



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

155 Corey Avenue
St. Pete Beach, FL 33706

Wednesday, November 30, 2022
2:00 PM

Call to Order
Pledge of Allegiance
Roll Call

REGULAR MEETING

1. Approval of the Agenda -

Action Request: Motion to approve the _____ agenda.

2. Audience Comments -
Comments shall be limited to 3 minutes per person

3. Approval of Minutes
a. Meeting Minutes October 26, 2022

4. Action Items -

a. Variance, Practical Difficulty - 1020 Boca Ciega Isle Dr. (Case No. 22051)
Lauren Rubenstein, Esq. for Donald and Mary Shamblin requests to retain the installation of 4 elevated mini-splits that do not meet the side yard setback requirement of 7.5' with 4.9' and 2.8' proposed. (LDC Sec. 6.14 and Sec. 9.7(a)(3))

b. Variance, Practical Difficulty - 260 43rd Ave. (Case No. 22067)
Julia Montemuino for Dennis Convery requests to construct a 28' x 15', 9' high patio cover that does not meet the side yard setback requirement of 6' with 4.5' proposed. (LDC Sec. 6.13(3)(a))

c. 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))

Continued from 10/26/2022 with no renoticing required

d. Variance, Practical Difficulty- 3122 E Vina Del Mar Blvd. (Case No. 22066)

John Dadswell, Tilney Pools for Bruce and Andrea Hyatt requests to construct a 12' x 27' inground pool within a front yard where 20' is required with 8'3" proposed and construct 22' x 38' paver patio within front yard where 20' is required with 3'3" proposed. (LDC Sec. 6.13(c)(1)(c)(1) and Sec. 6.13 (2)(d)(1))

5. Adjournment - Next meeting to be held December 21, 2022 -

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
October 26, 2022 2:00 P.M.

PRESENT: Sandie Lyman, Vice Chair
Michael Bomar, Member
Denise Chase, Member
Dan Small, Member

EXCUSED: Paul Skipper, Chair

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

Vice Chair Lyman 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 Bomar 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. 8/31/2022

Motion: Member Bomar moved, and Member Chase seconded the approval of the August 31, 2022 minutes as presented. The motion passed unanimously.

4. Action Items

a. Approval/Acceptance of the Board's 2023 Meeting Dates

The Deputy Clerk reviewed some of the proposed dates with the Board and they discussed.

Motion: Member Chase moved, and Member Bomar seconded the approval of the 2023 Board meeting dates as presented, but moving the December meeting to 12/20/23; the motion passed unanimously.

Senior Planner Kristin Coman explained that cases 4b and 4c were originally to be heard in September, but the meeting was cancelled due to Hurricane Ian.

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)

Kristin Coman, Senior Planner for the City reviewed a presentation on this variance request. The presentation is part of the meeting record. Exhibits included a certificate of completeness, an aerial

map, zoning map, property survey, site plan, photographs, variance conditions, details of the request, and staff findings.

She went on to review the three conditions that staff recommended for approval: 1) Areas to be removed per the plan shall be stabilized in accordance with LDC 22.4(f) and inspected by the Planning Department prior to issuance of Certificate of Occupancy (CO), 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, and 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.

Ms. Coman noted that five letters were received in support and none in objection.

General Contractor J. Scott Suarez of JSS Property Professionals appeared and provided a history of his company and details of the property renovations.

There was no public comment. The Vice Chair closed public comment and opened Board discussion.

Motion: Member Bomar moved, and Member Small seconded to approve the variance with the staff recommended conditions for Case No. 22038 as proposed; the motion carried 4-0.

- c. Variance, Practical Difficulty - 6815 Bay St. (Case No. 22050)** David and Rebekah Ogburn request 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))

Ms. Coman reviewed a presentation on this variance request. The presentation is part of the meeting record. Exhibits included a certificate of completeness, aerial map, zoning map, property survey, site plan, photographs, details of the request, variance conditions, and staff findings.

Staff found the request to be reasonable and that it would not have an adverse impact on the neighborhood. Recommendation was for approval.

Owner David Ogburn appeared to provide further details of the request.

One letter in support and one in objection were received from neighbors.

There was no public comment. The Vice Chair closed public comment and opened Board discussion.

Motion: Member Bomar moved, and Member Small seconded to approve the variance for Case No. 22050 as proposed; the motion carried 4-0.

- d. Variance, Practical Difficulty - 200 44th Ave. (Case No. 22056)** Ken and Lisa Amos request a Practical Difficulty 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 2 of 8' with 13' proposed. (LDC Sec. 6.13(5) (a-b))

Ms. Coman reviewed a presentation on this variance request. The presentation is part of the meeting record. Exhibits included a certificate of completeness, aerial map, zoning map, property survey, site plan, photographs, details of the request, variance conditions, and staff findings.

Staff found the request reasonable and recommended approval.

Owner Kenneth Ames appeared and provided additional details about the request

There was no public comment. The Vice Chair closed public comment and opened Board discussion.

Motion: Member Small moved, and Member Bomar seconded to approve the variance for Case No. 22056 as proposed; the motion carried 4-0.

- e. Variance, Practical Difficulty - 409 59th Ave. (Case No. 22049)** Craig Jackson for Andras and Andrea Fenyes, 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))

Ms. Coman reviewed a presentation on this variance request. The presentation is part of the meeting record. Exhibits included a certificate of completeness, aerial map, zoning map, property survey, site plan, photographs, variance conditions, request details, prior approvals, and staff findings. The previous variance request had expired and this is a reapplication.

Staff found the request to be reasonable given the prior approval of the similar proposal connected to Case No. 20039 and continue to find that it will not have an adverse impact on the neighborhood. Recommendation was for approval.

General Contractor Craig Jackson of 515 9th St. E., Bradenton, appeared on behalf of the owners. He explained that the work stopped under the previous contractor. He has met with engineers and redrawn the plans although the footprint remains the same. The Board members asked questions.

Three letters of objection were received.

Neighbor Holly Young of 529 59th Ave. appeared to speak about the negative effects of the property over the last nine years. It was abandoned in an unfinished state from 2014 until 2020, with overgrown vegetation, trash, and a boat trailer. She provided photos. The owners have not demonstrated any concern on the effects to the neighborhood to date. She asked how the property owners will be held accountable to move forward with a timely completion if the variance is granted.

Board questions and discussion followed. Attorney McConnell explained that removal of the required hearing notification could be grounds to continue the hearing. He also indicated that a Code Enforcement case can be initiated tomorrow for safety's sake and suggested that the Board require the owner to be present if the case is continued. Continuation beyond the next meeting would require re-noticing at the owner's expense.

Attorney McConnell requested a brief recess at 3:07 pm to check on any scheduled Code Enforcement hearings.

The Vice Chair reconvened the meeting at 3:13 PM. Mr. McConnell stated that this property is scheduled to come before the Special Magistrate on December 12th.

Further discussion followed. Contractor Jackson confirmed that he would comply as soon as possible with any code violation orders once he is requested by the owners to do so.

Motion: Member Chase moved, and Member Bomar seconded to continue the hearing for the variance for Case No. 22049 to November 30, 2022 for failure to have the correct sign notice present on the property; the motion carried 4-0.

5. Adjournment – The next meeting is 11/30/2022.

Member Chase moved and Member Bomar seconded adjournment at 3:25 PM.

These minutes will be considered for approval at the November 30, 2022 Board of Adjustment meeting.

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

Agenda Report

Issue Considered: **Variance, Practical Difficulty - 1020 Boca Ciega Isle Dr. (Case No. 22051)**

Date: November 30, 2022

Prepared By: Kristin Coman, Senior Planner

Through: Jennifer McMahon, Chief Operating Officer

Summary of Issue: Lauren Rubenstein, Esq. for Donald and Mary Shamblin requests to retain the installation of 4 elevated mini-splits that do not meet the side yard setback requirement of 7.5' with 4.9' and 2.8' proposed. (LDC Sec. 6.14 and Sec. 9.7(a)(3))

Funding: n/a

Requested Motion: Staff recommends motion to APPROVE Variance Case No. 22051 as proposed for the applicant to retain the installation of 4 elevated mini-splits that do not meet the side yard setback requirement of 7.5' with 4.9' and 2.8' proposed.

Attachments: 1. 22051 - Certificate of Completeness Package
 2. 22051 - Mini Split Location Plan
 3. 22051 - Staff Report



Memo To: Board of Adjustment
From: Kristin Coman, Senior Planner
Re: **CERTIFICATE OF COMPLETENESS**
Date: 8/23/2022

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**.

Owner: Donald and Mary Shamblin
Applicant/Agent: Lauren Rubenstein, Esq.
Parcel Number: 06.32-16-09594-001-0450
Address: 1020 Boca Ciega Isle Dr.
Zone: RU-2
Application Type: Practical Difficulty Variance
Variance Case Number: 22051

Submittal Documents:

1. Completed application form
2. Survey prepared by Murphy's Land Surveying, Inc. dated 1/28/22 consisting of 1 sheet
3. Reduced survey showing proposed mini split locations with dimensions and setbacks prepared by applicant, consisting of 1 sheet
4. Set of 3 photographs showing existing side yards from different vantage points, 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 via email | ☐ Building Official |
| ☐ Engineer | ☐ Fire Marshal |

Board Members:

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

Cc: Lauren Rubenstein, Esq., Applicant's Agent **via email** (lauren@denhardtlaw.com)
Donald and Mary Shamblin, Owner **via email** (knight_mary@yahoo.com,
deshamblin@yahoo.com)

CASE #: 22051
SUBMITTAL DATE: 8/17/22 AMOUNT DUE: \$518.20 PAYMENT DATE: 8-17-22
@ 10:38 am

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	Donald E. Shamblin II and Mary K. Shamblin	1020 Boca Ciega Isle Drive St. Pete Beach, FL 33706	727-612-5758
Applicant/ Agent	Lauren C. Rubenstein, Esquire	2700 First Avenue North St. Petersburg, FL 33713	727-327-3400
Owner Email Address: knight_mary@yahoo.com deshamblin@yahoo.com		Applicant/Agent Email Address: lauren@denhardtllaw.com	

PROPERTY FOR PROPOSED VARIANCE:

Zoning Designation RU-2	Future Land Use Designation RU- Residential Urban	Lot Area 75 x 120 (9,000 Sq. Ft)
Legal Description:	BOCA CIEGA ISLE BLK A, LOT 45 & W 25.53FT OF LOT 44	
Parcel ID:	06-32-16-09594-001-0450	
Address:	1020 Boca Ciega Isle Drive	
Explanation of Request: <u>This variances being sought are to reduce the side yard setbacks to allow four mini split units, installed on the sides of the home to remain. The variance being sought for the western side yard setback to it reduce the western side setback from 7.5 feet to 4.9 feet to allow two mini split units (mini split #1 and mini split #2) installed on the western side of the subject property to remain. The variance being sought for the eastern side yard setback is to reduce the eastern side setback from 7.5 feet to 2.8 feet to allow two mini split units (mini split #3 and mini split #4) installed on the eastern side of the subject property to remain.</u>		

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

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

SEE ATTACHED



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

SEE ATTACHED

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

SEE ATTACHED

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

SEE ATTACHED

Signature of Applicant: Dan Miller Date: 8/16/2022
Signature of Authorized Agent: Lauren Culenst Date: 8/17/22

For office use only:

Hearing Date: _____ Fees: _____

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



Findings Necessary for Granting Request

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

This variances being sought are to reduce the side yard setbacks to allow four mini split units, installed on the sides of the home to remain. The variance being sought for the western side yard setback to it reduce the western side setback from 7.5 feet to 4.9 feet to allow two mini split units (mini split #1 and mini split #2) installed on the western side of the subject property to remain. The variance being sought for the eastern side yard setback is to reduce the eastern side setback from 7.5 feet to 2.8 feet to allow two mini split units (mini split #3 and mini split #4) installed on the eastern side of the subject property to remain. The home, built in 1952, was built 6.29 feet from the western property line and 4.15 feet from the eastern property line. As a result, any equipment installed on the side walls of the home encroach into the required 7.5 foot side yard setback. This variance is minimal as it only applies to the mini splits; it does not apply to any solid or permanent structures that would materially alter the property. The roof overhang on the home already extends further than the mini splits themselves, and neighbors on both the western and eastern side of the home have 6-foot (or higher) fences, thus preventing any unsightliness or disturbance to the neighboring property.

All the mini split units extend approximately 16 inches off the wall of the home.

Mini split #1 is installed at an approximate height of 5.4 feet from the ground. Mini split #2 is installed at an approximate height of 5.7 feet from the ground. The western wall of the home is setback 6.29 feet (approximately 75.5 inches) from the western property line, thus already encroaching 1.21 feet (14.5 inches) into the current required setback area. Therefore, the total encroachment is approximately 2.54 feet (30.5 inches) into the setback of 7.5 feet.

Mini split #3 is installed at an approximate height of 5.7 feet from the ground. Mini split #4 is installed at an approximate height of 4.6 feet from the ground. The eastern wall of the home is setback 4.15 feet (approximately 49.9 inches) from the eastern property line, thus already encroaching 3.34 feet (40.1 inches) into the current required setback area. Therefore, the total encroachment on the eastern side is 4.7 feet (56.1 inches) into the setback of 7.5 feet.

Based on the abovementioned measurements, as shown in the attached photos depicting the mini splits and the attached survey, this variance seeks to reduce the western side setback from 7.5 feet to 4.9 feet, and the eastern side setback from 7.5 feet to 2.8 feet, to allow the four mini split units to remain. This reduction is minimal as it only applies to the mini splits, which are already well-concealed by the roof overhang/soffits, existing shrubbery, and the neighbors' 6-foot fences.

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. The mini splits located on the eastern side of the subject property are out of street view due to shrubbery, plus a 6-foot solid panel PVC fence exists on the eastern side of the property. On the western side, an 8 foot high wooden fence along the western property line blocks any view of the mini splits. Additionally, the

roof overhang/soffits extend further than the mini splits, thus preventing any unsightliness or disturbance to the neighboring property. Therefore, the mini splits are well-concealed and will not produce an adverse change in the character of the neighborhood.

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

It is possible that the City might allow the mini splits to be re-installed at a maximum of 18 inches above-grade without a variance. The property, however, is prone to severe flooding. Therefore, placing the mini splits at 18 inches from the ground would create an electrical hazard, leave the units near or underwater during any given storm, impede foot traffic and repair work, attract debris, and further interfere with the proper functioning of the units. Therefore, it is not feasible to obviate the difficulty by any other means than the requested variance.

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

The subject property was built in 1952 with very limited setbacks that do not comply with the current code. The mini splits were installed pursuant to industry standards, as they were placed out of the potential flood zone to prevent damage to the units, electrical hazards, and injury. Placing the mini splits a maximum of 18 inches above-grade would hinder the use of the units and create an electrical hazard in the event of flooding. The installer of the mini splits did not believe a permit was required for the installation of the mini splits as the mini splits are ductless systems, and therefore, the potential setback issue was not identified at the time of installation. This variance will serve the interest of justice as the mini splits will continue to conform to industry standards without posing a risk of damage or injury, and allow the property owner to air-condition the 1952 home utilizing mini split technology.



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.

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

DMKS 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.

DMKS 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.

DMKS 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.

DMKS 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.

DMKS 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.

DMKS 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.

Dan Miller
Signature of Applicant

8/16/2022
Date



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

I/WE DONALD EUGENE SHAMBLIN II / MARY KNIGHT SHAMBLIN
(print name of property owner)
hereby authorize LAREN REUBENSTEIN
(print name of agent)
to represent me/us in an application for VARIANCE
(type of application: variance, conditional use, zoning, etc.)

Donald Shamblin II
Signature of Owner

Mary Knight Shamblin
Signature of Owner

DONALD EUGENE SHAMBLIN II
Print Name of Owner

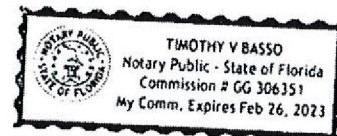
Mary Knight Shamblin
Print Name of Owner

The forgoing instrument was acknowledged before me this 16 day of
Aug ²⁰²²~~2021~~ by Donald Shamblin / Mary Knight Shamblin or who is
personally known _____ produced
FLDL's as identification.

Timothy V Basso
(Notary Signature)

8/16/22
(Date)

My Commission Expires 2-26-23



DEAR APPLICANT:

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

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

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

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





PUBLIC HEARING SIGN POSTING AFFIDAVIT

Applicant, Donal Eugene Spangrud / Mary Knight Spangrud, 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): Donal Eugene Spangrud / Mary Knight Spangrud

Address: 1020 BKA CREEK DRIVE SAND PEE BEACH, FL 33706

Donal Eugene Spangrud
Signature

8/16/22
Date

STATE OF FLORIDA)
) SS:
PINELLAS COUNTY)

The foregoing instrument was acknowledged before me this 16 day of Aug, 2022 by:
Donal Eugene Spangrud who appeared before me, and is personally known to me, or has produced
FLDL as identification, and did take an oath.

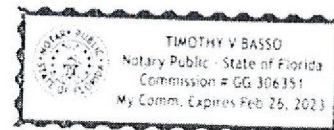
My commission Expires: 2-26-23

NOTARY: Timothy V Basso

Print Name: Timothy V Basso Notary

Public, State of Florida

(Notarial Seal)



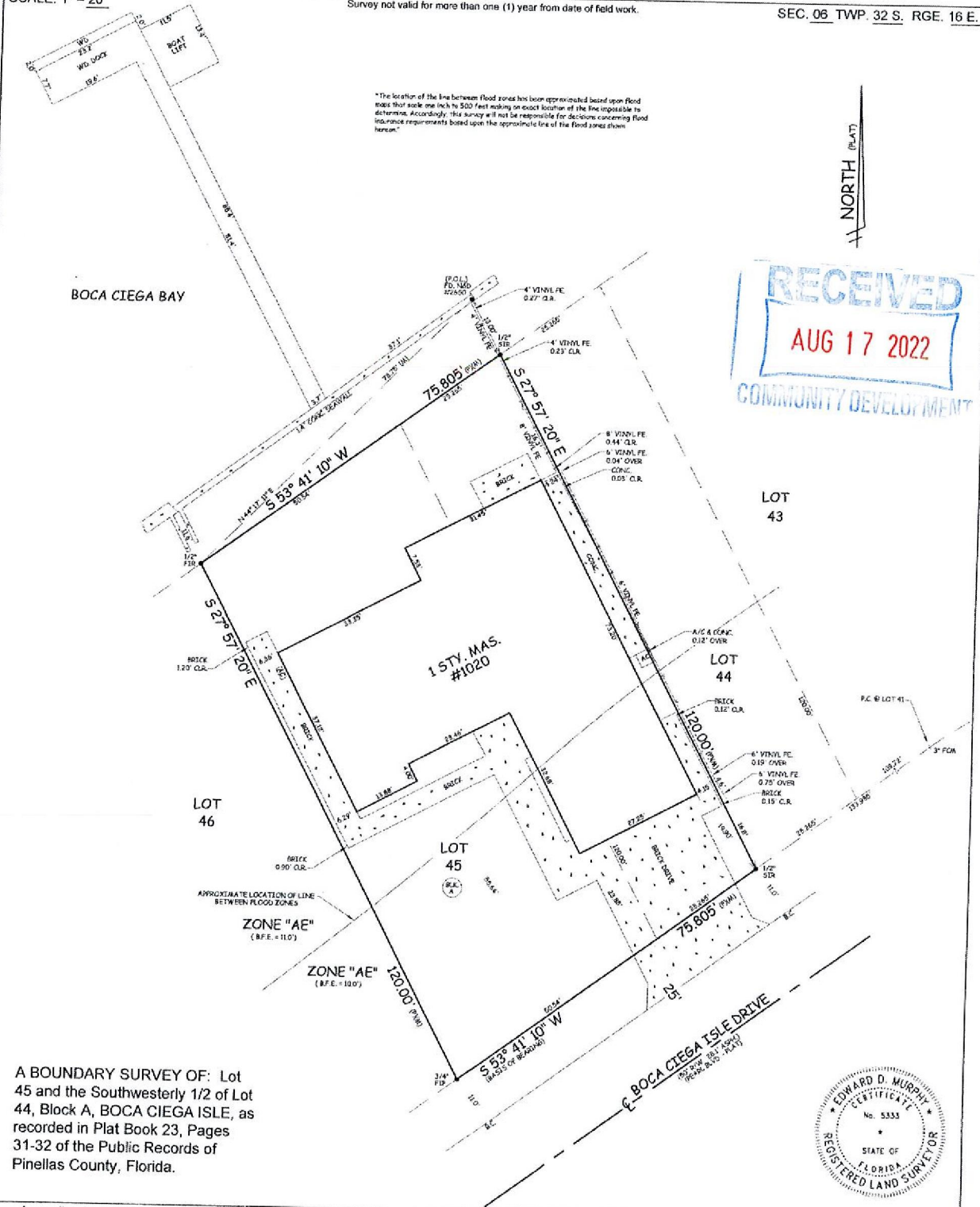
JOB NO: 220056		MURPHY'S LAND SURVEYING, INC. PROFESSIONAL LAND SURVEYORS 5760 11TH AVENUE NORTH ST. PETERSBURG, FLORIDA 33710 WWW.MURPHYSLANDSURVEYING.COM	L.B. #7410
DRAWN BY: MRB	CHECKED BY: EDM		PH. (727) 347-8740
DATE OF FIELD WORK: 1/28/2022			FAX (727) 344-4640

CERTIFIED TO: Donald E. Shamblin and Mary K. Shamblin

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.

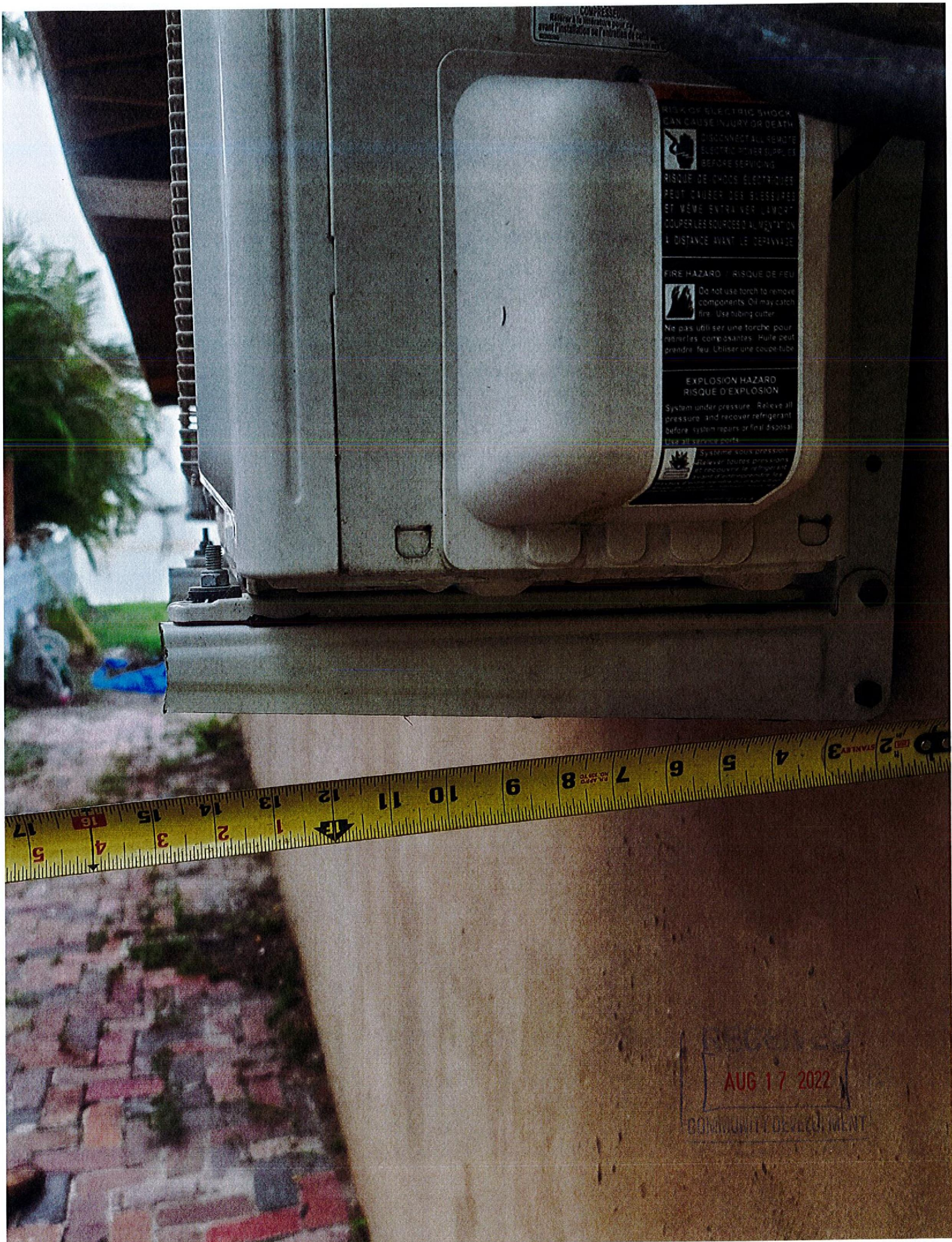


A BOUNDARY SURVEY OF: Lot 45 and the Southwesterly 1/2 of Lot 44, Block A, BOCA CIEGA ISLE, as recorded in Plat Book 23, Pages 31-32 of the Public Records of Pinellas County, Florida.

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' - 11.0'

FOR THE EXCLUSIVE USE OF THE HEREIN 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 54.17, 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 MOBILE HOMES. ANY TYPE OF FLOOD WORK AND NOT VALID UNLESS EMBOSSED WITH SURVEYOR'S SEAL. BEARING SHOWN ARE BASED ON PLAT, UNLESS OTHERWISE NOTED.

LEGEND:
 F.P. - FOUND CONCRETE MONUMENT
 F.C.M. - FOUND CONCRETE MONUMENT
 S.I.R. - SET IRON ROD 1/2" DIA #410
 P.R.C. - POINT OF REVERSE CURVATURE
 P.C. - POINT OF CURVATURE
 P.M. - PERMANENT REFERENCE MONUMENT
 N.A.V.D. - NORTH AMERICAN VERTICAL DATUM OF 1988
 F.D. - FOUND
 N.D. - NAIL AND DISK
 P.O.L. - POINT OF LINE
 P.C. - POINT OF CURVATURE
 P.T. - POINT OF TANGENCY
 P.I. - POINT OF INTERSECTION
 F.E. - FENCE
 C.L.F. - CHAIN LINK FENCE
 A.A. - ADJACENT
 R. - RADII
 A - ARC
 C - CHORD
 Δ - DELTA
 RW - RIGHT OF WAY
 # - NUMBER
 MAS - MASONRY
 F.M. - FRAME
 G.B. - GATE BASIN
 F.H. - FIRE HYDRANT
 M.D. - METAL DISK
 ALUM. - ALUMINUM
 W.H. - WATER HEATER
 P.S. - PATIO STONE
 C.P. - CARPORT
 P.L. - PLANTER
 B.C. - BACK OF CURB
 E.P. - EDGE OF PAVEMENT
 F.E. - EDGE OF ROAD
 E.O.W. - EDGE OF WATER
 T.O.B. - TOP OF BANK
 W.W. - WING WALL
 C. - CENTERLINE
 RW - RIGHT OF WAY
 P. - PLAT
 C. - CALCULATION
 D. - DEED
 M. - MEASURED
 N. - NORTH
 S. - SOUTH
 E. - EAST
 W. - WEST
 E.S. - EASEMENT
 M.V. - MANHOLE
 CONG. - CONCRETE
 CLR. - CLEAR
 C.C. - CULMIN
 W.D. - WOOD
 S.W. - SEAWALL
 A.S. - ASPHALT
 U.T. - UTILITY
 D.R. - DRAINAGE
 O.H. - OVERHANG
 GAR. - GARAGE
 C.W. - COVERED WOOD
 C.P.S. - COVERED PATIO STONE
 C.C. - COVERED CONCRETE
 A.C. - AIR COND TOWER
 S.P. - SCREENED PORCH
 O.P. - OVERHEAD POWER LINES
 T.T. - OVERHEAD TELEPHONE LINES
 P.P. - POWER POLE
 T.B.M. - TEMPORARY BENCH MARK





RECEIVED
AUG 17 2022
COMMUNITY DEVELOPMENT





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

PLANNING DEPARTMENT

Date: September 13, 2022
To: Board of Adjustment
Re: Variance Case No: 22051
Practical Difficulty Variance
Address: 1020 Boca Ciega Isle Dr.
Parcel Number: #06-32-16-09594-001-0450
Lauren Rubenstein, Esq. for Donald and Mary Shamblin, 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. Completed application form
2. Survey prepared by Murphy's Land Surveying, Inc. dated 1/28/22 consisting of 1 sheet
3. Reduced survey showing proposed mini split locations with dimensions and setbacks prepared by applicant, consisting of 1 sheet
4. Set of 3 photographs showing existing side yards from different vantage points, no date provided.

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

Site Description/Surrounding Land Uses

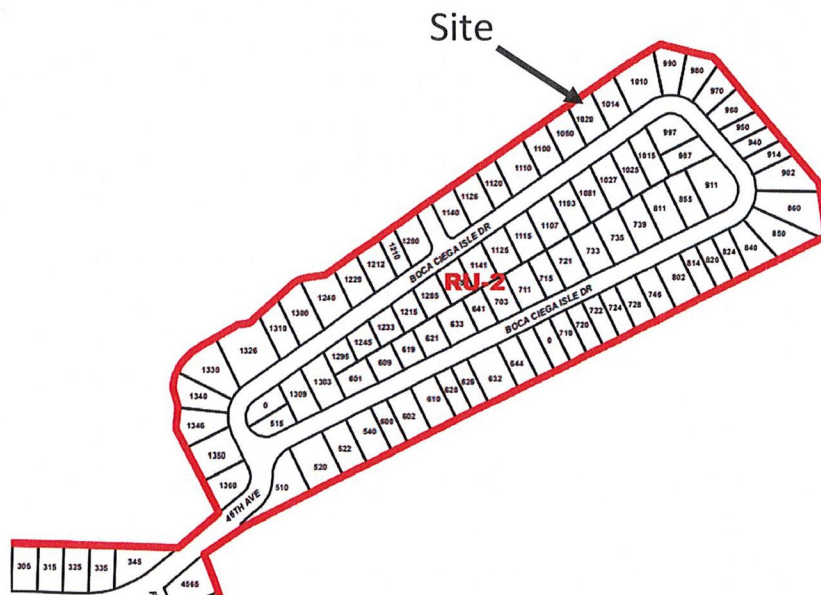
The subject site is a 9,096 sq. ft. (approx. 0.21 acre) parcel located at 1020 Boca Ciega Isle Dr. known as parcel number #06-32-16-09594-001-0450 and legal description BOCA CIEGA ISLE BLK A, LOT 45 & W 25.53FT OF LOT 44 within the both the AE-Elevation 10 and AE-Elevation 11 flood zones. The property 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 1952 according to the Pinellas County Property Appraiser. It is located towards the northeastern portion of Boca Ciega Isle, with the closest intersection approximately 1,800 feet southwest to 46th Avenue. It is a waterfront parcel surrounded by single family dwelling uses to the east, west and south and Boca Ciega Bay to the north. The site is improved with a one-story dwelling with brick driveway and walkways and dock with lift.

Figure 1: Aerial Photography



Source: Pinellas County Property Appraiser

Figure 2: Zoning Map



Source: City of St. Pete Beach Official Zoning Map Page 10 of 15, dated 7/20/2012

Request

The applicant is requesting variance relief for side yard setback requirements to allow the installation of four (4) elevated mini split air conditioning units to remain. The two units installed on the western side of the dwelling to reduce the setback to 4.9' where 7.5' is required and the two units installed on the eastern side of the dwelling to reduce the setback to 2.8' where 7.5' is required.

Analysis

New variances required as a result of the proposed changes:

1. Minimum side yard setback where a 7.5' minimum is required, 6.29' (west) and 4.15' (east) exist, and 4.9' (west) and 2.8' (east) are proposed. (LDC 9.7(a)(3))

Figure 3: Zoning Table			
Detached, Single-Family Residential	1020 Boca Ciega Isle Dr.		
	<u>RU-2 Required</u>	<u>Existing</u>	<u>Proposed</u>
Lot Area (Min.)	6,000 sq. ft.	9,096 sq.ft	No Change
Lot Width (Min.)	60'	75.8	No Change
Front Yard Setback (Min.)	20'	20'	No Change
Secondary Front Yard Setback (Min.)	10'	n/a	n/a
Side Yard Setback (Min.)	7.5' (10% of lot width)	6.29'* West, 4.15'* East	4.9' West (v), 2.8' East (v)
Rear Yard Setback (Min.)	20'	22'	No Change
ISR (Max.)	0.70	0.54	No Change
Height (Max.)	30'	not provided, dwelling is currently one-story	not provided, dwelling is currently one-story
*Denotes existing non-conformity (v) = Variance required			

Figure 4: Existing Survey

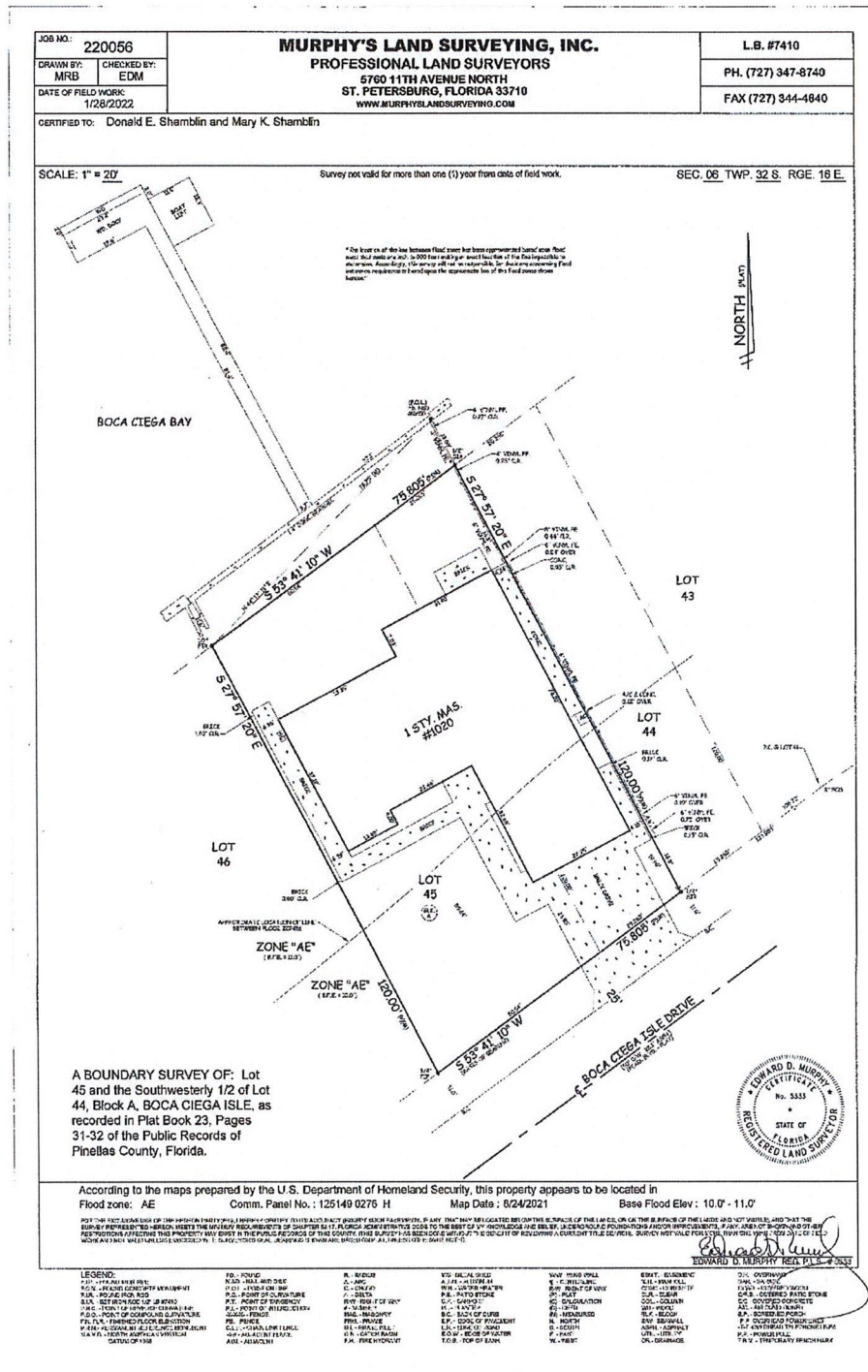
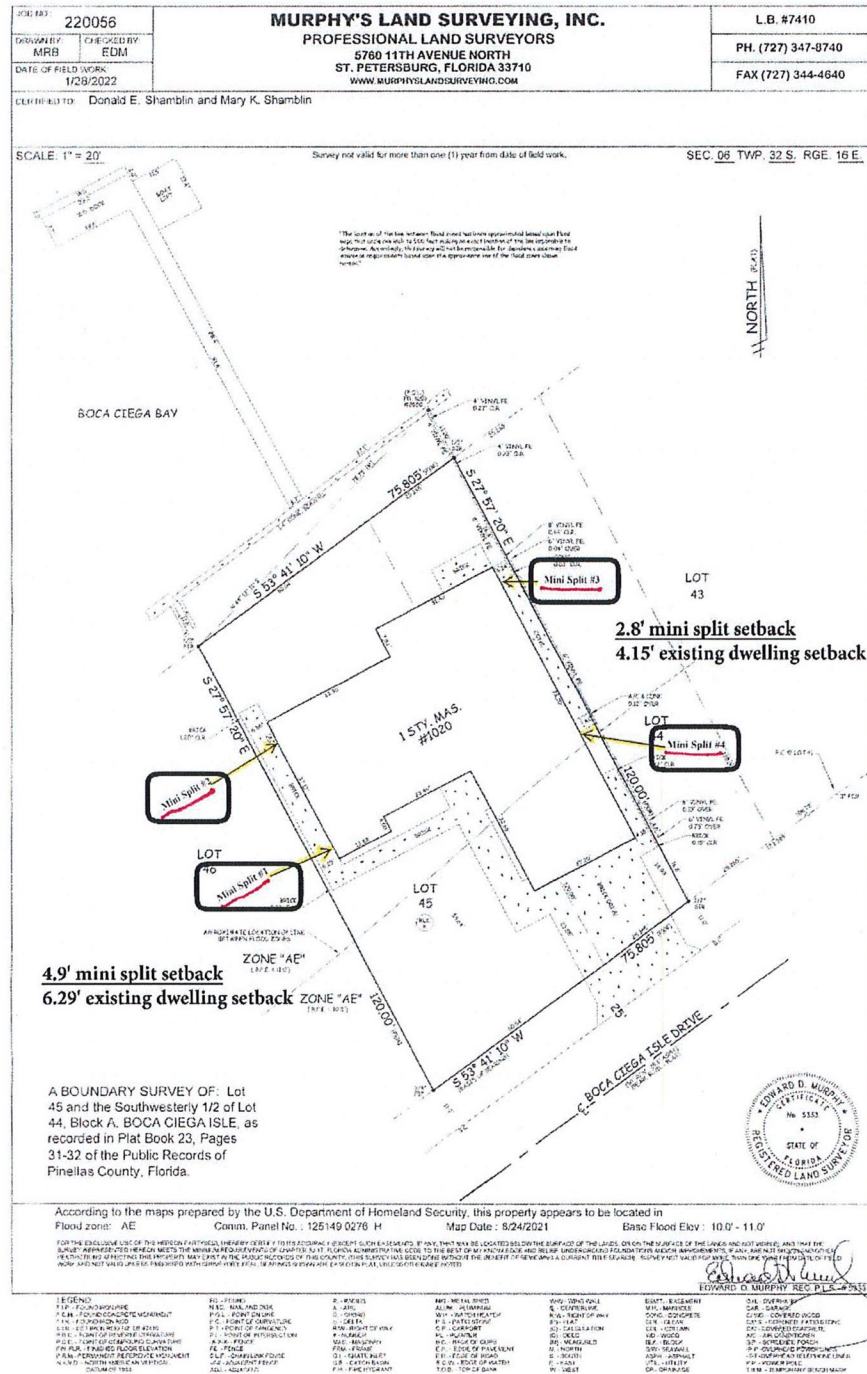


Figure 5: Survey with elevated mini split unit locations (N.T.S.)



Additional Comments

It should be noted that Sec. 6.14 of the Land Development Code specifically addresses the encroachment of certain specified ancillary residential equipment into required yards where equipment that is not at grade shall not encroach into any required front or side yard setback.

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 4.9' western side yard setback where 7.5' is required representing a variance of 43% from the required standard. The request of a 2.8' eastern side yard setback where 7.5' is required represents a variance of 63% from the required standard.

- 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 locations of the elevated mini splits are located such that they are not visible from the front yard of the property and are screened from both adjoining neighbors due to current landscaping and existing fencing.

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

Staff identifies the existing side yard setbacks of the dwelling do not meet the required 7.5' and would be considered non-conforming with the existing western side yard setback of 6.29' and eastern side yard setback of 4.15'.

Sec. 6.14 of the LDC allows for the at grade installation of ancillary residential equipment to extend within 3' of the property line provided that it is adequately shielded from the adjoining property by either a solid enclosure or solid fence or wall. Picture submitted from the applicant indicates the depth of the mini split of 18" and if installed on grade would meet the 3' setback for the western property line but the eastern still further encroach into the current non-conforming eastern required setback which would still require setback relief.

- 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 locations of the 4 mini splits meet the requirements of screening mini proposed structure will not increase the impervious surface ratio (ISR) and all other setback requirements will be met minus the waterfront yard requirement.

Recommendation

Staff find the request is reasonable given the existing nonconforming setbacks and 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: Lauren Rubenstein, Esq., Applicant's Attorney **via email** (lauren@denhardtlaw.com)
Donald and Mary Shamblin, Owner **via email** (deshamblin@yahoo.com)
Board of Adjustment Attorney

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

Agenda Report

Issue Considered: **Variance, Practical Difficulty - 260 43rd Ave.
(Case No. 22067)**

Date: November 30, 2022

Prepared By: Kristin Coman, Senior Planner

Through: Jennifer McMahon, Chief Operating Officer

Summary of Issue: Julia Montemuino for Dennis Convery requests to construct a 28' x 15', 9' high patio cover that does not meet the side yard setback requirement of 6' with 4.5' proposed. (LDC Sec. 6.13(3)(a))

Funding: n/a

Requested Motion: Motion to APPROVE Variance Case No. 22067 as presented to construct a 28' x 15', 9' high patio cover that does not meet the side yard setback requirement of 6' with 4.5' proposed.

Attachments: 1. 22067 - Certificate of Completeness with Submittal Docs
 2. 22067 - Existing Survey and Proposed
 3. 22067 - Building Plans
 4. 22067 - Staff Report



Memo To: Board of Adjustment
From: Kristin Coman, Senior Planner
Re: **CERTIFICATE OF COMPLETENESS**
Date: 10/27/2022

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 **November 30, 2022**.

Owner: Dennis Convery
Applicant/Agent: Julia Montemunio
Parcel Number: 07-32-16-07398-004-0280
Address: 260 43rd Ave., St. Pete Beach, FL 33706
Zone: RU-2
Application Type: Practical Difficulty Variance
Variance Case Number: 22067

Submittal Documents:

1. Completed application form.
2. Survey prepared by Murphy's Land Surveying, Inc. dated 4/26/21 consisting of 1 sheet showing existing site improvements.
3. Survey prepared by Murphy's Land Surveying, Inc. dated 4/26/21 consisting of 1 sheet showing proposed 28' x 15', 9' high patio cover with ISR, dimensions and setbacks noted.
4. Construction plans prepared by Florida Engineering LLC consisting of 5 sheets dated 7/1/22, last revised 9/14/22.
5. Color photo prints (quantity 6) of rear and side yards of property, 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 | ☐ City Manager |

Board Members:

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

Cc: Dennis Convery, Owner *via email* (dconvery19@aol.com)
Julia Montemuino, Applicant *via email* (jmontemuino7@gmail.com)

CASE #:

22067

\$537.10 (total)

+250.10

SUBMITTAL DATE:

10/19/22

AMOUNT DUE:

+257.00 pdl
(cash)

PAYMENT DATE:

10/19/22

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	Dennis Convery	260 43rd Ave, St Pete Beach, FL 33706, USA	416-821-9031
Applicant/ Agent	Julia Montemuino	4520 Preston Woods Dr, Valrico FL 33596	4145501298

Owner Email Address: dconvery19@gmail.com	Applicant/Agent Email Address: jmontemuino7@gmail.com
--	--

PROPERTY FOR PROPOSED VARIANCE:

Zoning Designation NE RU-2	Future Land Use Designation public cover RU	Lot Area 28 7,200 sqft
Legal Description:	BELLE VISTA BEACH 1ST ADD BLK D, LOT 28	
Parcel ID:	07/32/16/07398/004/0280	
Address:	260 43rd Ave, St Pete Beach, FL 33706, USA	
Explanation of Request: left side setback to be 4.5 ^{4.5} instead of 5'. Unable to reduce size due to pool equipment interfering with attachment of structure		
Structure is 28' x 15', setback 1: 44', setback (side): 4.5'		
9' height		

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;

Unable to build structure without variance; pool equipment interferes if size of the structure gets reduced.

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

No

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

No

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

Yes, the structure will align with the house and the existing setback will apply to the proposed structure: 4.23'

Signature of Applicant	Date	Signature of Authorized Agent	Date
	8/23/2022	<i>Julia Montemurino</i>	8/23/2022

For office use only:

Hearing Date: _____ Fees: _____

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

VARIANCE APPLICATION

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

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

DC 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.

DC 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.

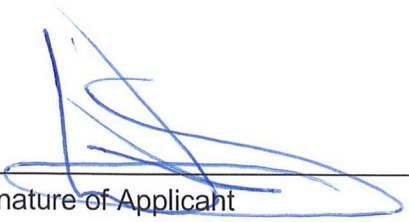
DC I understand that if a variance is approved by the BOA, City Commission or City Manager, the applicant is required to obtain the appropriate building permits within 1 year from the date of the decision. If no permit is obtained within 1 year, the approval becomes voided.

DC 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.

DC 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.

DC 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

8/23/2022
Date



PUBLIC HEARING SIGN POSTING AFFIDAVIT

Applicant, Dennis Convery, 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): Dennis Convery

Address: 260 43rd Ave, St Pete Beach, FL 33706, USA

[Signature] 8/23/2022
Signature Date

STATE OF FLORIDA)
) SS:
PINELLAS COUNTY)

The foregoing instrument was acknowledged before me this _____ day of _____, 2021 by:
Dennis Convery who appeared before me, and is personally known to me, or has produced
[Signature] as identification, and did take an oath.

My commission Expires: no expiring

NOTARY:

Print Name: Stuart Kirk Notary

905 317 8669

Public, State of Florida

(Notarial Seal)

Owner's Authorization for Agent

Community Development Department

City of St. Pete Beach, Florida

I/WE

DENNIS CONVERY, LAURA LITTLE
(print name of property owner)

hereby authorize

JULIA MONTEMUINO
(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

[Signature]
Signature of Owner

DENNIS CONVERY
Print Name of Owner

Laura Little
Print Name of Owner

The forgoing instrument was acknowledged before me this 30th day of August 2021 by Dennis Convery, Laura Little or who is personally known [Signature] produced [Signature] as identification.

[Signature]
(Notary Signature)

905 317 8449

Aug 30, 2022
(Date)

My Commission Expires No expiring

JOB NO.: 210667		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: 4/26/2021			FAX (727) 344-4640

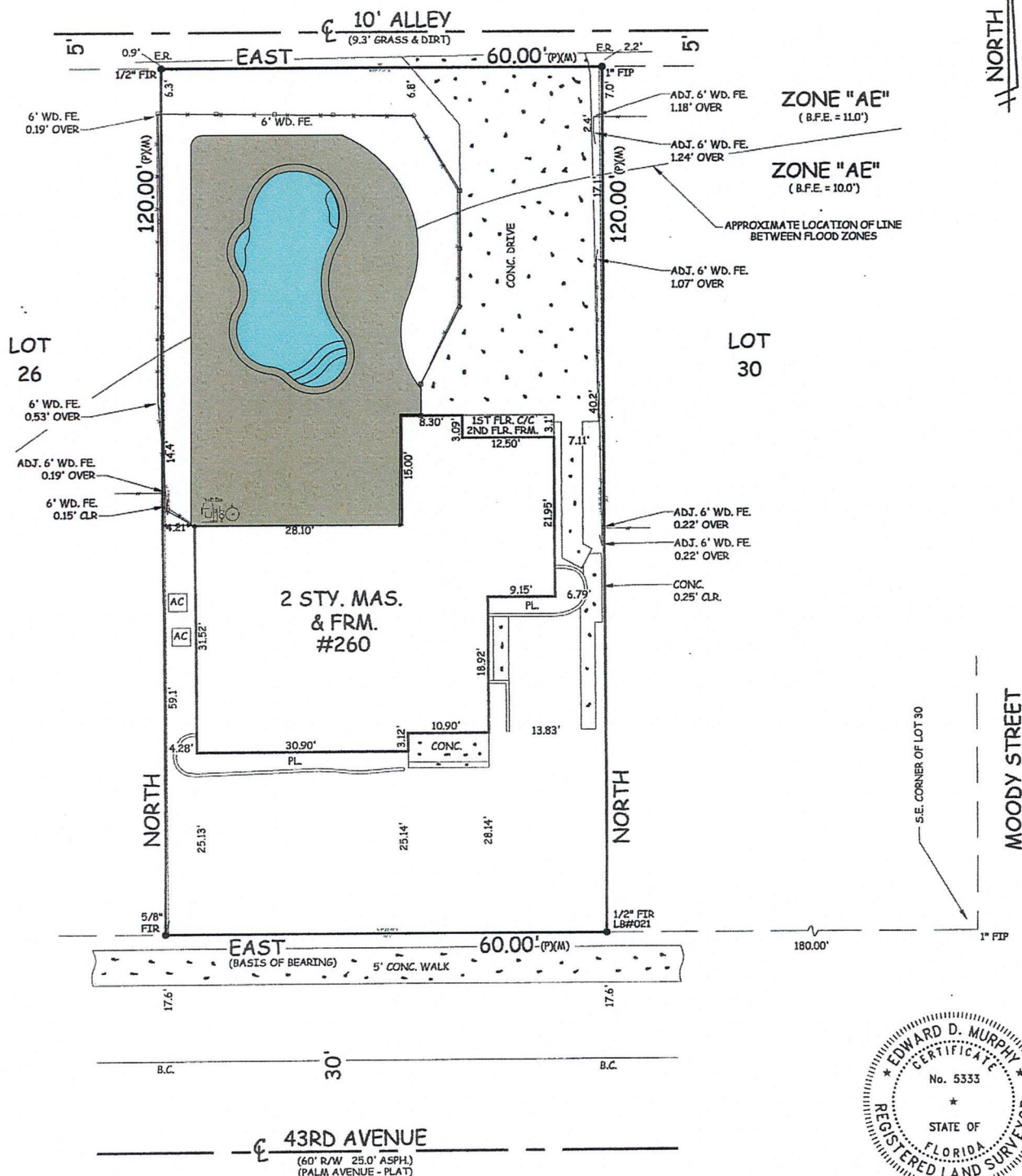
CERTIFIED TO: Dennis Convery

SCALE: 1" = 20'

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

SEC. 07 TWP. 32 S. RGE. 16 E.

"The location of the line between flood zones has been approximated based upon flood maps that scale one inch to 500 feet making an exact location of the line impossible to determine. Accordingly, this survey will not be responsible for decisions concerning flood insurance requirements based upon the approximate line of the flood zones shown hereon."



A BOUNDARY SURVEY OF: Lot 28, Block D, 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 : 10.0' - 11.0'

FOR THE EXCLUSIVE USE OF THE HEREON PARTY(IES), I HEREBY CERTIFY TO ITS ACCURACY (EXCEPT SUCH EASEMENTS, IF ANY, THAT MAY BE LOCATED BELOW THE SURFACE OF THE LANDS, OR ON THE SURFACE OF THE LANDS AND NOT VISIBLE), AND THAT THE SURVEY REPRESENTED HEREON MEETS THE MINIMUM REQUIREMENTS OF CHAPTER 53-17, FLORIDA ADMINISTRATIVE CODE TO THE BEST OF MY KNOWLEDGE AND BELIEF. UNDERGROUND FOUNDATIONS AND/OR IMPROVEMENTS, IF ANY, ARE NOT SHOWN AND OTHER RESTRICTIONS AFFECTING THIS PROPERTY MAY EXIST IN THE PUBLIC RECORDS OF THIS COUNTY (THIS SURVEY HAS BEEN DONE WITHOUT THE BENEFIT OF REVIEWING A CURRENT TITLE SEARCH). SURVEY NOT VALID FOR MORE THAN ONE YEAR FROM DATE OF FIELD WORK AND NOT VALID UNLESS EMBOSSED WITH SURVEYOR'S SEAL. BEARINGS SHOWN ARE BASED ON PLAT, UNLESS OTHERWISE NOTED.

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

LEGEND:
 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
 E.M. - EMBOSSED WITH SURVEYOR'S SEAL

FD - FOUND
 N.A.D. - NAIL AND DISK
 P.O.L. - POINT ON LINE
 P.C. - POINT OF CURVATURE
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 P.I. - POINT OF INTERSECTION
 X-X-X - FENCE
 FF - FENCE

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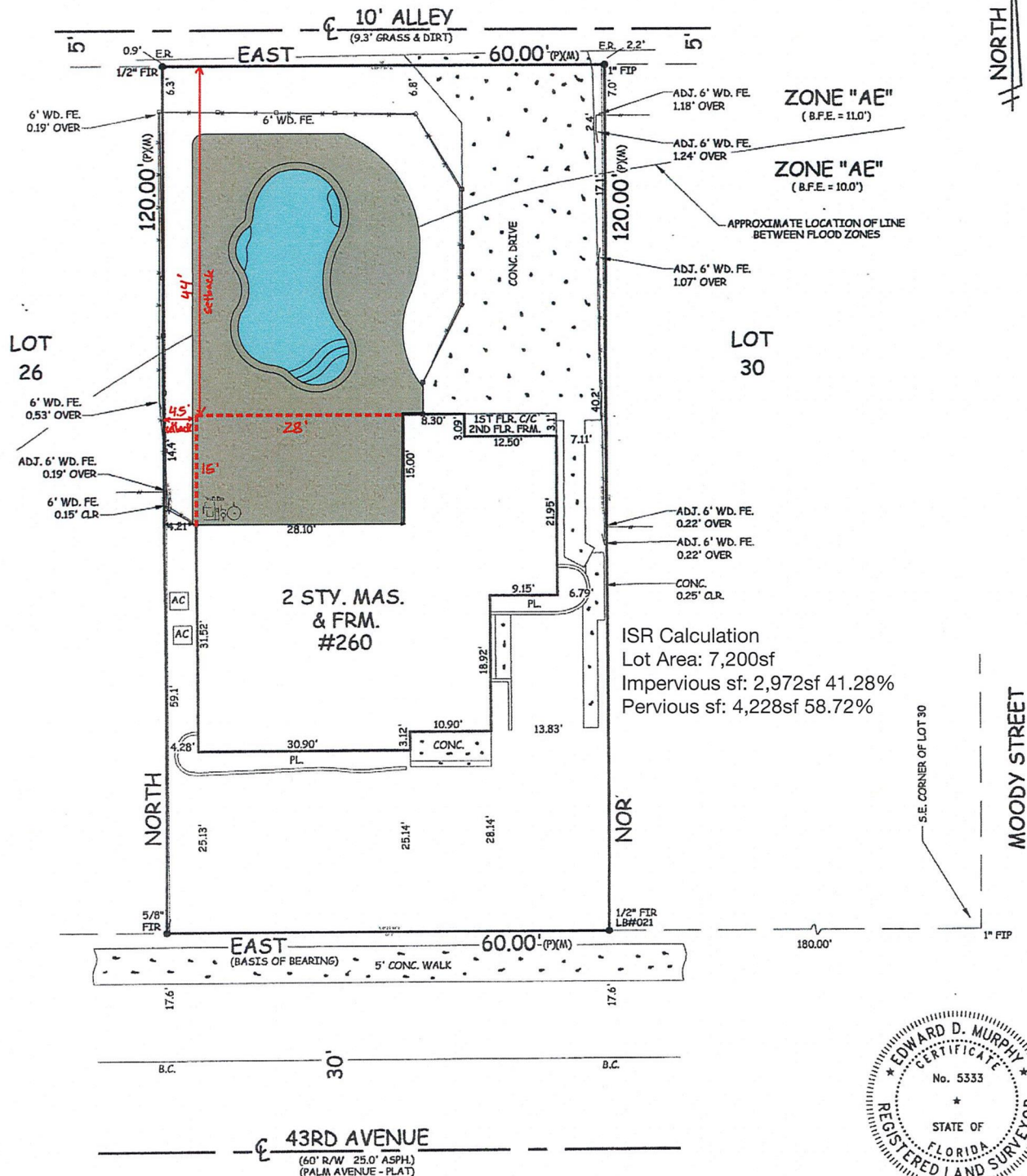
1/16" = 1 ft

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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 C.M. - COMPOUND CURVATURE	F.D. - 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 FF - FINISH	R. - RADIUS A. - ARC C. - CHORD Δ - DELTA R/W - RIGHT OF WAY # - NUMBER M.S. - MASONRY FRM. - FRAME	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	W.W. - WING WALL C. - CENTERLINE R/W - RIGHT OF WAY (P) - PLAT (C) - CALCULATION (D) - DEED (M) - MEASURED N. - NORTH	ESM.T. - EASEMENT M.H. - MANHOLE CONC. - CONCRETE CLR. - CLEAR COL. - COLUMN WD. - WOOD BLK. - BLOCK S/W - SEAWALL	O.H. - OVERHANG GAR. - GARAGE C/W. - 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
--	---	--	---	--	---	---







GENERAL NOTES

DESIGN CRITERIA:

- APPLICABLE CODES, REGULATIONS & STANDARDS:
- 1. THE 2020 FLORIDA BUILDING CODE, 7TH EDITION SPECIFICALLY CHAPTER 16 STRUCTURAL DESIGN, CHAPTER 20 ALUMINUM
 - 2. ASCE 7-16 & SEI7
 - 3. ACI318 CONCRETE REFERENCE MANUAL.
 - 4. AA ASM 35 & AA ADM 1
 - 5. AAF GUIDE TO ALUMINUM CONSTRUCTION IN HIGH WIND AREAS.

- WIND LOADS:
- 1. FBC TABLE 1604.5, RISK CATEGORY = I
 - 2. FBC SEC 1609.4, EXPOSURE CATEGORY = D
 - 3. FBC SEC 1609.3, ULTIMATE DESIGN WIND SPEED = 140 MPH

DESIGN NOTES:

ALLOWABLE DESIGN PRESSURES UTILIZED IN THIS DOCUMENT HAVE BEEN CALCULATED PER THE REQUIREMENTS OF THE FLORIDA BUILDING CODE 7TH EDITION (2020) & ASCE 7-16 USING ALLOWABLE STRESS DESIGN METHODOLOGY WITH THE CRITERIA AS OUTLINED HEREIN. THE CONTRACTOR SHALL CONTACT THE AUTHORITY HAVING JURISDICTION TO ENSURE APPROPRIATE CRITERIA TO BE USED BEFORE CONSTRUCTION BEGINS. THE SYSTEM HAS NOT BEEN DESIGNED TO WITHSTAND CONCETRATED LOADS FROM HUMAN ACTIVITY.

DRAWING INDEX

SHEET NO.	DESCRIPTION
G01	GENERAL NOTES
S01	STRUCTURAL PLAN
F01	FOUNDATION PLAN
D01	ROOF & PROJECTION BEAM DETAILS
D02	POST & MAIN BEAM DETAILS

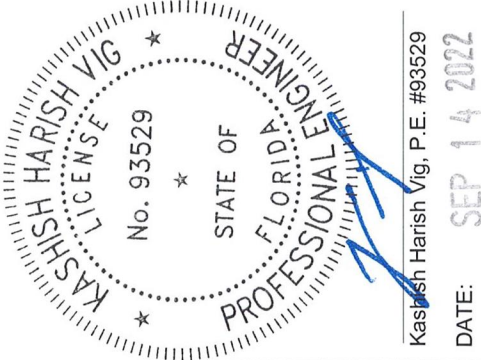
GENERAL NOTES:

- 1. THIS DOCUMENT SHALL NOT BE USED OR REPRODUCED WITHOUT THE ORIGINAL SIGNATURE & RAISED SEAL OF CRAIG E. GUNDERSON, P.E. ALTERATIONS, ADDITIONS OR OTHER MARKINGS TO THIS DOCUMENT ARE NOT PERMITTED AND INVALIDATE OUR CERTIFICATION. PHOTOCOPIES AND UNSEALED DOCUMENTS ARE NOT TO BE ACCEPTED.
- 2. THIS STRUCTURE HAS BEEN DESIGNED AND SHALL BE FABRICATED IN ACCORDANCE WITH THE STRUCTURAL PROVISIONS OF THE FLORIDA BUILDING CODE SEVENTH EDITION (2020). STRUCTURE SHALL BE FABRICATED IN ACCORDANCE WITH ALL GOVERNING CODES. CONTRACTOR SHALL INVESTIGATE AND CONFORM TO ALL LOCAL BUILDING CODE AMENDMENTS WHICH MAY APPLY AND GOVERN. DESIGN CRITERIA OR SPANS BEYOND STATED HEREIN MAY REQUIRE ADDITIONAL SITE SPECIFIC SEALED ENGINEERING.
- 3. NO 33-1/3% INCREASE IN ALLOWABLE STRESS HAS BEEN USED IN THE DESIGN OF THIS SYSTEM. WIND LOAD DURATION FACTOR Cd=1.6 HAS BEEN USED FOR WOOD ANCHOR DESIGN.
- 4. THE ARCHITECT/ENGINEER OF RECORD FOR THE PROJECT SUPERSTRUCTURE WITH WHICH THIS DESIGN IS USED SHALL BE RESPONSIBLE FOR THE INTEGRITY OF ALL SUPPORTING SURFACES TO THIS DESIGN WHICH SHALL BE COORDINATED BY THE PERMITTING CONTRACTOR.
- 5. THE CONTRACTOR SHALL CAREFULLY CONSIDER POSSIBLE IMPOSING LOADS ON ROOF, INCLUDING BUT NOT LIMITED TO ANY CONCENTRATED LOADS WHICH MAY JUSTIFY GREATER DESIGN CRITERIA. THIS ADDITIONAL ROOF LOAD CRITERIA SHALL BE PROPERLY ANALYZED BY A LICENSED ENGINEER OR REGISTERED ARCHITECT.
- 6. ALL FASTENERS TO BE #12 SAE GRADE 2 OR STAINLESS STEEL 304 UNLESS NOTED OTHERWISE. FASTENERS SHALL BE CADMIUM-PLATED OR OTHERWISE CORROSION-RESISTANT MATERIAL AND SHALL COMPLY WITH "SPECIFICATIONS FOR ALUMINUM STRUCTURES" BY THE ALUMINUM ASSOCIATION, INC., & ANY APPLICABLE FEDERAL, STATE, AND/OR LOCAL CODES.
- 7. FOR ALUMINUM MEMBERS ALL ANCHORS SHALL BE SPACED WITH 2xDIAMETER END DISTANCE AND 2.5xDIAMETER MIN. SPACING TO ADJACENT ANCHORS, UNLESS NOTED OTHERWISE.
- 8. ANCHORS SHALL BE INSTALLED IN ACCORDANCE WITH MANUFACTURERS' RECOMMENDATIONS. MINIMUM EMBEDMENT SHALL BE AS NOTED HEREIN. MINIMUM EMBEDMENT AND EDGE DISTANCE EXCLUDES STUCCO, FOAM, BRICK, AND OTHER WALL FINISHES.
- 9. ALL CONCRETE ANCHORS SHALL BE INSTALLED TO NON-CRACKED CONCRETE ONLY.
- 10. WOOD HOST STRUCTURE & ALL WOOD MEMBERS SHALL BE "SOUTHERN YELLOW PINE" G=0.55 OR GREATER DENSITY.
- 11. THE CONTRACTOR IS RESPONSIBLE TO INSULATE ALL MEMBERS FROM DISSIMILAR MATERIALS TO PREVENT ELECTROLYSIS.
- 12. ALL ALUMINUM SHALL BE 6005-T5 ALLOY AND TEMPER UNLESS NOTED OTHERWISE.
- 13. ALL STEEL ANGLES SHALL BE ASTM A1011 OR A653 GRADE 50 (Fy=50 KSI, Fu=65 KSI) OR BETTER.
- 14. ALL CONCRETE AND EPOXY TO REACH A MINIMUM COMPRESSIVE STRENGTH OF 3000 PSI IN 7 DAYS.
- 15. ENGINEER SEAL AFFIXED HERETO VALIDATES STRUCTURAL DESIGN AS SHOWN ONLY. USE OF THIS SPECIFICATION BY CONTRACTOR, et. al. INDEMNIFIES & SAVES HARMLESS THIS ENGINEER FOR ALL COST & DAMAGES INCLUDING LEGAL FEES & APPELLATE FEES RESULTING FROM MATERIAL FABRICATION, SYSTEM ERECTION, & CONSTRUCTION PRACTICES BEYOND THAT WHICH IS CALLED FOR BY LOCAL, STATE, & FEDERAL CODES & FROM DEVIATIONS OF THIS PLAN.
- 16. EXCEPT AS EXPRESSLY PROVIDED HEREIN, NO ADDITIONAL CERTIFICATIONS OR AFFIRMATIONS ARE INTENDED.
- 17. ALTERATIONS, ADDITIONS, HIGHLIGHTING, OR OTHER MARKINGS TO THIS DOCUMENT ARE NOT PERMITTED AND INVALIDATE THIS CERTIFICATION.

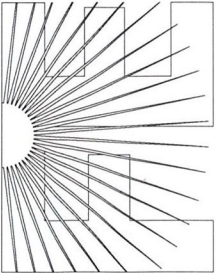
SYSTEM NOTES:

PATIO COVER SHALL BE INSTALLED PER MANUFACTURER'S SPECIFICATION ISSUED BY RENAISSANCE PATIO.

REFER TO AFOREMENTIONED MANUFACTURER ISSUED ASSEMBLY MANUAL FOR ALL CONNECTION DETAILS THAT ARE NOT ILLUSTRATED HEREIN.



FLORIDA ENGINEERING LLC
4161 TAMiami TRAIL, UNIT 101
PORT CHARLOTTE, FLORIDA 33952
(941) 391-5980
www.flengineeringllc.com



CA CERT. #30782

PROJECT NO. 2209650 -3

CONTRACTOR:
TERRACE CONTRACTING
SERVICES

PROJECT ADDRESS:
CONVERY
260 43RD AVE
ST PETE BEACH FL 33706

DESIGN DATE: 04/08/2022

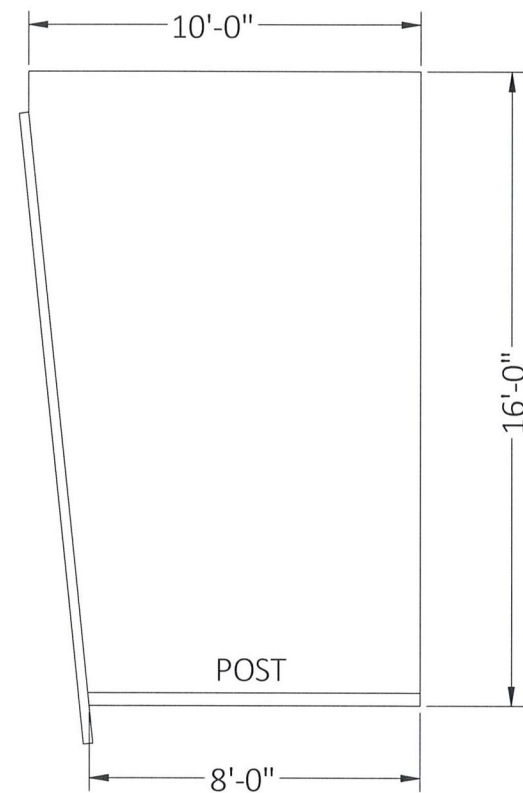
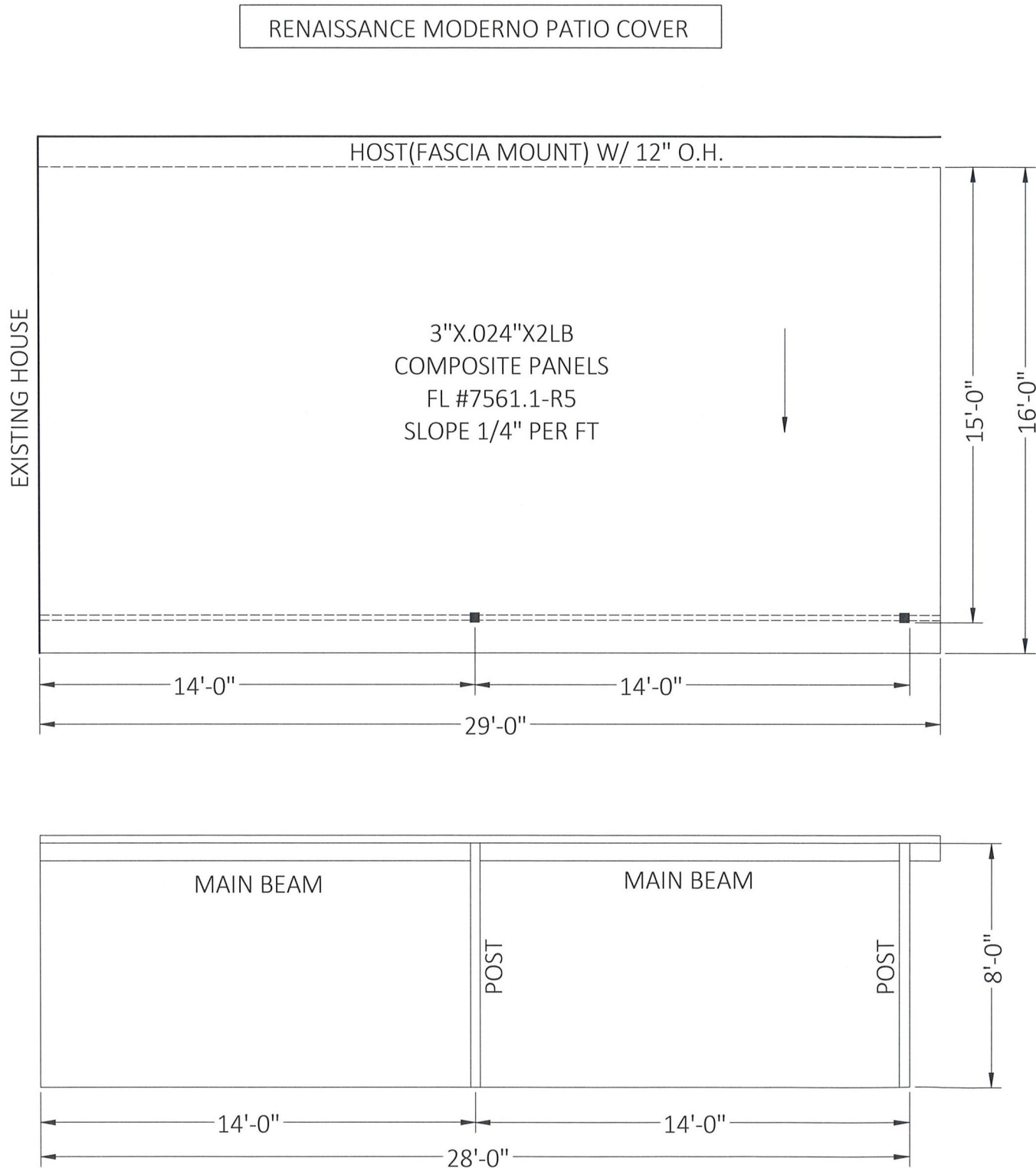
REVISION 1: 07/01/2022

PAGE :

REVISION 2: 09/14/2022

SCALE: NTS

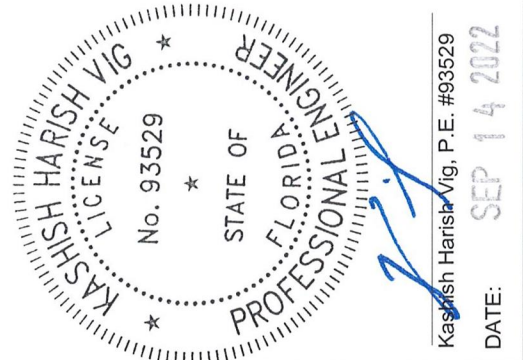
G01



HD POST & BEAM SYSTEM

MAIN BEAM = 2.75"X7"X0.125"
POST = 3.875"X3.875"X0.188"

SEE SECTION DETAILS ON PAGES D01 & D02



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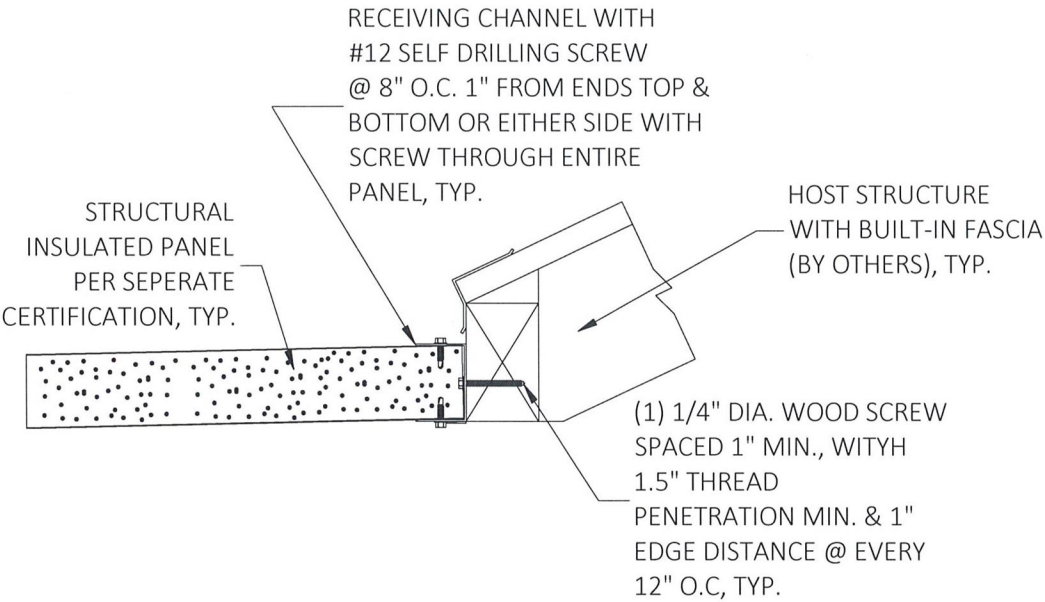
CA CERT. #30782

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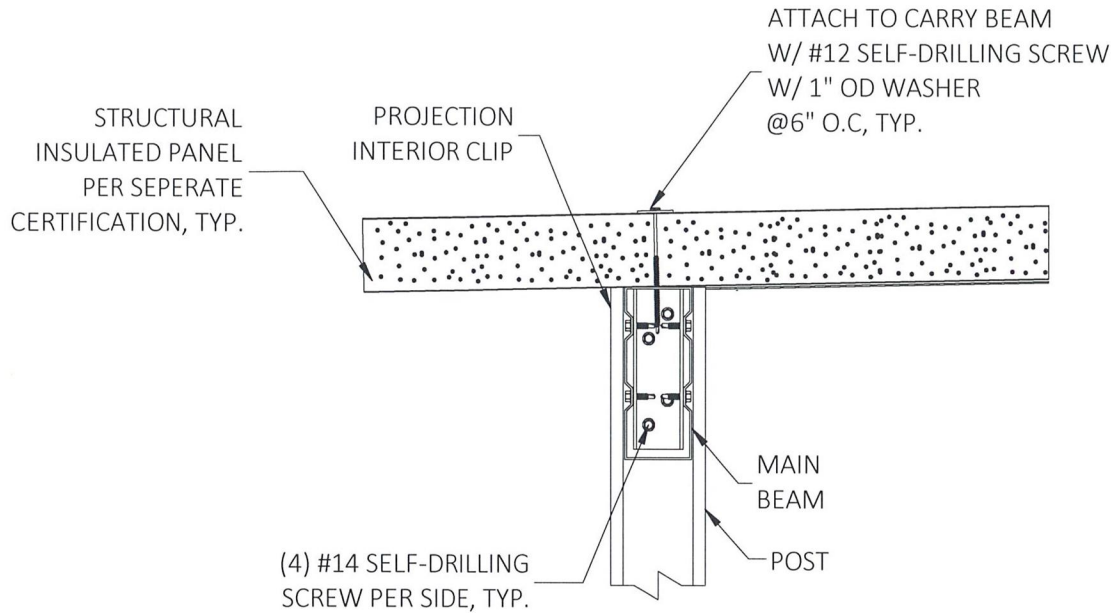
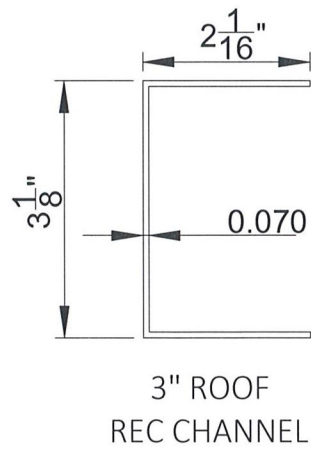
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DESIGN DATE:	04/08/2022
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SCALE:	NTS

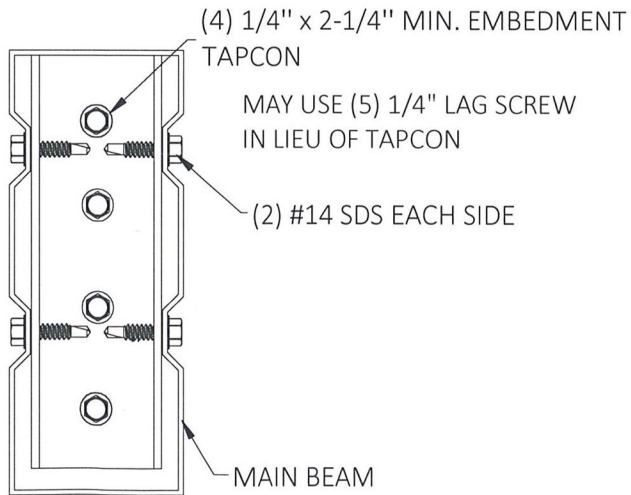
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S01



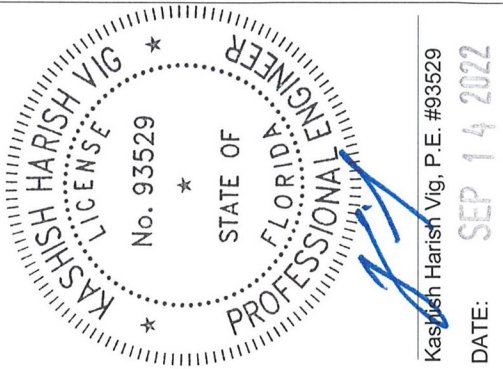
1
D01
WOOD FASCIA
HOST CONNECTION



2
D01
TRELLIS/ PROJECTION
& POST CONNECTION

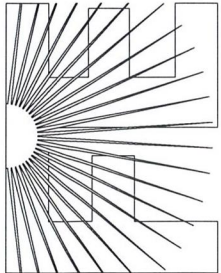


3
D01
MAIN BEAM TO WALL
DETAIL



Kashish Harish Vig, P.E. #93529
DATE: SEP 14 2022

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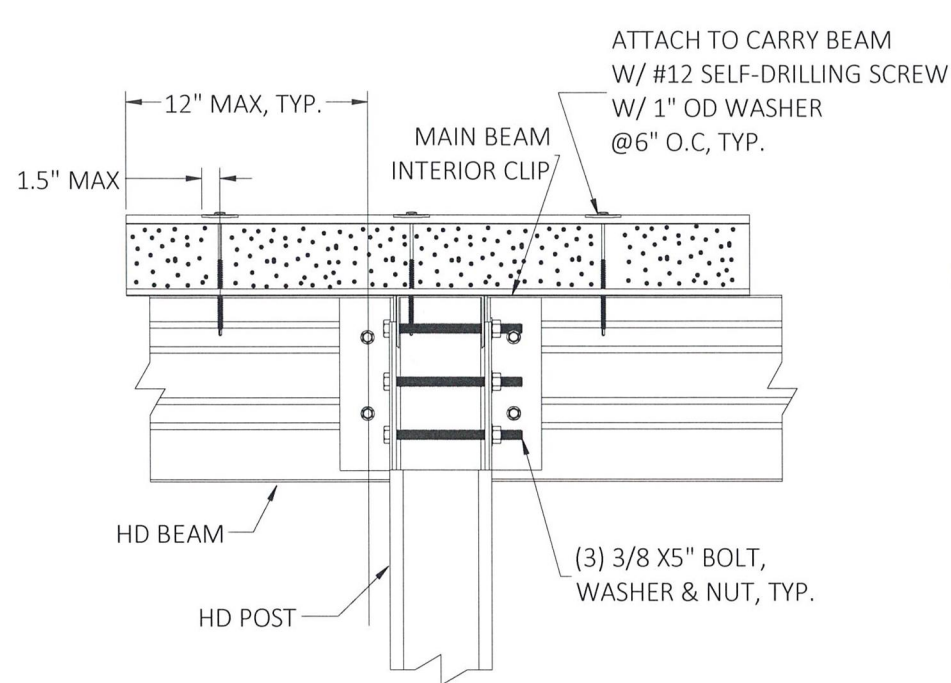
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SCALE: NTS

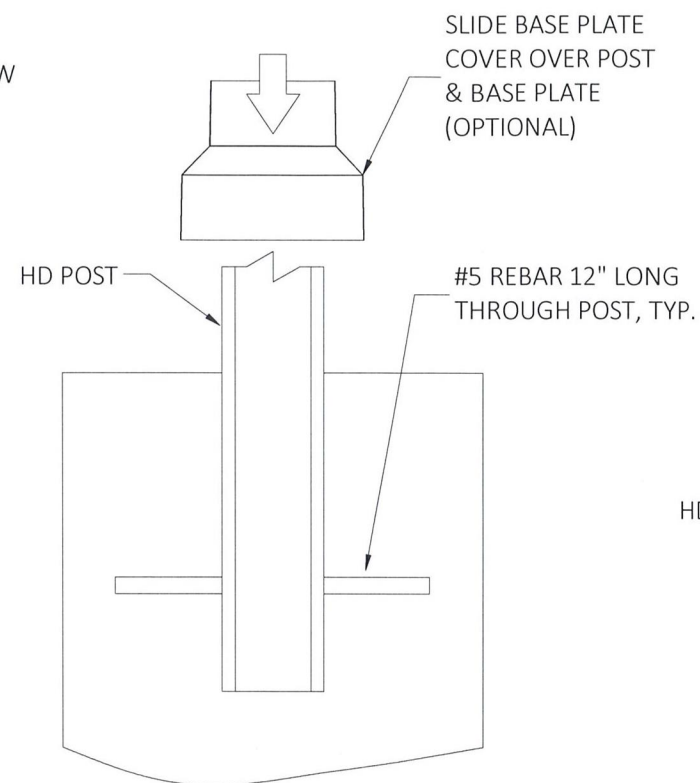
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D01

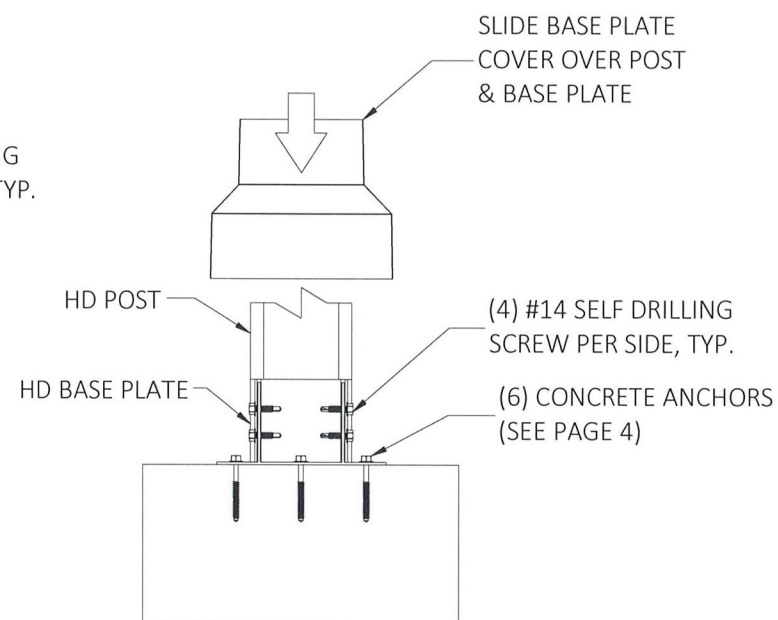
ROOF & PROJECTION BEAM DETAILS



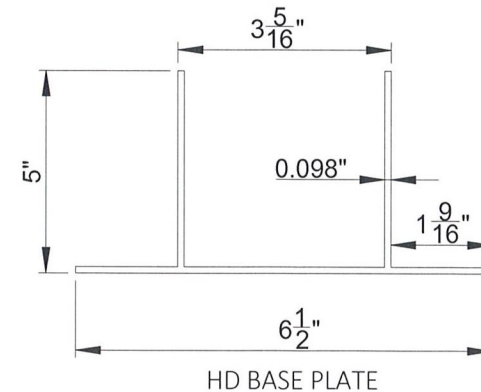
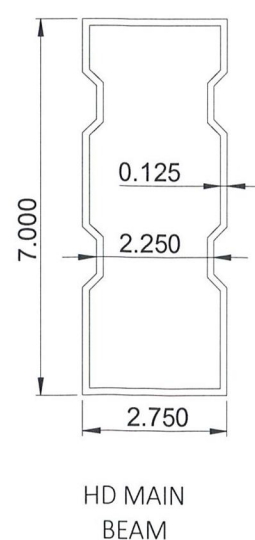
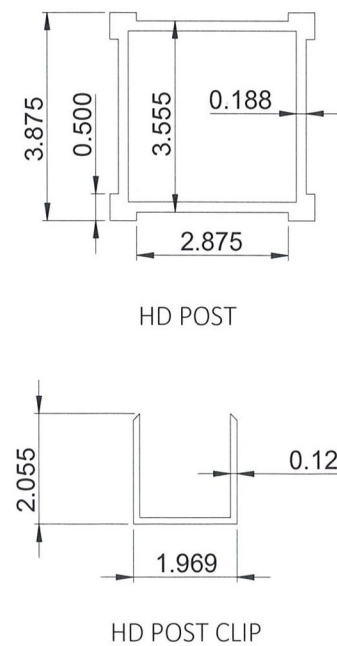
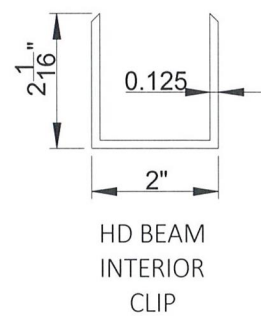
1 HD BEAM TO POST CONNECTION
D02



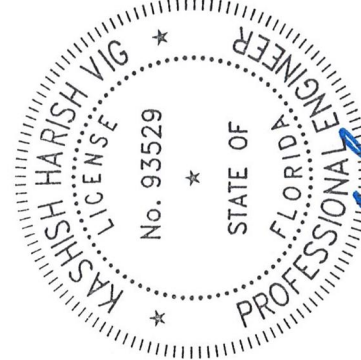
2 HD POST EMBEDMENT
D02



3 HD POST ANCHOR CONNECTION
D02



POST & MAIN BEAM DETAILS



Kashish Harish Vig, P.E. #93529
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CA CERT. #30782

PROJECT NO. 2209650 -3

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DESIGN DATE: 04/08/2022

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SCALE: NTS

PAGE :
D02

SPECIFICATIONS

THE FOLLOWING SPECIFICATIONS ARE APPLICABLE TO THIS PROJECT:

1. WHERE CONCRETE SPECIFICATIONS ARE REQUIRED, WHETHER IN THE SCREEN ENCLOSURE SCOPE OR NOT, BY ONE OR MORE REGULATORY AGENCY, THE FOLLOWING SPECIFICATIONS ARE APPLICABLE:
- a. CONCRETE SHALL CONFORM TO ASTM C94 FOR THE FOLLOWING COMPONENTS:
 - i. PORTLAND CEMENT TYPE 1 - ASTM C 150
 - ii. AGGREGATES - LARGE AGGREGATE 3/4 MAX. - ASTM C 33
 - iii. AIR ENTRAINING +/- 1 % - ASTM C 260
 - iv. WATER REDUCING AGENT - ASTM C 494
 - v. CLEAN POTABLE WATER
 - vi. OTHER ADMIXTURES NOT PERMITTED
 - b. METAL ACCESSORIES SHALL CONFORM TO:
 - i. REINFORCING BARS - ASTM A615, GRADE 60
 - ii. WELDED WIRE FABRIC - ASTM A185
 - c. CONCRETE SLUMP AT DISCHARGE CHUTE NOT LESS THAN 3" OR MORE THAN 5". WATER ADDED AFTER BATCHING IS NOT PERMITTED.
 - d. PREPARE & PLACE CONCRETE PER AMERICAN CONCRETE INSTITUTE MANUAL OF STANDARD PRACTICE, PART 1, 2, & 3 INCLUDING HOT WEATHER RECOMMENDATIONS.
 - e. MOIST CURE OR POLYETHYLENE CURING PERMITTED.
 - f. PRIOR TO PLACING CONCRETE, TREAT THE ENTIRE SUBSURFACE AREA FOR TERMITES IN COMPLIANCE WITH THE FBC. FOR RISK CATEGORY II, III, & IV STRUCTURES ONLY.
 - g. CONCRETE SLAB SHALL BE PLACED OVER A POLYETHYLENE VAPOR BARRIER. (SLAB ONLY)
2. WHEN PAVERS ARE UNDER ALUMINUM MEMBERS, CONTRACTOR SHALL EPOXY TO DECK OR GROUT TO DECK w/3000 PSI GROUT WITH BONDING AGENT
3. WHEN APPLICABLE FOR NEW SLAB ADDITION TO ADJACENT DRILL & EPOXY #4 X 8" REBAR INTO EX. FOUNDATION EMBED 4" MIN W/ NON-SHRINKING SIMPSON EPOXY-TIE (OR EQUAL) 48" O.C. TYP. ALL LOCATIONS
4. WHEN APPLICABLE FOR NEW FOOTER TO EXISTING, DRILL & EPOXY NEW STEEL INTO EX. FOUNDATION WITH EMBED 6" MIN W/ NON-SHRINKING SIMPSON EPOXY-TIE (OR EQUAL) TYP. ALL LOCATIONS
5. WHERE PAVERS ARE UNDER ALUMINUM MEMBERS, CONTRACTOR SHALL EPOXY TO DECK OR GROUT TO DECK w/3000 PSI GROUT WITH BONDING AGENT.
6. MINIMUM CONCRETE STRENGTH 3000 PSI UNLESS OTHERWISE NOTED.

MASONRY SPECIFICATIONS

1. CONCRETE MASONRY UNITS (CMU) SHALL BE STANDARD HOLLOW UNITS AND SHALL BE 1900 PSI MINIMUM BASED ON TYPE M OR S MORTAR.
2. ALL MORTAR SHALL BE TYPE M OR S.
3. ALL GROUT SHALL BE 2000 PSI MINIMUM AND HAVE MAXIMUM COARSE AGGREGATE SIZE OF 3/8".
4. PROVIDE CLEAN-OUTS FOR REINFORCED CELLS CONTAINING REINFORCEMENT WHEN GROUT POUR EXCEEDS 5'-0" IN HEIGHT.

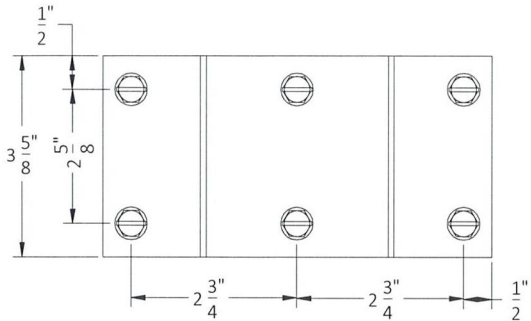
FOOTING NOTES

1. PROVIDE 1-1/2" COVERAGE TOP, SIDES, BOTTOM AND 1" BETWEEN ADJACENT REBAR LAPS.
2. PROVIDE MIN. 3" COVERAGE OF REBAR FOR ALL CONCRETE IN CONTACT WITH THE EARTH.
3. FOOTING CONCRETE SHALL BE MIN. 3000 PSI AT 28 DAYS
4. FOOTING REINFORCEMENT SHALL BE MIN. GRADE 60
5. PROVIDE POSITIVE DRAINAGE AWAY FROM STRUCTURE TO CITY / CO. REQUIREMENTS
6. PROVIDE 2500 PSF BEARING (TYPICAL) UNDER FOUNDATION
7. SEE GENERAL NOTES ABOVE FOR TYING INTO EXISTING FOUNDATIONS
8. SEE GENERAL NOTES ABOVE FOR ADDITIONAL CONCRETE INFORMATION & SPECS.

POST BASE ANCHOR TIE - DOWN SCHEDULES:

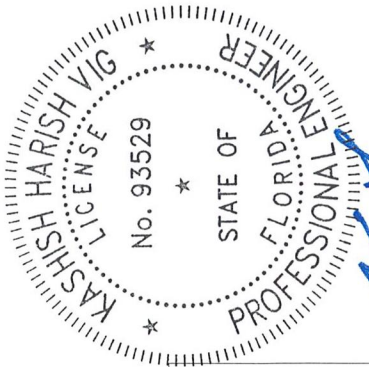
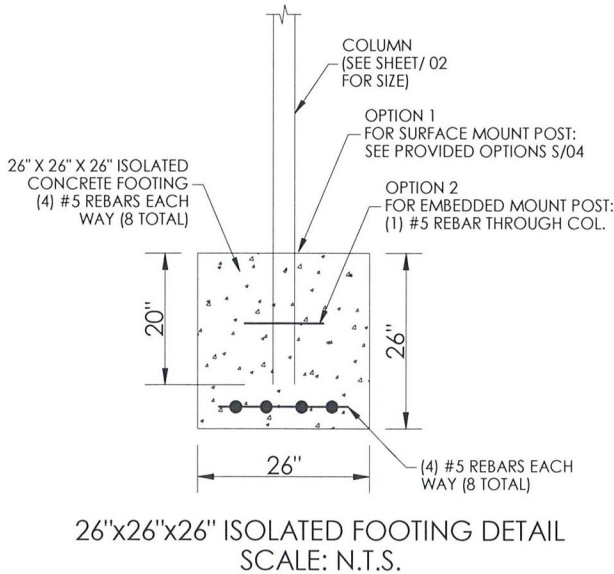
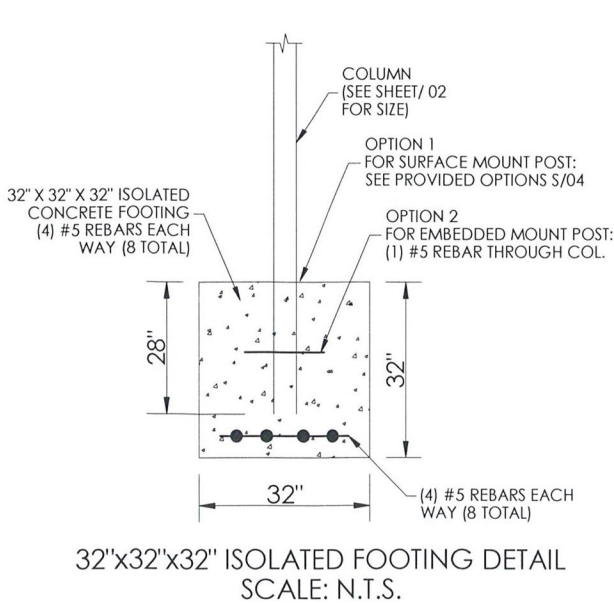
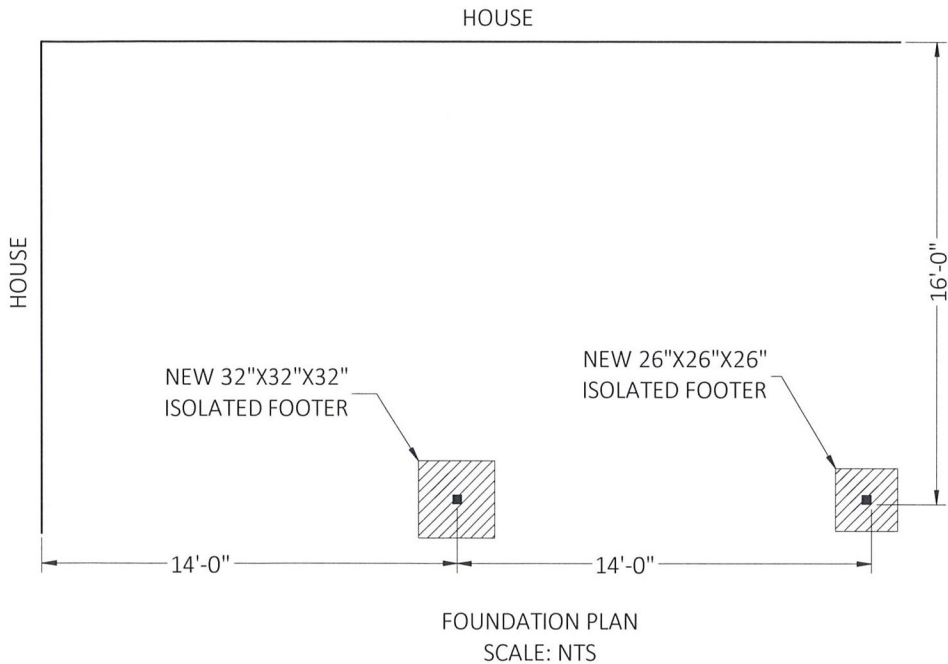
ANCHOR TYPES:

ANCHOR TYPE #1	(6) 3/4" DIA LDT ANCHORS, 1.3125" DIA. SAE GRADE WASHER, 2.5" EMBEDMENT, INTO 3KSI MIN. CONCRETE
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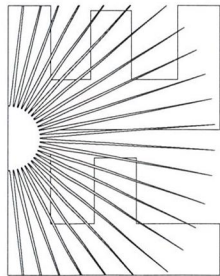
1 ANCHOR SCHEDULE
F01 SCALE: N. T. S

2 ANCHORS TO BASE PLATE
F01 SCALE: N. T. S



Kashish Harish Vig, P.E. #93529
DATE: SEP 14 2022

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PAGE:
F01

JOB NO.: 210667		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: 4/26/2021			FAX (727) 344-4640

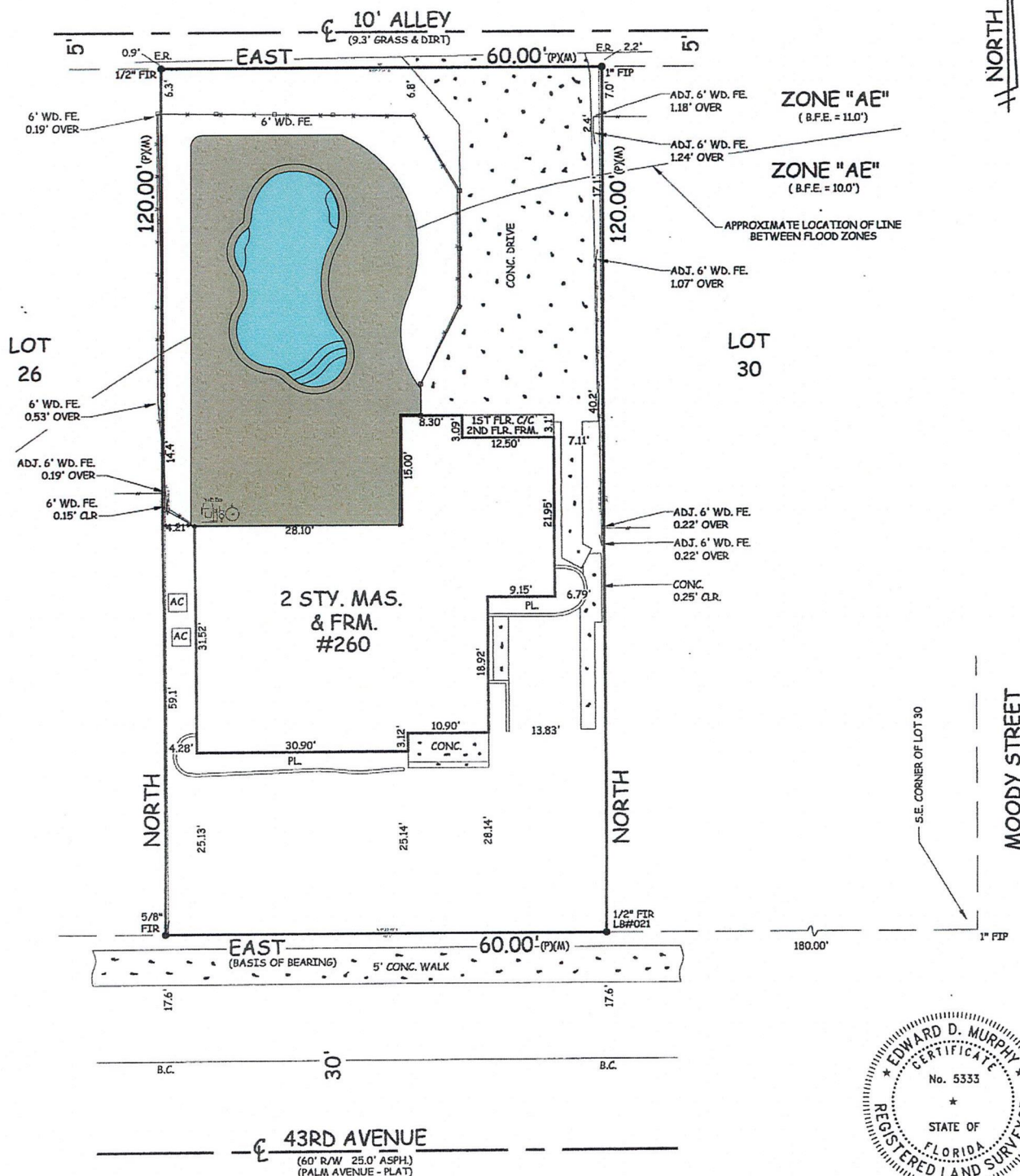
CERTIFIED TO: Dennis Convery

SCALE: 1" = 20'

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

SEC. 07 TWP. 32 S. RGE. 16 E.

"The location of the line between flood zones has been approximated based upon flood maps that scale one inch to 500 feet making an exact location of the line impossible to determine. Accordingly, this survey will not be responsible for decisions concerning flood insurance requirements based upon the approximate line of the flood zones shown hereon."



A BOUNDARY SURVEY OF: Lot 28, Block D, 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 : 10.0' - 11.0'

FOR THE EXCLUSIVE USE OF THE HEREON PARTY(IES), I HEREBY CERTIFY TO ITS ACCURACY (EXCEPT SUCH EASEMENTS, IF ANY, THAT MAY BE LOCATED BELOW THE SURFACE OF THE LANDS, OR ON THE SURFACE OF THE LANDS AND NOT VISIBLE), AND THAT THE SURVEY REPRESENTED HEREON MEETS THE MINIMUM REQUIREMENTS OF CHAPTER 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 EMBOSSED WITH SURVEYOR'S 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
 E.M. - EMBOSSED MONUMENT

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
 FF - FENCE

R - RADIUS
 A - ARC
 C - CHORD
 Δ - DELTA
 R/W - RIGHT OF WAY
 # - NUMBER
 MAS. - MASONRY
 FRM. - FRAME

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

W/W - WING WALL
 C - CENTERLINE
 R/W - RIGHT OF WAY
 (P) - PLAT
 (C) - CALCULATION
 (D) - DEED
 (M) - MEASURED
 N - NORTH

ESMT. - EASEMENT
 M.H. - MANHOLE
 CONC. - CONCRETE
 CLR. - CLEAR
 COL. - COLUMN
 WD. - WOOD
 BLK. - BLOCK
 SAW - SEAWALL

O.H. - OVERHANG
 GAR. - GARAGE
 C/WD. - COVERED WOOD
 CIP.S. - COVERED PATIO STONE
 C/C - COVERED CONCRETE
 A/C - AIR CONDITIONER
 S.P. - SCREENED PORCH
 P-P - OVERHEAD POWER LINES

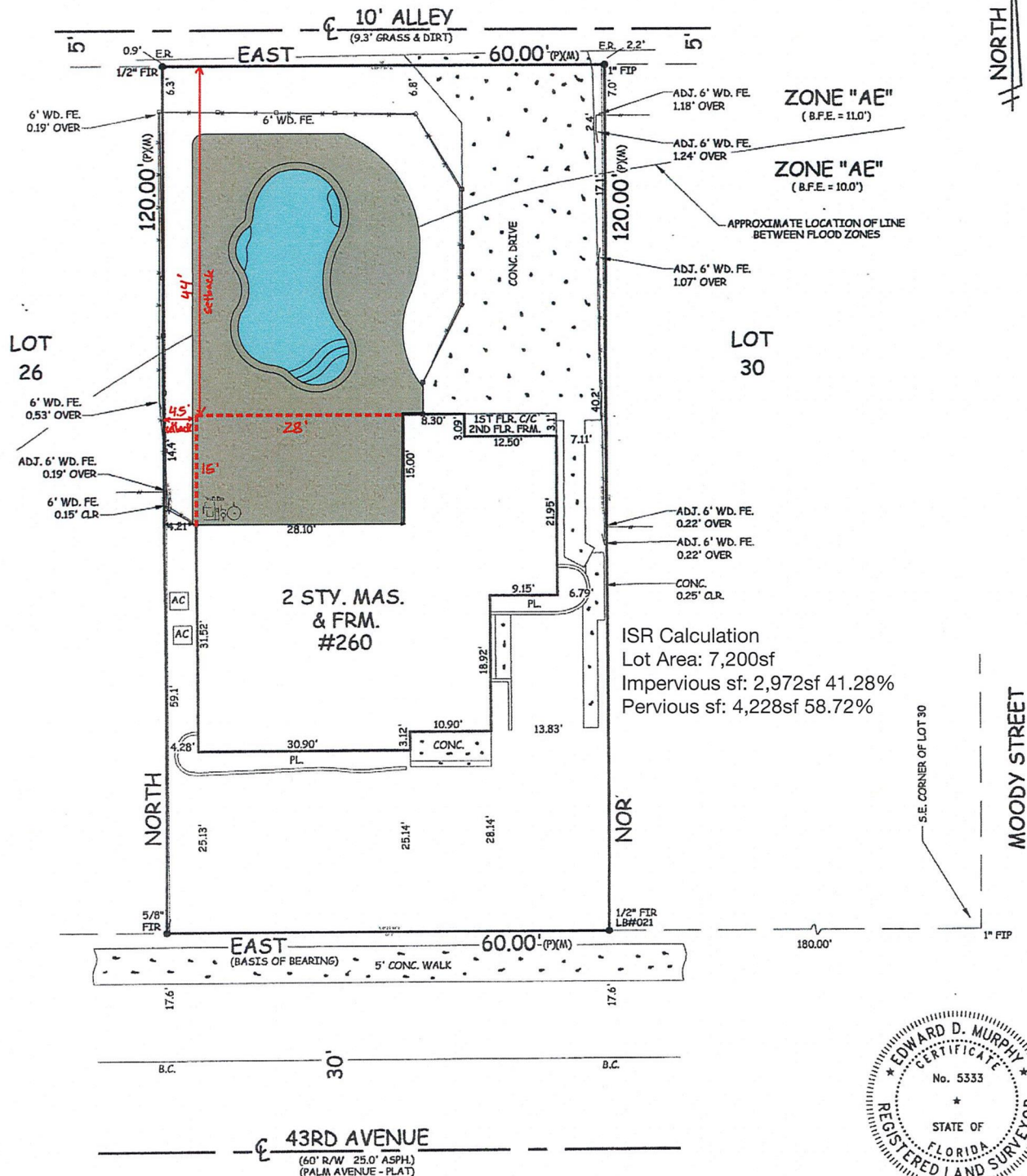
1/16" = 1 ft

JOB NO.: 210667		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: 4/26/2021			FAX (727) 344-4640

CERTIFIED TO: Dennis Convery

SCALE: 1" = 20' Survey not valid for more than one (1) year from date of field work. SEC. 07 TWP. 32 S. RGE. 16 E.

"The location of the line between flood zones has been approximated based upon flood maps that scale one inch to 500 feet making an exact location of the line impossible to determine. Accordingly, this survey will not be responsible for decisions concerning flood insurance requirements based upon the approximate line of the flood zones shown hereon."



A BOUNDARY SURVEY OF: Lot 28, Block D, 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.: 10.0' - 11.0'

FOR THE EXCLUSIVE USE OF THE HEREON PARTY(IES), I HEREBY CERTIFY TO ITS ACCURACY (EXCEPT SUCH EASEMENTS, IF ANY, THAT MAY BE LOCATED BELOW THE SURFACE OF THE LANDS, OR ON THE SURFACE OF THE LANDS AND NOT VISIBLE), AND THAT THE SURVEY REPRESENTED HEREON MEETS THE MINIMUM REQUIREMENTS OF CHAPTER 53-17, FLORIDA ADMINISTRATIVE CODE TO THE BEST OF MY KNOWLEDGE AND BELIEF. UNDERGROUND FOUNDATIONS AND/OR IMPROVEMENTS, IF ANY, ARE NOT SHOWN AND OTHER RESTRICTIONS AFFECTING THIS PROPERTY MAY EXIST IN THE PUBLIC RECORDS OF THIS COUNTY (THIS SURVEY HAS BEEN DONE WITHOUT THE BENEFIT OF REVIEWING A CURRENT TITLE SEARCH). SURVEY NOT VALID FOR MORE THAN ONE YEAR FROM DATE OF FIELD WORK AND NOT VALID UNLESS EMBOSSED WITH SURVEYOR'S SEAL. BEARINGS SHOWN ARE BASED ON PLAT, UNLESS OTHERWISE NOTED.

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

LEGEND: 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 C.M. - COMPOUND CURVATURE	F.D. - 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 FF - FENCE	R. - RADIUS A. - ARC C. - CHORD Δ - DELTA R/W - RIGHT OF WAY # - NUMBER M.S. - MASONRY FRM. - FRAME	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	W.W. - WING WALL C. - CENTERLINE R/W - RIGHT OF WAY (P) - PLAT (C) - CALCULATION (D) - DEED (M) - MEASURED N. - NORTH	ESM.T. - EASEMENT M.H. - MANHOLE CONC. - CONCRETE CLR. - CLEAR COL. - COLUMN WD. - WOOD BLK. - BLOCK S/W - SEAWALL	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
--	--	--	---	--	---	--

GENERAL NOTES

DESIGN CRITERIA:

- APPLICABLE CODES, REGULATIONS & STANDARDS:
- 1. THE 2020 FLORIDA BUILDING CODE, 7TH EDITION SPECIFICALLY CHAPTER 16 STRUCTURAL DESIGN, CHAPTER 20 ALUMINUM
 - 2. ASCE 7-16 & SEI7
 - 3. ACI318 CONCRETE REFERENCE MANUAL.
 - 4. AA ASM 35 & AA ADM 1
 - 5. AAF GUIDE TO ALUMINUM CONSTRUCTION IN HIGH WIND AREAS.

- WIND LOADS:
- 1. FBC TABLE 1604.5, RISK CATEGORY = I
 - 2. FBC SEC 1609.4, EXPOSURE CATEGORY = D
 - 3. FBC SEC 1609.3, ULTIMATE DESIGN WIND SPEED = 140 MPH

DESIGN NOTES:

ALLOWABLE DESIGN PRESSURES UTILIZED IN THIS DOCUMENT HAVE BEEN CALCULATED PER THE REQUIREMENTS OF THE FLORIDA BUILDING CODE 7TH EDITION (2020) & ASCE 7-16 USING ALLOWABLE STRESS DESIGN METHODOLOGY WITH THE CRITERIA AS OUTLINED HEREIN. THE CONTRACTOR SHALL CONTACT THE AUTHORITY HAVING JURISDICTION TO ENSURE APPROPRIATE CRITERIA TO BE USED BEFORE CONSTRUCTION BEGINS. THE SYSTEM HAS NOT BEEN DESIGNED TO WITHSTAND CONCETRATED LOADS FROM HUMAN ACTIVITY.

DRAWING INDEX

SHEET NO.	DESCRIPTION
G01	GENERAL NOTES
S01	STRUCTURAL PLAN
F01	FOUNDATION PLAN
D01	ROOF & PROJECTION BEAM DETAILS
D02	POST & MAIN BEAM DETAILS

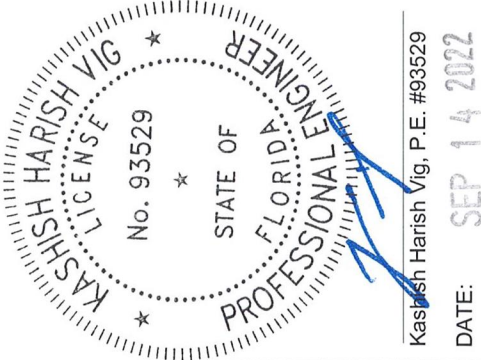
GENERAL NOTES:

- 1. THIS DOCUMENT SHALL NOT BE USED OR REPRODUCED WITHOUT THE ORIGINAL SIGNATURE & RAISED SEAL OF CRAIG E. GUNDERSON, P.E. ALTERATIONS, ADDITIONS OR OTHER MARKINGS TO THIS DOCUMENT ARE NOT PERMITTED AND INVALIDATE OUR CERTIFICATION. PHOTOCOPIES AND UNSEALED DOCUMENTS ARE NOT TO BE ACCEPTED.
- 2. THIS STRUCTURE HAS BEEN DESIGNED AND SHALL BE FABRICATED IN ACCORDANCE WITH THE STRUCTURAL PROVISIONS OF THE FLORIDA BUILDING CODE SEVENTH EDITION (2020). STRUCTURE SHALL BE FABRICATED IN ACCORDANCE WITH ALL GOVERNING CODES. CONTRACTOR SHALL INVESTIGATE AND CONFORM TO ALL LOCAL BUILDING CODE AMENDMENTS WHICH MAY APPLY AND GOVERN. DESIGN CRITERIA OR SPANS BEYOND STATED HEREIN MAY REQUIRE ADDITIONAL SITE SPECIFIC SEALED ENGINEERING.
- 3. NO 33-1/3% INCREASE IN ALLOWABLE STRESS HAS BEEN USED IN THE DESIGN OF THIS SYSTEM. WIND LOAD DURATION FACTOR Cd=1.6 HAS BEEN USED FOR WOOD ANCHOR DESIGN.
- 4. THE ARCHITECT/ENGINEER OF RECORD FOR THE PROJECT SUPERSTRUCTURE WITH WHICH THIS DESIGN IS USED SHALL BE RESPONSIBLE FOR THE INTEGRITY OF ALL SUPPORTING SURFACES TO THIS DESIGN WHICH SHALL BE COORDINATED BY THE PERMITTING CONTRACTOR.
- 5. THE CONTRACTOR SHALL CAREFULLY CONSIDER POSSIBLE IMPOSING LOADS ON ROOF, INCLUDING BUT NOT LIMITED TO ANY CONCENTRATED LOADS WHICH MAY JUSTIFY GREATER DESIGN CRITERIA. THIS ADDITIONAL ROOF LOAD CRITERIA SHALL BE PROPERLY ANALYZED BY A LICENSED ENGINEER OR REGISTERED ARCHITECT.
- 6. ALL FASTENERS TO BE #12 SAE GRADE 2 OR STAINLESS STEEL 304 UNLESS NOTED OTHERWISE. FASTENERS SHALL BE CADMIUM-PLATED OR OTHERWISE CORROSION-RESISTANT MATERIAL AND SHALL COMPLY WITH "SPECIFICATIONS FOR ALUMINUM STRUCTURES" BY THE ALUMINUM ASSOCIATION, INC., & ANY APPLICABLE FEDERAL, STATE, AND/OR LOCAL CODES.
- 7. FOR ALUMINUM MEMBERS ALL ANCHORS SHALL BE SPACED WITH 2xDIAMETER END DISTANCE AND 2.5xDIAMETER MIN. SPACING TO ADJACENT ANCHORS, UNLESS NOTED OTHERWISE.
- 8. ANCHORS SHALL BE INSTALLED IN ACCORDANCE WITH MANUFACTURERS' RECOMMENDATIONS. MINIMUM EMBEDMENT SHALL BE AS NOTED HEREIN. MINIMUM EMBEDMENT AND EDGE DISTANCE EXCLUDES STUCCO, FOAM, BRICK, AND OTHER WALL FINISHES.
- 9. ALL CONCRETE ANCHORS SHALL BE INSTALLED TO NON-CRACKED CONCRETE ONLY.
- 10. WOOD HOST STRUCTURE & ALL WOOD MEMBERS SHALL BE "SOUTHERN YELLOW PINE" G=0.55 OR GREATER DENSITY.
- 11. THE CONTRACTOR IS RESPONSIBLE TO INSULATE ALL MEMBERS FROM DISSIMILAR MATERIALS TO PREVENT ELECTROLYSIS.
- 12. ALL ALUMINUM SHALL BE 6005-T5 ALLOY AND TEMPER UNLESS NOTED OTHERWISE.
- 13. ALL STEEL ANGLES SHALL BE ASTM A1011 OR A653 GRADE 50 (Fy=50 KSI, Fu=65 KSI) OR BETTER.
- 14. ALL CONCRETE AND EPOXY TO REACH A MINIMUM COMPRESSIVE STRENGTH OF 3000 PSI IN 7 DAYS.
- 15. ENGINEER SEAL AFFIXED HERETO VALIDATES STRUCTURAL DESIGN AS SHOWN ONLY. USE OF THIS SPECIFICATION BY CONTRACTOR, et. al. INDEMNIFIES & SAVES HARMLESS THIS ENGINEER FOR ALL COST & DAMAGES INCLUDING LEGAL FEES & APPELLATE FEES RESULTING FROM MATERIAL FABRICATION, SYSTEM ERECTION, & CONSTRUCTION PRACTICES BEYOND THAT WHICH IS CALLED FOR BY LOCAL, STATE, & FEDERAL CODES & FROM DEVIATIONS OF THIS PLAN.
- 16. EXCEPT AS EXPRESSLY PROVIDED HEREIN, NO ADDITIONAL CERTIFICATIONS OR AFFIRMATIONS ARE INTENDED.
- 17. ALTERATIONS, ADDITIONS, HIGHLIGHTING, OR OTHER MARKINGS TO THIS DOCUMENT ARE NOT PERMITTED AND INVALIDATE THIS CERTIFICATION.

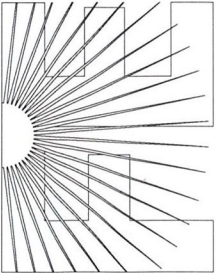
SYSTEM NOTES:

PATIO COVER SHALL BE INSTALLED PER MANUFACTURER'S SPECIFICATION ISSUED BY RENAISSANCE PATIO.

REFER TO AFOREMENTIONED MANUFACTURER ISSUED ASSEMBLY MANUAL FOR ALL CONNECTION DETAILS THAT ARE NOT ILLUSTRATED HEREIN.



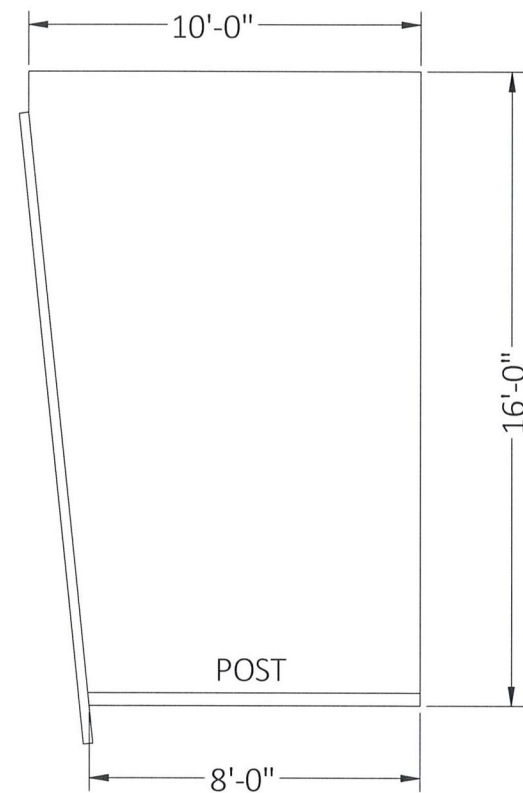
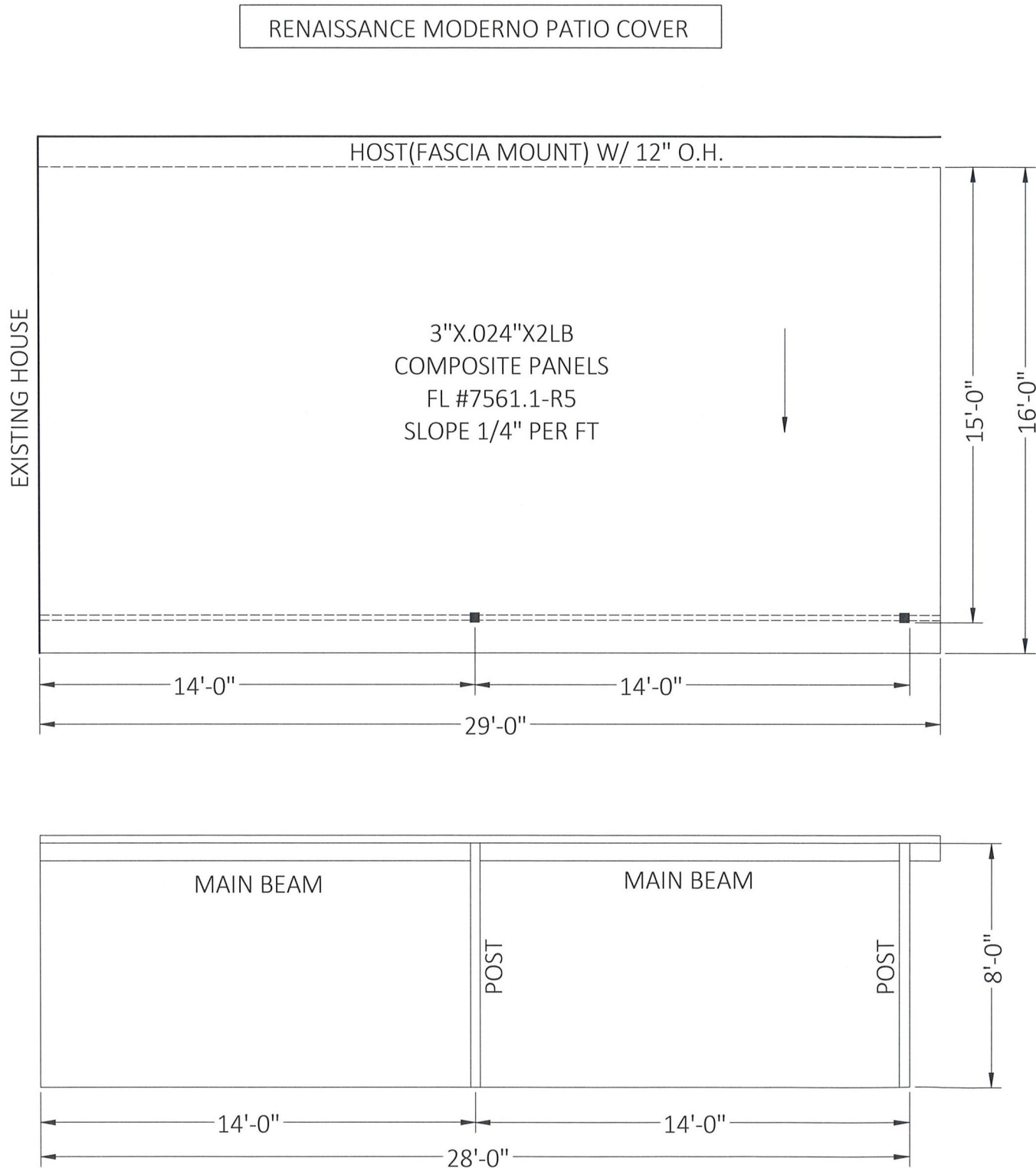
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PORT CHARLOTTE, FLORIDA 33952
(941) 391-5980
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CA CERT. #30782

PROJECT NO. 2209650 -3

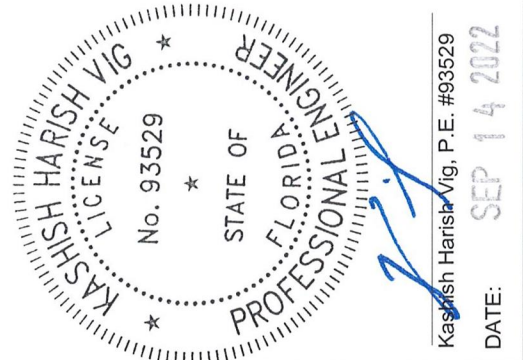
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DESIGN DATE:		04/08/2022	
REVISION 1:	07/01/2022	PAGE :	
REVISION 2:	09/14/2022	G01	
SCALE:	NTS		



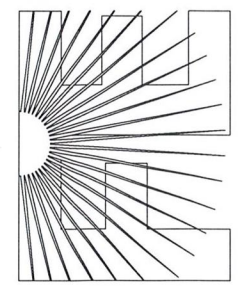
HD POST & BEAM SYSTEM

MAIN BEAM = 2.75"X7"X0.125"
POST = 3.875"X3.875"X0.188"

SEE SECTION DETAILS ON PAGES D01 & D02



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PORT CHARLOTTE, FLORIDA 33952
(941) 391-5980
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CONTRACTOR:
TERRACE CONTRACTING
SERVICES

PROJECT ADDRESS:
CONVERY
260 43RD AVE
ST PETE BEACH FL 33706

DESIGN DATE: 04/08/2022

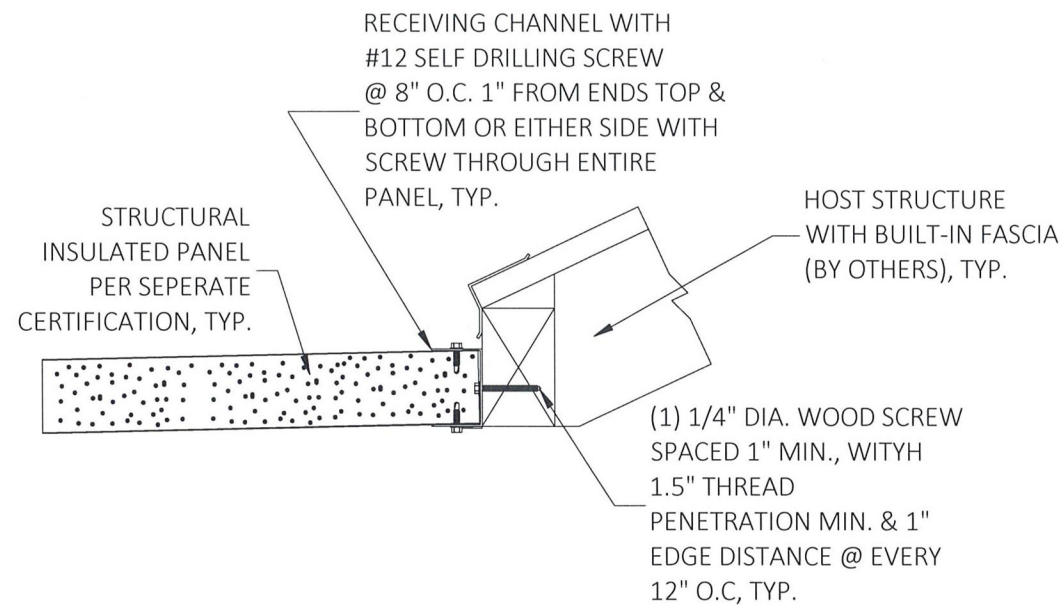
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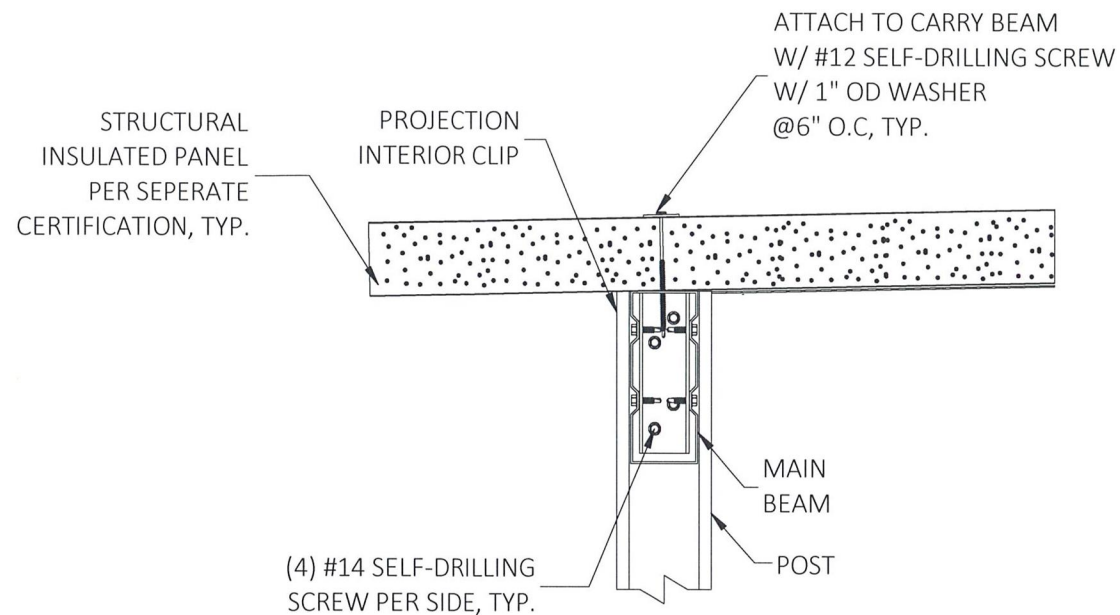
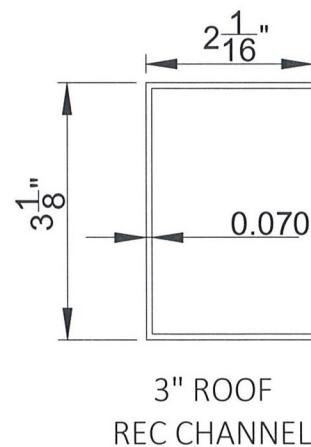
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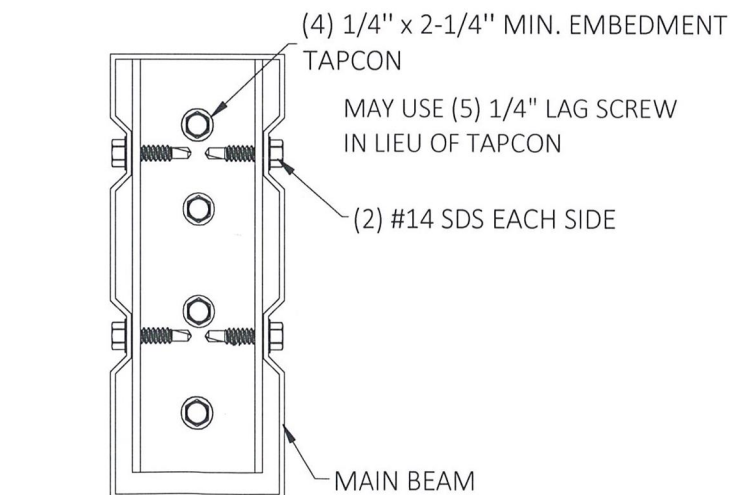
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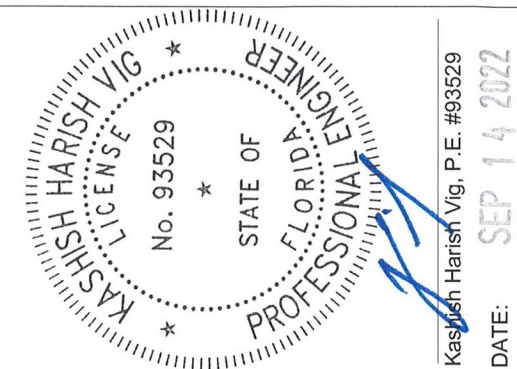
1
D01
WOOD FASCIA
HOST CONNECTION



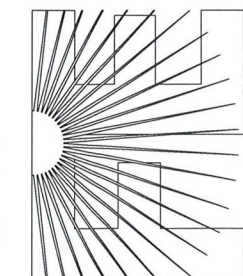
2
D01
TRELLIS/ PROJECTION
& POST CONNECTION



3
D01
MAIN BEAM TO WALL
DETAIL



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CONTRACTOR:
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**CONVERY
260 43RD AVE
ST PETE BEACH FL 33706**

DESIGN DATE: 04/08/2022

REVISION 1: 07/01/2022

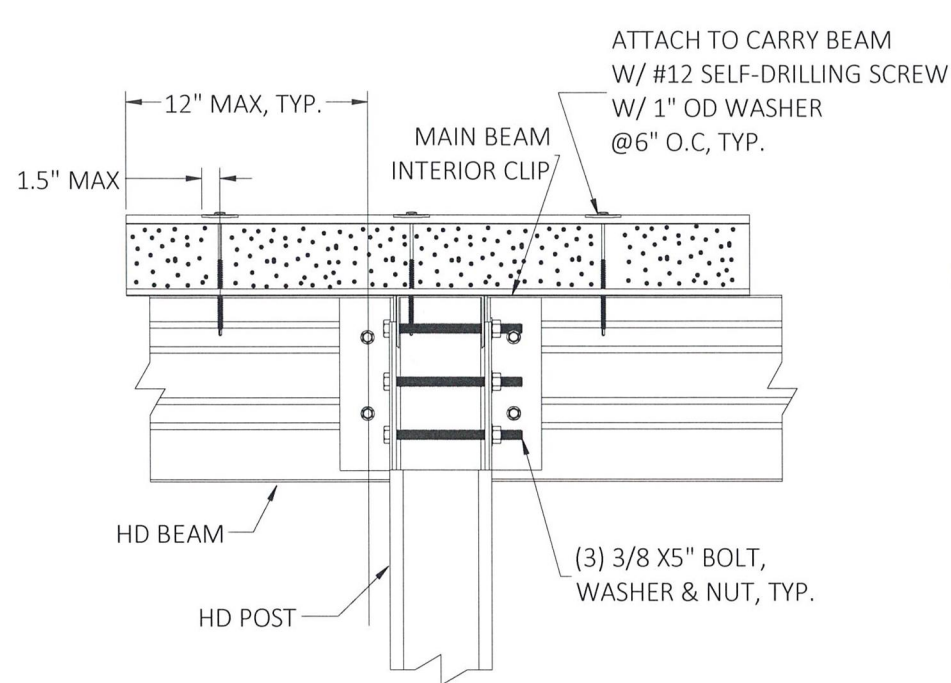
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SCALE: NTS

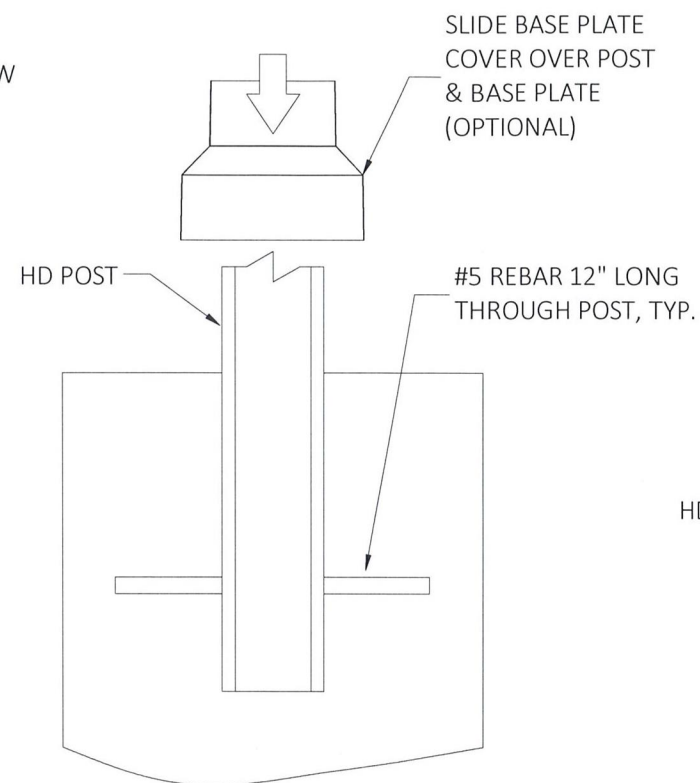
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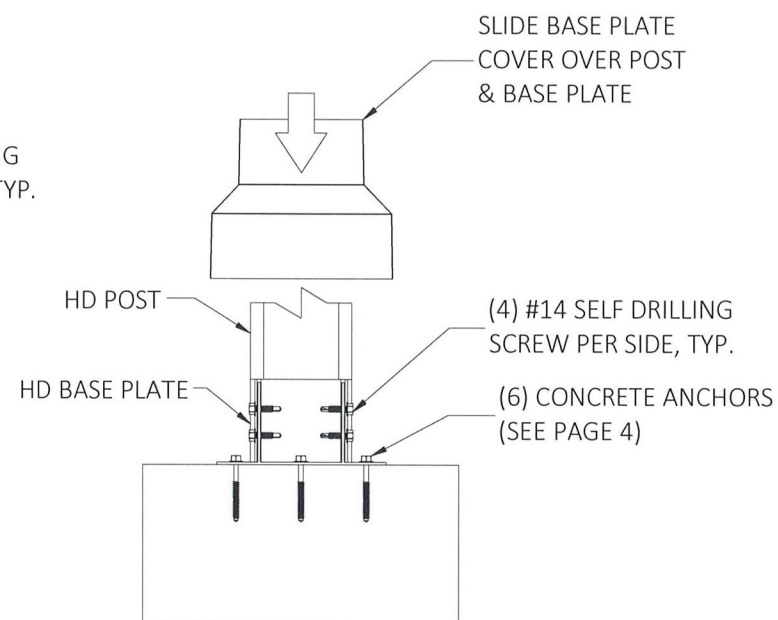
ROOF & PROJECTION BEAM DETAILS



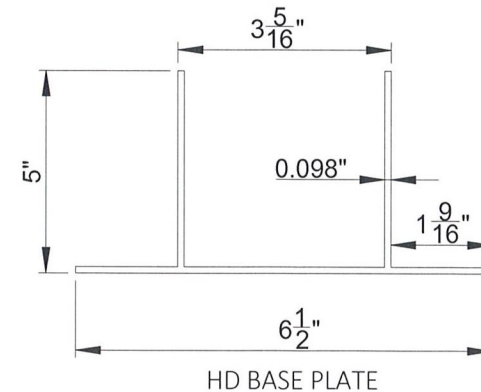
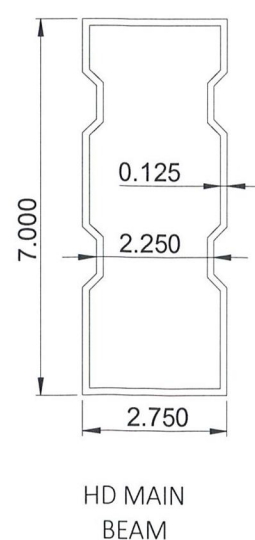
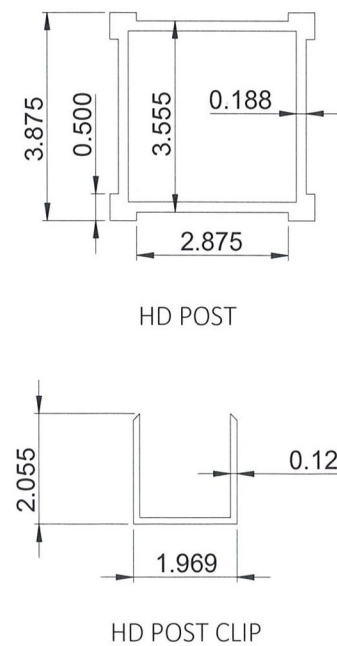
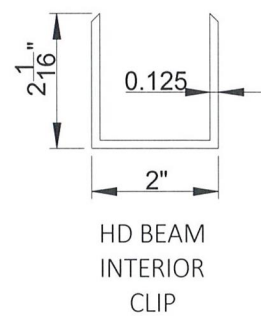
1 HD BEAM TO POST CONNECTION
D02



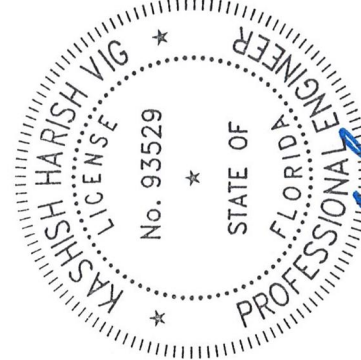
2 HD POST EMBEDMENT
D02



3 HD POST ANCHOR CONNECTION
D02



POST & MAIN BEAM DETAILS



Kashish Harish Vig, P.E. #93529
DATE: SEP 14 2022

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CA CERT. #30782

PROJECT NO. 2209650 -3

CONTRACTOR:
TERRACE CONTRACTING SERVICES

PROJECT ADDRESS:
CONVERY
260 43RD AVE
ST PETE BEACH FL 33706

DESIGN DATE: 04/08/2022

REVISION 1: 07/01/2022

REVISION 2: 09/14/2022

SCALE: NTS

PAGE :
D02

SPECIFICATIONS

THE FOLLOWING SPECIFICATIONS ARE APPLICABLE TO THIS PROJECT:

1. WHERE CONCRETE SPECIFICATIONS ARE REQUIRED, WHETHER IN THE SCREEN ENCLOSURE SCOPE OR NOT, BY ONE OR MORE REGULATORY AGENCY, THE FOLLOWING SPECIFICATIONS ARE APPLICABLE:
- a. CONCRETE SHALL CONFORM TO ASTM C94 FOR THE FOLLOWING COMPONENTS:
 - i. PORTLAND CEMENT TYPE 1 - ASTM C 150
 - ii. AGGREGATES - LARGE AGGREGATE 3/4 MAX. - ASTM C 33
 - iii. AIR ENTRAINING +/- 1 % - ASTM C 260
 - iv. WATER REDUCING AGENT - ASTM C 494
 - v. CLEAN POTABLE WATER
 - vi. OTHER ADMIXTURES NOT PERMITTED
 - b. METAL ACCESSORIES SHALL CONFORM TO:
 - i. REINFORCING BARS - ASTM A615, GRADE 60
 - ii. WELDED WIRE FABRIC - ASTM A185
 - c. CONCRETE SLUMP AT DISCHARGE CHUTE NOT LESS THAN 3" OR MORE THAN 5". WATER ADDED AFTER BATCHING IS NOT PERMITTED.
 - d. PREPARE & PLACE CONCRETE PER AMERICAN CONCRETE INSTITUTE MANUAL OF STANDARD PRACTICE, PART 1, 2, & 3 INCLUDING HOT WEATHER RECOMMENDATIONS.
 - e. MOIST CURE OR POLYETHYLENE CURING PERMITTED.
 - f. PRIOR TO PLACING CONCRETE, TREAT THE ENTIRE SUBSURFACE AREA FOR TERMITES IN COMPLIANCE WITH THE FBC. FOR RISK CATEGORY II, III, & IV STRUCTURES ONLY.
 - g. CONCRETE SLAB SHALL BE PLACED OVER A POLYETHYLENE VAPOR BARRIER. (SLAB ONLY)
2. WHEN PAVERS ARE UNDER ALUMINUM MEMBERS, CONTRACTOR SHALL EPOXY TO DECK OR GROUT TO DECK w/3000 PSI GROUT WITH BONDING AGENT
3. WHEN APPLICABLE FOR NEW SLAB ADDITION TO ADJACENT DRILL & EPOXY #4 X 8" REBAR INTO EX. FOUNDATION EMBED 4" MIN W/ NON-SHRINKING SIMPSON EPOXY-TIE (OR EQUAL) 48" O.C. TYP. ALL LOCATIONS
4. WHEN APPLICABLE FOR NEW FOOTER TO EXISTING, DRILL & EPOXY NEW STEEL INTO EX. FOUNDATION WITH EMBED 6" MIN W/ NON-SHRINKING SIMPSON EPOXY-TIE (OR EQUAL) TYP. ALL LOCATIONS
5. WHERE PAVERS ARE UNDER ALUMINUM MEMBERS, CONTRACTOR SHALL EPOXY TO DECK OR GROUT TO DECK w/3000 PSI GROUT WITH BONDING AGENT.
6. MINIMUM CONCRETE STRENGTH 3000 PSI UNLESS OTHERWISE NOTED.

MASONRY SPECIFICATIONS

1. CONCRETE MASONRY UNITS (CMU) SHALL BE STANDARD HOLLOW UNITS AND SHALL BE 1900 PSI MINIMUM BASED ON TYPE M OR S MORTAR.
2. ALL MORTAR SHALL BE TYPE M OR S.
3. ALL GROUT SHALL BE 2000 PSI MINIMUM AND HAVE MAXIMUM COARSE AGGREGATE SIZE OF 3/8".
4. PROVIDE CLEAN-OUTS FOR REINFORCED CELLS CONTAINING REINFORCEMENT WHEN GROUT POUR EXCEEDS 5'-0" IN HEIGHT.

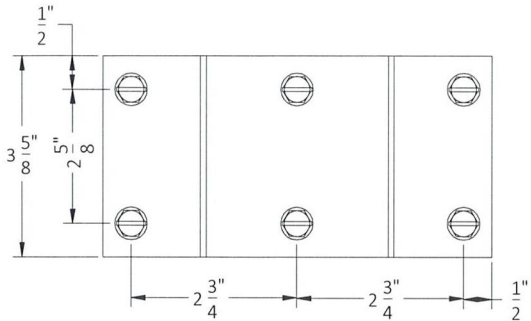
FOOTING NOTES

1. PROVIDE 1-1/2" COVERAGE TOP, SIDES, BOTTOM AND 1" BETWEEN ADJACENT REBAR LAPS.
2. PROVIDE MIN. 3" COVERAGE OF REBAR FOR ALL CONCRETE IN CONTACT WITH THE EARTH.
3. FOOTING CONCRETE SHALL BE MIN. 3000 PSI AT 28 DAYS
4. FOOTING REINFORCEMENT SHALL BE MIN. GRADE 60
5. PROVIDE POSITIVE DRAINAGE AWAY FROM STRUCTURE TO CITY / CO. REQUIREMENTS
6. PROVIDE 2500 PSF BEARING (TYPICAL) UNDER FOUNDATION
7. SEE GENERAL NOTES ABOVE FOR TYING INTO EXISTING FOUNDATIONS
8. SEE GENERAL NOTES ABOVE FOR ADDITIONAL CONCRETE INFORMATION & SPECS.

POST BASE ANCHOR TIE - DOWN SCHEDULES:

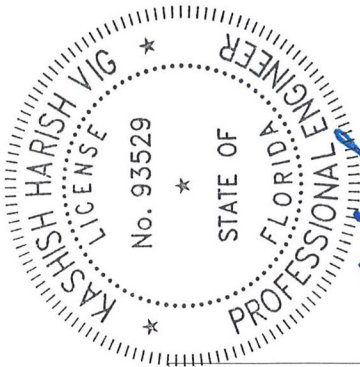
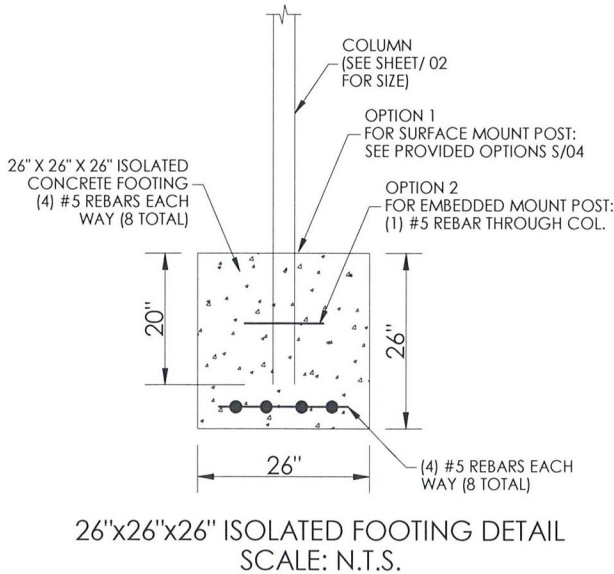
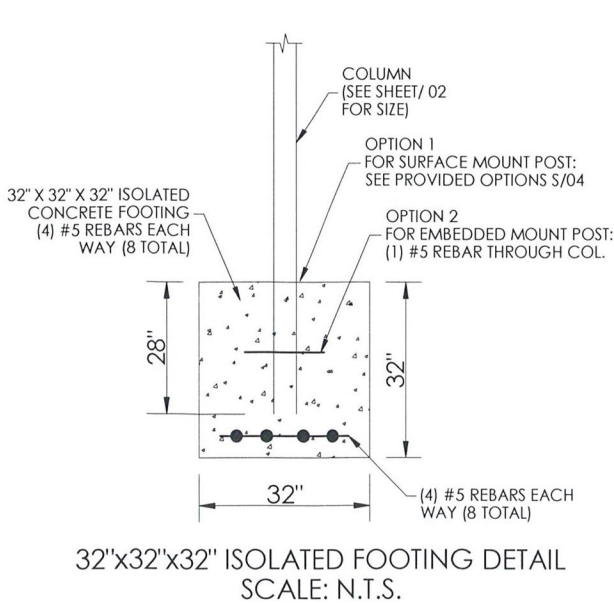
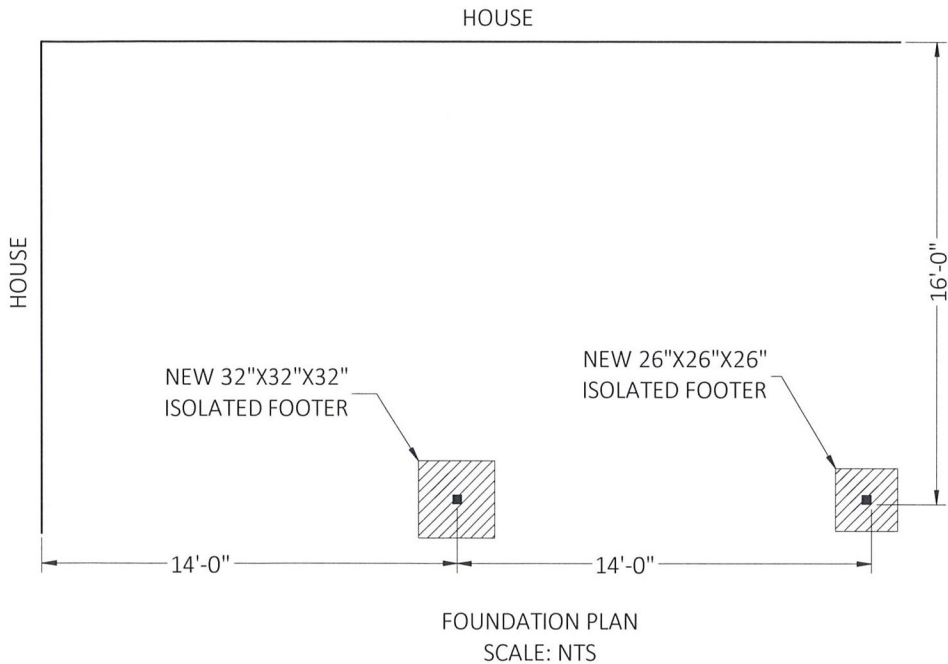
ANCHOR TYPES:

ANCHOR TYPE #1	(6) 3/4" DIA LDT ANCHORS, 1.3125" DIA. SAE GRADE WASHER, 2.5" EMBEDMENT, INTO 3KSI MIN. CONCRETE
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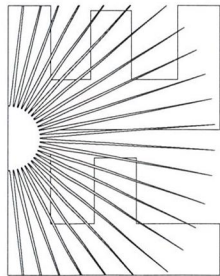
1 ANCHOR SCHEDULE
F01 SCALE: N. T. S

2 ANCHORS TO BASE PLATE
F01 SCALE: N. T. S



Kashish Harish Vig, P.E. #93529
DATE: SEP 14 2022

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CA CERT. #30782

PROJECT NO. 2209650 -3

CONTRACTOR:
TERRACE CONTRACTING
SERVICES

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CONVERY
260 43RD AVE
ST PETE BEACH FL 33706

DESIGN DATE:	04/08/2022
REVISION 1:	07/01/2022
REVISION 2:	09/14/2022
SCALE:	NTS

PAGE :
F01



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

PLANNING DEPARTMENT

Date: November 9, 2022
To: Board of Adjustment
Re: Staff Findings Report
Practical Difficulty Variance
Parcel Number: #07-32-16-07398-004-0280
Address: 260 43rd Ave.
Julia Montemuino for Dennis Convery, Owner
Variance Case No: 22067

Prepared by: Kristin Coman, Senior Planner

Hearing Date: 11/30/2022

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 4/26/21 consisting of 1 sheet showing existing site improvements.
3. Survey prepared by Murphy's Land Surveying, Inc. dated 4/26/21 consisting of 1 sheet showing proposed 28' x 15', 9' high patio cover with ISR, dimensions and setbacks noted.
4. Construction plans prepared by Florida Engineering LLC consisting of 5 sheets dated 7/1/22, last revised 9/14/22.
5. Color photo prints (quantity 6) of rear and side yards of property, no date provided.

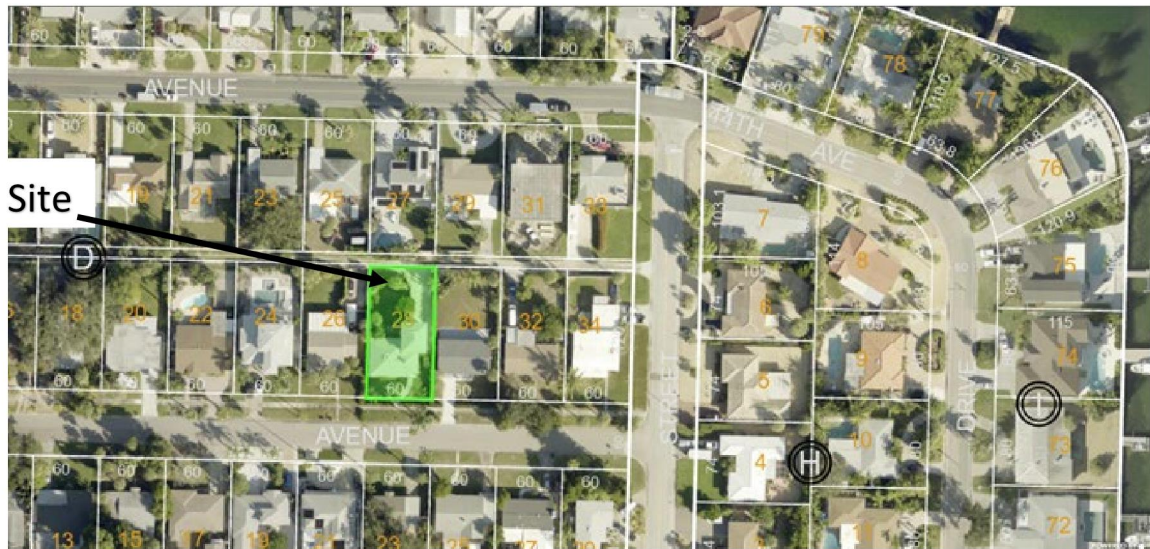
Staff offers the following comments for the Board's consideration:

Site Description/Surrounding Land Uses

The subject site is a 7,200 sq. ft. (approx. 0.17 acre) parcel located at 260 43rd Ave. known as parcel number #07-32-16-07398-004-0280 and legal description of BELLE VISTA BEACH 1ST ADD BLK D, LOT 28 within the AE-Elevation 9 flood zone. The property is located in the RU-2, Residential District zone; RU on the future land map and contains a single-family residence constructed in 1957 according to the Pinellas County Property Appraiser. It is located 200 feet west of the intersection of 43rd Ave. and Moody Street. It is surrounded by single family uses to the north, south, east and west. The site is

improved with a two-story dwelling with rear paver patio with inground pool, driveway with alley access.

Figure 1: Aerial Photography



Source: Pinellas County Property Appraiser

Figure 2: Zoning Map



Source: City of St. Pete Beach Official Zoning Map Page 10 of 15, dated 7/20/2012

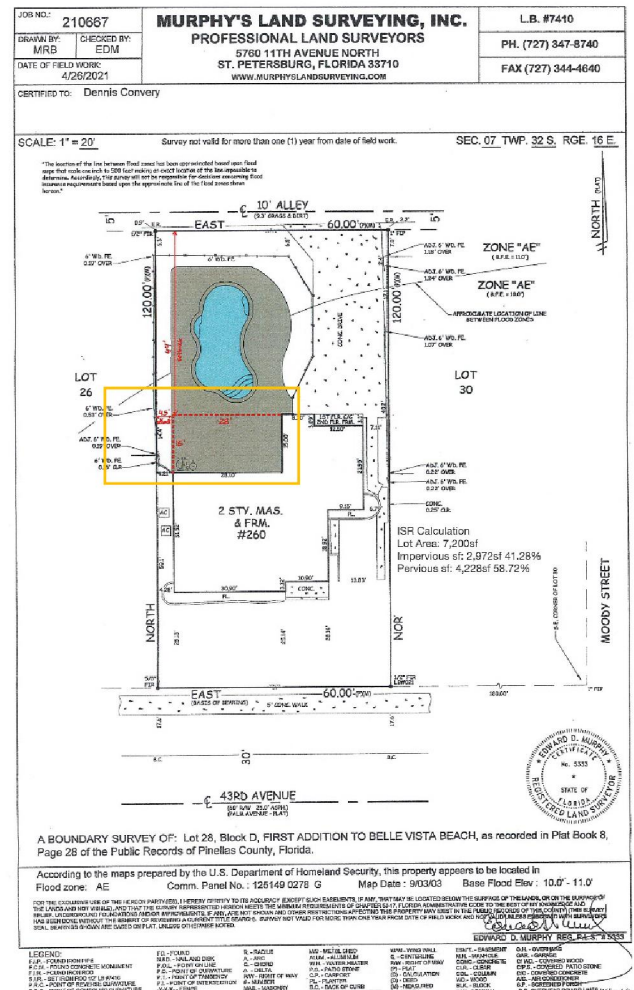
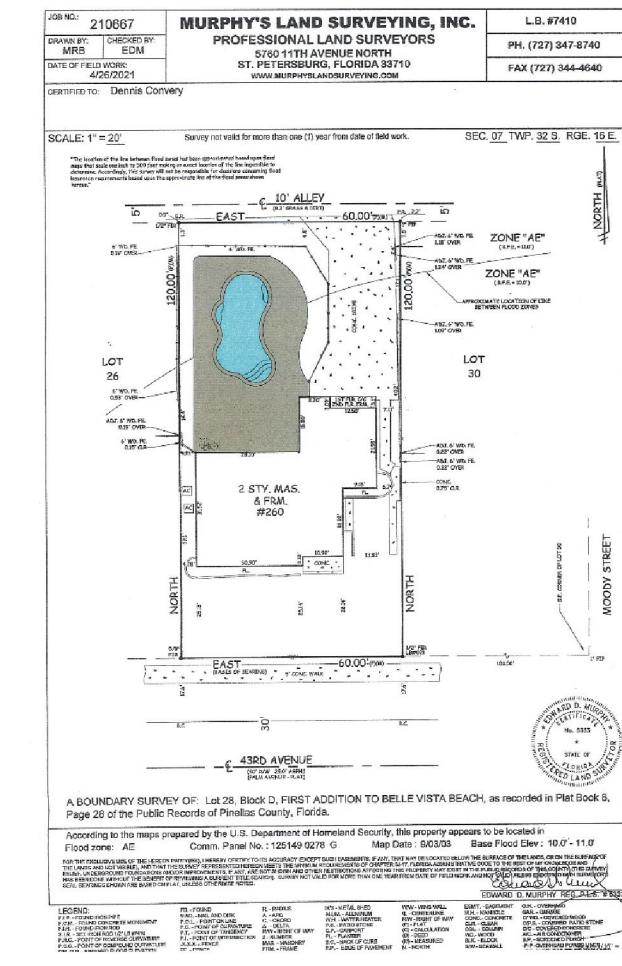
Request

The applicant proposes to construct a 28' x 15', 9' high patio cover on the existing paver patio area which includes an inground pool. The proposed patio structure requires a variance for not meeting the side yard setback.

Analysis

1. Existing nonconforming conditions of the site that are not proposed to change:
 - a. **Minimum side yard setback:** where a 6' minimum is required, 4.2' (western) exists. (LDC 9.7)
2. New variances required as a result of the proposed changes:
 - a. **Minimum side yard setback:** where 6' is required and 4.5' (western) is proposed. (LDC 9.7). The applicant is proposing to not extend past the existing non-conforming side yard setback with the proposed patio cover.

Figure 3: Zoning Table			
Detached, Single-Family Residential	260 43rd Ave.		
	RU-2 Required	Existing	Proposed
Lot Area (Min.)	6,000 sq. ft.	7,200 sq. ft.	No Change
Lot Width (Min.)	60'	60'	No Change
Front Yard Setback (Min.)	20'	25.13'	No Change
Secondary Front Yard Setback (Min.)	10'	n/a	n/a
Side Yard Setback (Min.)	6' (10% of lot width)	4.2'* west, 6.8' east	No Change
Rear Yard Setback (Min.)	20'	44'	No Change
ISR (Max.)	0.70	0.41	No Change
Height (Max.)	30'	not provided, dwelling is currently two-story	No Change
Accessory Structure			
Patio Cover			
Size (Max.)	n/a	n/a	420 sq. ft.
Front Yard Setback (Min.)	20'	n/a	n/a
Side Yard Setback (Min.)	6'	n/a	4.5' west (v)
Rear Yard Setback (Min.)	15'	n/a	44'
Height (Max.)	n/a	n/a	9'
*Denotes existing non-conformity (v) = Variance required			



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 items 1-4 **independently** from staff comments:

Staff finds the applicant is requesting a 4.5' west side yard setback where 6' is required, representing a variance of 25% from the required standard where 4.2' currently exists representing a variance of 30% 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 proposed patio cover is located within the rear yard and attached to the home. Existing 6' high fencing aids in screening the adjacent properties, including those to the side and rear.

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. Staff understands the proposed patio cover is to be located on top of the newly constructed rear patio containing a pool which would allow for coverage over an existing seating area. However, the applicant has advised that due to existing piping located under the existing patio which serves the pool a change in dimension would interfere with the anchoring of the proposed patio.

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 existing degree of nonconformity, as the impervious surface ratio (ISR) and all other setback requirements will be met minus the side yard setback requirement.

Staff requests additional information with regards to additional comments below:

- Construction drawings submitted show the sides of the structure to be open. Applicant should confirm and advise if there are any plans to enclose the structure. It should be noted that Sec. 6.13(c)(3) of the LDC does not permit the structure to be enclosed to be construed as living space.
- The building plans indicate the patio cover is to be connected to the dwelling by fascia mount. The dwelling currently has gutters and leaders, and information should be provided how the applicant and/or homeowner 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).

Recommendation

Staff finds 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):

- The applicant acknowledges that the structure shall remain open and may not be enclosed to be utilized as living space in compliance with LDC Sec. 6.13(c)(3).
- Measures will be installed so that the stormwater runoff shall be directed and maintained on the property to ensure compliance with LDC Sec. 6.13(b)(3) with the installation of downspouts and gutters pursuant to LDC Sec. 6.22(d).

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,

A handwritten signature in dark ink, consisting of a large, stylized 'K' followed by a horizontal line extending to the right.

Kristin Coman
Senior Planner

Cc: Julia Montemuino, Applicant **via email** (jmontemuino7.com)
Dennis Convery, Owner **via email** (dconvery19@aol.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: November 30, 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: Staff recommends 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 Updated 10.24.2022



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: 8/23/22 ^{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

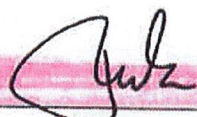
It would affect the project by changing the finished appearance and desired look.

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.

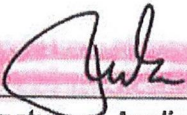
AF CJ I understand that if a variance is approved by the BOA, City Commission or City Manager, the applicant is required to obtain the appropriate building permits within 1 year from the date of the decision. If no permit is obtained within 1 year, the approval becomes voided.

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

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

I/WE

Andrea and Andras Fenyves
(print name of property owner)

hereby authorize

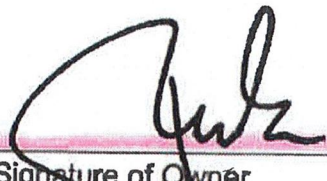
Craig Jackson
(print name of agent)

to represent me/us in an application for

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

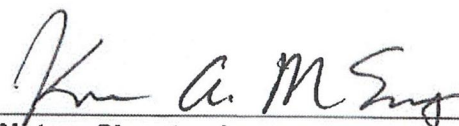

Signature of Owner

Andrea Fenyves
Print Name of Owner


Signature of Owner

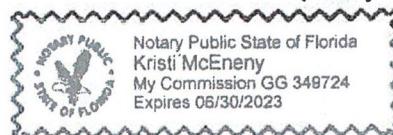
Andras Fenyves
Print Name of Owner

The forgoing instrument was acknowledged before me this 23rd day of August 2022 by Andrea & Andras Fenyves or who is personally known _____ produced _____ as identification.


(Notary Signature)

8/23/22
(Date)

My Commission Expires 6/30/23





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]
Signature

08/23/2022

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:

Kristi McEnery

Print Name:

Kristi McEnery

Notary

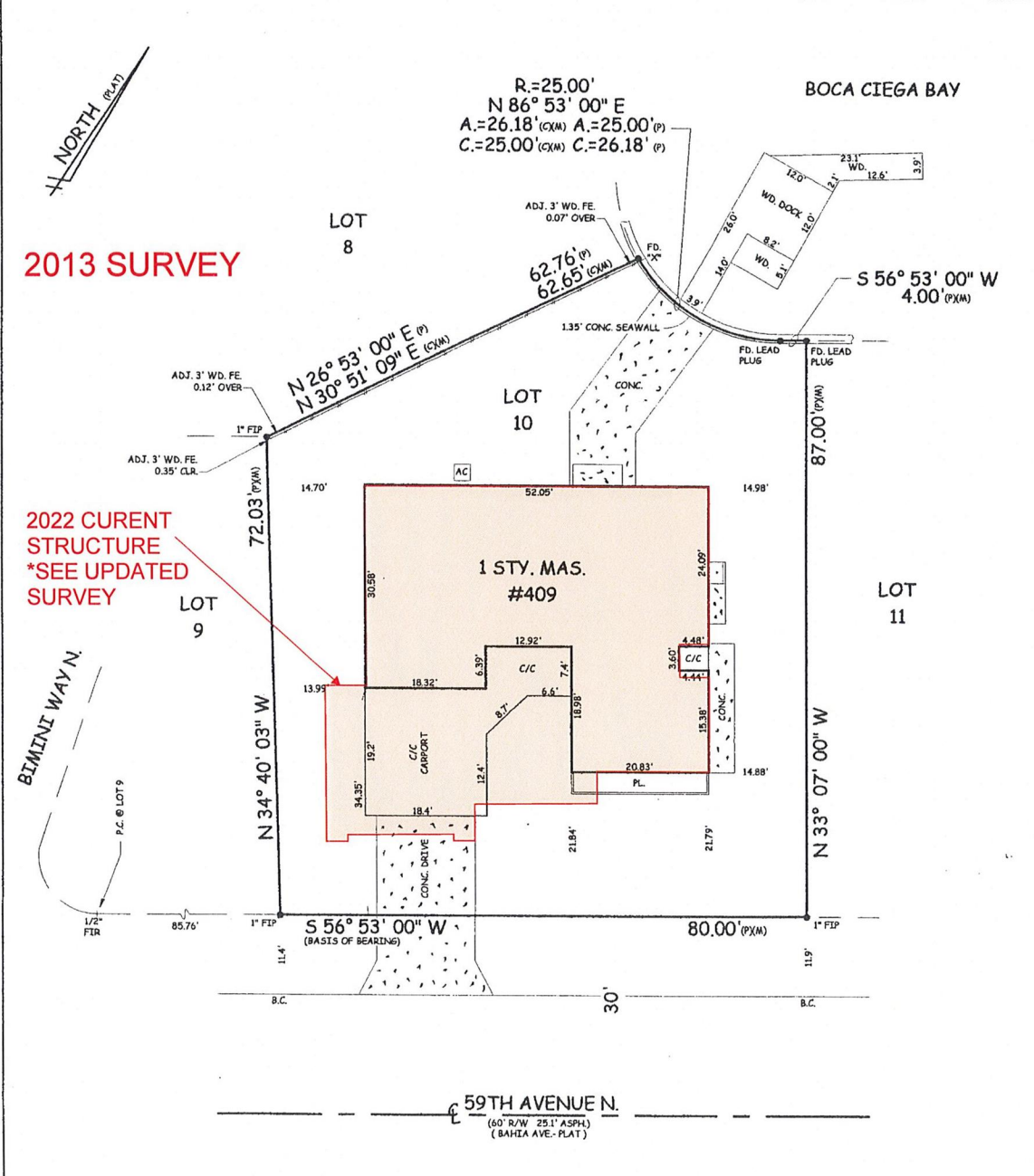
Public, State of Florida

(Notarial Seal)

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.



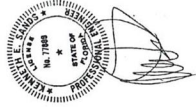
A BOUNDARY SURVEY OF: Lot 10, BAHIA SHORES FIRST ADDITION, as recorded in Plat Book 36, Page 3 of the Public Records of Pinellas County, Florida.

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 81G17-8, 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 UNLESS EMBOSSED WITH THE SURVEYOR'S SEAL. BEARINGS SHOWN ARE BASED ON PLAT, UNLESS OTHERWISE NOTED.

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	F.D. - 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.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 SW. - SEAWALL ASP. - ASPHALT UTIL. - UTILITY DR. - DRAINAGE	O.H. - OVERHANG GAR. - GARAGE C/W. - 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 P.P. - POWER POLE L.P. - LIGHT POLE
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EDWARD D. MURPHY REG. P.L.S. #5338



KENNETH E. SANDS, PE
SANDS ENGINEERING, LLC
FLORIDA REGISTRATION #77829
20819 TORRE CCL LANE STREET
ESTERO, FLORIDA 33428
CELL: 941-888-4343
KSANDS@SANDSENGINE.COM

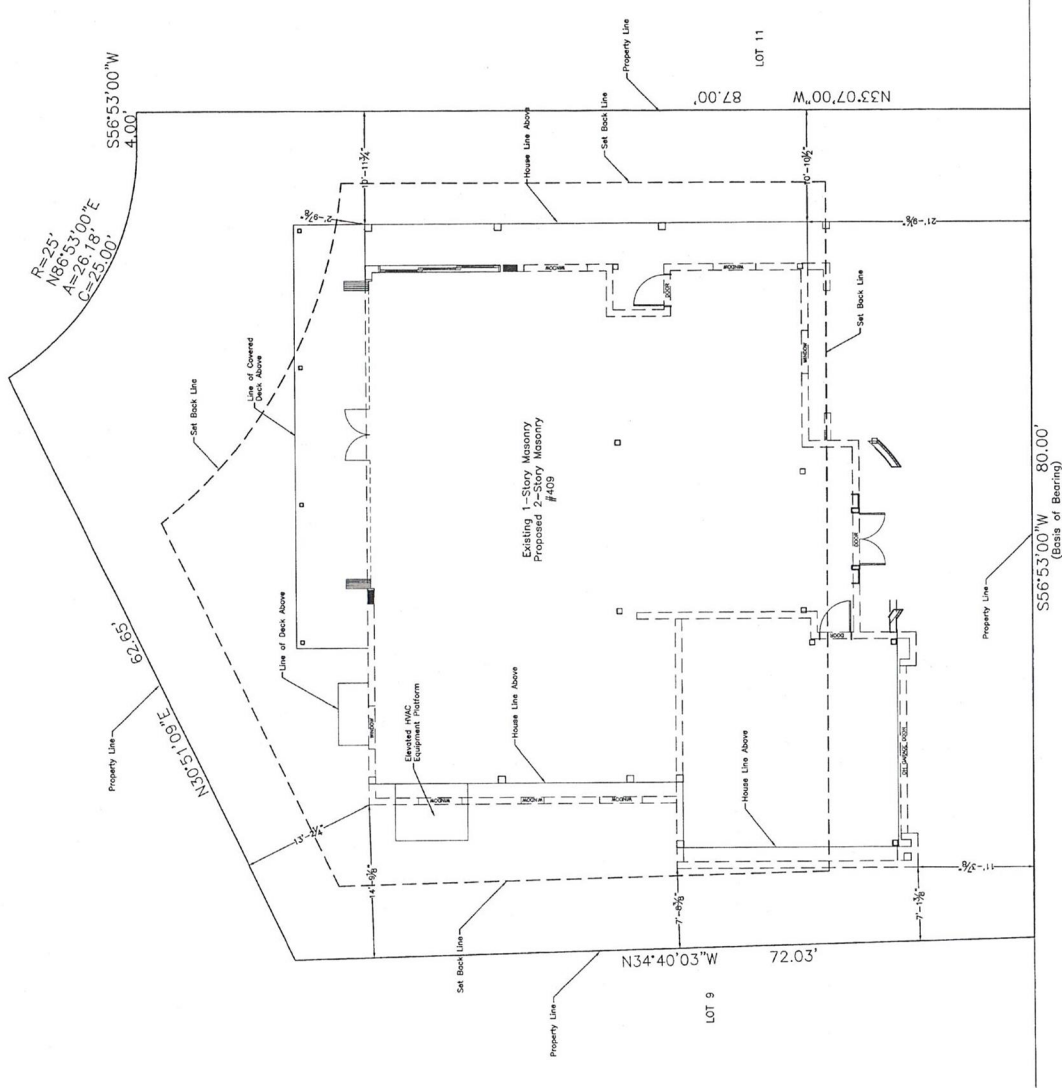


FENVES RESIDENCE
Home Remodel & Addition
409 59th Avenue
St. Pete Beach, Florida 33706

Project:
Drawn For:
Date:
Permit:

SHEET NO. 21003-70
PROJECT NO. 21003-70
PLOT PLAN
SCALE 3/16"=1'

C1.0



59th Avenue N
60' R/W
PLOT PLAN
SCALE 3/16"=1'

SCALE: 1" = 20'

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



- PREVIOUS PLOT PLAN (ORIGINAL STRUCTURE)

Page 70 of 126

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

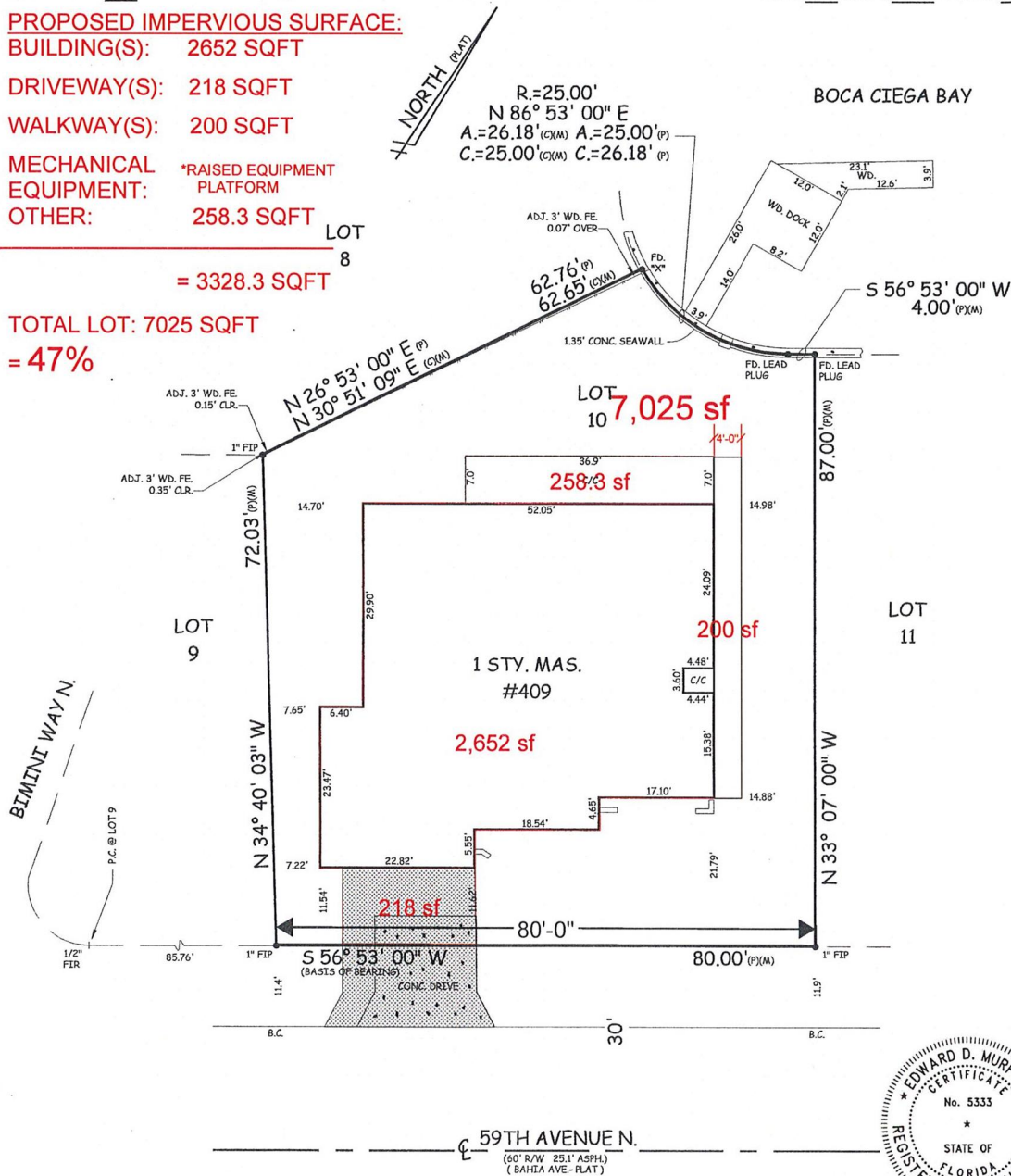
MECHANICAL EQUIPMENT: *RAISED EQUIPMENT PLATFORM

OTHER: 258.3 SQFT

= 3328.3 SQFT

TOTAL LOT: 7025 SQFT

= 47%

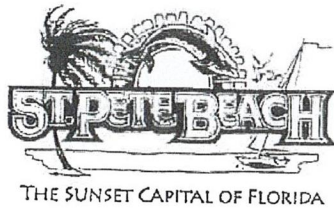


A BOUNDARY SURVEY OF: Lot 11, BAHIA SHORES FIRST ADDITION, as recorded in Plat Book 36, Page 3 of the Public Records of Pinellas County, Florida.

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(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 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 IMPRIMED WITH SURVEYOR'S SEAL. BEARINGS SHOWN ARE BASED ON PLAT, UNLESS OTHERWISE NOTED.

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 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 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	E.S.M.T. - 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 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 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).

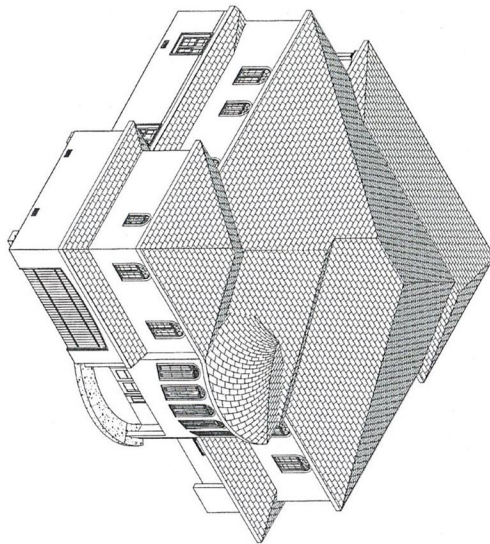
Respectfully,

Wesley T. Wright, Director
Community Development

FENYVES RESIDENCE

PERMIT SET

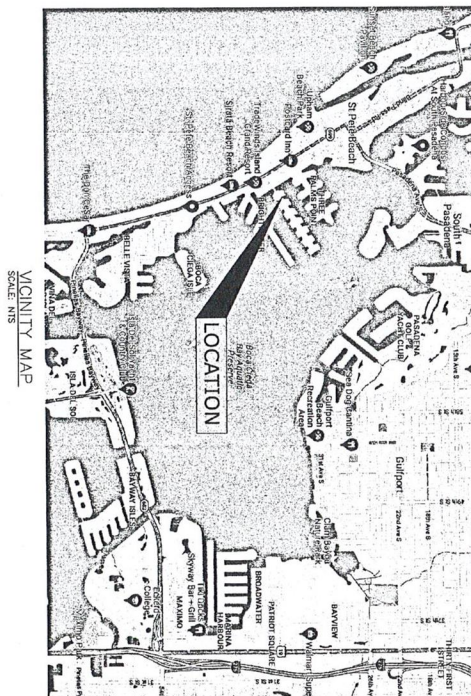
409 59TH AVENUE, ST. PETE BEACH, FLORIDA 33706



① 3D View

INDEX OF DRAWINGS:

Sheet Name	Sheet Number
Title Sheet	GO.0
General Notes	GO.1
Plot Plan	GO.2
First Floor Plan	GO.3
Second Floor Plan	GO.4
Third Floor Plan	GO.5
Fourth Floor Plan	GO.6
Basement Level Plan	GO.7
Basement Level Wall/Column Demolition Plan	GO.8
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Basement Level Wall/Column Demolition Plan	GO.100



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

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
Sheet No. 21002-70
Title Sheet
GO.0



KENNETH E. SANDS, P.E.
SANDS ENGINEERING, LLC
FLORIDA REGISTRATION #77809
FLORIDA Co #31453
20819 TORRE DEL LAGO STREET
ESTERO, FLORIDA 33928
CELL: 941-888-4343 KSANDS@SANDSENG.COM

1. APPLICABLE CO

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1. SAWN LUMBER

- ## 8. ALL EXTERIOR

1. THE MINIMUM UL

- ## CONCRETE PLACEMENT

1. CONTRACTOR SH

- A. ON FROM INSTAN

5. CONCRETE PLAC

- ## REINFORCEMENT

2. ALL BACKFILLAR

- FINISHES:**

BUILDING FLOOR S

- ## 1. FOUNDATION DESIGN

3. MINIMUM SUBGR

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- ## FURTHER INFORMATION

AT 8" O.C. SPACING

- OVERHEAD GARAGE

MFR. INSTALLATION
WIND LOADS

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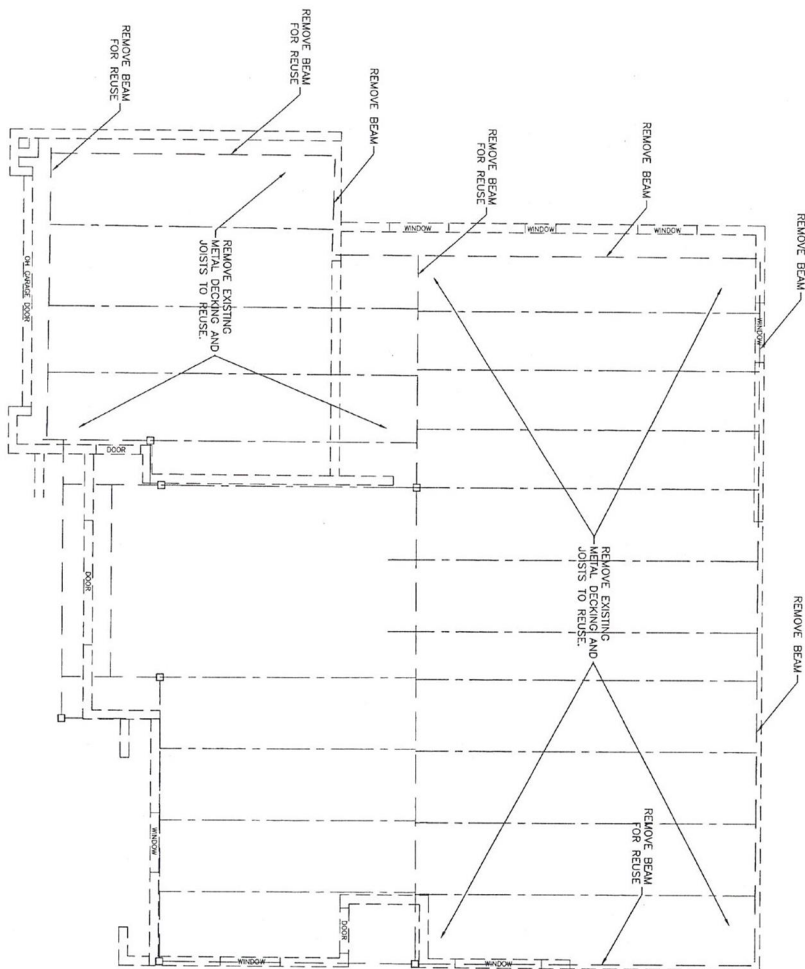
5

GENERAL SPECIFICATIONS:

1. Steel beams and bar joists shall be carefully removed for reuse.
2. The construction and compliance with all permit constants shall be maintained in accordance with the 2020 Florida Building Code and all current amendments.
3. The construction of the project shall comply with the 2020 Florida Building Code and all current amendments.
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NOTES:

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STEEL DEMOLITION PLAN

SCALE: 1/4"=1'

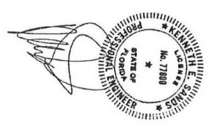
DO NOT SCALE DRAWINGS PLANS CONFORM TO FLORIDA BUILDING CODE - 7TH EDITION (2020)

SHEET TITLE	Demolition Plan
PROJECT NO.	21003-70
SHEET NO.	D1.0

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



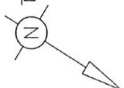
KENNETH E. SANDS, PE
SANDS ENGINEERING, LLC
FLORIDA REGISTRATION #77809
FLORIDA CoA #31453
20819 TORRE DEL LAGO STREET
ESTERO, FLORIDA 33428
CELL: 941-686-4343 KSANDS@SANDSENG.COM



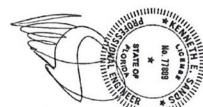
1. The contractor will be responsible for obtaining all the necessary permits for construction and compliance with all permit constraints required to complete the project.
2. The construction of the project shall comply with the 2020 7th Edition of the Florida Building Code and all current amendments.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

1. Steel column removal shall include the base plates. Anchor bolts shall be cut off flush with the top of the footer.
2. Masonry removed shall be removed to the existing slab elevation. Any reinforcing bars in the removed section shall be cut off flush.
3. See structural drawings for new columns and footers.

- Any reinforcing bars in the removed section shall be cut off flush.
- See structural drawings for new columns and footers.
- Existing rear concrete slab shall be removed.
- Existing rear wood deck shall be removed.



KENNETH E. SANDS, PE
SANDS ENGINEERING, LLC
FLORIDA REGISTRATION #77809
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CELL: 941-888-4343 KESANDS@SANDSENG.COM

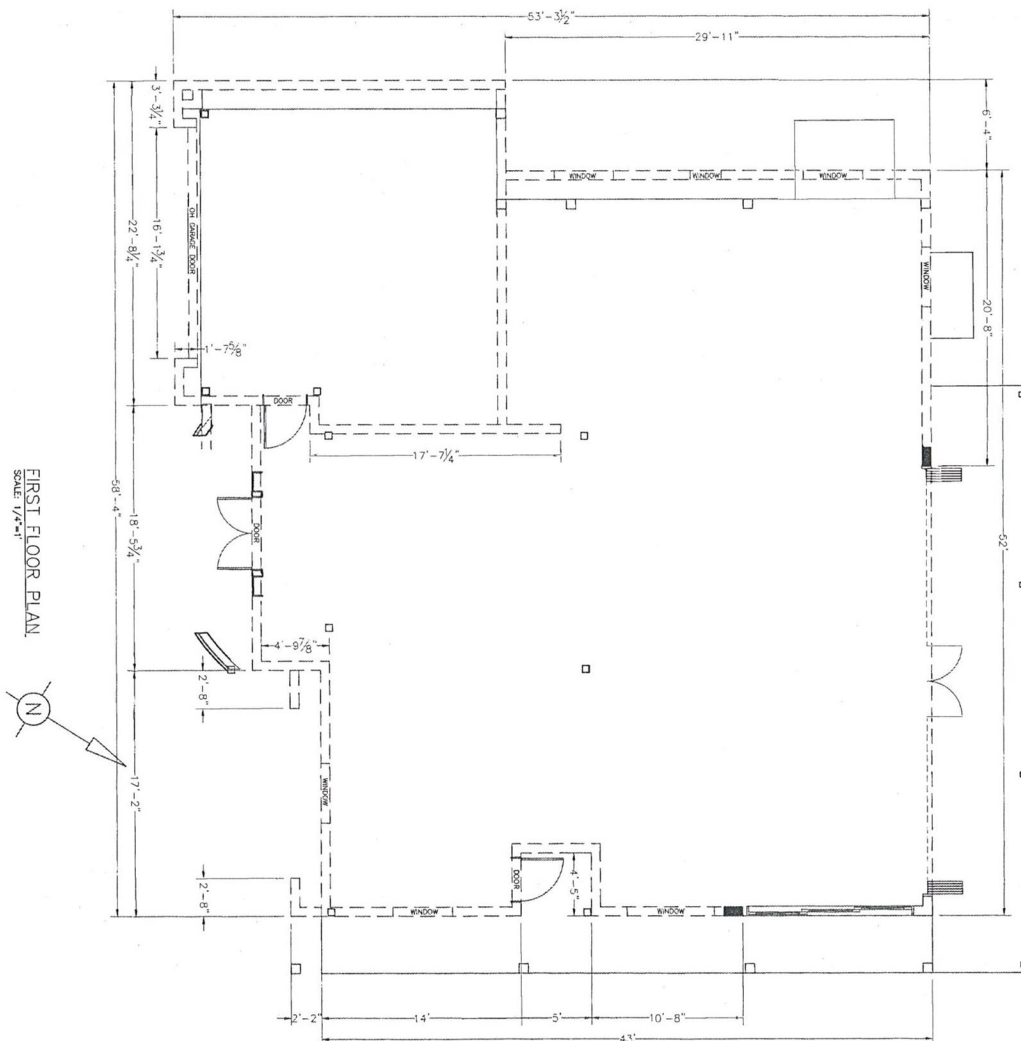


GENERAL SPECIFICATIONS:

1. The contractor will be responsible for obtaining all the necessary permits and approvals from the appropriate authorities and for providing all the necessary information to the appropriate authorities to obtain the necessary permits and approvals.
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NOTES:

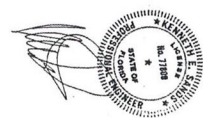
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FIRST FLOOR PLAN
SCALE: 1/4"=1'-0"

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
PETERO, FLORIDA 33508
CELL: 941-888-4343 K.SANDS@SANDSENG.COM

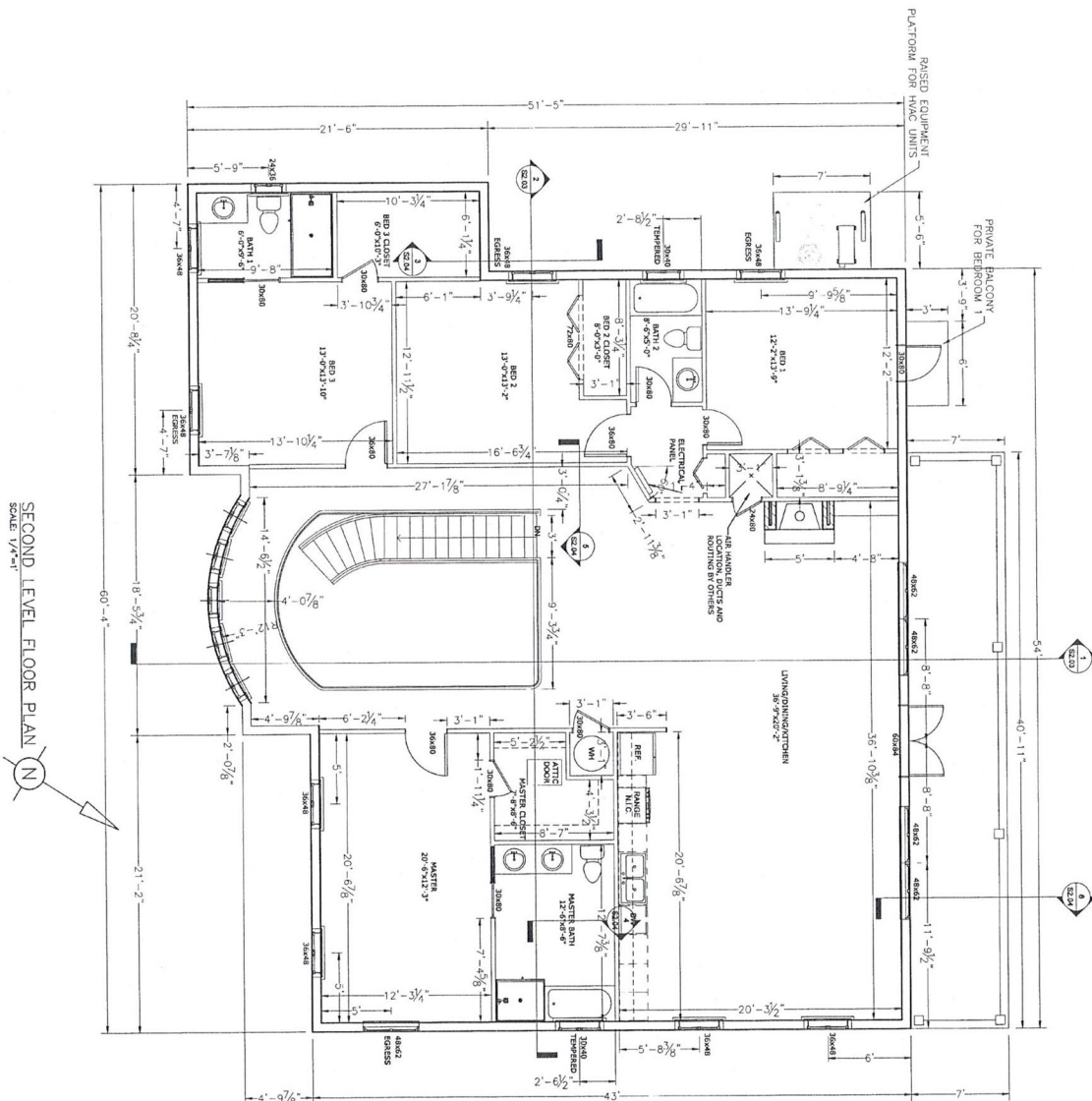


GENERAL SPECIFICATIONS:

1. The contractor will be responsible for obtaining all the necessary permits and approvals from the appropriate authorities prior to the start of construction.
2. The construction of this project shall comply with all applicable codes, ordinances, and regulations, including but not limited to the Florida Building Code, Florida Electrical Code, and Florida Mechanical Code.
3. The job site shall have the necessary permits posted on an approved permit board prior to beginning any construction.

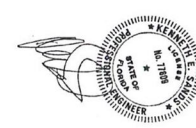
NOTES:

1. Contractor to verify window and door rough openings prior to construction.
2. Exterior walls shall be finished masonry units with 1/2" mortar.
3. All interior walls shall be finished with 5/8" drywall and taped and mudded at all joints and corners.
4. All interior floors shall be finished with 1/2" concrete and 1/4" tile.
5. All interior ceilings shall be finished with 5/8" drywall and taped and mudded at all joints and corners.
6. All interior doors shall have 2 1/2" tops and 2 1/2" bottoms.
7. All interior windows shall have 2 1/2" tops and 2 1/2" bottoms.
8. All interior doors and windows shall be finished with 1/2" solid core.
9. All interior doors and windows shall be finished with 1/2" solid core.
10. All interior doors and windows shall be finished with 1/2" solid core.

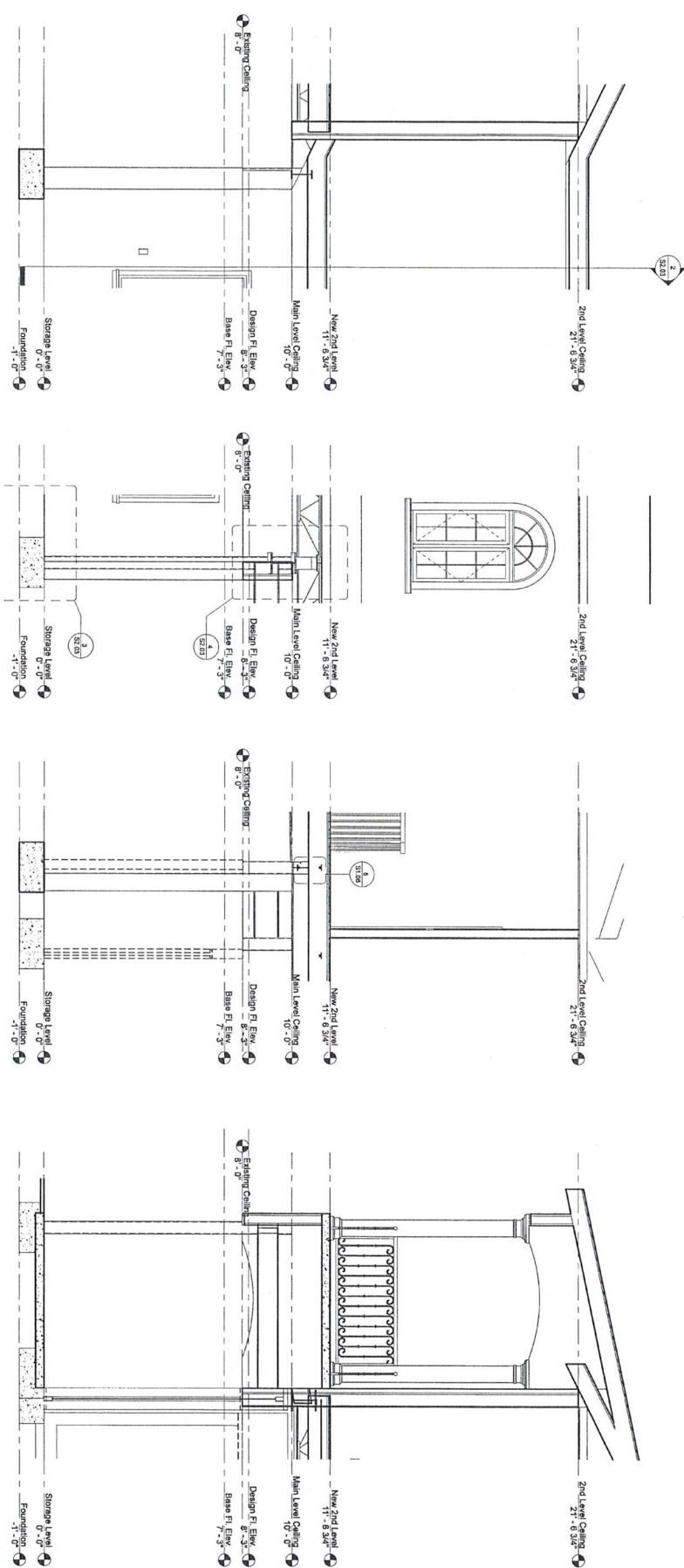


SECOND LEVEL FLOOR PLAN
SCALE 1/4"=1'

DO NOT SCALE DRAWINGS		PLANS CONFORM TO FLORIDA BUILDING CODE - 7TH EDITION (2020)	
SHEET TITLE 2ND LEVEL FLOOR PLAN		Project: FENYVES RESIDENCE Home Remodel & Addition	
SHEET NO. 21003-70		409 59th Avenue St. Pete Beach, Florida 33706	
PROJECT NO. A2.1		Kenneth E. Sands, PE SANDS ENGINEERING, LLC FLORIDA REGISTRATION #77809 FLORIDA CEA #21453 20819 TORRE DEL LAGO STREET ESTERO, FLORIDA 33928 CELL: 941-888-4343 KSANDS@SANDSENG.COM	



This drawing has been carefully checked and verified by Kenneth E. Sands, PE, for compliance with the Florida Building Code and the Florida Electrical Code. The date of the last check is 2/21/2022.



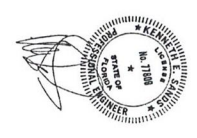
③ Section 3
1/2" = 1'-0"

④ Section 4
1/2" = 1'-0"

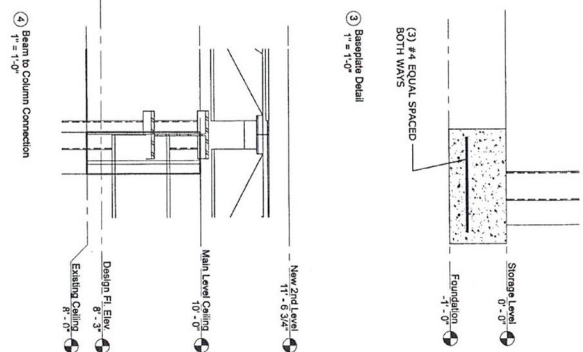
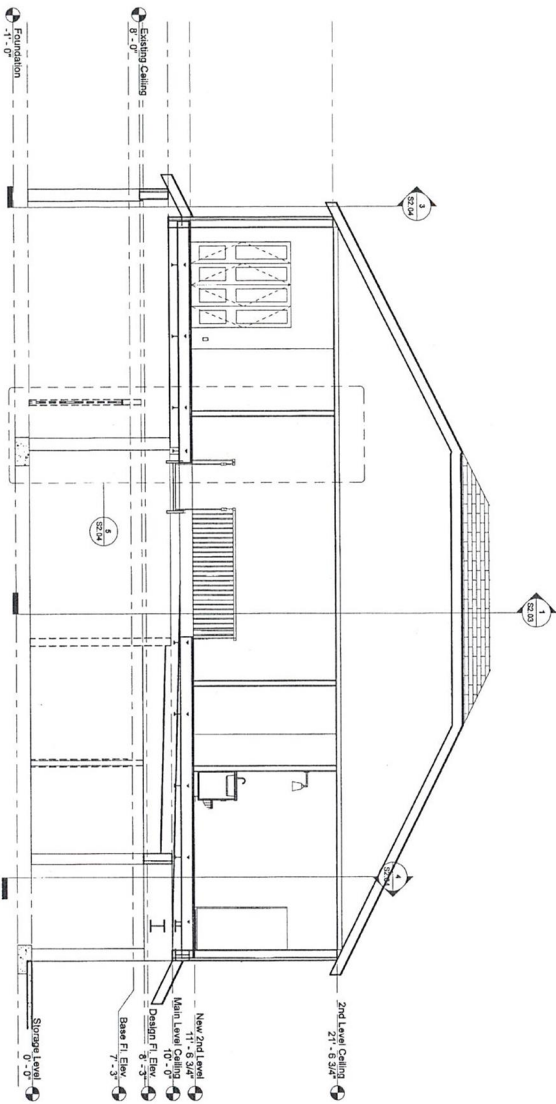
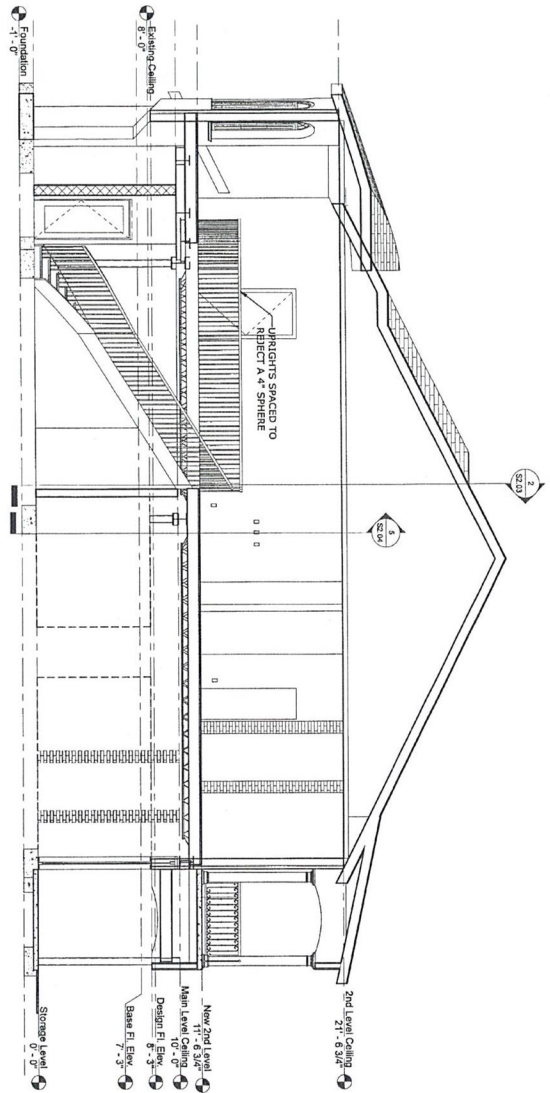
⑤ Section 5
1/2" = 1'-0"

⑥ Section 6
1/2" = 1'-0"

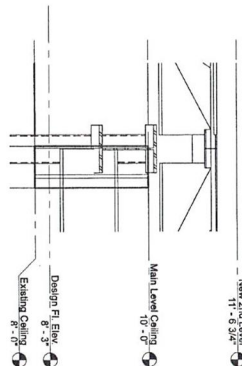
SPECIAL FLOOD HAZARD AREA (AE-12):
DESIGN FLOOD ELEVATION (DFE) (13 FT)
BASE FLOOD ELEVATION (BFE) (12 FT)
NOTE THAT 1 FT FREEBOARD IS REQUIRED WHICH
IS THE DESIGN FLOOD ELEVATION (DFE) (13 FT)



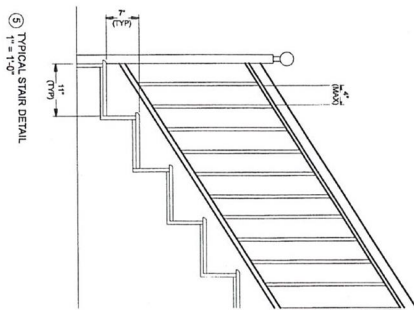
DO NOT SCALE DRAWINGS		PLANS CONFORM TO FLORIDA BUILDING CODE - 7TH EDITION (2222)	
Project: Fenyves Residence Home Remodel & Addition 409 59th Avenue St. Pete Beach, Florida 33706		Kenneth E. Sands, PE SANDS ENGINEERING, LLC FLORIDA REGISTRATION #77809 FLORIDA C.O.A. #31453 20819 TORRE DEL LAGO STREET ESTERO, FLORIDA 33928 CELL: 941-888-4343 KSANDS@SANDSENG.COM	
SHEET NO. 21003-70 A3.1	PROJECT NO. 21003-70	SHEET TITLE Sections	DRAWN BY KES



3 Stairing Detail
1" = 1'-0"



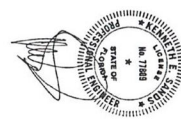
4 Beam to Column Connection
1" = 1'-0"



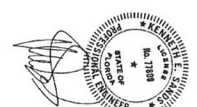
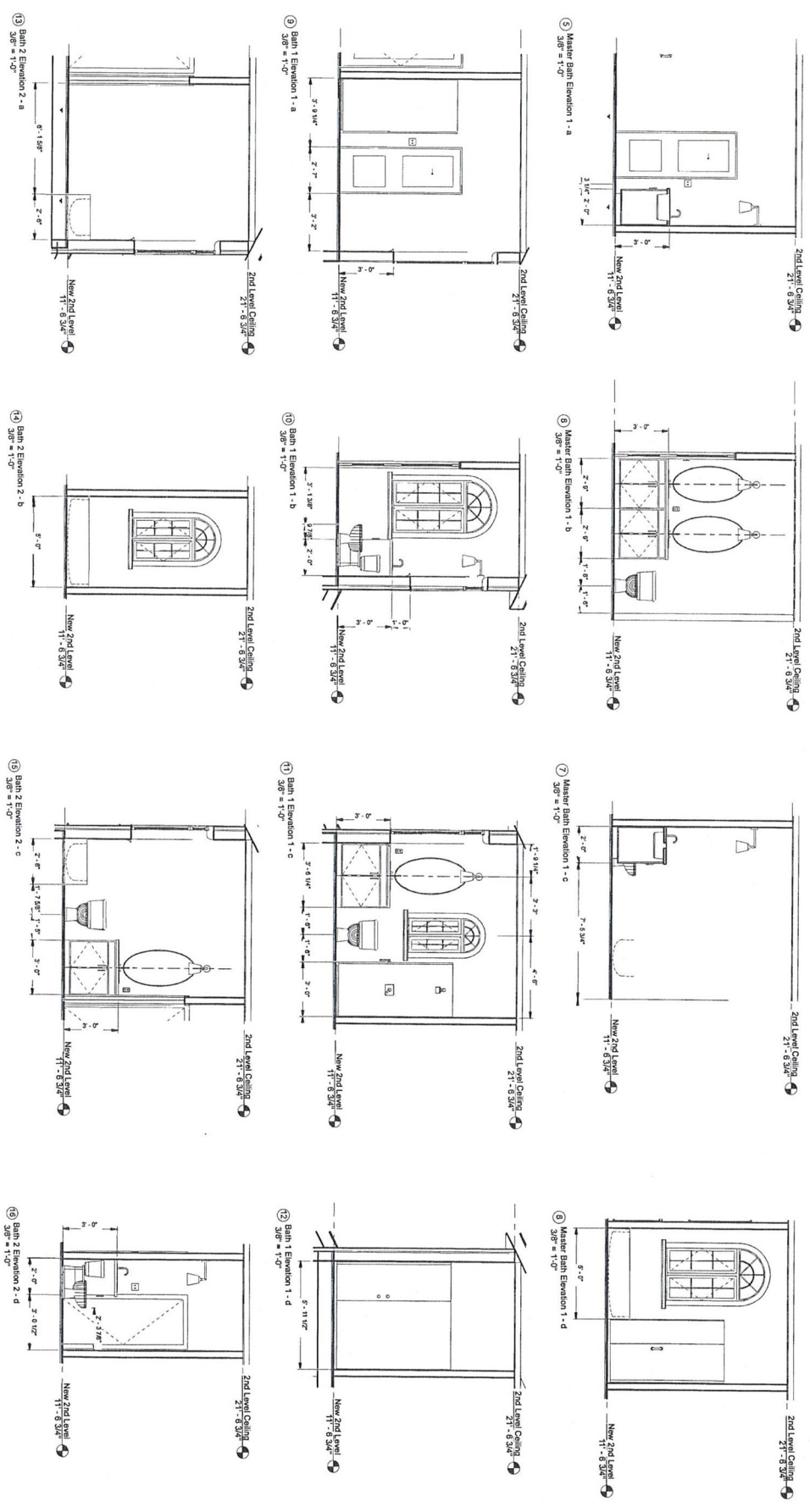
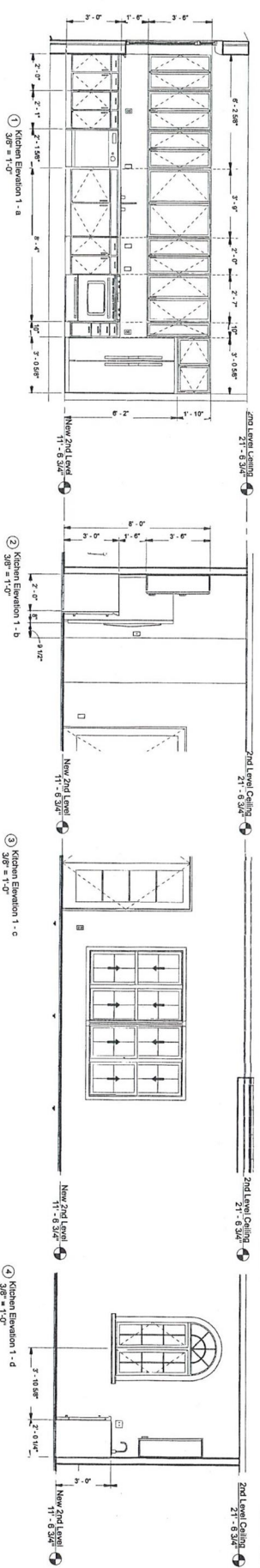
5 Typical Stair Detail
1" = 1'-0"

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)

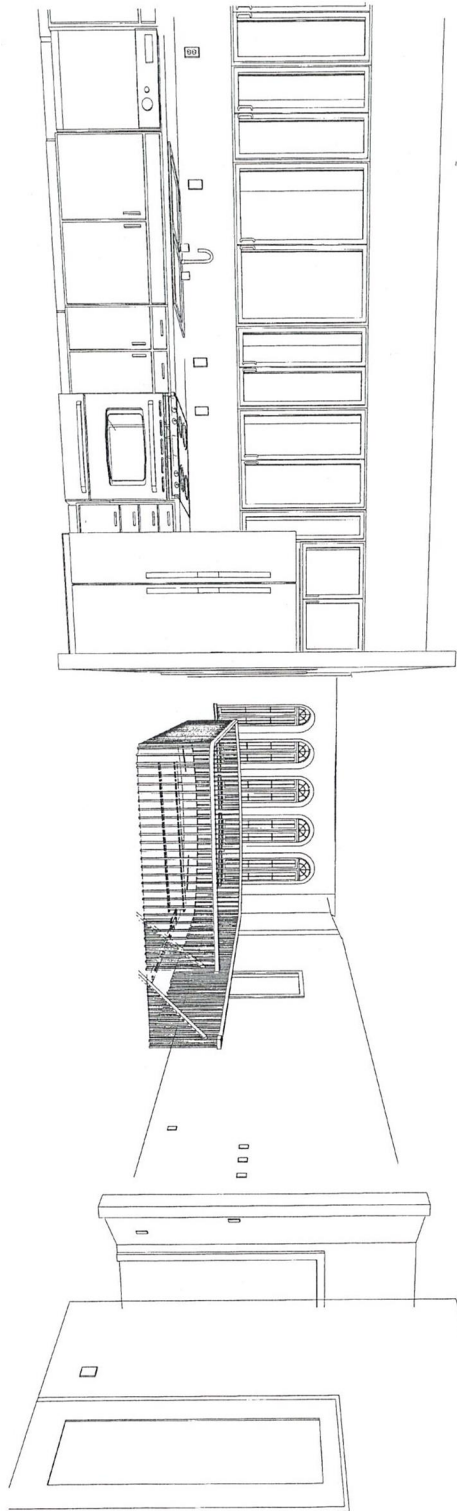
This drawing has been digitally signed and sealed by Kenneth E. Sands, PE, a Professional Engineer in the State of Florida, License No. 77809. The seal and signature are required by the Florida Board of Professional Engineers to certify that this drawing was prepared by or under the direct supervision and control of the signatory. The seal and signature are required by the Florida Board of Professional Engineers to certify that this drawing was prepared by or under the direct supervision and control of the signatory. The seal and signature are required by the Florida Board of Professional Engineers to certify that this drawing was prepared by or under the direct supervision and control of the signatory.



DO NOT SCALE DRAWINGS		PLANS CONFORM TO FLORIDA BUILDING CODE - 7TH EDITION (2020)	
PROJECT NO. 21003-70		SHEET NO. A3.2	
PROJECT TITLE SECTIONS & DETAILS		PROJECT FENYVES RESIDENCE Home Remodel & Addition 409 59th Avenue St. Pete Beach, Florida 33706	
DESIGNED BY KENNETH E. SANDS, PE 7/22/2022		KENNETH E. SANDS, PE SANDS ENGINEERING, LLC FLORIDA REGISTRATION: 77809 FLORIDA CO# #31453 20819 TORRE DEL LAGO STREET ESTERO, FLORIDA 33928 CELL: 941-888-4343 KSANDS@SANDSENG.COM	



3D Interior View if back door to kitchen



2 Interior 1st fl View 1



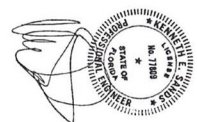
DO NOT SCALE DRAWINGS PLANS CONFORM TO FLORIDA BUILDING CODE - 7TH EDITION (2020)

SHEET TITLE
3D Interior
Views
PROJECT NO
21001-70
SHEET NO
A3.4

Project:
FENYVES RESIDENCE
Home Remodel & Addition
409 59th Avenue
St. Pete Beach, Florida 33706
Issued For Permit
12/22/2022



KENNETH E. SANDS, PE
SANDS ENGINEERING, LLC
FLORIDA REGISTRATION #77609
FLORIDA C&A #21453
20819 TORRE DEL LAGO STREET
ESTERO, FLORIDA 33928
CELL: 941-886-4343 KSANDS@SANDS-ENG.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 permits for construction and compliance with all permit conditions.
4. The contractor shall be responsible for obtaining all the necessary permits for construction and compliance with all permit conditions.

NOTES

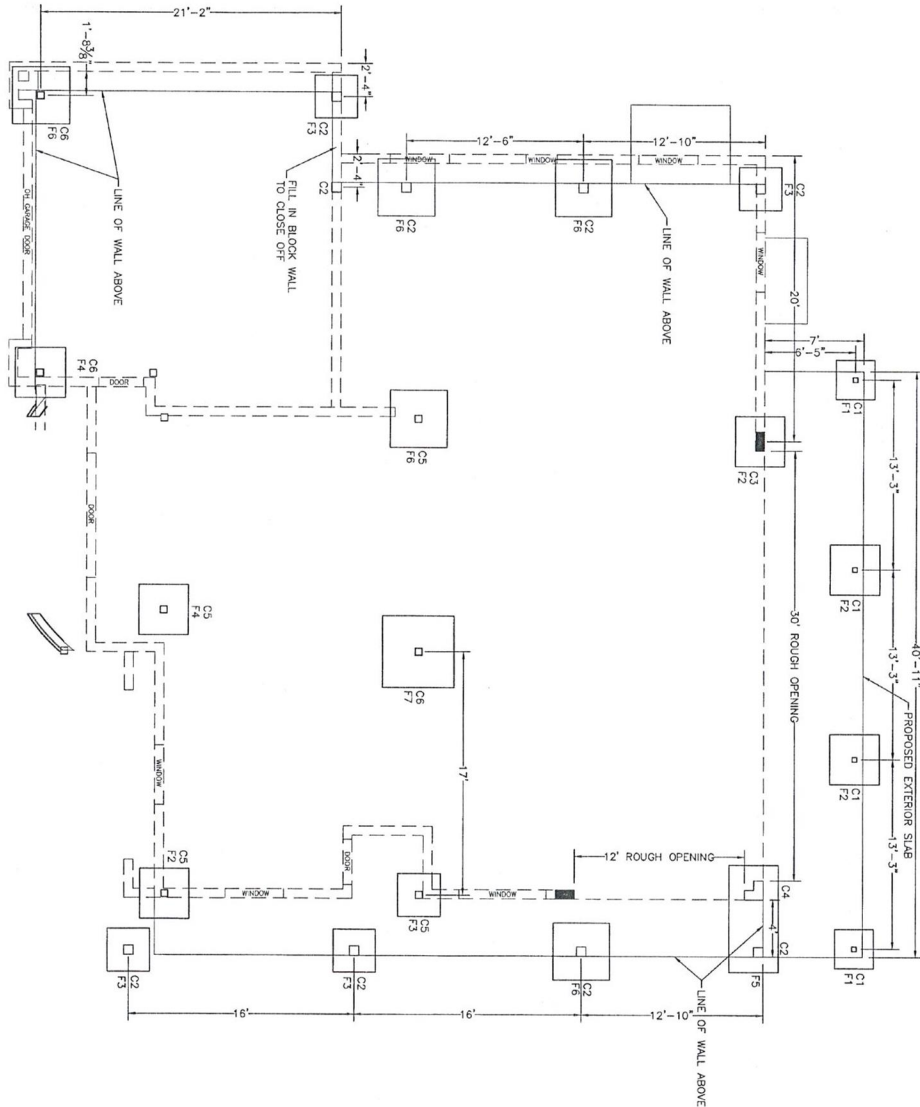
1. Soil below footings shall be compacted and tested to ensure 20% moisture content and 95% relative compaction.
2. Saw cut and remove existing concrete walls and footings as required to install new footings.
3. Steel reinforcement shall be placed in concrete walls and footings as required.
4. Steel beam plates shall be 5/8" thick on both sides of plates, 6" wide.
5. Concrete for footings shall be 3000 psi.
6. Concrete for walls shall be 3000 psi.
7. Contractor to verify existing door rough openings prior to building columns on each end.

FOOTING SCHEDULE (F)

F1	3.5'x3.5'x12" (3)#5 EW
F2	4.2'x4.2'x12" (3)#5 EW
F3	3.5'x3.5'x12" (4)#5 EW
F4	4.2'x4.2'x12" (4)#5 EW
F5	4.2'x4.2'x12" (3)#5 LW / (7)#5 SW
F6	4.2'x4.2'x12" (3)#5 LW
F7	6.0'x6.0'x12" (6)#5 EW

COLUMN SCHEDULE (C)

C1	4'x4'x8' HSS A500 Gr. B-45
C2	8'x8' CONCRETE W/(2)#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 6'x6'x4" HSS REUSED FROM ONE REMOVED
C6	EXISTING 6'x6'x4" HSS REUSED FROM ONE REMOVED



FOUNDATION PLAN
SCALE: 1/4"=1'

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

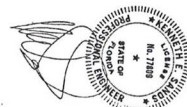
SHEET TITLE
FOUNDATION
PROJECT NO.
21003-70
S1.0

Issued For
Permit
2/22/2022

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 CEA #31453
20819 TORRE DEL LAGO STREET
ESTERO, FLORIDA 33928
CELL: 941-888-4343 KSANDS@SANDSENG.COM



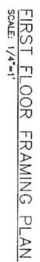
1. The contractor will be responsible for obtaining all the necessary permits for construction and compliance with all permit constraints required to complete the project.
2. The construction of the project shall comply with the 2020 7th Edition of the Florida Building Code and all current amendments.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

1. Concrete for footers shall be 5000 psi.
2. Rebar is Grade 60.

3. Where non-corrugated beams are being formed over existing block walls, dowel and splice a 12"x12" L-brace #4 bar at 4' on center minus spacing. One dowel shall be within 12" of a corner or end of a beam. Tie the dowel bar to the bottom beam rebar.
 4. Where steel beams run on top of the existing masonry wall, install a threaded rod with nut and washer through the bottom flange of the beam spoked into the bond beam. Rods shall be spaced at 4' on center from an end of 12".
- Fill gap between the block and the steel beam with non-shrink grout prior to tightening the nuts.

B1 8"x32" (SEE BEAM DETAIL FOR REINFORCING)
B2 8"x16" (2)#5 BARS T/B

- | | | | | | |
|----|--------|--------|----------|--------|--------|
| B3 | 8"x16" | (2) #5 | BARS T / | (2) #7 | BARS B |
| B4 | 8"x16" | (2) #4 | BARS T / | (2) #5 | BARS B |

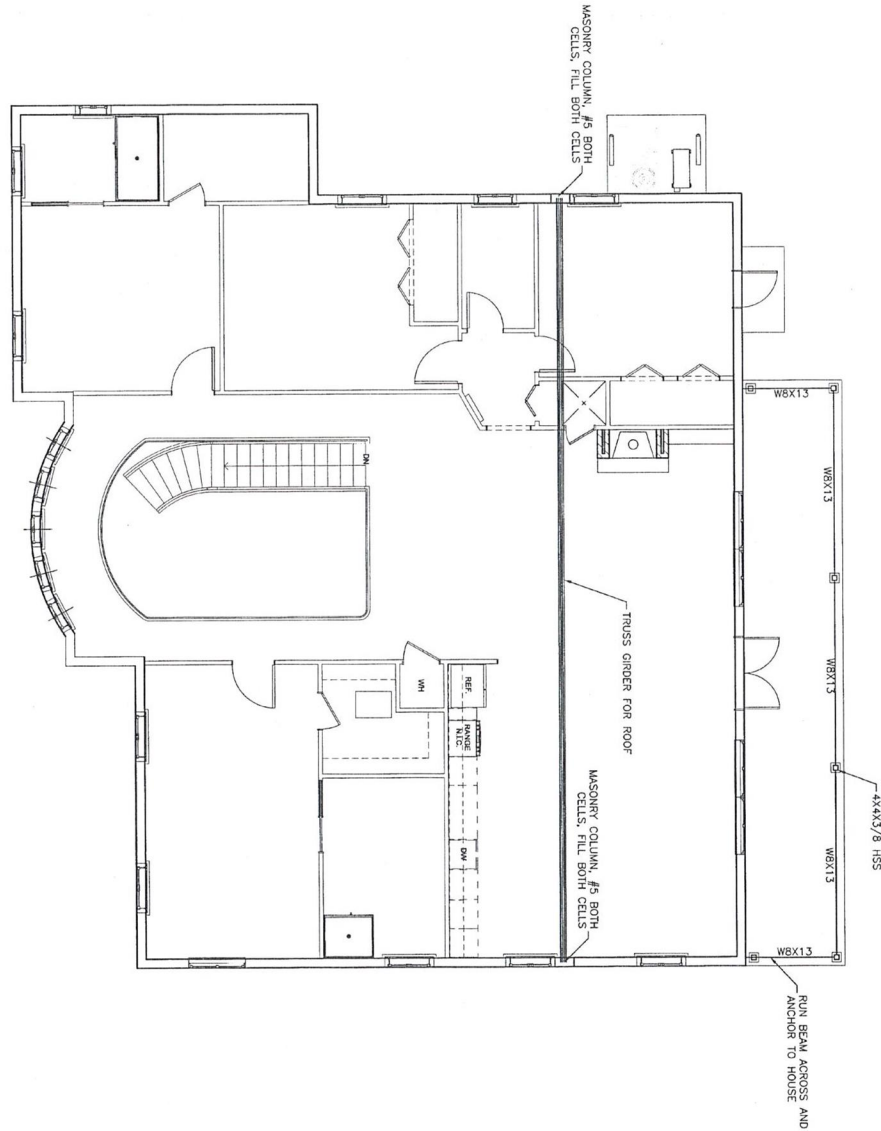


GENERAL SPECIFICATIONS:

1. The contractor will be responsible for obtaining all the necessary permits and approvals from the appropriate authorities and for providing all the necessary information required to complete the project.
2. The contractor shall be responsible for obtaining all the necessary permits and approvals from the appropriate authorities and for providing all the necessary information required to complete the project.
3. The job site shall have the necessary permits posted on an approved permit board prior to beginning any construction.

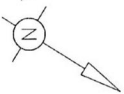
NOTES:

1. Contractor to verify window and door rough openings prior to construction.
2. Exterior walls shall be standard masonry units with 1/2" bed of mortar and 1/2" mortar joint. All exterior walls shall be finished with a minimum of 1/2" mortar and 1/2" mortar joint. All exterior walls shall be finished with a minimum of 1/2" mortar and 1/2" mortar joint.
3. Bond beam of the top shall have 2#5 bars continuous, and shall be matched for runs strips prior to pouring.



SECOND FLOOR FRAMING PLAN

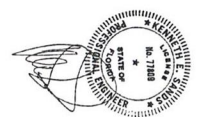
SCALE: 1/4"=1'



DO NOT SCALE DRAWINGS
PLANS CONFORM TO FLORIDA BUILDING CODE - 7TH EDITION (2020)
Project: FENYVES RESIDENCE
Home Remodel & Addition
409 59th Avenue
St. Pete Beach, Florida 33706
Sheet Title: 2ND FLOOR FRAMING PLAN
Project No: 21003-70
Sheet No: S2.1



KENNETH E. SANDS, PE
SANDS ENGINEERING, LLC
FLORIDA REGISTRATION #77809
FLORIDA C.O.#21453
20819 TORRE DEL LAGO STREET
ESTERO, FLORIDA 33928
CELL: 941-888-4343
KSANDS@SANDSENG.COM



ELECTRICAL NOTES

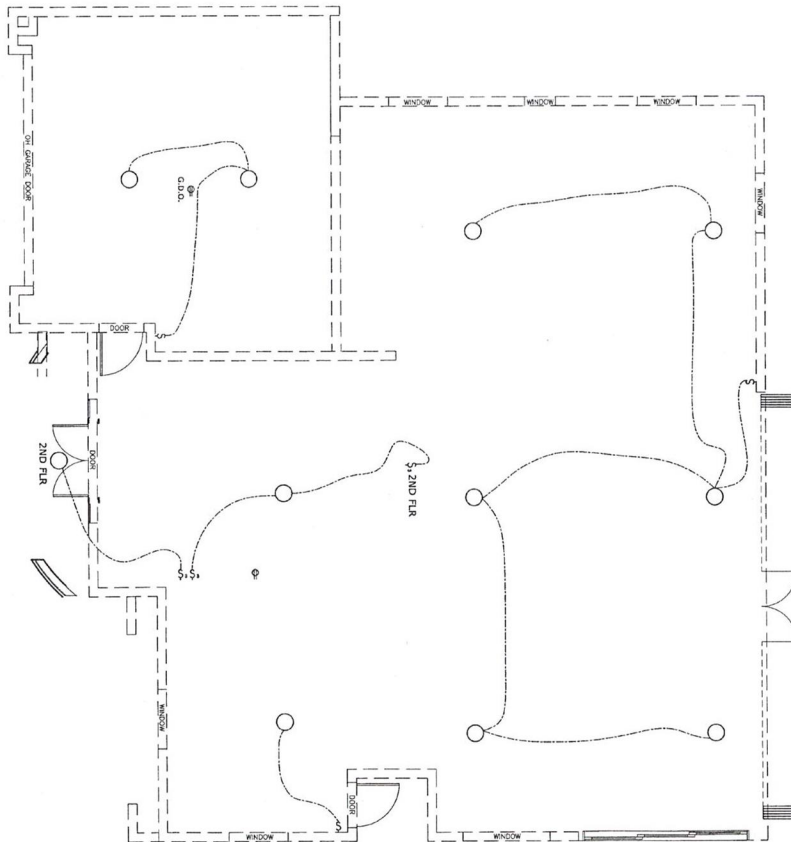
1. DO NOT SCALE THE ELECTRICAL DRAWINGS. REFER TO PLANS AND ELEVATIONS FOR EXACT LOCATION OF ALL EQUIPMENT AND CONFIRM WITH OWNER.
2. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE 2014 N.E.C. AND SHALL COMPLY WITH ALL LOCAL RULES AND LATEST REGULATIONS.
3. MINIMUM WIRE SIZE SHALL BE #12 AWG EXCEPT FOR CONTROL WIRING. ALL CONDUCTORS SHALL BE COPPER UNLESS OTHERWISE NOTED AND LARGER TO BE STRANDED. 310 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 OF PIPE.
6. OUTLET BOXES MAY BE PRESSED STEEL OR NON-FERROUS IN DRY LOCATIONS AND CAST ALLOY WITH THREADED HUBS IN WET OR DAMP LOCATIONS.
7. DISCONNECT SWITCHES SHALL BE HONSENPOWER 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 FUNCTIONAL 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 PARTS 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 CONDUCTORS 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.
 - EXTENSION RECEPTABLES TO BE WATER PROOF. (WP)
 - GROUND FAULT INTERRUPT (GFI) REQ'D 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
 - 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 (FRC-ENERGY CONSERVATION R404)

GENERAL NOTES

1. ALL MECHANICAL, PLUMBING, ELECTRICAL PANELS, SWITCHES AND RECEPTABLES 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 ENTRYWAY LIGHTING.



FIRST FLOOR ELECTRICAL PLAN

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

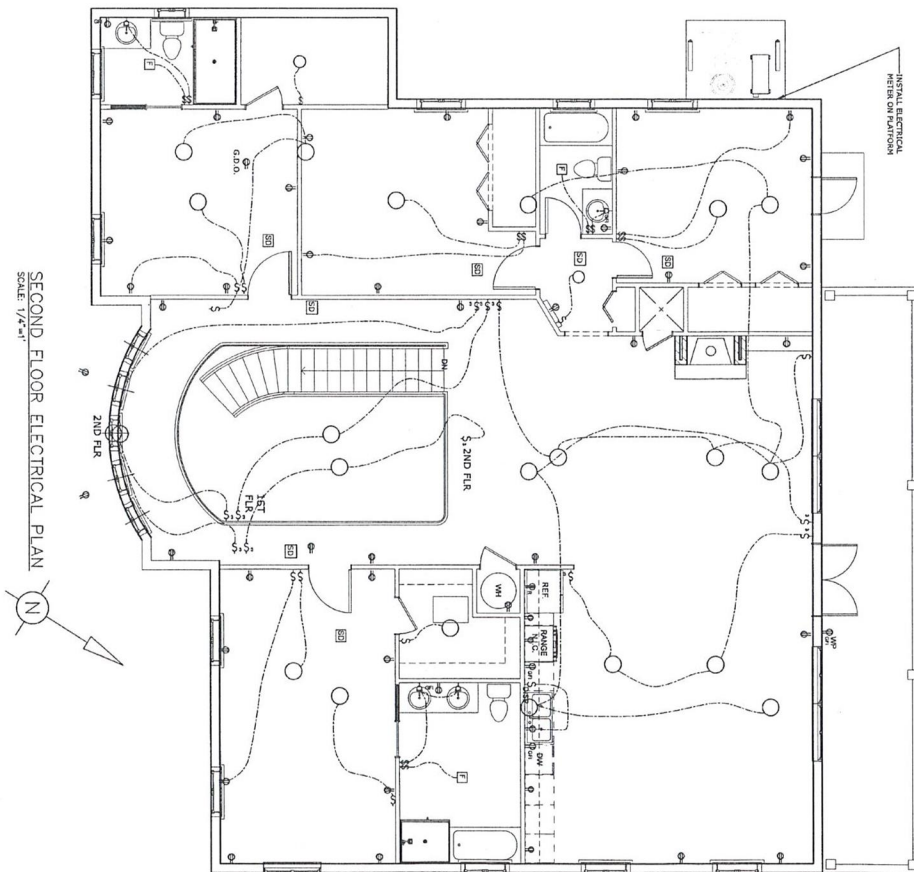
DO NOT SCALE DRAWINGS		PLANS CONFORM TO FLORIDA BUILDING CODE - 701 (EDITION 2005)	
PROJECT NO. 21003-70		PROJECT NO.	
SHEET TITLE First Floor Electrical Plan		KENNETH E. SANDS, PE SANDS ENGINEERING, LLC FLORIDA REGISTRATION #77809 FLORIDA CO# #31453 20819 TORRE DEL LAGO STREET ESTERO, FLORIDA 33928 CELL: 941-888-4343 K.SANDS@SANDSENG.COM	
FENYVES RESIDENCE Home Remodel & Addition 409 59th Avenue St. Pete Beach, Florida 33706			

ELECTRICAL NOTES

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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.
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LEGEND

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- 4WAY WALL SWITCH
- LIGHT AND EXHAUST FAN
- SMOKE DETECTOR / CARBON MONOXIDE DETECTOR COMBINATION
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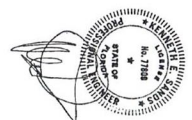


SECOND FLOOR ELECTRICAL PLAN
SCALE: 1/4"=1'

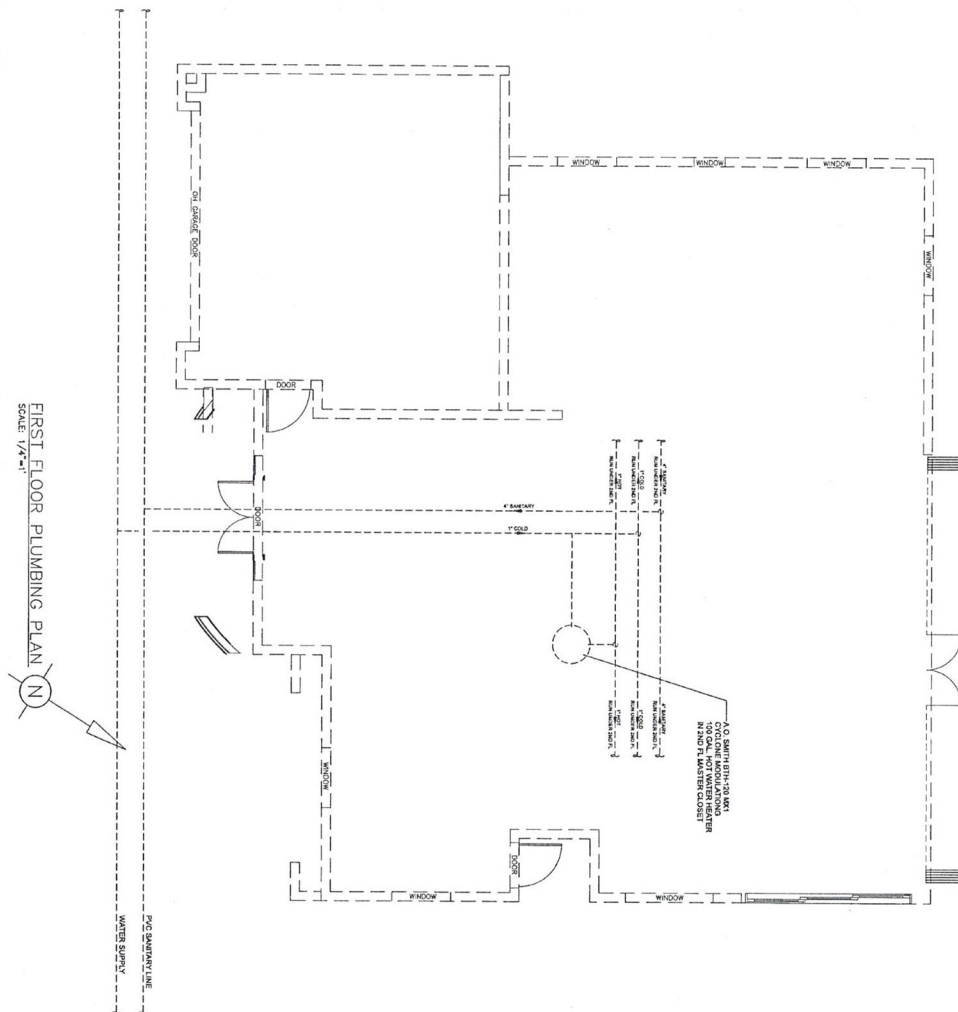
DO NOT SCALE DRAWINGS
PLANS CONFORM TO FLORIDA BUILDING CODE - 7TH EDITION (2020)
Project: FENYVES RESIDENCE
Home Remodel & Addition
409 59th Avenue
St. Pete Beach, Florida 33706
Sheet No: 21003-70
E2.1



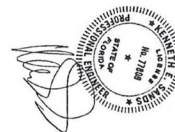
KENNETH E. SANDS, PE
SANDS ENGINEERING, LLC
FLORIDA REGISTRATION #77809
FLORIDA CoA #31403
2019 TORRE DEL LAGO STREET
ESTERO, FLORIDA 33928
CELL: 941-888-4343
KSANDS@SANDSENG.COM



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 and submitting an approved permit board prior to beginning any construction.



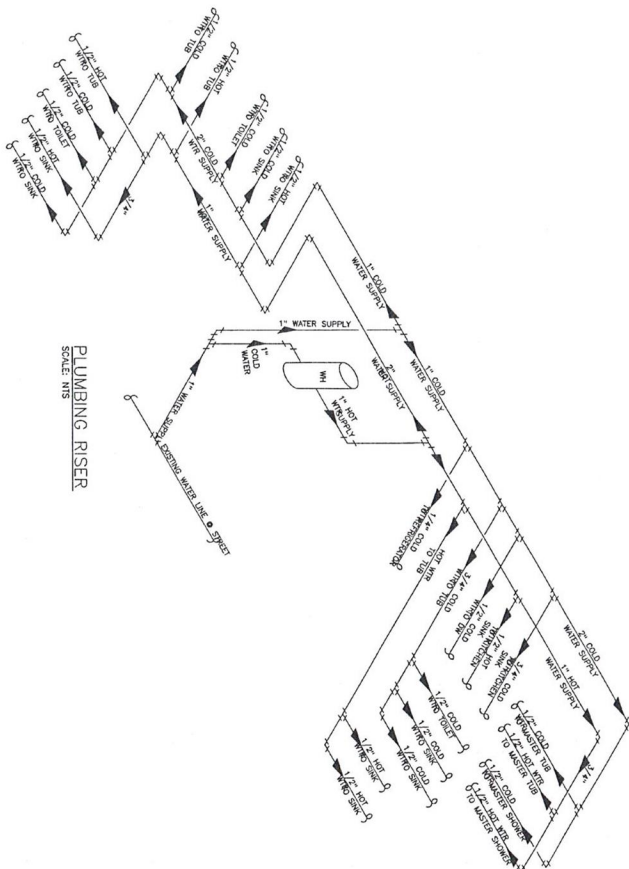
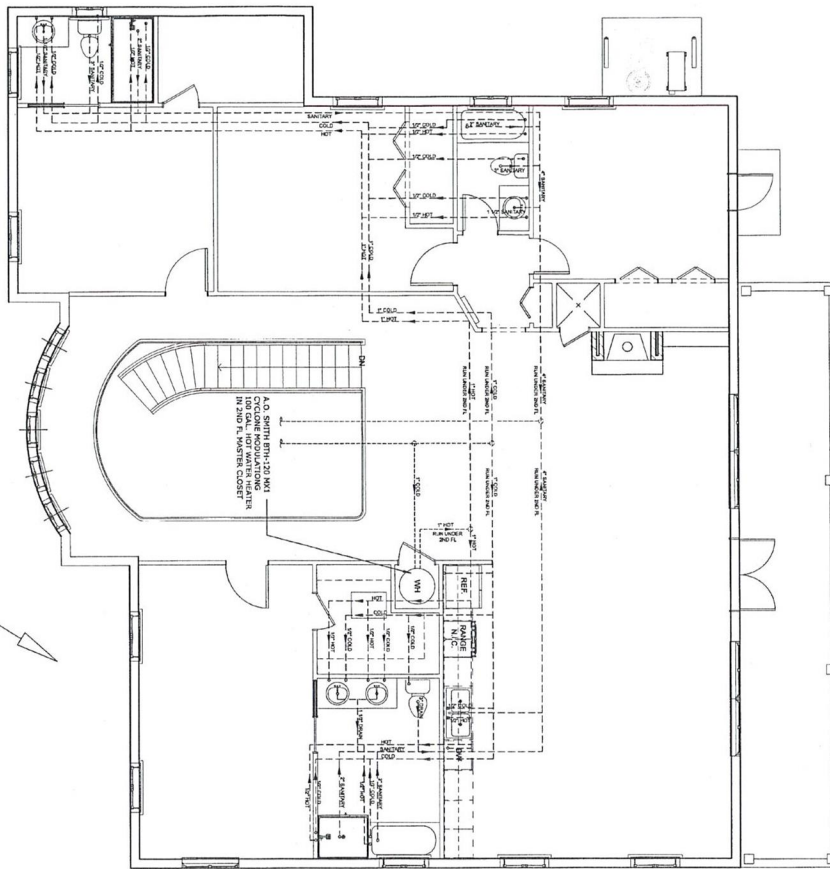
FIRST FLOOR PLUMBING PLAN
 SCALE 1/4" = 1'



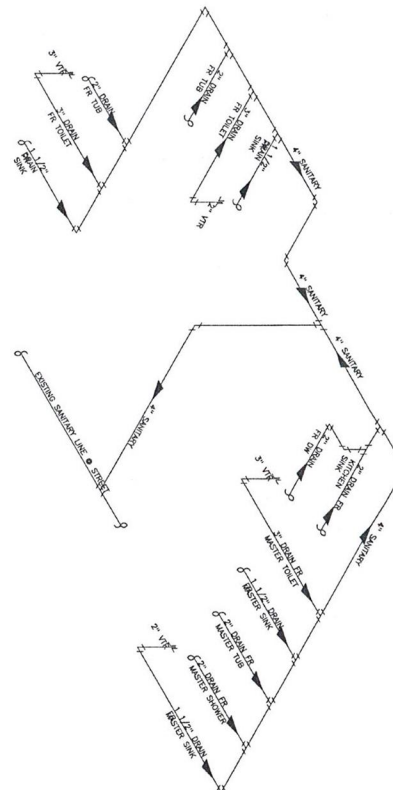
DO NOT SCALE DRAWINGS PLANS CONFORM TO FLORIDA BUILDING CODE - 7TH EDITION (2020)		Project: FENYVES RESIDENCE Home Remodel & Addition		KENNETH E. SANDS, PE SANDS ENGINEERING, LLC FLORIDA REGISTRATION #77809 FLORIDA COA #31453 20819 TORRE DEL LAGO STREET ESTERO, FLORIDA 33928 CELL: 941-888-4343 KSANDS@SANDSENG.COM
Sheet Title: First Floor Plumbing Plan	Project No: 21003-70	Sheet No: P1.1	Drawn For: Permit 2/22/2022	

GENERAL SPECIFICATIONS:
 1. The contractor shall be responsible for obtaining all necessary permits for construction and compliance with all permit constraints.
 2. The contractor shall be responsible for obtaining all necessary permits for construction and compliance with all permit constraints.
 3. The contractor shall be responsible for obtaining all necessary permits for construction and compliance with all permit constraints.
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 6. The contractor shall be responsible for obtaining all necessary permits for construction and compliance with all permit constraints.
 7. The contractor shall be responsible for obtaining all necessary permits for construction and compliance with all permit constraints.
 8. The contractor shall be responsible for obtaining all necessary permits for construction and compliance with all permit constraints.
 9. The contractor shall be responsible for obtaining all necessary permits for construction and compliance with all permit constraints.
 10. The contractor shall be responsible for obtaining all necessary permits for construction and compliance with all permit constraints.

SECOND FLOOR PLUMBING PLAN
 SCALE 1/4" = 1'-0"



SEWER RISER
 SCALE: NTS



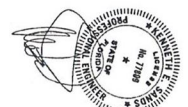
DO NOT SCALE DRAWINGS PLANS CONFORM TO FLORIDA BUILDING CODE - 7TH EDITION (2005)

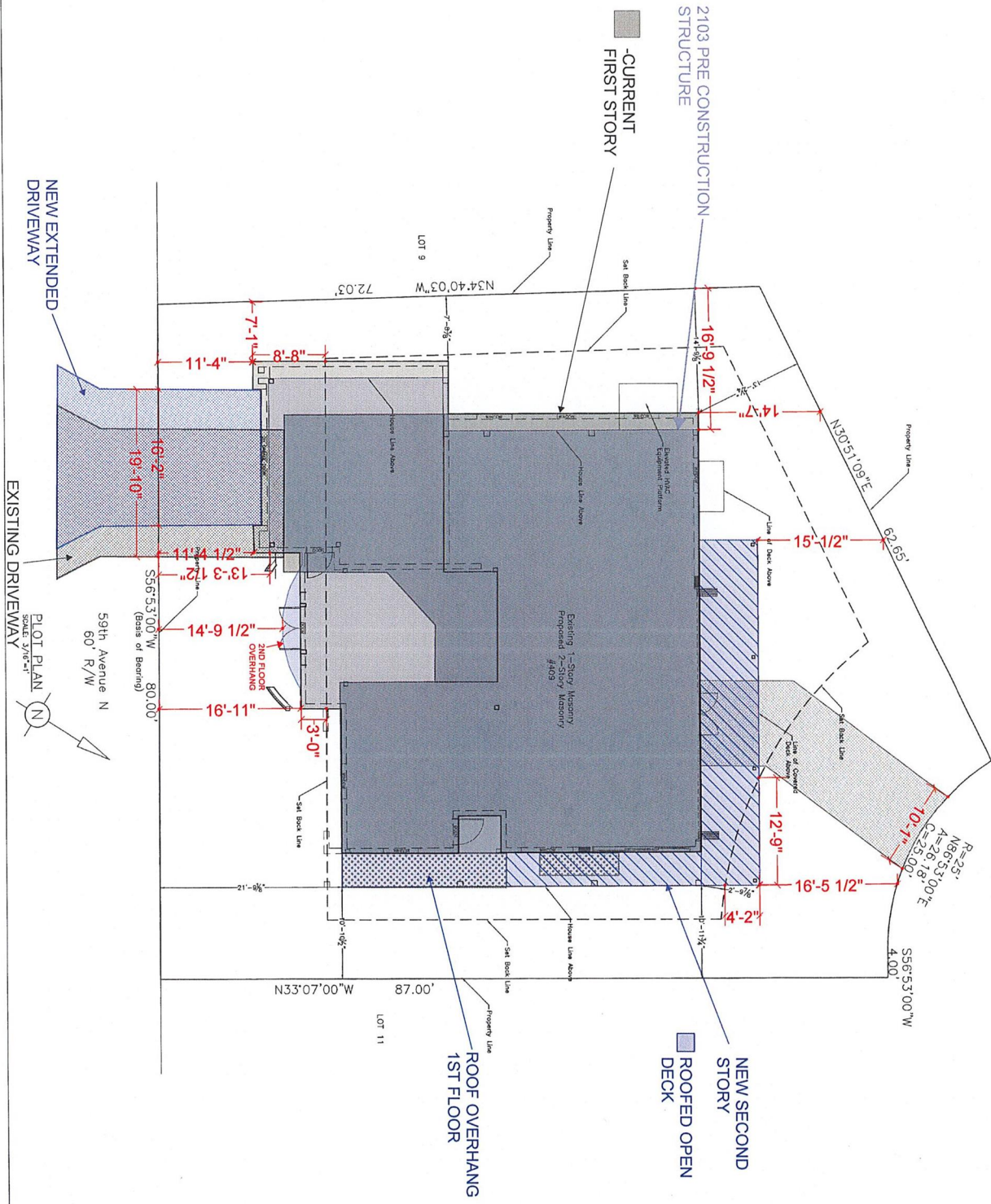
SHEET TITLE
 2nd Floor
 Plumbing Plan
 PROJECT NO.
 21003-70
 SHEET NO.
 P2.1

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

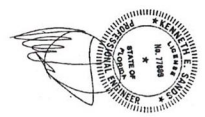


KENNETH E. SANDS, PE
 SANDS ENGINEERING, LLC
 FLORIDA REGISTRATION #77809
 FLORIDA C.O.#31453
 20019 TORRE DEL LAGO STREET
 ESTERO, FLORIDA 33928
 CELL: 941-888-4343 KSANDS@SANDSENG.COM





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 CEA #31453 20819 TORRE DEL LAGO STREET ESTERO, FLORIDA 33928 CELL: 841-868-4243 KSANDS@SANDSENG.COM			
PROJECT NO: 21003-70 SHEET NO: C1.0	SHEET TITLE: Plot Plan	ISSUED FOR: 8/1/23	PROJECT NO: 21003-70 SHEET NO: C1.0





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

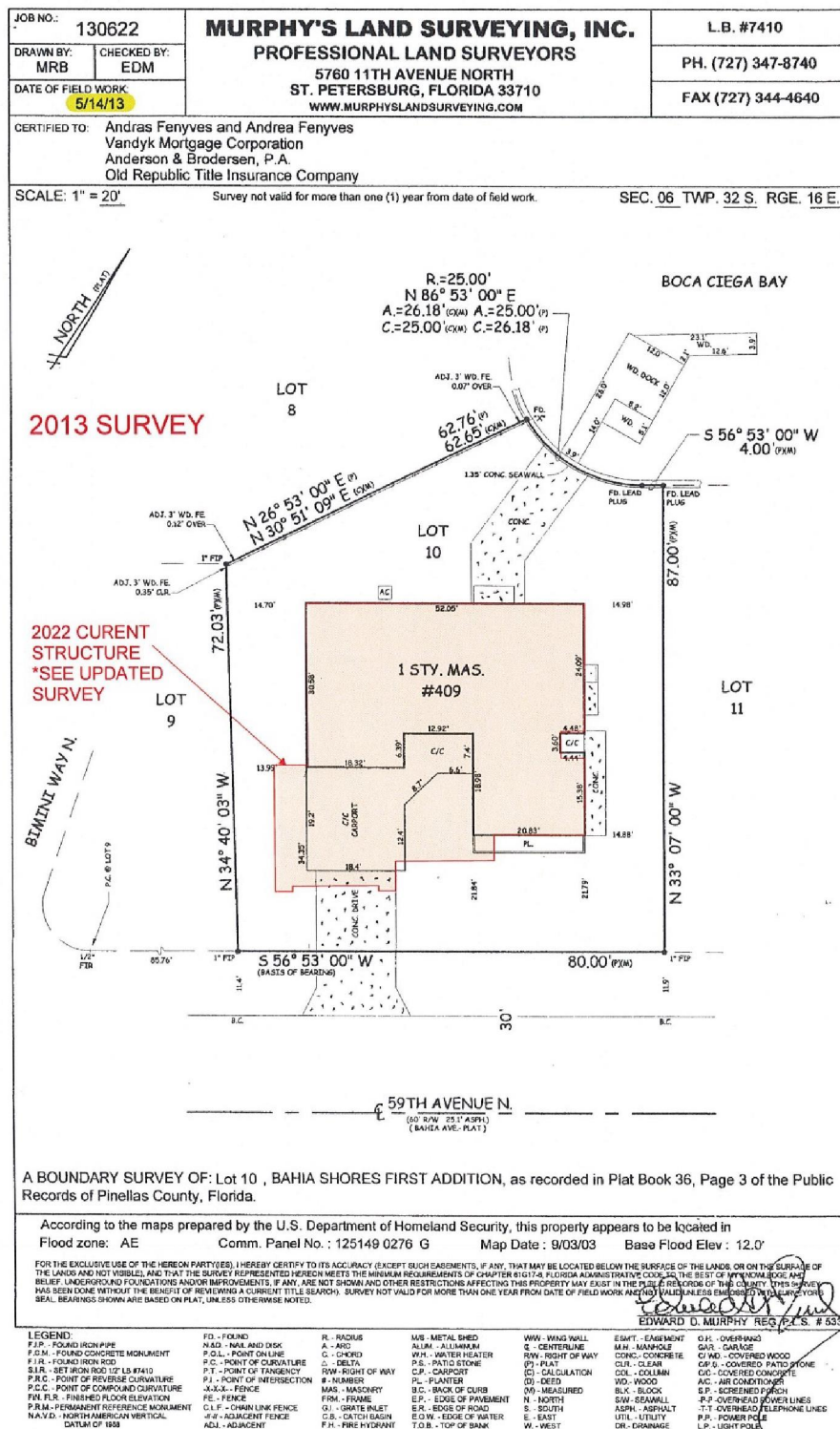
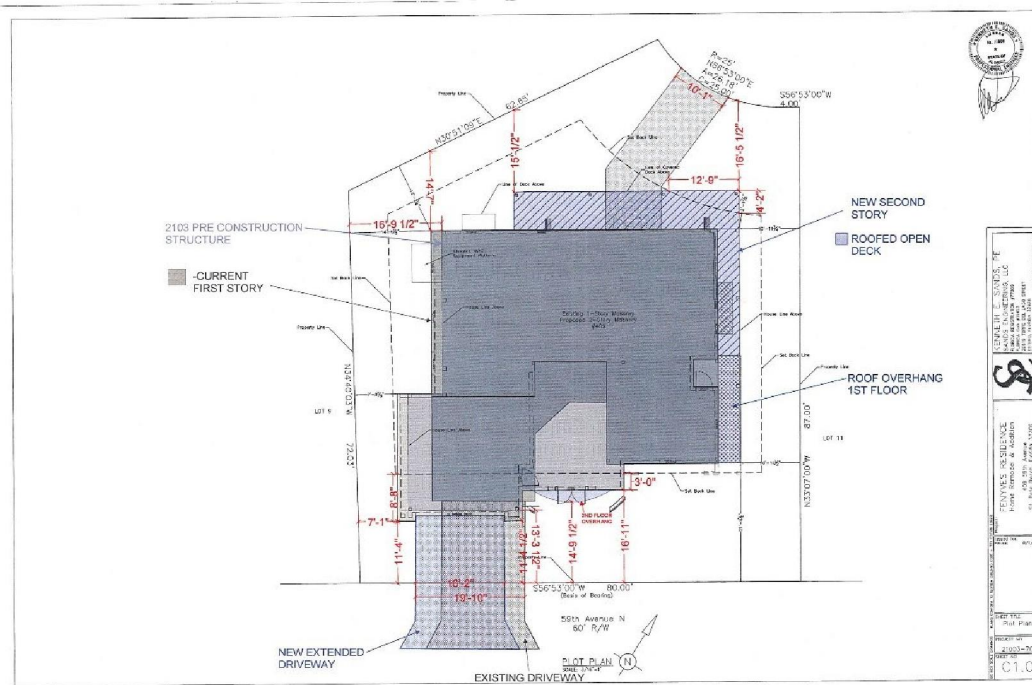


Figure 5: Proposed Site Plan



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.

L-2

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....

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

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

Kristin Coman

From: Frances Stites <Frances@SUEGORMANLP.COM>
Sent: Friday, October 21, 2022 3:45 PM
To: Kristin Coman
Cc: Ryan Stites
Subject: Oppose the Variance/Contest Next Door!

Importance: High

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

To Whom It May Concern,

I am the owner, Frances Meena Stites at 419, 59th Avenue, St Pete Beach FL. I am contesting the extra variance encroachment request letter I received for the home of Andras & Andrea Fenyves for the second level deck. The property is already encroaching into my property line and able to look into my house at a close distance with the dock that should not be there according to the amount of seawall area they own. I understand that this was grandfathered in and approved by the previous owners of both our properties. With this said, I am opposing and contesting the second level deck area that will look directly down onto my property. This will completely take away all backyard privacy and most likely be able to look into my home more and look onto my back porch area. I want to be a good neighbor and remain friends with my neighbors, and it pains me to have to send this letter to you. This will be my permanent home starting in 2024 and I want our experience in my home to be a pleasant one. Thank you for your understanding to this matter.

Kind regards,
Frances Stites
727-204-3818

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

Agenda Report

Issue Considered: **Variance, Practical Difficulty- 3122 E Vina Del Mar Blvd. (Case No. 22066)**

Date: November 30, 2022

Prepared By: Kristin Coman, Senior Planner

Through: Jennifer McMahon, Chief Operating Officer

Summary of Issue: John Dadswell for Bruce and Andrea Hyatt requests to construct a 12' x 27' inground pool within a front yard where 20' setback is required with 8'3" proposed and construct 22' x 38' paver patio within front yard where 20' setback is required with 3'3" proposed. (LDC Sec. 6.13(c)(1)(c)(1) and Sec. 6.13 (2)(d)(1))

Funding: n/a

Requested Motion: Staff recommends motion to DENY Variance Case No. 22066 as presented in the applicant's proposal to construct a 12' x 27' inground pool within a front yard setback with 8'3" is proposed where 20' is required and construct 22' x 38' paver patio within a front yard setback with 3'3" where 20' is required. The variance relief sought as detailed in the 11/14/22 Staff Findings Report, does not advance the purposes of Land Development Code Sec 1.1, will be of substantial detriment and impair the intent and purpose of the zoning code resulting in an adverse impact on the neighborhood.

Attachments:

1. 22066 - Certificate of Completeness with Submittal Documents
2. 22066 - Survey Existing Conditions
3. 22066 - Survey with Proposed Pool and Patio
4. 22066 - Staff Report



Memo To: Board of Adjustment
From: Kristin Coman, Senior Planner
Re: **CERTIFICATE OF COMPLETENESS**
Date: 11/1/2022

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 **November 30, 2022**.

Owner: Bruce Hyatt
Applicant/Agent: John Dadswell
Parcel Number: 08-32-16-61578-003-0090
Address: 3122 E Vina Del Mar Blvd., St. Pete Beach, FL 33706
Zone: RU-1
Application Type: Practical Difficulty Variance
Variance Case Number: 22066

Submittal Documents:

1. Completed application form.
2. Survey prepared by John C. Brendla & Assoc., Inc. dated 3/5/14 consisting of 1 sheet showing existing site improvements.
3. Survey prepared by John C. Brendla & Assoc., Inc. dated 3/5/14 consisting of 1 sheet showing proposed 12' x 27' inground pool, 22' x 38' paver patio, ISR, with dimensions and setbacks noted.
4. Layout plan prepared by Tilney Pools consisting of 1 sheet no date provided.
5. Detail sheet no date or preparer information provided
6. Color rendering prints (quantity 2) of front and side yard of property, 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 |
| ☐ City Engineer | ☐ City Manager |

Board Members:

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

Cc: Bruce Hyatt, Owner ***via email*** (weitz@comcast.net)
John Dadswell, Applicant/Agent ***via email*** (john.dadswell@tilneypools.com)

CASE #: 22064

SUBMITTAL DATE: 10/18/22 AMOUNT DUE: 520.30 PAYMENT DATE: 10/18/22

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	<u>Bruce Hyatt</u>	<u>3122 EAST VINE DEL MAR</u>	<u>410-804-2982</u>
Applicant/ Agent	<u>John Dadsweil</u>	<u>7321 1st AVE SOUTH ST PETE FL 33707</u>	<u>727-744-2707</u>
Owner Email Address:		Applicant/Agent Email Address:	
<u>weitz2@comcast.net</u>		<u>john.dadsweil@hineypools.com</u>	

PROPERTY FOR PROPOSED VARIANCE:

Zoning Designation <u>RV-1</u> <u>SINGLE FAMILY</u>	Future Land Use Designation <u>RV</u>	Lot Area <u>75x115, 8,625</u>
Legal Description:	<u>NORTH VINA DEL MAR 2ND AVE BLK 3, LOT 9</u>	
Parcel ID:	<u>08-32-16-61578-003 - 0090</u>	
Address:	<u>3122 EAST VINA DEL MAR BLVD ST PETE BEACH</u>	
Explanation of Request: <u>Homeowner would like to receive a variance for the installation of an inground concrete swimming pool with dimensions of 12' x 27' with a setback of 8' 3" where a 20' setback is required, also a paver deck w/ dimensions 22' x 38' w/ concrete footers lining the perimeter with a setback of 3' 3" where a 20' setback is required.</u>		

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

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

THE VARIANCE BEING REQUESTED IS NOT UNCOMMON WITH A DOUBLE FRONTED LOT IN FINEARTS COUNTRY. THE POOL AND DECK VARIANCE WILL NOT CAUSE A HINDRENCE TO ANY NEIGHBORING PROPERTIES AS A 48" WHITE VINYL FENCE WITH LANDSCAPING WILL SHIELD THE POOL AND DECK FROM VIEW.

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

HOMEOWNER WILL HAVE A 48" WHITE VINYL FENCE AND LANDSCAPING TO HELP SHIELD THE VIEW AND WILL NOT CHANGE THE CHARACTER OF THE NEIGHBORHOOD.

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

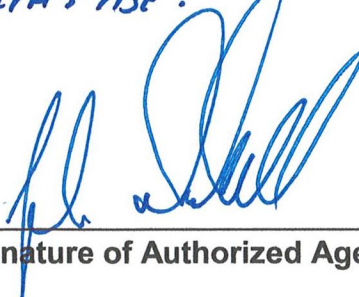
DUE TO THE DOUBLE FRONTED LOT WITH PROPERTY SITUATING IN THE SOUTHWEST CORNER THE ONLY LOCATION TO INSTALL THE POOL WILL BE ON THE NORTHSIDE OF THE PROPERTY IN THE 20' SETBACK.

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

DUE TO THE DOUBLE FRONTED CORNER LOT THE INSTALLATION OF A 12' X 27' SWIMMING POOL CAN ONLY BE INSTALLED IN THE PROPERTY ON THE NORTHSIDE.


Signature of Applicant

10/18/22
Date


Signature of Authorized Agent

10/18/22
Date

For office use only:

Hearing Date: _____ Fees: _____

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

VARIANCE APPLICATION

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

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

9. 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.

7 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.

 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.

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

I understand that any person aggrieved by the final decision 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.

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

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

Signature of Applicant

Date _____



PUBLIC HEARING SIGN POSTING AFFIDAVIT

Applicant, Bruce Hyatt, 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): Bruce Hyatt

Address: 3122 E. VINA DEL MAR ST PETE BEACH FL. 33706

Signature [Signature] Date 3/26/22

STATE OF FLORIDA)
) SS:
PINELLAS COUNTY)

The foregoing instrument was acknowledged before me this 26 day of March, 2022 by:
Bruce Hyatt who appeared before me, and is personally known to me, or has produced
Positive ID as identification, and did take an oath.

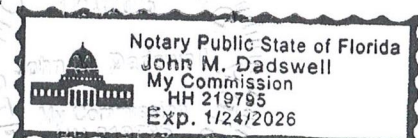
My commission Expires:

NOTARY:

Print Name: John Dadswell Notary

Public, State of Florida

(Notarial Seal)



Owner's Authorization for Agent

Community Development Department
City of St. Pete Beach, Florida

I/WE Bruce & Andrea Hyatt
(print name of property owner)

hereby authorize John Dawson
(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

Andrea M. Hyatt
Signature of Owner

Bruce Hyatt
Print Name of Owner

Andrea M. Hyatt
Print Name of Owner

The forgoing instrument was acknowledged before me this 26th day of March 22 2021 by Kaley Tilney or who is personally known _____ produced _____ as identification.

[Signature]
(Notary Signature)

3/26/2022
(Date)

My Commission Expires 2/21/2024



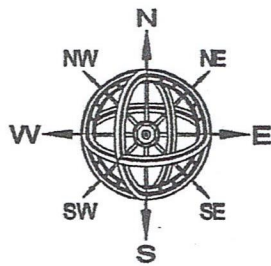
SECTION 8, TOWNSHIP 32 SOUTH, RANGE 16 EAST

CERTIFIED TO:
BRUCE I. AND ANDREA M. HYATT

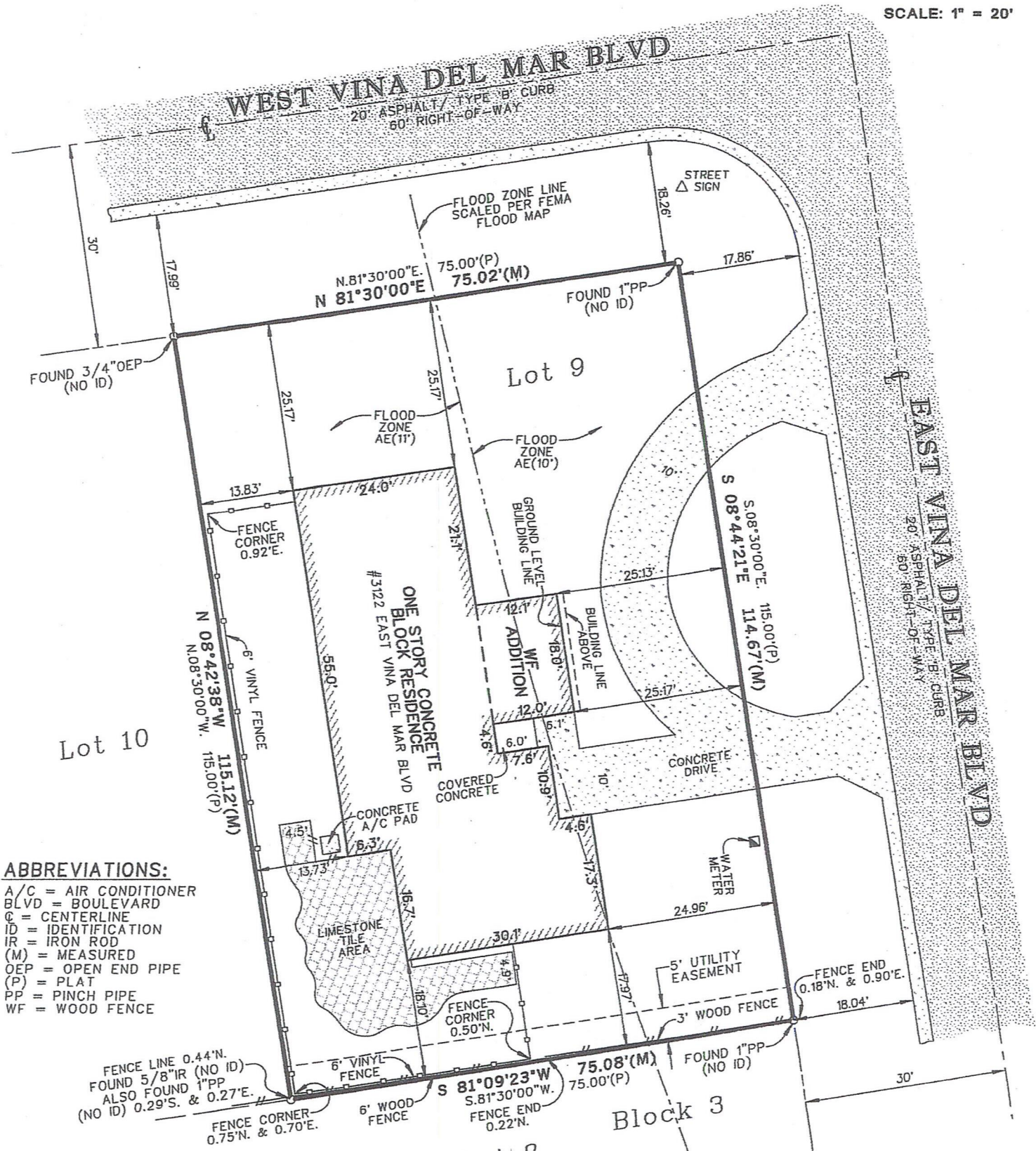
A BOUNDARY SURVEY OF

LOT 9, BLOCK 3, ACCORDING TO THE PLAT OF
NORTH VINA DEL MAR SECOND ADDITION
AS RECORDED IN PLAT BOOK 61, PAGE 13
OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

BOUNDARY SURVEY WITH IMPROVEMENTS - 3/05/14



NORTH BASIS:
ASSUMED
SCALE: 1" = 20'



ABBREVIATIONS:

A/C = AIR CONDITIONER
BLVD = BOULEVARD
C = CENTERLINE
ID = IDENTIFICATION
IR = IRON ROD
(M) = MEASURED
OEP = OPEN END PIPE
(P) = PLAT
PP = PINCH PIPE
WF = WOOD FENCE

Flood Zone Data:
FLOOD ZONES AE(10') & AE(11')
COMMUNITY PANEL #125149 12103C0278 G
REVISED 9/3/03

Basis of Bearings:

SOUTHERLY RIGHT-OF-WAY LINE OF WEST VINA DEL
MAR BLVD AS BEING N.81°30'00"E., PER PLAT.

NOTE: This survey is made for the
exclusive use of the current owners
of the property and also those who
purchase, mortgage or guarantee the
title thereto within one (1) year from
date hereof..

1402-71.CRD
FIELD BOOK 912 PAGE(S) 47

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.

NOTE: Survey not valid without the signature and the original
raised seal of a Florida Licensed Surveyor and Mapper.

I hereby certify that the survey represented hereon meets
the requirements of Chapter 5J-17.051-052, Florida
Administrative Code.

JOB# 1402-71
Drawn: DS

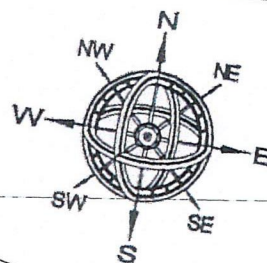
JOHN C. BRENDLA
Florida Surveyor's Registration No. 1269
Certificate of Authorization No. 760

Prepared by:
JOHN C. BRENDLA & ASSOCIATES, INC.
CONSULTING ENGINEERS AND LAND SURVEYORS
4015 82nd Avenue North
Pinellas Park, Florida 33781
phone (727) 576-7546 ~ fax (727) 577-9932

CERTIFIED TO:
BRUCE I. AND ANDREA M. HYATT

SECTION 8, TOWNSHIP 32 SOUTH, RANGE 16 EAST

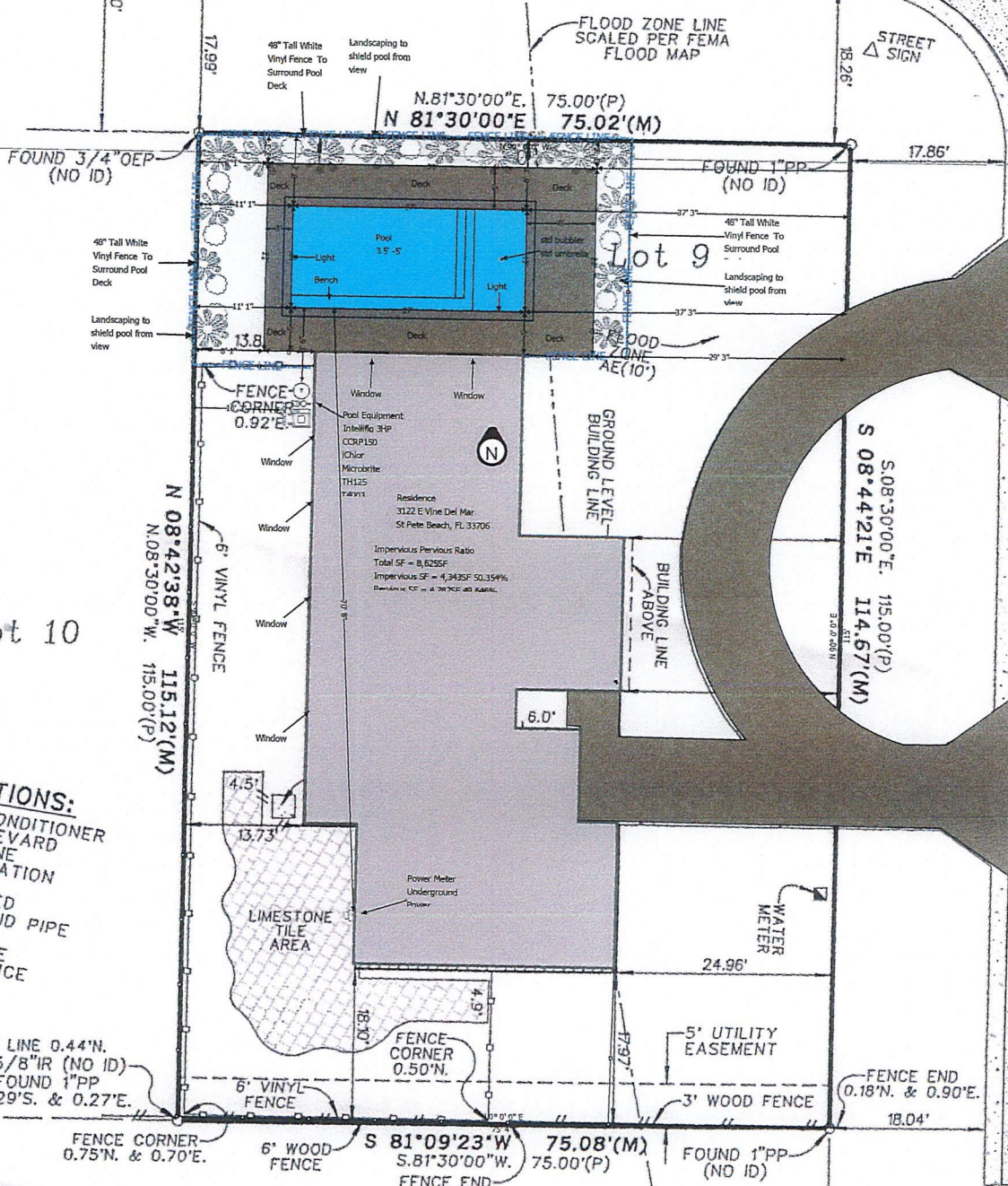
A BOUNDARY SURVEY OF
LOT 9, BLOCK 3, ACCORDING TO THE PLAT OF
NORTH VINA DEL MAR SECOND ADDITION
AS RECORDED IN PLAT BOOK 61, PAGE 13
OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.
BOUNDARY SURVEY WITH IMPROVEMENTS - 3/05/14



NORTH BASIS:
ASSUMED
SCALE: 1" = 20'

WEST VINA DEL MAR BLVD

20' ASPHALT / TYPE 'B' CURB
60' RIGHT-OF-WAY



Lot 10

ABBREVIATIONS:

A/C = AIR CONDITIONER
BLVD = BOULEVARD
C = CENTERLINE
ID = IDENTIFICATION
IR = IRON ROD
(M) = MEASURED
OEP = OPEN END PIPE
(P) = PLAT
PP = PINCH PIPE
WF = WOOD FENCE

FENCE LINE 0.44'N.
FOUND 5/8"IR (NO ID)
ALSO FOUND 1"PP
(NO ID) 0.29'S. & 0.27'E.

Flood Zone Data:

FLOOD ZONES AE(10') & AE(11')
COMMUNITY PANEL #125149 12103C0278 G
REVISED 9/3/03

Basis of Bearings:

SOUTHERLY RIGHT-OF-WAY LINE OF WEST VINA DEL
MAR BLVD AS BEING N.81°30'00"E., PER PLAT.

NOTE: This survey is made for the
exclusive use of the current owners
of the property and also those who
purchase, mortgage or guarantee the
title thereto within one (1) year from
date hereof.

1402-71.CRD
FIELD BOOK 912 PAGE(S) 47

JOB# 1402-71
Drawn: DS

I hereby certify that the survey represented hereon meets
the requirements of Chapter 5J-17.051-052, Florida
Administrative Code.

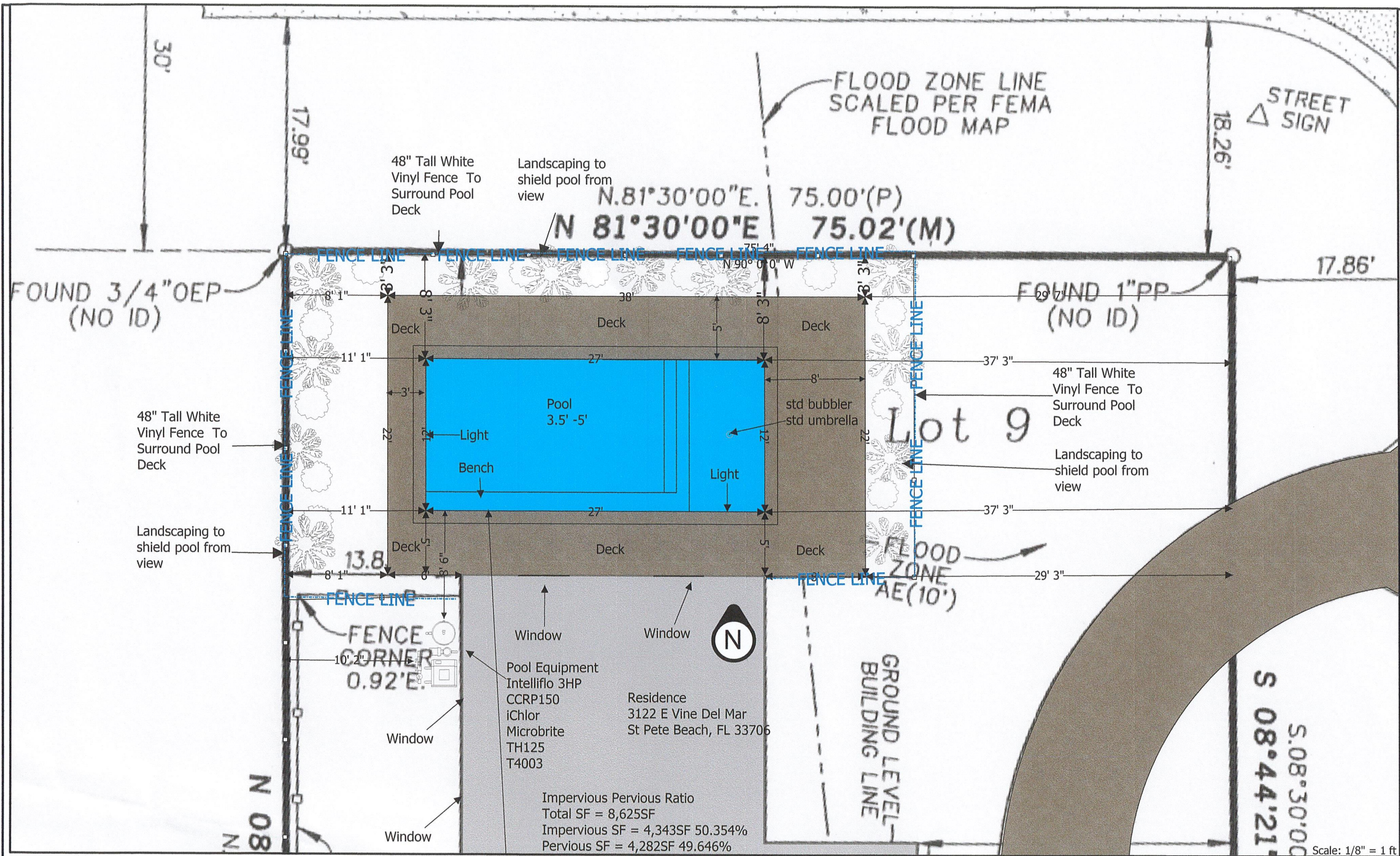
JOHN C. BRENDLA
Florida Surveyor's Registration No. 1269
Certificate of Authorization No. 760

NOTE: Survey not valid without the signature and the original
raised seal of a Florida Licensed Surveyor and Mapper.

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Impervious Pervious Ratio
Total SF = 8,625SF
Impervious SF = 4,343SF 50.354%
Pervious SF = 4,282SF 49.646%

Applying for a variance to install an inground concrete swimming pool with dimensions of 12'x27' with a setback of 8' 3"
where a 20' setback is required.
Also included in the variance is the installation of a paver deck to surround the pool with dimensions of 22'x38' and
concrete footers to line the perimeter with a setback of 3'3" where a 20' setback is required.
Surrounding the pool deck will be landscaping to shield the pool from the road.



Pool

Perimeter: 78' Area: 324 ft²
Envelope: 27' x 12'
Depth: 3' 6" to 5' RTNS: 4
Drains: 2 Lights: 2
Skim: 1 P.C.: n/a
Dig Type shuttle Volume: 6,514 gallons
Spillover Length(s):
Coping Material: Stone, Travertine, Noce 4"
Interior Finish: Pebble Technology, Blue Granite
Notes:

Spa

Perimeter: 0' Area: 0 ft²
Jets: Height:
Lights: 0 RTNS:
Drains: 0 Spillover Length(s):
Coping Material:
Interior Finish:
Notes:

Tile

Raised Beams:

Pool Tile Material: Tile, Steel Blue
Spa Tile Material:
Notes:

Deck

Perimeter: 425' Area: 1789.09 ft²
Coping Area: 0 ft²
Coping Material:
Surface Material: Stone, Noce, Herringbone
Turn Down: -1" 425' Riser:

NOTES:

Equipment

Circ Pump: Intelliflo Control Panel: T4003
Pump #2: Remote:
Pump #3: Sanitizer: iChlor
Filter: CCRP150 Blower:
Heater: TH125 Fill Line:
Cleaner: Other:
Pool Light: Microbrite Other:
Spa Light: Other:
Other: Other:
Notes:

Approval

I/we (the undersigned) have reviewed this plan and approve it as correct within reasonable tolerance. I/we understand that any changes made to a shape or to a location may delay the

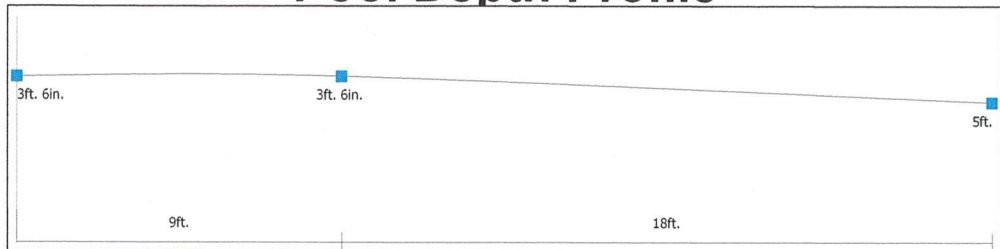
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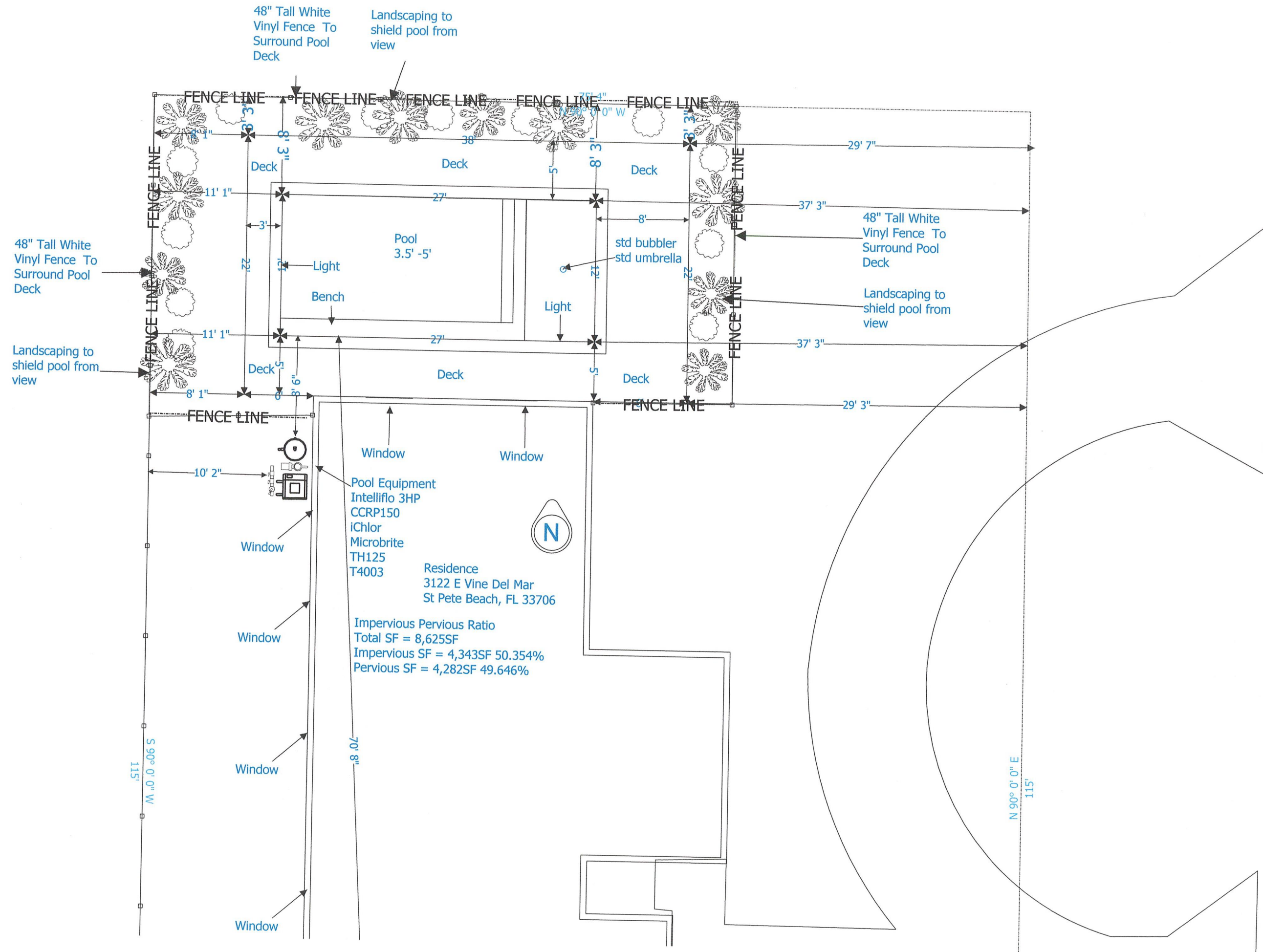


Project Name: _____
Client Name: BRUCE HYATT
Client Email: _____
Client Phone: 410-804-2982
Address: 3122 E VINA DEL MAR
City: ST PETE BEACH
State/Province: FL
Zip/Postal Code: 33706
Designer Name: John Dadswell

Block: _____
Subdivision: _____
Lot #: _____ Gate Code: _____
PG: _____ PB: _____
Notes: _____

Pool Depth Profile









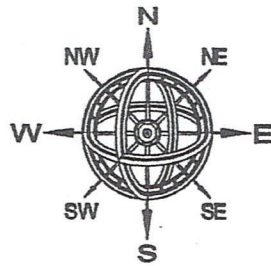
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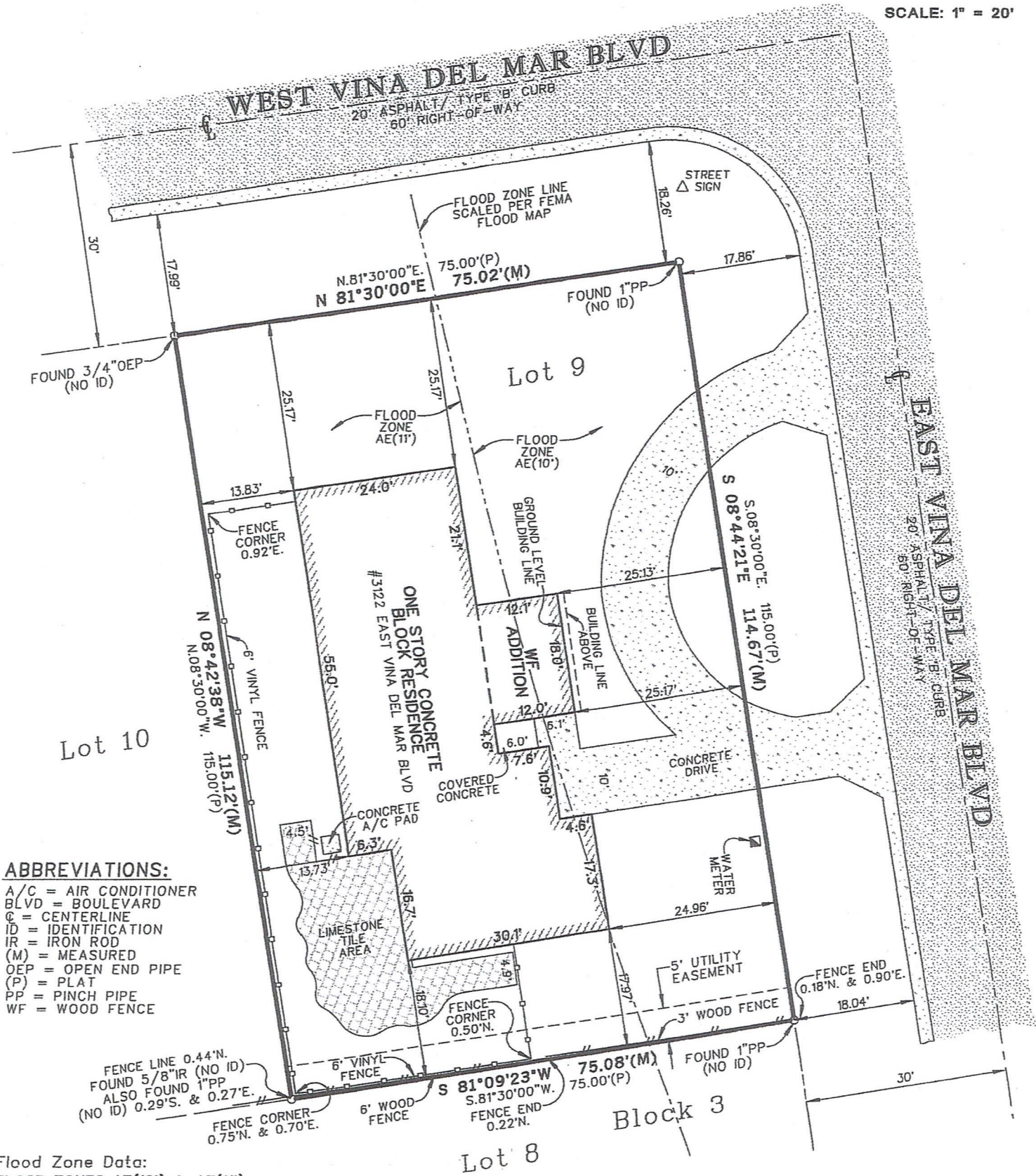
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REVISED 9/3/03

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title thereto within one (1) year from
date hereof..

1402-71.CRD
FIELD BOOK 912 PAGE(S) 47

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.

NOTE: Survey not valid without the signature and the original
raised seal of a Florida Licensed Surveyor and Mapper.

JOB# 1402-71
Drawn: DS

I hereby certify that the survey represented hereon meets
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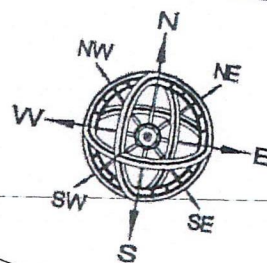
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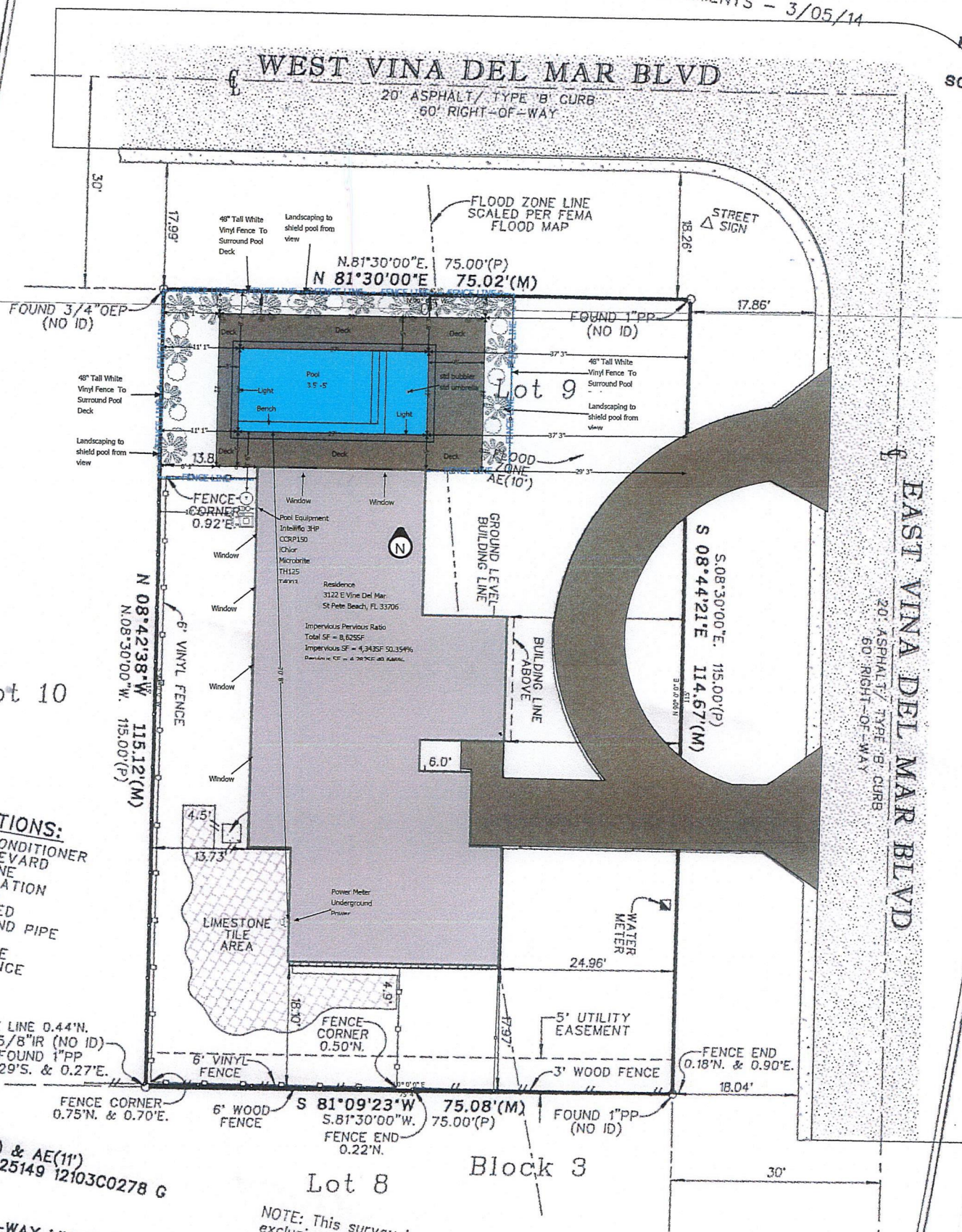
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Surrounding the pool deck will be landscaping to shield the pool from the road.



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

PLANNING DEPARTMENT

Date: November 14, 2022

To: Board of Adjustment

Re: Staff Findings Report
Practical Difficulty Variance
Variance Case No: 22066
Address: 3122 E Vina Del Mar Blvd.
Parcel Number: #08-32-16-61578-003-0090
John Dadswell, Tilney Pools for John and Andrea Hyatt

Prepared by: Kristin Coman, Senior Planner

Hearing Date: 11/30/22

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

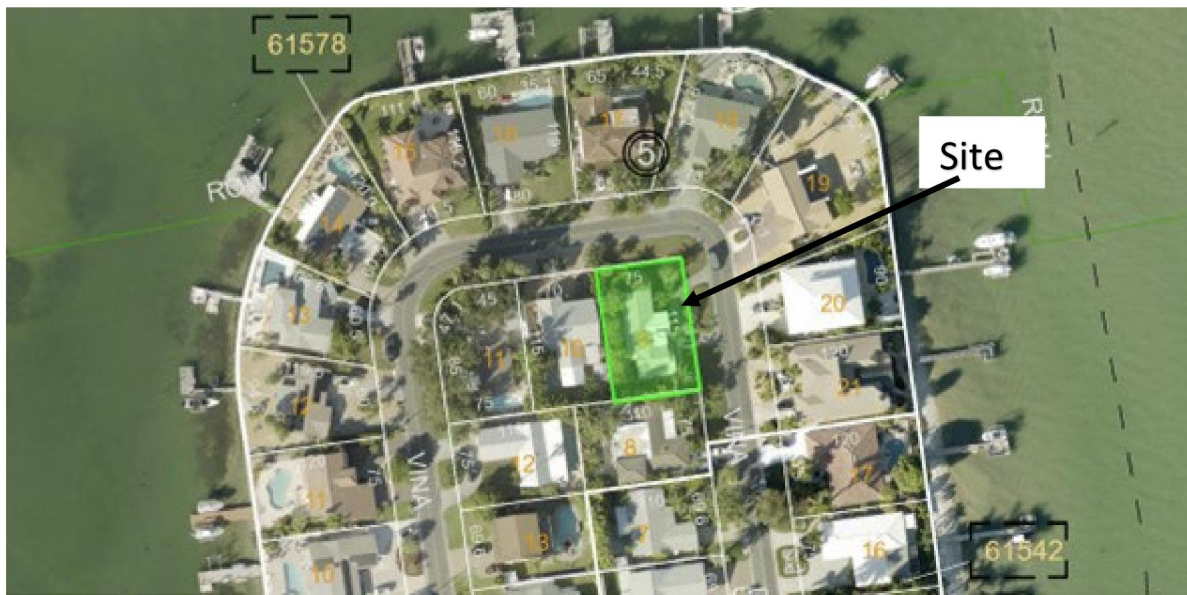
1. Completed application form.
2. Survey prepared by John C. Brendla & Assoc., Inc. dated 3/5/14 consisting of 1 sheet showing existing site improvements.
3. Survey prepared by John C. Brendla & Assoc., Inc. dated 3/5/14 consisting of 1 sheet showing proposed 12' x 27' inground pool, 22' x 38' paver patio, ISR, with dimensions and setbacks noted.
4. Layout plan prepared by Tilney Pools consisting of 1 sheet no date provided.
5. Detail sheet no date or preparer information provided
6. Color rendering prints (quantity 2) of front and side yard of property, 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 3122 E Vina Del Mar Blvd. known as parcel number 08-32-16-61578-003-0090 and legal description NORTH VINA DEL MAR 2ND ADD BLK 3, LOT 9 within the AE-Elevation 9 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 1966 according to the Pinellas County Property Appraiser. It is located at the intersection of E Vina Del Mar Blvd. and W Vina Del Mar Blvd. It is a corner parcel surrounded by single family dwelling uses to the north, south, east and west. The site is improved with a one-story dwelling with circular driveway, patio area in the side and rear yards.

Figure 1: Aerial Photography



Source: Pinellas County Property Appraiser

Figure 2: Zoning Map



Source: City of St. Pete Beach Official Zoning Map Page 12 of 15, dated 7/20/2012

Request

The applicant requests to construct a 12' x 27' inground pool within a front yard where 20' is required with 8'3" proposed and construct 22' x 38' paver patio within front yard where 20' is required with 3'3" proposed.

Analysis

1. New variances required as a result of the proposed changes:
 - a. **Front Yard Setback Requirement for Inground Pool:** The applicant is requesting an encroachment of **11'9"** into the required front yard setback of 20' with 8'3" proposed (LDC Sec. 6.13(c)(1)(c)(1)).
 - b. **Front Yard Setback Requirement for Paver Patio:** The applicant is requesting an encroachment of **16'9"** into the required front yard setback of 20' with 3'3" proposed (LDC Sec. 6.13(2)(d)(1)).

Figure 3: Zoning Table			
Detached, Single-Family Residential	3122 E. Vina Del Mar Blvd.		
	RU-1 Required	Existing	Proposed
Lot Area (Min.)	7,000 sq. ft.	8,625 sq. ft.	No Change
Lot Width (Min.)	70'	75'	No Change
Front Yard Setback (Min.)	20'	25.17'	No Change
Secondary Front Yard Setback (Min.)	20'	25.13'	n/a
Side Yard Setback (Min.)	Lesser of 10% of lot width or 7'	13.83'	No Change
Rear Yard Setback (Min.)	20'	17.97*	No Change
ISR (Max.)	0.70	0.41	0.50
Height (Max.)	30'	not provided, dwelling is currently one-story	not provided, dwelling is currently one-story
Accessory Structure			
Swimming Pool - LDC Sec. 6.13			
Front Yard Setback (Min.)	20'	n/a	8' 3"(v)
Secondary Front Yard Setback (Min.)	20'	n/a	37' 3"
Side Yard Setback (Min.)	7'	n/a	n/a
Rear Yard Setback (Min.)	5' to water edge	n/a	n/a
Paver Patio - LDC Sec. 6.13			
Front Yard Setback (Min.)	20'	n/a	3'3"(v)
Secondary Front Yard Setback (Min.)	20'	n/a	37' 3"
Side Yard Setback (Min.)	2'	n/a	n/a
Rear Yard Setback (Min.)	2'	n/a	n/a
*Denotes existing non-conformity (v) = Variance required			

Figure 4: Existing Survey (N.T.S)

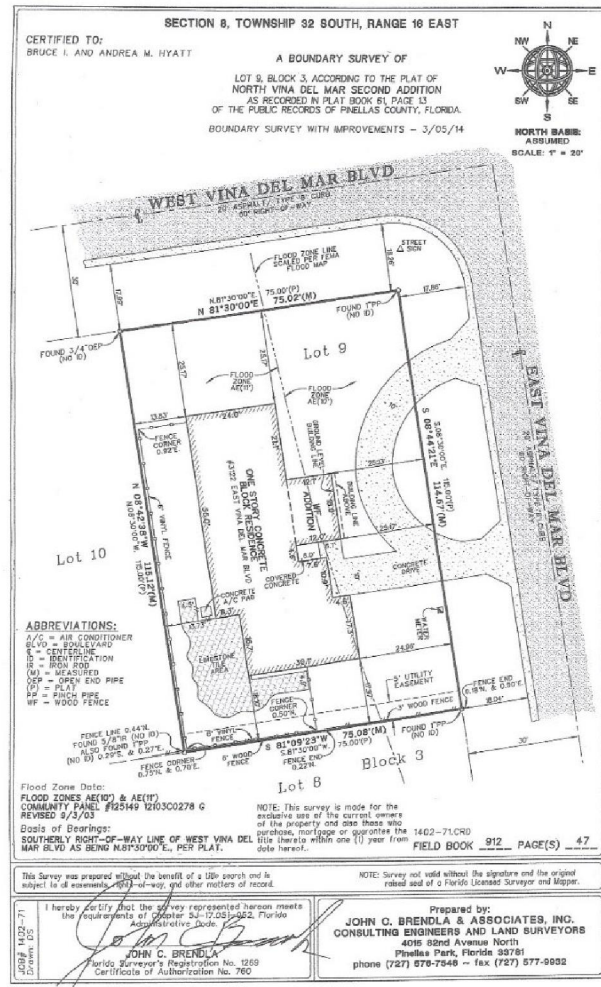
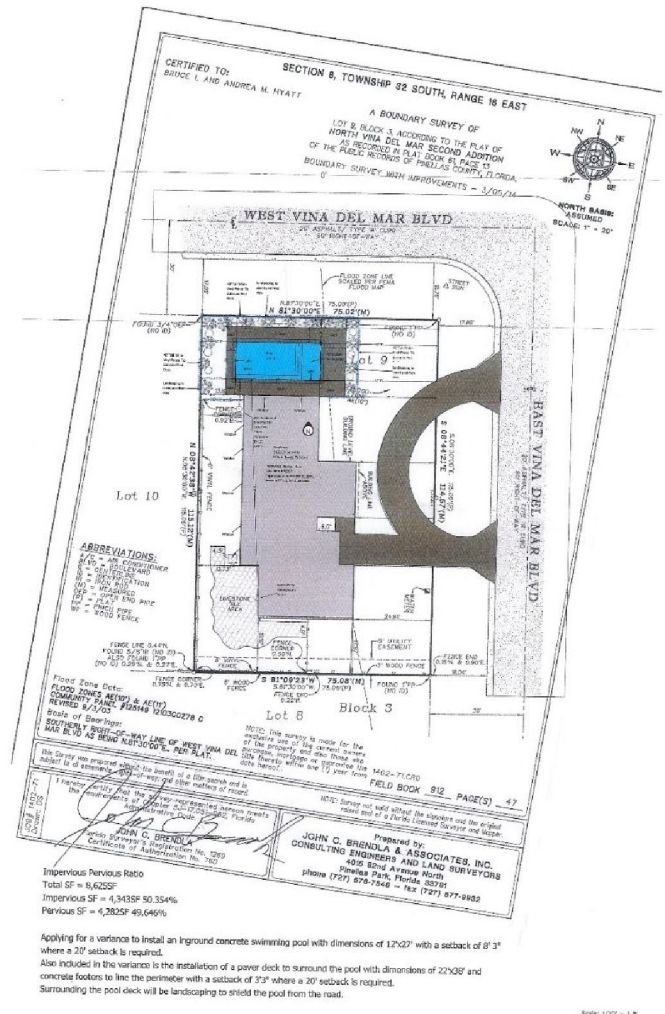


Figure 5: Survey with proposed structure (N.T.S.)



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:

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

- Staff finds the applicant is requesting a front yard setback of 8.3' where 20' is required representing a difference of 59% and an encroachment of 11'9". The proposed patio is

3.3' from the front property line where 20' is required, representing a difference of 84% and an encroachment of 16'9".

- *It should be noted that the proposed patio with inground pool encompasses 836 sq. ft. of impervious surface where only 190 sq. ft. of the 836 sq. ft proposed would meet code compliance located within the required setback, resulting in 78% of the proposed improvements to be closer to the property line than permitted by code.*

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

- *Staff finds substantial unfavorable change will be produced in the character of the neighborhood with the proposal. Due to the corner location, the area of the proposed patio with inground pool is directly visible and in the line of sight from no less than the front yards of 5 lots. Accessory structures such as pools are generally located within the rear and side yards and not within front yards affording the element of privacy.*
- *The construction of the accessory structure would not aesthetically improve the neighborhood. The portion of the property is substantially landscaped with mature vegetation that would need be removed to accommodate the proposal, significantly altering the appearance of the northeastern end of Vina.*

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

- *Staff understands although the parcel is oversized for the zone requirement, the current improvements and setbacks of the dwelling do limit the location of a pool and patio in the size proposed without the benefit of variance approval. The southwestern corner of the parcel where the limestone patio is currently located may be an alternate location but not without difficulties as it is also currently heavily landscaped.*

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

- *Staff does not find the interest of justice will be served in granting of this variance. Staff researched corner lots located within the interior portion of the center "island" of Vina Del Mar. Of the 20 corner properties, 11 currently do not contain pools, while 9 properties have pools of which none are located within the front yard or secondary front yard, but in a side or rear yard.*
- *The proposed pool is also not a replacement of an existing structure, but an additional accessory structure that cannot be constructed to meet code compliance.*

- Applicant should provide testimony as to if any alternate locations or size of the pool and patio were considered.
- Information provided on the plans indicate the proposed installation of landscaping around the area. Applicant should provide testimony on the type, size and quantity of plants to visually screen the excessive encroachment into the setback.

Recommendation

Staff finds the proposed variance relief sought does not advance the purposes of Land Development Code Sec. 1.1 and finds the benefit of granting the variances from the applicable sections of Sec. 6.13 of the LDC will be of substantial detriment and impair the intent and purpose of the zoning code and will have an adverse impact on the neighborhood. Staff recommends **denial** of the proposed application.

Should the board look favorably on the application, the board may want to consider the following conditions:

- In order to help mitigate the potential noise impact to neighbors that may be caused by the use of the pool and patio, the applicant should be required to install substantial planting surrounding the area. Applicant to submit a landscape plan to be reviewed and approved by staff prior to the issuance of the zoning approval with landscape inspection completed and approved prior to the issuance of the final inspection.
- As there is no current access from the interior of the dwelling onto the proposed pool area and gates will be necessary to gain admission, it is suggested as a condition that no gates be installed along frontage of either street avoiding any traffic and providing a method to ensure the safety of occupants within the area.
- The board may want to consider the type of fencing proposed. The plan submitted indicates a 4' high white vinyl fence but the installation of an unpainted/stained wooden fence or black aluminum fence may blend into the surroundings rather than a stark white solid fence.
- The applicant should be made aware that the sight triangle visibility will need to be maintained in conformance with Sec. 6.21 of the LDC.
- 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 Dadswell, Applicant/Agent **via email** (john.dadswell@tilneypools.com)
Bruce and Andrea Hyatt, Owner **via email** (weitz@comcast.net)
Board of Adjustment Attorney