWN ARE BASED ON PLAT, UNLESS OTHERWISE NOTED.

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

LEGEND: F.I.P. - FOUND IRON PIPE F.C.M. - FOUND CONCRETE MONUMENT F.I.R. - FOUND IRON ROD S.I.R. - SET IRON ROD 1/2" LB #7410 P.R.C. - POINT OF REVERSE CURVATURE P.C.C. - POINT OF COMPOUND CURVATURE FIN. FLR. - FINISHED FLOOR ELEVATION P.R.M. - PERMANENT REFERENCE MONUMENT N.A.V.D. - NORTH AMERICAN VERTICAL DATUM OF 1988	FD. - FOUND N&D. - NAIL AND DISK P.O.L. - POINT ON LINE P.C. - POINT OF CURVATURE P.T. - POINT OF TANGENCY P.I. - POINT OF INTERSECTION X-X-X. - FENCE FE. - FENCE C.L.F. - CHAIN LINK FENCE A.A. - ADJACENT FENCE ADJ. - ADJACENT	R. - RADIUS A. - ARC C. - CHORD Δ - DELTA RW. - RIGHT OF WAY # - NUMBER MAS. - MASONRY FRM. - FRAME G.I. - GRATE INLET C.B. - CATCH BASIN F.H. - FIRE HYDRANT	M/S - METAL SHED ALUM. - ALUMINUM W.H. - WATER HEATER P.S. - PATIO STONE C.P. - CARPORT PL. - PLANTER B.C. - BACK OF CURB E.P. - EDGE OF PAVEMENT E.R. - EDGE OF ROAD E.O.W. - EDGE OF WATER T.O.B. - TOP OF BANK	WW. - WING WALL C. - CENTERLINE R/W. - RIGHT OF WAY (P) - PLAT (C) - CALCULATION (D) - DEED (M) - MEASURED N. - NORTH S. - SOUTH E. - EAST W. - WEST	ESMT. - EASEMENT M.H. - MANHOLE CONC. - CONCRETE CLR. - CLEAR COL. - COLUMN WD. - WOOD BLK. - BLOCK S/W. - SEAWALL ASPH. - ASPHALT DR. - DRAINAGE	O.H. - OVERHANG GAR. - GARAGE C/WD. - COVERED WOOD C/P.S. - COVERED PATIO STONE C/C. - COVERED CONCRETE A/C. - AIR CONDITIONER S.P. - SCREENED PORCH P.P. - OVERHEAD POWER LINES T-T. - OVERHEAD TELEPHONE LINES UTIL. - UTILITY P.P. - POWER POLE L.P. - LIGHT POLE
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CITY OF ST. PETE BEACH

Andrea and Andras Fenyves
381 5th Street
Brooklyn, NY 11215

DEVELOPMENT ORDER
Board of Adjustment – July 30, 2014
BOA Case # 20140023

The Board of Adjustment reviewed and conducted a public hearing on an application for a variance in the above-captioned case on June 25, 2014.

Address: 409 - 59th Avenue, St. Pete Beach, Florida
Parcel ID 063216023400000100

Request: Variance from Section 8.7(a) (1) of the Land Development Code to permit the construction of garage addition that will encroach 9.0' into the required 20.0' front yard setback

IT IS HEREBY ORDERED:

Case number 20140023 is hereby **APPROVED** as presented.

Paul Skipper
Chairman

7-31-14
Date

This Variance shall expire one year from the date of this Development Order unless a building permit for the construction authorized by such variance is obtained within such time and said building permit has not expired prior to the completion of construction in accordance therewith. Any person aggrieved by this Order may appeal to the Circuit Court on or before thirty (30) days from the date of the Order.



COMMUNITY DEVELOPMENT

FENYVES, ANDRAS FENYVES, ANDREA
381 5TH ST
BROOKLYN NY 11215-2806

David Berry
1310 Boylan Ave
Clearwater, FL 33756

DEVELOPMENT ORDER Case Number: 20039

The Board of Adjustments reviewed and conducted a public hearing on an application for a(n) Practical Difficulty Variance in the above-captioned case on 07/29/2020.

Address: 409 59TH AVE, ST PETE BEACH FL 33706
Parcel Number: 063216023400000100

Request: to allow for the encroachment of elevated living space and a ground-floor entryway into the required front setback, and the encroachment of an elevated deck into the required rear setback (LDC Sec. 8.7(a)(1)&(4)).

IT IS HEREBY ORDERED:

Case number 20039 is hereby **APPROVED**:

Wesley T. Wright, Director
Community Development Department

30 JULY 2020

Date

Section 3.6(f) Subsequent applications. 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, unless such application is denied without prejudice by the board hearing the request. Any person aggrieved by this Order may appeal to the Circuit Court on or before thirty (30) days from the date of the Order.



07/30/2020

FENYVES, ANDRAS FENYVES, ANDREA
381 5TH ST
BROOKLYN NY 11215-2806

David Berry
1310 Boylan Ave
Clearwater, FL 33756

Subject: Case # 20039

Property Location: 409 59TH AVE ST PETE BEACH FL 33706
Parcel: 063216023400000100

At the 07/29/2020 hearing of the City of St. Pete Beach Board of Adjustments, your request for a(n) Practical Difficulty Variance to allow for the encroachment of elevated living space and a ground-floor entryway into the required front setback, and the encroachment of an elevated deck into the required rear setback (LDC Sec. 8.7(a)(1)&(4)) was APPROVED.

The next step in the process is to obtain a building permit prior to construction. Any variance granted under the provisions of the Land Development Code Section 3.12 - Variances, shall expire one (1) year from the date of the development order providing for such variance, unless a building permit for the construction authorized by such variance is obtained within such time and said building permit has not expired prior to the completion of construction in accordance therewith.

Section 3.14 of the LDC establishes the appeal process for any person or persons, jointly or severally, aggrieved by any decision of the Board of Adjustments and all appeals must be filed within 30 days after rendition of the decision by the Board of Adjustments.

If you have any questions on this case, do not hesitate to contact Planning and Zoning at (727-363-9253).

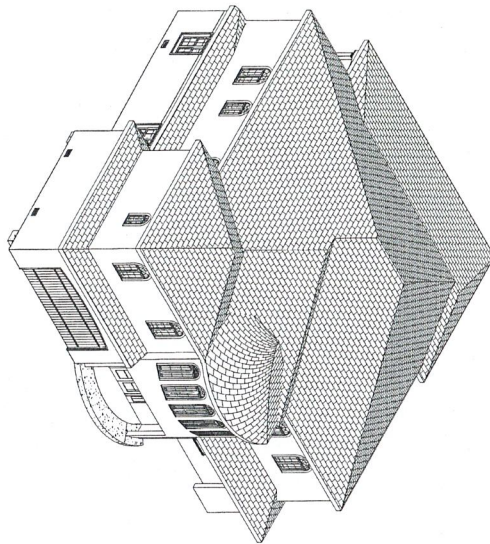
Respectfully,

Wesley T. Wright, Director
Community Development

FENYVES RESIDENCE

PERMIT SET

409 59TH AVENUE, ST. PETE BEACH, FLORIDA 33706

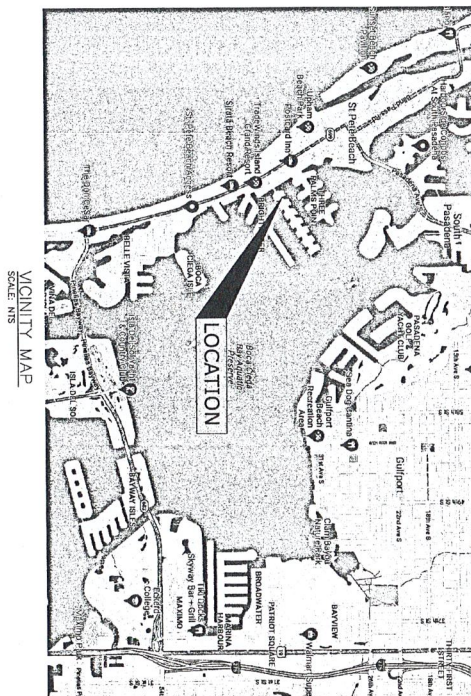


① 3D View

INDEX OF DRAWINGS:

Sheet List

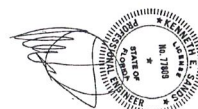
Sheet Name	Sheet Number
Title Sheet	GO.0
General Notes	GO.1
Plot Plan	GO.2
First Floor Framing Plan	GO.3
First Floor Electrical Plan	GO.4
First Floor Plumbing Plan	GO.5
Second Floor Framing Plan	GO.6
Second Floor Electrical Plan	GO.7
Second Floor Plumbing Plan	GO.8
Third Floor Framing Plan	GO.9
Third Floor Electrical Plan	GO.10
Third Floor Plumbing Plan	GO.11
Basement Framing Plan	GO.12
Basement Electrical Plan	GO.13
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Foundation Elevation	GO.30
Foundation Section	GO.31
Foundation Detail	GO.32
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Foundation Detail	GO.92
Foundation Elevation	GO.93
Foundation Section	GO.94
Foundation Detail	GO.95
Foundation Elevation	GO.96
Foundation Section	GO.97
Foundation Detail	GO.98
Foundation Elevation	GO.99
Foundation Section	GO.100



SPECIAL FLOOD HAZARD AREA (AE-12):
DESIGN FLOOD ELEVATION (13 FT)

DO NOT SCALE DRAWINGS		PLANS CONFORM TO FLORIDA BUILDING CODE - 7TH EDITION (2003)	
PROJECT NO. 21003-70		SHEET NO. GO.0	
PROJECT TITLE FENYVES RESIDENCE		PROJECT Home Remodel & Addition	
PROJECT NO. 21003-70		PROJECT 409 59th Avenue St. Pete Beach, Florida 33706	
SHEET TITLE Title Sheet		KENNETH E. SANDS, PE SANDS ENGINEERING, LLC FLORIDA REGISTRATION #77809 FLORIDA Co. #31453 20819 TORRE DEL LAGO STREET ESTERO, FLORIDA 33928 CELL: 941-688-4343 KESANDS@SANDSENG.COM	



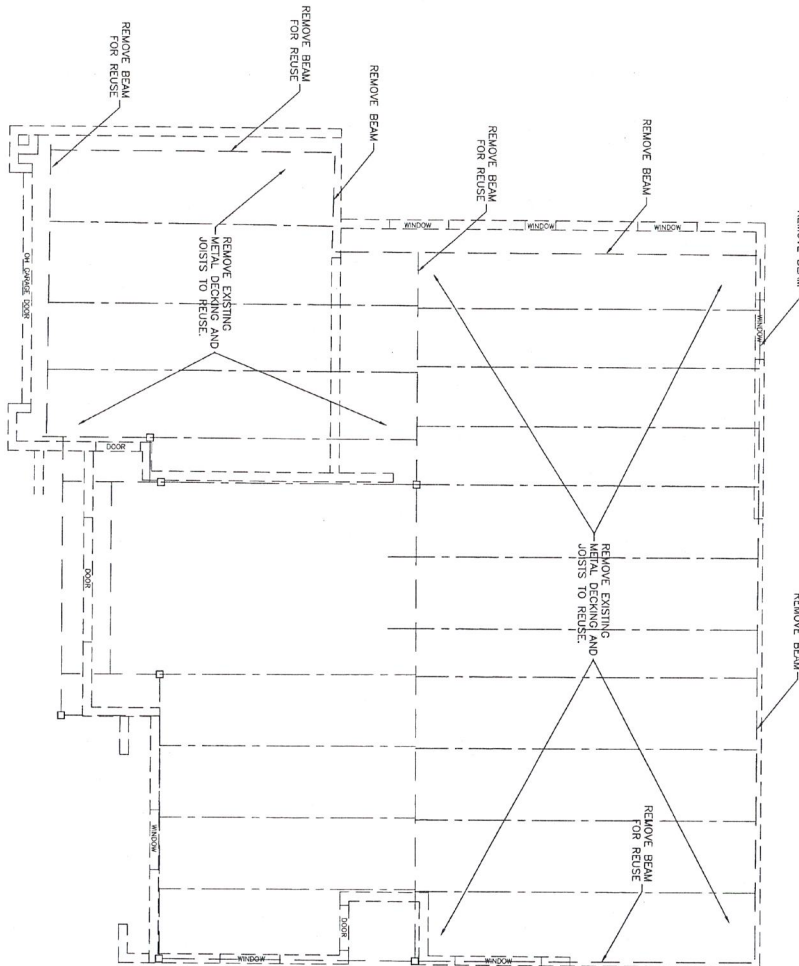


GENERAL SPECIFICATIONS

1. The construction shall be acceptable for obtaining all the necessary permits for construction and compliance with all permit constraints.
2. The construction shall be acceptable for obtaining all the necessary permits for construction and compliance with all permit constraints.
3. The construction shall be acceptable for obtaining all the necessary permits for construction and compliance with all permit constraints.
4. The construction shall be acceptable for obtaining all the necessary permits for construction and compliance with all permit constraints.
5. The construction shall be acceptable for obtaining all the necessary permits for construction and compliance with all permit constraints.
6. The construction shall be acceptable for obtaining all the necessary permits for construction and compliance with all permit constraints.
7. The construction shall be acceptable for obtaining all the necessary permits for construction and compliance with all permit constraints.
8. The construction shall be acceptable for obtaining all the necessary permits for construction and compliance with all permit constraints.
9. The construction shall be acceptable for obtaining all the necessary permits for construction and compliance with all permit constraints.
10. The construction shall be acceptable for obtaining all the necessary permits for construction and compliance with all permit constraints.

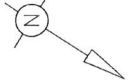
NOTES

1. Steel beams and bar joists shall be carefully removed for the new construction with proper bracing and shoring. The steel beams shall be removed in the order shown on the drawings. The bar joists shall be removed in the order shown on the drawings. The steel beams shall be removed in the order shown on the drawings. The bar joists shall be removed in the order shown on the drawings.
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STEEL DEMOLITION PLAN

SCALE: 1/4"=1'

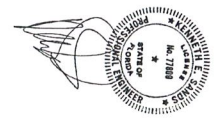


DO NOT SCALE DRAWINGS PLANS CONFORM TO FLORIDA BUILDING CODE - 7TH EDITION (2020)

Project:	FENYVES RESIDENCE Home Remodel & Addition
Client:	409 59th Avenue St. Pete Beach, Florida 33706
Architect:	KENNETH E. SANDS, PE SANDS ENGINEERING, LLC FLORIDA REGISTRATION #27809 20819 TORRE DEL LAGO STREET ESTERO, FLORIDA 33928 CELL: 941-686-4343 KSANDS@SANDSENG.COM
Engineer:	KENNETH E. SANDS, PE SANDS ENGINEERING, LLC FLORIDA REGISTRATION #27809 20819 TORRE DEL LAGO STREET ESTERO, FLORIDA 33928 CELL: 941-686-4343 KSANDS@SANDSENG.COM
Sheet Title:	Demo Plan
Project No:	21003-70
Sheet No:	D1.0

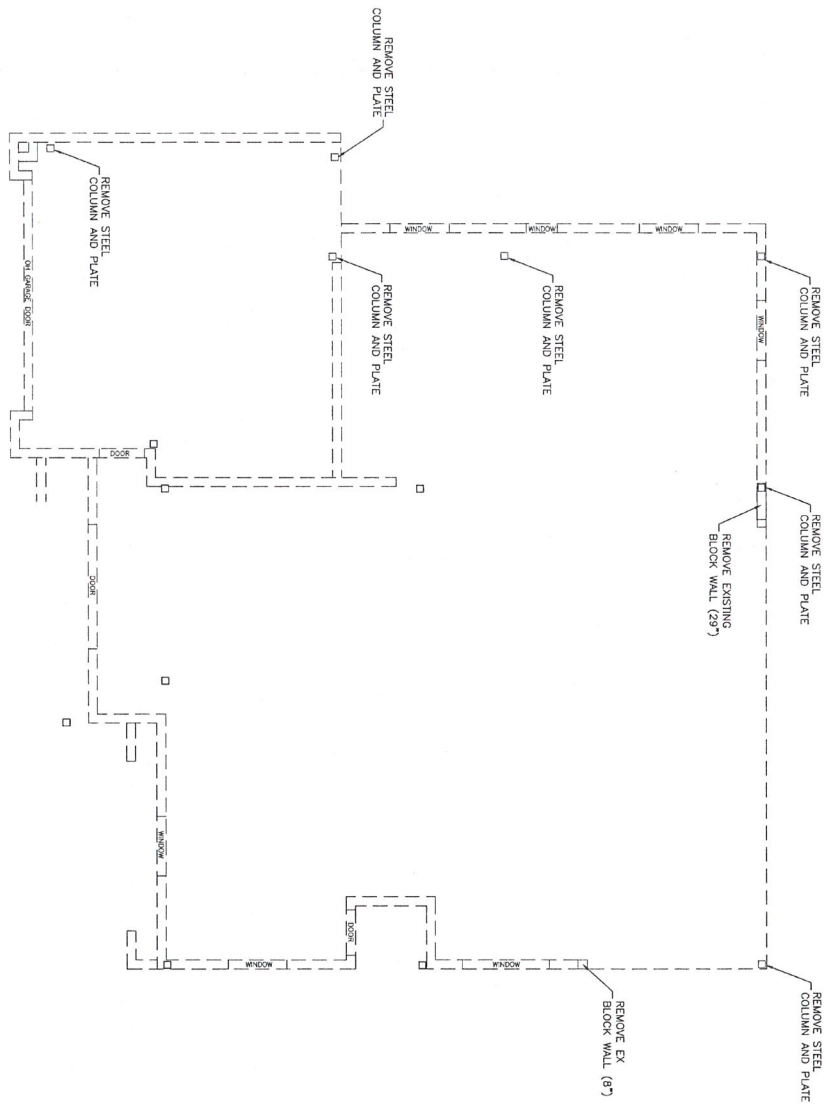


KENNETH E. SANDS, PE
SANDS ENGINEERING, LLC
FLORIDA REGISTRATION #27809
20819 TORRE DEL LAGO STREET
ESTERO, FLORIDA 33928
CELL: 941-686-4343 KSANDS@SANDSENG.COM



GENERAL SPECIFICATIONS:

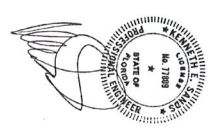
1. The contractor will be responsible for obtaining all the necessary permits and approvals and for obtaining all the necessary approvals required to complete the project.
 2. The contractor shall be responsible for obtaining all the necessary approvals of the Florida Building Code and all current amendments.
 3. The job site shall have the necessary permits posted on an approved permit board prior to beginning any construction.
- NOTES:**
1. Existing column removal shall include the beam plates. Anchor bolts shall be cut off flush with the top of the beam.
 2. Existing column removal shall include the beam plates. Anchor bolts shall be cut off flush with the top of the beam.
 3. Existing column removal shall include the beam plates. Anchor bolts shall be cut off flush with the top of the beam.
 4. Existing column removal shall include the beam plates. Anchor bolts shall be cut off flush with the top of the beam.
 5. Existing rear wood deck shall be removed.



COLUMN & WALL DEMO PLAN

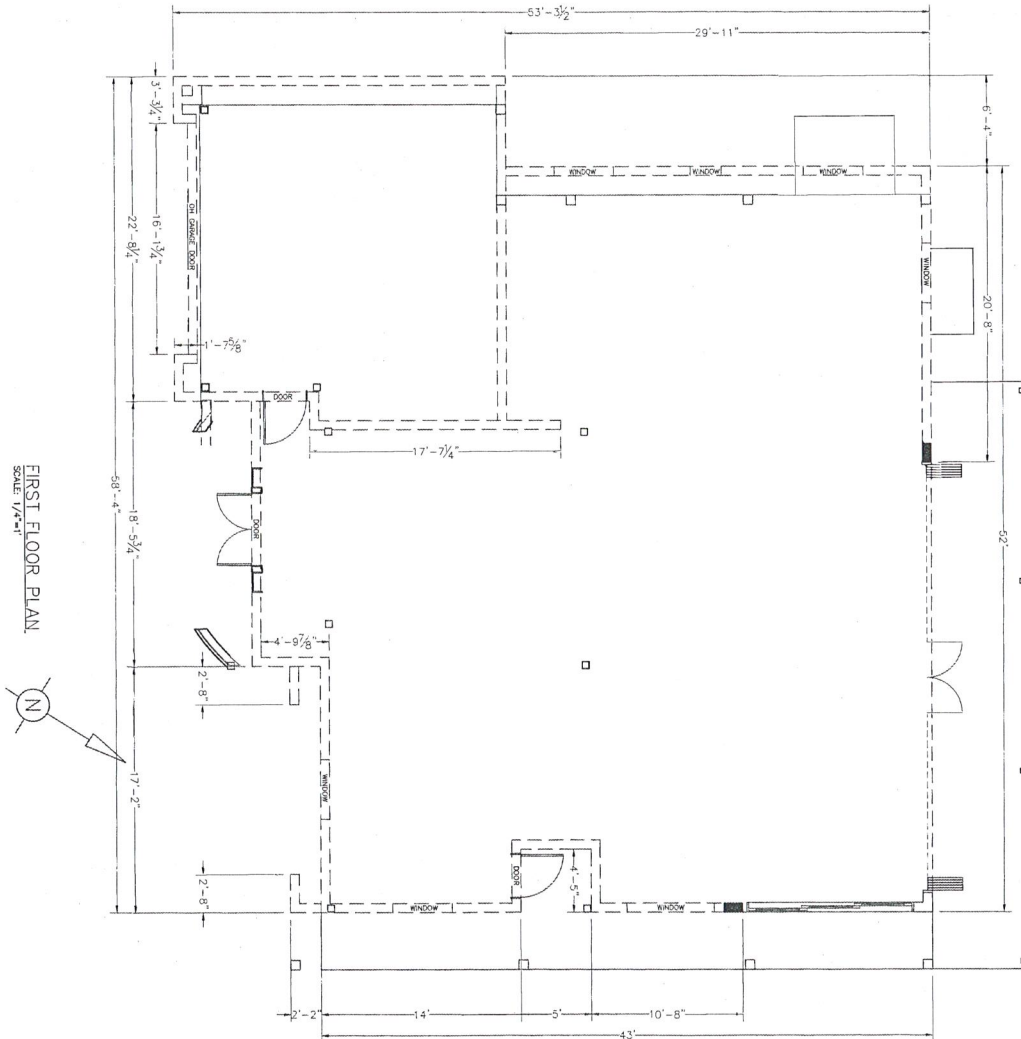
SCALE 1/4"=1'-0"

DO NOT SCALE DRAWINGS		PLANS CONFORM TO FLORIDA BUILDING CODE - 7TH EDITION (2020)	
Project:		FENYVES RESIDENCE	
Home Remodel & Addition		409 59th Avenue	
St. Pete Beach, Florida 33706		Kenneth E. Sands, PE	
SANDS ENGINEERING, LLC		FLORIDA REGISTRATION #77809	
FLORIDA CoA #31453		20819 TORRE DEL LAGO STREET	
ESTERO, FLORIDA 33928		CELL: 941-888-4543	
KSANDS@SANDSENG.COM			



GENERAL SPECIFICATIONS:

1. The contractor will be responsible for obtaining all the necessary permits to complete the project. The contractor shall comply with the 2003 7th Edition of the Florida Building Code and all current amendments.
2. The job site shall have the necessary permits posted on an approved format board prior to beginning any construction.
3. NOTES:
 - a. The building shall be completed and tested to ensure 2003 FBC wall bearing capacity prior to pouring concrete.
 - b. Saw cut and remove existing concrete slab and bolsters on existing foundation.
 - c. Place 1" non-shrink grout below steel column base plates.
 - d. Anchor bolts shall be 5/8" dia on both sides of plates, 8" embedment on bottom.
 - e. Reinforcement in concrete shall be 5000 psi.
 - f. Floor is grade 60.
 - g. Contractor to verify existing door rough openings prior to building columns on both ends.



FIRST FLOOR PLAN
SCALE: 1/4"=1'-0"

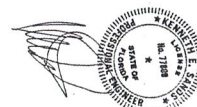
DO NOT SCALE DRAWINGS PLANS CONFORM TO FLORIDA BUILDING CODE - 7TH EDITION (2003)

Project: Fenyves Residence
Drawn by: Kenneth E. Sands
Date: 1/21/2022
Sheet No: 21003-70
Title: First Floor Plan
Scale: A1.1

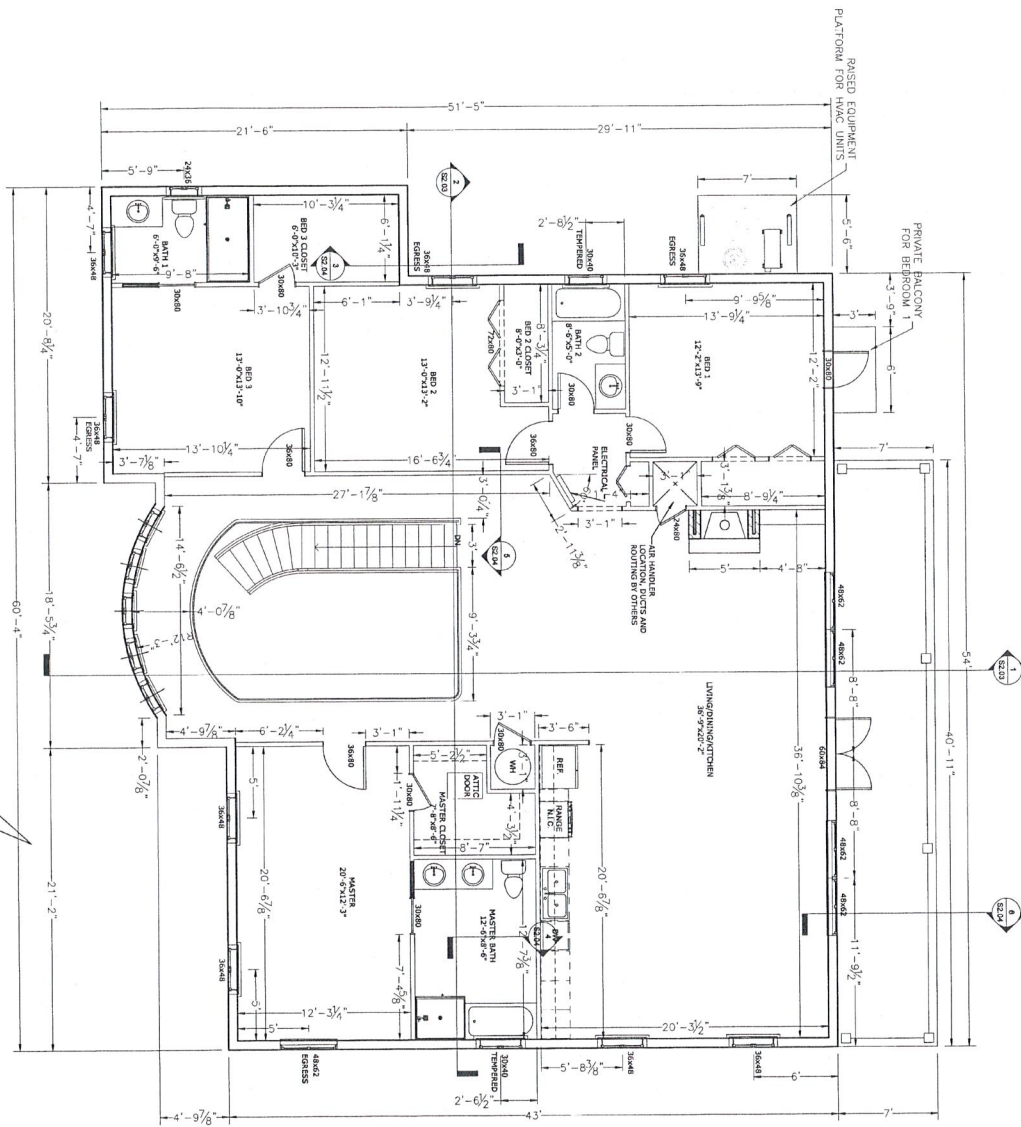
FENYVES RESIDENCE
Home Remodel & Addition
409 59th Avenue
St. Pete Beach, Florida 33706



KENNETH E. SANDS, PE
SANDS ENGINEERING, LLC
FLORIDA REGISTRATION #77809
FLORIDA CoA #31453
20819 TORRE DEL LAGO STREET
PETERO, FLORIDA 33608
CELL: 941-888-4343 KSANDS@SANDSENG.COM



- GENERAL SPECIFICATIONS:**
1. Contractor to coordinate the permitting for obtaining of the necessary permits for construction and compliance with all permit conditions required to complete the project.
2. Contractor shall comply with the 2020 7th Edition of the Florida Building Code and all current amendments.
3. The job site shall have the necessary permits posted on an approved permit board prior to beginning any construction.
- NOTES:**
1. Contractor to verify window and door rough opening prior to construction.
2. Window shall be installed in masonry walls in 18" bar reinforcement. Window shall also be placed in full bars on exterior walls. Window shall be placed in full bars on corners and at both sides of door or window openings. Cells containing vertical bars shall be grouted, tied, continuous, and shall be marked for truss straps prior to pouring.

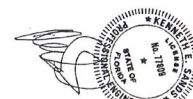


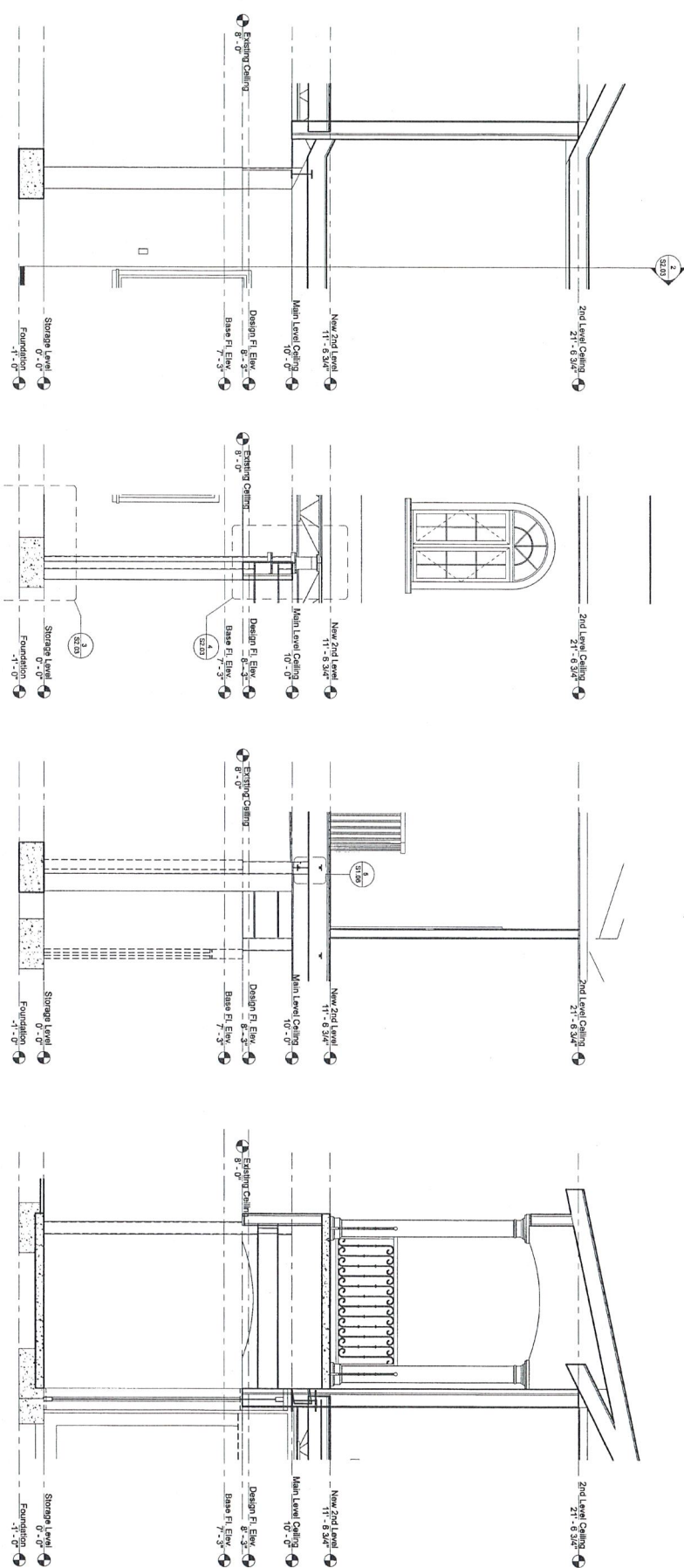
SECOND LEVEL FLOOR PLAN
SCALE: 1/4"=1'
(N)

This drawing has been digitally signed and sealed by Kenneth E. Smith, PE on the date of print to the seal.

~~Printed copies of this document are not notarized, signed and sealed and the signature must be verified or by electronic copy.~~

2/22/2022





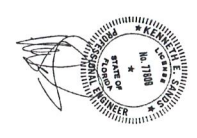
③ Section 3
1/2" = 1'-0"

④ Section 4
1/2" = 1'-0"

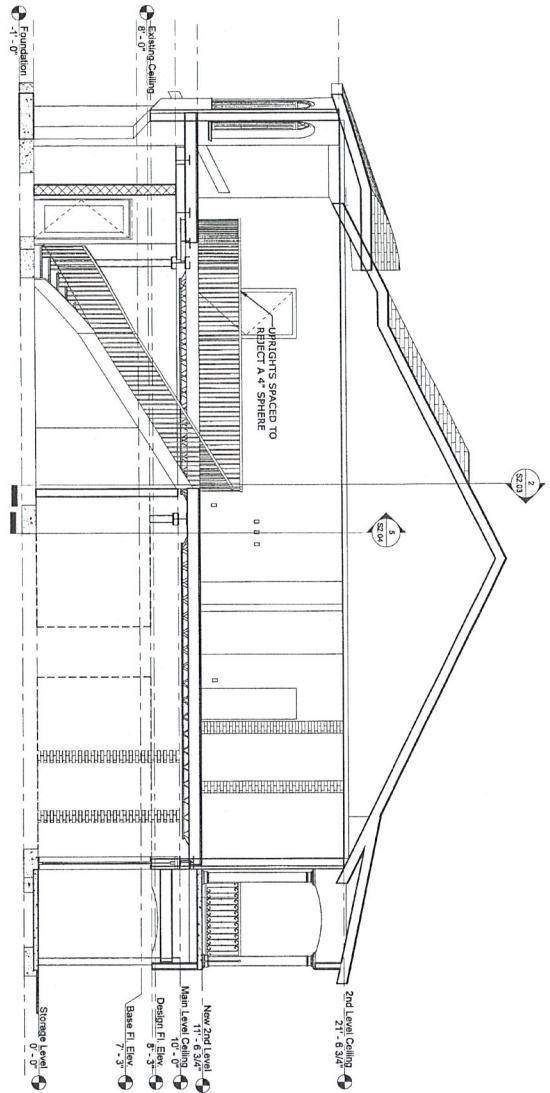
⑤ Section 5
1/2" = 1'-0"

⑥ Section 6
1/2" = 1'-0"

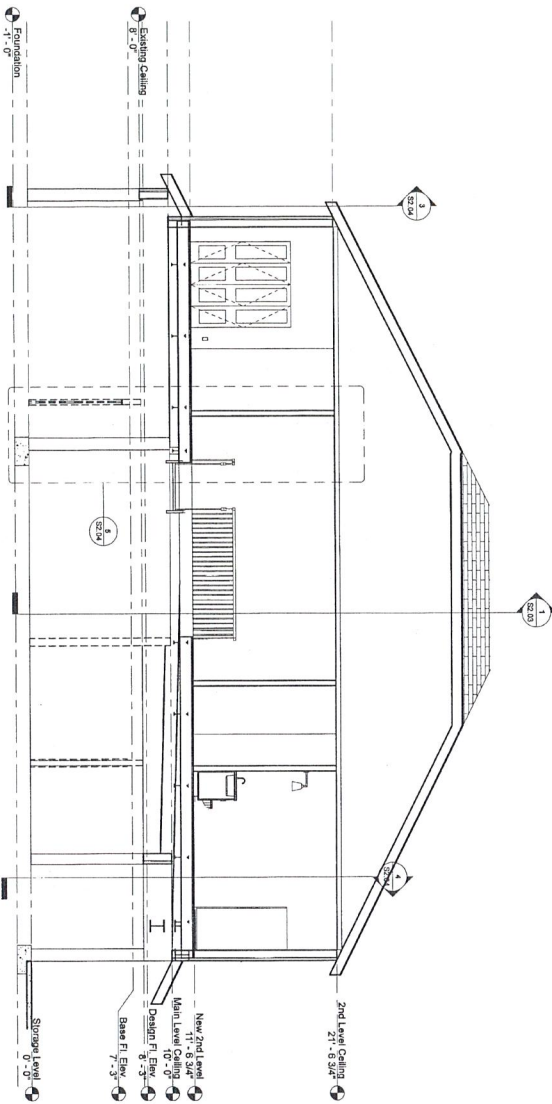
SPECIAL FLOOD HAZARD AREA (AE-12):
DESIGN FLOOD ELEVATION (DFE) (13 FT)
BASE FLOOD ELEVATION (BFE) (12 FT)
NOTE THAT 1 FT FREEBOARD IS REQUIRED WHICH
IS THE DESIGN FLOOD ELEVATION (DFE) (13 FT)



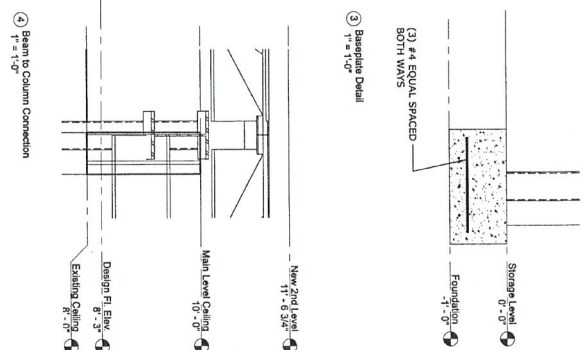
DO NOT SCALE DRAWINGS		PLANS CONFORM TO FLORIDA BUILDING CODE - 7TH EDITION (2005)	
Project: Kenneth E. Sands, PE 2/22/2022		Project: FENYVES RESIDENCE Home Remodel & Addition 409 59th Avenue St. Pete Beach, Florida 33706	
SHEET TITLE: SECTIONS		KENNETH E. SANDS, PE SANDS ENGINEERING, LLC FLORIDA REGISTRATION #77809 FLORIDA CoA #31453 20919 TORRE DEL LAGO STREET ESTERO, FLORIDA 33928 CELL: 941-888-4343 KSANDS@SANDSENG.COM	
SHEET NO: 21003-70		A3.1	



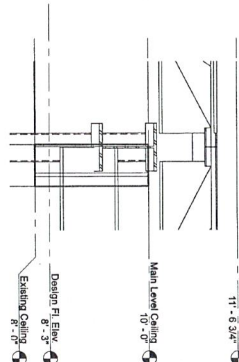
Section 1
1/4" = 1'-0"



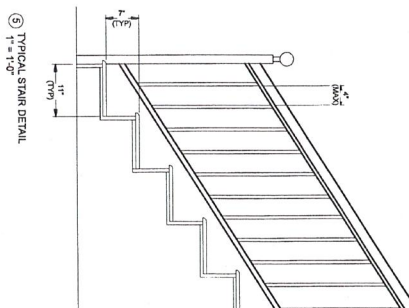
Section 2
1/4" = 1'-0"



Detail 3
1/4" = 1'-0"



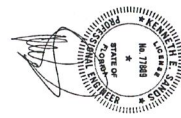
Detail 4
1/4" = 1'-0"



Detail 5
1/4" = 1'-0"

SPECIAL FLOOD HAZARD AREA (AE-12.1;
DESIGN FLOOD ELEVATION (DFE) (13 FT)
BASE FLOOD ELEVATION (BFE) (12 FT)
NOTE THAT 1 FT FREEBOARD IS REQUIRED WHICH
IS THE DESIGN FLOOD ELEVATION (DFE) (13 FT)

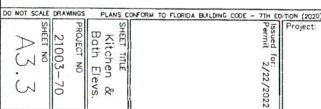
This drawing has been digitally signed and
sealed by Kenneth E. Sands, PE, No. 7188,
Florida Registered Professional Engineer,
No. 12,102, State of Florida. The signature
must be printed on this document.
2/21/2022



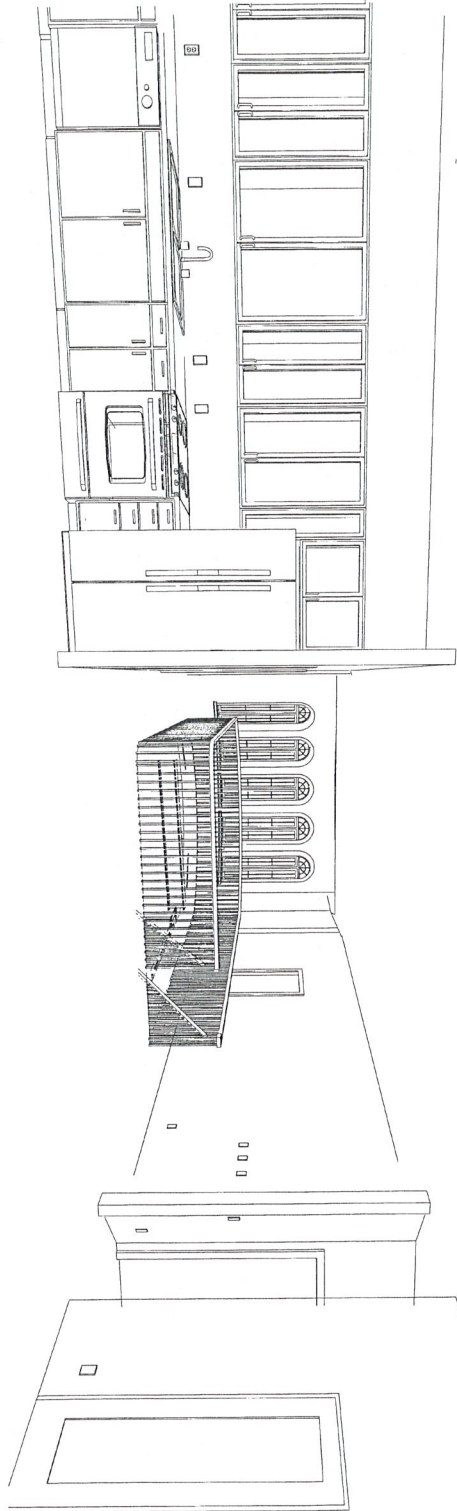
DO NOT SCALE DRAWINGS		PLANS CONFORM TO FLORIDA BUILDING CODE - 7TH EDITION (2020)	
Project: FENYVES RESIDENCE Home Remodel & Addition 409 59th Avenue St. Pete Beach, Florida 33706		KENNETH E. SANDS, PE SANDS ENGINEERING, LLC FLORIDA REGISTRATION: #77809 FLORIDA C.O.#31453 20819 TORRE DEL LAGO STREET ESTERO, FLORIDA 33928 CELL: 941-888-4343 KSANDS@SANDSENG.COM	
SHEET TITLE: Sections & Details PROJECT NO: 21003-70 SHEET NO: A3.2		SHEET TITLE: Sections & Details PROJECT NO: 21003-70 SHEET NO: A3.2	



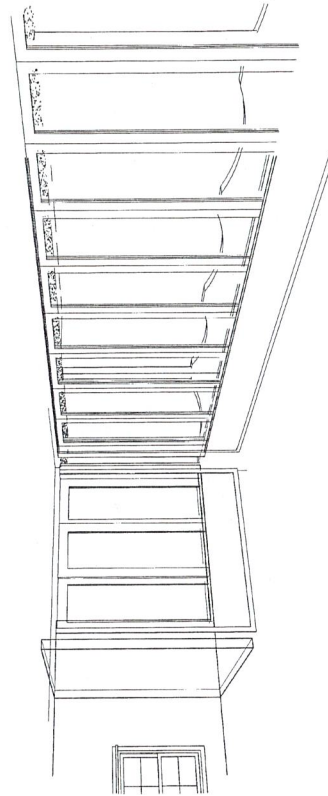
KENNETH E. SANDS, PE
SANDS ENGINEERING, LLC
FLORIDA REGISTRATION #77809
FLORIDA CoA #31453
20819 TORRE DEL LAGO STREET
ESTERO, FLORIDA 33928
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3D Interior View if back door to kitchen



Interior 1st fl View 1

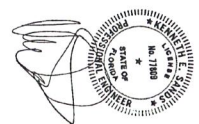


DO NOT SCALE DRAWINGS PLANS CONFORM TO FLORIDA BUILDING CODE - 7TH EDITION (2020)

SHEET NO. A3.4	SHEET TITLE 3D Interior Views	PROJECT NO. 21003-70	DATE 7/22/2022
	Project: FENYVES RESIDENCE Home Remodel & Addition 409 59th Avenue St. Pete Beach, Florida 33706		



KENNETH E. SANDS, PE
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CELL: 941-608-4343 KSANDS@SANDSENG.COM



GENERAL SPECIFICATIONS

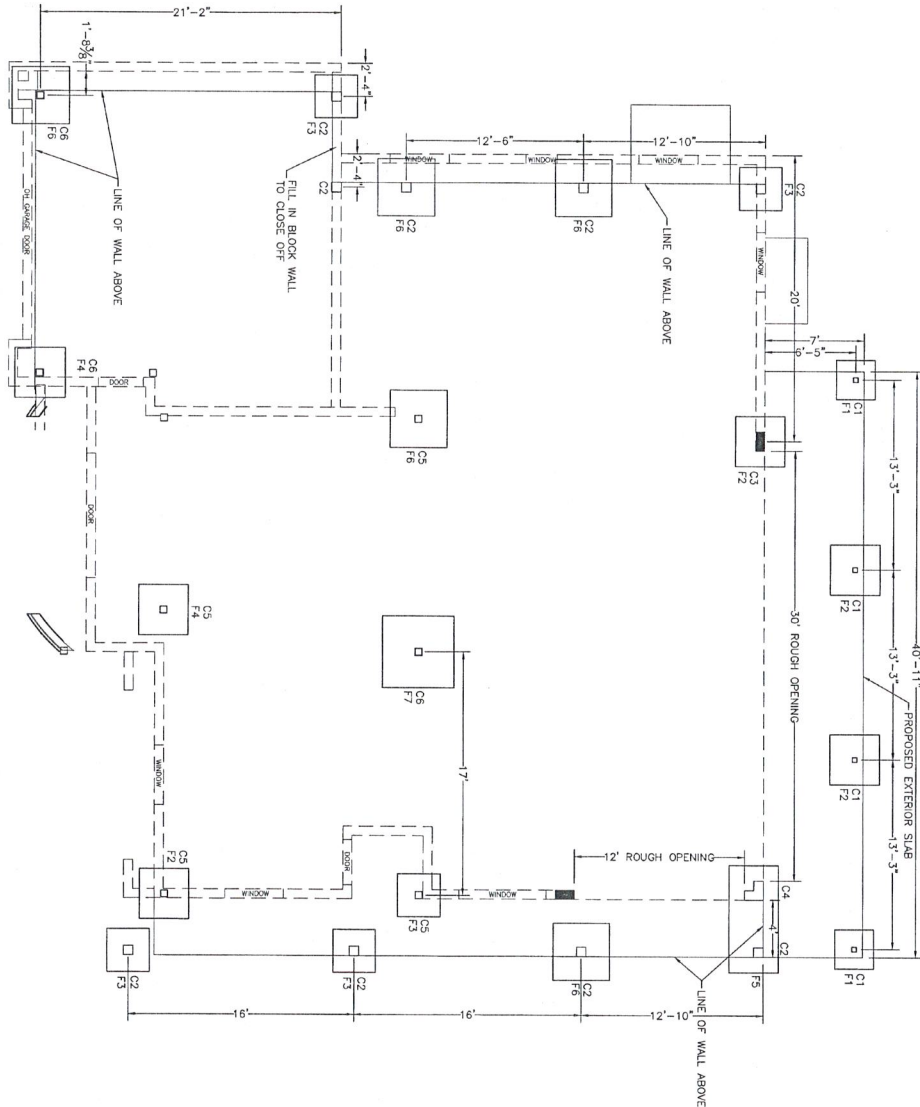
1. The contractor shall be responsible for obtaining all the necessary permits for construction and compliance with all permit conditions.
 2. The construction of the project shall comply with the 2020 7th Edition of the Florida Building Code and all current amendments.
 3. The contractor shall be responsible for obtaining all the necessary approved permit bond prior to beginning any construction.
- NOTES:
1. Soil below footings shall be compacted and tested to ensure 95% relative compaction.
 2. Saw cut and remove existing concrete walls and footings as required to install new footings.
 3. All new footings shall be poured below steel column base plates.
 4. Steel base plates shall be 5/8" thick on both sides of column.
 5. Anchor bolts shall be 5/8" nuts on both sides of plates.
 6. Concrete for footings shall be 3000 psi.
 7. All footings shall be 12" wide.
 8. Contractor to verify sliding door rough openings prior to building columns on each end.

FOOTING SCHEDULE (F)

F1	42"x42"x12" (3)#5 EW
F2	42"x42"x12" (3)#5 EW
F3	36"x36"x12" (4)#5 EW
F4	42"x42"x12" (4)#5 EW
F5	42"x42"x12" (3)#5 LW / (7)#5 SW
F6	42"x42"x12" (3)#5 LW
F7	60"x60"x12" (6)#5 EW

COLUMN SCHEDULE (C)

C1	44x43/8" HSS A500 Gr. B-45
C2	8"x8" CONCRETE W/(4)#5 BARS / #3 TIES
C3	8"x8" CONCRETE W/(2)#5 BARS EACH CELL
C4	8"x8" CONCRETE W/(2)#5 BARS EACH CELL
C5	EXISTING 60x61/4" HSS
C6	EXISTING 60x61/4" HSS REUSED FROM ONE REMOVED



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

DO NOT SCALE DRAWINGS PLANS CONFORM TO FLORIDA BUILDING CODE - 7TH EDITION (2020)

SHEET NO.
21003-70
S1.0

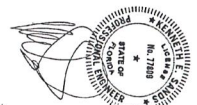
SHEET TITLE
Foundation
PROJECT NO.
21003-70

Issued For
Permit
2/22/2022

Project
FENYVES RESIDENCE
Home Remodel & Addition
409 59th Avenue
St. Pete Beach, Florida 33706



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GENERAL SPECIFICATIONS

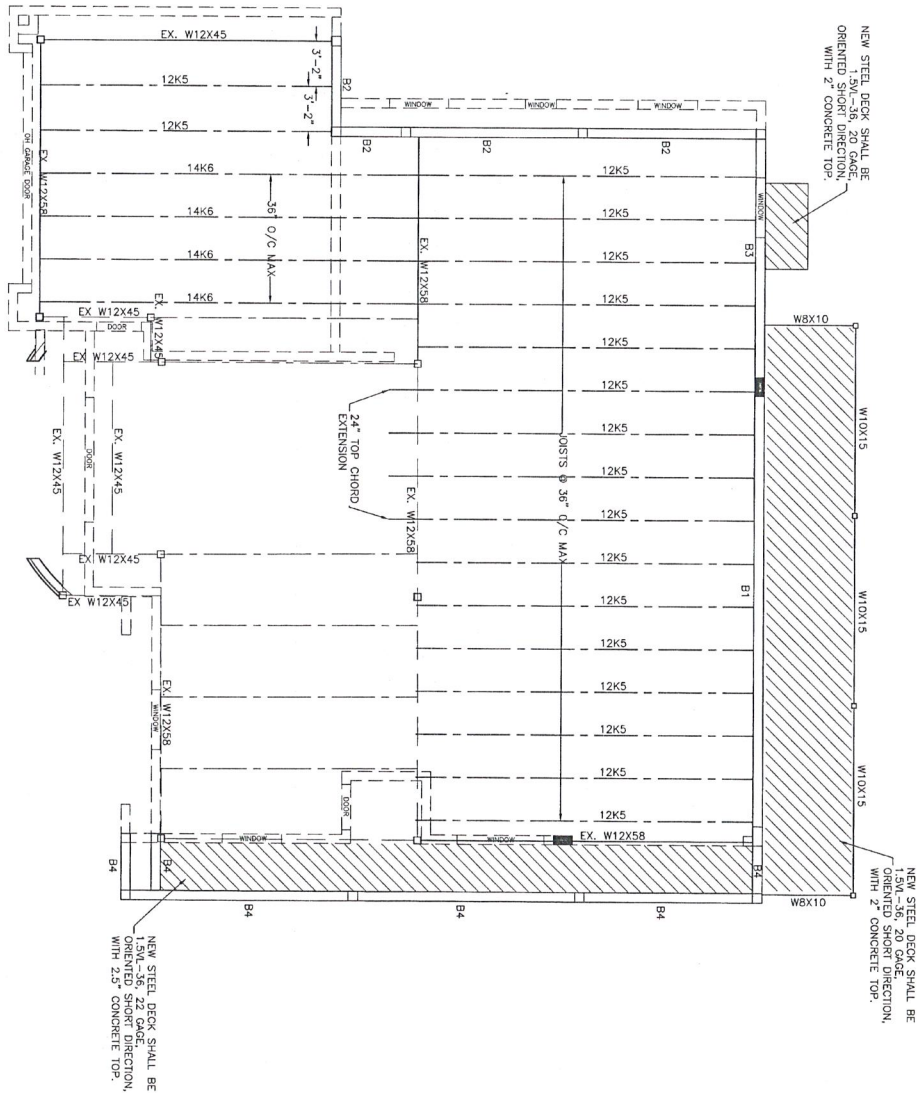
1. All construction shall be in accordance with the necessary permits for construction and compliance with all permit conditions.
2. The construction of the project shall comply with the 2020 7th Edition of the Florida Building Code and all amendments.
3. The construction of the project shall comply with the 2020 7th Edition of the Florida Building Code and all amendments.
4. The construction of the project shall comply with the 2020 7th Edition of the Florida Building Code and all amendments.

NOTES

1. Concrete for floors shall be 5000 psi.
2. Where new concrete beams are being formed over existing walls, steel and epoxy a 12"x12" - 4" deep #4 bar at 4" on center shall be placed in the concrete.
3. Where new concrete beams are being formed over existing walls, steel and epoxy a 12"x12" - 4" deep #4 bar at 4" on center shall be placed in the concrete.
4. The bottom of the beam shall be finished with a 12" - 4" deep #4 bar at 4" on center.
5. The top of the beam shall be finished with a 12" - 4" deep #4 bar at 4" on center.
6. The bottom of the beam shall be finished with a 12" - 4" deep #4 bar at 4" on center.
7. The top of the beam shall be finished with a 12" - 4" deep #4 bar at 4" on center.
8. The bottom of the beam shall be finished with a 12" - 4" deep #4 bar at 4" on center.
9. The top of the beam shall be finished with a 12" - 4" deep #4 bar at 4" on center.
10. The bottom of the beam shall be finished with a 12" - 4" deep #4 bar at 4" on center.

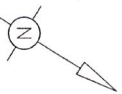
BEAM SCHEDULE (B4)

- B1 8"x12" (2) #5 BARS 1/8"
B2 8"x12" (2) #5 BARS 1/8"
B3 8"x12" (2) #5 BARS 1/8"
B4 8"x12" (2) #5 BARS 1/8"



FIRST FLOOR FRAMING PLAN

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



DO NOT SCALE DRAWINGS PLANS CONFORM TO FLORIDA BUILDING CODE - 7TH EDITION (2020)

SHEET NO. 21003-70
PROJECT NO. S1.1

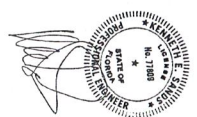
SHEET TITLE
First Floor
Framing Plan

Project:
Fenyves Residence
Home Remodel & Addition

409 59th Avenue
St. Pete Beach, Florida 33706



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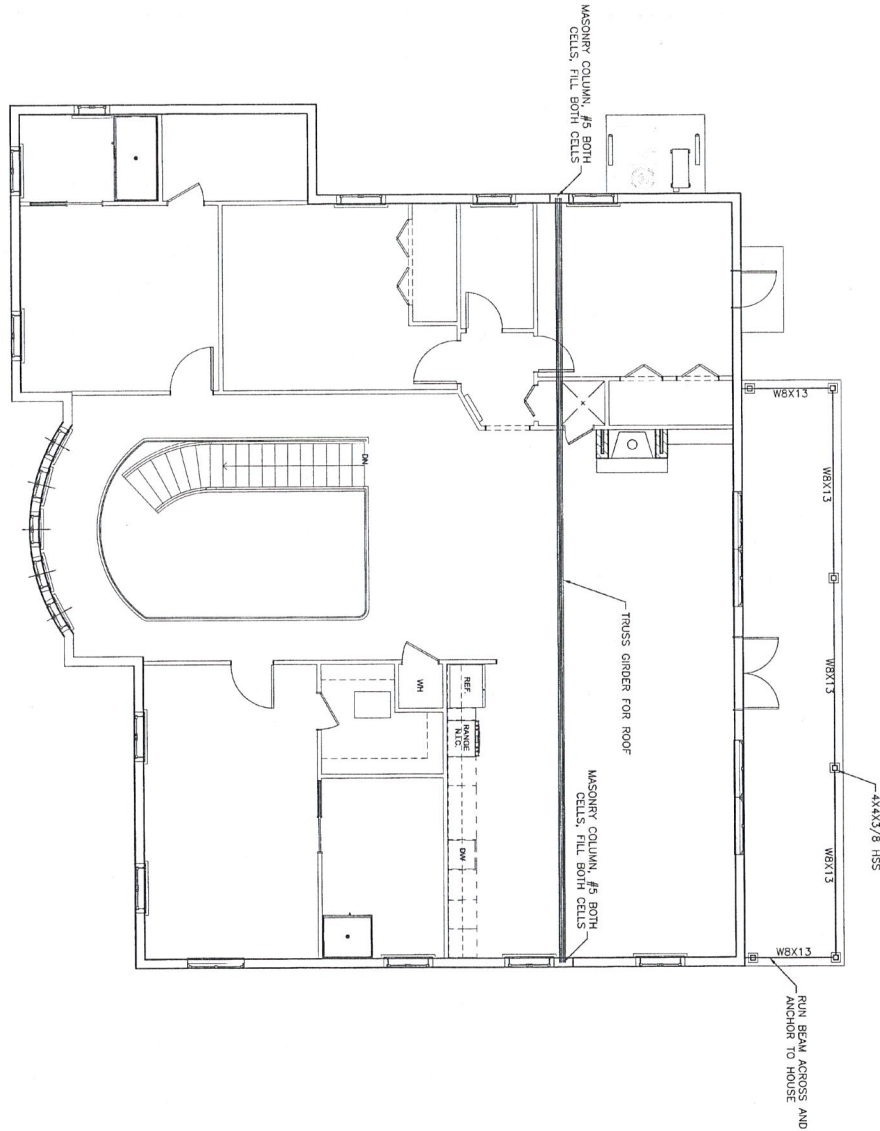


GENERAL SPECIFICATIONS:

1. The contractor will be responsible for obtaining all the necessary permits and approvals for this project. The contractor shall be responsible for obtaining all the necessary permits and approvals for this project. The contractor shall be responsible for obtaining all the necessary permits and approvals for this project.
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NOTES:

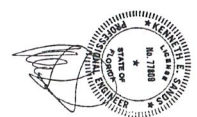
1. Contractor to verify window and door rough openings prior to construction.
2. Exterior walls shall be standard masonry units with 1/2" bed joints and 3/4" mortar. All exterior walls shall be finished with 1/2" thick concrete or stucco and at each side of door or window openings. Cells shall be filled with concrete or stucco and at each side of door or window openings. Cells shall be filled with concrete or stucco and at each side of door or window openings.
3. Bed beam of the top shall have 24" bars continuous, and shall be marked for runs strips prior to pouring.



SECOND FLOOR FRAMING PLAN

SCALE: 1/4"=1'

DO NOT SCALE DRAWINGS
PLANS CONFORM TO FLORIDA BUILDING CODE - 7TH EDITION (2003)
Project: FENYVES RESIDENCE
Home Remodel & Addition
409 59th Avenue
St. Pete Beach, Florida 33706
Kenneth E. Sands, PE
SANDS ENGINEERING, LLC
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FLORIDA C.O.A. #21453
20810 TORRE DEL LAGO STREET
ESTERO, FLORIDA 33928
CELL: 941-888-4343
KSANDS@SANDSENG.COM



ELECTRICAL NOTES

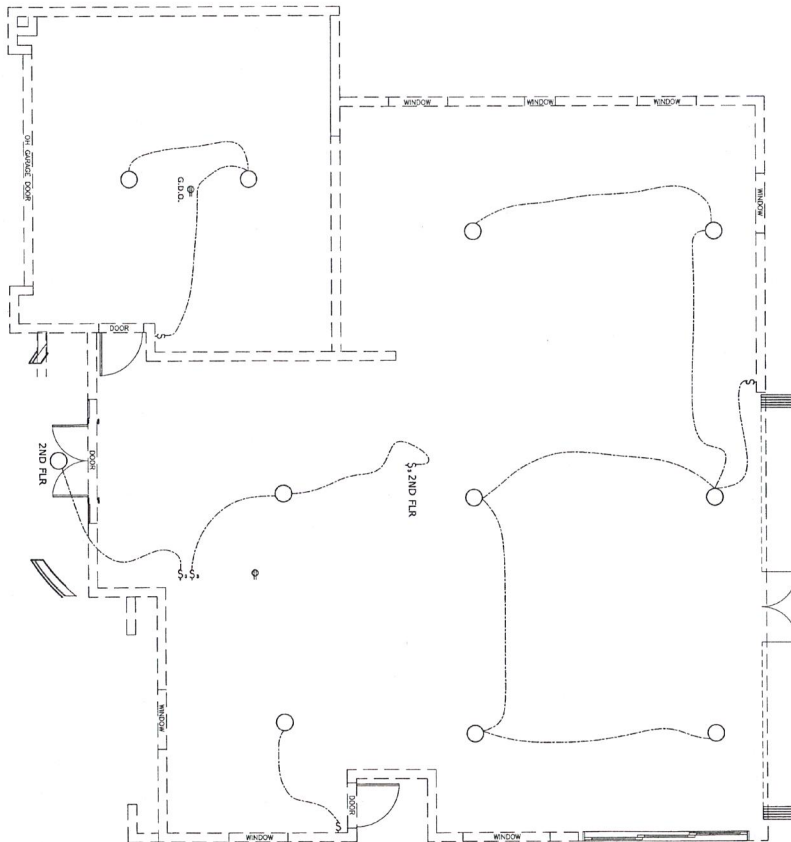
1. DO NOT SCALE THE ELECTRICAL DRAWINGS. REFER TO PLANS AND ELEVATIONS FOR EXACT LOCATION OF ALL EQUIPMENT AND CONFIRM WITH OWNER.
2. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE 2014 N.E.C. AND SHALL COMPLY WITH ALL LOCAL RULES AND LATEST REGULATIONS.
3. MINIMUM WIRE SIZE SHALL BE #12 A.W.G. EXCEPT FOR CONTROL WIRING. ALL CONDUCTORS SHALL BE COPPER UNLESS OTHERWISE NOTED AND LARGER TO BE STRANDED. #10 AND SMALLER MAY BE SOLID. INSULATION SHALL BE TYPE THHN. CONDUCTORS LARGER THAN #6 TYPE TV ON CONDUCTORS #6 AND SMALLER.
4. ALL RACEWAYS UNDERGROUND AND/OR LARGER THAN 2" IN DIAMETER MAY BE GALVANIZED RIGID STEEL CONDUIT OR RIGID PVC. ALL OTHER RACEWAYS 2" AND SMALLER IN DIAMETER MAY BE E.M.T. OR RIGID PVC.
5. ALL RACEWAYS AND PIPES PLACED IN OR THROUGH ANY CONCRETE SLAB SHALL BE SPACED A MINIMUM OF 3 DIAMETERS OF THE LARGEST CONDUIT OR PIPE.
6. OUTLET BOXES MAY BE PRESSED STEEL OR NON-METALLIC IN DRY LOCATIONS AND CAST ALLOY WITH THREADED HUBS IN WET OR DAMP LOCATIONS.
7. DISCONNECT SWITCHES SHALL BE HOSEPOWER RATED, HEAVY DUTY, QUICK-MAKE, QUICK-BREAK, IN NEMA 1 OR 3R ENCLOSURE AS REQUIRED BY EXPOSURE.
8. IT IS NOT THE INTENT OF THESE PLANS TO SHOW EVERY MINOR DETAIL OF CONSTRUCTION. THE CONTRACTOR IS EXPECTED TO FURNISH AND INSTALL ALL ITEMS FOR A COMPLETE ELECTRICAL SYSTEM AND PROVIDE ALL REQUIREMENTS NECESSARY FOR EQUIPMENT TO BE PLACED IN WORKING ORDER.
9. THE ELECTRICAL SYSTEM SHALL BE COMPLETELY AND EFFECTIVELY GROUNDED AS REQUIRED BY THE LATEST EDITION OF THE N.E.C.
10. LOAD DATA IS BASED ON INFORMATION GIVEN AT THE TIME OF DESIGN. VERIFY ALL EQUIPMENT AND PANEL SIZES BEFORE ORDERING.
11. ALL MATERIALS SHALL BE NEW AND SHALL BEAR UNDERWRITERS' AND UNION LABELS, WHERE APPLICABLE.
12. ALL WORK SHALL BE PERFORMED BY A LICENSED ELECTRICAL CONTRACTOR. IN A FIRST CLASS WORKMANSHIP MANNER THE COMPLETED SYSTEM SHALL BE FULLY OPERATIVE AND ACCEPTABLE BY THE OWNER AND MUST BE A CONDITION OF THE SUBCONTRACT.
13. ALL WORK SHALL BE COORDINATED WITH OTHER TRADES TO AVOID INTERFERENCE WITH THE PROGRESS OF CONSTRUCTION.
14. CONTRACTOR SHALL GUARANTEE ALL MATERIALS AND WORKMANSHIP FREE FROM DEFECTS FOR A PERIOD OF NOT LESS THAN ONE (1) YEAR FROM THE DATE OF ACCEPTANCE.
15. CORRECTIONS OF ANY DEFECTS SHALL BE COMPLETELY WITHOUT ADDITIONAL CHARGE AND SHALL INCLUDE REPLACEMENT OR REPAIR OF ANY OTHER PHASE OF THE INSTALLATION WHICH MAY HAVE BEEN DAMAGED THEREBY.
16. ALL REQUIRED INSURANCE SHALL BE PROVIDED FOR THE PROTECTION AGAINST PUBLIC LIABILITY AND PROPERTY DAMAGE FOR THE DURATION OF THE WORK.
17. THE LICENSE ELECTRICAL CONTRACTOR MAY USE OR PRESENT ALTERNATIVES OF ECONOMICAL METHODS WHERE THEY ARE ACCEPTABLE BY THE N.E.C. AND LOCAL JURISDICTION.
18. ELECTRICAL WORK SHALL COMPLY WITH THE NATIONAL ELECTRIC CODE AND APPLICABLE LOCAL CODES.
19. THE ELECTRICAL CONTRACTOR IS TO SIZE MOST BRANCH CIRCUITS. A MAXIMUM VOLTAGE DROP OF 2% IS PERMITTED.
20. THE ELECTRICAL CONTRACTOR IS TO ARRANGE FOR TELEPHONE SERVICE AND TELEPHONE WIRING. COORDINATE WITH THE TELEPHONE COMPANY.
21. THE ELECTRICAL CONTRACTOR IS TO COORDINATE WITH OTHER TRADES TO MAKE CERTAIN THAT ALL AIR CONDITIONING POWER AND CONTROL WORK AND CONDUITS ARE IN THE BID.
22. ELECTRICAL CONTRACTOR IS TO COORDINATE ALL SERVICE REQUIREMENTS WITH THE POWER COMPANY BEFORE BIDDING TO BE CERTAIN THAT ALL WORK NECESSARY TO MEET THE POWER COMPANY SPECIFICATIONS IS IN THE BID.
23. ALL CONDUCTIONS ARE TO BE COPPER TYPE THHN UNLESS OTHERWISE SHOWN. SERVICE ENTRY WIRES MAY BE ALUMINUM.
24. ALL FIXTURES TO BE DECIDED BY OWNERS, AND SHALL BE 75% HIGH EFFICIENCY LIGHTING.

LEGEND

-  DUPLEX RECEPTACLE
-  EXTERIOR RECEPTACLES TO BE WATER PROOF. (WP)
-  GROUND FAULT INTERRUPTER (GFI) REQ'D IF RECEPTACLE IS WITHIN 6' OF WATER SOURCE.
-  GFI OUTLETS FOR GARBAGE DISPOSAL UNDER THE COUNTER.
-  ALL OUTLETS TO BE 20 AMP, 120V, DUPLEX, ARC FAULT MOUNTED @ 18" ABOVE FINISHED FLOOR, OR 6" ABOVE COUNTER TOP.
-  4 LED SUSPENDED LIGHT
-  SUSPENDED LIGHT
-  WALL SWITCH
-  3WAY WALL SWITCH
-  4WAY WALL SWITCH
-  LIGHT AND EXHAUST FAN
-  SMOKE DETECTOR / CARBON MONOXIDE DETECTOR COMBINATION
-  ALL LIGHTING WILL BE 75% HIGH-EFFICIENCY LIGHTING (FEC-ENERGY CONSERVATION R449)

GENERAL NOTES

1. ALL MECHANICAL, PLUMBING, ELECTRICAL PANELS, SWITCHES AND RECEPTACLES MUST BE LOCATED ABOVE THE DFE (1317)
2. ALL MATERIALS BELOW THE DFE MUST BE OF 72 HR. WATER RESISTANT MATERIALS.
3. ONLY ONE SWITCH CAN BE LOCATED BELOW DFE FOR ENTRANCE LIGHTING.



FIRST FLOOR ELECTRICAL PLAN

SCALE 1/4"=1'-0"

DO NOT SCALE DRAWINGS PLANS CONFORM TO FLORIDA BUILDING CODE - 705 EDITION (2005)

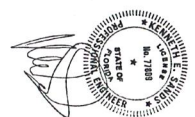
Project: FENYVES RESIDENCE
Home Remodel & Addition

309 59th Avenue
St. Pete Beach, Florida 33706

Sheet Title: First Floor Electrical Plan
Project No: 21003-70
Sheet No: E1.1



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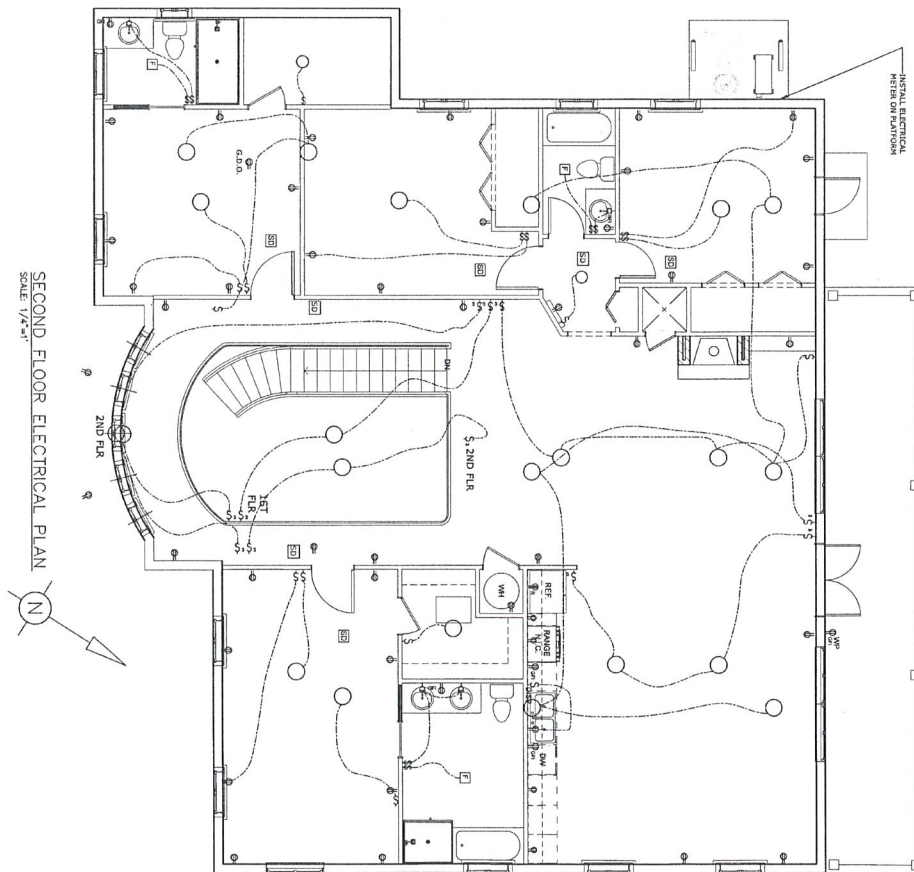


ELECTRICAL NOTES

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3. MINIMUM WIRE SIZE SHALL BE #12 AWG. EXCEPT FOR CONTROL WIRING. ALL CONDUCTORS SHALL BE COPPER UNLESS OTHERWISE NOTED.
4. ALL RACEWAYS UNDERGROUND AND OR LARGER THAN 2" IN DIAMETER MAY BE GALVANIZED RIGID STEEL CONDUIT OR RIGID PVC. ALL OTHER RACEWAYS 2" AND SMALLER IN DIAMETER MAY BE E.M.T. OR RIGID PVC.
5. ALL RACEWAYS AND PIPES PLACED IN OR THROUGH ANY CONCRETE SLAB SHALL BE SPACED A MINIMUM OF 3 DIAMETERS OF THE LARGEST CONDUIT OR PIPE.
6. OUTLET BOXES MAY BE PRESSED STEEL OR NON-METALLIC IN DRY LOCATIONS AND CAST ALLOY WITH THREADED RIGS IN WET OR DAMP LOCATIONS.
7. DISCONNECT SWITCHES SHALL BE HORSEPOWER RATED, HEAVY DUTY, QUICK-MAKE, QUICK-BREAK, IN NEMA 1 OR 3R ENCLOSURE AS REQUIRED BY EXPOSURE.
8. IT IS NOT THE INTENT OF THESE PLANS TO SHOW EVERY MINOR DETAIL OF CONSTRUCTION. THE CONTRACTOR IS EXPECTED TO FINISH AND INSTALL ALL ITEMS FOR A COMPLETE ELECTRICAL SYSTEM AND PROVIDE ALL REQUIREMENTS NECESSARY FOR EQUIPMENT TO BE PLACED IN WORKING ORDER.
9. THE ELECTRICAL SYSTEM SHALL BE COMPLETELY AND EFFECTIVELY GROUNDED AS REQUIRED BY THE LATEST EDITION OF THE N.E.C.
10. LOAD DATA IS BASED ON INFORMATION GIVEN AT THE TIME OF DESIGN. VERIFY ALL EQUIPMENT AND PANEL SIZES BEFORE ORDERING.
11. ALL MATERIALS SHALL BE NEW AND SHALL BEAR UNDERWRITERS' AND UNION LABELS, WHERE APPLICABLE.
12. ALL WORK SHALL BE PERFORMED BY A LICENSED ELECTRICAL CONTRACTOR, IN A FIRST CLASS WORKMANLIKE MANNER. THE COMPLETED SYSTEM SHALL BE FULLY OPERATIVE AND ACCEPTABLE BY THE OWNER AND MUST BE A CONDITION OF THE SUBCONTRACT.
13. ALL WORK SHALL BE COORDINATED WITH OTHER TRADES TO AVOID INTERFERENCE WITH THE PROGRESS OF CONSTRUCTION.
14. CONTRACTOR SHALL GUARANTEE ALL MATERIALS AND WORKMANSHIP FREE FROM DEFECTS FOR A PERIOD OF NOT LESS THAN ONE (1) YEAR FROM THE DATE OF ACCEPTANCE.
15. CORRECTIONS OF ANY DEFECTS SHALL BE COMPLETELY WITHOUT ADDITIONAL CHARGE AND SHALL INCLUDE REPLACEMENT OR REPAIR OF ANY OTHER PHASE OF THE INSTALLATION WHICH MAY HAVE BEEN DAMAGED THEREBY.
16. ALL REQUIRED INSURANCE SHALL BE PROVIDED FOR THE PROTECTION AGAINST PUBLIC LIABILITY AND PROPERTY DAMAGE FOR THE DURATION OF THE WORK.
17. THE LICENSE ELECTRICAL CONTRACTOR MAY USE OR PRESENT ALTERNATIVES OF ECONOMICAL METHODS WHERE THEY ARE ACCEPTABLE BY THE N.E.C. AND LOCAL JURISDICTION.
18. ELECTRICAL WORK SHALL COMPLY WITH THE NATIONAL ELECTRIC CODE AND APPLICABLE LOCAL CODES.
19. THE ELECTRICAL CONTRACTOR IS TO SIZE MOST BRANCH CIRCUITS. A MAXIMUM VOLTAGE DROP OF 2% IS PERMITTED.
20. THE ELECTRICAL CONTRACTOR IS TO ABANDON FOR TELEPHONE SERVICE AND TELEPHONE WIRING. COORDINATE WITH THE TELEPHONE COMPANY.
21. THE ELECTRICAL CONTRACTOR IS TO COORDINATE WITH OTHER TRADES TO MAKE CERTAIN THAT ALL AIR CONDITIONING POWER AND CONTROL WORK AND CONDUITS ARE IN THE BID.
22. ELECTRICAL CONTRACTOR IS TO COORDINATE ALL SERVICE REQUIREMENTS WITH THE POWER COMPANY BEFORE BIDDING TO BE CERTAIN THAT ALL WORK NECESSARY TO MEET THE POWER COMPANY SPECIFICATIONS IS IN THE BID.
23. ALL CONDUCTIONS ARE TO BE COPPER TYPE THIN UNLESS OTHERWISE SHOWN. SERVICE ENTRY WIRES MAY BE ALUMINUM.
24. ALL FIXTURES TO BE DECIDED BY OWNERS, AND SHALL BE 75% HIGH EFFICIENCY LIGHTING.

LEGEND

- DUPLEX RECEPTACLE.
 - EXTENSION RECEPTABLES TO BE WATER PROOF. (WP)
 - GROUND FAULT INTERRUPT (GFI) RECD IF RECEPTABLE IS WITHIN 6' OF WATER SOURCE.
 - GFI OUTLETS FOR GARBAGE DISPOSAL UNDER THE COUNTER.
 - ALL OUTLETS TO BE 20 AMP, 120V, DUPLEX ARC FAULT MOUNTED @ 18" ABOVE FINISHED FLOOR, OR 6" ABOVE COUNTER TOP.
 - 4 LED SUSPENDED LIGHT
 - WALL SWITCH
 - 3WAY WALL SWITCH
 - 4WAY WALL SWITCH
 - LIGHT AND EXHAUST FAN
 - SMOKE DETECTOR / CARBON MONOXIDE DETECTOR COMBINATION
- * ALL LIGHTING WILL BE 75% HIGH-EFFICIENCY LIGHTING (FAC-ENERGY CONSERVATION R404)



SECOND FLOOR ELECTRICAL PLAN
SCALE: 1/4"=1'

DO NOT SCALE DRAWINGS PLANS CONFORM TO FLORIDA BUILDING CODE - 7TH EDITION (2020)

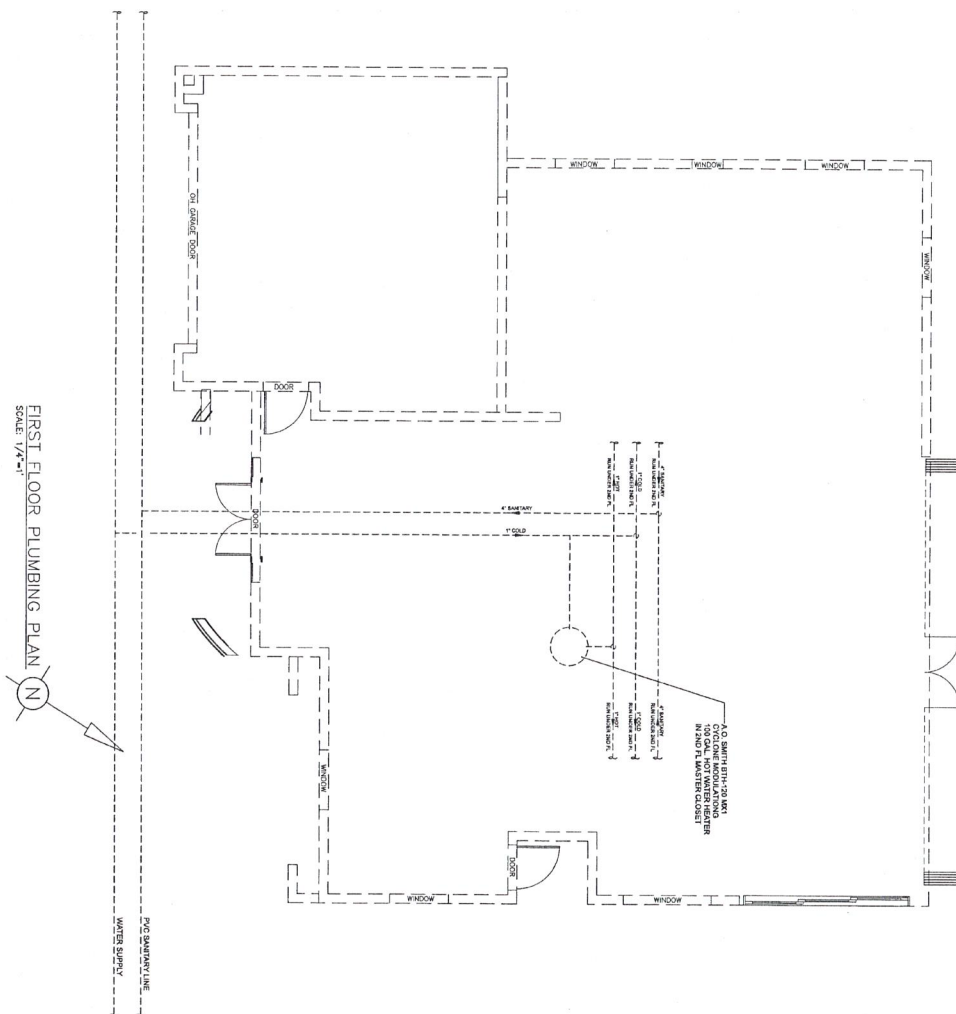
Project: FENYVES RESIDENCE
Home Remodel & Addition

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St. Pete Beach, Florida 33706

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2019 TORRE DEL LAGO STREET
ESTERO, FLORIDA 33928
CELL: 941-888-4343
KSANDS@SANDSENG.COM

Sheet Title: 2nd Floor Electrical Plan
Project No: 21003-70
Sheet No: E2.1

GENERAL SPECIFICATIONS:
 1. The contractor shall be responsible for obtaining all the necessary permits for construction and compliance with all permit conditions.
 2. The contractor shall be responsible for obtaining all the necessary permits for the construction of the project and comply with the 2020 Florida Building Code and all other applicable codes and regulations.
 3. The contractor shall be responsible for obtaining all the necessary permits for the construction of the project and comply with the 2020 Florida Building Code and all other applicable codes and regulations.
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FIRST FLOOR PLUMBING PLAN
 SCALE 1/4"=1'



DO NOT SCALE DRAWINGS PLANS CONFORM TO FLORIDA BUILDING CODE - 7TH EDITION (2020)

SHEET TITLE
 First Floor
 Plumbing Plan
 PROJECT NO.
 21003-70
 SHEET NO.
 P1.1

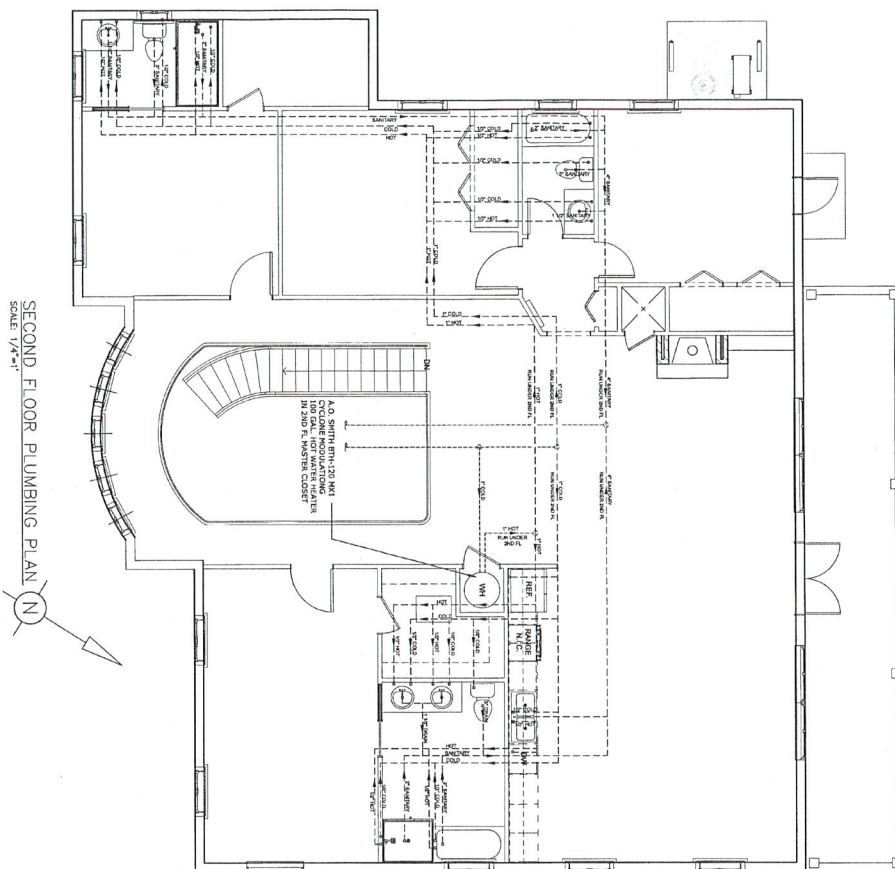
Project:
 FENYVES RESIDENCE
 Home Remodel & Addition
 409 59th Avenue
 St. Pete Beach, Florida 33706



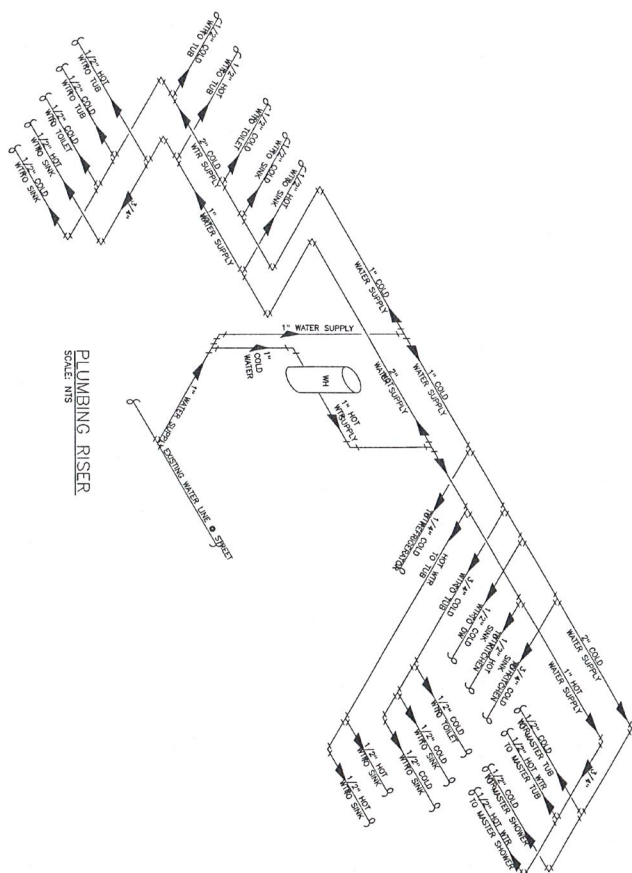
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GENERAL SPECIFICATIONS.

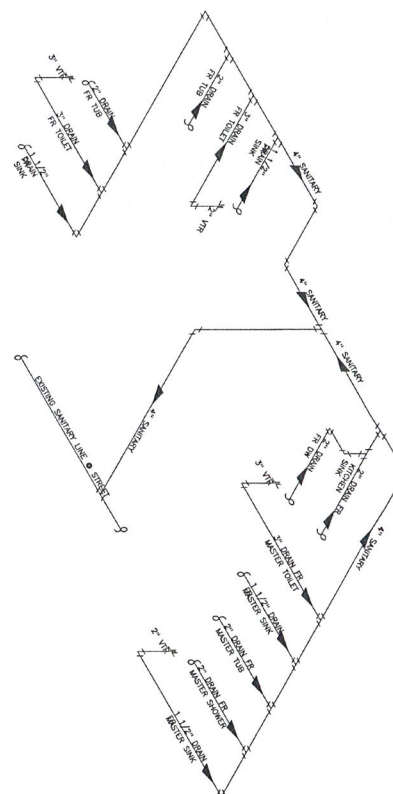
1. The contractor will be responsible for obtaining all the necessary permits for construction and compliance with all permit constraints required to complete the project.
2. The construction of the project shall comply with the 2020 7th Edition of the Florida Building Code and all current amendments.
3. The job site shall have the necessary permits posted on an approved permit board prior to beginning any construction.



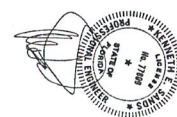
SECOND FLOOR PLUMBING PLAN (N)
SCALE: 1/4"=1'



PLUMBING RISER
SCALE: NTS



SEWER RISER
SCALE: NTS





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

PLANNING DEPARTMENT

Date: October 7, 2022

To: Board of Adjustment

Re: Staff Findings Report
Variance Case No: 22049
Practical Difficulty Variance
Address: 409 59th Ave.
Parcel Number: #06-32-16-02340-000-0100
Craig Jackson for Andrea and Andras Fenyves, Owner

Prepared by: Kristin Coman, Senior Planner

Hearing Date: 10/26/2022

Please be advised that staff has received and reviewed the following items submitted in support of the application:

1. Completed application form
2. Survey prepared by Murphy's Land Surveying, Inc. dated 7/29/22, consisting of 1 sheet
3. Survey prepared by Murphy's Land Surveying, Inc. dated 5/14/13, consisting of 1 sheet with 2022 current structure overlay
4. Survey prepared by Murphy's Land Surveying, Inc. dated 7/29/22, consisting of 1 sheet with proposed impervious surface calculations.
5. Previous plot plan with original dwelling, no date or preparer information provided indicating the building envelope.
6. Plot Plan dated 8/1/22, prepared by Sands Engineering, LLC consisting of 1 sheet
7. Plot Plan dated 8/1/22, prepared by Sands Engineering, LLC consisting of 1 sheet with overlay of 2013 pre-construction structure, new construction and proposed driveway extension.
8. Development Order for BOA Case No. 20140023 dated 7/31/14
9. Letter and Development Order for BOA Case No. 20039 dated 7/30/20, 2 pages
10. Fenyves Residence Permit Set prepared by Sands Engineering, LLC dated 2/22/22 consisting of 18 sheets

Staff offers the following comments for the Board's consideration:

Site Description/Surrounding Land Uses

The subject site is a 6,970 sq. ft. (approx. 0.16 acre) parcel located at 409 59thth Ave. known as parcel number #06-32-16-02340-000-0100 and legal description of BAHIA SHORES 1ST ADD LOT 10 within the AE-Elevation 12 flood zone. The property is located in the RU-1, Residential District zone; RU Residential Urban on the future land map and contains a single-family residence constructed in 1955 according to the Pinellas County Property Appraiser. It is located approximately 115 feet east of the intersection of Bimini Way and Bimini Way N. It is surrounded by single family uses to the east, west and south and Boca Ciega Bay to the north. The waterfront site is improved with a one-story dwelling currently under renovation.

Figure 1: Aerial Photography



Source: Pinellas County Property Appraiser

Figure 2: Zoning Map



Source: City of St. Pete Beach Official Zoning Map Page 7 of 15, dated 7/20/2012

Request

The applicant requests to construct a 36.9' x 7', second story roofed deck that does not meet the required rear yard setback requirement of 20', with 15.5' proposed and construct elevated second story living space and a ground-floor entryway that does not meet the front yard setback requirement of 20' with 11' proposed. (LDC Sec. 8.7(a)(1) & Sec. 6.13(c)(3))

Background

The property received a variance in 2014 (Case No. 20140023) to extend the garage 9' into the required front yard setback of 20', permitting a front yard setback of 11'. The property received additional variance approval in 2020 (Case No. 20039) the purposes of constructing a new living floor above the existing home and convert the ground floor into storage for the purpose of making the home FEMA compliant, construct an entryway in the center of the structure that encroached into the front yard setback of 20' but extended no closer to the front property line than the garage which received the variance in 2014. On the living floor above, the applicant was granted to extend out living space that aligned with the existing garage front setback of 11' and construct a covered, elevated deck at the rear of the dwelling that encroached 3.5' into the rear yard setback at its closest point with 16' 5" provided, where 20' is required.

The applicant was granted variance approval and received a building permit, however the variance approval associated with the permit expired 9/2021, requiring the applicant to reapply to the Board of Adjustment as per LDC 3.12.

Analysis

1. Existing nonconforming conditions of the site that are not proposed to change:
 - a. Minimum front yard setback: where 20' minimum is required, 11'4" exists (LDC 8.7(a))
2. New variances required as a result of the proposed changes:
 - a. Minimum front yard setback: where 20' minimum is required, 11'4" is proposed (LDC 8.7(a)) The applicant is proposing to maintain the existing non-conforming front yard setbacks with the proposed addition.
 - b. Minimum rear yard setback: where 20' is required and 23' exists and 16' 5.5" is proposed. (LDC 8.7(a)(4)).

Figure 3: Zoning Table			
Detached, Single-Family Residential	409 59th Ave.		
	RU-1 Required	Existing	Proposed
Lot Area (Min.)	7,000 sq. ft.	7,025 sq. ft	No Change
Lot Width (Min.)	70'	54.5'*	No Change
Front Yard Setback (Min.)	20'	11'4"*(v)	11'4"*(v)
Secondary Front Yard Setback (Min.)	20'	n/a	n/a
Side Yard Setback (Min.)	Lesser of 10% of lot width or 7'	7'4" west, 10'11" east	No Change
Rear Yard Setback (Min.)	20'	23'	16' 5.5"*(v)
ISR (Max.)	0.70	not provided	0.47
Height (Max.)	30'	not provided, dwelling is currently one-story	33'7" (from grade) (DFE 13')
*Denotes existing non-conformity (v) = Variance required			

Figure 4: Existing Site Plan

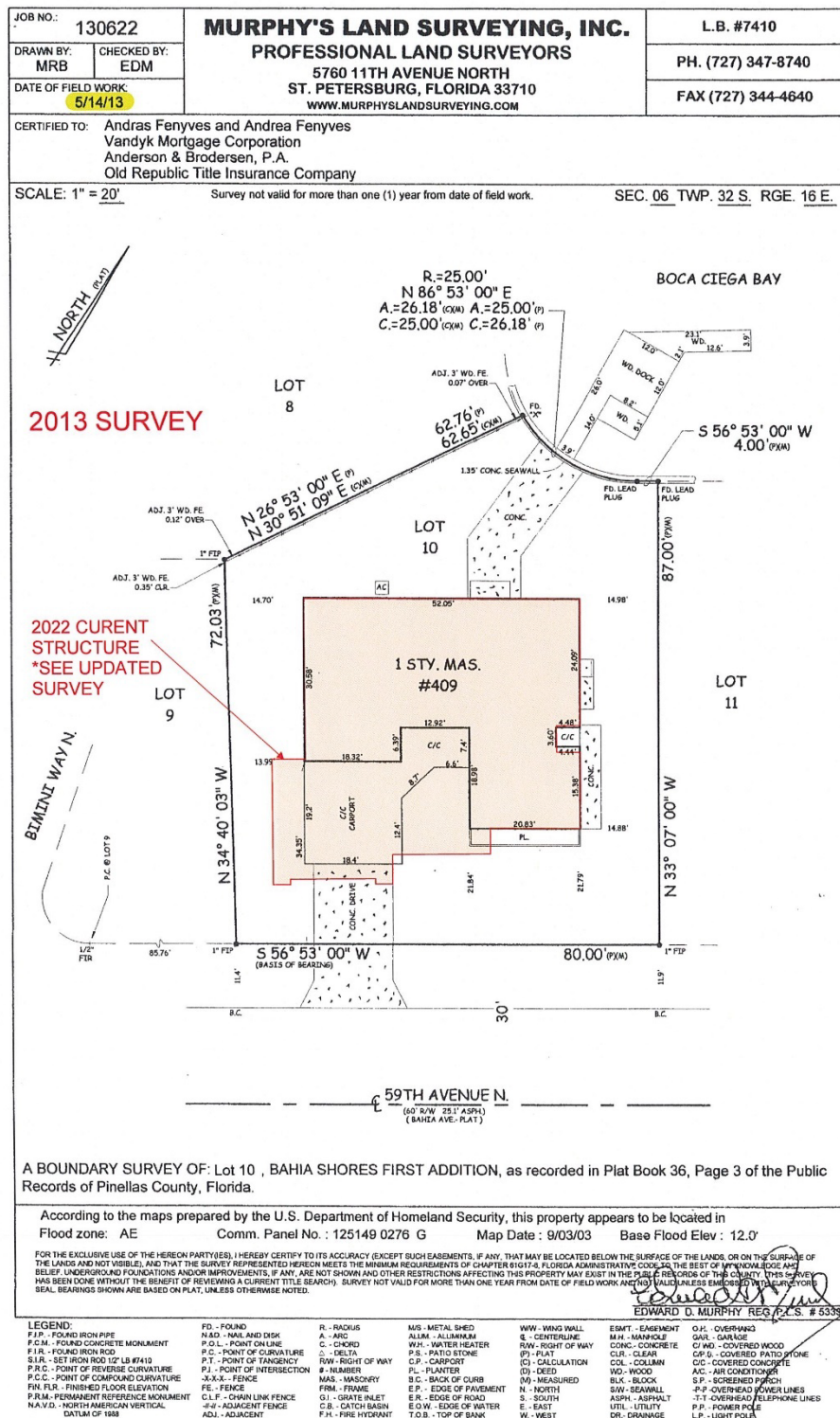
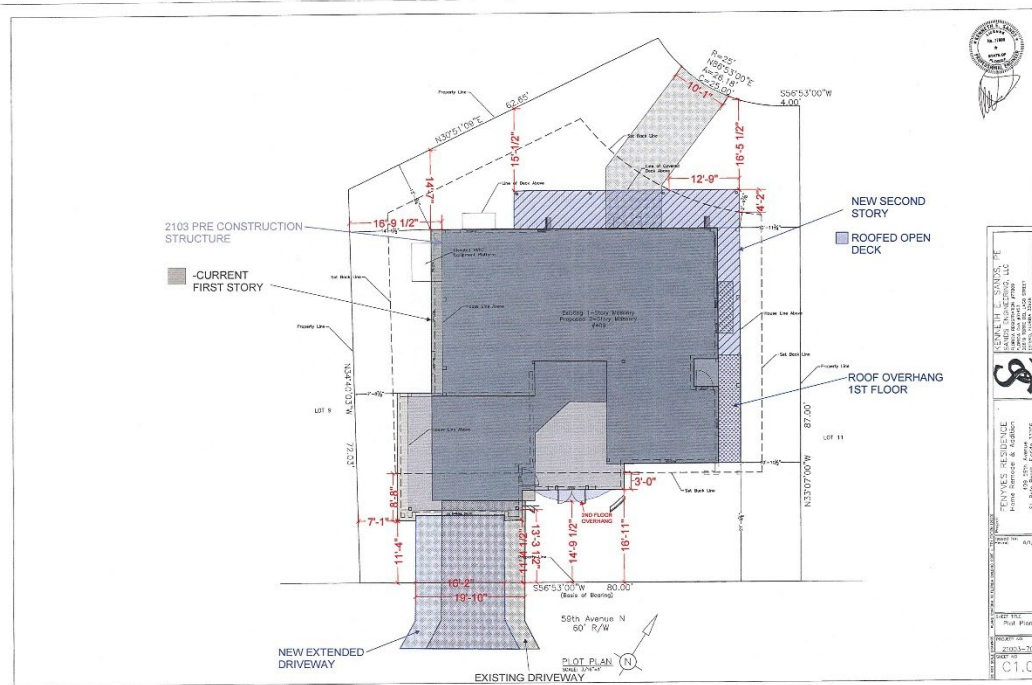


Figure 5: Proposed Site Plan



Additional Comments

The Applicant should provide testimony regarding the necessity for the requested variances.

- The Board has standards of review for a practical difficulty variance and must make a positive finding with regards to the provisions located in Division 3 of the Land Development Code in order to grant the variance(s). The applicant should be prepared to provide their own testimony by answering the following items 1-4 **in addition** to staff comments below:

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

Staff finds the applicant is requesting a 11' 4" front yard setback where 20' is required, representing a variance of 45% from the required standard and 16' 5.5" rear yard setback where 20' is also required, representing a variance of 23% from the required standard.

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

Staff finds that no adverse change will be produced in the character of the neighborhood. The proposed front additions will encroach no further to the front property line than the garage that was previously approved and will not affect sight lines for adjacent properties. The rear property line is unique as the property is located at the

corner of the rear canal and the covered rear deck should not cause any visibility issues for adjacent waterfront neighbors.

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

The proposed rear and second floor additions could be revised to meet the required rear and front yard setbacks without the need to receive a setback variance. However, staff feel that the reduced dimensions of the additions, particularly the addition to the front of the dwelling may have a negative aesthetic impact and impact the layout of the home.

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

Staff find the interest of justice will be served in the granting of this variance. The request does not exceed the existing front setback and the deck is reasonable given the irregularity of the lot shape.

- Applicant should provide testimony on any changes from the variance approval in 2020 (Case No. 20039) or if the application is simply due to the expiration of the prior variance in September 2021 in order to continue construction.

Recommendation

Staff find the request is reasonable given the prior approval of the matching proposal connected to Case No. 20039 and continue to find that it will not have an adverse impact on the neighborhood and the constraints of the lot. Staff recommends **approval**.

Should the board look favorably on the application, the applicant should be advised that any variance granted hereunder shall expire one (1) year from the date of the development order providing such variance, unless a building permit for the construction authorized by such variance is obtained within such time and said building permit has not expired prior to the completion of construction in accordance therewith.

Respectfully submitted,



Kristin Coman
Senior Planner

Cc: Craig Jackson, Applicant **via email** (craig@jacksoncd.com)
Andrea and Andras, Owner **via email** (andrea@fenyves.net)
Matthew McConnell, Board of Adjustment Attorney

Letters Received

Kristin Coman

From: Gary Hartshorn <g.hartshorn.gh@gmail.com>
Sent: Friday, October 21, 2022 9:29 AM
To: Kristin Coman
Subject: 409 59th ave variance

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

In regards to the variance application for a 2nd story deck, we strongly oppose the request. The house in question is in a very tight corner of homes and the proposed deck will be looking into every neighbor's backyard. This will eliminate their privacy completely.

Also the house at 409 59th Ave. has been in an inhabitable state for well over 6 years. Those of us in Bahia Shores that maintain our properties and pay high insurance costs and property taxes have had to live with it and the city has done nothing about it.

Please consider these objections.

Thank you,

Gary and Ellen Hartshorn
5930 Bikini Way N.

L2

Kristin Coman

From: Rick Romkey <rick.romkey@gmail.com>
Sent: Friday, October 21, 2022 11:31 AM
To: Kristin Coman
Cc: Alison Romkey
Subject: Regarding variance for #409 59th....

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Folks,

My wife and I are residents at 5909 Bimini Way N. Upon reviewing the recent variance letter for #409 59th it appears that the proposed design would include a second story deck which essentially overlooks most of the back and side of my property including our Master Bath.

We value the privacy we enjoy today, but fear that will be lost if we don't contest the variance. We oppose this construction as proposed.

-Eric and Alison Romkey

Rick Romkey
rick.romkey@gmail.com