



BOARD OF ADJUSTMENT MEETING CITY OF ST. PETE BEACH

155 Corey Avenue
St. Pete Beach, FL 33706

Wednesday, July 26, 2023
2:00 PM

Call to Order
Pledge of Allegiance
Roll Call

REGULAR MEETING

1. Approval of the Agenda -

Action Request: Motion to approve the July 26, 2023 agenda with or without changes.

2. Audience Comments -

Comments on general or item topics shall be limited to 3 minutes. Please provide a completed comment card to the Clerk.

3. Approval of Minutes

a. June 28, 2023 meeting.

4. Action Items -

a. Case No. 23025 – 5575 Gulf Blvd.

Unnecessary and Undue Hardship Variance; Affordable Aluminum for Regency West Apartments 2 Assoc. requests replacement of an existing carport, approximately 410' x 21' (8,596 sf) within a required side yard setback where 27.3 feet is required with a 3.8-foot setback to columns and 1 foot setback to the roof leading edge is provided (LDC Sec. 38.9).

5. Adjournment - Next meeting to be held on August 30, 2023 -

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
June 28, 2023 2:00 P.M.

PRESENT: Paul Skipper, Chair
Denise Chase, Member
BJ Lawson, Member

EXCUSED: Michael Bomar, Vice Chair
Dan Small, Member

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

Chair Skipper called the meeting to order at 2:00 PM and led the Pledge of Allegiance. The Deputy Clerk swore in all individuals who would be speaking on agenda items.

1. **Approval of the Agenda** – Chair Skipper explained that as only three Board members were present, a unanimous vote would be required for variance approval; per City Code, a majority vote of the Board is required. None of the Applicants opted to continue their case. There were no changes to the agenda.

Motion: Member Lawson moved, and Member Chase seconded the approval of the agenda for June 28, 2023; the motion passed unanimously.

2. **Audience Comments** – None.

3. **Approval of Minutes** -

Motion: Member Chase moved, and Member Lawson seconded the approval of the May 31, 2023 meeting minutes as presented. The motion passed unanimously.

4. **Action Items** –

a. **Case No. 23018 – 510 2007 Pass-a-Grille Way: *Unnecessary and Undue Hardship Variance***; Charles Collom for Collom Properties, LLC requests installation of 8' high fencing that exceeds the maximum permitted height of 4' within a waterfront yard (LDC Sec. 6.15).

Senior Planner Kristen Coman presented the exhibits (including proof of posting) and details of this amended variance request. The amended application resolved a question about ownership. Her presentation is part of the meeting record. The presentation included staff comments and suggested questions for the Applicant. The Technical Review Committee (TRC) evaluated the application in March of 2023.

Staff recommendation was for approval as proposed. No letters were received for or against the application.

Applicant Charles Collom of 2381 E Vina del Mar Blvd. appeared to provide testimony and answer questions. He confirmed that the fence construction would be board on board/shadowbox. Ms.

Coman addressed the Land Development Code parking depth requirements with the Applicant, for the record.

Stanton Chevalier of the Wharf restaurant appeared to comment against the application, due to the fence blocking the view of their property and green space. Ms. Coman described the area where the fence would be higher, as is permitted.

The Chair closed public comment and opened Board discussion.

Motion: Member Chase moved, and Member Lawson seconded to approve the Variance for Case No. 23018; the motion passed unanimously.

b. Case No. 23026 – 131 72nd Ave. *Unnecessary and Undue Hardship Variance*; Josias Guzman requests to retain an existing detached 18'x15' covered patio structure that does not meet the required 5' side yard setback with 3' provided (LDC Sec. 6.13(3)(a)). *Continued from 5/31/2023 meeting as a full Board was not present.

Senior Planner Kristin Coman presented the exhibits (including proof of posting) and details of this variance request. Her presentation is part of the meeting record. The presentation included staff comments for the Applicant to respond to. Staff found the request reasonable and recommended approval with the condition that the Applicant obtain applicable building permits for the structure to ensure that it was properly constructed. Should the structure need to be altered or reconfigured based on Building Department review, the Applicant may be required to return to the Board for review if determined by Staff. No communication was received for or against the variance.

Applicant Josias Guzman of 131 72nd Ave. appeared to provide testimony and stated that he was amenable to obtaining a building permit.

No one spoke in favor of or against the application; the Chair closed public comment and Board discussion opened. No ex parte communication was disclosed by the members.

Motion: Member Lawson moved, and Member Chase seconded to approve the request for Variance No. 23026 with the staff recommended condition; the motion passed unanimously.

c. Case No. 23032 – 601 71st Ave. *Unnecessary and Undue Hardship Variance*; Dave Wonsick, St. Pete Beach Investments, LLC requests to install 12 elevated mini-split HVAC systems that do not meet the required 2 side and rear yard setbacks-7 HVAC units where a 7' setback is required on the side property line with 2'9" proposed and installation of 5 HVAC units where a 20' setback is required from the rear property line with 3'3" proposed, construction of a staircase that encroaches into the required 7' front yard setback with 6'6" proposed, and provide three additional lodging units at the property without providing additional required on-premise parking (LDC Sec. 36.8 & 23.5).

No ex parte communication regarding this application was disclosed by the members.

Senior Planner Brandon Berry presented the exhibits (including proof of posting) and details of this variance request. His presentation is part of the meeting record. The presentation included staff

comments for the Applicant to respond to. Five letters of opposition to the variance were received. Significant renovation is taking place at the property currently.

Staff found the request reasonable and recommended approval for the variances of the HVAC and parking requests, finding them to be in general alignment with the Land Development Code, providing for mitigation of potential hardship, and resulting from special conditions of the subject site. Staff proposes approval with four (4) conditions:

- The variance for the waiver of three required on-premise parking spaces shall expire should the complementary temporary lodging unit density pool case number 23040 be denied by the City Commission, or should the case not be heard within one (1) year of the date of the development order for this request, whichever occurs first.
- The variance for the parking spaces shall apply to the building in its current configuration only, except that doors may be installed internally to create eleven (11) lockout units should the request be approved by City Commission. Further expansion of the building beyond the existing renovation scope, whether or not rooms are configured to maintain the eleven lockout units, shall require the applicant to reobtain the variance, meet on-site parking requirements, or pursue an alternative approved arrangement such as a shared parking agreement.
- All existing, mature and healthy landscaping at the southern side of the building shall be retained.
- The applicant shall not install any signage that implies the right-of-way public parking spaces to the south or east of the parcel are private spaces for their guests, including but not limited to tow away signs, numbered parking signs, and so on.

Staff recommended denial of the request for the staircase encroachment, finding it to not be in general alignment with the Land Development Code and on the basis that the engineer for the corresponding renovation permit has demonstrated the stairs could be accommodated in the courtyard without significant hardship. Should the Board of Adjustment recommend approval, Staff recommended the following:

- Prior to removal of landscaping, the applicant shall provide the caliper at 4.5 feet above the ground, along with species, for all trees to be removed from the landscaping area at the southern side of the building. The applicant shall be required to plant additional landscaping, above that already approved under the renovation permit, elsewhere on the site that is equal in caliper to the removed landscaping. This condition may be waived by staff if it can be demonstrated that the remainder of the site cannot accommodate additional landscaping.

Applicant David Wonsick appeared to give testimony. He provided additional information on the AC units, parking spaces, and the staircase. He testified regarding what landscaping he would remove, if necessary, for the staircase. Mr. Berry added comment on the reduction in parking spaces, per the Transportation Department.

Jerry Nemeth of 600 71st Avenue, across the street from the property, gave comment against the proposed variance, particularly regarding parking. Mr. Wonsick gave rebuttal. The Board asked for clarification on the lockout doors relative to parking spaces.

The Chair opened Board discussion following public comment.

Motion: Member Lawson moved, and Member Chase seconded to approve the Air Conditioning request for Variance No. 23032 as presented; the motion passed unanimously.

Motion: Member Chase moved, and Chair Skipper seconded to deny the staircase setback encroachment for Variance No. 23032.

Discussion ensued on vegetation in the staircase area. Member Chase and Chair Skipper withdrew the motion and second.

Motion: Member Chase moved to approve the staircase setback encroachment with the condition that the current palms remain intact, seconded by Chair Skipper; the motion passed unanimously.

Discussion followed on parking requirements and existing parking as related to the Condition Use Permit. Further approvals will be required by the City Commission.

Motion: Member Lawson moved, and Member Chase seconded to approve the parking with the four staff conditions recommended on page 77 of the meeting packet; issuance of the parking variance will not entitle the creation of 3 additional lockout units unless the corresponding request (Case 23040) is approved by the City Commission. The motion passed unanimously.

The case will move on to the City Commission for further approvals.

d. Case No. 23039– 6502 Gulf Winds Dr. *Unnecessary and Undue Hardship Variance*; Kelly Strom for KAJE Properties, LLC requests to install a paver driveway 25' in width at property line where a maximum of 20' is permitted (LDC 23.11(b)(2)).

There were no member ex parte communications regarding this variance.

Senior Planner Kristin Coman presented the exhibits (including proof of posting) and details of this variance request. Her presentation is part of the meeting record. The presentation included staff comments and suggested questions for the applicants. There is a current open Code Enforcement case on this property for construction without a permit. A TRC review was held on 6/7/23. No letters were received for or against the application.

Staff find the request is reasonable and will not have an adverse impact on the neighborhood. Staff recommends approval with the condition that the applicant provide at least a 2' setback from side yard property lines and installation of ground cover or landscaping to be approved by zoning at time of final inspection.

Applicant Kelly Strom of 500 Treasure Island Causeway, appeared and provided testimony regarding the reasons for the variance. She was amenable to the recommended condition and a condition to not rent short term.

There was no comment for or against the application. After public comment was closed, the Chair opened Board discussion.

Motion: Member Lawson moved, and Member Chase seconded to approve the variance request for Variance No. 23039 with the staff recommended condition and the condition of no short-term rentals; the motion passed unanimously.

The July 26th meeting will have one application.

5. Adjournment – Next meeting 7/26/23.

Member Chase moved Member Lawson seconded adjournment at 3:35 PM.

These minutes will be considered for approval at the July 26, 2023 Board of Adjustment meeting.

BOARD OF ADJUSTMENT MEETING CITY OF ST. PETE BEACH

Agenda Report

Action Request: Motion to APPROVE Case. No. 23025 to permit the replacement of an existing carport, approximately 410' x 21' (8,596 sf) within a required side yard setback where 27.3 feet is required with a 3.8-foot setback to columns and 1 foot setback to the roof leading edge is provided, with the staff recommendation that the following condition(s) shall apply:

- Wheel stops to be installed if necessary and maintained in each parking space underneath the carport.
- Gutters and downspouts shall be installed to direct runoff away from the property line and toward the subject property.
- The carport area to be utilized by vehicles only and shall not be used for outdoor storage of any kind.

Strategic Objective:

Date: July 26, 2023

Prepared By: Kristin Coman, Senior Planner

Through: Jennifer McMahon, Chief Operating Officer

Summary of Issue: *Unnecessary and Undue Hardship Variance;* Affordable Aluminum for Regency West Apartments 2 Assoc. requests replacement of an existing carport, approximately 410' x 21' (8,596 sf) within a required side yard setback where 27.3 feet is required with a 3.8-foot setback to columns and 1 foot setback to the roof leading edge is provided (LDC Sec. 38.9).

Funding: n/a

Attachments:

1. 23025 - 5575 Gulf Blvd - Certificate of Completeness with Submittal Documents
2. 23025 - 5575 Gulf Blvd - Staff Report



Memo To: Board of Adjustment
From: Kristin Coman, Senior Planner
Re: **CERTIFICATE OF COMPLETENESS**
Date: 6/13/2023

Please be advised that on this date, the following application has been deemed complete and will be scheduled for the Board of Adjustment agenda on the next available hearing of **July 26, 2023**.

Variance Case Number: 23025

Application Type: Hardship Variance

Owner: Regency West Apts 2 Assn.

Applicant/Agent: Affordable Aluminum

Parcel Number: 06-32-16-74081-000-0001

Address: 5575 Gulf Blvd., St. Pete Beach, FL 33706

Zone: AC

Submittal Documents:

1. Completed Unnecessary and Undue Hardship application form.
2. Boundary Survey prepared by George A Shimp II and Associates Inc. dated 5/15/2023, consisting of 1 sheet.
3. Specific Purpose Survey prepared by George A Shimp II and Associates Inc. dated 9/23/2022, consisting of 1 sheet.
4. Partial Building Plan set, Sheets CS and S1 prepared by EngPlans LLC dated 11/10/2022, total of 2 pages.
5. Photos, showing aerial and ground views of the property, no time or date supplied, total of 3.
6. Current Condo Board Roster contained within email from Heather Packert, Affordable Aluminum dated 4/23/2023.

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> | ☒ TRC Committee <i>via email</i> |
| ☐ Code Enforcement Manager <i>via email</i> | ☐ City Manager |

Board Members:

- | | |
|---|---|
| ☒ Paul Skipper, Chair | ☒ BJ Lawson |
| ☒ Michael Bomar, Vice Chair | ☒ Dan Small |
| ☒ Denise Chase | |

Cc: Dennis Pasaretti, Pres. for Regency West Apts 2 Assn.- Owner ***via email*** (denpaz720@hotmail.com)
Affordable Aluminum - Applicant ***via email*** (install@AffordableAluminum.com)

A-1

CASE #: 23025 PARCEL #: 06-32-16-74081-000-0001
SUBMITTAL DATE: 6/12/15 AMOUNT DUE: 674.30 PAYMENT DATE: 6/12/15

UNNECESSARY AND UNDUE HARDSHIP VARIANCE APPLICATION

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

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

OWNER/AGENT INFORMATION:

Identification	Name	Address	Phone #
Owner	Regency West Apts 2 Assn	5901 Sun Blvd. STE 203 St. Petersburg, FL 33715-1161	(727)289-8732
Applicant/ Agent	Affordable Aluminum	1990 Starkey Rd. Largo, FL 33771	(727)585-0552
Owner Email Address: Denpaz720@hotmail.com		Applicant/Agent Email Address: Install@AffordableAluminum.com	

PROPERTY FOR PROPOSED VARIANCE:

Zoning Designation	Future Land Use Designation	Lot Area
<u>09 AC</u>	Residential Common Area	8596 sq' carport area
Legal Description: REGENCY WEST APTS2 CONDO COMMON AREA		
Address: 5575 GULF BLVD. ST. PETE BEACH, FL 33706		
Explanation of Request: Replace existing carport, 20-2 space bays for a total of 40 spaces. Roof area 8596 sq'.		
Requesting side set-back to be approved as it sits currently, which is approximately one foot from the side property line. Requesting the new structure to be in the same location as existing carport structure.		

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

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

Condo building is "L" shaped structure that houses numerous residences.
Parking and accessibility has already been established and maintains the most functional solution. Proposing replacing existing carport in the same location. No additional spaces to be added.

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

n/a

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

Applicant looking to provide the same "shelter from the elements," to the residents that are already accustomed to this.

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

This variance will not allow any additional parking spaces, or increase density. The variance only allows for direct and exact replacement.

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

There will not be any financial gain from this variance.

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

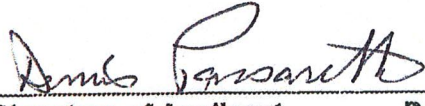
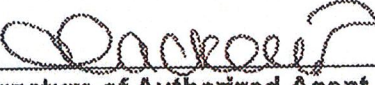
There are numerous other carports in similar applications in St. Pete Beach. Looking to maintain the same structure currently there.

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

The accessibility radiuses have all been measured and already approved with Department of Transportation. The structure cannot be moved to achieve the current request of 10% of the lot width as a set-back. It would impede on the existing parking area and disallow the required DOT standard for radius.

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

The existing structure is already there and has been there since the 70's. The existing structure is a structural concern and too far from the existing building code to be re-worked without completely starting with a new structure. Maintaining clean uniformity and bringing the structure up to current building code standards will only aid the neighborhood value & desirability.

	3/27/23		3/28/23
Signature of Applicant	Date	Signature of Authorized Agent	Date

VARIANCE APPLICATION

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

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

DP 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.

DP 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.

DP 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.

DP 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.

DP 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.

D.P. 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.

Dennis Perazich
Signature of Applicant

3/23/23
Date

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

I/WE _____ Dennis Passaretti of Regency West Apts 2 Condo
(print name of property owner)
hereby authorize _____ Heather Packert of Affordable Aluminum
(print name of agent)
to represent me/us in an application for _____ Variance for Carport Replacement Location
(type of application: variance, conditional use, zoning, etc.)

Dennis Passaretti
Signature of Owner

Signature of Owner

Dennis Passaretti/ President
Print Name of Owner

Print Name of Owner

The forgoing instrument was acknowledged before me this 28th day of
March 2023 by Dennis Passaretti or who is
personally known _____ produced
_____ as identification.

Linda M. Whidden
(Notary Signature)

3/28/2023
(Date)

My Commission Expires 4/28/2026



LINDA MCDONALD WHIDDEN
Commission # HH 211713
Expires April 28, 2026



PUBLIC HEARING SIGN POSTING AFFIDAVIT

Applicant, Dennis Passaretti/ President, 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 Passaretti

Address: 5575 Gulf Blvd. St. Pete Beach, FL 33706

Dennis Passaretti 3/28/2023
Signature Date

STATE OF FLORIDA)
) SS:
PINELLAS COUNTY)

The foregoing instrument was acknowledged before me this 28th day of March, 2023 by:
Dennis Passaretti who appeared before me, and is personally known to me, or has produced
as identification, and did take an oath.

My commission Expires: 4/28/2026

NOTARY:

Print Name: Linda M Whidden Notary

Public, State of Florida

(Notarial Seal)

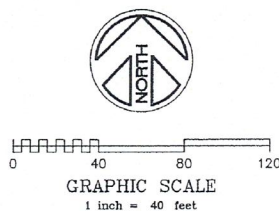


W.A. PALM HARBOR, FLORIDA 34683
LB 1834 PHONE (727) 784-5496 FAX (727) 786-12

GEORGE A. SHIMP II, FLORIDA REGISTERED LAND SURVEYOR No. 251

23025, A-3

SECTION 6, TWP. 32 S., RNG. 16 E., PINELLAS COUNTY, FLORIDA



LINE L1
S53°42'25"E - 256.29'RC
S53°42'25"E - 256.38'M

SUN LAND SUBDIVISION
P.B. 29, PG. 43

REGENCY WEST APARTMENTS II
CONDOMINIUM BOOK 6, PG. 77

PROPOSED CARPORT REPLACEMENT
AREA 8596 SF ROOF

NOTE

THIS IS NOT A BOUNDARY SURVEY. THE PURPOSE OF THIS SURVEY IS TO SHOW THE IMPROVEMENTS LOCATED ALONG THE NORTHWEST BOUNDARY OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 3416, PAGES 310 THROUGH 355 INCLUSIVE, AND AS SHOWN ON THAT CONDOMINIUM PLAT, REGENCY WEST APARTMENT II, A CONDOMINIUM AS RECORDED IN PLAT BOOK 6, PAGE 77, OF THE PUBLIC RECORDS OF PINELLAS COUNTY FLORIDA.

FLOOD ZONE

THE ABOVE DESCRIBED PROPERTY APPEARS TO BE IN ZONE AE (BASE FLOOD ELEVATION OF 10 FEET), IN ACCORDANCE WITH THE FIRM MAP OF THE CITY OF ST. PETE BEACH, PINELLAS COUNTY, COMMUNITY NUMBER 125149 (MAP NUMBER 12103C-0276-H), MAP DATED AUGUST 24, 2021.

PREPARED FOR

REGENCY WEST II ASSOCIATION

SPECIFIC PURPOSE SURVEY - SHEET 1 OF 2

CERTIFICATION: I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT THE SURVEY SHOWN HEREON SUBSTANTIALLY MEETS THE STANDARDS OF PRACTICE FOR LAND SURVEYING DESCRIBED IN THE STATE OF FLORIDA RULE 5A-17, F.A.C. FURTHERMORE, THIS CERTIFICATION SHALL NOT EXTEND TO ANY OTHER PERSONS OR PARTIES OTHER THAN THOSE NAMED ON THIS SURVEY AND SHALL NOT BE VALID AND BINDING AGAINST THE UNDERSIGNED SURVEYOR WITHOUT THE ORIGINAL BASED SEAL AND SIGNATURE OF THE FLORIDA LICENSED SURVEYOR AND MAPPER.

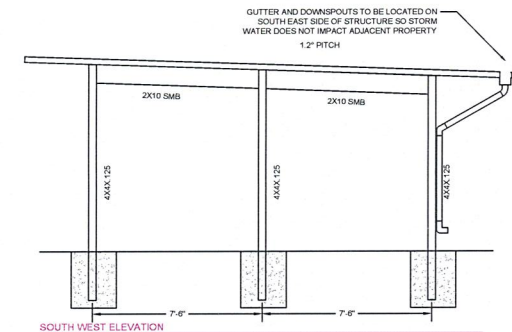
George A. Shimp II
GEORGE A. SHIMP II, FLORIDA REGISTERED LAND SURVEYOR No. 2512
THIS SURVEY IS NOT COMPLETE OR VALID WITHOUT THE SURVEYOR'S REPORT (SHEET 2)

JOB NUMBER: 220291 DATE SURVEYED: 9-15-2022
DRAWING FILE: 220291.DWG DATE DRAWN: 9-23-2022
LAST REVISION: N/A X REFERENCE: N/A

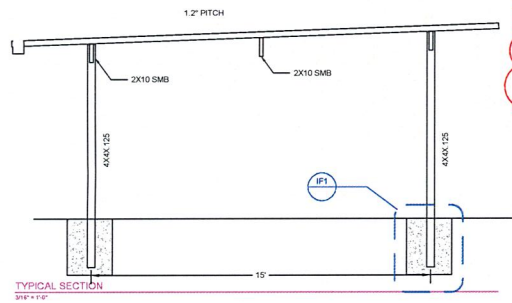
**GEORGE A. SHIMP II
AND ASSOCIATES, INCORPORATED**
LAND SURVEYORS LAND PLANNERS
3901 BAYVIEW BOULEVARD, SUITE D
PALM HARBOR, FLORIDA 34683
PHONE (727) 784-5496 FAX (727) 786-1256

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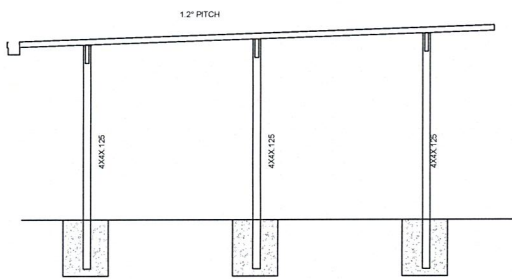
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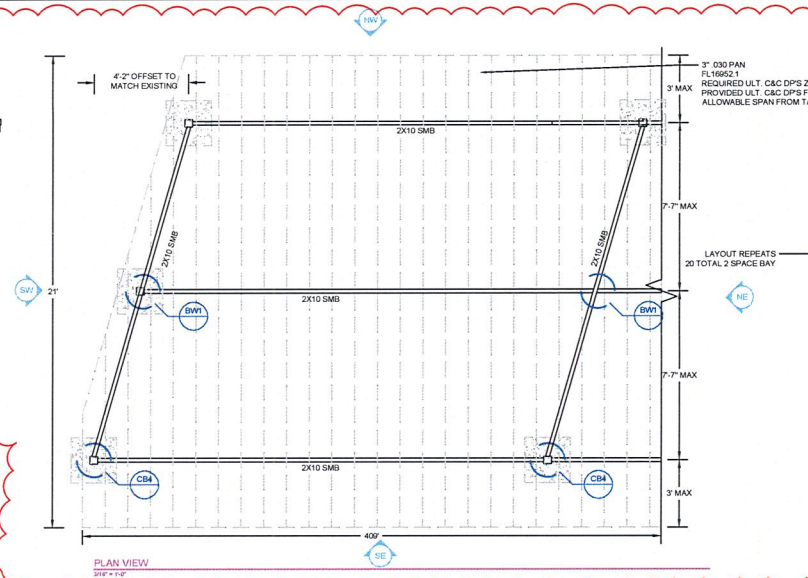
SOUTH WEST ELEVATION



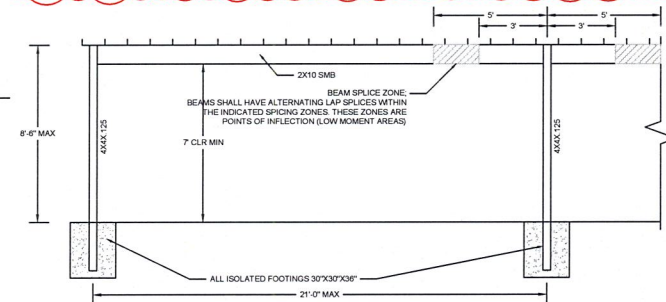
TYPICAL SECTION



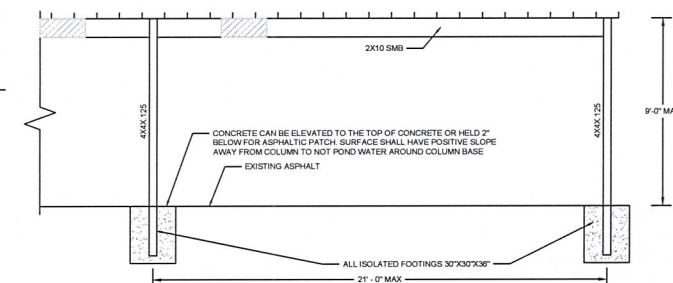
NORTH EAST ELEVATION



PLAN VIEW



SOUTH EAST ELEVATION



NORTH WEST ELEVATION

REV1: CHANGED COLUMN
LAYOUT. SKEWED TO
MATCH EXISTING ON SITE.
NO OTHER CHANGES.

DESIGN CRITERIA:

This Structure is designed in accordance with the Florida Building Code 7th Edition (2020), ASCE 24, & ASCE 7-16

Ultimate Design Wind Velocity (Vult): 145

Nominal Design Wind Velocity (V_{asd}): 112

Risk Category: II

Wind Exposure: D

Internal Pressure Category: _____ OI

CONSTRUCTION TYPE: II-B

SEPERATION DIST: X>10'

FIRE PROTECTION: NON-SPRINK

Component & Cladding (ASD):

Zone 1: +50.7 / -46.0

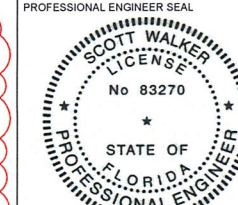
Zone 3: +50.7 / -46.0

Zone 4: NA / NA
Zone 5: NA / NA

■■■■■

REPLACE EXISTING CARPORT
20-2 SPACE BAYS FOR A TOATAL OF 40 SPACES
ROOF AREA 8596 SF

THIS PROJECT IS LOCATED IN FLOOD ZONE AE-10 A PORTION IS LOCATED WITHIN COASTAL AE-10. THE STRUCTURE HAS BEEN DESIGNED TO RESIST THE APPLICABLE WAVE IMPACT LOADS AS SPECIFIED IN ASCE 24 & ASCE 7-16. ALL MATERIALS ARE FLOOD RESISTANT



This item has been electronically signed and sealed by Scott Walker PE on the date adjacent to the seal using a SHA256 RSA authentication code.

Printed copies of this document are not considered signed and sealed and the SHA256 RSA authentication code must be verified on any electronic copies.

SCOTT WALKER PE NO 83270

Revision Schedule			
#	Revision Description		Date
1	CONTRACTOR CHANGE		3/1/2011

TABLE OF CONTENTS			
Page	SHEET	SHEET NAME	Revised
001	CS	COVER	
002	S1	DETAILS	

Scott P Walker
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o=ENGPLANS LLC,
dnQualifier=A014
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cn=Scott P Walker
2023.03.10
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PROJECT NAME	#
REGENCY WEST II PROJECT	

PROJECT ADDRESS

5575 GULF BLVD.
ST. PETE BEACH, FL 33706



AFFORDABLE ALUMINUM
1990 STARKEY RD
LARGO, FL 33771



EngPlans LLC
730 123RD AVE

BEASURE ISLAND, FL 33706
727-656-0553
WWW.ENGPLANS.COM

DATE	11/10/22
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SHEET NAME	COVER
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SHEET

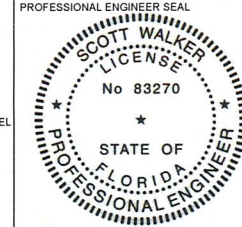
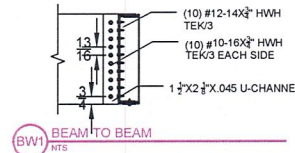
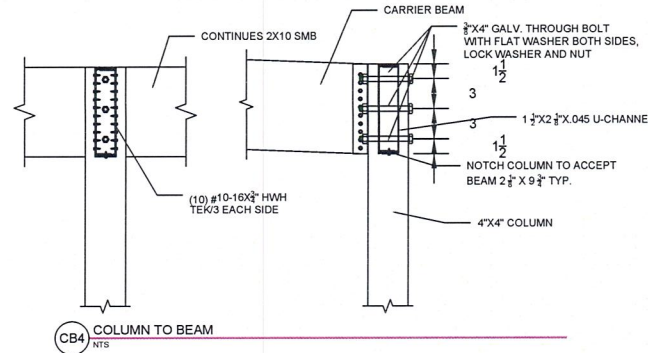
23025, A-4

- GENERAL NOTES
1. ALL STRUCTURAL EXTRUDED MEMBERS SHALL HAVE A ALLOY OF OF 6005-T5 OR 6061-T6
 2. ALL EXTRUDED ALUMINUM SHALL CONFORM TO ASTM B 221 AND HAVE A MINIMUM THICKNESS OF 0.040 UNLESS NOTED OTHERWISE.
 3. ALL ALUMINUM SHEET SHALL CONFORM TO ASTM B 209.
 4. STRUCTURAL ALUMINUM DESIGN CONFORMS TO "PART 1-A SPECIFICATIONS FOR ALUMINUM STRUCTURES - ALLOWABLE STRESS DESIGN" OR "PART 1-B SPECIFICATIONS FOR ALUMINUM STRUCTURES - BUILDING LOAD AND RESISTANCE FACTOR DESIGN".
 5. ISOLATE ALUMINUM WHICH IS IN CONTACT WITH PRESURE TREATED LUMBER WITH A DIELECTRIC MATERIAL.
 6. THE CONTRACTOR SHALL VERIFY THAT THE HOST STRUCTURES ARE IN SOUND CONDITION AND STRUCTURALLY APPROPRIATE TO ATTACH USING THE CONNECTION PROVIDED HEREIN, IF CONTRACTOR IS UNCERTAIN THEY SHALL CONTACT "EOR".
 7. FASTENERS, INCLUDING NUTS AND WASHERS, IN CONTACT WITH PRESERVATIVE-TREATED WOOD SHALL BE OF HOT-DIPPED ZINC-COATED GALVANIZED STEEL, STAINLESS STEEL, SILICON BRONZE OR COPPER.
 8. BOLTS AND OTHER FASTENERS SHALL BE ALUMINUM, STAINLESS STEEL, HOT-DIP, ELECTRO-GALVANIZED STEEL, OR DOUBLE CADMIUM PLATED STEEL BOLTS MAY ALSO BE USED.
 9. ALL FASTENERS TO COMPLY WITH ASTM A153
 10. ALL FASTENERS SHALL BE INSTALLED PER MANUFACTURERS RECOMMENDATIONS INCLUDING EDGE DISTANCE AND MINIMUM SPACING.
 11. NOTIFY ENGINEER OF RECORD OF ANY MODIFICATIONS OR ASSEMBLY ISSUES IMMEDIATELY.
 12. ALUMINUM WITHIN 5' OF POOLS OR BODIES OF WATER ARE TO BE BONDED TO POOL BONDING SYSTEM WITH 8 AWG BARE SOLID COPPER CONDUCTOR PER NFPA-70 ARTICLE 680
 13. ALL CONDENSATE AND ROOF DOWNSPOUTS SHALL DISCHARGE AT LEAST 1'-0" AWAY FROM THE STRUCTURE SIDEWALL, WHETHER BY UNDERGROUND PIPING, TAIL EXTENSIONS, OR SPLASH BLOCKS. GUTTER WITH DOWNSPOUTS ARE REQUIRED ON ALL BUILDINGS WITH EAVES OF LESS THAN 6" HORIZONTAL PROJECTION (EXCEPT GABLE END RAKES OR A ROOF ABOVE ANOTHER ROOF.
 14. CONCRETE STRENGTH REQUIREMENT 3,000 PSI.
 15. INSTALLATION SHALL HAVE A TOLERANCES OF PLUMB = $\frac{1}{4}$ " PER 10', STRAIGHT = $\frac{1}{4}$ " PER 10'

TABLE FROM FL16952.1

Exposure C	ASCE 7-16 Ultimate Design Pressure Span Table		1.2° Roof Slope
OPEN STRUCTURES (CLEAR WIND FLOW)			
Wind Speed	Design Pressure	0.024" span (ft)	0.030" span (ft)
110	+24.0/-21.8	9.6	11.5
120	+26.5/-26.0	9.4	10.2
130	+33.5/-30.5	8.9	9.6
140	+38.8/-35.4	8.1	8.9
150	+44.6/-40.6	7.4	8.0
160	+50.7/-46.2	6.9	7.6

TABLES ARE NOT PROVIDED FOR EXPOSURE D SPAN IS
EXTRAPOLATED USING C&C DP'S
MAX ALLOWABLE SPAN = 7.6'



This item has been electronically signed and sealed by Scott Walker PE on the date adjacent to the seal using a SHA256 RSA authentication code.

Printed copies of this document are not considered signed and sealed and the SHA256 RSA authentication code must be verified on any electronic copies.

SCOTT WALKER PE NO 83270

Revision Schedule		
#	Revision Description	Date

Scott P Walker
c=US,
o=ENGLANS LLC,
dnQualifier=A014
10D00000185882
155630014F02E,
cn=Scott P Walker
2023.03.10
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PROJECT NAME
REGENCY WEST II PROJECT

PROJECT ADDRESS
5575 GULF BLVD.
ST. PETE BEACH, FL 33706



AFFORDABLE ALUMINUM
1990 S. GULF BLVD.
LARGO, FL 33771
727-585-0552

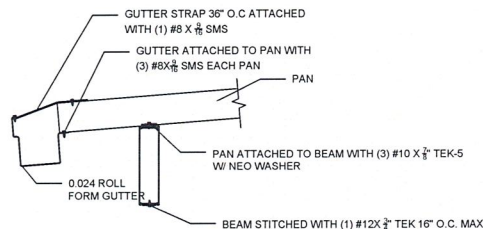


EngPlans LLC
730 1389D AVE
TREASURE ISLAND, FL 33706
727-656-0553
WWW.ENGLANS.COM

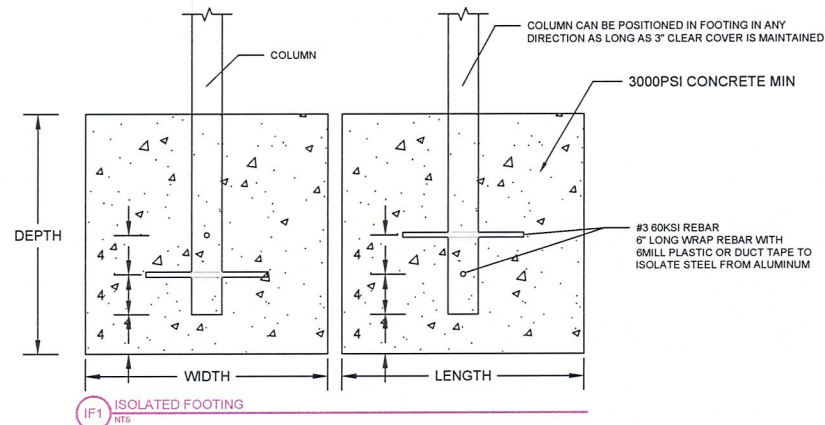
DATE
11/10/22

SHEET NAME
DETAILS

SHEET
S1



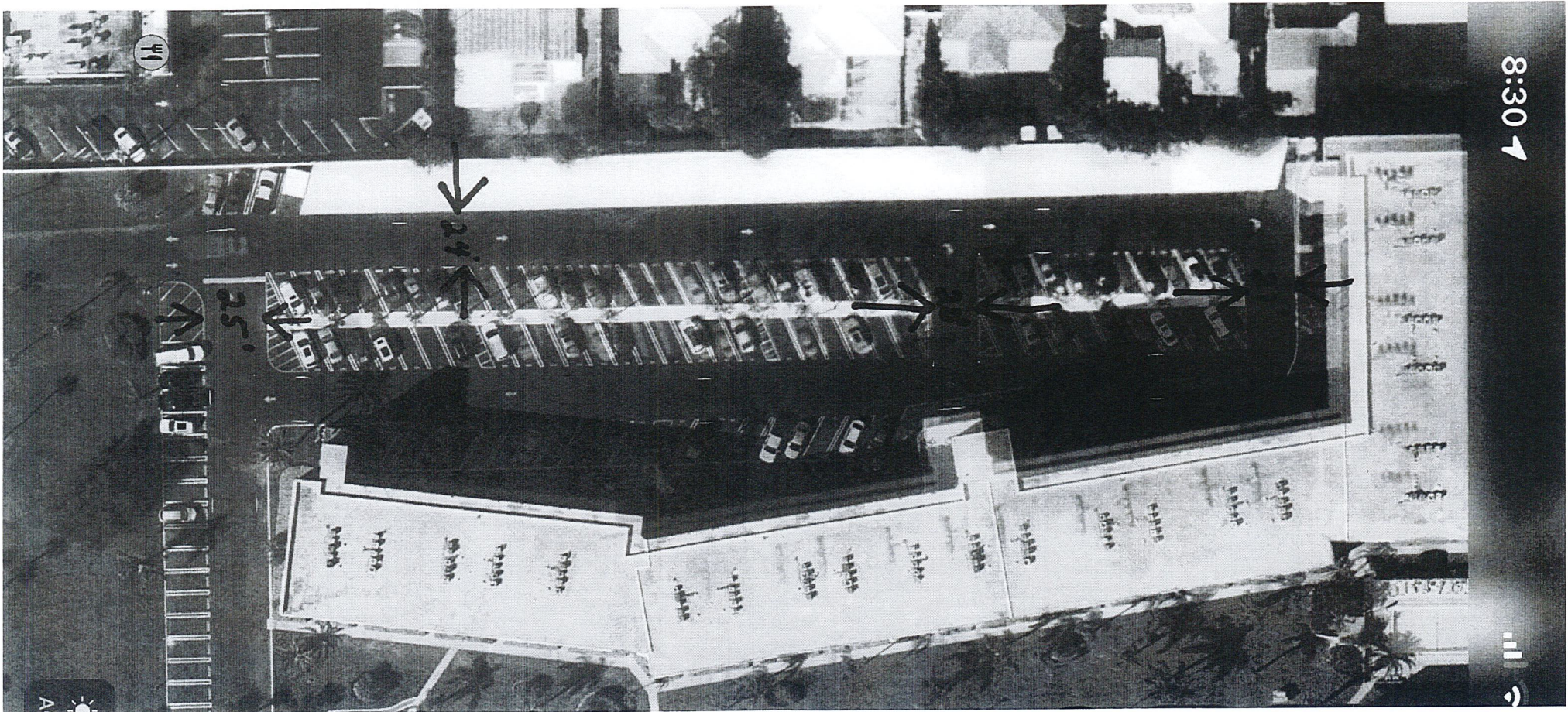
PB1 PAN TO BEAM CONNECTION
NTS



IF1 ISOLATED FOOTING
NTS

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23025, A-5



23025, A-5



23025, A-5



23025, A-6

Kristin Coman

From: Heather Packert <heather@affordablealuminum.com>
Sent: Monday, April 3, 2023 1:02 PM
To: Brandon Berry; Lisa Luster
Cc: Michelle Gonzalez; Kristin Coman
Subject: RE: 5575 Gulf Blvd - Variance Case

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

Sorry for my delay, I just received word, the boundary survey will not be available until May 9th.

The current roster is:

President Dennis Pasaretti #138
Vice President David Konz #228
Sec/Treasurer Gary Fischer #437

denpaz720@hotmail.com
DavidkonzRW2@gmail.com
garyfischerrw2@gmail.com

Once I have the completed boundary survey I will forward it and at that time see what we need to get the next step moving.

Please let me know if you think I'm missing anything in these steps.

Heather Packert
Affordable Aluminum
1990 Starkey Rd.
Largo, FL 33771
(727)585-0552 Ext 202
Fax: (727)584-4984
Toll Free: 866-333-ALUM
Heather@AffordableAluminum.com
License # SCC-131152715



From: [Brandon Berry](#)
Sent: Monday, April 3, 2023 9:43 AM
To: [Heather Packert](#); [Lisa Luster](#)
Cc: [Michelle Gonzalez](#); [Kristin Coman](#)
Subject: RE: 5575 Gulf Blvd - Variance Case

Heather,

Thank you. The payment request will be sent momentarily.



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

PLANNING DEPARTMENT

Date: July 12, 2023
To: Board of Adjustment
Re: Staff Findings Report
Unnecessary and Undue Hardship Variance
Address: 5575 Gulf Blvd.
Parcel Number: 06-32-16-74081-000-0001
Affordable Aluminum for Regency West Apts 2 Assn.
Variance Case No: 23025

Prepared by: Kristin Coman, Senior Planner

Hearing Date: 7/26/2023

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

1. Completed Unnecessary and Undue Hardship application form.
2. Boundary Survey prepared by George A Shimp II and Associates Inc. dated 5/15/2023, consisting of 1 sheet.
3. Specific Purpose Survey prepared by George A Shimp II and Associates Inc. dated 9/23/2022, consisting of 1 sheet.
4. Partial Building Plan set, Sheets CS and S1 prepared by EngPlans LLC dated 11/10/2022, total of 2 pages.
5. Photos, showing aerial and ground views of the property, no time or date supplied, total of 3.
6. Current Condo Board Roster contained within email from Heather Packert, Affordable Aluminum dated 4/23/2023.

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

Site Description/Surrounding Land Uses

The subject site is a 136,286 sq. ft. (approx. 3.13 acre) parcel located at 5575 Gulf Blvd. known as parcel number 06-32-16-74081-000-0001 and legal description of REGENCY WEST APTS 2 CONDO COMMON AREA within the AE-Elevation 10 flood zone. The property is located in the AC, Activity Center District zone; AC on the future land map and consisting of 110 condominium units that were constructed in 1970 according to the Pinellas County Property Appraiser. The site also contains amenities such as a

clubhouse, dock, and inground pool. It is a waterfront parcel located on Boca Ciega Bay to the east, the Regency West Apartments/Condos to the south, Tradewinds Resort across Gulf Blvd. to the west and Skidders restaurant and single-family residences to the north. The location of the property where the carport is currently located and to be replaced is detailed in Figure 3 below.

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

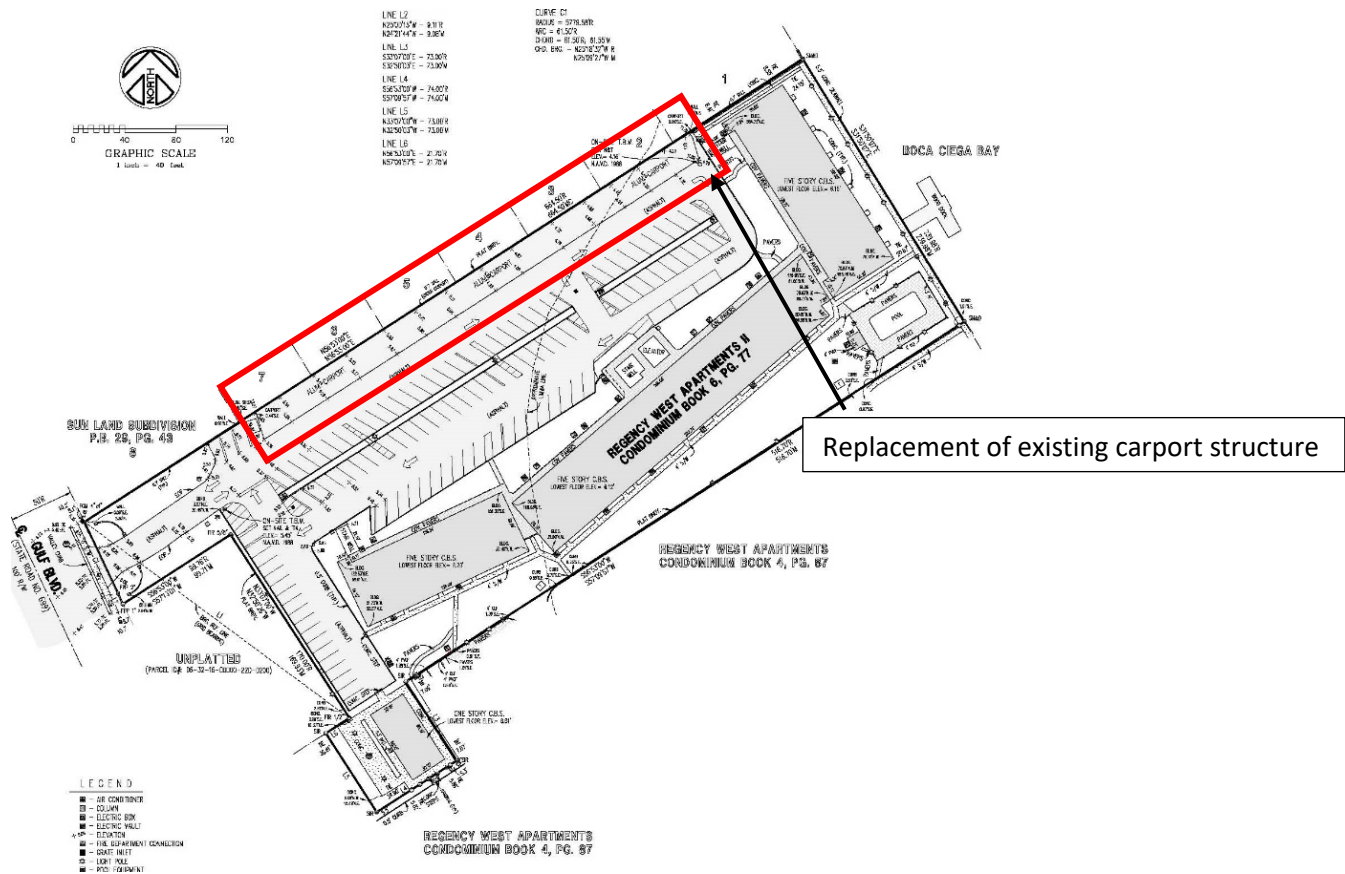
The applicant requests replacement of existing carport, approximately 410' x 21' (8,596 sf) within a required side yard setback where 27.3 feet is required with a 3.8-foot setback to columns and 1 foot setback to the roof leading edge is provided (LDC Sec. 38.9).

Analysis

1. New variance required:
 - a. **Setbacks, side yard required:** where proposed side yard setback of 3.8'(v) to columns, 1'(v) to roof leading edge does not meet the minimum of 27.3' required.

Setbacks- (LDC Sec. 38.9)	5575 Gulf Blvd.		
	Required	Existing	Proposed
Setback (Min.), Side Yard	27.3'	3.8'* to columns, 1'* to roof leading edge	3.8'(v) to columns, 1'(v) to roof leading edge
*Denotes existing non-conformity (v) = Variance required			

Figure 3: Enlarged Portion of Boundary Survey with Carport Location (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 hardship 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 1-8 **in addition** to staff comments below:

1. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved, and which are not applicable to other lands, structures, or building in the same zoning district;
 - *As per the management company, the property was developed with the existing carport and has been maintained in its current location since being constructed. The property is rectangular in nature where the existing carport and resident parking is located along the northern property line and center of the property.*
2. The special conditions and circumstances do not result from the actions of the applicant or a prior owner of the property;
 - *During the site visit, staff recognized that there are at least two sizable portions of the existing carport that had been removed, affecting approximately 9 spaces in total. Reviewing historical imagery, the damage occurred between the timeframe of October 2021 – March 2022. Applicant advised the damage was a result of a storm and the intent is to build a safe structure while providing shelter to vehicles as previously provided. Staff finds that the specific conditions and circumstances are not the result of the actions of the applicant or a prior owner of the property.*
3. Literal interpretation of the provisions of the Land Development Code deprives the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Land Development Code and results in unnecessary and undue hardship on the applicant;
 - *Staff find that a literal interpretation of the provisions of the Land Development Code will generally deprive the applicant of rights commonly enjoyed by other properties in the same zoning district and may result in unnecessary and undue hardship on the applicant.*
4. The hardship has not been deliberately or knowingly created or suffered to establish a use or structure which is not otherwise consistent with the comprehensive plan or the Land Development Code, nor will it permit and increase in development density;
 - *Staff find that this request will not establish a use not permitted in the district or increase density, and will not remove any parking or create additional parking spaces.*
5. An applicant's desire or ability to achieve greater financial return or maximum financial return from his property does not constitute hardship;
 - *Staff does not find that a desire to achieve greater financial return forms the basis of the hardship for this request. The applicant is proposing a replacement of the existing carport of same dimensions in the same location.*
6. Granting the variance application conveys the same treatment to the applicant as to the owner of other lands, building, or structures in the same zoning district;
 - *The Board must consider variances on a case-by-case basis. Even within the same zoning district, each variance request has a different set of circumstances and variables. Therefore, the granting of one variance does not confer such allowances on another property.*

7. The requested variance is the minimum variance that makes possible the reasonable use of the land, building, or structure; and
 - *Staff finds that the replacement of the carport in the same location and height is minimal while maintaining the existing traffic circulation and drive aisle widths and parking space depths.*
8. The requested variance is in harmony with the general intent and purpose of the comprehensive plan and the Land Development Code, is not injurious to the neighborhood or otherwise detrimental to the public safety and welfare, is compatible with the neighborhood, and will not substantially diminish or impair property values within the neighborhood.
 - *Staff finds that it is not anticipated to cause injury to the neighborhood, public safety, or welfare, and is generally compatible with the neighborhood.*

Other:

- Should the Board not grant the variance, the applicant should provide testimony of how they would proceed.
- The applicant should provide details on if there is any tree trimming anticipated with the installation of the carport as it was observed that portions of tree canopies currently overhang and in some places are in contact with the existing carport roof.
- Staff observed the existing downspouts currently empty directly onto the parking lot at the location of the supports of the carport. The applicant should provide testimony on how water is to be mitigated and if additional measures to be taken to protect and maintain the parking lot surface, such as sealcoating the parking lot.
- Applicant should comment if the recommendations from the TRC (below) can be accomplished.

Technical Review Committee Meeting Comments from July 25,2023

- Staff recommended wheel stops to be maintained in each parking space underneath the carport.
- Gutters and downspouts shall be installed to direct runoff away from the property line and toward the subject property. It is noted that this is shown on the construction plans.
- The carport shall not be used for outdoor storage of any kind. Staff did observe various items stored between the wheel stops and fence line while on site.

Recommendation

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

- Wheel stops to be installed if necessary and maintained in each parking space underneath the carport.
- Gutters and downspouts shall be installed to direct runoff away from the property line and toward the subject property.
- The carport area to be utilized by vehicles only and shall not be used for outdoor storage of any kind.

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 purple ink, appearing to be 'K Coman', with a long horizontal stroke extending to the right.

Kristin Coman
Senior Planner

Cc: Dennis Pasaretti, Pres. for Regency West Apts 2 Assn.- Owner **via email**
(denpaz720@hotmail.com)
Affordable Aluminum - Applicant **via email** (install@AffordableAluminum.com)
Matthew McConnell, Board of Adjustment Attorney