



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

155 Corey Avenue
St. Pete Beach, FL 33706

Wednesday, December 20, 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 December agenda.

2. Audience Comments -

Comments shall be limited to 3 minutes for general or agenda items. Please complete and submit a comment card to the Clerk.

3. Approval of Minutes

a. November 29, 2023 Meeting

4. Action Items -

a. Case No. 23089 - 311 N. Tessier Dr.

Practical Difficulty Variance; Jerome and Julia Zibrida request to construct a front covered front porch and open staircase that does not meet the required front yard setback of 20' (porch) and 17' (open staircase) with 14'4" and 9'4" proposed (LDC Sec. 8.7(a)(1) and LDC Sec. 6.22(b)).

5. Adjournment - Next meeting to be held on January 31, 2024 -

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.

DRAFT BOARD OF ADJUSTMENT MINUTES
November 29, 2023 – 2:00 P.M.
Commission Chambers

PRESENT: Paul Skipper, Chair
Michael Bomar, Vice Chair
Denise Chase, Member
BJ Lawson, Member
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 P.M.

1. Approval of the Agenda - Member Lawson asked to add a discussion item on being a resident advocate while also serving on a board.

Motion: Member Lawson moved, and Member Chase seconded the approval of the November 29, 2023 agenda with the change; the motion carried unanimously by a voice vote.

2. Audience Comments – There were no comments.

3. Approval of Minutes – October 25, 2023 Meeting

Member Chase moved, and Member Lawson seconded approval of the October 25, 2023 meeting minutes as presented; the motion carried unanimously.

4. Action Items

- a. Case No. 23060 - 2005 Gulf Way (continued from 10/25/23); *Practical Difficulty Variance*; Sam Angelides, Angelides Builders for Andrea Crowe requests to construct a 10' x 36' elevated rear addition that will not meet the required 20' rear yard setback with 9.9' proposed (LDC 11.7(a)(4))

Assistant City McConnell explained that this case was previously heard in its entirety on 10/25/23, including staff's complete application review and public comment. There was a split vote of 2/2 and the case was continued to allow some members time to do site visits and additional research. He advised the Board of their options to either resume the hearing back at the deliberation phase or reopen to review again and public comment again. Mr. McConnell asked the members to declare any ex-parte communication. Members Small, Chase and Lawson declared that they had visited the site and the alley; Chair Skipper declared that he had watched the entire recording of the previous hearing. By consensus the Board decided to resume the hearing at the deliberation point and forego the re-presentation and public comment.

The Chair opened Board deliberation. Member Lawson explained two hypothetical ideas that he had after visiting the site and navigating the alley without difficulty: 1 – would the applicant be willing to improve the setback by two feet, taking the expansion down by two feet (he referred to meeting packet page 23) and 2 – would the applicant be willing to put a perpetual restriction on

the deed that no further expansion up or out until the setbacks are brought back into compliance. Mr. McConnell commented that height is a permitted right.

Applicant Dan Crowe of 2005 Gulf Way appeared and asked questions regarding a deed restriction. Mr. McConnell explained that the property is already non-conforming, so it would need to be restored all the way back to its original conformity. Plans from the meeting packet were displayed with consideration of reducing the setback by 2 feet; the plans are part of the meeting record. Discussion continued on the current 3" non-conforming setback. Attorney McConnell expressed that he would be more comfortable with a condition to the variance than a perpetual restriction, particularly in the Pass-A-Grille Overlay. The owner would be comfortable with the restriction while he owns the property.

Ms. Coman pointed out that the house was built in 2001 and the surrounding homes are of varying ages. The Board further discussed deed restrictions.

Member Bomar moved, and Member Small seconded to approve the variance for Case No. 23060 as originally presented at the October meeting, to include the conditions that the addition be constructed as per the plan submitted and may not be later enclosed or lower level infill permitted without obtaining a subsequent variance, and include the installation and maintenance of an outdoor grade convex reflective safety mirror for the alleyway to allow for enhanced visibility and increased safety; the motion carried 4-1 with Member Chase voting no.

- b. Case No. 23075 - 8050 Coquina Way: Practical Difficulty Variance; Jonas Araujo, SmartPavers, Inc., for Steven Sewell requests installation of a circular driveway that exceeds the maximum impervious surface ratio (ISR) of .70 permitted with .82 proposed (LDC Sec. 8.12).

Senior Planner Kristin Coman presented the information for this Practical Difficulty Variance request. Her presentation included photographs, zoning, zoning table, survey, property description, hearing notices, variance criteria, staff analysis and staff comments; the presentation is part of the meeting record. Ms. Coman noted that the property is unique in that asphalt is under the rocks in the front. The zoning table increases current impervious surface ratio (ISR) for that reason. The applicant should provide testimony regarding the asphalt removal and ground cover, landscaping, and/or irrigation.

The staff recommendation was to approve the variance with the condition that the applicant will complete installation and landscaping in conformance with LDC Sec. 22.4 and 22.10 with landscape and zoning inspections completed prior to the issuance of a Final Inspection or Certificate of Occupancy (COP). One letter of support was received. No ex-parte communication was declared.

Applicant Steve Sewell of 8050 Coquina Way appeared and provided testimony about the property. He explained drainage issues and the need to remove the asphalt and the creation of plant beds and irrigation which will better conform with the other properties.

Josh Wilhelm 8051 Coquina Way spoke in favor of the project. No one was present in objection.

The Chair closed public comment and opened Board deliberation.

Member Chase moved and Member Small seconded to approve the variance for Case No. 23075 with the condition that the applicant will complete installation of landscaping in conformance with LDC Sec. 22.4 and 22.10 with landscape and zoning inspections completed and approved prior to the issuance of a Final Inspection or Certificate of Occupancy; the motion passed unanimously.

5. Items for Discussion –

a. Approved Meeting Dates for 2024

Ms. Coman discussed optional dates for May and June as two members expressed their unavailability. Following discussion, the dates chosen were Wednesday, May 15th at 2:00 PM and Thursday, June 20th at 2:00 PM, as all indicated that they were available.

Member Bomar moved and Member Chase seconded to approve the new May and June 2024 Board meeting dates as well as the rest of the year; the motion passed unanimously by a voice vote.

b. Added item – Resident Advocacy and Board Membership –

Member Lawson explained that although he has enjoyed serving on this Board, he has become less comfortable recently, and the City Attorney made a point at the last City Commission that he feels strongly that he prefers that residents not be advocates for issues while serving on community boards. Additionally, his wife is a registered lobbyist for and Executive Director of the Protect St. Pete Beach advocacy group. Member Lawson offered his resignation from the Board effective immediately. Attorney McConnell and the other members appreciated Member Lawson's transparency and understood his reasoning.

6. Adjournment – The next meeting is scheduled for December 20, 2023

Member Chase moved and Member Small seconded to adjourn the meeting at 2:52 PM.

These minutes will be considered for approval at the December 20, 2023 Board of Adjustment meeting.

BOARD OF ADJUSTMENT MEETING CITY OF ST. PETE BEACH

Agenda Report

Action Request: Motion to **APPROVE** Case No. 23089 to permit the construction of a front covered front porch and open staircase that does not meet the required front yard setback of 20' (porch) and 17' (open staircase) with 14'4" and 9'4" proposed, with the staff recommendation of the following condition(s) should apply:

- Applicant shall submit a sealed As-Built Plan noting all setbacks and Impervious Surface Ratio (ISR) calculation and approved by Zoning prior to the issuance of a Final Inspection or Certificate of Occupancy.
- Gutters and downspouts shall be installed as necessary.

Strategic Objective:

Date: December 20, 2023

Prepared By: Kristin Coman, Senior Planner

Through: Jennifer McMahon, Chief Operating Officer

Summary of Issue: *Practical Difficulty Variance*; Jerome and Julia Zibrida request to construct a front covered front porch and open staircase that does not meet the required front yard setback of 20' (porch) and 17' (open staircase) with 14'4" and 9'4" proposed (LDC Sec. 8.7(a)(1) and LDC Sec. 6.22(b)).

Funding: n/a

Attachments:

1. 23089 - 311 N. Tessier Dr. - Certificate of Completeness with Submittal Documents
2. 23089 - 311 N. Tessier Dr. - Staff Report
3. 23089 - Letters Received as of 12.11.23



Memo To: Board of Adjustment
From: Kristin Coman, Senior Planner
Date: 11/7/2023
Re: **CERTIFICATE OF COMPLETENESS**

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 **December 20, 2023**.

Variance Case Number: 23089
Application Type: Practical Difficulty Variance
Owner: Jerome and Julia Zibrida
Applicant/Agent: Same
Parcel Number: 18-32-16-94158-001-0770
Address: 311 N. Tessier Dr., St. Pete Beach, FL 33706
Zone: RU-1

Submittal Documents:

1. Completed Practical Difficulty Variance application form.
2. Boundary Survey prepared by John C. Brendla & Assoc., Inc. dated 11/12/19, consisting of 1 sheet.
3. Plan Set prepared by b1 Design Studio, multiple dates, consisting of 11 sheets containing site plan dated 10/7/23, floor plans and elevations.
4. ISR informational package which includes completed ISR worksheet consisting of 5 pages.

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: Jerome and Julia Zibrida, Applicant/Owner ***via email*** (zibrida@aol.com)

CASE #: 23089SUBMITTAL DATE: 10/19/23AMOUNT DUE: 529.85PAYMENT DATE: 11/8/23**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	JEROME & JULIA ZIBRIDA	311 N. TESSIER DR.	727 560 1088
Applicant/ Agent			
Owner Email Address: ZIBRIDA@ICLOUD.COM		Applicant/Agent Email Address:	

PROPERTY FOR PROPOSED VARIANCE:

Zoning Designation <u>RU1</u>	Future Land Use Designation <u>RU</u>	Lot Area <u>8520 sqft</u>
Legal Description:	<u>VINA-DEL-MAR SEC 2 PAGE 1 BLK 1 LOT 77</u>	
Parcel ID:	<u>18-32-16-94158-001-0770</u>	
Address:	<u>311 N. TESSIER DR. SPB 33706</u>	
Explanation of Request: <u>CONSTRUCT NEW EXTERNAL STAIRCASE WITH NEW ROOFLINE TO COVER ENTRANCE. 20' SETBACK FOR ROOFLINE AND 17' FOR EXTERNAL STAIRCASE. NEW ROOFLINE AT 14'4" FROM PROPERTY LINE AND STAIRCASE AT 9'4" FROM PROPERTY LINE.</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 ATTACHMENT ZIBRIDA (1)

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

SEE ATTACHMENT ZIBRIDA (2)

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

SEE ATTACHMENT ZIBRIDA (3)

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

SEE ATTACHMENT ZIBRIDA (4)


Signature of Applicant

Date

10/10/23

Signature of Authorized Agent

Date

For office use only:

Hearing Date: _____ Fees: _____

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

Zibrida Section 1: "How substantial the variance....."

The requirements are 20Ft set back from the property-line for the roof line and 17ft from the property-line for the stairs. The Stairs require a two stage approach as one single case would not be able to rise high enough. Thus having a dual case will encroach into the 17ft setback by 7'6". The roofline, as planned, would not cover the entire case and only cover the top flight only encroaching 5'6" into the 20ft setback. Supports for the roof would be required and those supports would encroach 3'8" into the 20' setback.

Zibrida Section 2: " Whether an adverse....."

The new external staircase and roofline was designed by our architect to remain in keeping with the Key West Style of home and in the best practices of current architecture and code. We have plans to add a paver driveway to improve the look as well as replacing the vinyl siding with more modern and hurricane resistant HardyPlank material. New planting bed with the dual staircase will continue to add the tropical appearance we have been adding to our home over the last 20years. The design and material will rejuvenate this dated home and add to the constantly updated homes of Vina Del Mar. All materials and landscaping are consistent with new construction in the area. As testament to our contributions to improving the community we've added over 16 Royal Palms, 14 Areca palms, grass, 6 coconut palms and roughly 20 Christmas tree palms to our property. We're not afraid of ensuring our projects do nothing but add and never subtract. We rebuilt our dock with several added cosmetic features to improve our community appearance. We plan to add more trees in the pool deck to improve permeability and esthetics. We've invested in a metal roof far beyond the codes needed to get by. Added insulation to the roof, plan to add more before encasing with Hardy Plank. All these plans only add to our community, never subtract.

Zibrida Section 3: "Whether the difficulty can be obviated....."

Over 20years of owning this home we have constantly tried to imagine how we can update the front entrance. We want an elevator, both for our future needs as well as our current parents and relatives needs for hosting family events. Bringing my relatives up the stairs in a wheel chair is not a long term solution. We've had several architects and builders look at this and none have come up with a solution that doesn't add an external entrance or added unsightly bump outs that would adversely effect the community appearance. The original builders of the home unfortunately sited the house along the front setback to maximize the backyard without regard for future needs. We've investigated options of a single stair but that is not possible. The original builders knew this as the current staircase is not within code, even for when this was built. We've looked at a one staircase approach with a lower door entrance. Unfortunately that would require us to get a variance for the door as it would not meet current flood standards. There is no practicable area to locate an elevator within the structure per several experienced builders and architects. The elevator, as pictured, would have no external shaft, be completely encased in the new front, have an internal entrance consistent with the garage use, and top level entrance into the foyer. In short, we believe this to be the optimal solution for removing a dangerous staircase that is not to code while updating the look, adding an elevator for increased functionality, and generally improving the neighborhood.

Zibrida Section 4: " Whether, in view of the manner....."

We cannot speak of the thoughts of the original builders. Placing the home right on the setback, creating unsafe stairs without code compliant rise/run, no plan for an elevator in a two story home. What we can do is the best for the ourselves, our community and correct as much as possible while adding to our enjoyment of the best community in Florida.....

Our plan removes the dangerous front stairs we encourage people not to use. The dual stairs creates a more modern and "manor house" look to the overall esthetic which improves the community feel. It includes an elevator sorely needed for the owners in the future and their current aging relatives.

In the end, we've worked with builders, architects, and designers in an attempt to make everything else work within code. Unfortunately, this doesn't seem possible from all the feedback. We have minimized the impact to the extent possible and added upgrades everywhere we could to improve the look for us and the community. Is justice served allowing us to encroach with a staircase, our answer is it is not only served but served well.....

VARIANCE APPLICATION

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

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

 I understand that a non-conforming use or structure in a particular zoning district does not, in any way, provide justification for the granting of a variance. Furthermore, the existence of a permitted use or structure in adjacent districts does not constitute grounds for a variance.

 On all variances 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.

 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.

 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

10/10/23
Date



PUBLIC HEARING SIGN POSTING AFFIDAVIT

Applicant, JEROME ZIBRIDA, 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): JEROME ZIBRIDA

Address: 311 N. TESSIER DR SPB FL 33706

Signature: [Signature] Date: 11/3/23

STATE OF FLORIDA)

) SS:

PINELLAS COUNTY)

The foregoing instrument was acknowledged before me this 3RD day of NOVEMBER, 2021 by:
JEROME ZIBRIDA who appeared before me, and is personally known to me, or has produced
FL DL as identification, and did take an oath.

My commission Expires:

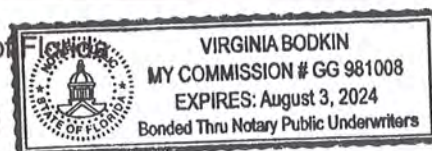
NOTARY:

[Signature]

Print Name: _____ Notary

Public, State of Florida

(Notarial Seal)



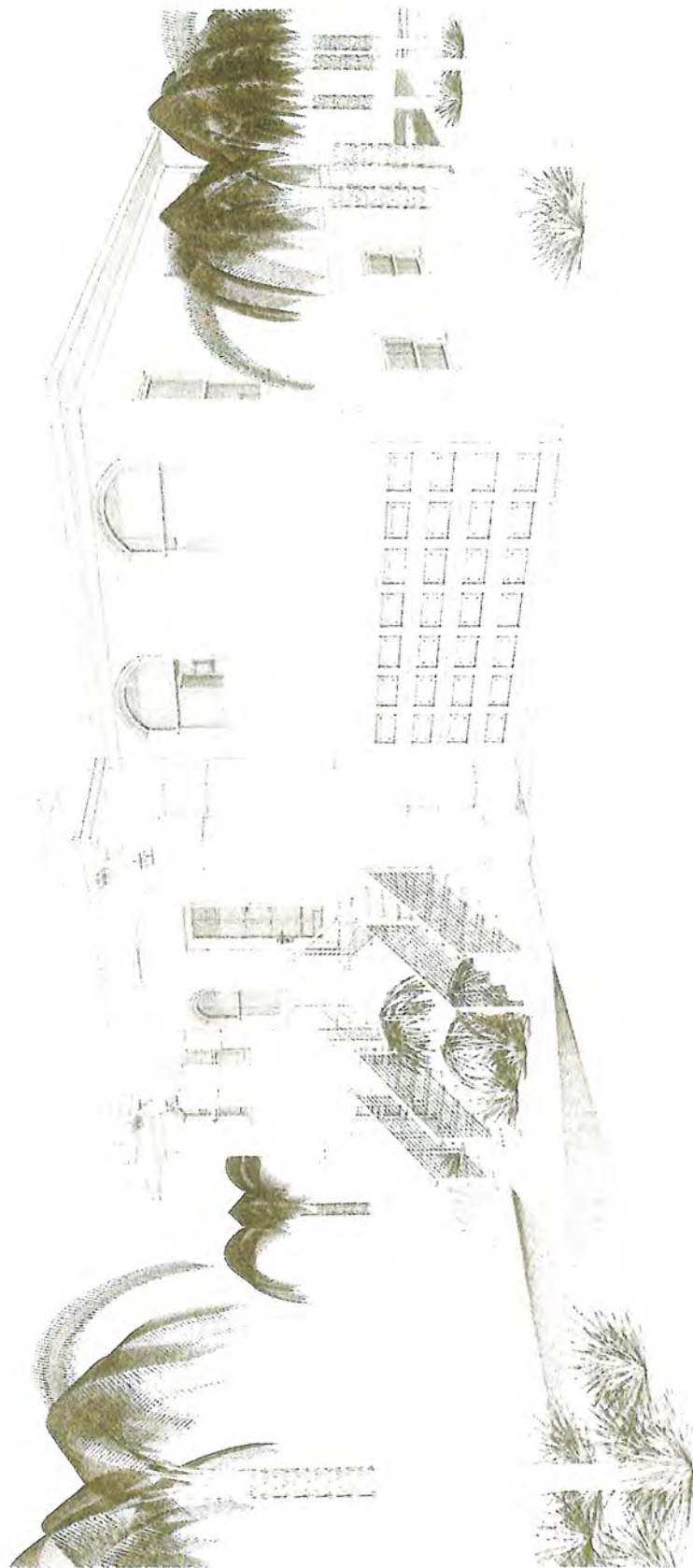


Cover Sheet
8/7/2023

SD-1.1

The Zibrida Residence
311 Tessier Drive, St. Pete Beach, Florida 33706

bl Design Studio
10251 Tarpon Drive
Tresure Island, FL 33706
bl.designstudio.com 727-415-7800
© 2023 bl Design Studio. All Rights Reserved. Project: Zibrida, SD-1.1

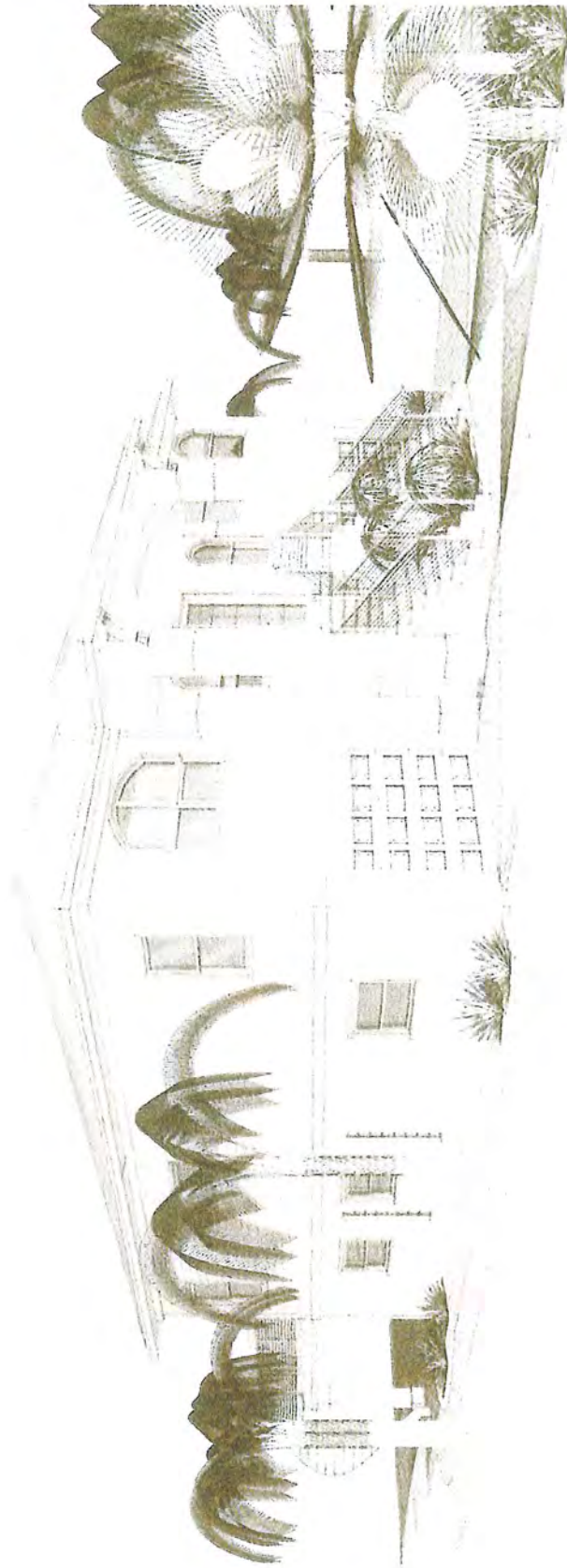


3D Views
7/27/2023

SD-1.12

The Zibrida Residence
311 Tessier Drive, St. Pete Beach, Florida 33706

bl Design Studio
10234 Tarpon Drive
Tresure Island, FL 33706
bl design studio.com 727-418-7890
© 2023 bl Design Studio. All rights reserved. 3D Views 1.12.2023. All data is 3D only.

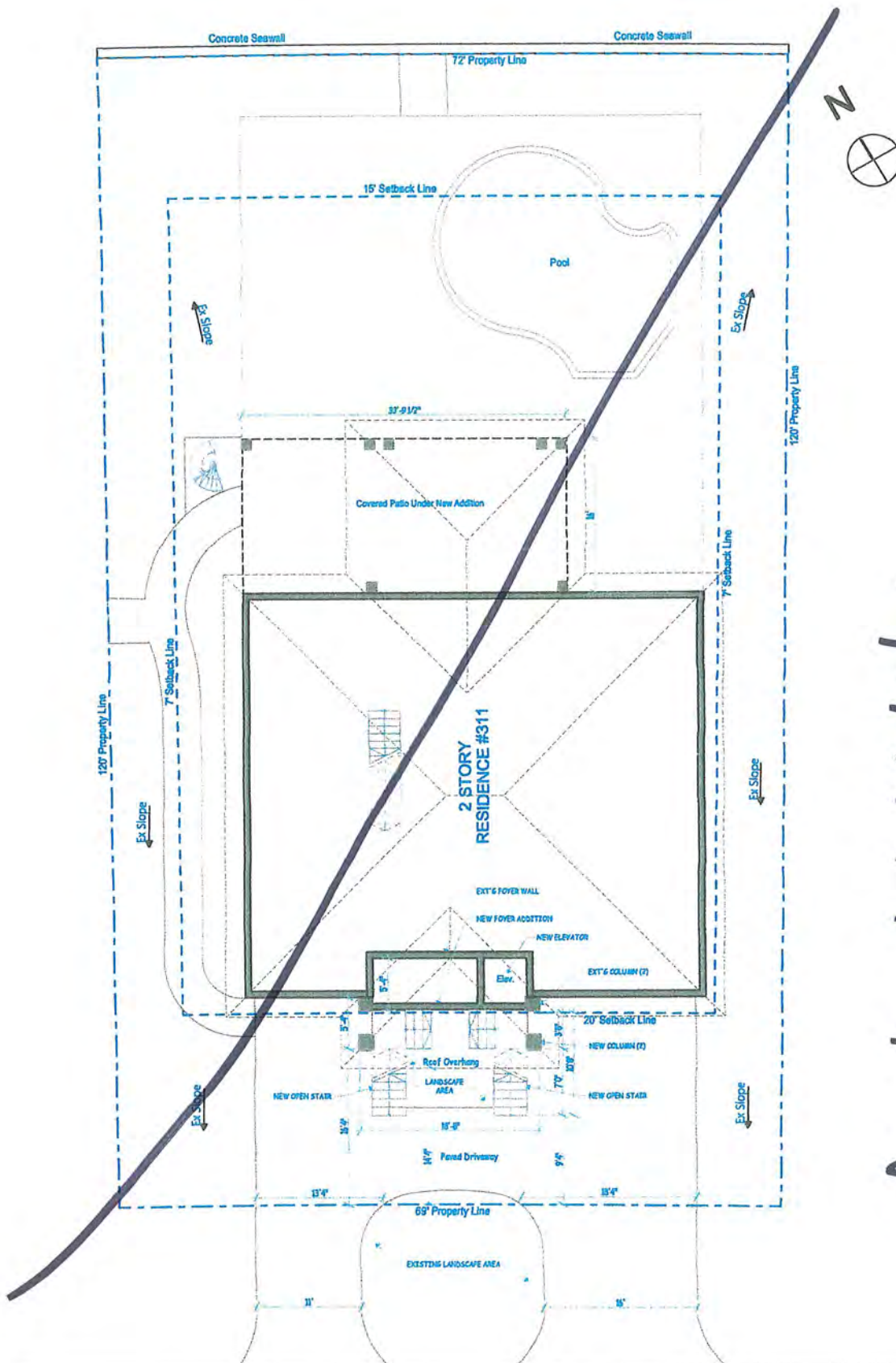


3D Views
7/27/2023

SD-1.13

The Zibrida Residence
311 Tessier Drive, St. Pete Beach, Florida 33706

b1 Design Studio
10234 Tappan Drive
Treasure Island, FL 33706
b1designstudio.com 727-415-7890
© 2023 b1 Design Studio. All Rights Reserved. Project: Zibrida Residence 2023



N. Tessier Drive

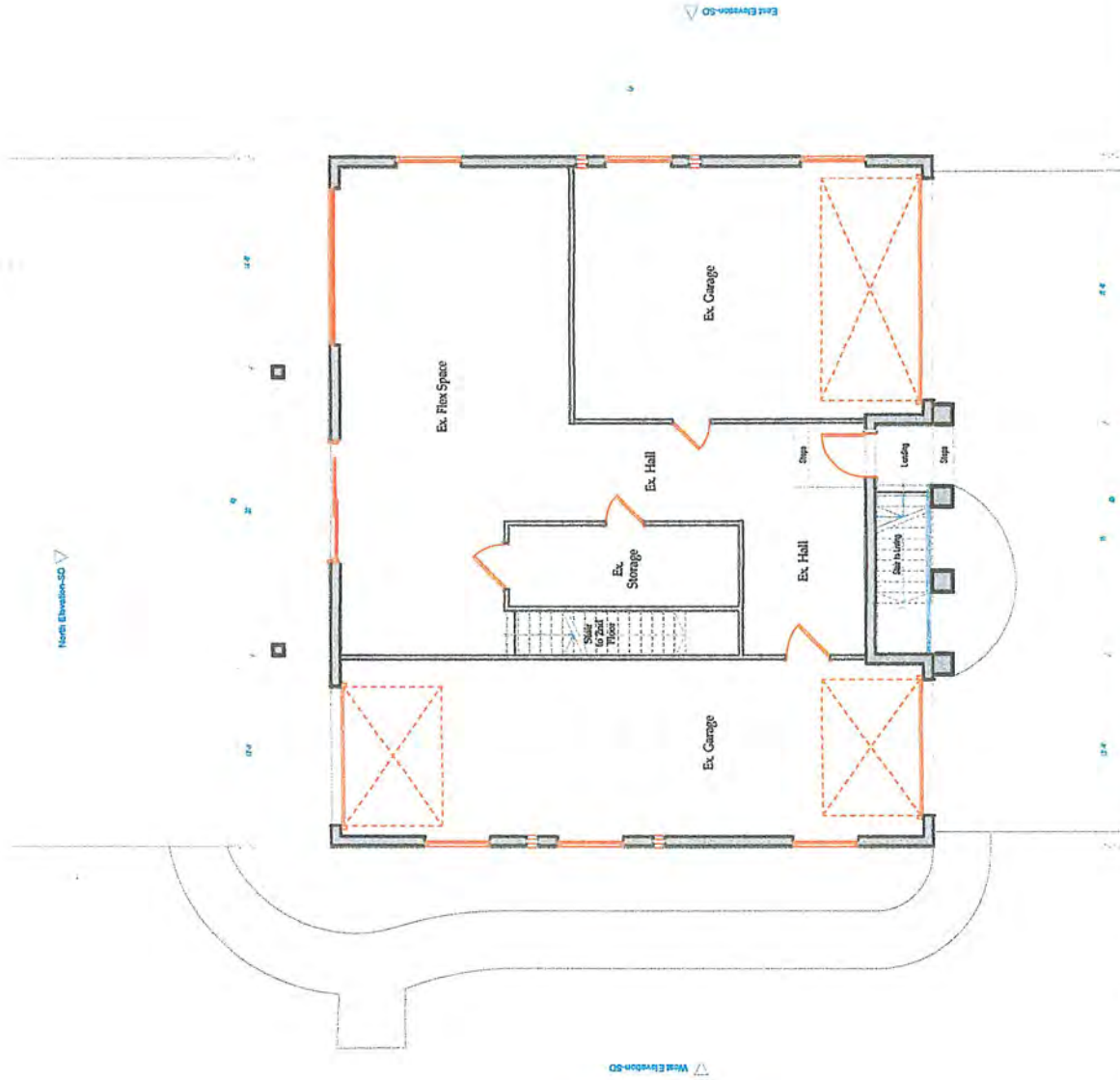
- See plan dated 10/7/23

Site Plan 1"=10'
8/23/2023
SD-1.2

The Zibrida Residence
311 Tessier Drive, St. Pete Beach, Florida 33706

M Design Studio
10234 Tarpon Drive
Treasure Island, FL 33706
b1designstudio.com 727-415-7891
© 2023 M Design Studio. All rights reserved. No part of this publication may be reproduced without prior written permission from M Design Studio.

AS IS DRAWING BOTTOM FLOOR



Ground Floor Plan EXISTING 1/8" = 1'
8/7/2023

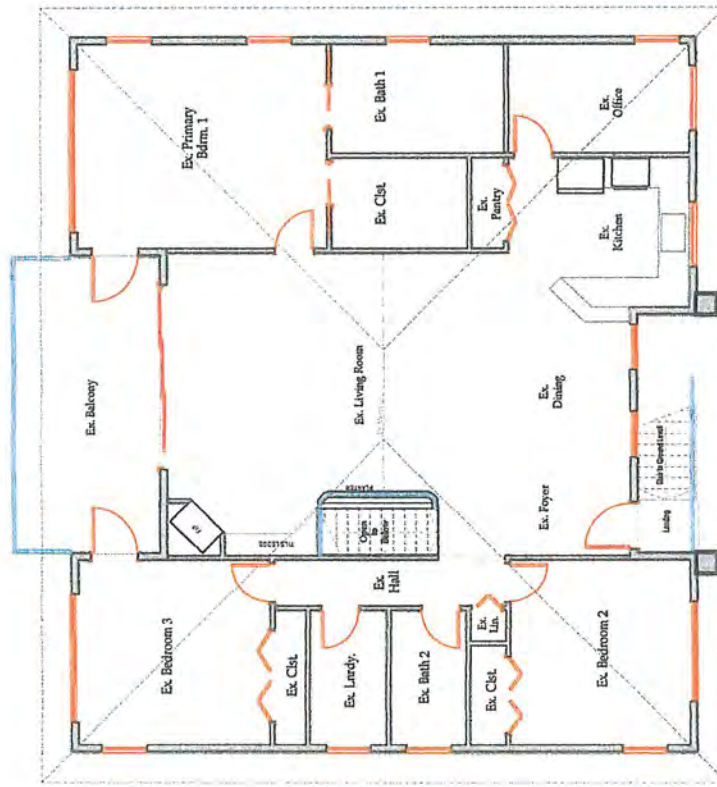
SD-1.3

The Zibrida Residence
311 Tessier Drive, St. Pete Beach, Florida 33706

b1 Design Studio
10234 Tarpun Drive
Tessier Island, FL 33706
b1designstudio.com 727-415-7894
© 2023 b1 Design Studio. All Rights Reserved. SD-1.3

AS IS DRAWING TOP FLOOR

North Elevation-SD



East Elevation-SD

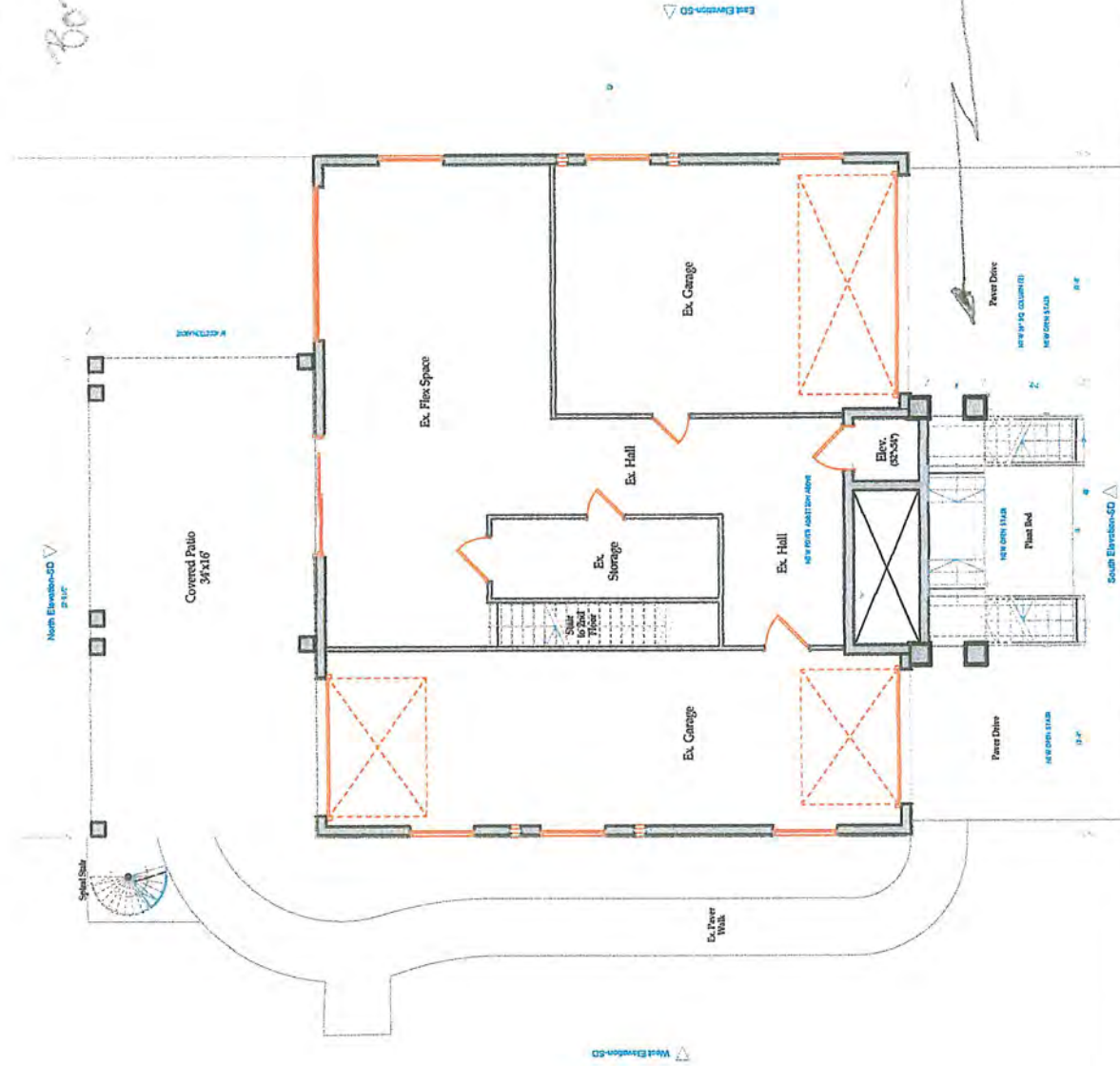
2nd Floor Plan Existing 1/8" = 1'

8/7/2023
SD-1.4

The Zibrida Residence
311 Tessier Drive, St. Pete Beach, Florida 33706

b1 Design Studio
10234 Tarpon Drive
Tampa, FL 33614
b1designstudio.com 727-415-7890
© 2023 b1 Design Studio. All rights reserved. 023-100002-001.pdf

PLAN DRAWING
BOTTOM FLOOR



THIS IS ONLY AREA
OF CONCERN FOR
SAKE OF VARIANCE

Ground Floor Plan New 1/8" = 1' -
8/7/2023
SD-1.5

The Zibrida Residence
311 Tessier Drive, St. Pete Beach, Florida 33706

b1 Design Studio
10234 Tarpon Drive
Tampa, FL 33614
b1designstudio.com 727-415-7891
© 2023 b1 Design Studio. All Rights Reserved. Project: The Zibrida Residence

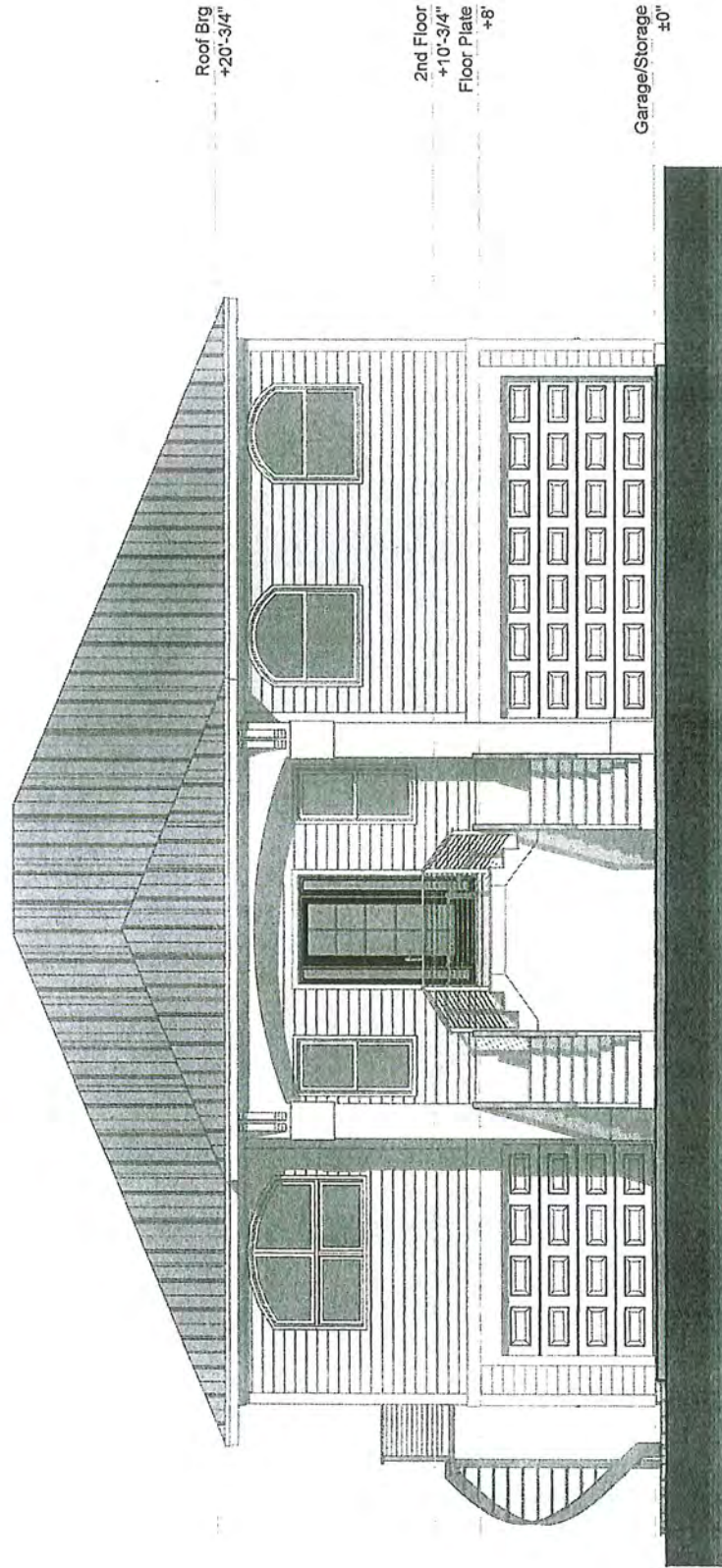
PLAN DRAWING UPSTAIRS



ONLY AREA OF CONCERN FOR VARIANCE

2nd Floor Plan New 1/8" = 1'
8/7/2023
SD-1.6

The Zibrida Residence
311 Tessier Drive, St. Pete Beach, Florida 33706



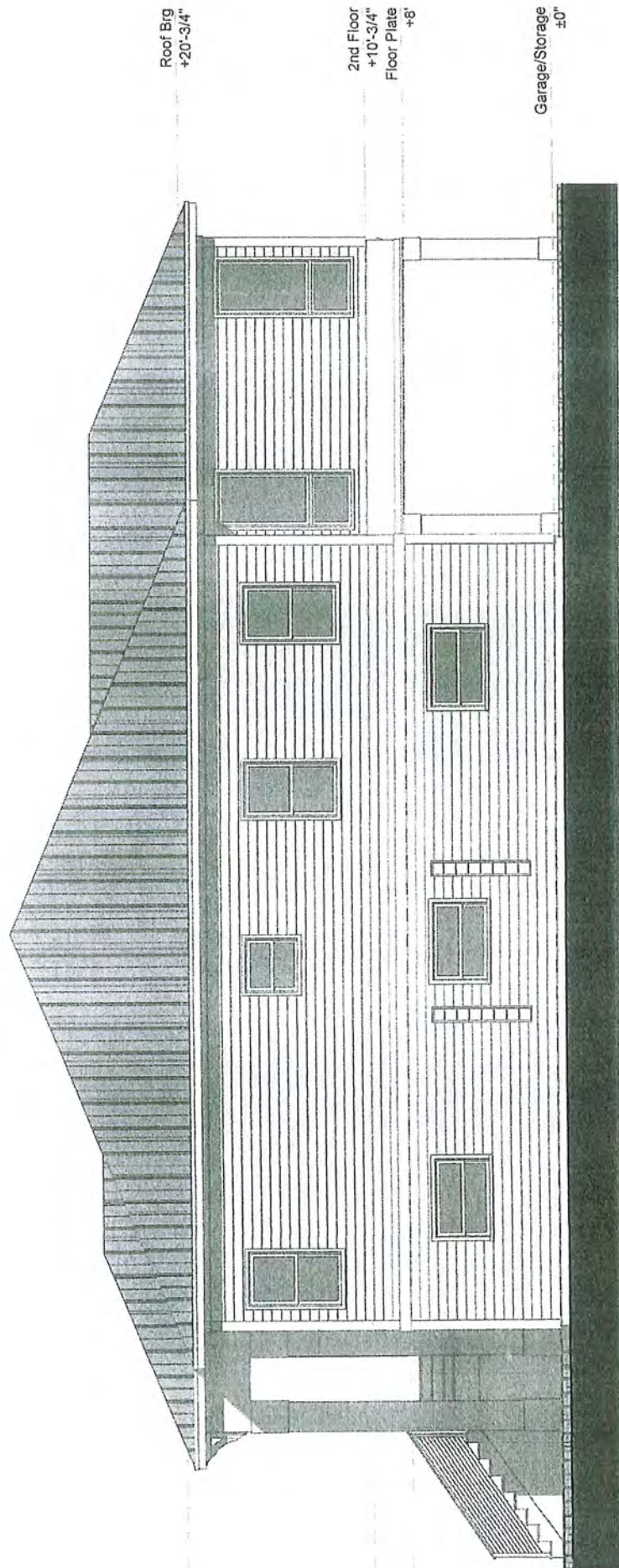
Street Elevation-SD

Elevations
8/7/2023

SD-1.7

The Zibrida Residence
311 Tessier Drive, St. Pete Beach, Florida 33706

b1 Design Studio
10234 Tarpon Drive
Tessier Island, FL 33706
b1designstudio.com 727-415-7839
© b1 Design Studio. All rights reserved. 8/7/2023 Project: Zibrida Residence, SD-1.7



Right Side Elevation-SD

Elevations
8/7/2023

SD-1.8

The Zibrida Residence
311 Tessier Drive, St. Pete Beach, Florida 33706

b1 Design Studio
10234 Tarpon Drive
Tampa, FL 33617
727.415.7894
b1designstudio.com



Impervious Surface Ratio (ISR) Worksheet

Impervious surface means any material that prevents absorption of storm water into the ground.

Impervious surface ratio (ISR) means a measurement of the intensity of hard-surfaced development on a site. An impervious surface ratio is the relationship between the total area covered by impervious surfaces on a site and the gross land area of the zoning lot, excluding any portion of the property lying Gulfward of the city's coastal construction and excavation setback line. The impervious surface ratio is calculated by dividing the square footage of the area of all impervious surfaces on the site by the square footage of the gross land area, excluding any portion of the property lying Gulfward of the city's coastal construction and excavation setback line.

Owner Name & Address

Contractor/Applicant Name & Address

Phone 727 560 1088

Phone _____

Email ZIBRIDA@ICLOUD.COM

Email _____

Property Address 311 NORTH TESSIER DRIVE

Total Lot Area (sq. ft.) 8520 (71' x 120')

Required Calculations:

EXISTING IMPERVIOUS SURFACE:		
Building Footprint:	<u>1936</u>	sq. ft.
Parking and Driveway:	<u>906</u>	sq. ft.
Pool and/or Patio areas:	<u>2352</u>	sq. ft.
Walkways:	<u>300</u>	sq. ft.
Other:		sq. ft.
TOTAL EXISTING IMPERVIOUS SURFACE:	<u>5494</u>	sq. ft.

PROPOSED IMPERVIOUS SURFACE:		
Building Footprint:	<u>2016</u>	sq. ft.
Parking and Driveway:	<u>906</u>	sq. ft.
Pool and/or Patio areas:	<u>2352</u>	sq. ft.
Walkways:	<u>300</u>	sq. ft.
Other:		sq. ft.
TOTAL PROPOSED IMPERVIOUS SURFACE:	<u>5574</u>	sq. ft.

<u>5494</u> sq. ft.	÷	<u>8520</u> sq. ft.	=	<u>64.5%</u>
Total Existing Impervious Surfaces		Lot Area		Existing Impervious Surface Ratio

<u>5574</u> sq. ft.	÷	<u>8520</u> sq. ft.	=	<u>65.5%</u>
Total Proposed Impervious Surfaces		Lot Area		Proposed Impervious Surface Ratio

Certification:

I, TERRE ZIBRIDA, certify that the calculations submitted above for the Impervious Surface Ratio are accurate and complete. The square footage of all existing structures and improvements are accounted for and the square footage of all proposed structures and improvements are included in the calculations below.

Applicant Signature: [Signature] Date: 10-5-23

① BUILDING FOOTPRINT:

- USED TAX COLLECTOR SIMPLIFIED PLAN
- BUILDING IS 42' X 48'
- CURRENTLY A 10 X 5 AREA IS PERMIABLE
- $42 \times 48 = 2016$ sqft
- $10 \times 5 = 80$ sqft
- TOTAL BUILDING FOOTPRINT = 1936

② PARKING DRIVEWAY

- 21.5' LONG
- 48' MINUS ROUGHLY 2' PER SIDE SO 44' WIDE
- ROUGH AREA OF $21.5 \times 44 = 946$
- SMALL AREA IN FRONT IS 10' X 4' AT MAX ARC
- ROUGHLY ASSUMED 20 sqft PERMIABLE
- FRONT ROUNDER IN DRIVEWAY IS 18' WIDE AND 4' DEEP
- ITS AN ARC
- ASSUMED 20 sqft OF PERMIABLE
- $946 - 20 - 20 = 906$ sqft total

③ POOL AREA

- DECK IS 48' WIDE by 49' LONG
- THUS 2352 sqft

④ WALKWAYS

- WALKWAY ON WEST IS BETWEEN 3-4' WIDE 60ft LONG
- $4 \times 60 = 240$ sqft SHOULD BE WORSE CASE
- SMALL WALK FROM DECK TO DOCK 5' X 6' AND PAID FOR POOL EQUIP = ASSUMED 60 sqft

ZIBRIDA, JEROME
311 N TESSIER DR
ST PETE BEACH, FL 33706-2815

2023 18-32-16-94158-001-0770
Map Id: 104.00 1.00 1.00 1.00 Freyle, Enlio 2-7671

Page 1 of 2
PRINTED 08/07/2023
BY jarnstrong

311 N TESSIER DR, ST PETE BEACH 33706-

BUILDING CHARACTERISTICS

QUALITY	ABOVE	TYPE	%	PTS
FOUNDATION	4WOOD/BLOCK	100	7.00	
FLOOR	3WOOD	100	12.0	
EXTERIOR	9FRAME/RECLA	100	23.0	
ROOF	1GABLE OR	100	6.00	
ROOF	5CONCRETE	100	7.00	
FLOOR	3CARPET/HARD	100	10.0	
INTERIOR	4CUSTOM	100	50.0	
HEATING	6CENTRAL	100	5.00	
COOLING	COOLING	100	3.00	

CATEGORY	UNITS
STORIES	2.00
FIXTURES	8.00
LIVING UNITS	1.00

TOTAL LIVING UNITS	1
DEPRECIATION ADJ	0.0000
EXTERNAL OBSOLESCENCE	0.0000
OTHER	0.0000

TYPE	QU	HX/NHX
01	03	100.0
RCHD	YB	EA
495218	1995	26

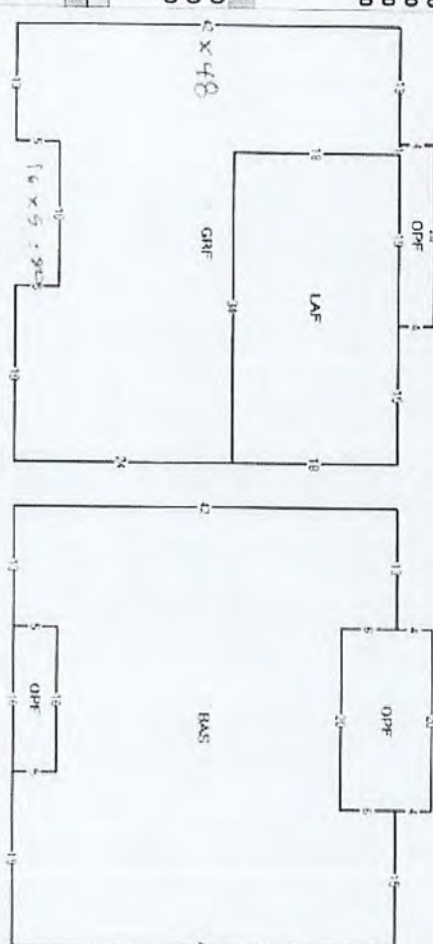
SAR	AREA	%B	EFF. AREA
GRF	1,324	35	463
LAF	612	70	428
OPF	80	20	16
BAS	1,816	100	1,816
OPF	200	20	40
4,112			2,779

TAXING DISTRICT	JUST VALUE/SF	718.17
-----------------	---------------	--------

L	EXTRA	DESCRIPTION	BD	NHX	LEN	WID	UNITS	UNIT	ADJ UNIT	BLT	EFF	BLT	%	XF	VALUE
1	0603	DOCK	100		0		856.00	56.00	56.00	2018	5	2019	89	42,663	
2	0102	PATIO/DECK	100		0		1,246.00	27.00	27.00	1999	24	1999	42	14,130	XTRA
3	0503	FIREPLACE	100		0		8,000.00	8,000.00	8,000.00	1995	28	1995	52	4,160	
4	2704	BT LFT/DAV	100		0		12,000.00	12,000.00	12,000.00	1996	27	1996	40	4,800	
5	0202	POOL	100		0		55,000.00	55,000.00	55,000.00	1999	24	1999	42	23,100	520SF
6	0403	SPA/JAC/HT	100		0		18,000.00	18,000.00	18,000.00	1999	24	1999	42	7,560	64SF

L	USE	LAND USE	HX	R	FRONT	DEPTH	FF	FRNT FT	FACTOR	UNITS	UT	D	DEPTH	SIZE	FACT
C	1	01	SINGLE	100	71.00	120.0	70	100.00	70.54	FF	130	0.98	1.00		

2016-80-1936



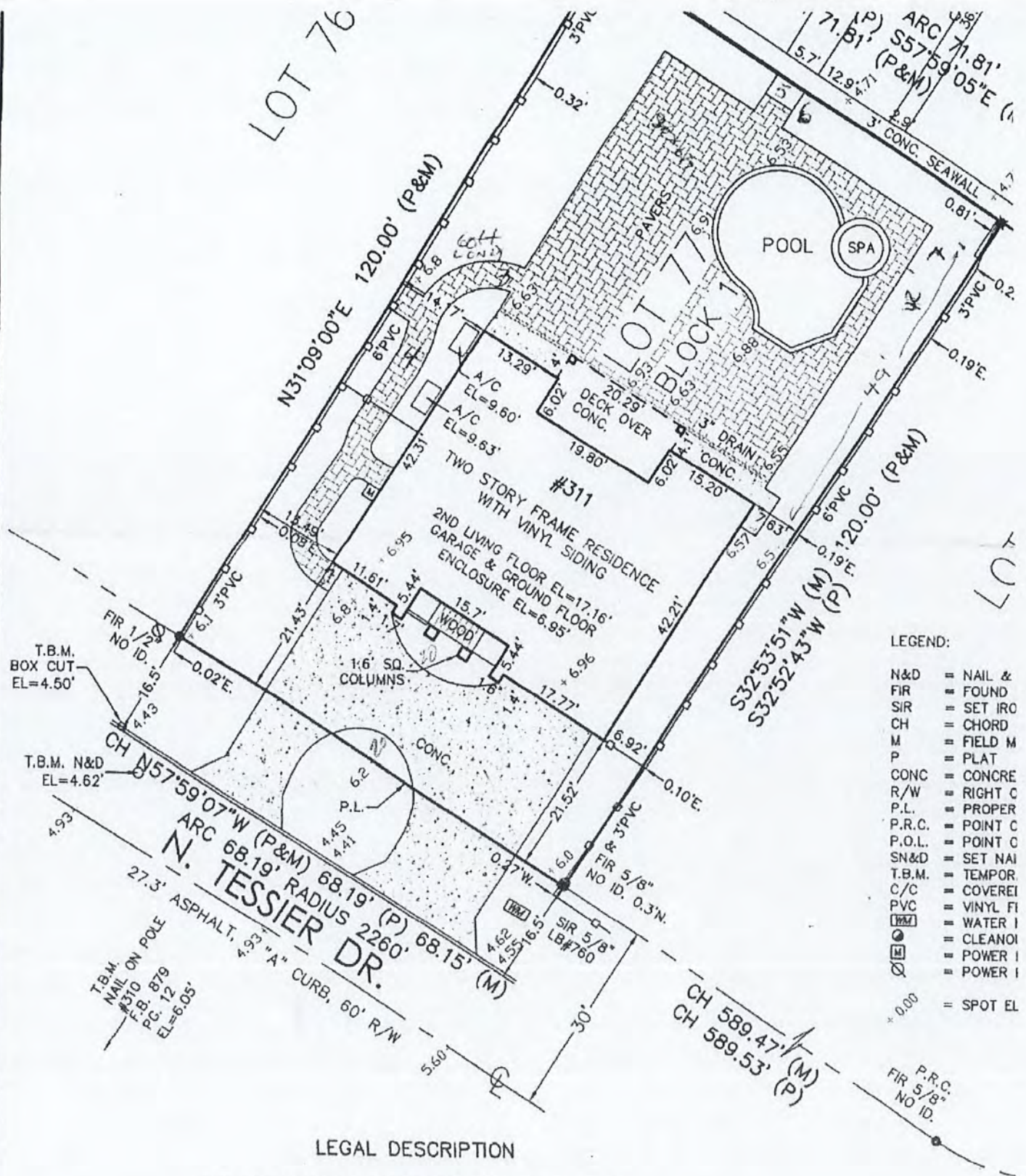
0110 Single Family Home

"VALUE SUBJECT TO CHANGE"

Pinellas County Property Appraiser Office				VALUE SUMMARY		SALES	
PRIOR JUST MARKET VALUE	1,318,344						
CURRENT JUST MARKET VALUE	1,743,709						
ASSESSED VALUE	713,089						
HX/NHX CAP BASE YEAR	2006						
TAXABLE VALUE	663,089						
HX	Yes						
%HX	100.00						
TOT EXEMPTIONS VALUE	50,000						
PERMIT	TP ST	EST VAL	ISSUE DATE				
2200599	85 V	2,045	03/17/22				
2101074	95 C	14,874	05/18/21				
2100353	38 C	37,276	02/19/21				
P47875-18	06 C	0	02/22/18				
BID18-00260	06 C	39000	02/14/18				
20160400A	38 V	2499	04/29/16				
20160400	38 V	2499	03/30/16				
20160399	51 C	32954	03/30/16				
20140237	96 C	14250	02/27/14				
BUILDING NOTES							
1AP NEW ROOF 3 TO 5. 16P-REMODEL. BATHROOMS PER PERMIT 18P/ R & R. EXISTING DOCK AND ADD ADDITIONAL DOCK AREA TO 856SF TOTAL							

L	EXTRA	DESCRIPTION	BD	NHX	LEN	WID	UNITS	UNIT	ADJ UNIT	BLT	EFF	BLT	%	XF	VALUE	BUYER	SALES NOTE
1	0603	DOCK	100		0		856.00	56.00	56.00	2018	5	2019	89	42,663		ZIBRIDA, JEROME	
2	0102	PATIO/DECK	100		0		1,246.00	27.00	27.00	1999	24	1999	42	14,130	XTRA	MCCOOL, LORI	
3	0503	FIREPLACE	100		0		8,000.00	8,000.00	8,000.00	1995	28	1995	52	4,160		PETHER, FREDERICK	
4	2704	BT LFT/DAV	100		0		12,000.00	12,000.00	12,000.00	1996	27	1996	40	4,800		ABRAHAM, GEORGE W.	
5	0202	POOL	100		0		55,000.00	55,000.00	55,000.00	1999	24	1999	42	23,100	520SF		
6	0403	SPA/JAC/HT	100		0		18,000.00	18,000.00	18,000.00	1999	24	1999	42	7,560	64SF		

NOTES															
C	1	01	SINGLE	100	71.00	120.0	70	100.00	70.54	FF	130	0.98	1.00		
APPRaisal DATES															
REVIEW DATE 02/04/2020															
FIELD NUMBER 230															
REVIEW TYPE Permit															



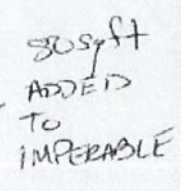
LEGAL DESCRIPTION

LOT 77, BLOCK 1, ACCORDING TO THE PLAT OF
VINA DEL MAR SECTION TWO PAGE ONE,
AS RECORDED IN PLAT BOOK 39, PAGE 35 OF THE PUBLIC RECORDS OF
PINELLAS COUNTY, FLORIDA.

I hereby Certify that the survey represented hereon meets the requirements of Chapter 5J-17, Florida Administrative Code


JOHN O. BRENDLA
Florida Surveyor's Registration No. 4601
Certificate of Authorization No. 700

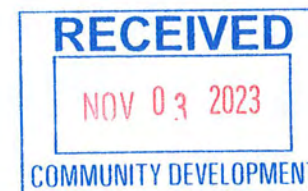
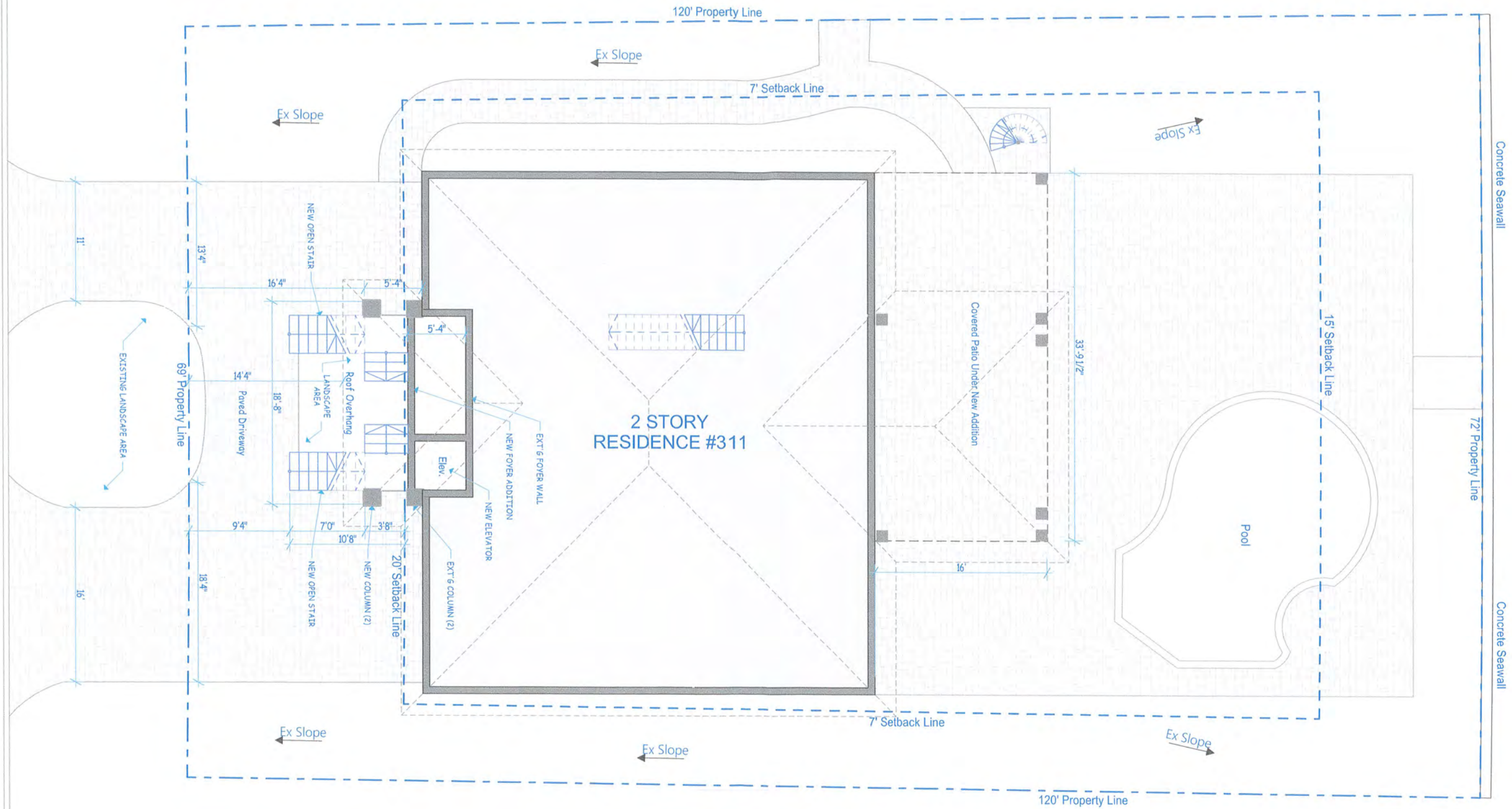
1:20

**b1** Design Studio
10234 Tropic Drive
Treasure Island, FL 33606Site Plan 1*-10
8/22/2023

SD-1.2

The Zibrida Residence
3311 Tessier Drive, St. Pete Beach, Florida 33706

N. Tessier Drive



23089



b1 Design Studio
10234 Tarpon Drive
Treasure Island, FL 33706
b1designstudio.com 727-415-7890

C:\Users\pb2\OneDrive\Documents\b1 Design Studio\2023 Projects\Zibrida\Zibrida SD1.pln

The Zibrida Residence
311 Tessier Drive, St. Pete Beach, Florida 33706

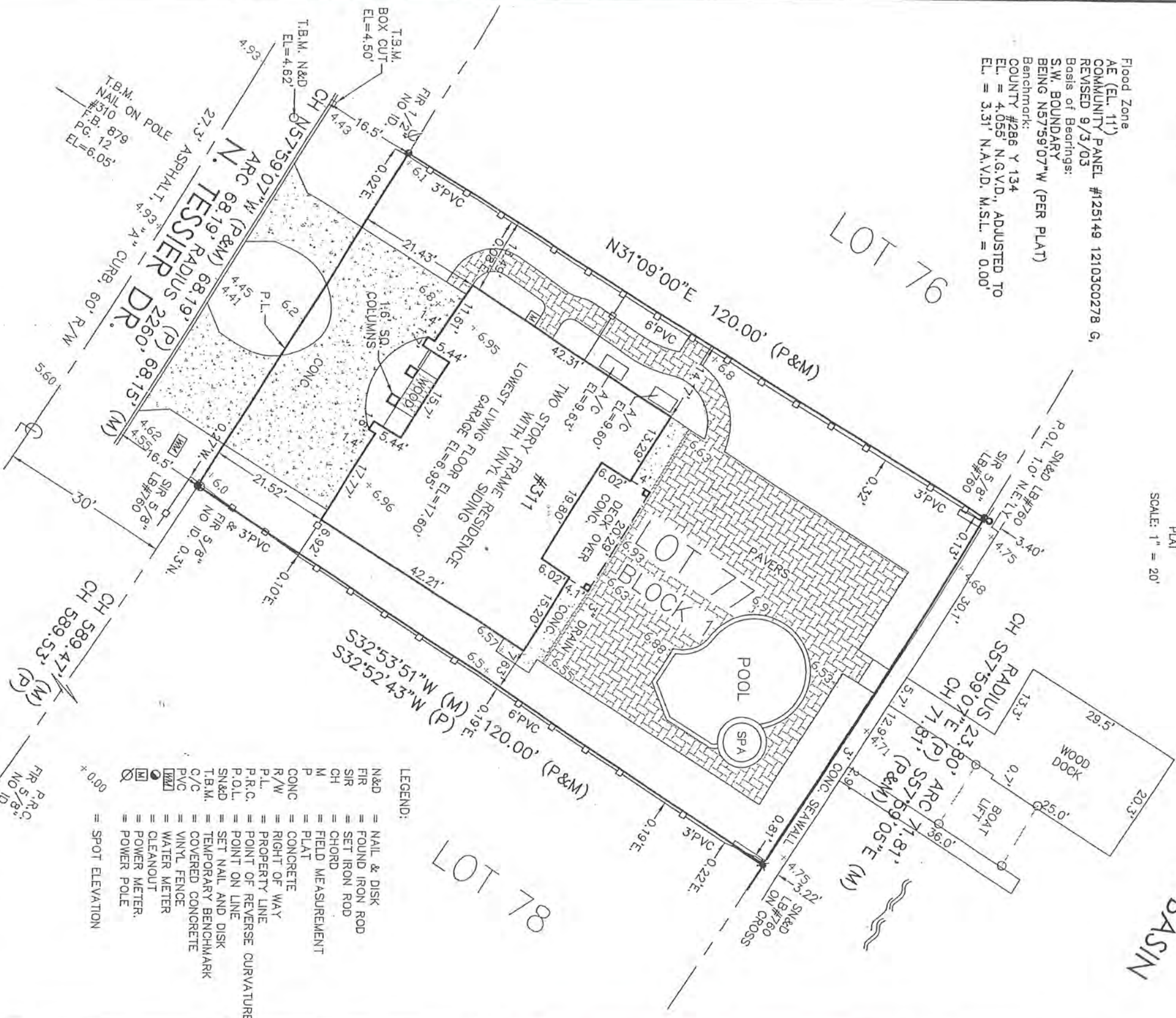
Site Plan 1"=10'
10/7/2023

SD-1.2

SECTION 18, TOWNSHIP 32S, RANGE 16E

CERTIFIED TO:
JEROME ZIBRIDA AND
JULIA ZIBRIDA

Flood Zone
AE (EL. 11')
COMMUNITY PANEL #125149 12103C0278 G,
REVISED 9/3/03
Basis of Bearings:
S.W. BOUNDARY
BEING N57°59'07"W (PER PLAT)
Benchmarks:
COUNTY #286 Y 134
EL. = 4.055' N.G.V.D., ADJUSTED TO
EL. = 3.31' N.A.V.D. M.S.L. = 0.00'



LEGAL DESCRIPTION
LOT 77, BLOCK 1, ACCORDING TO THE PLAT OF
VINA DEL MAR SECTION TWO, PAGE ONE,
AS RECORDED IN PLAT BOOK 39, PAGE 35 OF THE PUBLIC RECORDS OF
PINELLAS COUNTY, FLORIDA.

I hereby Certify that the survey represented hereon meets the
requirements of Chapter 5J-17, Florida Administrative Code

John O. Brendla
JOHN O. BRENDLA
Florida Surveyor's Registration No. 4601
Certificate of Authorization No. 760
BOUNDARY SURVEY WITH IMPROVEMENTS
AND ELEVATION CERTIFICATE - 11/12/19

VINA DEL MAR BLVD.

YACHT BASIN

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

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.

F.B.: 960 PG: 51
671 59

1910-56.CRD

John C. Brendla & Associates, Inc.
PROFESSIONAL LAND SURVEYORS AND MAPPERS
4015 82nd Avenue North ~ Pinellas Park, Florida 33781
phone (727) 576-7546 fax (727) 577-9932

Job Number
1910-56

DRW: JM



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

PLANNING DEPARTMENT

Date: December 8, 2023
To: Board of Adjustment
Re: Staff Findings Report
Practical Difficulty Variance
Address: 311 N. Tessier Dr.
Parcel Number: 18-32-16-94158-001-0770
Jerome and Julia Zibrida
Variance Case No: 23089

Prepared by: Kristin Coman, Senior Planner

Hearing Date: 12/20/2023

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

1. Completed Practical Difficulty Variance application forms.
2. Boundary Survey prepared by John C. Brendla & Assoc., Inc. dated 11/12/19, consisting of 1 sheet.
3. Plan Set prepared by b1 Design Studio, multiple dates, consisting of 11 sheets containing site plan dated 10/7/23, floor plans and elevations.
4. ISR informational package which includes completed ISR worksheet consisting of 5 pages.

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

Site Description/Surrounding Land Uses

The subject site is a 8,403 sq. ft. (approx. 0.19 acre) parcel located at 311 N. Tessier Dr. known as parcel number 18-32-16-94158-001-0770 and legal description of VINA-DEL-MAR SEC 2 PAGE 1 BLK 1, LOT 77 within the AE-Elevation 9 flood zone. The property is located in the RU-1, Residential zone; RU on the future land map and contains a single-family residence constructed in 1995 according to the Pinellas County Property Appraiser. It is surrounded by single-family uses to the east, south, west and to the north across the canal. The waterfront site is located on a canal south of the Pinellas Bayway and is improved with a two-story dwelling with circular driveway, rear paver patio with inground pool and dock with boat lift.

Analysis

1. New variance(s) required as a result of the proposed construction:
 - a. **Required front yard setback (porch):** where 20' is required and 14'4" is proposed LDC Sec. 8.7(a)(1). The applicant is proposing to encroach an additional 5'8" into the required front yard setback with the proposed covered front porch.
 - b. **Required front yard setback (open staircase):** where 17' is required and 9'4" is proposed LDC Sec. 6.22(b). The applicant is proposing to encroach an additional 7'8" into the required front yard setback with the open staircase.

Figure 3: Zoning Table			
Detached, Single-Family Residential	311 N. Tessier Dr.		
	<u>RU-1 Required</u>	<u>Existing</u>	<u>Proposed</u>
Lot Area (Min.)	7,000 sq. ft.	8,403 sq. ft.	no change
Front Yard Setback-Porch (Min.)	20'	21.43'	14'4" (v)
Front Yard Setback-Open Staircase (Min.)	17'	n/a	9'4" (v)
Side Yard Setback (Min.)	6.8' (The lesser of 10% of lot width or 7')	13.49', west 6.92', east	no change
Rear Yard Setback (Min.)	20'	55'	no change
ISR (Max.)	0.70	0.64	0.65
Height (Max.)	35'	not provided, dwelling is currently two-story	not provided, dwelling is currently two-story
*Denotes existing non-conformity (v) Variance required			

Figure 4: Survey showing proposed new addition and open staircase (N.T.S.)

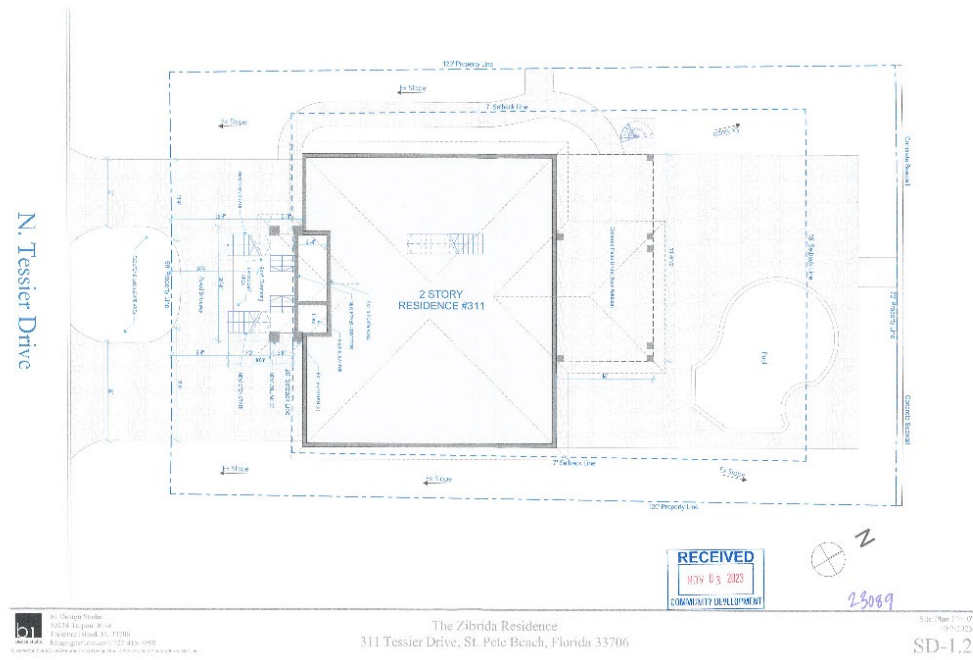


Figure 5: Enlarged portion of survey with proposed new addition and staircase (N.T.S.)

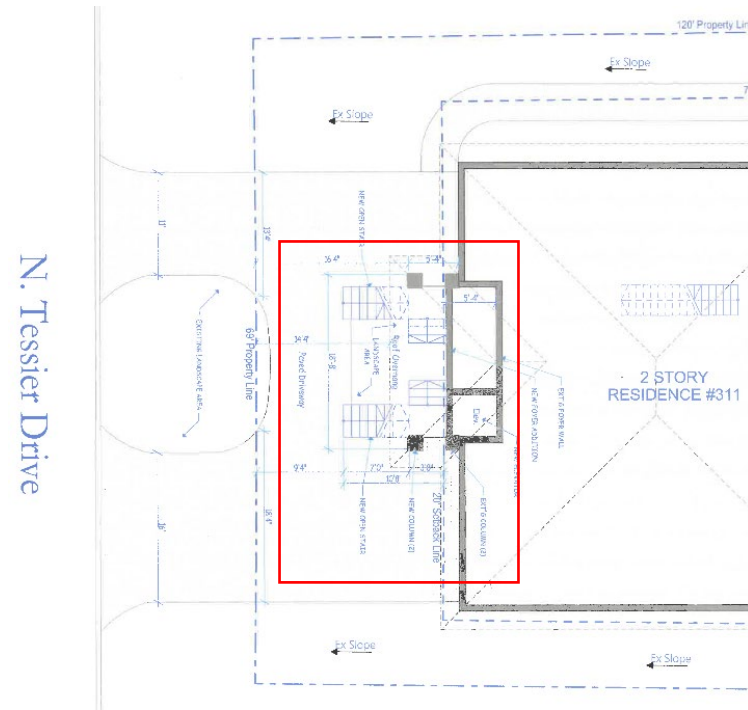


Figure 6: Proposed Front Elevation



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 14'4" front yard setback where 20' is required, representing a variance of 28% from the required standard.*
 - *Staff finds the applicant is requesting a 9'4" front yard setback for the proposed open stairs where 17' is required, representing a variance of 45% 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 dwelling is located on a street which contain one- and two-story dwellings which have a variety of driveway layouts, and it would not appear that the setbacks proposed to be out of character with the neighborhood.*
3. Whether the difficulty can be obviated by some method feasible for the applicant to pursue other than by a variance; and
 - *The current dwelling is located close to the front yard setback requirement of 20' with 21.43' provided. The applicant is changing the orientation of the second floor entry stairs from being parallel to the dwelling to perpendicular to allow for safer access to the second floor of the dwelling which necessitates the need for 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 the granting of this variance. The request is reasonable, while installing compliant stairs and increasing the home's aesthetic integrity.*

Other:

- The applicant should provide an overview of the proposed project, including the front and rear additions and any additional improvements that may include but not limited to driveway modifications or landscape changes and the limitations in using the existing staircase.
- Provide clarification on how the elevator would be accessible from the ground floor.
- The applicant should discuss the proposed changes to the materials of the exterior of the home with regards to color or roofing.
- Staff observed that it did not appear that the dwelling does not currently have gutters and downspouts. The proposed covered porch contains a hip roof design which does not entirely cover the proposed stairs and could create issues for those using the stairs during bad weather. Installation of gutters and downspouts would direct the water away from the stairs and prevent any safety issues in addition to protecting the porch area from excess moisture and providing proper drainage. The rear addition also contains a hip roof and would protect the paver patio below.

Recommendation

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

- Applicant shall submit a sealed As-Built Plan noting all setbacks and ISR calculation and approved by Zoning prior to the issuance of a Final Inspection or Certificate of Occupancy.
- Gutters and downspouts shall be installed as necessary.

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: Jerome and Julia Zibrida, Applicant/Owner **via email** (zibrida@aol.com)
Matthew McConnell, Board of Adjustment Attorney

Letters Received

Case No. 23089, 311 N. Tessier Dr.

23089 - L-1

Kristin Coman

From: Heather <chevynomad@aol.com>
Sent: Wednesday, December 6, 2023 9:47 PM
To: Kristin Coman
Cc: zibrida@icloud.com
Subject: Variance Request for project at 311 N Tessier Dr(Case No. 23089)
Attachments: Zibrida Project.pdf

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

Hi Kristen,

We are writing to let you know that we have no issue with the project with the project that Jerry and Julia are planning. It looks like it will be beautiful when completed.

We especially will be happy if it means they will have the improvements made that will keep them living here as we appreciate having them as neighbors.

Sincerely,

Jimmy and Heather Riley
270 N Tessier Drive

From: Jerome Zibrida <zibrida@icloud.com>
Date: December 6, 2023 at 2:00:23 PM EST
To: Heather & Jimmy <rchevynomad@aol.com>
Subject: Variance Request for project at 311 N Tessier Dr(Case No. 23089)

Jimmy and Heather,

Julia and I have been working with an architect to update our house. The overall plan we've come up is a nice update to the house with a great room build out in the back and new kitchen living room setup. One key element to us for the buildout was to include an elevator for both our elderly parents and eventually for us. The only location the architect could come up with is for the elevator shaft to be where you see our stairs/lower front door. So we would enclose the front part of the house and move the door. We'd be done and not need a variance if we could get to the door in one flight of stairs. Sadly, we can't do that to code. The current stair case is not to code and so we rarely use it. The new plan would need a two flight stair case which would come out a further 7ft beyond the front setback. We'd also include a new roofline to cover just the first part of the stairs which is also of variance to code. I've attached some drawings to see what we are talking about. Page 4 shows the two areas that a variance is required.

Since we need a variance for the front stairs, I have applied to the city and have a date of 12/20 for the hearing on our variance request. You'll see the obnoxious yellow sign in our front yard that will fortunately be gone well before Christmas. We've spent a lot of

Kristin Coman

From: Eileen Edwards <epbe53@yahoo.com>
Sent: Thursday, December 7, 2023 4:12 PM
To: Kristin Coman
Subject: Fw: Variance Request for project at 311 N Tessier Dr(Case No. 23089)
Attachments: Zibrida Project.pdf

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

Good Afternoon,

I received this email from my neighbor, Jerome Zibrida, informing me of his intentions with his property across the street from me. I would like to share my opinion with you. I think that the facelift and improvements that he is planning will be beneficial to his family, as well as to the neighborhood. I take no issue with this project.

Thank you,

Eileen Edwards
 310 N Tessier Dr

----- Forwarded Message -----

From: Jerome Zibrida <zibrida@icloud.com>
To: Eileen Edwards <epbe53@yahoo.com>
Sent: Wednesday, December 6, 2023 at 01:45:44 PM EST
Subject: Variance Request for project at 311 N Tessier Dr(Case No. 23089)

Eileen,

Julia and I have been working with an architect to update our house. The overall plan we've come up is a nice update to the house with a great room build out in the back and new kitchen living room setup. One key element to us for the buildout was to include an elevator for both our elderly parents and eventually for us. The only location the architect could come up with is for the elevator shaft to be where you see our stairs/lower front door. So we would enclose the front part of the house and move the door. We'd be done and not need a variance if we could get to the door in one flight of stairs. Sadly, we can't do that to code. The current stair case is not to code and so we rarely use it. The new plan would need a two flight stair case which would come out a further 7ft beyond the front setback. We'd also include a new roofline to cover just the first part of the stairs which is also of variance to code. I've attached some drawings to see what we are talking about. Page 4 shows the two areas that a variance is required.

Since we need a variance for the front stairs, I have applied to the city and have a date of 12/20 for the hearing on our variance request. You'll see the obnoxious yellow sign in our front yard that will fortunately be gone well before Christmas. We've spent a lot of time and money trying to get an elevator without a variance. We simply can't put it anywhere else. We also plan to update the house with Hardy Plank exterior and pavers for the driveway. We're not trying to build anything that wouldn't improve the neighborhood and hopefully you'll see this is a small request compared to what is being build around the beaches and is in keeping with our wonderful part of SPB.

If you have an issue or questions, please let me know and I'll come over and bring more detailed drawings to help answer any questions. I can also forward the entire variance request if you would like to read it in its entirety. If you have no issue, you don't need to do anything but the board would like to see if neighbors would be in favor of our plan. If you

23089, L-3

Kristin Coman

From: Wayne D <wdewey271@gmail.com>
Sent: Monday, December 11, 2023 9:14 AM
To: Kristin Coman
Subject: Zibrida variance Vina del Mar

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

Dear Kristen,
I am a neighbor of the Zibridas. I think their request is reasonable and have no problems with their variance request.
Best regards,
Wayne Dewey
271 N Tessier Dr
St Pete Beach