



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

155 Corey Avenue
St. Pete Beach, FL 33706

Wednesday, February 28, 2024
2:00 PM

Call to Order
Pledge of Allegiance
Roll Call

REGULAR MEETING

1. Approval of the Agenda -

Action Request: Motion to approve the February agenda.

2. Audience Comments -

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

3. Approval of Minutes

a. December 20, 2023 Minutes

4. Action Items -

a. Case No. 23093 – 7501 Gulf Blvd.

Unnecessary and Undue Hardship Variance: Grant McLaughlin of PJ Callaghan Construction for Boylenpoint Enterprises LLC requests to reduce the number of green building standards required for the development of a new office building from two to one (LDC Sec. 39.9).

b. Case No. 23091 – 2814 Pass-a-Grille Way

Unnecessary and Undue Hardship Variance: Ron Wilson, Peregrine Construction Group for Matthew Foster requests to construct a new single-family dwelling that exceeds the permitted height of 32' (40 feet from grade) with 32'11" (41.08 feet from grade) proposed for the elevator shaft to provide access to proposed rooftop area (LDC Sec. 20.17).

c. Case No. 23076 – 4999 Gulf Blvd.

Unnecessary and Undue Hardship Variance: Anthony Sparacino, Extreme Signage for Renate Ostrovskis Living Trust requests installation of 8'9" x 4', (35 sq. ft.), monument sign with overall height of 8' that does not meet 10' required front yard setbacks with 4' (Gulf Blvd.) and 3' (50th Ave.) proposed (LDC 26.38(a)).

d. Case No. 24003 – 3700 Gulf Blvd.

Unnecessary and Undue Hardship Variance: Casey Sanders for Albert Paul Nicklaus Jr. of Smileys Snack Shack-St Pete Beach Inc requests variances to reduce the required front yard setback facing 37th Ave to 43' where 50' is required and reduce the required northern rear yard setback to 16.8' where 20' is required (LDC Sec. 14.7.(b)(1) & (4)).

5. Adjournment - Next meeting to be held on March 27, 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
December 20, 2023 – 2:00 P.M.
Commission Chambers

PRESENT: Paul Skipper, Chair
Michael Bomar, Vice Chair
Denise Chase, 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 -

Motion: Member Chase moved, and Member Bomar seconded the approval of the December 20, 2023 agenda; the motion carried unanimously by a voice vote.

2. Audience Comments – There were no comments.

3. Approval of Minutes – November 29, 2023 Meeting

Motion: Member Bomar moved, and Member Small seconded approval of the November 29, 2023 meeting minutes as presented; the motion carried unanimously.

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)).

Senior Planner Kristin Coman presented a thorough review of the application for this Practical Difficulty Variance application. Her presentation is part of the meeting record and included photographs, zoning, zoning table, survey, property description, plans, hearing notices, variance criteria, staff analysis and staff comments. Ms. Coman reviewed the property setbacks and proposed elevations of the dwelling. She reviewed a list of comments which staff suggested the applicant address. The Variance Application had been included in the meeting packet.

The staff recommendation was to approve the variance with the conditions that the applicant submit a sealed As-Built Plan noting all setbacks and impervious surface ratio (ISR) calculation and have it approved by Zoning prior to final inspection, and that gutters and downspouts be installed as necessary.

Applicant Jerry Zabrida appeared to testify and answer questions. Plans are to remove the current driveway and add pavers, remove current vinyl siding and replace with HardiePlank, change the roof to metal with the required underlay. He will be adding more royal trees and foliage and

replacing the older pool tiles. He explained access point to the elevator through the garage and some of the interior features. The front entrance will not be extended, just the stairs. Mr. Zabrida explained that he currently has a portable generator and gave the specs; he was unsure if he was going to install another, but it would be to City Code, if so.

No public was present to speak for or against and the none of the Board members declared any ex-parte communications.

The Board deliberated and discussed briefly.

Member Chase moved and Member Small seconded to approve the variance for Case No. 23089 with the conditions that the applicant submit a sealed As-Built Plan noting all setbacks and ISR calculation and have it approved by Zoning prior to final inspection or COA, and that gutters and downspouts be installed as necessary; the motion passed unanimously.

5. Items for Discussion – A brief discussion followed on any potential membership changes with the upcoming change of Commissioners. Mr. McConnell advised that appointments may or may not change and members should check emails and stay in touch.

6. Adjournment – The next meeting is scheduled for January 31, 2024.

Member Chase moved and Member Small seconded to adjourn the meeting at 2:25 PM.

These minutes will be considered for approval at the January 31, 2024 Board of Adjustment meeting.

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

Agenda Report

Action Request: If the applicant provides sufficient verbal testimony to resolve staff's listed concerns:
"Motion to approve variance case 23093 with recommended condition."

If the applicant does not provide sufficient verbal testimony to resolve staff's listed concerns:
"Motion to continue variance case 23093."

Strategic Objective:

Date: February 28, 2024

Prepared By: Brandon Berry, Planner II

Through: Jennifer McMahon, Chief Operating Officer

Summary of Issue: *Unnecessary and Undue Hardship Variance:* Grant McLaughlin of PJ Callaghan Construction for Boylenpoint Enterprises LLC requests to reduce the number of green building standards required for the development of a new office building from two to one (LDC Sec. 39.9).

Funding: N/A

Attachments:

1. 23093 - 7501 Gulf Blvd - Staff Report
2. Case 23093 - Application
3. Case 23093 - Site Plan & Survey
4. Case 23093 - FGBC V4 Checklist
5. Case 23093 - FL Water Star Program Requirements
6. Case 23093 - LEED v4.1 BD+C Project Checklist
7. Case 23093 - Summary Comparison- LEED v Water Star
8. Case 23093 - Supplemental Letter



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PLANNING DEPARTMENT

Date: February 21, 2024
To: Board of Adjustment
Re: Staff Findings Report
Unnecessary and Undue Hardship Variance
Address: 7501 Gulf Blvd.
Parcel Number: 36-31-15-77994-069-0010
Grant McLaughlin of PJ Callaghan Construction Co for Stephen and Michelle Boyle of
Boylen N Point LLC (Boylenpoint Enterprises LLC)
Variance Case No: 23093

Prepared by: Brandon Berry, Senior Planner

Hearing Date: 2/28/2024

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

1. Completed Unnecessary and Undue Hardship Variance application form dated 12/19/23.
2. Boundary Survey prepared by Land Precision Corporation dated 8/15/22, consisting of 1 sheet.
3. Site Plan prepared by Patricia Montecki, P.E., signed 07/20/23 and dated 10/21/22, consisting of 1 sheet.
4. Explanatory letter to the Board of Adjustment from Daniel Bergin, P.E. of Civil On Demand, LLC, undated, consisting of 2 sheets.
5. LEED and Water Star Certification summary comparison, undated, consisting of 2 sheets.
6. Checklists and rubrics for LEED, FL Water Star, and FGBC, of varying lengths.

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

Site Description/Surrounding Land Uses

The subject site is a 10,750 sq. ft. (approx. 0.25 acre) parcel located at 7501 Gulf Blvd, known as parcel number 36-31-15-77994-069-0010 and legal description of ST PETERSBURG BEACH REPLAT BLK 69, LOTS 1 & 2 within the AE-Elevation 10 flood zone. The property is located in the TC-1 Town Center Core District on the zoning map; TC-1 on the future land map and is presently vacant according to City records.

Since late 2022, the owners of the property have been pursuing site plan approval to redevelop the lot with an approximately 2,500 square foot office building that will contain a boat design concept store. The applicants previously applied for variances (Case #23016) in March 2023 pertaining to waiver of a corner entrance requirement and landscaping buffer width reduction, both of which were granted with conditions. The site plan is effectively complete pending minor corrections, and the applicant is currently pursuing a building permit, for which zoning has found the project to be compliant with the city's zoning codes outside of the subject request.

This property is located within the Downtown Redevelopment District portion of the Community Redevelopment District, which permits reduced setbacks, higher lot coverage, and greater intensity than most similar primarily-commercial districts in the city located outside of it. However, new development and redevelopment in this district is also required to comply with heightened design standards and inclusion of two energy and environmental design certifications.

The applicant is seeking a variance to allow for waiver of the second of two energy and environmental design requirements that apply to new construction in the subject redevelopment district. The city's code outlines in Land Development Code Sec. 39.9.(a) the eight potential standards which can be included in these projects, of which the applicant has stated they will comply with the Florida Green Building Coalition certification. Of the remaining seven standards, only LEED-NC and potentially LEED-CS appear to be options for the subject use, as the other five are standards that apply to new residential or temporary lodging developments.

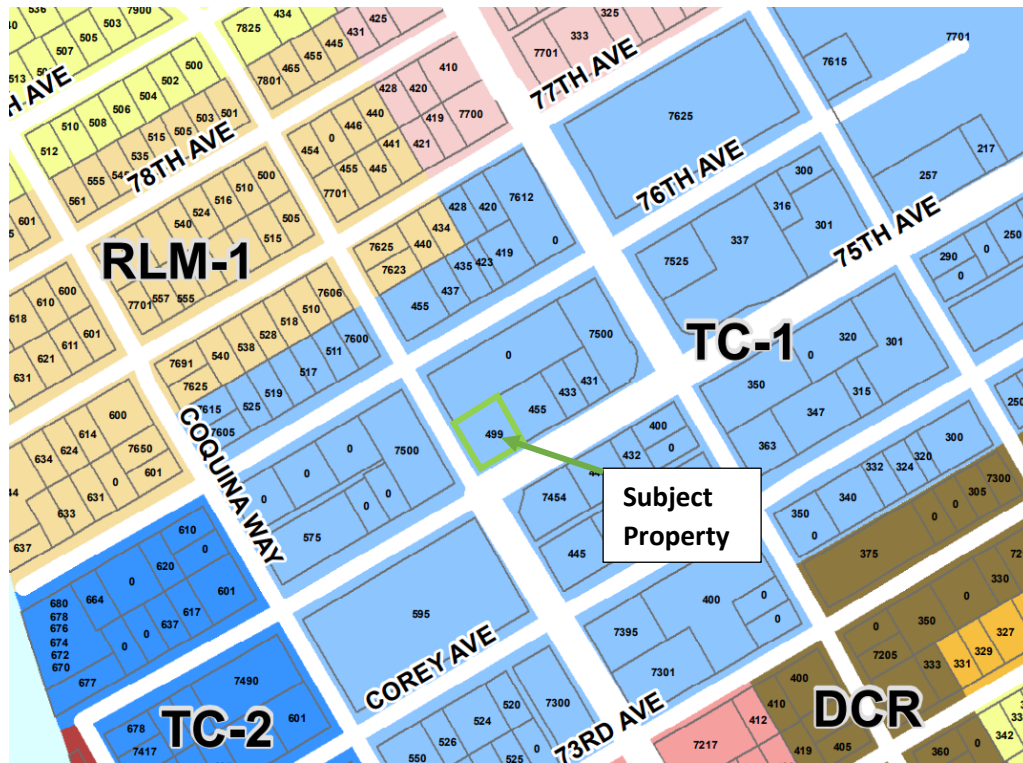
In lieu of LEED certification, the applicant has offered to comply with the Florida Water Star program offered by the Southwest Florida Water Management District. This program certifies commercial projects that utilize indoor and outdoor water more efficiently, inclusive of high-efficiency fixtures, reduced-velocity piping, and irrigation improvements.

Figure 1: Aerial Photography



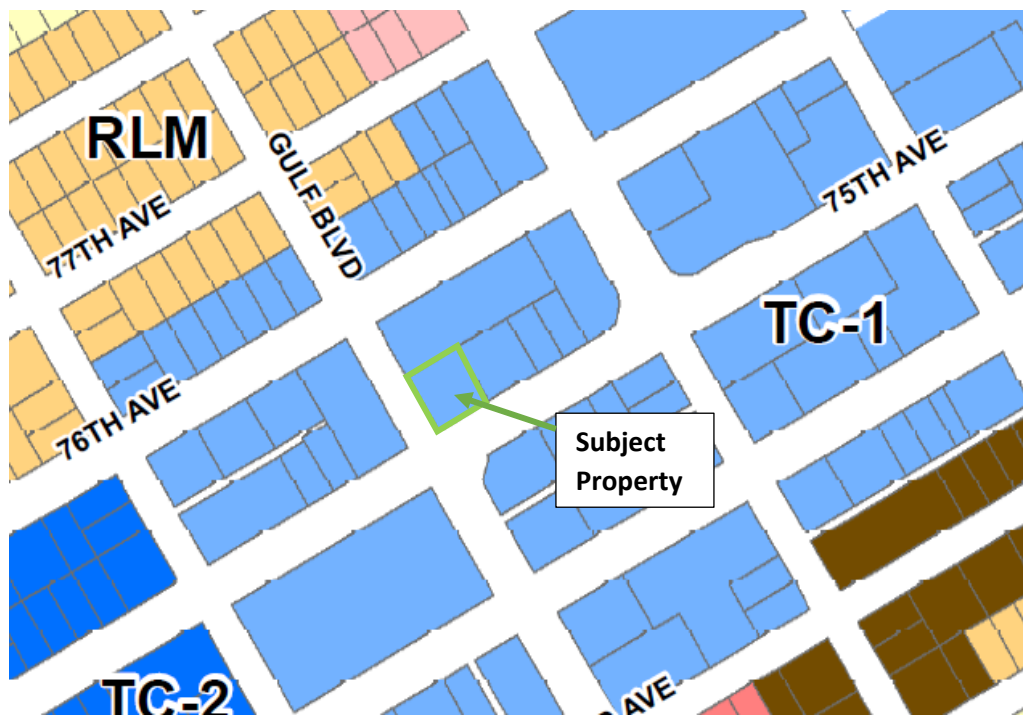
Source: Pinellas County Property Appraiser

Figure 2: Zoning Map



Source: City of St. Pete Beach Zoning Map

Figure 3: Future Land Use Map



Source: City of St. Pete Beach Future Land Use Map

Request

The applicant is requesting a variance to LDC Sec. 39.9.(a), particularly the requirement for inclusion of two of the listed eight certifications for any new development or redevelopment project. The applicant is seeking to include only one listed certification, Florida Green Building Coalition for new development, in their project. It should be noted that the LDC specifically states this standard is available to multi-building projects; however, this standard was initially adopted in 2008, and it appears the standard now permits accommodation of single-building projects.

Analysis

1. New variance required:
 - a. Energy and Environmental Design - New Construction and Major Renovation: applicant proposes to construct a new office building in the Downtown Redevelopment District with only one of the two required energy and environmental design standards (LDC Sec. 39.9).

Development Standards (LDC Division 39)	7501 Gulf Blvd.		
	<u>Required</u>	<u>Existing</u>	<u>Proposed</u>
Energy and environmental design standards (LDC Sec. 39.9)	Two listed standards	None	One listed standard (FGBC) One unlisted standard (FL Water Star) (v)

Figure 4: LDC Sec. 39.9 - Energy and environmental design—New construction and major renovation.

*Staff has annotated the requirement below to demonstrate which standards are available to the applicant. Standards with ~~strikethrough~~ are not available to the applicant due to use restrictions. The **bolded** standard is the standard the applicant is including as their first standard in this project.*

(a) All development and redevelopment projects in the Community Redevelopment District shall be required to obtain certification for at least two of the eight standards listed below, as appropriate and applicable to the type of construction:

(1) Certification by the Florida Green Building Coalition provided the site consists of more than one building and will meet the qualifications of a development. For more information go to www.floridagreenbuilding.org.

(2) Certification by the U.S. Green Building Council, LEED-NC (Leadership in Energy and Environmental Design — New Construction), Green Building Rating System for New Construction and Major Renovation. For more information go to www.leedbuilding.org.

~~(3) Certification by the Florida Green Building Coalition — High Rise Residential Standard for all new residential construction exceeding three stories in height.~~

~~(4) Certification by the Florida Green Building Coalition — Residential Standard Certification for all new residential construction three stories or less in height.~~

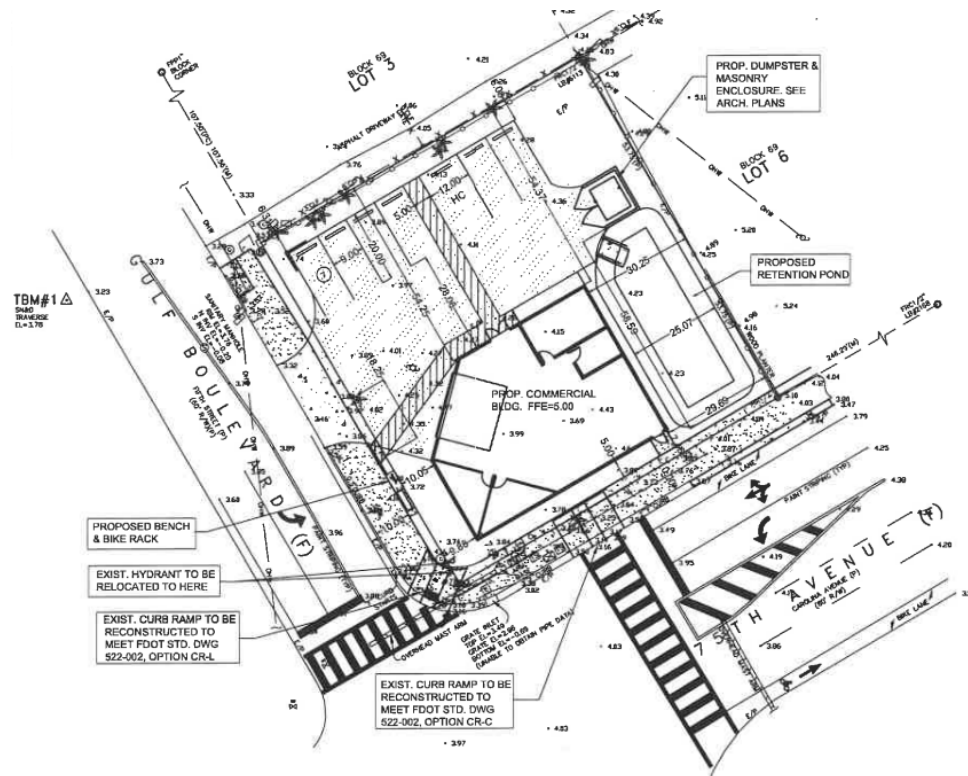
(5) Certification by the U.S. Green Building Council, LEED-hotels and Green Building Rating System for all new temporary lodging use construction.

(6) Certification by the U.S. Green Building Council, LEED-EB (Leadership in Energy and Environmental Design — Existing Buildings), or Green Building Rating System for Existing Buildings for existing buildings that are located on a buildable site that is partially being redeveloped. For more information go to www.usgbc.org.

(7) Certification by the U.S. Green Building Council, LEED-CS (Leadership in Energy and Environmental Design — Commercial Interiors), Green Building Rating System for Commercial Interiors for commercial interior space. For more information go to www.usgbc.org.

(8) Designated by the Florida Department of Environmental Protection as a Florida Green Lodge for all temporary lodging construction that is existing, new or undergoes a major renovation. For more information, go to <http://www.dep.state.fl.us/greenlodging/>.

Figure 5: Site Plan (Note: No dimensional variances are requested under this scope – for reference)



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;**

The applicant states that they have determined six of the eight potential standards listed in LDC Sec. 39.9. are not relevant to their project. Staff has calculated five, excluding all but LEED-NC, FGBC (which the applicant will attain), and potentially LEED for interiors, which the applicant has not directly stated a reason for inability to comply within the application. Staff requests additional information from the applicant pertaining to the inability to attain LEED for commercial interiors.

The applicant states that the property's location within a floodplain and off-street parking provides a detriment to the critical scoring items. Furthermore, the applicant has provided a letter from an engineer stating that the credits available for sensitive land protection, site assessment, and regional priority are unavailable to the project due to LEED discouraging development within the floodplain. Rather than stating the standard is unattainable, however, the letter states that there is "uncertainty of obtaining a LEED-NC certification".

Staff has evaluated the LEED grading rubric supplied by the applicant and finds that the aforementioned credits appear reasonably unavailable to the project due to the reasons stated by the applicant. However, it should be noted that these three criteria, cumulatively, represent only six of the allowable 110 points for new construction projects under the current LEED v4.1 standards. The city requires only LEED Certified for new development, which requires a minimum of 40 points, which is 64 points fewer than the applicant has demonstrated cannot be met through their application and supplemental documentation. Staff has performed a cursory review of other rubric standards and recognizes that other points may not be available to the subject development, such as the full number of points for access to quality transit (five points) due to the headways of the SunRunner. However, staff has not been able to corroborate that the project cannot meet LEED standards based on the evidence presented, and therefore cannot verify that the requirement for inclusion of LEED within the development poses a non-financial hardship.

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

The applicant is newly developing the property which triggers the requirement for inclusion of two energy and environmental standards as required by the Land Development Code Division 39. Staff finds the applicant has not adequately demonstrated that the site is the subject of such special circumstances. However, in the case that such a showing is made, staff finds that the requirement is not the result of the applicant, but rather the presence of the site in the floodplain (as stated by the applicant) or some other factor or combination that results in a justified hardship.

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;**

The subject challenge arises out of a new development scenario that has not, to staff's knowledge, previously been applied to other properties due to the lack of significant development or redevelopment within St. Pete Beach over the preceding decade since the requirement was adopted. Staff acknowledges that the subject development is inclusive of other environmental benefits or mitigation that does not apply to the subject vacant property at present or other, more intense development that may be proposed in the future, such as the planting of Florida friendly landscaping, the inclusion of above-minimum greenspace, and the use of a conceptual office with accessory retail that is unlikely to produce the potable water, sewer, or traffic demand of a more significant development. However, as previously mentioned, staff does not find that the applicant has sufficiently supported the hardship that is the subject of this request.

The applicant cites off-street parking requirements as a challenge, which does award one point through LEED v4.1., but it appears the applicant could pursue off-street credit through the local code to award that point. The lot currently has seven spaces and six appears to be the maximum number required to achieve credit. The applicant should address the meaning of this citation if different than staff's interpretation.

- 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;**

The use of the lot is permitted, and the site plan is nearing issuance. Office and retail is permitted in the zoning district. The development contains significantly less commercial FAR and intensity than could be permitted at maximum buildout.

- 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 the applicant has adequately defined a non-financial hardship, but finds that the waiver of the standard would not necessarily result in a greater financial return for the applicant rather than simply less of an initial expenditure. The applicant is proposing to comply with the Florida Water Stars program issued by SWFWMD, which may include additional expenditures to achieve the minimum standards required.

- 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;**

Staff does not find the variance would convey the same treatment to the applicant as others in the same zoning district, all of whom will be subject to the same standards, due to the lack of demonstrated hardship in achieving the LEED certification requested to be waived. The applicant states that the Florida Water Stars program would provide for equitable treatment, but does not thoroughly explain why that is the case, or why implementing LEED standards is impractical.

Staff does recognize the minimal footprint of this development relative to other development that is possible within the zoning district, and that the proportionality of the request is weighted toward placing higher demands on smaller projects from a financial standpoint,

which makes the property owner subject to the same initial registration and flat fees for LEED review as projects many times the size. Due to review rate minimums, it appears the applicant is responsible for the same review cost of this project as would be applied to a project nearly twenty times its size. While financial in nature, staff recognizes that this is an additional requirement that has not historically applied to developments of similar scale.

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

Staff has not found support for the requested variance being the minimum available to make reasonable use of the land and building due to the lack of defined hardship demonstrated by the applicant. The request is related to general development impact rather than the dimensional standards typically subject to variance requests, so there is no direct consideration of the structure itself. The applicant has posed concerns related to the land's location in a floodplain, but the deficit in points resulting from the concerns does not account for the full scope of hardship faced.

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 partial support for the inclusion of the Florida Water Star certification as an alternative to LEED certification that promotes the green building aspirations of the comprehensive plan generally. However it should be noted that while Water Star is focused primarily on exterior and interior water-related improvements, LEED encompasses environmental quality, energy efficiency, and site sustainability, among others, in addition to water efficiency. Although direct comparisons are challenging due to varying standards between LEED and Water Star, it appears that approximately 14 of the points available for LEED are addressed in some regard through the Water Star program. This represents less than half of the 40 minimum points needed to obtain LEED certification.

Staff finds general support in the comprehensive plan for the request. The origination of this requirement in the comprehensive plan grew out of the city's commitments to green building which promotes, in part, "best practices in water [...] efficiency standards". Although the Water Star certification is not one of the standards explicitly adopted in Land Development Code, the applicant is also pursuing FGBC certification, which is both a requirement of permit approval and has a more comprehensive approach to energy and environmental efficiency than water savings alone. The original energy conservation comprehensive plan requirements were also passed by the city in the mid-2000s and both LEED and base Florida Building Code energy requirements have changed in subsequent revisions, including requiring higher SEER ratings for condensers, higher AFUE ratings for furnaces, and automatic exterior lighting turnoffs as minimum standards, among others. Therefore, the base requirements for efficiency have improved in the time since the city adopted its initial energy and environmental design requirements.

Staff does not find that the request is incompatible with the neighborhood, would impair property values, or result in detriment to the public safety and/or welfare. The project itself includes a structure of noticeable quality in design along with a reasonable intensity level for its location.

Other:

- Should the Board not grant the variance, the applicant should provide testimony of how or if they would proceed with the site and building plans.
- The applicant should provide additional specific detail to the hardship faced in the inclusion of LEED standards within the development, including whether LEED interior standards could be pursued for the project in lieu of sitewide LEED certification for new construction.
- The applicant should provide any additional proffer that may be component of the consideration of issuance of these variances, whether to address staff concerns or subsequent concerns brought up by the Board of Adjustment (“Board”).
- Staff estimates, based on the chart provided by the applicant, that the Florida Water Star certification covers the same efficiency and quality standards addressed in 14 out of the 110 points awarded under LEED certification. The applicant should address this estimate if staff’s estimate undercounts this estimate.

Technical Review Committee Meeting Comments from February 16, 2024

The subject request was sent to the Technical Review Committee on February 16, 2024. Planning and Zoning was the only department which provided comments pertaining to the application.

At the meeting the applicant and their consultant verbally shared additional information with staff to justify the request, including information pertaining to LEED standards for interiors, Florida Energy Conservation Code equivalency with LEED certification, and challenges in earning points toward LEED new construction certification specifically, that was not shared in the application.

Recommendation

Staff finds the request will not be detrimental to the neighborhood or general public health or welfare, and finds the project overall to be of quality and in keeping with the comprehensive plan as well as the redevelopment plans at the district level. However, staff also finds that the applicant has not sufficiently supported their case that the inclusion of the LEED-NC standard is a hardship in a non-financial sense, or why LEED certification for commercial interiors could not be obtained. The applicant has directly addressed, and staff has reasonably corroborated, that six of the 110 LEED-NC v4.1 points could not be obtained by the subject project due to constraints caused by the project’s location in a floodplain. However, LEED Certified only requires 40 points, leaving a 64 point deficit between the applicant’s demonstration of hardship and the minimum point total for certification.

Due to the context of the request, staff recommends requesting more information from the applicant. Staff requests the applicant verbally address the hardship faced in meeting the LEED certification using

specific examples, including other points-providing activities than those shared in the narrative that cannot be met due to constraints of the land or building. Staff also requests the applicant address how the Florida Energy Conservation Code is equivalent to LEED certification as stated by the applicant's consultant at the February 16, 2024 Technical Review Committee meeting. In the case that the Board finds the applicant has adequately provided testimony for both of these requests verbally, staff recommends approval. Otherwise, staff requests a continuance to allow for the applicant to more thoroughly address these concerns through their written narrative.

Should the Board of Adjustment choose to approve the request at this point in time, staff recommends the following condition:

- 1) The applicant shall be required to obtain FGBC Bronze or greater certification, and Florida Water Star certification, for the development. Certification of both standards shall be required at time of certificate of occupancy for the development and shall be a condition of its issuance. Should either certification be normally provided after completion of the development, the applicant shall provide a statement certifying such from the certifying organization prior to CO, and submit the certification after it is obtained.

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,

Brandon Berry
Senior Planner

Cc: Grant McLaughlin, Agent (grant@pjcallaghan.com)
Stephen & Michelle Boyle, Applicants/Owners (boylenspoint@gmail.com)
Matthew McConnell, Board of Adjustment Attorney

CASE #: 230913PARCEL #: 36-31-15-77994-069-0010SUBMITTAL DATE: 12/19/2023AMOUNT DUE: 527.39PAYMENT DATE: 12/19/23**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	Boyle N Point LLC	3672 Belle Vista Drive E St Pete Beach FL 33706	727.647.0673
Applicant/ Agent	PJ Callaghan Construction (Grant McLaughlin)	3251 Morris St N St Pete, FL 33713	727.573.2505
Owner Email Address: boylennpoint@gmail.com		Applicant/Agent Email Address: grant@pjcallaghan.com	

PROPERTY FOR PROPOSED VARIANCE:

Zoning Designation Vacant Commercial (10)	Future Land Use Designation Commercial	Lot Area 10,750 sq ft
Legal Description: ST PETERSBURG BEACH REPLAT BLK 69, LOTS 1 & 2		
Address: 7501 Gulf Blvd, St Pete Beach FL		
Explanation of Request: The request stems from the unique circumstances of the proposed commercial building, which faces challenges in meeting the prescribed green building standards outlined in LDC 39.9. The limitations include the property's location within a floodplain and the constraints on off-street parking, rendering adherence to certain standards impractical. In response, the applicant seeks to substitute the second green building standard with the Florida Water Stars program, administered by the Southwest Florida Water Management District. This alternative program, emphasizing water efficiency and quality, is chosen to align with the project's sustainability objectives. The request underscores a commitment to responsible development and seeks a tailored solution		

[that maintains harmony with the Comprehensive Plan and the Land Development Code, without causing harm to the neighborhood or diminishing property values](#)

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;

Having rigorously assessed the eight potential standards provided in the code, we have determined that six of these standards are not applicable to this project. While the first standard has been successfully met through FGBC certification, achieving the second standard through LEED BD +C certification poses challenges. The property's location within a floodplain categorizes it as a sensitive land category, resulting in a detriment to critical scoring items. Furthermore, the absence of off-street parking is another special condition that limits the amount of scoring points towards a LEED BD + C certification.

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

The special circumstances described above are not a result from the applicant or any 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;

The unique circumstances surrounding our project, including its location within a floodplain and the constraints on off-street parking, create a situation where strict adherence to the original green building standards poses an unnecessary and undue hardship on the applicant. Our proposal to substitute the second green building standard with the Florida Water Stars program is a measured response to these challenges and aligns with our commitment to sustainable building practices.

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;

It is important to note that the challenges we face, particularly in achieving LEED BD +C certification for new construction, are primarily a result of external factors such as the property's location within a floodplain and the constraints on off-street parking. These challenges have not been orchestrated to deviate from the established standards but are inherent to the site's unique characteristics.

Our proposed substitution with the Florida Water Stars program aligns with our commitment to environmental responsibility, offering a viable and contextually relevant alternative that maintains our dedication to sustainable building practices. Importantly, this variance will not permit an increase in development density, and we remain steadfast in our adherence to the broader goals outlined in the Comprehensive Plan and Land Development Code.

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

This variance request is not rooted in a financial hardship but is primarily motivated by the limited standard options provided in the Land Development Code that specifically apply to our unique project.

Our careful assessment of the eight potential standards outlined in LDC 39.9 has revealed that only a subset of these standards is applicable to our single-story commercial office building. The challenges we face, particularly in meeting the original green building standards, stem from the specific characteristics and constraints of our project, such as its location within a floodplain and the limitations on off-street parking. The variance request seeks to address these challenges by proposing a substitution with the Florida Water Stars program, which aligns more closely with the nature and requirements of our project.

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;

Granting this variance application would ensure that the applicant receives the same treatment as the owners of other properties in the same zoning district. The request is not seeking preferential treatment but rather aims to address specific challenges and constraints unique to the project. The limited standard options provided in LDC 39.9 that would be applicable to our single-story commercial office building underscore the need for a variance to accommodate the distinctive features of our property.

By allowing the substitution of the second green building standard with the Florida Water Stars program, the variance would acknowledge the project's individual circumstances while still aligning with the broader goals and guidelines of the Land Development Code. This approach is consistent with the principle of fairness, as it ensures that the applicant is treated equitably in comparison to other property owners facing similar challenges within the same zoning district.

The variance is not about creating a precedent for special treatment but rather about recognizing the practical limitations of certain standards and providing a reasonable alternative that upholds the spirit of sustainability and compliance with the code. Granting the variance would, therefore, convey the same treatment to the applicant as to the owners of other properties in the zoning district by allowing for a tailored solution that respects the unique characteristics of each project while maintaining overall consistency with the regulatory framework.

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

The requested variance represents the minimum variance necessary to enable the reasonable use of the land due to the unique circumstances and constraints associated with the project. The limitations imposed by the site's location within a floodplain and the restrictions on off-street parking create challenges that are addressed specifically by the proposed substitution with the Florida Water Stars program.

The alternative green building standard offered by the variance is carefully considered to strike a balance between regulatory compliance and the practical realities of the project. Choosing the Florida Water Stars program is not an arbitrary decision but rather a measured response to the limitations of the original green building standards. This specific program addresses water efficiency, a crucial aspect of sustainability, without compromising the overall goals of the Land Development Code.

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 proposed alternative standard is carefully selected to address the unique circumstances of the project, promoting water efficiency and quality, thereby contributing positively to the broader environmental goals outlined in the planning documents.

Moreover, the variance is designed to be compatible with the neighborhood. By tailoring the green building standard to the specific needs and constraints of the single-story commercial office building, the project remains in harmony with the surrounding properties and maintains a consistent and cohesive character within the neighborhood.

Importantly, the variance seeks to avoid any injurious impact on the neighborhood or detriment to public safety and welfare. The alternative green building standard is chosen with the understanding that it will not compromise the health, safety, or general well-being of the community. Instead, it offers a balanced approach that addresses the project's challenges without introducing negative consequences to the neighborhood.

Signature of Applicant

Date

12/19/23

Signature of Authorized Agent

Date

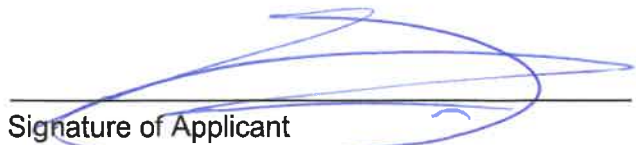
12/19/23

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

12/19/23
Date

DEAR APPLICANT:

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

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

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

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

Owner's Authorization for Agent

Community Development Department

City of St. Pete Beach, Florida

I/WE

Boyle N Point Enterprises
(print name of property owner)

hereby authorize

Grant McLaughlin
(print name of agent)

to represent me/us in an application for

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

Signature of Owner

[Signature]

Signature of Owner

Print Name of Owner

John Stephen Boyle

Print Name of Owner

The forgoing instrument was acknowledged before me this 19TH day of
December 2021³ by John Stephen Boyle or who is
personally known _____ produced
FL-DL as identification.

(Notary Signature)

Ariana Wilson

(Date)

12/19/23

My Commission Expires

2/7/25





PUBLIC HEARING SIGN POSTING AFFIDAVIT

Applicant, Grant McLaughlin, 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): Grant McLaughlin

Address: 3251 Morris St N St Petersburg 33713

[Signature] 12/19/23
Signature Date

STATE OF FLORIDA)
) SS:
PINELLAS COUNTY)

The foregoing instrument was acknowledged before me this 19TH day of December, 2021 by: Grant McLaughlin 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: 2/7/25

NOTARY: [Signature]

Print Name: Ariana Wilson Notary

Public, State of Florida

(Notarial Seal)



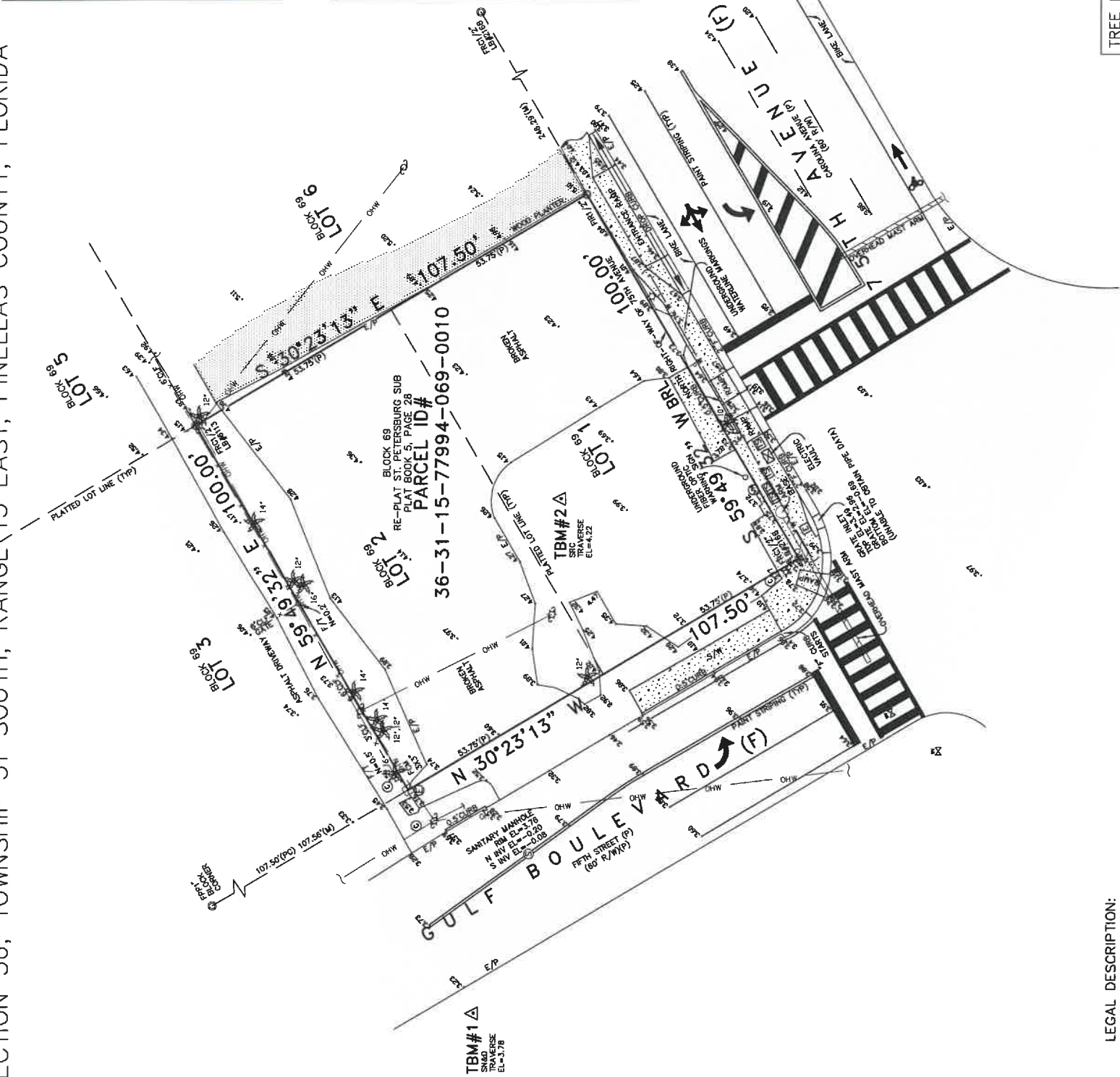
SECTION 36, TOWNSHIP 31 SOUTH, RANGE 15 EAST, PINELLAS COUNTY, FLORIDA



VICINITY MAP (NOT TO SCALE)
VIA GOOGLE MAPS



G.I.S. AERIAL PHOTO (NOT TO SCALE)



LEGAL DESCRIPTION:
LOT 1 AND 2, BLOCK 69, RE-PLAT ST. PETERSBURG BEACH SUB,
ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 5, PAGE
28 , OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.



EXCERPT OF PLAT (NOT TO SCALE)



EXCERPT OF TAX MAP (NOT TO SCALE)

BOUNDARY & TOPOGRAPHIC SURVEY

SURVEYORS REPORT

1.) THIS IS A BOUNDARY & TOPOGRAPHIC SURVEY. ITS PRIMARY PURPOSE IS TO DOCUMENT THE PERIMETER OF THE DESCRIBED LANDS BY ESTABLISHING OR REESTABLISHING BOUNDARY CORNERS AND LOCATING IMPROVEMENTS & TO DOCUMENT SELECTED NATURAL AND ARTIFICIAL FEATURES OF THE SITE SURFACE TO DETERMINE HORIZONTAL AND VERTICAL SPATIAL RELATIONS.

2.) THIS SKETCH COMPLES WITH THE FLORIDA STANDARDS OF PRACTICE PURSUANT TO 54-17 FLORIDA ADMINISTRATIVE CODE FOR THIS TYPE OF SURVEY AND IS NOT INTENDED TO MEET ANY ADDITIONAL OR NATIONAL STANDARDS.

3.) THE PROFESSIONAL SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.

4.) THIS SURVEY DOES NOT DETERMINE OR IMPLY OWNERSHIP.

5.) NO BEARINGS ON THE PLAT, THEREFORE THE BEARING BASIS IS ASSUMED. THE BEARING REFERENCE LINE IS THE NORTH RIGHT-OF-WAY OF 75TH AVENUE BEING S 59°49'32" W. NORTH ARROW IS BASED ON THE BEARING STRUCTURE.

6.) ANY MAPPING SHOWN HEREIN IS BASED ON ABOVE GROUND OBSERVABLE EVIDENCE. SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT SURVEYED OR EXAMINED OR CONSIDERED AS PART OF THIS SURVEY. NO EVIDENCE OR STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND CONTAINERS OR FACILITIES THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS PROPERTY.

7.) IT IS THE OPINION OF THIS SURVEYOR THAT THE SUBJECT PROPERTY APPEARS TO BE IN FLOOD ZONE "AE (EL 10)" IN ACCORDANCE WITH F.I.R.M. MAP #12103C0257H, PINELLAS COUNTY, FLORIDA, EFFECTIVE DATE 8/24/2021.

8.) CERTIFICATION IS NOT TRANSFERABLE.

9.) COPYRIGHT © LAND PRECISION CORPORATION. ALL RIGHTS RESERVED. NO PART OF THIS DRAWING MAY BE REPRODUCED BY PHOTOCOPYING, RECORDING OR BY ANY OTHER MEANS, OR STORED, PROCESSED OR TRANSMITTED IN OR BY ANY COMPUTER OR OTHER SYSTEMS WITHOUT THE PRIOR WRITTEN PERMISSION OF THE SURVEYOR. COPIES OF THIS SKETCH/MAP WITHOUT AN ORIGINAL SIGNATURE WITH IMPRESSION SEAL OR AN ELECTRONIC SIGNATURE AND SEAL BY SECURE AUTHENTICATION CODE ARE NOT VALID.

10.) DIMENSIONS BASED ON "TIE" DENOTES MEASUREMENT FROM BENCHMARK #BLIND N, ELEVATION 3.76. DATUM BASED ON NORTH AMERICAN VERTICAL DATUM 1988.

12.) CONTAINING 10,750± SQUARE FEET OR 0.25± ACRES MORE OR LESS.

CERTIFY TO:

PJ CALLAGHAN CONSTRUCTION

DRAWN BY: WT & JREIII

CHECKED BY: DAR

UPDATES/HISTORY:

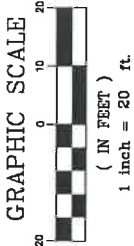
SHEET 1 OF 1

Digitally signed by Dwayne A. Ruth
DN: cn=Dwayne A. Ruth,
sn=Qualitec-AP14100000017748248300AF570,
2.5.1.1=Qualitec-AP14100000017748248300AF570,
Reason: I attest to the accuracy and integrity of this document. This document is digitally signed and sealed.
Date: 2022.08.27 06:25:19-06'00'

DWAYNE A. RUTH
6635
LICENSE NUMBER
STATE OF FLORIDA
Professional Surveyor

TREE LEGEND

	PALM TREE
--	-----------



LEGEND

BRL BEARING REFERENCE LINE	PR FOUND REBAR NO CAP SIZE AS NOTED
POI POINT ON LINE	PO FOUND OPEN PIPE SIZE AS NOTED
(N) RADIAL	PR FOUND OPEN PIPE SIZE AS NOTED
(PC) PLAT COMPUTED MEASUREMENT	F "X" CUT FOUND "X" CUT IN CONCRETE
(D) DEED	(L) LEGAL
(M) MEASURED	(F) FIELD
(C) PLAT	(C) CAP MAP
POB POINT OF BEGINNING	POB POINT OF BEGINNING
PCD PERMANENT CONTROL POINT	PCD PERMANENT CONTROL POINT
PI POINT OF INTERSECTION	PI POINT OF INTERSECTION
PRM PERMANENT REFERENCE MONUMENT	PRM PERMANENT REFERENCE MONUMENT
TBM TEMPORARY BENCHMARK	TBM TEMPORARY BENCHMARK
OCV OVERHEAD CHECK VALVE ASSEMBLY	OCV OVERHEAD CHECK VALVE ASSEMBLY
NES MISERED END SECTION	NES MISERED END SECTION
RPZ REDUCED PRESSURE ZONE ASSEMBLY	RPZ REDUCED PRESSURE ZONE ASSEMBLY
CLF CHAIN LINK FENCE	CLF CHAIN LINK FENCE
PWF POLYWAX CHLORIDE FENCE	PWF POLYWAX CHLORIDE FENCE
CD FODSTRAM CROSSING SIGN	CD FODSTRAM CROSSING SIGN
EL ELEVATION	EL ELEVATION
S/P SIDEWALK	S/P SIDEWALK
E/P EDGE OF PAVEMENT	E/P EDGE OF PAVEMENT
OW OVERHEAD WIRE	OW OVERHEAD WIRE
RCP REINFORCED CONCRETE PIPE	RCP REINFORCED CONCRETE PIPE
TS TRAFFIC SIGNAL CONTROL BOX	TS TRAFFIC SIGNAL CONTROL BOX
C/T CURB TIE	C/T CURB TIE

7501 GULF BOULEVARD
ST. PETE BEACH, FL

LAND PRECISION CORPORATION
2683 SUNSET POINT BOAO
CLEARWATER, FL 33759
727-796-2737
FAX 727-796-3526

LB#6168

JOB NUMBER: 22084

DATE SURVEYED: 8/15/2022

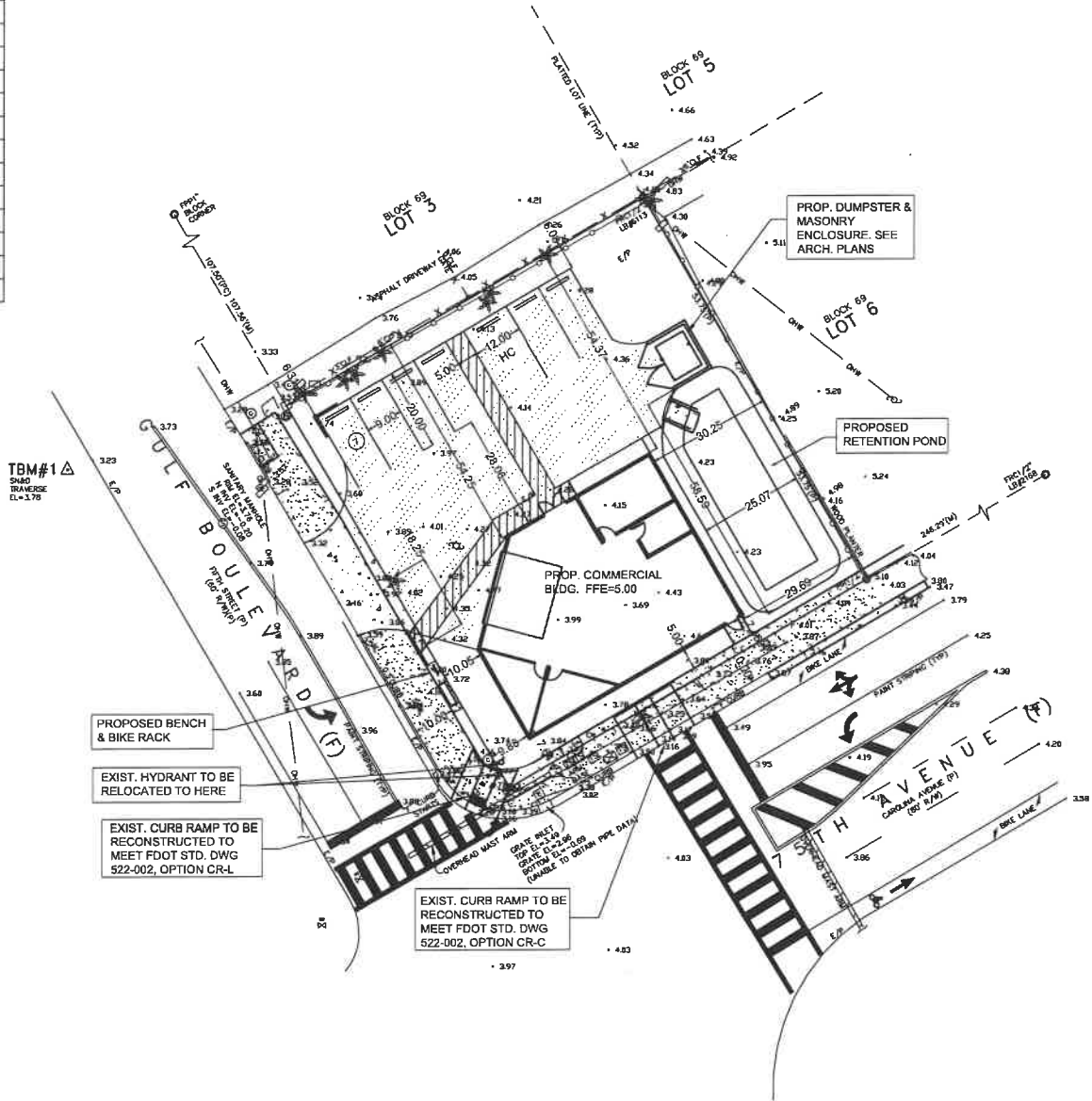
GENERAL NOTES

- THE DRAWING IS CURRENTLY UNDER REVIEW BY THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT AND OTHER REGULATORY AGENCIES. THE FINAL APPROVED PLANS MAY DEVIATE CONSIDERABLY FROM THIS DRAWING. THE CONTRACTOR MUST ASSURE CONSTRUCTION IS IN ACCORDANCE WITH APPROVED DRAWINGS.
- THESE DRAWINGS SHALL NOT BE UTILIZED FOR CONSTRUCTION PRIOR TO OBTAINING REQUIRED PERMITS FROM ALL GOVERNMENTAL AGENCIES HAVING JURISDICTION OVER THE WORK. THE CONTRACTOR SHALL OBTAIN ALL PERMITS FOR WORK WITHIN PUBLIC EASEMENTS AND RIGHT-OF-WAY AND ENSURE THAT ALL OTHER REQUIRED PERMITS ARE APPROVED PRIOR TO COMMENCING THE WORK.
- CONTRACTOR SHALL NOT COMMENCE CONSTRUCTION OF POTABLE WATER AND/OR SANITARY SEWER COLLECTION SYSTEMS PRIOR TO ASSURING THE FLORIDA DEPT. OF ENVIRONMENTAL PROTECTION (FDEP) PERMITS HAVE BEEN ACQUIRED. CONTRACTOR SHALL REVIEW SPECIFIC CONDITIONS DEPICTED ON FDEP PERMITS, WHICH MAY NOT BE SHOWN HEREON.
- UNLESS OTHERWISE NOTED, ALL MATERIALS AND WORKMANSHIP SHALL CONFORM TO FLORIDA DEPARTMENT OF TRANSPORTATION "STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION", LATEST EDITION.
- CONTRACTOR IS TO COORDINATE ALL WORK WITH UTILITY COMPANIES IN ORDER TO PREVENT DAMAGE TO UTILITY LINES AND THE MAKING OF ADJUSTMENTS TO SAME, IF REQUIRED. THE CONTRACTOR SHALL PROVIDE AT LEAST 48 HOURS NOTICE TO THE VARIOUS UTILITY OWNERS PRIOR TO CONSTRUCTION.
- SURVEY INFORMATION AND LEGAL DESCRIPTIONS SHOWN HEREON WERE OBTAINED BY OTHERS. LOCATIONS, ELEVATIONS AND DIMENSIONS OF EXISTING UTILITIES, STRUCTURES AND OTHER FEATURES ARE SHOWN ACCORDING TO INFORMATION AVAILABLE AT THE TIME OF THE PREPARATION OF THESE PLANS BUT DO NOT PURPORT TO BE ABSOLUTELY CORRECT. THE CONTRACTOR SHALL VERIFY THIS INFORMATION AND BE FAMILIAR WITH ALL SITE CONDITIONS (INCLUDING SUB-SURFACE CONDITIONS AND UTILITIES) PRIOR TO COMMENCING THE WORK. DAMAGES TO ANY EXISTING FACILITIES (ABOVE OR BELOW GROUND) SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR, WHETHER OR NOT SHOWN HEREON. THE CONTRACTOR SHALL NOTIFY THE UNDERGROUND UTILITY NOTIFICATION CENTER (CALL SUNSHINE STATE ONE CALL AT 1-800-432-4770) 48 HOURS PRIOR TO COMMENCING THE WORK.
- DEMOLITION WORK SHALL NOT BE LIMITED TO THESE DOCUMENTS TO COMPLETE PROJECT AS SHOWN. CONTRACTOR TO REMOVE ALL ITEMS AS NECESSARY TO ALLOW FOR NEW CONSTRUCTION.
- PRIOR TO CONSTRUCTION, CONTRACTOR SHALL VERIFY THE FEASIBILITY OF CONSTRUCTING GRAVITY SEWER SYSTEMS (E VERIFY EXISTING INVERTS AT POINTS OF CONNECTION, EXIT INVERTS OF BUILDING PLUMBING, GREASE TRAP CONFIGURATION, MINIMUM SLOPES, ETC.).
- REFERENCED INDEX NUMBERS REFER TO DETAILS DEPICTED IN THE FDOT ROADWAY AND TRAFFIC DESIGN STANDARDS.
- CONSTRUCTION SHOWN ON THESE PLANS IS PERMITTED ONLY FOR WORK LOCATED WITHIN THE PRIVATE PROPERTY. ALL WORK WITHIN THE RIGHT-OF-WAY AND EASEMENTS WILL REQUIRE A SEPARATE PERMIT AND MAY REQUIRE AN ALTERATION TO THE CONSTRUCTION MATERIALS SHOWN ON THESE PLANS.
- IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO PROVIDE MAINTENANCE OF TRAFFIC AND PEDESTRIAN CONTROL SEE FDOT INDEXES 600 THROUGH 660.
- SAFE PEDESTRIAN TRAFFIC IS TO BE MAINTAINED AT ALL TIMES.
- ALL WORK WITHIN THE RIGHT-OF-WAY SHALL CONFORM TO ALL APPLICABLE PROVISIONS OF FDOT STANDARD SPECIFICATIONS, LATEST EDITION, AS SUPPLEMENTED.
- ALL DISTURBED AREAS WITHIN R.O.W SHALL BE COMPACTED TO 100% OF MAXIMUM DENSITY AND SOODED.
- CONTRACTOR SHALL LOCATE PROPERTY LINES AS REQUIRED TO AVOID ENCROACHMENT ONTO ADJACENT PROPERTY. CONTRACTOR SHALL INVESTIGATE FOR EXISTING UTILITIES PRIOR TO CONSTRUCTION & SHALL NOTIFY A/E IN THE EVENT OF CONFLICT.
- CONTRACTOR IS TO PROVIDE EROSION CONTROL/SEDIMENTATION BARRIER (HAY BALES OR SILTATION CURTAIN) TO PREVENT SLIDATION OF ADJACENT PROPERTY STREETS, STORM SEWERS AND WATERWAYS. BARRIERS ARE TO BE BUILT BEFORE LAND ALTERATION, MAINTAINED EFFECTIVELY DURING CONSTRUCTION, AND REMOVED AFTER FINAL SOIL STABILIZATION. IN ADDITION, CONTRACTOR SHALL PLACE STRAW, MULCH OR OTHER SUITABLE MATERIAL ON GROUND IN AREAS WHERE CONSTRUCTION RELATED TRAFFIC IS TO ENTER AND EXIT THE SITE. IF, IN THE OPINION OF THE ENGINEER AND/OR LOCAL AUTHORITIES, EXCESSIVE QUANTITIES OF EARTH ARE TRANSPORTED OFF-SITE EITHER BY NATURAL DRAINAGE, VEHICULAR TRAFFIC, THE CONTRACTOR IS TO REMOVE AND CLEAN SAID EARTH TO THE SATISFACTION OF THE ENGINEER AND/OR AUTHORITIES.
- ALL TREES TO REMAIN MUST BE PROTECTED BY TREE PROTECTION BARRICADES MEETING THE MINIMUM STANDARDS SHOWN. PROTECTIVE BARRICADES SHALL REMAIN IN PLACE UNTIL LAND ALTERATION AND CONSTRUCTION ACTIVITIES ARE COMPLETED.
- ALL FILL SHALL CONSIST OF SATISFACTORY SOIL MATERIALS, DEFINED AS THOSE COMPLYING WITH ASTM D2487 SOIL CLASSIFICATION GROUPS GW, GP, GM, SW, SM AND SP. UNSATISFACTORY SOIL MATERIALS ARE DEFINED AS THOSE COMPLYING WITH ASTM D2487 SOIL CLASSIFICATION GROUPS, GE, SC, WL, MH, CL, CH, OL, OH AND PT. UNLESS OTHERWISE NOTED, ALL FILL SHALL BE COMPACTED TO A MINIMUM OF 95% AASHTO T-99, METHOD D.
- EXISTING TREES AND LANDSCAPING NOT SHOWN ON THIS PLAN. SEE PROPOSED LANDSCAPING PLAN FOR TREE RELOCATION OR REMOVAL AND NEW LANDSCAPING. CONTRACTOR SHALL CONTACT THE ENGINEER AND/OR OWNER PRIOR TO ANY CONSTRUCTION THAT MAY DAMAGE TREES WHICH ARE NOT MARKED TO BE REMOVED.
- ANY SIDEWALK WHICH BECOMES UNDERMINED MUST BE REMOVED AND REPLACED. SIDEWALKS ARE TO BE RECONSTRUCTED WITHIN THREE (3) DAYS AFTER REMOVAL. WHEN EXISTING SIDEWALK IS TO BE REMOVED, IT SHALL BE REMOVED TO THE NEAREST JOINT.
- ALL PEDESTRIAN SIDEWALKS AND RAMPS, AS WELL AS HANDICAPPED SIGNS, SYMBOLS, PARKING SPACES, ETC. SHALL BE CONSTRUCTED IN STRICT ACCORDANCE WITH LOCAL, STATE AND FEDERAL ADA REQUIREMENTS WHETHER OR NOT SHOWN HEREON. CONTRACTOR SHALL VERIFY REQUIREMENTS WITH LOCAL INSPECTORS PRIOR TO POURING SIDEWALKS AND RAMPS.
- ALL CONSTRUCTION TO BE IN ACCORDANCE WITH STATE AND LOCAL ORDINANCES AND BUILDING REGULATIONS. ALL PLUMBING SHALL BE PERFORMED IN ACCORDANCE WITH THE NFPA, SBCCI STANDARD PLUMBING CODE AND LOCAL REGULATORY REQUIREMENTS.
- ALL PROPOSED WORK MUST COMPLY WITH FDOT INDEX NO. 700.
- PORTIONS OF WORK AND/OR MATERIALS FOR THE UTILITY CONNECTIONS MAY BE PROVIDED BY THE GOVERNING MUNICIPALITY. CONTRACTOR TO VERIFY AND COORDINATE.
- WATER AND SANITARY SEWER SYSTEMS SHALL NOT BE PLACED INTO SERVICE UNTIL INSPECTED AND APPROVED BY THE FDEP AND OTHER APPROPRIATE REGULATORY AGENCIES. INSPECTIONS, CERTIFICATIONS, RECORD DRAWINGS, ETC. ARE REQUIRED PRIOR TO FINAL ACCEPTANCE AND PLACEMENT INTO OPERATION.
- ALL RIGHT-OF-WAY INSTALLATIONS SHALL BE IN ACCORDANCE WITH PRACTICES REFERENCED IN THE STATE OF FLORIDA UTILITIES ACCOMMODATIONS MANUAL.
- COMPACTION FOR ALL PIPE BACKFILL SHALL MEET AASHTO T-99 (100%).
- PIPE LENGTHS SHOWN ARE APPROXIMATE AND MAY BE ADJUSTED AS REQUIRED.
- PROVIDE PAVEMENT MARKINGS PER FDOT INDEX NO. 711-001, 17346.
- SIGNS AND BARRICADES TO BE ACCORDING TO FDOT MANUAL OF SAFE PRACTICES, REFERENCE FDOT INDEXES 600 THROUGH 660.
- AREA ADJACENT TO PROPOSED STRUCTURE SHALL BE GRADED AS REQUIRED TO ENSURE ALL ROOF RUNOFF IS DIRECTED TO THE STORMWATER POND.
- THE CONTRACTOR SHALL REPLACE ALL PAVING, STABILIZED EARTH, CURBS, DRIVEWAYS, SIDEWALKS, ETC. WITH MATERIALS OF THE SAME TYPE OR BETTER THAN THAT REMOVED DURING CONSTRUCTION.
- ALL DISTURBED AREAS SHALL BE SOODED AND RESTORED TO PREDEVELOPMENT CONDITION OR BETTER.

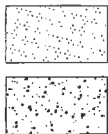
SITE DATA

DESCRIPTION / ITEM	EXISTING	PROPOSED
SITE AREA	10,750 SF (0.25 AC)	10,750 SF (0.25 AC)
IMPERVIOUS SURFACE	7,025 SF	5,533 SF
IMPERVIOUS SURFACE RATIO (ISR)	0.65	0.61
OPEN AREA	3,725 SF	4,217 SF (39%)
GROSS FLOOR AREA (GFA)	N/A	2532 SF
BUILDING HEIGHT	N/A	25'
BUILDING SETBACKS:		
FRONT:	N/A	7.46'
SIDE(S): TO BLDG/PORCH	N/A	10.03'
REAR	N/A	51.22'
NO. FLOORS	N/A	1
ZONING	TC-1	TC-1
USE	VACANT	RETAIL

PARKING CALCULATIONS: 2532 SF X 1 SPACE/300 SF = 8 REQUIRED SPACES PROVIDED: 7, OK

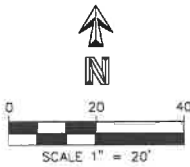


LEGEND

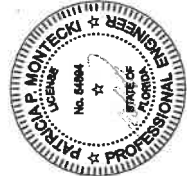


PROPOSED ASPHALT PAVEMENT

PROPOSED CONCRETE PAVEMENT



THIS ITEM HAS BEEN DIGITALLY SIGNED AND SEALED BY PATRICIA P. MONTECKI, P.E. ON JULY 20, 2023.
PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.



HORIZONTAL CONTROL PLAN

NEW RETAIL BUILDING

7501 - GULF BLVD.
SAINT PETE BEACH, FLORIDA 33706

Patricia
Monteck
i

Digitally signed by Patricia Montecki
DN: c=US, o=Florida, ou=Professional Engineer,
email=pmontecki@monteckipatrick.com, cn=Patricia
Monteck
Date: 2023.07.20 16:54 -0400

PATRICIA P. MONTECKI
P.E. NO. 64884
DATE:

Date:
21 OCTOBER 2022
Drawn: CVO
Checked: PPM

Revisions:

Project No.
3615

Sheet No.

C-1

PRELIMINARY - FOR PERMITTING ONLY

Current Score			
Category	Max Points	Points Claimed	Points AWARDED
Category 1: Project Management	17	0	0
Category 2: Energy	120	0	0
Category 3: Water	110	0	0
Category 4: Site	91	0	0
Category 5: Health	58	0	0
Category 6: Materials	39	0	0
Category 7: Disaster Mitigation	49	0	0
Category 8: Innovation	5	0	0
TOTAL	489	0	0
Total Needed	100	195	195

		Points Available	Points Claimed	Points AWARDED	Submittal Required	Designated Professional Comments	Evaluator Comments
CATEGORY 1: PROJECT MANAGEMENT		17	0	0			
Prerequisite 1	Green Project Meeting	PRE			Provide documentation of design charrette, virtual or in person, such as a copy of the meeting agenda, outline of notes, dated sign in sheet and or screen captures of the virtual attendees. Provide a copy of the FGBC Checklist that resulted from the Charrette.		
Prerequisite 2	Green COMMERCIAL Designated Professional	PRE			Copy of FGBC Green COMMERCIAL Designated Professional Certificate.		
PM1.01	Comprehensive Design Charrette/Design Team Training	2	0		Provide training content documentation, means of training, and dated sign in sheet		
PM1.02	Construction Team Training	2	0		Provide training content documentation, means of training and a dated sign-in sheet.		
PM1.03	Facility Manager & Staff Training	1	0		Provide training content documentation, means of training and a dated sign-in sheet. If training is recorded for use by future staff provide link to training video.		
PM1.04	Green Website	1	0		Provide the web address and copies of the content		
PM1.05	Green Education	1	0		Submit a floor plan of the building indicating the location of the signs, the content for each of the 5 signs, and either a graphic design of the sign or a photo of the actual sign.		
PM2.00	Building Information Modeling	5	0		Provide a minimum of 6 examples of 3D renderings and conflict reports, Meeting minutes discussing conflict resolution may be submitted in lieu of conflict reports.		
PM3.00	Cost Benefit Analysis	5	0		The project must submit a copy of the FGBC Checklist from: 1.The team kickoff meeting 2.100% Construction Document Phase 3.Final FGBC Submittal Include assumptions regarding interest rates, life of materials, and any other assumptions made for the analysis. A short narrative must accompany each credit explaining the options reviewed, environmental benefits, and reasoning for final selection for each credit.		
		Points Available	Points Claimed	Points AWARDED			
CATEGORY 2: ENERGY		120	0	0			
Prerequisite 1	Owner Project Requirements (OPR)	PRE	0		Submit a narrative explaining the OPR for the project clearly indicating the minimum project goals for each of the FGBC categories.		
Prerequisite 2	Basis of Design (BOD)	PRE	0		The design team must submit a narrative that explains how the design decisions support the Owner project requirements. The BOD must include a description from the design team as to how each of the FGBC category specific owner goals will be achieved.		
Prerequisite 3	Testing and balancing of installed equipment	PRE	0		The design team shall provide a copy of the testing and balancing report.		
Prerequisite 4	Minimum Energy Performance	PRE	0		Submit a copy of the Energy Gauge Summit "Total Building Performance Method for Commercial Buildings – Project Summary" (Form 506-2010) or its equivalent) from software approved by the Florida Building Commission that identifies the percent above code minimum the proposed building design has achieved.		

Prerequisite 5	CFC Reduction in HVAC Equipment	PRE	0		Mechanical engineer will submit a signed letter declaring that the building's new HVAC&R systems do not use CFC-based refrigerants and a mechanical schedule showing HVAC equipment.		
E1	EPA Target Finder						
E1.01	Input building information into EPA Target Finder	1	0		Submit a copy of the printout of the building from the Target Finder Program. Please note that there are instances where the Target Finder database does not have enough information to generate a report for your building type. If you enter your building data and the report results in an error, simply provide a copy of the error report page and you will be awarded 1 point.		
E2	Portfolio Manager						
E2.01	Input building into Portfolio Manager	1	0		Submit a print out showing the project listed in Portfolio Manager		
E2.02	Grant FGBC access to the project Portfolio Manager account	1	0		Submittals: User name and password (access information) for Portfolio Manager		
E3	Commissioning						
E3.01	Fundamental Building Systems Commissioning:	4	0		Submit a copy of the CxA signed contract (black out fees), OPR, BOD, Commissioning Plan and Commissioning Report. The commissioning Plan should include an overview of the commissioning process, a list of systems and features, the commissioning participants and their roles, a communication and management plan, an outline of the scope of commissioning tasks, and a schedule. Where possible, include copies of the completed start up checklists. The commissioning report should contain the analysis of whether each commissioned system or component meets the design intent, specifications, was properly installed, passed the functional performance tests, was properly documented in the O&M manuals,		
E3.02	Advanced Building Systems Commissioning	5	0		Copy of signed contract explaining scope of work (contract amount may be excluded). Provide a copy of the CxA design document review report provided to the owner and design team, provide a copy of the review notes of the specifications provided to the design team, provide a copy of the owner manual for re-commissioning and copy of building operation review contract.		
E3.03	Additional Building Systems Commissioning	1	0		Copy of signed contract explaining scope of work (contract amount may be excluded) and a letter from the CxA or the building owner stating all CxA duties were completed. Also, should include a list of equipment from the CxA that they recommended for additional commissioning.		
E4	Energy Performance Improvement	0-60	0		A copy of the Florida Energy Code calculations and input summary. Note the following inputs into the Energy Code calculations will be verified with the field installed design/equipment. Please submit stamped, approved and signed construction submittals, OR representative photos and detailed photos of the air handlers, condensing units, roof-top units, glazing stickers, water heaters, insulation and lighting. The following Energy performance inputs will be verified: lighting, wall construct and insulation, window solar heat gain coefficient and u-factors, roof construct and insulation, system types and efficiencies, water heaters and exterior lighting.		
E5	Renewable Energy Production	1-20	0		Provide a copy of the contract for the purchase of renewable energy indicating the types of renewable purchased and the total kWh of energy production capacity.		
E6	Green Power	1-3	0		Provide a copy of the green power purchase contract.		
E7	Daylight Sensors	1-2	0		Floor plan with location of daylight sensors, approved submittals and photos of installed sensors.		
E9	Interior Lighting	1	0		Provide electrical drawings, approved submittal for sensors and photos of installed sensors		
E10	Lighting Power Density	1-5	0		Signed approved lighting submittal, photos of installed lighting. Provide the Watt per square foot calc that support the 1-5 points claimed.		
E11	Exterior Lighting Efficiency	3	0		Signed approved lighting submittal, photos of installed lighting and Watt per square foot calc.		
E12	Solar Study of Building	2	0		Submit the design or orientation modification that was incorporated into the project to reduce solar heat gain as a result of the solar study. Provide copies of the solar study graphics and outputs.		

E13	Energy Monitoring Interface	5-10	0		A floor plan showing the location of the energy monitoring interface device(s), approved submittal for system and photos of the device(s) with the installed information sign.		
		Points Available	Points Claimed	Points AWARDED	0		
CATEGORY 3: Water		110	0	0	0		
Prereq 1	No Invasive Plants	PRE	0		Landscape plan, plant list and photos of installed landscaping.		
Prereq 2	Irrigation zones for turf and landscape beds are separate.	PRE	0		Landscape plan indicating vegetation and irrigation zones, location, and type of controller. Photos of installed landscape.		
Prereq 3	Rain shut off device installed CORRECTLY and operable	PRE	0		Field inspection report signed by a responsible team member indicating that the rain shut off device is correctly functioning.		
Prereq 4	Drought Tolerant Landscape, 50%	PRE	0		Plant list for the project specifically identifying Florida Friendly low water plants and calculation of percent drought tolerant vegetation.		
W1	Interior Water Use						
W1.01	Toilets	3	0		Signed approved submittal and photos of installed fixtures.		
W1.02	Urinals	3	0		Signed approved submittal and photos of installed fixtures.		
W1.03	Lavatory Faucets	3	0		Signed approved submittal and photos of installed fixtures.		
W1.04	Kitchen Faucets	4	0		Signed approved submittal and photos of installed fixtures.		
W1.05	Showerheads	4	0		Signed approved submittal and photos of installed fixtures.		
W1.06	Dishwashers	3	0		Signed approved submittal and photos of installed fixtures.		
W2	Greywater Reuse						
W2.01	Air conditioner condensate collected and used to reduce potable water use	1	0		Construction drawings indicating design and location of system		
W2.02	Greywater System - dual piping system is installed throughout building	3-28	NA		Construction drawings indicating design and location of system, approved submittal for system and photos of installed system		
W3	Reduce Potable Water Use						
W3.01	Rainwater Harvesting	2-15	0		Construction drawings indicating design and location of system, signed approved submittal of system installed and photos of installed system.		
W3.02	Cooling Tower Conservation	3	0		Construction detail and signed approved submittal.		
W4	Installed Landscape						
W4.01	Florida Friendly Drought-Tolerant Landscape	1-3	0		Letter verifying compliance with the criteria is signed by one of the following: the landscape architect, a WaterStar or WaterSense Certifier, a Florida Friendly Landscape representative, or a Master Gardener. The team may also provide a list of installed plants and the corresponding plant drought tolerance rating according to Florida Friendly Landscape database.		
W4.02	Turf/Sod Percentage	1-5	0		Site plan indicating total SF of site and total SF of turf, turf calculation as a percentage of the site and or turf square footage as purchased on the plant list invoice.		
W4.03	All plants/trees selected to be compatible with local environment / microclimate	2	0		Landscape plan and plant list. Letter verifying compliance with the criteria is signed by one of the following: the landscape architect, a WaterStar or WaterSense Certifier, a Florida Friendly Landscape representative, or a Master Gardener.		
W4.04	Plants with similar maintenance requirements grouped together	2	0		Landscape plans and photos of installed vegetation. Letter verifying compliance with the criteria is signed by one of the following: the landscape architect, a WaterStar or WaterSense Certifier, a Florida Friendly Landscape representative, or a Master Gardener.		
W4.05	Mulch (non-cypress) applied 3"-4" deep	2	0		Landscape plans and photos of installed mulched vegetation		
W5	Water Conservation Certifications						
W5.01	Meet or exceed Florida WaterStar™ or WaterSense Standards	5-7	0		Copy of certificate		
W5.02	Florida Friendly Landscape™ Program Certification	3	0		Copy of certificate		
W6	Installed Irrigation						
W6.01	Irrigated land must comply with ALL of the following, additional detail is available in the FGBC Commercial Reference Guide	10	0		Irrigation system design drawing as installed and irrigation schedule.		
W6.02	Micro-irrigation (irrigation with a maximum application rate of 0.5 gallons per minute) used and irrigated to FGBC Standard	3	0		Copy of the irrigation design, and photos of installed irrigation.		

W6.03	No Permanent in-Ground Irrigation System	15	0		Provide a signed letter from the project owner.		
W6.04	Advanced Irrigation Control Systems	2	0		Cut sheet of sensor and photos of innovative equipment		
W7	Water Source Conservation						
W7.01	Reclaimed Water for Irrigation	1-4	0		Construction drawings details showing reuse water supply and meter(s). Provide fee structure from entity supplying reuse water.		
		Points Available	Points Claimed	Points AWARDED			
		91	0	0			
CATEGORY 4: Site							
S Prereq 1	Copy of Stormwater Pollution Prevention Plan (SWPPP) and Florida Department of Environmental Protection (FDEP) Notice of Intent (NOI) onsite	PRE	0		Details of stormwater pollution prevention plan and photos of installed stormwater pollution prevention measures.		
S1	FDEP Professional	3	0		Name of Certified FDEP Professional and a copy of the page of the permit application identifying the FDEP individual and their contact information.		
S2	Site Selection						
S2.01	Select Appropriate Site	1	0		Provide a site plan, in context, so the credit criteria may be verified and a letter from the building owner or civil engineer confirming site as appropriate.		
S2.02	Urban Growth Boundary	1	0		Map of Urban Growth Boundary with project site identified.		
S2.03	Permit Ready Site	1	0		Letter from the local government indicating that the site is "permit ready" or a preferred site targeted for development.		
S2.04	Greyfield/Redevelopment of an existing site	3	0		Copy of a site plan with the existing conditions at the time of permit application. Copy of Civil demolition plan		
S2.05	Brownfield Redevelopment	5	0		Provide a copy of the Phase II Environmental Site Assessment OR a letter from a local, state or federal regulatory agency confirming that the site is classified as a brownfield.		
S2.06	Access to Public Transportation	2-4	0		Regional/Local drawing or transit map highlighting the building location and the fixed rail stations and bus lines and indicate the distances between them. Include a scale bar for distance measurement.		
S2.07	Adjacent to dense residential development	1	0		Area map that identifies adjacent properties, their use, and the building site.		
S2.08	Access to Basic Services-1 point awarded for each 3 unique services	1-10	0		Aerial context map with building location, and location and type of basic services within ½ mile.		
S3	Site Enhancement						
S3.01	Wetland Protection and Enhancement	2	0		Site map identifying wetlands, plant list and restoration plan, delineating 25' upland buffer and showing that no irrigation will be installed within the 25' upland buffer.		
S3.02	Minimize Site Disturbance	1	0		Copy of project site indicating building footprint, square footage of building footprint and outlining site cleaning operation boundaries and staging areas. Provide photos of site demonstrating minimal site disturbance.		
S3.03	Site Open Space	2-4	0		Provide a site plan with the building footprint, square footage of building footprint (or a copy of the local zoning open space requirements) that shows the designated open space and landscape plan. If claiming shaded area using trees, also provide a list of trees and their projected canopies after 10 years		
S3.04	Sidewalks	1	0		Site plan showing sidewalks and photos of completed installed sidewalks.		
S3.05	Connectivity	1	0		Site plan showing connections and trails. Include photos of completed site identifying connectivity features.		
S4	Reduce Heat Islands - Hardscape						
S4.01	Parking Capacity	1-3	0		Provide a calculation of the zoning required parking spaces, a letter from the local jurisdiction indicating the projects parking requirements and a site plan with a total parking count.		
S4.02	Under Building or Structured Parking	3	0		Provide construction drawings and photos of structured parking.		
S4.03	Shaded, Covered or High Albedo Hardscape	2-4	0		Provide a site plan identifying all the site features and hardscape quantities. Provide approved submittals and photos of hardscape materials and photos of installed hardscape.		
S4.04	Compact or Automated Parking	1-3	0		Detail and description of plan and system		
S4.05	Alternative Fuel Vehicles	1-4	0		Plan identifying location of preferred parking, description of charging apparatus and photos of installed equipment		
S5	Reduce Heat Islands - Roof	4	0		Provide a roof drawing with area calculations, signed approved submittal of roof materials and photos of installed roofing where possible.		

S6	Reduce Heat Islands - Building	4	0		Provide a cut sheet of the exterior wall coating/paint, shading calculations, and photos of building exterior.		
S7	Stormwater						
S7.01	Less than 10 acres, less than 2 acres of impact (<10<2)	1-3	0		Civil Engineer stormwater calculations.		
S7.02	Standard General	1-3	0		Civil Engineering stormwater calculations and narrative explaining how the design improves the water quality		
S7.03	Treat Stormwater from adjacent sites	1-3	0		Civil Engineering stormwater calculations and narrative indicating quantity and treatment of stormwater collected from adjacent sites.		
S7.04	Littoral Vegetation of Manmade Stormwater Detention	1-3	0		Plant list, detention pond design and photos of final installed stormwater system.		
S7.05	Pervious Hardscape	1-3	0		Site drawing with pervious hardscape identified, approved submittal of hardscape materials, percolation calculation and photos of installed hardscape.		
S7.06	Alternative Stormwater Detention	1-3	0		Site design, stormwater calculations, construction details of low impact development designs and photos of final installed stormwater system.		
S8							
S8.01	Bicycle Storage	2	0		Site plan identifying bike racks and cut sheet of bike racks selected.		
S8.02	Changing Rooms	1	0		Floor plan that identifies changing room.		
S8.03	Showering Facility	1	0		Floor plan that identifies the showers.		
S9	Exterior Lighting (not attached to building)						
S9.01	Meets Dark Sky Requirements	1	0		Provide signed approved submittal and photos of installed lighting.		
S9.02	Lights Provide >95 lumens/watt	1	0		Provide signed approved submittal and photos of installed lighting.		
S9.03	Lights are Solar Powered	1-3	0		Cut sheets of lighting fixtures selected and a copy of the landscape plan that indicates mature growth does not obstruct lights.		
S9.04	Exterior lighting is on timers or daylight sensors	1	0		Provide approved submittal of sensors or timer or lighting submittal indicating sensors are integral to lights. Include Site plan with location of daylight/motion sensors. Provide photos of installed sensors and installed lighting.		
		Points Available	Points Claimed	Points AWARDED			
CATEGORY 5: Health		58	0	0			
Prereq 1	Environmental Tobacco Smoke (ETS) Control	PRE			Photos of no smoking signs installed at all main building entrances are required. If smoking is allowed on the site, please provide dimensioned site plan indicating designated smoking area indicating the distances to doors and intakes. If no smoking campus or building, please provide the written policy.		
Prereq 2	Indoor Air Quality (IAQ) Management Plan, During Construction	PRE			Provide copy of the specifications indicating use of SMACNA guidelines, a copy of the written Indoor Air Quality Management (IAQ) Plan and photos of the IAQ procedures in place during construction.		
H1	Protect, Monitor, and Remediate Poor IAQ						
H1.01	Carbon Dioxide	1	0		Provide copy of approved submittal of equipment provided, plans indicating installed locations. Mechanical engineer may provide a brief narrative indicating system design and function.		
H1.02	Humidity Monitoring & Control	5	0		Provide a copy of the signed approved submittal of the equipment used for dehumidification. The mechanical engineer must provide calculations and narrative describing the removal of latent heat and humidity range that will be maintained by the system.		
H1.03	Building Entrance - Outdoor Pollutants	1	0		Provide construction detail of the system installed and photos or photos of installed mats and a copy of the maintenance plan/contract.		
H1.04	Building Entrance - Covered Entrance	1-2	0		Provide a copy of the dimensioned plan indicating the covered entrance and the square footage of the entrance cover.		
H1.05	High Efficiency Air Filtration System						
H1.05.01	Common Areas	1-6	0		Cut sheet of air filter system.		
H1.05.02	Tenant Spaces	1-6	0		Cut sheet of air filter system.		
H1.06	Chemical and Cleaning Product Storage	1	0		Provide for the effective delivery and mixing of fresh air to support the health, safety, comfort and well-being of building occupants		
H1.07	Radon Mitigation	1	0		Construction detail and photos of installed system		

H1.08	Pre-Occupancy IAQ testing	1	0		Copy of the IAQ testing results indicating that the maximum chemical contaminant concentration requirements are not exceeded.		
H2	Low Emitting Materials						
H2.01	Adhesives & Sealants	1	0		Contractor shall maintain all Material Safety Data Sheet (MSDS) highlighting the stated VOC emissions for each adhesive and sealant used in the building.		
H2.02	Paints & Coatings	1	0		Provide signed approved submittal for paints and coatings. Contractor shall maintain all Material Safety Data Sheet (MSDS) highlighting the stated VOC emissions for each adhesive and sealant used in the building.		
H2.03	Carpet Systems	1-2	0		Provide signed approved submittal and photos of installed carpet		
H2.04	Healthy Flooring	1	0		Cut sheets of flooring selections.		
H2.05	Composite Wood and Agrifiber	1	0		Provide signed approved submittal for installed products and manufacturers catalog cut sheet for each composite wood or agrifiber product used in the building indicating that the bonding agent used in each product contains no added urea-formaldehyde. Also provide photos of installed wood and agrifiber products		
H2.06	Insulation	1-3	0		Provide signed approved submittal for insulation materials and manufacturers catalog cut sheet for each insulation product used in the building indicating that it contains no formaldehyde.		
H2.07	Green Cleaning - Environmentally Friendly Maintenance - Green Cleaning Products in Common Areas	2	0		Provide a list of approved cleaning products for the building		
H2.08	Furniture Fixtures and Equipment	2	0		Provide documentation of furniture purchased and furniture certification		
H3	System Controls						
H3.01	Lighting	1-4	0		Provide the building floorplan indicating lighting controls, a narrative explaining how occupants can control their immediate environment and cut sheets of lighting selections.		
H3.02	Thermal Comfort	1-4	0		Provide a narrative from the mechanical engineer explaining how the project complies with ASHRAE Standard 55-1992, Addenda 1995.		
H4	Productive Work Environment						
H4.01	Daylighting	1-4	0		Provide plans specifying the daylit areas and daylighting calculations for occupied spaces. For core and shell buildings, provide the window to wall ratio calculations.		
H4.02	Acoustics	1-4	0		Provide cut sheets for the wall assembly and fenestration indicating the STC ratings.		
H4.03	Views	1-4	0		Provide a furniture plan of the building; indicate the location of building occupants and their line of site to the outdoors. For core and shell buildings, provide the window to wall ratio calculations.		
H4.04	Outdoor space provided for employees	1	0		Provide a site plan indicating outdoor space, type of cover, square footage and photos.		
		Points Available	Points Claimed	Points AWARDED			
CATEGORY 6: Materials		39	0	0			
M1	Material Efficiency and Global Responsibility						
M1.01	Remodel Existing Building	1-10	0		Floor plan of existing building, demolition plan, and new building floor plan.		
M1.02	Recycled Content	1-4	0		Submit the completed materials checklist and supporting documentation of the percentages claimed including budget documentation.		
M1.03	Rapidly Renewable Materials	1	0		Complete the Materials Spreadsheet in the checklist. Provide approved submittals for materials and documentation of the products rapidly renewable content.		
M1.04	Certified Wood	1-3	0		Submit a copy of the wood certification and the calculations showing percentage of certified wood used in the construction of the project. Submit the completed materials checklist and supporting documentation of the percentages claimed including budget documentation.		
M1.05	Biobased Materials	1	0		Submit signed approved submittal and photos of installed materials.		
M1.06	Resource Efficient or Panelized Wall Systems	2	0		Photo, detailed plans, or material cut sheets.		
M2	Waste Management						

M2.01	Construction Waste Recycling	2-4	0		Provide copies of the monthly waste reports indicating diverted waste and calculate the total waste material diversion rate		
M2.02	Recycling for Building and Tenants	1	0		Provide a copy of the contract that highlights the terms of the purchase / lease of floor coverings that will be taken back by the manufacturer for recycling rather than disposal in landfill		
M2.03	Recyclable Materials	1	0		Provide cut sheets for the products calculated as a part of this credit and information about the existing recycling facilities. This credit may also be claimed if the area has an established C&D waste recycling infrastructure.		
M2.04	Demountable / Adaptable Interiors	1	0		Provide a floor plan indicating the location of the demountable wall partitions, a calculation of the total LF of partition walls and a calculation of the total LF of demountable walls. Also provide a cut sheet and photos of the installed wall systems used.		
M2.05	Durable Materials, Exterior Finish Materials	1	0		Provide plan details identifying the exterior materials, approved submittals and corresponding warranty certificate for exterior finish materials		
M2.06	Low Maintenance Finishes	1	0		Provide copies of the manufacturer's recommended maintenance procedures for the interior and exterior finishes.		
M3	Local/Regional Materials						
M3.01	Local Manufacturing	1-4	0		Submit the completed materials checklist and supporting documentation of the percentages claimed including budget documentation.		
M3.02	Local Raw Material Extraction	1-4	0		Submit the completed materials checklist and supporting documentation of the percentages claimed including budget documentation.		
M3.03	Resource Reuse	1	0		Submit supporting documentation and photos		
		Points Available	Points Claimed	Points AWARDED			
CATEGORY 7: Disaster Mitigation		49	0	0			
DM1	Hurricane Resistance						
DM1.01	Impact Glazing	3	0		Provide the manufacturer's cut sheets for the impact resistant products indicating the required approvals and classifications. Photos of the window stickers and or shop drawings may also be provided.		
DM1.02	Building Integrated Hurricane Shutters	3	0		Signed approved submittal and photos of installed shutters.		
DM1.03	Building Hardening	2-5	0		Design calculations and a narrative from the architect or structural engineer explaining measures taken to improve the buildings resistance to hurricanes.		
DM1.04	Uninterrupted Operations	3	0		Approved submittal and photos of installed system		
DM1.05	Building is Designated Hurricane Shelter	5	0		A brief narrative describing the features added to comply with the local hurricane shelter requirements.		
DM1.06	Shelter in Place	1-4	0		Provide generation needs calculation and corresponding construction details.		
DM2	Pest Management						
DM2.01	Termite Prevention	3	0		Provide project photos, copy of warrantee, and appropriate construction details		
DM2.02	Physical Termite Barrier	3	0		Provide photos showing all sealed slab penetrations.		
DM2.03	Integrated Pest Management	3	0		IPM plan		
DM3	Flood						
DM3.01	Finished Floor Elevation (FFE)	1-2	0		Provide the appropriate drawings illustrating the foundation design, floor elevation and grading requirements. Include a copy of the NFIP Elevation Certificate certified by the surveyor, engineer or architect showing the 100-year flood plain elevation or grade.		
DM3.02	All Critical Infrastructure Elevated	2-5	0		Complete the Materials Spreadsheet in the checklist. Provide approved submittals for materials and documentation of the products rapidly renewable content.		
DM3.03	Buildings Within 500-year flood Plain	2	0		Provide the appropriate drawings illustrating the building proximity to the coast and the elevations of the FFE and equipment slabs. Include a copy of the NFIP Elevation Certificate certified by the surveyor, engineer or architect.		
DM4	Fire Resistance	2	0		Provide the completed Letter Template, signed by the architect or other responsible party, and appropriate drawings and manufacturer's cut sheets illustrating the fire resistance of the exterior finish materials.		

DMS.01	Durable Materials, Exterior Finish Materials	1	0		Plan detail identifying all the systems and materials used for the exterior finish of the building. Attach copies of the NOA for Miami-Dade, manufacturer's warranties or documentation supporting the established history for any material without a written warranty.		
DMS.02	Install Water Leak System and Shutoff System in Residential Units	1-3	0		Construction detail, cut sheet, and photo of system installed		
DMS.03	Durability: Use Armored/Metal Hoses from Service to All Fixtures/Appliances	1	0		Cut sheet, construction detail, signed approved submittal, site photos		
DMS.04	Low Maintenance Finishes	1	0		Provide a copy of the manufacturers recommended maintenance procedures, the type and area of materials that comply.		
		Points Available	Points Claimed	Points AWARDED			
CATEGORY 8: Innovation		5	0	0			
IN 01	0	1	0		0		
IN 02		1	0				
IN 03	0	1	0		0		
IN 04	0	1	0		0		
IN 05	0	1	0		0		

Category	Current Score		
	Max Points	Points Claimed	Points AWARDED
Category 1: Project Management	17	0	0
Category 2: Energy	120	0	0
Category 3: Water	110	0	0
Category 4: Site	91	0	0
Category 5: Health	58	0	0
Category 6: Materials	39	0	0
Category 7: Disaster Mitigation	49	0	0
Category 8: Innovation	5	0	0
TOTAL	484	0	0
Total Needed	100	195	



Florida Water StarSM New Commercial and Institutional Building Criteria

The Florida Water StarSM Commercial and Institutional program certifies new offices, retail and service establishments, and institutional and nonindustrial buildings.

floridawaterstar.com

General Information	
Project name	
Project address	
County	
Project type	
Water management district	
Project area	
Building area	
Landscaped area	
Irrigated area	
Number of stories	
Projected occupancy	
Water provider	

Required Submittals
Certificate of occupancy
Indoor/schedule of fixtures/appliances, including performance specifications
Irrigation design
Irrigation zone run times
Water budget calculations
Landscape design
Plant palette
Operation and maintenance plan

2018-07-10

Indoor Requirements

This form is used to demonstrate compliance with Florida Water StarSM Commercial/Institutional indoor requirements.

General

IN 1	All appliance water supply lines are reinforced.	
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Fixtures

IN 2	Toilets are high-efficiency, 1.28 gallons/flush, with a UNAR MaP rating above 350 grams per flush. WaterSense®-labeled toilets comply.	
IN 3	Urinals are high-efficiency, 0.5 gallons/flush.	
IN 4	Lavatory non-metering sink faucets have flow rates of 0.5 gallons/minute or less.	
IN 5	Metering lavatory sink faucets have flow rates of 0.25 gallons per metering cycle or less.	
IN 6	Shower stalls have a single showerhead with flow rate of 2.0 gallons/minute or less, or are WaterSense®-labeled.	
IN 7	Prerinse spray valves use 1.25 gallons/minute or less.	

Appliances

IN 8	Dishwashers use less than 4.25 gallons/cycle. ENERGY STAR® models qualify.	
IN 9	Commercial dishwashers are ENERGY STAR®-labeled.	
IN 10	Residential clothes washer have water factor of 6 or less. ENERGY STAR® models qualify.	
IN 11	Commercial clothes washers have water factor of 6 or less. ENERGY STAR® models qualify.	
IN 12	Ice machines are ENERGY STAR®-labeled.	
IN 13	Commercial food steamers are ENERGY STAR®-labeled.	
IN 14	Commercial woks are waterless.	
IN 15	HVAC cooling tower equipment meets Florida Water Star SM requirements as specified in the technical manual.	

Additional Requirements

Applicants must attach a schedule of fixtures and appliances that contains the quantity of each fixture/appliance, product model numbers, water use specifications, and indication of ENERGY STAR® or WaterSense® labeling.		
---	--	--

Irrigation Requirements

This form is used to demonstrate compliance with Florida Water StarSM Commercial/Institutional irrigation requirements.

General Design

IR 1	Irrigation zones for turf grass and landscape beds are separate.	
IR 2	Sprinklers and emitters are located a minimum of 2 feet from structures.	
IR 3	Irrigation system is free from leaks.	
IR 4	Sprinklers in low-lying areas have check valves.	
IR 5	Sprinklers rise above turf grass height.	
IR 6	Application occurs in correct spray patterns, minimizing overspray on impervious surfaces.	

Uniformity

IR 7	Pipes are sized to prevent velocities greater than 5 feet per second.	
IR 8	Precipitation rates for all sprinklers within a zone are matched.	
IR 9	Head spacing does not exceed 50% of the nozzle throw diameter.	
IR 10	All zones are pressure regulated at the manufacturer's specified pressure for the sprinklers/emitters installed within the zone.	
IR 11	Variable-arc nozzles (VANS) are only used to irrigate unevenly shaped turf grass areas that cannot be effectively irrigated with fixed-spray nozzles.	

Operation and Scheduling

IR 12	A device with rain shut-off capabilities is installed in an operable location and is functioning.	
IR 13	The irrigation schedule for maintenance does not exceed 25 inches (15.5 gallons) per square foot annually, and the controller is set in compliance with water management district watering restrictions.	

Water Budget Compliance

Applicants must attach a water budget compliance report. It is recommended that the Florida Water StarSM Water Budget Calculator be used. For more information, see the Florida Water StarSM technical manual web pages.

Landscape Description and Design Requirements

This form is used to demonstrate compliance with Florida Water StarSM Commercial/Institutional landscape requirements.

Site Characteristics

Hardiness Zone	pH	Soil Moisture	Sun	Salinity

Include details about site elevation, topography, soils, existing trees, shading from buildings, etc. Go to the Florida Water StarSM technical manual web pages for examples of submittals.

Requirements

LS 1	No invasive exotic plant species are in the landscaped area.	
LS 2	For inground irrigation systems, turf grass and landscaped bed areas are distinctly separate.	
LS 3	Root balls are at least 2.5 feet on center from the foundation of structure.	
LS 4	Plants are spaced for growth to maturity.	
LS 5	Plant selections are compatible with site-specific growing conditions such as sunlight, soil type and salinity.	
LS 6	Plants are grouped by similar moisture and maintenance requirements.	



LEED v4.1 BD+C
Project Checklist

Project Name:
Date:

Y ? N

0	0	0	Credit	Integrative Process	1
---	---	---	--------	---------------------	---

0	0	0	Location and Transportation		16
0	0	0	Credit	LEED for Neighborhood Development Location	16
0	0	0	Credit	Sensitive Land Protection	1
0	0	0	Credit	High Priority Site and Equitable Development	2
0	0	0	Credit	Surrounding Density and Diverse Uses	5
0	0	0	Credit	Access to Quality Transit	5
0	0	0	Credit	Bicycle Facilities	1
0	0	0	Credit	Reduced Parking Footprint	1
0	0	0	Credit	Electric Vehicles	1

0	0	0	Sustainable Sites		10
Y	0	0	Prereq	Construction Activity Pollution Prevention	Required
0	0	0	Credit	Site Assessment	1
0	0	0	Credit	Protect or Restore Habitat	2
0	0	0	Credit	Open Space	1
0	0	0	Credit	Rainwater Management	3
0	0	0	Credit	Heat Island Reduction	2
0	0	0	Credit	Light Pollution Reduction	1

0	0	0	Water Efficiency		11
Y	0	0	Prereq	Outdoor Water Use Reduction	Required
Y	0	0	Prereq	Indoor Water Use Reduction	Required
Y	0	0	Prereq	Building-Level Water Metering	Required
0	0	0	Credit	Outdoor Water Use Reduction	2
0	0	0	Credit	Indoor Water Use Reduction	6
0	0	0	Credit	Optimize Process Water Use	2
0	0	0	Credit	Water Metering	1

0	0	0	Energy and Atmosphere		33
Y	0	0	Prereq	Fundamental Commissioning and Verification	Required
Y	0	0	Prereq	Minimum Energy Performance	Required
Y	0	0	Prereq	Building-Level Energy Metering	Required
Y	0	0	Prereq	Fundamental Refrigerant Management	Required
0	0	0	Credit	Enhanced Commissioning	6
0	0	0	Credit	Optimize Energy Performance	18
0	0	0	Credit	Advanced Energy Metering	1
0	0	0	Credit	Grid Harmonization	2
0	0	0	Credit	Renewable Energy	5
0	0	0	Credit	Enhanced Refrigerant Management	1

0	0	0	Materials and Resources		13
Y	0	0	Prereq	Storage and Collection of Recyclables	Required
0	0	0	Credit	Building Life-Cycle Impact Reduction	5
0	0	0	Credit	Environmental Product Declarations	2
0	0	0	Credit	Sourcing of Raw Materials	2
0	0	0	Credit	Material Ingredients	2
0	0	0	Credit	Construction and Demolition Waste Management	2

0	0	0	Indoor Environmental Quality		16
Y	0	0	Prereq	Minimum Indoor Air Quality Performance	Required
Y	0	0	Prereq	Environmental Tobacco Smoke Control	Required
0	0	0	Credit	Enhanced Indoor Air Quality Strategies	2
0	0	0	Credit	Low-Emitting Materials	3
0	0	0	Credit	Construction Indoor Air Quality Management Plan	1
0	0	0	Credit	Indoor Air Quality Assessment	2
0	0	0	Credit	Thermal Comfort	1
0	0	0	Credit	Interior Lighting	2
0	0	0	Credit	Daylight	3
0	0	0	Credit	Quality Views	1
0	0	0	Credit	Acoustic Performance	1

0	0	0	Innovation		6
0	0	0	Credit	Innovation	5
0	0	0	Credit	LEED Accredited Professional	1

0	0	0	Regional Priority		4
0	0	0	Credit	Regional Priority: Specific Credit	1
0	0	0	Credit	Regional Priority: Specific Credit	1
0	0	0	Credit	Regional Priority: Specific Credit	1
0	0	0	Credit	Regional Priority: Specific Credit	1

0	0	0	TOTALS		Possible Points:	110
ed: 40 to 49 points, Silver: 50 to 59 points, Gold: 60 to 79 points, Platinum: 80						

Summary Comparison: LEED vs Water Star Certification

LEED (Leadership in Energy and Environmental Design) and Water Star Certification issued by the Southwest Florida Water Management District (SWFWMD) share several commonalities in their approaches to promoting sustainable and water-efficient practices. Here are specific similarities between the two programs:

Water-Efficient Fixtures:

Both LEED and Water Star Certification encourage the use of water-efficient fixtures and fittings. This includes low-flow toilets, faucets, and showerheads, which help reduce water consumption in indoor spaces.

- LEED- 'Water Efficiency' Section: Sub Section- 'Indoor Water Use Reduction'
- FL Water Star- 'Indoor Requirements' Section: Sub Section- 'Fixtures'

Landscaping Strategies:

Both programs address water use in landscaping. They promote practices such as the use of native and drought-tolerant plants, as well as efficient irrigation systems to minimize water demand for outdoor areas.

- LEED- 'Water Efficiency' Section: Sub Section- 'Outdoor Water Use Reduction'
- FL Water Star- 'Irrigation Requirements' Section: Sub Section- 'General Design,' Uniformity,' & 'Operation/Scheduling,

Rainwater Harvesting:

Both LEED and Water Star Certification recognize the value of rainwater harvesting as a sustainable water management strategy. They both encourage the implementation of rainwater harvesting systems to capture and reuse rainwater for non-potable purposes.

- LEED- 'Sustainable Sites' Section: Sub Section 'Rainwater Management'
- FL Water Star- 'Irrigation Requirements' Section: Sub Section 'Operation & Scheduling (IR 12)'

Metering and Monitoring:

Both programs advocate for the installation of water meters to monitor and manage water consumption. Metering helps track water use patterns, identify inefficiencies, and promote responsible water management practices.

- LEED- 'Water Efficiency' Section: Sub Section- 'Water Metering'
- FL Water Star- 'Indoor Requirements' & 'Irrigation Requirements' Sections: Sub Sections 'Fixtures (In 5)' & 'Operation & Scheduling'
- FL Water Star website also notes: Water Use Monitoring- FL Water Star staff will work with applicants and water use utilities to monitor a project's water use and track performance relative to projected use.
Website: <https://floridawaterstar.com/program-criteria/commercial/>

Education and Outreach:

Both LEED and Water Star emphasize the importance of education and outreach. They include requirements or initiatives to educate building occupants, residents, or businesses about water conservation practices.

Local Adaptation:

Summary Comparison: LEED vs Water Star Certification

While LEED has a global scope, it allows for regional adaptations. In this regard, both programs incorporate region-specific considerations to address local water challenges and promote solutions suitable for the specific environment.

- Both LEED and FL Water Star focus on using native plant & drought resistant landscape designs.

Innovation and Technologies:

Both LEED and Water Star Certification encourage the adoption of innovative water-saving technologies. This includes the use of smart irrigation systems, water-efficient appliances, and other technologies that contribute to overall water conservation.

Credits and Recognition:

Both programs use a credit-based system where projects can earn credits for implementing specific water efficiency measures. The accumulation of credits contributes to achieving certification or recognition under the respective programs.

- LEED & FL Water Star Checklists provided as supporting documentation
- Noted of FL Star Website: <https://floridawaterstar.com/program-criteria/commercial/>
 - **Other green building certification programs:** To simplify the certification process and minimize development costs, Florida Water Star Commercial/Institutional is designed to integrate with other statewide and national green building certification programs. In some cases, Florida Water Star requirements might be more stringent than other certifications, which is often due to the program's focus on water use.



Civil On Demand LLC
15436 N Florida Ave. Suite 101
Tampa, FL 33613
(813)280-9941

City of St Pete Beach Planning Department
155 Corey Avenue
St Pete Beach, FL 33706

Re: Variance Case #23093 - Property at 7501 Gulf Blvd

Dear Members of the City of St Pete Beach Planning Department,

I hope this letter finds you well. I am writing on behalf of the applicant in Variance Case #23093 concerning the property located at 7501 Gulf Blvd. We appreciate the opportunity to address the concerns and considerations related to the requested variance to Section 39.9 of the St. Pete Beach Land Development Code for unnecessary and undue hardship.

Reason For Variance:

Section 39.9 of the St. Pete Beach Land Development Code requires that new construction and major renovation projects within the Community Redevelopment District obtain at least two additional building certifications relating to energy and environmentally sensitive design. Listed within Section 39.9 are eight separate standards/certifications options that can be obtained to satisfy the code requirement. **For this specific project, six of the eight standards that are listed under LDC Section 39.9 are NOT applicable.** The only standards available for certification are the Florida Green Building Coalition (FGBC) and the Leadership in Energy and Environmental Design – New Construction (LEED-NC).

LEED Certified professionals and professional environmental/civil engineers were retained by the Applicant to review the standards with respect to the project. Their assessment concluded that only the FGBC certification is certain to be achieved and the LEED-NC certification provided challenges that will be difficult or unable to overcome. Through the review, it was identified that the physical location and topographical characteristics of the property prohibit portions of the LEED-NC credits from being achievable. Specifically, the credits provided under Location and Transportation (Sensitive Land Protection), Sustainable Sites (Site Assessment), and Regional Priority (Sensitive Land Protection) are essentially unavailable based on the standards set forth by LEED. For example, the LEED program strongly discourages development in the 100-yr floodplain. Attached is a FEMA floodplain map showing the project site and St. Pete Beach being located within the floodplain. Given the uncertainty of obtaining a LEED-NC certification and the lack of applicable options offered under LDC Sec. 39.9, the Applicant is requesting a variance for the waiver of the LEED-NC certification and is proposing certain alternative measures for substitution/justification.

Justification for Approval:

The LDC requires that two certifications be met with respect to energy and environmentally sensitive design. The Applicant has agreed and is in the process of applying for a certification for the project through FGBC. As an alternative to the LEED-NC certification, the Applicant is proposing to apply for the Florida Water Star certification. This certification is issued through the Florida Department of Environmental Protection. Florida Water Star can be integrated into both the LEED-NC and FGBC certification programs without conflict. The Florida Water Star certification more effectively and acutely addresses water conservation measures and aligns with the broader sustainability objectives of the project. The application of the standards set forth by the Florida Water Star certification would provide enhanced efficiency practices on water use reduction through focused efforts on plumbing fixtures, landscape design, and irrigation methods. The reduction in water use required by Florida Water Star will have a direct and tangible benefit to the residents of St. Pete Beach. Our position is grounded in the belief that the Florida Water Star certification aligns closely with the intent of the



Civil On Demand LLC
15436 N Florida Ave. Suite 101
Tampa, FL 33613
(813)280-9941

LDC Sec. 39.9. Given these benefits and the intent of the Florida Water Star certification, we are compelled to present the case that the Florida Water Star certification is not only a suitable substitution but also a superior one for achieving the overall project efficiency and sustainability goals.

While both LEED-NC and FGBC certifications provide inherent individual value, the two certifications share similar overall intents and, in most criteria, are indistinguishable between one another. Attached are the LEED v4.1 and FGBC v4 checklists. The redundant requirements of these two certifications add to the value of the Florida Water Star certification as a viable alternative which has distinct benefits beyond what either the LEED-NC and FGBC offer.

As part of the redevelopment of the site, the Applicant will be constructing a stormwater management system. The existing site conditions, which consist of mainly asphalt and other impervious surface area, currently allows stormwater runoff to sheet flow directly into the right-of-way and out to the Gulf of Mexico. No water quality treatment or attenuation occurs onsite. The proposed stormwater management system will collect all runoff from the site and provide water quality treatment prior to discharge. The implementation of the new stormwater management system will directly contribute to the net improvement of our surrounding water bodies.

Conclusion:

The Florida Water Star certification offers a comprehensive approach to water management, promoting sustainability and efficiency, which directly contributes to the project's commitment to environmental responsibility. Based on the reasons previously listed, the Applicant proposes that the Florida Water Star certification awarded by the Florida Department of Environmental Protection be accepted as an adequate substitution for LEED New Construction. The uncertainty of the outcome associated LEED certification coupled with the time and expense of applying for the certification is overly burdensome and risky when there are viable alternatives and similar certifications available that accomplish the same goal.

The Applicant respectfully trusts that the explanation provided, and the alternatives offered in this submittal is sufficient justification for variance approval from the requirements listed under Land Development Code Section 39.9. It is the belief of the Applicant and their consultants that proposed justification not only meets the intent of the code but also enhances the overall sustainability and efficiency of the project. Thank you for your time and consideration. We look forward to the opportunity for further discussion and clarification on this matter. If further discussion is needed, please feel free to contact me at by cell phone at (813)434-5744 or by email at Dbergin@ondemandfl.com. Our LEED Consultant, Jimmy Mitchell, LEED BD+C Skanska USA, is also available at (404)319-5633 if needed.

Sincerely,



Daniel Bergin, P.E.
Civil On Demand, LLC

Cc: Jimmy Mitchell, LEED BD+C; Tom Burket, PJ Callaghan

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

Agenda Report

Action Request: Motion to **DENY** the variance request for the construction of a new single family dwelling which exceeds the permitted height as presented, due to the request not advancing the purposes of Land Development Code (LDC) Sec. 1.1 and 3.12 and denial does not remove the ability to utilize the land parcel, as a dwelling could be constructed without the necessity of variance relief for Case No. 23091.

Strategic Objective:

Date: February 28, 2024

Prepared By: Kristin Coman, Senior Planner

Through: Jennifer McMahon, Chief Operating Officer

Summary of Issue: *Unnecessary and Undue Hardship Variance:* Ron Wilson, Peregrine Construction Group for Matthew Foster requests to construct a new single-family dwelling that exceeds the permitted height of 32' (40 feet from grade) with 32'11" (41.08 feet from grade) proposed for the elevator shaft to provide access to proposed rooftop area (LDC Sec. 20.17).

Funding: N/A

Attachments:

1. 23091 - 2814 Pass-a-Grille Way, Certificate of Completeness with Submittal Documents
2. 23091 - 2814 Pass-a-Grille Way - Staff Report



Memo To: Board of Adjustment
From: Kristin Coman, Senior Planner
Date: 12/28/2023
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 and placed on the agenda for **February 28, 2024**.

Variance Case Number: 23091

Application Type: Unnecessary and Undue Hardship Variance

Owner: Matthew Foster

Applicant/Agent: Same

Parcel Number: 18-32-16-17316-001-0110

Address: 2814 Pass-a-Grille Way, St. Pete Beach, FL 33706

Zone: RU-2/PAG

Submittal Documents:

1. Completed Unnecessary and Undue Hardship Variance application form last amended 11/29/23.
2. Boundary Survey prepared by John C. Brenda & Assoc., Inc. dated 4/12/21, consisting of 1 sheet.
3. Plan Set prepared by Peregrine Construction Group dated 2/7/23, consisting of 8 sheets containing the following: CS-Cover Sheet, A1-Site Plan, A2-1st FL, A3-2nd FL, A4-3rd & 4th FL, A5-Front & Rear Elevations, A6-Right Elevation, A7-Left Elevation.

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 | ☒ Denise Chase |
| ☒ Michael Bomar, Vice Chair | ☒ Dan Small |

Cc: Mathew Foster, Applicant/Owner ***via email*** (mfoster@pcgroupfl.com)

CASE #: 23091 PARCEL #: 18-32-16-17316-001-0110
 SUBMITTAL DATE: 11/8/23, 11/29/23 (resubmitted) AMOUNT DUE: \$500 pd 11/8/23 PAYMENT DATE: 11/8/23
29.66 pd 11/30/23

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	Mathew Foster	386 26th Ave SE St. Petersburg, FL 33705	813-857-3264
Applicant/ Agent			
Owner Email Address: mfoster@pcgroupfl.com		Applicant/Agent Email Address: Ron Wilson rwilson@pcgroupfl.com Ty G. Thompson tthompson@pdlegal.com	

PROPERTY FOR PROPOSED VARIANCE:

Zoning Designation	Future Land Use Designation	Lot Area
RU-2 PAG	RU	6000 Sq Ft
Legal Description: COLONIAL CORP REPLAT BLK 1, LOT 11		
Address: 2814 Pass A Grille Way		
Explanation of Request: Relief requested to construct a new single-family dwelling that has a 12'x6' Elevator Shaft located at center of structure that will exceed the permitted height of 32'-00" total height from 8' above grade or 40'-0" from grade by 11" to allow for ADA access to 500 sq ft deck. Requesting variance to allow height of Elevator Shaft only to be permitted to height of 32'-11" or 40'-11" from grade. Approximately the height of the sheet of paper this application is on.		

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;

There is minimal new homes to compare to in the PAG overlay. The majority of the existing homes are 1 and 2 story older homes that lack secondary mass and balance as required for new homes. The special condition and circumstance is to allow for ADA access to enjoy the views of both the Gulf of Mexico and intercoastal with no impact to surrounding existing homes as what we are requesting is less than 1' located in center of structure that will not be able to be seen from ground level and will not block any views from any surrounding existing homes.

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

No actions related to this request have been taken other than trying to apply for variance attempting to get minimal relief of 11" total building height to allow for ADA access to roof top deck.

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 only looking to provide access to roof top deck for persons that can't use the stairs that are also provided. Literal interpretation of the provisions of the Land Development code deprives the applicant the ability to construct a luxury home that meets the PAG Historical guidelines. Zoning would say we could lower the ceiling heights. We did lower the ceiling heights to the minimal we could and still maintain somewhat modern ceiling heights versus less than 9' ceilings from the 60's and 70's. With the value of the property and location it would be a hardship to have to construct this house with short ceilings when what we are asking for is minimal and has virtually no effect to the code or surrounding homes.

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 was not deliberately or knowingly created as this is the first district we have experienced that does not allow for exceeding height with elevator shafts, antennas, or chimneys. This variance does not increase development density.

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

The goal is to provide access by ADA or Elderly persons. We will not achieve greater financial return. In fact, our construction cost will increase by adding elevator shaft to roof.

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;

Granting the variance would convey the same treatment to the applicant as there has been several variances granted in same district for setbacks that are more intrusive than the 12" height request.

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

The requested variance is the only variance that makes possible the reasonable use of the structure for access to roof top deck by persons under the ADA and as noted above the request for relief is minimal with no impact to surrounding homes or community. We have already lowered ceilings heights to 10' main living level and 9'-4" 3rd floor bedroom level. This is a luxury home that will enhance the surrounding homes and community.

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.

Correct. The requested variance is minimal (11" height) as the elevator shaft is located directly in the center of the structure and will not be injurious to the neighborhood or otherwise detrimental to the public safety and welfare. However it will benefit the safety and welfare of any person visiting or living in the home that will then be able to access roof top deck.

It will be compatible with the neighborhood as we have re-designed the facade numerous times to appease the extremely subjective and ambiguous PAG Historical guidelines.

	11-29-23		11/29/23
Signature of Applicant	Date	Signature of Authorized Agent	Date

Owner's Authorization for Agent

Community Development Department

City of St. Pete Beach, Florida

I/WE

Matthew Foster
(print name of property owner)

hereby authorize

Ron Wilson
(print name of agent)

to represent me/us in an application for

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

Matt Foster
Signature of Owner

Signature of Owner

Matthew Foster
Print Name of Owner

Print Name of Owner

The forgoing instrument was acknowledged before me this 29 day of

NOVEMBER 2023 by MATT FOSTER or who is

personally known

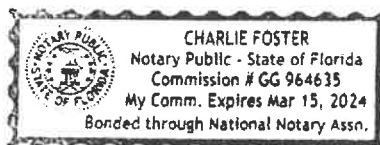
produced

as identification.

[Signature]
(Notary Signature)

11-29-23
(Date)

My Commission Expires 3-15-24



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.

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

MF 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.

MF 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.

MF 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.

MF 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.

MF 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.

MF 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.

Murt A
Signature of Applicant

11-29-23
Date



PUBLIC HEARING SIGN POSTING AFFIDAVIT

Applicant, Matthew Foster, 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): Matthew Foster

Address: 2814 Pass A Grille Way

Matt Foster 11-29-23
Signature Date

STATE OF FLORIDA)
PINELLAS COUNTY) SS:

The foregoing instrument was acknowledged before me this 29 day of NOVEMBER, 2023 by:
MATT FOSTER who appeared before me, and is personally known to me, or has produced
as identification, and did take an oath.

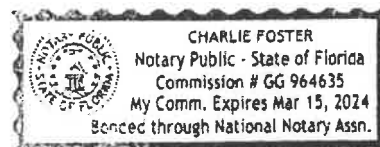
My commission Expires: 3-15-24

NOTARY: [Signature]

Print Name: CHARLIE FOSTER Notary

Public, State of Florida

(Notarial Seal)



NEW RESIDENCE

2814 PASS A GRILLE WAY

ST. PETE BEACH, FL 33706



STRUCTURAL DESIGN CRITERIA

FLORIDA BUILDING CODE - RESIDENTIAL 2020 13th EDITION
 BUILDING CODE 2020 FLORIDA BUILDING CODE - residential
 PLUMBING CODE 2020 FLORIDA PLUMBING CODE - residential
 MECHANICAL CODE 2020 FLORIDA MECHANICAL CODE - residential
 ELECTRICAL CODE 2017 NATIONAL ELECTRICAL CODE - residential
 CONSTRUCTION TYPE: VB
 OCCUPANCY: R3
 NUMBER OF FLOORS: THREE

Floor and Roof Live Loads

Uninhabitable Attics: 20 PSF
 Habitable Attics, Bedroom: 30 PSF
 All Other Rooms: 40 PSF
 Garage: 40 PSF
 Roofs: 20 PSF

Wind Design Data

Ultimate Wind Speed: 140 mph
 Nominal (Basic) Wind Speed: 112 mph

Risk Category: II
 Wind Exposure: C
 Enduse Classification: Endused
 Internal Pressure Coefficient: 0.18 +/-

Components and Cladding

Roofing Zone 1: 17.5 psf min. -27.4 psf min.
 Roofing Zone 2: 17.5 psf min. -48.8 psf min.
 Roofing Zone 3: 17.5 psf min. -77.8 psf min.
 Roofing and Zone 3 Overhangs: -58.4 psf min.
 Roofing and Zone 3 Overhangs: -95.8 psf min.

Stucco, Cladding, Doors, and Windows

Zone 4: 30.9 psf min. -33.1 psf min.
 Zone 5: 30.9 psf min. -40.8 psf min.
 Window OSH Dr: 25.8 psf min. -50.5 psf min.
 1 1/2" Heavy Glass Dr: 27.1 psf min. -58.8 psf min.

The Normal Wind Speeds used to determine these Component and Cladding Pressures

All interior glazed openings shall be protected from wind-borne debris as per Section 1804.1.2 of the 2017 Florida Building Code

Geotechnical Information

Design Soil Load Bearing Capacity: 2,000 psf

Flood Design Data

Flood Zone: AE
 Lowest Floor Elevation: 4.00' (+ 2.00') NAVD



INDEX OF DRAWINGS

C1	Cover Sheet
A1	Site Plan
A2	First Floor Dimensioned Plan
A3	Second Floor Dimensioned Plan
A4	Third Floor / Moon Deck Dimensioned
A5	Front and Rear Elevations
A6	Right Side Elevation
A7	Left Side Elevation
A8	First and Second Floor Electrical
A9	Third and Forth Floor Electrical
A10	Door Window Sched. First and Second Floor
A11	Door Window Sched. Third and Forth Floor
S1	Foundation Plan
S2	Second and Third Structural Plan
S3	Forth and Moon Deck Structural Plan
S4	Wall Section / AugerCast Pile
S5	Masonry Details
S6	Frame Details
S7	Misc. Details

BUILDING AREAS

First Floor Living	307 Sq Ft
Second Floor Living	2302 Sq Ft
Third Floor Living	2386 Sq Ft
Total Living	4995 Sq Ft
Garage/Storage	2053 Sq Ft
Lanai	365 Sq Ft
Covered Entry	137 Sq Ft
Front Balcony 2	158 Sq Ft
Rear Balcony 2	366 Sq Ft
Front Balcony 3	158 Sq Ft
Rear Balcony 3	330 Sq Ft
Moon Deck	535 Sq Ft
Total Non Living	4102 Sq Ft
Total Under Roof	9097 Sq Ft

*STRUCTURE IS LOCATED IN A SPECIAL FLOOD HAZARD AREA.
 All material below base flood elevation to be FEMA Class 4 or 5.

FLORIDA PRODUCT APPROVAL NUMBERS

CATEGORY	MANUFACTURER	FL APR #
EXTERIOR SWING DOORS	THERMA-TRU CORP.	FL-21142.12
GARAGE DOORS	CLOPAY BUILDING PRODUCTS	FL-5684.02
SLIDING GLASS DOORS	P&T INDUSTRIES	FL-251.5
SINGLE HUNG WINDOWS	P&T INDUSTRIES	FL-239.2
CASEMENT WINDOWS	P&T INDUSTRIES	FL-245.2
FIXED WINDOWS	P&T INDUSTRIES	FL-243.8
SOFFIT	JAMES HARDIE BUILDING PRODUCTS	FL-13265.1
CONCRETE LINTELS	CAST-CRETE USA, LLC	FL-158.1
METAL ROOF	Gulf Coast Supply & Manufacturing	NOA 19-0807.02

COVER SHEET

PROJECT INFORMATION
 2418 PASS A GRILLE WAY
 ST. PETE BEACH, FL

PEREGRINE
 CONSTRUCTION
 GROUP

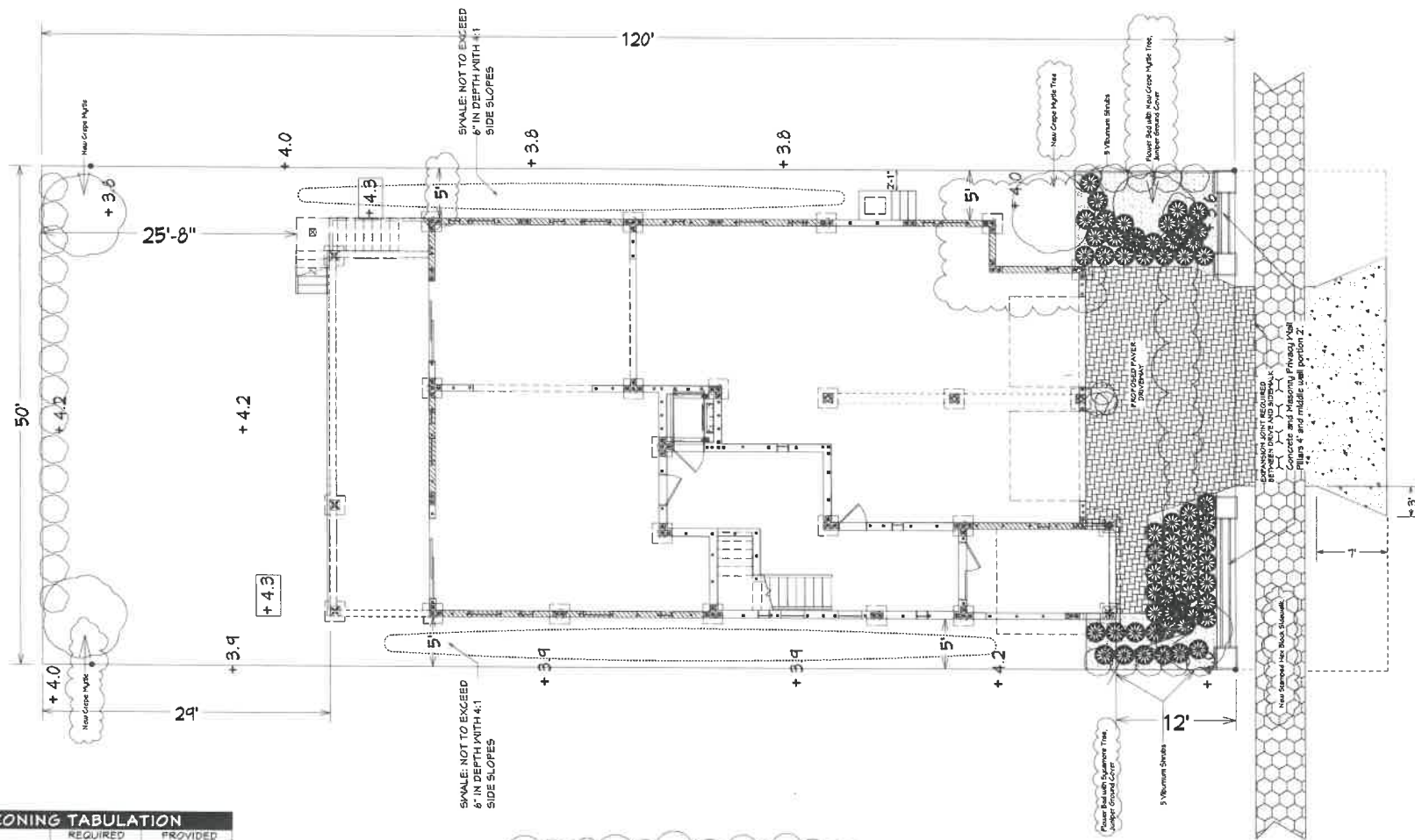


SEAL

DATE:
 02/07/2023

REVISION:
 10/19/23

CS



Unless noted otherwise St. Augustine Sod to be placed on all permeable areas. Connect new sprinkler system to re-claimed water meter.

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NOV 29 2023
COMMUNITY DEVELOPMENT

SITE PLAN
SCALE: 1" = 5ft.

ZONING TABULATION		
DESCRIPTION	REQUIRED	PROVIDED
ZONED	---	RU-2
LOT WIDTH	---	50'
MIN. LOT SQ. FOOTAGE	---	6,000 S.F.
SET BACKS / BUILDING HEIGHT		
FRONT	20'-0"	20'-0"
REAR	20'-0"	24'-0"
SIDES	10%	5'-0"
MAX HEIGHT	28'-0"	28'-0"
SITE CALCULATIONS: PERVIOUS / IMPERVIOUS / CALC		
LOT SIZE		6,000 S.F.
HOUSE FOOTPRINT		3,021 S.F. / 50%
DRIVEWAY / PADS / STEPS		305 S.F. / 5%
TOTAL		3,326 S.F. / 55%

PROJECT INFORMATION

2418 PASS A GRILLE WAY
ST. PETE BEACH, FL

PEREGRINE CONSTRUCTION GROUP

DATE:

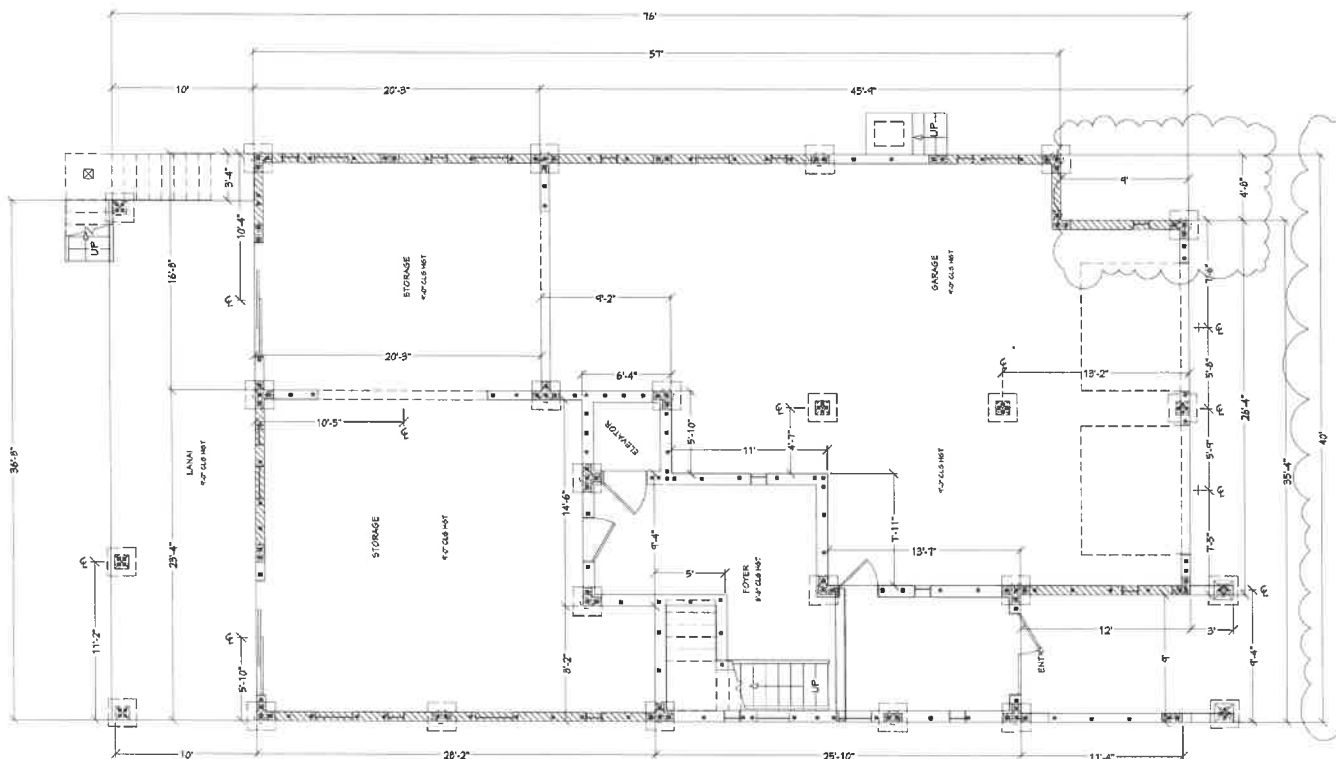
02/07/2023

REVISION:

10/19/23

A1

NOTE: All Dimensions are to main structural member of wall.



WALL LEGEND	
1	TRANSIBLE 8" CMU BLOCK WALL
2	8" CMU BLOCK WALL
3	8" CMU BLOCK WALL w/ 1/2" Diagonal over 3/4" PT Furring over 3/4" Rigid R5.0 Insulation
4	2x6 EXTERIOR LOAD BEARING WALL Studs 16" O.C. w/ 1/2" Advantech Zip System Sheathing and R-19 Batt Insulation
5	2x LOAD BEARING WALL Studs 16" O.C.
6	2x INTERIOR NON-BEARING WALL Studs 16" O.C.

Note: All 2x Framed Wall Studs 16" O.C.

BUILDING AREAS

First Floor Living	307 Sq Ft
Second Floor Living	2302 Sq Ft
Third Floor Living	2386 Sq Ft
Total Living	4995 Sq Ft
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Rear Balcony 2	366 Sq Ft
Front Balcony 3	158 Sq Ft
Rear Balcony 3	330 Sq Ft
Moon Deck	535 Sq Ft
Total Non Living	4102 Sq Ft
Total Under Roof	9097 Sq Ft



FIRST FLOOR DIMENSIONED

SCALE: 1/4" = 1'

PROJECT INFORMATION
2418 PASS A GRILLE WAY
ST. PETE BEACH, FL

PEREGRINE
CONSTRUCTION
GROUP



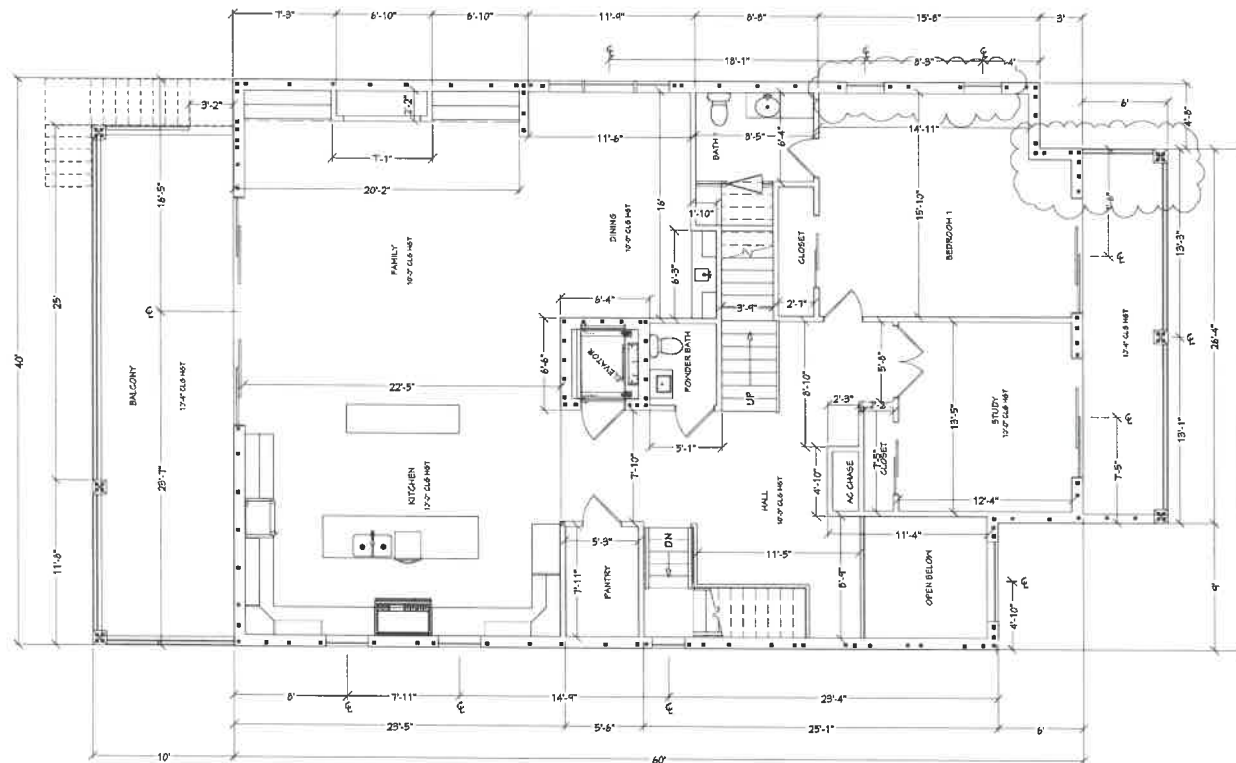
SEAL

DATE:
02/07/2023

REVISION:
10/19/23

A2

NOTE: All Dimensions are to main structural member of wall.



WALL LEGEND	
1	FRANGIBLE 8" CMU BLOCK WALL
2	8" CMU BLOCK WALL
3	8" CMU BLOCK WALL w/ 12" Drywall over 3/4" FT Furring over 3/4" Rigid R-13 Insulation
4	2x6 EXTERIOR LOAD BEARING WALL Stude 16" O.C. w/ 1/2" Advantech Zip System Sheathing and R-19 Batt Insulation
5	2x LOAD BEARING WALL Stude 16" O.C.
6	2x INTERIOR NON-BEARING WALL Stude 16" O.C.

Note: All 2x Framed Wall Stude 16" O.C.

BUILDING AREAS

First Floor Living	307 Sq Ft
Second Floor Living	2302 Sq Ft
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Rear Balcony 2	366 Sq Ft
Front Balcony 3	158 Sq Ft
Rear Balcony 3	330 Sq Ft
Moon Deck	535 Sq Ft
Total Non Living	4102 Sq Ft
Total Under Roof	9097 Sq Ft



SECOND FLOOR DIMENSIONED

SCALE: 1/4" = 1'

PROJECT INFORMATION
2418 PASS A GRILLEWAY
ST. PETE BEACH, FL

PEREGRINE
CONSTRUCTION
GROUP



SEAL

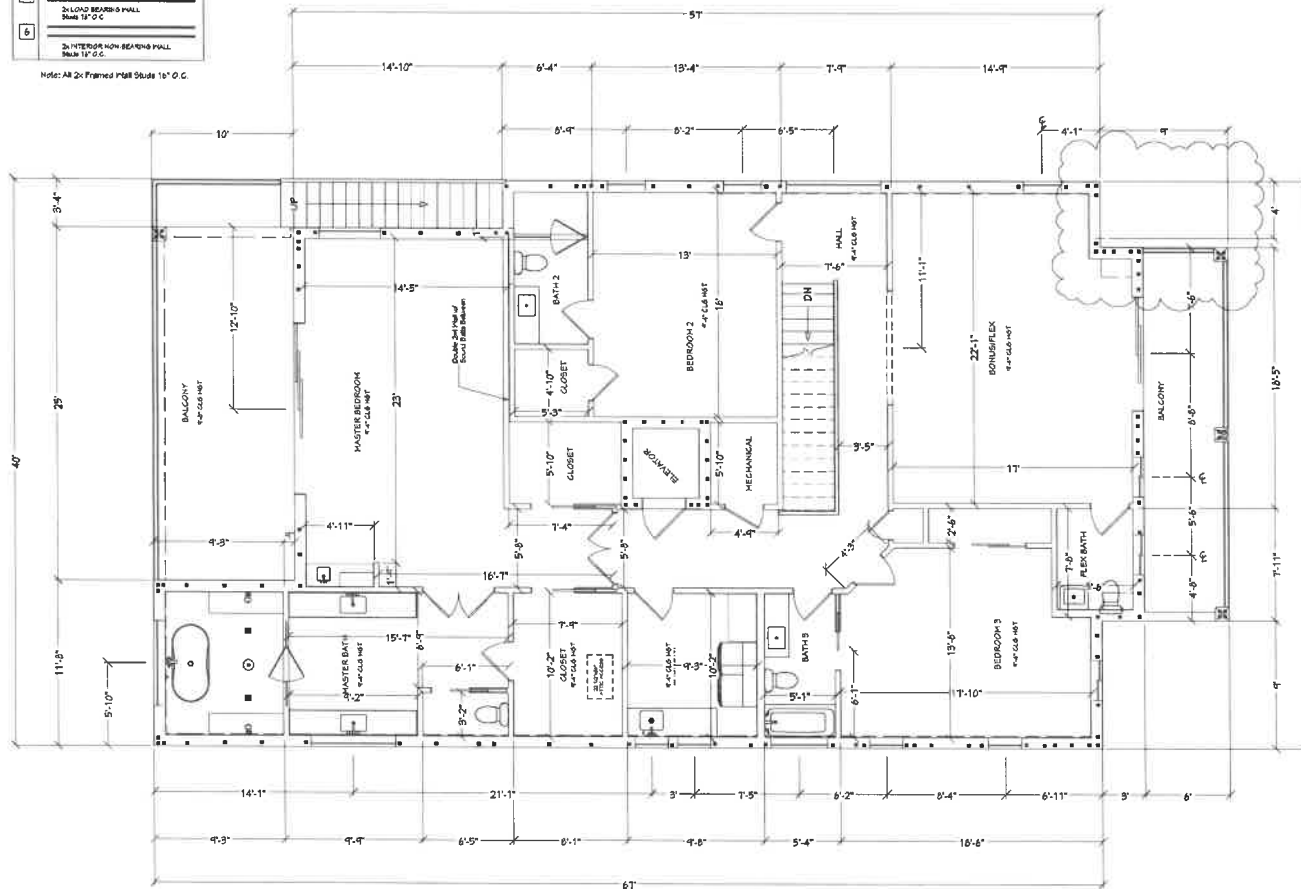
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02/07/2023

REVISION:
10/19/23

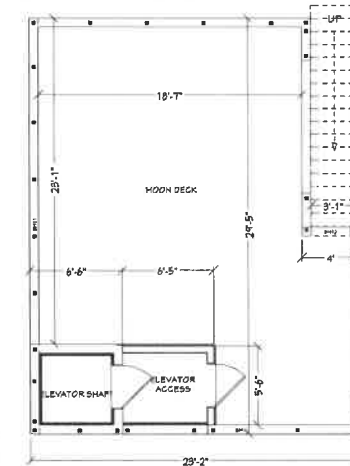
A3

WALL LEGEND	
1	TRANSIBLE 8" CMU BLOCK WALL
2	8" CMU BLOCK WALL
3	8" CMU BLOCK WALL w/ 1/2" Diagonal cross-hatch pattern 3/4" rigid RS-D insulation
4	2x4 EXTERIOR LOAD BEARING WALL Studs 16" O.C. w/ 1/2" insulation 2x System Sheathing and 6-1/8" Insulation
5	2x4 LOAD BEARING WALL Studs 16" O.C.
6	2x4 INTERIOR NON-BEARING WALL Studs 16" O.C.

Note: All 2x4 Framed Walls Studs 16" O.C.



NOTE: All Dimensions are to main structural member of wall.



BUILDING AREAS

First Floor Living	307 Sq Ft
Second Floor Living	2302 Sq Ft
Third Floor Living	2386 Sq Ft
Total Living	4995 Sq Ft
Garage/Storage	2053 Sq Ft
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PROJECT INFORMATION

2418 PASS A GRILLEWAY
ST. PETE BEACH, FL

PEREGRINE
CONSTRUCTION
GROUP



SEAL

DATE:
02/07/2023

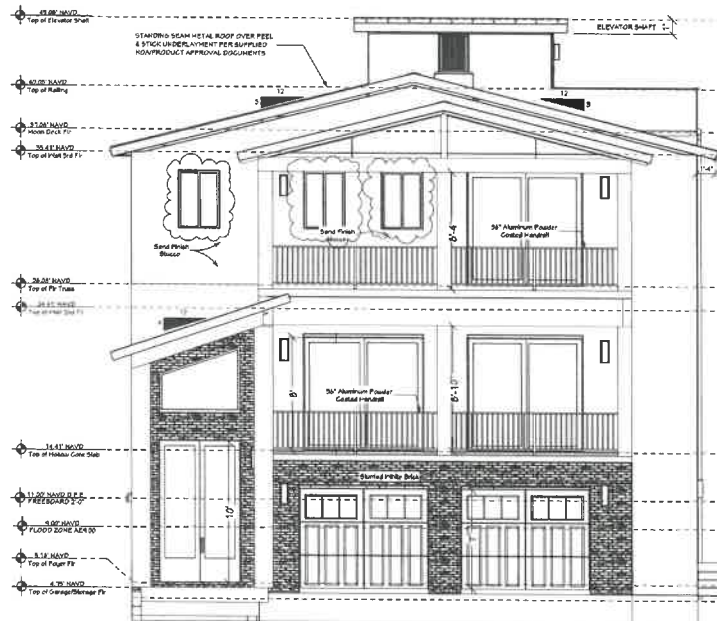
REVISION:
10/19/23

A4

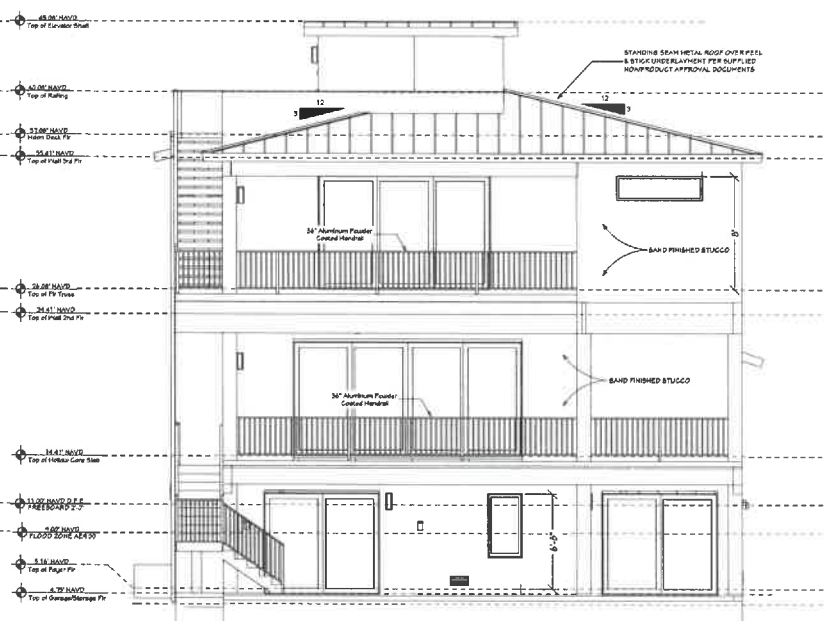


THIRD AND FORTH FLOOR DIMENSIONED

SCALE: 1/4" = 1'



FRONT



REAR



FRONT AND REAR ELEVATIONS

SCALE: 1/4" = 1'

PROJECT INFORMATION
2418 PASS A GRILLE WAY
ST. PETE BEACH, FL

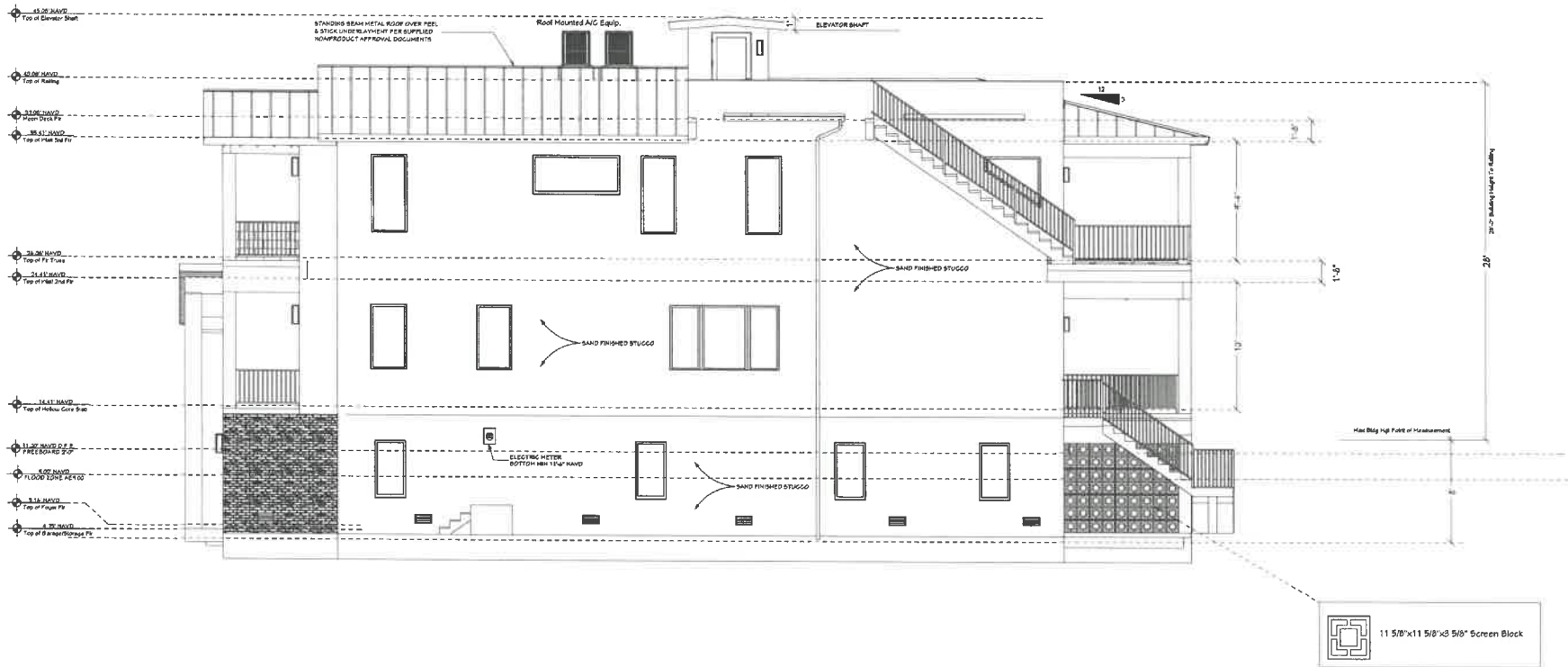
PEREGRINE
CONSTRUCTION
GROUP



DATE:
02/07/2023

REVISION:
10/19/23

A5



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RIGHT SIDE ELEVATION

SCALE: 1/4" = 1'

PROJECT INFORMATION
2418 PASS A GRILLEWAY
ST. PETE BEACH, FL

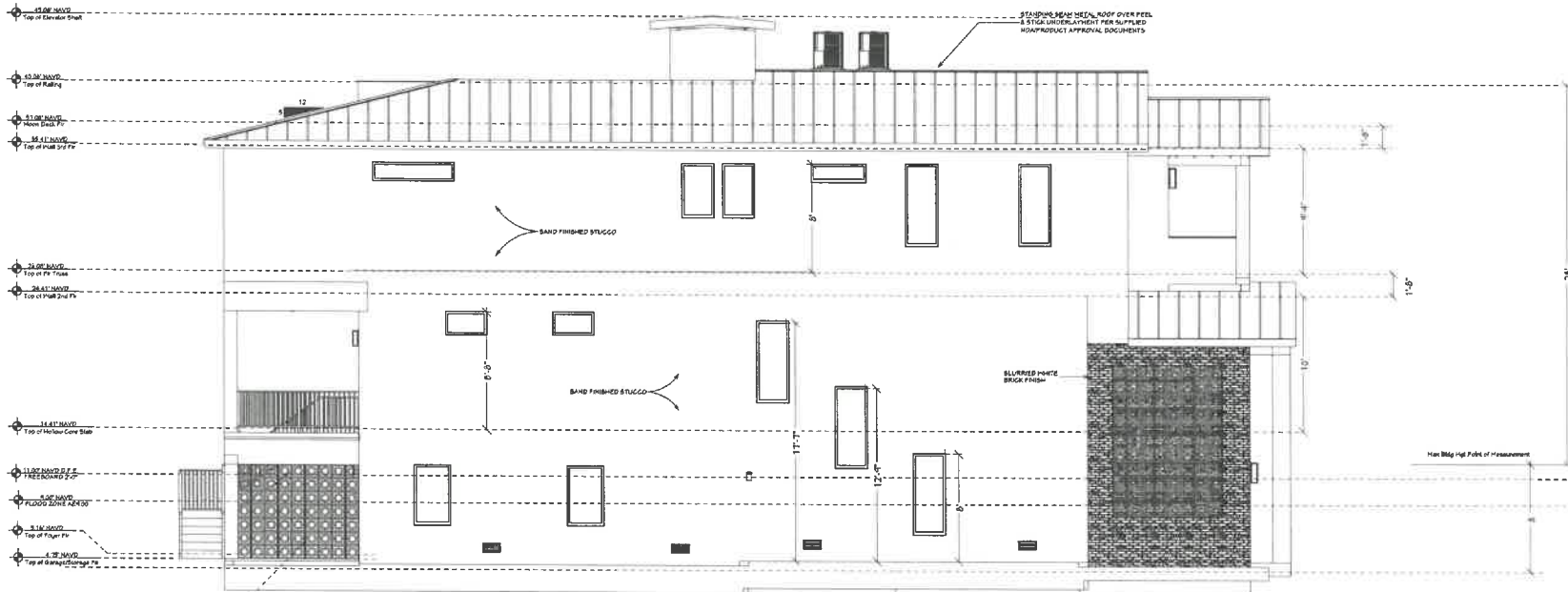
PEREGRINE
CONSTRUCTION
GROUP

TEAL

DATE:
02/07/2023

REVISION:
10/19/23

A6



RECEIVED
 NOV 29 2023
 COMMUNITY DEVELOPMENT

LEFT SIDE ELEVATION
 SCALE: 1/4" = 1'

PROJECT INFORMATION
 2418 PASS A GRILLE WAY
 ST. PETE BEACH, FL

PEREGRINE
 CONSTRUCTION
 GROUP

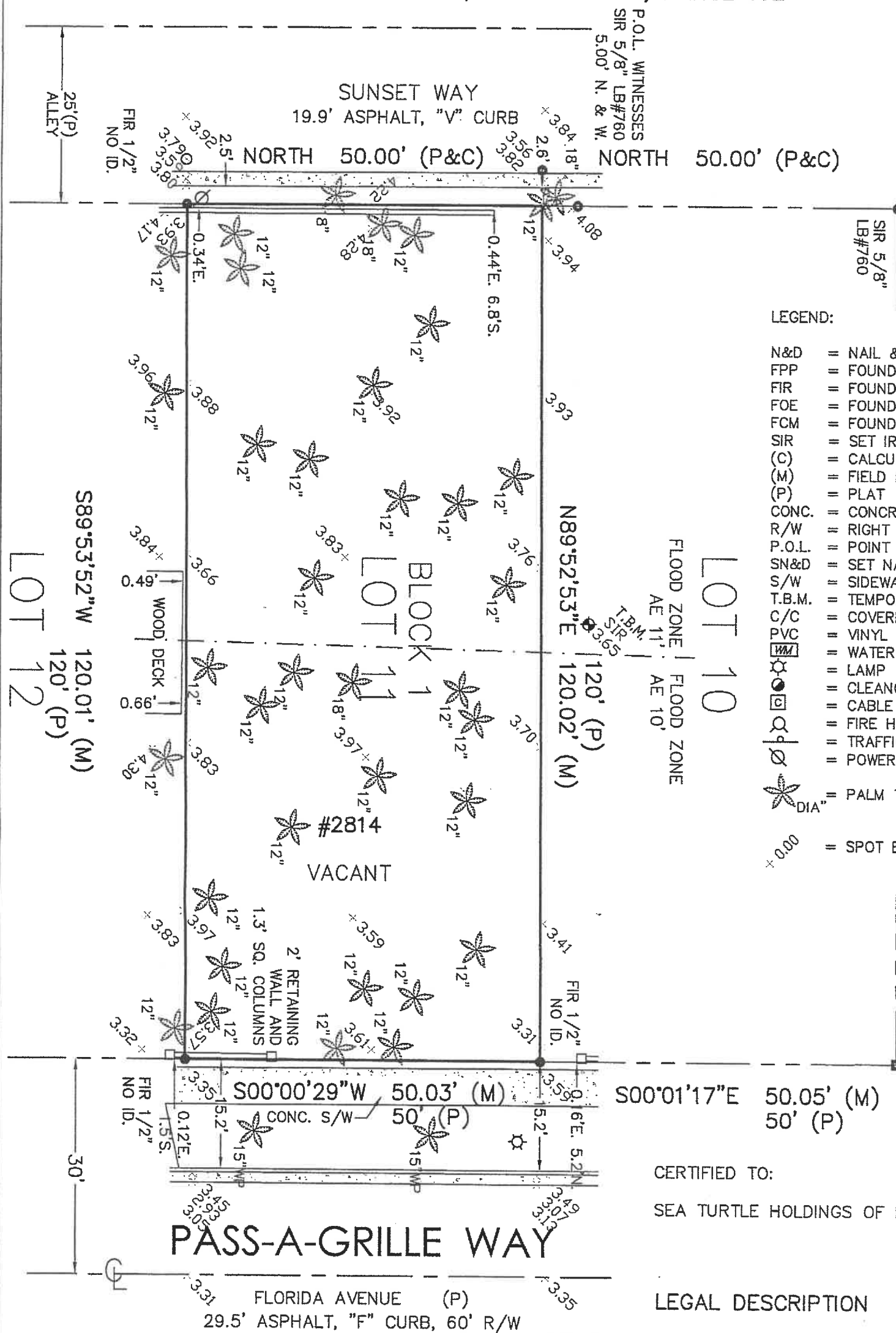
DATE:
 02/07/2023

REVISION:
 10/19/23

A7

SECTION 18, TOWNSHIP 32S, RANGE 16E

NORTH BASIS:
ASSUMED
SCALE: 1" = 20'



LEGEND:

- N&D = NAIL & DISK
FPP = FOUND PINCHED PIPE
FIR = FOUND IRON ROD
FOE = FOUND OPEN END PIPE
FCM = FOUND CONC. MONUMENT
SIR = SET IRON ROD
(C) = CALCULATED
(M) = FIELD MEASUREMENT
(P) = PLAT
CONC. = CONCRETE
R/W = RIGHT OF WAY
P.O.L. = POINT ON LINE
SN&D = SET NAIL AND DISK
S/W = SIDEWALK
T.B.M. = TEMPORARY BENCHMARK
C/C = COVERED CONCRETE
PVC = VINYL FENCE
W = WATER METER
LAMP = LAMP
CLEANOUT = CLEANOUT
CABLE T.V. = CABLE T.V.
FIRE HYDRANT = FIRE HYDRANT
TRAFFIC SIGN = TRAFFIC SIGN
POWER POLE = POWER POLE
PALM TREE = PALM TREE
SPOT ELEVATION = SPOT ELEVATION

CERTIFIED TO:

SEA TURTLE HOLDINGS OF PASS A GRILLE LLC

LEGAL DESCRIPTION

LOT 11, BLOCK 1, ACCORDING TO THE PLAT OF
COLONIAL CORPORATION'S REPLAT OF BLOCKS 'E', 'F', 'B' AND 'H' OF
SECTION 'A' NORTH PASS-A-GRILLE
AS RECORDED IN PLAT BOOK 9, PAGE 107
OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

BOUNDARY SURVEY WITH TOPOGRAPHY AND TREES - 4/12/2021

Flood Zone
AE (EL. 11'), AE (EL. 10')
COMMUNITY PANEL #125149 12103C0278 G,
REVISED 9/3/03

Basis of Bearings:
WEST BOUNDARY
ASSUMED NORTH

Benchmark:
COUNTY #285 NOAA 1923
EL. = 7.286' N.G.V.D., ADJUSTED TO
EL. = 6.54' N.A.V.D. M.S.L. = 0.00'

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.

2103-52.CRD

FIELD BOOK 964 PAGE 65

This Survey was prepared without the benefit of a title search and is
subject to all easements, Rights-of-way, and other matters of record.

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

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

JOB# 2103-52S
Dwn: JM

JOHN O. BRENDLA
Florida Surveyor's Registration No. 4601
Certificate of Authorization No. LB 760

Prepared by:
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



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

PLANNING DEPARTMENT

Date: February 5, 2024
To: Board of Adjustment
Re: Staff Findings Report
Unnecessary and Undue Hardship Variance
Matthew Foster
Parcel Number: 18-32-16-17316-001-0110
Address: 2814 Pass-a Grille Way
Variance Case No: 23091

Prepared by: Kristin Coman, Senior Planner

Hearing Date: 2/28/2024

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

1. Completed Unnecessary and Undue Hardship Variance application form last amended 11/29/23.
2. Boundary Survey prepared by John C. Brendla & Assoc., Inc. dated 4/12/21, consisting of 1 sheet.
3. Plan Set prepared by Peregrine Construction Group dated 2/7/23, consisting of 8 sheets containing the following: CS-Cover Sheet, A1-Site Plan, A2-1st Fl., A3-2nd Fl., A4-3rd & 4th Fl., A5-Front & Rear Elevations, A6-Right Elevation, A7-Left Elevation.
4. Staff Findings Report to the Historic Preservation Board, Case No. 23077, prepared by Brandon Berry, dated 10/5/2023, consisting of 10 pages.

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

Site Description/Surrounding Land Uses

The subject site is a 5,998 sq. ft. (approx. 0.14 acre) parcel located at 2814 Pass-a-Grille Way. known as parcel number 18-32-16-17316-001-0110 and legal description COLONIAL CORP REPLAT BLK 1, LOT 11 within the AE-Elevation 9 flood zone. The property is located in the RU-2/PAG zone; RU, Residential Urban on the future land map and currently vacant. The parcel is located within Pass-a-Grille with Sunset Way and single-family residential uses to the west, Pass-a-Grille Way and single-family use to the east, two-family residential use to the south, and a vacant corner parcel directly to the north.

Background History

In October and November 2023, Case No. 23077 a design review of a new single-family residence, to be constructed to the House – Medium building type standards of the Pass-a-Grille Overlay District, was

presented to the Historic Preservation Board (HPB) as required by Resolution 2023-04. The Board made design recommendations and requested that the application be returned to the Historic Preservation Board for recommendation to the Board of Adjustment in connection with the proposed height variance, which was included on the February 1, 2024, agenda. At the conclusion, the members of the HPB passed a motion (5-0) to recommend the denial of the height variance where it was expressed that due to nature of the empty lot it was felt to be a self-created hardship where modifications could be made to eliminate the need for variance relief.

Figure 1: Aerial Photography



Source: Pinellas County Property Appraiser

Figure 2: Zoning Map



Source: City of St. Pete Beach Official Zoning Map Page 13 of 15, dated 7/20/2012

Request

The applicant requests to construct a single-family residence that exceeds the permitted height of 32' (40 feet from grade) with 32'11" (41.08 feet from grade) proposed for elevator shaft to provide access to proposed rooftop area (LDC Sec. 20.17).

Analysis

1. New variances required as a result of the proposed changes:
 - a. **Maximum Dwelling Height:** The applicant is requesting an increase of 11" above the permitted height of 32' for a proposed height of 32'11" (LDC Sec. 20.17).

Figure 3: Zoning Table				
Detached, Single-Family Residential (House-Medium)	2814 Pass-a-Grille Way			
	Minimum	Maximum	Existing	Proposed
Lot Area	4,000 sq. ft.		6,000 sq. ft.	No Change
Lot Width	40'	55'	50'	No Change
Lot Depth	100'		120'	No Change
Front Yard Setback	10'	15'		12'
Side Yard Setback	5'			5' (both)
Rear Yard Setback - Interior Lot	15'			5' (v)
Rear Yard Setback - Garage Adjacent to Alley	5'			
ISR (Max.)		70%		56%
Height (Max.)		28'-32' (40' from grade) as defined in Sec. 20.17		32'11" (41.08' from grade) (v)
*Denotes existing non-conformity (v) = Variance required				

Figure 4: 3D Representation of New Dwelling, Sheet CS, Cover Sheet



Figure 5: Existing Survey (N.T.S)

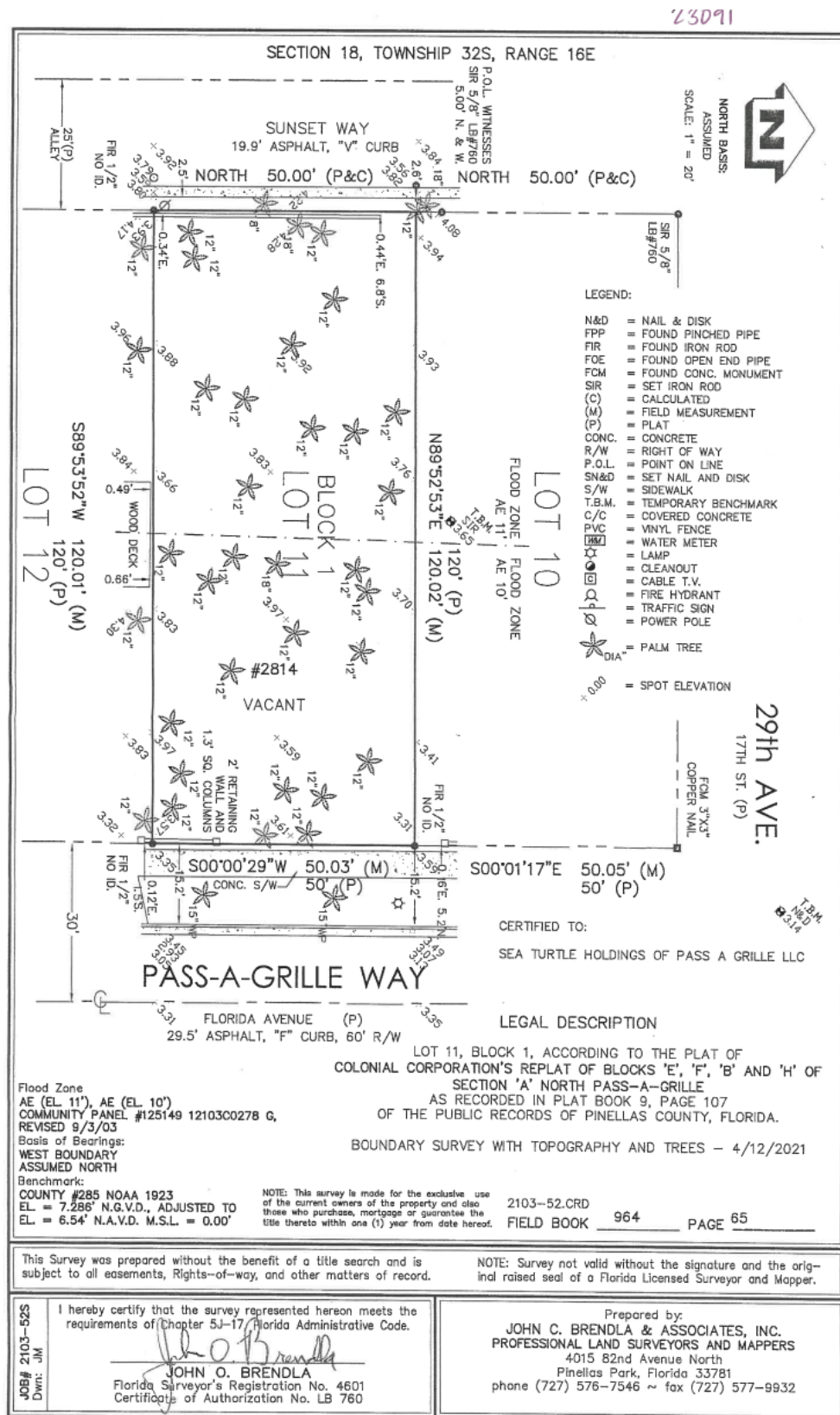


Figure 6: Site Plan with Proposed Single-Family Dwelling (N.T.S.), Sheet A1

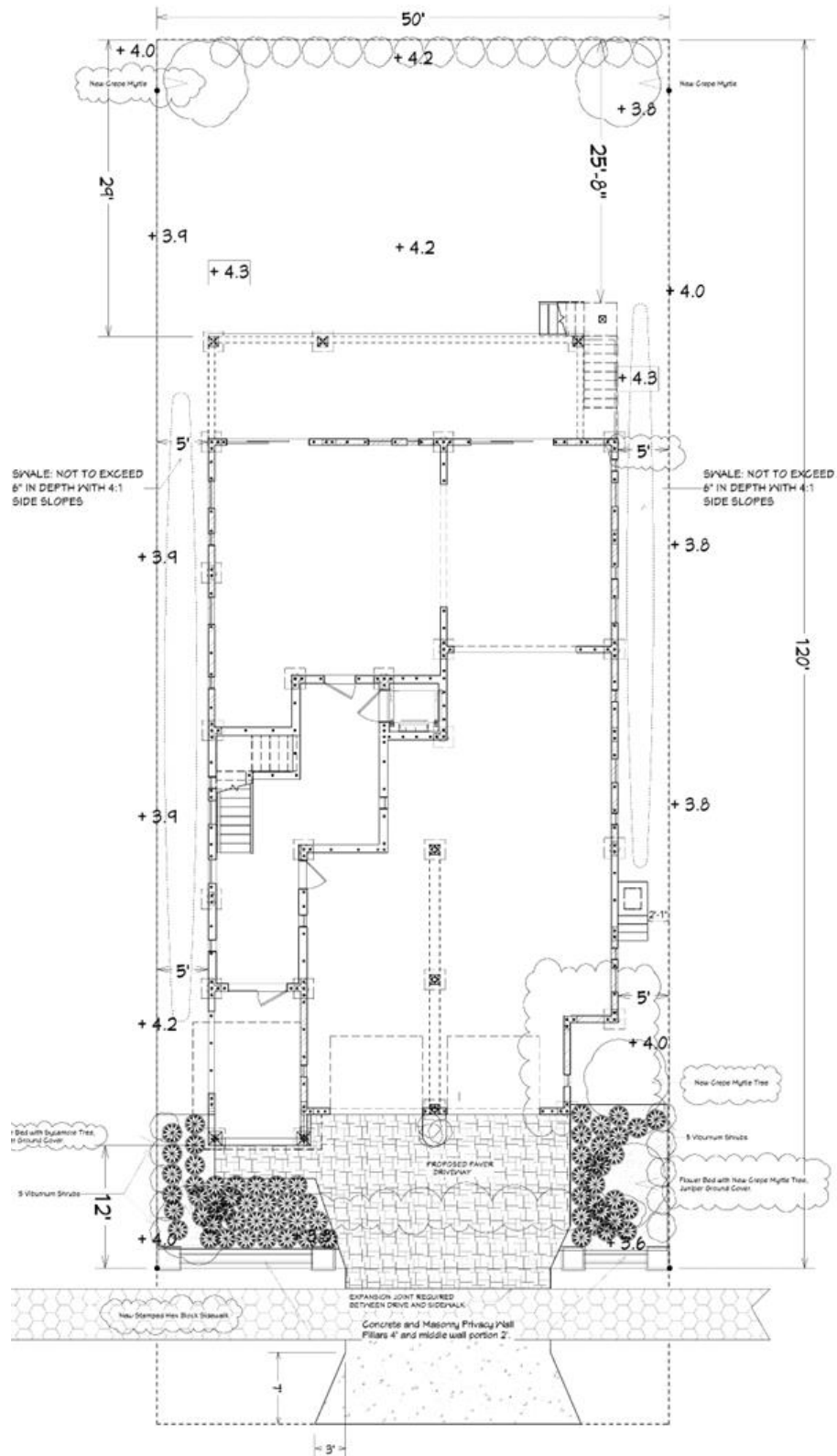


Figure 7: Proposed Front Elevation (N.T.S.), Sheet A5

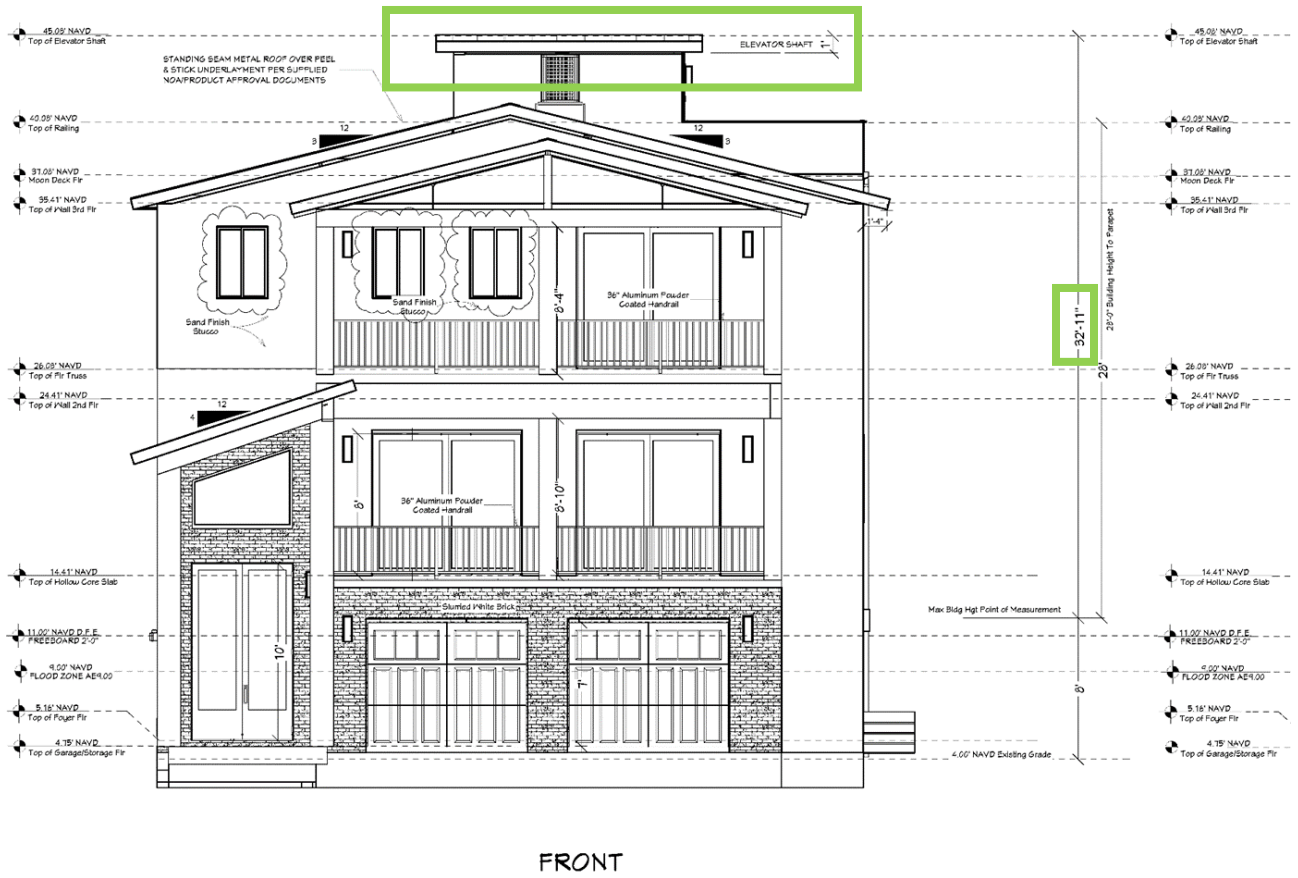
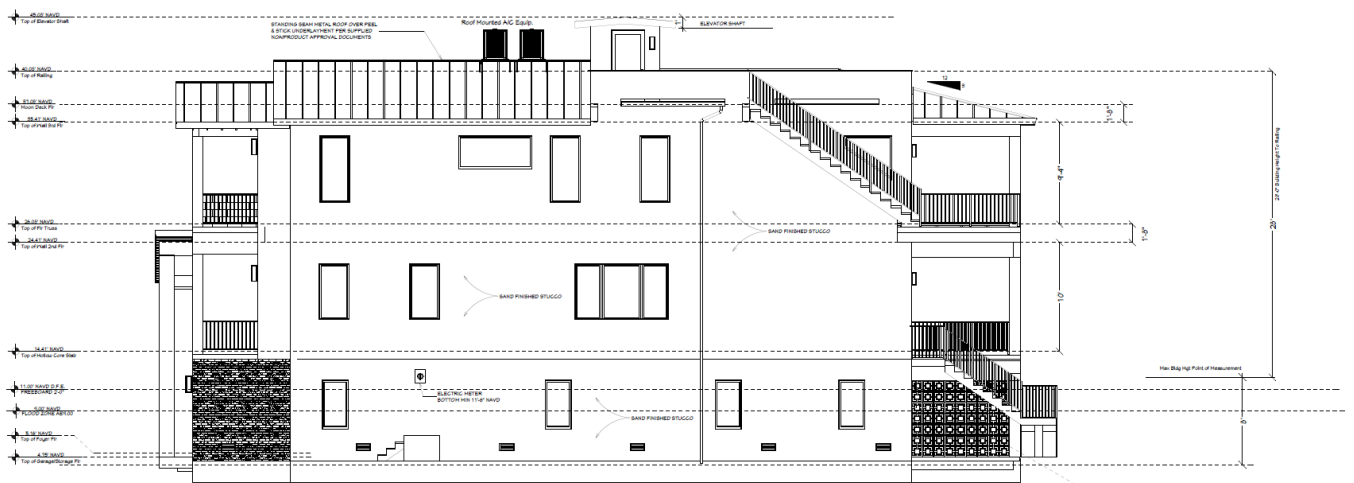


Figure 7: Proposed Side Elevation, North (N.T.S.), Sheet A6



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;
 - *With the current lot dimensions of 50' x 120', the lot meets the minimum lot area required for the underlying RU-2 zone but does not meet the required 60' width. Deficient parcels located within the Pass-a-Grille Overlay District do not have the option to build to the underlying RU-2 zone and must build to the building types within the Overlay. It should be noted that the adjacent vacant lot to the north of this parcel will also be required to build to the Overlay if/when being developed and is not isolated.*
 2. The special conditions and circumstances do not result from the actions of the applicant or a prior owner of the property;
 - *The Pass-a-Grille Overlay District has absolute height limitations while other residential zoning districts permit up to a ten-foot overrun for ancillary mechanical and other above-roof features.*
 - *The Pass-a-Grille Overlay provides for additional height greater than the underlying zone, where the maximum height is 30', 2' less than the overlay. The proposed dwelling is considered new construction and could have been designed to meet code compliance without the necessity of relief being required.*
 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;
 - *The lot is viable and the current home design meets the required building envelope requirements in terms of setbacks and impervious surface ratio (ISR). Reviewing city files, parcels that have been approved for new home construction to the overlay standards, have met the height requirement and variance relief was not requested with those designs.*
 - *A literal interpretation of the provisions of the Land Development Code will not deprive the applicant of rights commonly enjoyed by other properties in the same zoning district and will not 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;
 - *The request will establish a structure of greater height than permitted in the district. No element is permitted to exceed 32' from eight feet above grade and the top of the elevator shaft is shown as 32'11" (45.08' NAVD). The applicant's original design had a greater degree of non-conformity with a proposed height of 46.75' NAVD when before the Historic Preservation Board in October, 2023.*

5. An applicant's desire or ability to achieve greater financial return or maximum financial return from his property does not constitute hardship;
 - *During the Historic Preservation Board (HPB) meetings, the applicant advised that the new dwelling is to be constructed and placed on the market. At the latter Historic Preservation Board meeting, there was discussion of the possibility of lowering the interior ceiling heights to meet the maximum height requirement which the applicant advised some reduction was made but not enough to eliminate a variance request where a lower height may not meet buyer expectations and could be partially interpreted as a desire to achieve greater financial return forms some basis of the hardship for this request.*
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;
 - *It is expected that the adjacent vacant parcel to the north, with identical lot dimensions, will also need to adhere to the Pass-a-Grille Overlay in its design and construction. It may be beneficial to consider when developed, the design of this dwelling for may be looked at for inspiration and to gauge what is allowed within the overlay regulations.*
7. The requested variance is the minimum variance that makes possible the reasonable use of the land, building, or structure; and
 - *The property owner is required to build a new dwelling to the Pass-a-Grille Overlay standards and chose to design a dwelling that will not fully conform to House-Medium height standards with the addition of an elevator to the 4th floor moon deck. Should the variance for the extra height be denied, the dwelling could be redesigned to eliminate the moon deck or alter the ceiling heights to meet the permitted height as a moon deck could not be considered an essential element but rather an accessory. It is also noted that between the proposed 2nd and 3rd floors there are 4 balcony areas comprising over 1,000 sq. ft. as shown on the floor plans submitted.*
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.
 - *As per the Land Development Code Sec. 20.01. Purpose and intent.*
The City recognizes that the Pass-a-Grille Area was developed prior to the development of suburban zoning regulations. The (PAG) Pass-a-Grille Overlay District is intended to allow for structures that are considered contributing to the National Register Historic District to be considered conforming regarding base flood elevations and uses of property within the Pass-a-Grille area situated south of 32nd Avenue, in order to ensure that structures and uses will be compatible with the character of existing development, including the area within the designated Pass-a-Grille Historic District. Also, to recognize that the existing parcel size's, uses and overall character of the PAG shall be permitted to continue as viable uses while allowing for improvements to existing structures, additions and new development that is consistent with the existing mass and scale within the district.
 - *New dwellings situated within the historic district are subject to requirements regarding permitted building types and overall architectural design, aimed at preserving the area's character. The Historic Preservation Board provided input on the design of the proposed new*

residence, expressing the view that the requested relief wasn't justified as it seemed to stem from the design created by the applicant themselves.

Other:

- The applicant should provide testimony as to the necessity of access via elevator to the moon deck as there is over 1,000 sq. ft. of balcony areas proposed.
- The applicant is requested to clarify whether the entire residence has been designed with ADA access in consideration, as this was highlighted in various sections of the criteria outlined in the variance application.
- The applicant should provide testimony as to if any alternate plans have been developed should the variance not be granted.

Recommendation

Staff finds the proposed variance relief sought does not advance the purposes of Land Development Code Sec. 1.1 and 3.12 and finds the benefit of granting the variances from the applicable LDC section, Sec. 20.17 will be of substantial detriment and impair the intent and purpose of the zoning code. Denial of the proposal does not remove the ability to utilize the land parcel, as adjustments can be made to ensure compliance with codes. Moreover, the recommendation of denial from the Historic Preservation Board is also factored into consideration. Consequently, the staff recommends **denial** of the request.

Should the board look favorably on the application on the relief request, the board may want to consider the following condition(s):

- The rooftop mechanical equipment as currently shown required to be relocated from the front of the dwelling to the rear rooftop or alternate location that would meet requirements of LDC Sec. 6.14.

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: Matthew Foster, Owner **via email** (mfoster@pcgroupfl.com)
Ron Wilson, Applicant **via email** (rwilson@pcgroupfl.com)
Board of Adjustment Attorney

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

Agenda Report

Action Request: Motion to APPROVE WITH CONDITIONS Case No. 23076 to permit the installation of a monument sign as presented that does not meet the required 10' front setback with 4' from Gulf Blvd. and 3' from 50th Ave. with the staff recommendation the following condition should apply:

- Sign layout to be modified so that street address numbers are clearly visible, enhancing visibility and site identification to be reviewed and approved by staff at time of permitting.

Strategic Objective:

Date: February 28, 2024

Prepared By: Kristin Coman, Senior Planner

Through: Jennifer McMahon, Chief Operating Officer

Summary of Issue: *Unnecessary and Undue Hardship Variance:* Anthony Sparacino, Extreme Signage for Renate Ostrovskis Living Trust requests installation of 8'9" x 4', (35 sq. ft.), monument sign with overall height of 8' that does not meet 10' required front yard setbacks with 4' (Gulf Blvd.) and 3' (50th Ave.) proposed (LDC 26.38(a)).

Funding: N/A

Attachments:

1. 23076 - 4999 Gulf Blvd - Certificate of Completeness and Submittal Documents
2. 23076 - 4999 Gulf Blvd, Staff Report



Memo To: Board of Adjustment
From: Kristin Coman, Senior Planner
Re: **CERTIFICATE OF COMPLETENESS**
Date: 1/2/2024

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 **February 28, 2024**.

Variance Case Number: 23076
Application Type: Hardship Variance
Owner: Renate Ostrovskis Living Trust
Applicant/Agent: Anthony Sparacino, Extreme Signage
Parcel Number: 06-32-16-00000-320-1000
Address: 4999 Gulf Blvd., St. Pete Beach, FL 33706
Zone: AC

Submittal Documents:

1. Completed Unnecessary and Undue Hardship application form.
2. Boundary Survey prepared by Bullseye Surveying, Inc. dated 2/24/2023, consisting of 1 sheet showing limited improvements of site.
3. Portion of survey with no preparer information or date, consisting of 1 sheet showing proposed location of freestanding sign.
4. Sign schematic prepared by Extreme Signage, dated 10/13/22, 1 page.
5. Photos, showing aerial and ground views of the property, no time or date supplied, total of 3 photos on 1 sheet.

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

City/Board Professionals:

- | | |
|---|--|
| ☒ Board of Adjustment Attorney via email | ☒ TRC Committee via email |
| ☐ Code Enforcement Manager via email | ☐ City Manager |

Board Members:

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

Cc: Renate Ostrovskis Living Trust - Owner **via email** (seapalmsmotel.com)
Anthony Sparacino, Extreme Signage - Applicant **via email** (tony@extremesignage.com;
permitting@extremesignage.com)

CASE #: 23076PARCEL #: 06-32-16-00000-320-100SUBMITTAL DATE: 12-22-23 AMOUNT DUE: 665.17 PAYMENT DATE: 9-19-23**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	Renate ASTROVSKI	4999 Gulf Blvd St Pete Beach FL 33706	727-360-9678
Applicant/Agent	Anthony SPARACINO	5050 Seminole Blvd St Pete FL 33708	727-279-7446
Owner Email Address:		Applicant/Agent Email Address:	
Seapalmsmotel@aol.com		Tony@extremesignage.com Permitting@extremesignage.com	

PROPERTY FOR PROPOSED VARIANCE:

Zoning Designation	Future Land Use Designation	Lot Area
Activity center (AC)	AC AC	1.04 AC 45342 sqft
Legal Description: unplatted land lying in SW 1/4 of sec 06-32-16 Beg at SE cor 60th Ave & Gulf Blvd Th N 55° 27' 20" E 354 ft (S) to S wall Th SE 1/4 114 ft (S) Th S 55° 27' 20" W 110 ft (S) Th S 41° 12' 11" E 278 ft to SE 1/4 27' 20" W 278 ft to E/W Gulf Blvd Th N 18° 23' 40" W 130.22 ft to POB cont 1.04 ACLC		
Explanation of Request: 96" x 96" overall measurement new monument sign with 48" x 9" "no vacancy" sign. Sign cabinet on monument sign measures 48" x 96" = 32 sqft. No vacancy sign is 3 sqft. Signage total 35 sqft. Requested Setback of sign 4 feet from Gulf Blvd property line and 3 feet from 60th Ave.		

Sign located at 4999 Gulf Blvd St Pete Beach FL 33706.

Where 10 ft is required.

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;

THE MINI GOLF COURSE HAS THEIR PUTTING HOLES BUILT OUT CLOSE TO THE PROPERTY LINE AND THERE IS ONLY ONE AREA THEY CAN PUT THE SIGN UP WITHOUT DESTROYING AND RE-DESIGNING THE MINI GOLF COURSE.

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

THEY DO NOT. THERE WAS AN EXISTING POLE SIGN ON THE ONLY AREA OF THE PROPERTY THAT HAS SOME LAND SPACE NOT USED FOR A PUTTING HOLE.

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;

THE SIGN SETBACK IS NOT ALLOWING THE SIGN TO GO BACK UP WHERE IT WAS. NEW SETBACK REQUIREMENTS ARE 10 FEET FROM PROPERTY LINE WHICH PUTS THE SIGN RIGHT ON ONE OF THE PUTTING GREENS.

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;

THE EXISTING SIGN FELL DOWN FROM A STORM AND CLIENT IS COMPLYING WITH NEW SIGN STANDARDS BUT ACCORDING TO CODE CANNOT PUT BACK UP IN SAME LOCATION DUE TO SETBACK.

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

THERE ARE NO CURRENT SIGNS INDICATING THE NAMES OF THE BUSINESSES OR EVEN SHOWING THAT THERE IS A "MOTEL" IN THE BACK LOT WITH ANY VACANCY'S

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;

CUSTOMER WILL COMPLY WITH SIGN CODE FOR HIS NEW SIGN BUT DUE TO LAND SPACE RESTRICTION NEEDS TO PUT CLOSER TO THE PROPERTY LINE THAN THE 10 FOOT SETBACK PER CODE.

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

CUSTOMER IS REQUESTING A 4 FOOT SETBACK FROM GULF BLVD AND 3 FEET FROM 50TH AVE WHICH DOES NOT INTERFERE WITH A VISIBILITY CONE.

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.

ACCORDING TO SIGN CODE WE ARE ALLOWED UP TO 50 SQ.FT. OF SIGNAGE AND CUSTOMER HAS AGREED TO REDUCE THE SIZE OF HIS SIGN DUE TO RESTRICTED LOCATION AND VISIBILITY, BRINGING IT DOWN TO 35 SQ.FT. THE REQUESTED SIGN DOES NOT INTERFERE WITH THE VISIBILITY CONE.

Signature of Applicant



Date

9/12/23

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.

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

ALS 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.

ALS 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.

ALS 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.

ALS 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.

ALS 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.

ALS 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.

ALS
Signature of Applicant

12/21/23
Date

Owner's Authorization for Agent

Community Development Department

City of St. Pete Beach, Florida

I/WE

RENATE OSTROVSKIS
(print name of property owner)

hereby authorize

ANTHONY SPARACINO
(print name of agent)

to represent me/us in an application for

VARIANCE

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

Renate Ostrovskis
Signature of Owner

Signature of Owner

RENATE OSTROVSKIS
Print Name of Owner

Print Name of Owner

Renate Ostrovskis

The forgoing instrument was acknowledged before me this 15th day of

MARCH 2021 by RENATE OSTROVSKIS or who is

personally

known

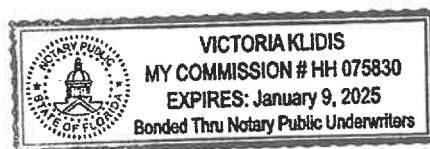
produced

DRIVERS LIC. as identification.

V. A. Klidis
(Notary Signature)

3/15/23
(Date)

My Commission Expires 1/9/25.



LETTER OF AUTHORIZATION TO OBTAIN A SIGN PERMIT

DATE: 11/29/22

To whom it may concern:

I, RENATE OSTROUSKIS, as the owner or agent for the property listed as POLYNESIAN PUTTER / SEA PALMS MOTEL, do authorize EXTREME SIGNAGE, or their authorized agent to obtain a sign permit for the above referenced property on my behalf.

Renate Ostrouskis

Owner or Agent

727 360-9678

Telephone

SEAPALMSMOTEL@AOL.COM

E-Mail Address

11/29/22

Date

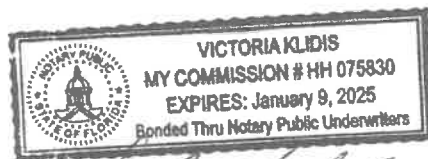
Sworn and subscribed to before me this 29th day of NOVEMBER, 2022

Being personally known to me or have provided a driver's license ✓ D/L

Notary Public

My commission expires: 1/9/25, for PINELLAS county FL.

Stamp:



[Signature]

BOUNDARY SURVEY
THE MAP AND REPORT ARE NOT
FULL AND COMPLETE WITHOUT THE
OTHER.

SURVEYOR'S REPORT

DESCRIPTION:

THAT CERTAIN TRACT OF LAND LYING IN SECTION 6, TOWNSHIP 32 SOUTH, RANGE 16 EAST, IN SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EASTERLY BOUNDARY LINE OF STATE HIGHWAY NO. 233, ALSO KNOWN AS GULF BOULEVARD, WHERE SAID EASTERLY BOUNDARY LINE INTERSECTS WITH THE SOUTHERLY BOUNDARY LINE OF 50TH STREET, AS PLATTED UPON THE MAP OF BENNETT BEACH, UNIT F, AS RECORDED IN PLAT BOOK 21, AT PAGE 53, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

AND FROM SAID POINT OF BEGINNING RUN NORTH 55 DEGREES, 27' 20" EAST ALONG SAID SOUTHERLY BOUNDARY LINE OF 50TH STREET TO AN INTERSECTION WITH THE MEAN HIGH TIDE LINE OF BOCA CIEGA BAY, AND CALLING SAID POINT OF INTERSECTION POINT "A" FOR CONVENIENCE, RETURN TO THE POINT OF BEGINNING AND FROM THE SAME RUN THENCE SOUTH 18 DEGREES 23' 40" EAST ALONG THE EASTERLY BOUNDARY LINE OF SAID STATE HIGHWAY NO. 233, 130.22 FEET; FROM THENCE IN NORTH 55 DEGREES, 27' 20" EAST 402 FEET MORE OR LESS TO AN INTERSECTION WITH THE MEAN HIGH TIDE LINE OF BOCA CIEGA BAY, AND FROM THENCE RUN NORTHWARD MEANDERING ALONG THE SAID HIGH TIDE LINE OF BOCA CIEGA BAY TO THE AFORESAID POINT "A".

TOGETHER WITH ALL CLAIM, RIGHT, TITLE, AND INTEREST OF THE PARTIES OF THE FIRST PART, IN AND TO THE FEE TITLE TO THE SOUTHERLY ONE-HALF OF WHAT IS KNOWN AS 50TH STREET AS PLATTED UPON THE AFORESAID MAP AND PLAT OF BENNETT BEACH, UNIT F, SUBJECT HOWEVER, TO ANY EXISTING RIGHT-OF-WAY, EASEMENT OR DEDICATION FOR THE AFORESAID 50TH STREET AND SAID STATE HIGHWAY NO. 233, TOGETHER WITH ANY AND ALL LAND LYING BETWEEN THE SOUTHERLY BOUNDARY OF THE ABOVE DESCRIBED TRACT AND THE NORTHERLY BOUNDARY OF THAT CERTAIN OTHER TRACT OF LAND LYING IMMEDIATELY TO THE SOUTHWARD THEREOF AND HERETOFORE CONVEYED BY PARTIES OF THE FIRST PART TO CHARLES C. CLARKSON AND E. G. KERR IN JUNE, 1944, AND TOGETHER WITH ANY AND ALL LANDS LYING BETWEEN THE ABOVE DESCRIBED TRACT HEREBY CONVEYED AND THE WATERS OF BOCA CIEGA BAY, INCLUDING ANY AND ALL ACCRETIONS AND RIPARIAN RIGHTS APPERTAINING OR BELONGING THERETO WHICH NOW OR MAY HEREAFTER EXIST;

LESS THAT PART OF: BEGIN WHERE THE EASTERLY BOUNDARY LINE OF SR 699 INTERSECTS THE SOUTHERLY BOUNDARY LINE OF 50TH STREET, AS PLATTED UPON THE MAP OF BENNETT BEACH, UNIT F, IN SECTION 6, TOWNSHIP 32 SOUTH, RANGE 16 EAST, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 23, PAGE 53, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, RUN THENCE NORTH 55° 27' 20" EAST ALONG SAID SOUTHERLY BOUNDARY LINE OF 50TH STREET, TO THE MEAN HIGH TIDE LINE OF BOCA CIEGA BAY, CALLING SAID POINT OF INTERSECTION POINT "A" FOR CONVENIENCE, RETURN TO THE POINT OF BEGINNING AND RUN THENCE SOUTH 18° 23' 40" EAST ALONG THE EASTERLY BOUNDARY LINE OF SAID STATE HIGHWAY 699, 130.22 FEET, THENCE NORTH 55° 27' 20" EAST 402 FEET MORE OR LESS, TO SAID MEAN HIGH TIDE LINE TO THE AFORESAID POINT "A".

LYING WITHIN 40 FEET OF THE SURVEY LINE OF SR 699, SECTION 15100, SAID SURVEY LINE BEING DESCRIBED AS FOLLOWS:

BEGIN ON THE WESTERLY EXTENSION OF THE SOUTH BOUNDARY OF LOT 4 OF PALM GARDENS SUBDIVISION IN SECTION 6, TOWNSHIP 32 SOUTH, RANGE 16 EAST, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 28, PAGE 61, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, AT A POINT 311.46 FEET NORTH 66° 13' 31" WEST OF THE SE CORNER OF SAID LOT 4, RUN THENCE NORTH 13° 43' 31" WEST 148.49 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE WESTERLY HAVING A RADIUS OF 5729.58 FEET, THENCE NORTH 18° 23' 40" EAST ALONG SAID CURVE 286.67 FEET THROUGH A CENTRAL ANGLE OF 2° 52' 00" TO THE END OF SAID CURVE AT STATION 459.78.09, THENCE NORTH 16° 35' 31" WEST 1401.13 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE WESTERLY HAVING A RADIUS OF 4297.18, THENCE NORTHERLY ALONG SAID CURVE 474.35 FEET THROUGH A CENTRAL ANGLE OF 6° 10' 30" TO THE END OF SAID CURVE, THENCE NORTH 22° 53' 01" WEST 1075.33 FEET TO THE SOUTHWESTERLY EXTENSION OF THE SOUTHEASTERLY BOUNDARY OF LOT 2, BLOCK 4 OF BRIGHTWATER BEACH ESTATES IN SAID SECTION C, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 27, PAGE 36, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, AT A POINT 369.27' SOUTHWESTERLY OF THE EASTERNMOST CORNER OF SAID LOT 2, LESS EXISTING RIGHTS OF WAY, CONTAINING 0.021 ACRE, MORE OR LESS.

ALSO: THAT PART OF THE ABOVE DESCRIBED PROPERTY BEING WITHIN THE FOLLOWING METES AND BOUNDS DESCRIPTION: COMMENCE AT THE ABOVE DESCRIBED STATION 459.78.09, RUN THENCE NORTH 16° 39' 31" WEST 1019.35 FEET, THENCE NORTH 57° 15' 29" EAST 41.64 FEET TO A POINT OF BEGINNING, CONTINUE THENCE NORTH 57° 15' 29" EAST 47.26 FEET, THENCE SOUTH 30° 41' 35" WEST 22.36 FEET THENCE SOUTH 57° 15' 29" WEST 30.16 FEET, THENCE NORTH 16° 35' 31" WEST 10.41 FEET TO THE POINT OF BEGINNING.

ACCURACY:

- ALL MEASUREMENTS, DISTANCES, ELEVATIONS (IF SHOW) AND FEATURES WERE PERFORMED IN STRICT ACCORDANCE WITH THE MINIMUM STANDARDS OF PRACTICE SET FORTH IN CHAPTER 5J-17 FLORIDA ADMINISTRATIVE CODE (5J-17FAC).
- METHODS FOR ALL CONTROL MEASUREMENTS WERE MADE WITH A TRANSIT AND STEEL TAPE, OR DEVICES WITH EQUIVALENT OR HIGHER DEGREES OF ACCURACY.
- THE ACCURACY STANDARD USED FOR THIS SURVEY, AS CLASSIFIED IN THE MINIMUM STANDARDS OF PRACTICE (5J-17 FAC), IS "COMMERCIAL/HIGH RISK". THE MINIMUM RELATIVE DISTANCE ACCURACY FOR THIS TYPE OF SURVEY IS 1 FOOT IN 10,000 FEET. THE ACCURACY OBTAINED BY MEASUREMENT AND CALCULATION OF A CLOSED GEOMETRIC FIGURE MET THIS REQUIREMENT.

DATA SOURCES:

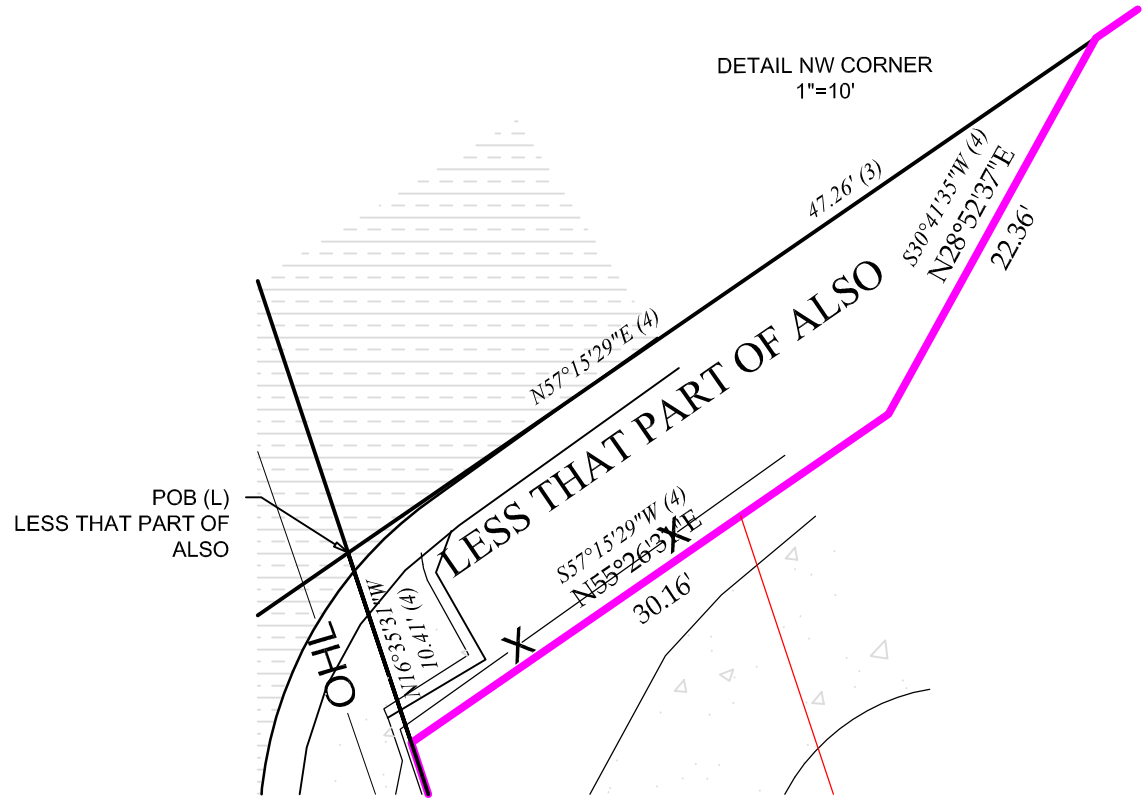
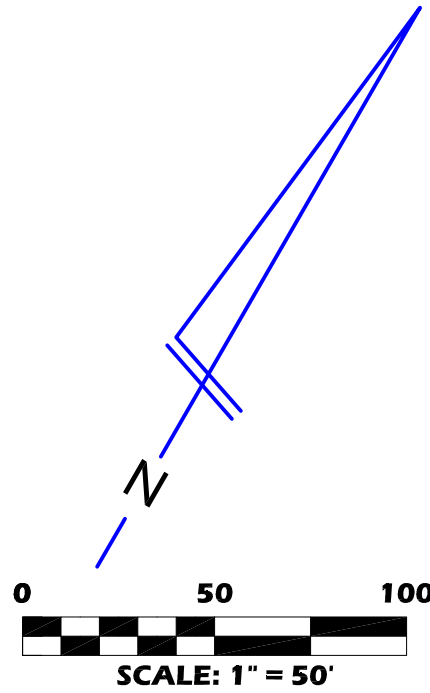
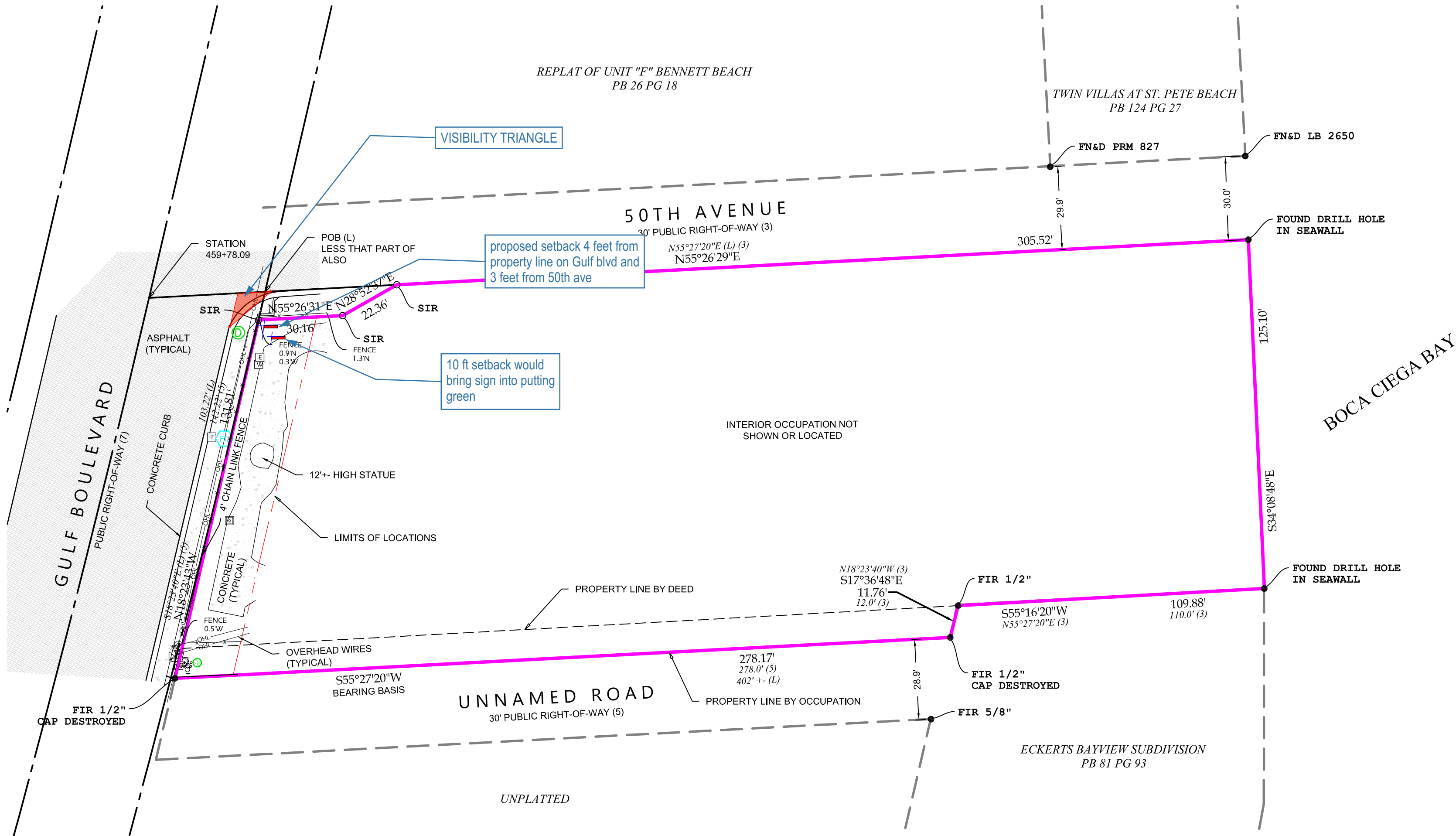
- THE BASIS OF BEARING IS SOUTHEASTERLY LINE OF THE SURVEYED PARCEL, BEING S55°27'20"W (ASSUMED PER LEGAL DESCRIPTION).
- WARRANTY DEED, RECORDED OFFICIAL RECORDS BOOK 20110, PAGE 2267 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.
- PLAT OF UNIT F BENNETT BEACH, RECORDED PLAT BOOK 21, PAGE 53 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.
- REPLAT OF UNIT "F" BENNETT BEACH, RECORDED PLAT BOOK 26, PAGE 18 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.
- PLAT OF ECKERTS BAYVIEW SUBDIVISION, RECORDED PLAT BOOK 81, PAGE 93, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.
- PLAT OF TWIN VILLAS AT ST. PETE BEACH, RECORDED PLAT BOOK 124, PAGE 27, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.
- STATE OF FLORIDA STATE ROAD DEPARTMENT RIGHT OF WAY MAP, SECTION NO. 15100-2503, ROAD NO. 699, DATED 11-2-60.

LIMITATIONS:

- PURPOSE OF SURVEY: TO DOCUMENT THE PERIMETERS OF A PARCEL OR TRACT OF LAND BY ESTABLISHING OR RE-ESTABLISHING CORNERS, MONUMENTS, AND BOUNDARY LINES FOR THE PURPOSES OF DESCRIBING THE PARCEL.
- USE OF THIS SURVEY BY ANYONE OTHER THAN THOSE PREPARED FOR / CERTIFIED TO, WILL BE THE RE-USERS SOLE RISK WITHOUT LIABILITY TO THE SURVEYOR.
- ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
- THERE MAY BE ITEMS DRAWN OUT OF SCALE AND / OR MOVED ON THE MAP OF SURVEY TO GRAPHICALLY SHOW THEIR LOCATION. PRINTED DIMENSIONS SHOWN ON THE SURVEY SUPERSEDE SCALED DIMENSIONS.
- UNDERGROUND FOUNDATIONS AND THEIR LOCATIONS HAVE NOT BEEN DETERMINED.
- IRRIGATION EQUIPMENT AND / OR THEIR APPURTENANCES HAVE NOT BEEN MAPPED.
- THERE MAY BE ADDITIONAL UTILITIES STRUCTURES (DRAINAGE, SANITARY, ELECTRIC, COMMUNICATIONS, ETC.) THAT WERE NOT READILY APPARENT AT THE TIME OF THE SURVEY.
- THIS SURVEY PERFORMED WITHOUT A COMMITMENT FOR TITLE INSURANCE. THERE MAY BE ADDITIONAL EASEMENTS FOUND IN THE PUBLIC RECORDS.

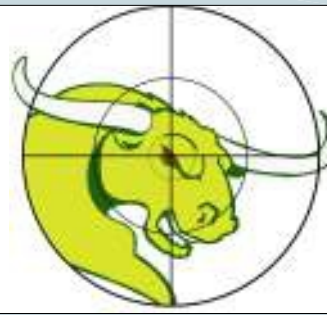
BOUNDARY INCONSISTENCIES:

- ANY ANGULAR AND/OR DIMENSIONAL DISCREPANCIES BETWEEN THE DESCRIPTION AND THE FIELD LOCATED OCCUPATION BOUNDARY CORNERS, AND BOUNDARY CORNERS WITH MULTIPLE BOUNDARY MONUMENTS ALONG WITH THEIR CORRESPONDING QUADRANT DIRECTIONAL MISSES, ARE SHOWN ON THE MAP OF SURVEY. ALL PERIMETER BEARINGS AND DISTANCES ARE ALSO FIELD MEASURED UNLESS SO NOTED.



BULLSEYE SURVEYING, INC.

LB 7818
2198 NE COACHMAN
ROAD, UNIT F
CLEARWATER FL 33765
PHONE: 727-475-8088



SECTION 06, TOWNSHIP 32 SOUTH, RANGE 16 EAST,
PINELLAS COUNTY, FLORIDA

ADDRESS:
4999 GULF BOULEVARD, ST. PETE BEACH, FL 33706

PARCEL ID:
06-32-16-00000-320-1000

ABBREVIATIONS

DENOTES

(#)=INFORMATION FROM DATA SOURCE
(L)=LEGAL DESCRIPTION INFORMATION
(P)=PLAT INFORMATION
FIR=FOUND IRON ROD
FN&D=FOUND NAIL AND DISK
LB=LICENSED BUSINESS
LS=LICENSED SURVEYOR
OR=OFFICIAL RECORDS BOOK
PB=PLAT BOOK
PG=PAGE
PLS=PROFESSIONAL LICENSED SURVEYOR
PSM=PROFESSIONAL SURVEYOR AND MAPPER
RLS=REGISTERED LICENSED SURVEYOR
SIR=SET 1/2' REBAR AND CAP LB 7818

SYMBOL LEGEND

DENOTES

BACKFLOW PREVENTION DEVICE
CLEANOUT
DRAINAGE MANHOLE
ELECTRIC EQUIPMENT
FIBRE OPTIC WARNING MARKER
FIRE HYDRANT
LIGHT POLE (METAL)
SIGN
TELEPHONE EQUIPMENT
UTILITY POLE (CONCRETE)
WATER METER
WATER VALVE

THIS SURVEY AND THE COPIES THEREOF, EXCEPT THOSE WITH ELECTRONIC SIGNATURE AND ELECTRONIC SEAL, THE SURVEY OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR OR MAPPER. THE SURVEY MAP AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

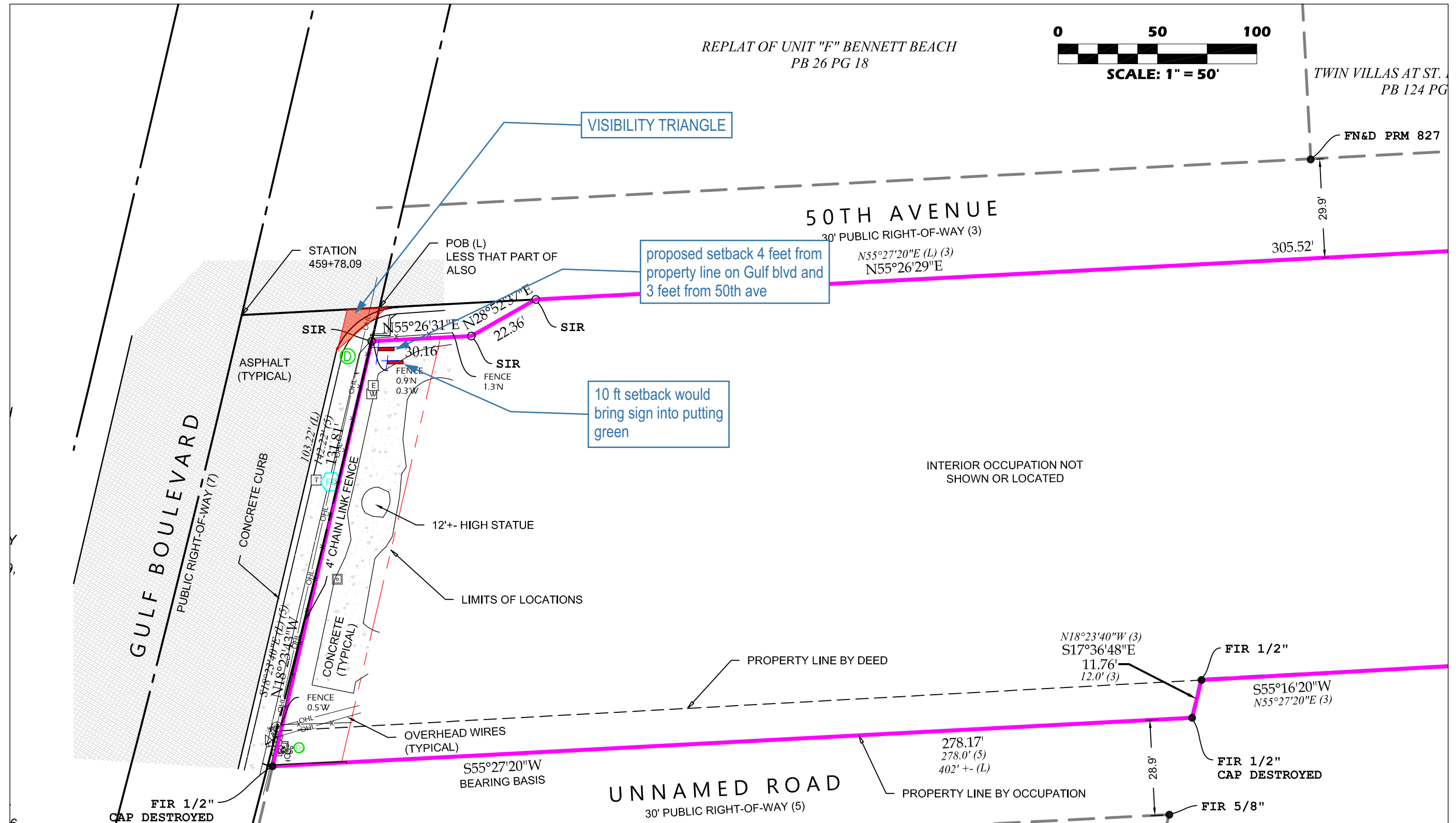
CERTIFIED TO:

- OSTROVSKIS, RENATE LIV TRUST
- OSTROVSKIS, RENATE TRE

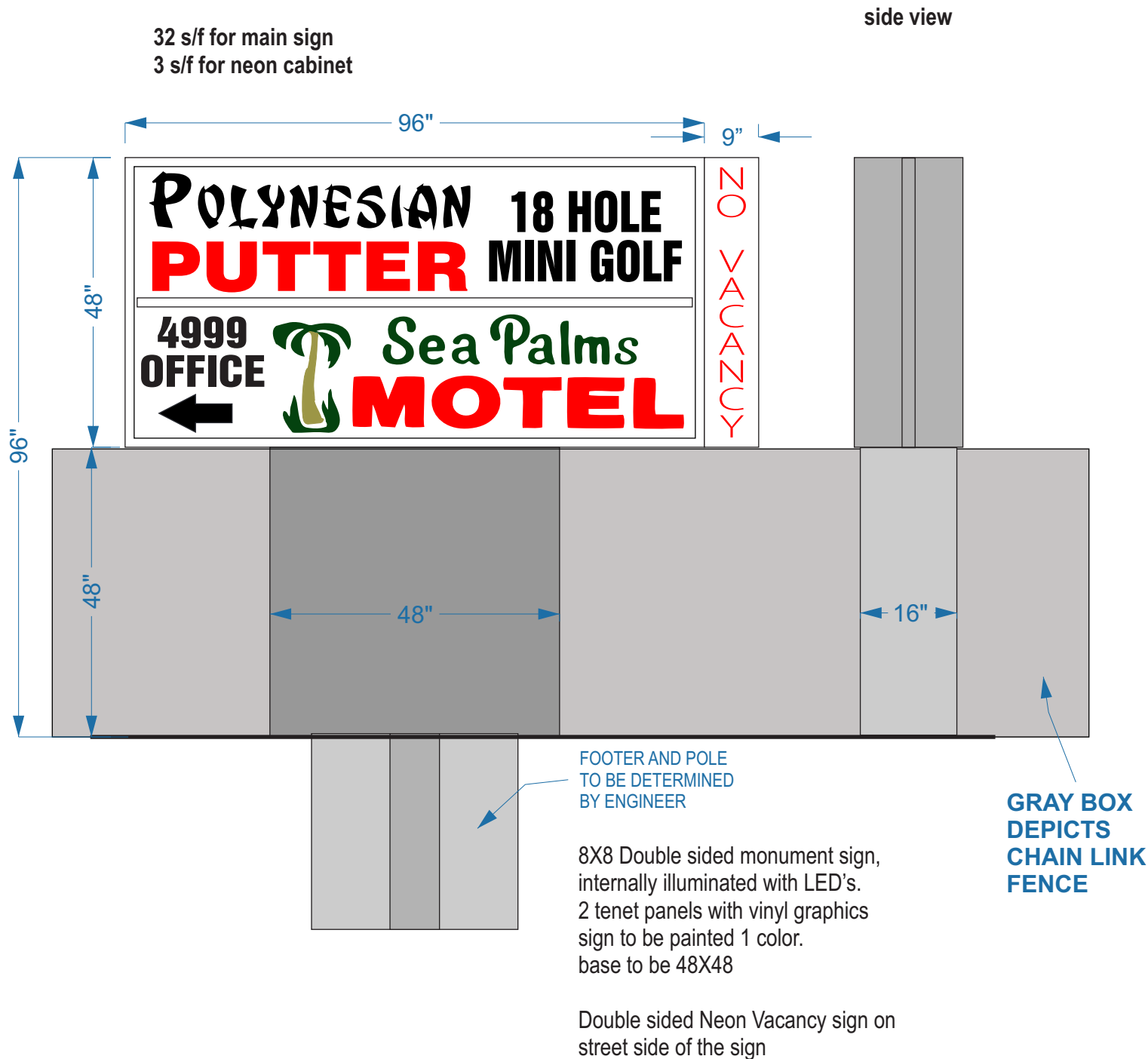
GEORGE R. MARTIN
PROFESSIONAL SURVEYOR AND MAPPER
LICENSE NUMBER LS 6019
STATE OF FLORIDA
gmartin@bullseyesurveying.com

FIELD BOOK / PAGE	SCALE	SHEET NUMBER
031/02	1" = 30'	1 of 1
DRAFTED BY	SURVEY FIELD DATE	
GRM	02/24/2023	
PROJECT NUMBER	FILE NAME	
23-008	23-008.dwg	

06-32-16-00000-320-1000
4999 Gulf Blvd
St Pete Beach, FL 33706







JOB / CLIENT:

Sea Palms
Poly Golf

I have carefully reviewed and hereby accept the drawing(s) as shown. I realize that any changes to these designs made before or after production may alter the contract price. All changes must be in writing and approved by both parties prior to production

APPROVAL SIGNATURE:

REVISIONS:

01 8/2/23
02
03
04
05
06

Sign drawings are the sole property of Extreme Signage and may not be reproduced, published, changed or used in any way without written permission and consent. In addition, all ideas, contents of proposals, and all specification of any project entered into with Extreme Signage, are all rights reserved. The described information may not be used in securing price comparisons. Violators will be prosecuted to the full extent of the law.

DATE:

10/13/22

PAGE:

1



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

PLANNING DEPARTMENT

Date: February 12, 2024
To: Board of Adjustment
Re: Variance Case No: 23076
Unnecessary and Undue Hardship Variance
Address: 4999 Gulf Blvd
Parcel Number: 06-32-16-00000-320-1000
Anthony Sparacino, Extreme Signage for Renate Ostrovskis Trust

Prepared by: Kristin Coman, Senior Planner

Hearing Date: February 28, 2024

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 Bullseye Surveying, Inc. dated 2/24/2023, consisting of 1 sheet showing limited improvements of the site.
3. Portion of survey with no preparer information or date, consisting of 1 sheet showing proposed location of freestanding sign.
4. Sign schematic prepared by Extreme Signage, dated 10/13/22, 1 page.
5. Photos, showing aerial and ground view of the property, no time or date supplied, total of 3 photos on 1 sheet.

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

Site Description/Surrounding Land Uses

The subject site is a 45,342 sq. ft. (1.04 acre) property located at the northeastern corner of Gulf Blvd. and 50th Ave. consisting of the Sea Palms motel located on the eastern side of the parcel with inground pool and dock amenities as well as Polynesian Putter, an 18-hole miniature golf course to the western side of the parcel with frontage of along Gulf Blvd. with smaller detached building utilized for the golf course office. The site is located within VE-11 flood zone and has a zoning of AC, Activity Center.

Technical Review Committee

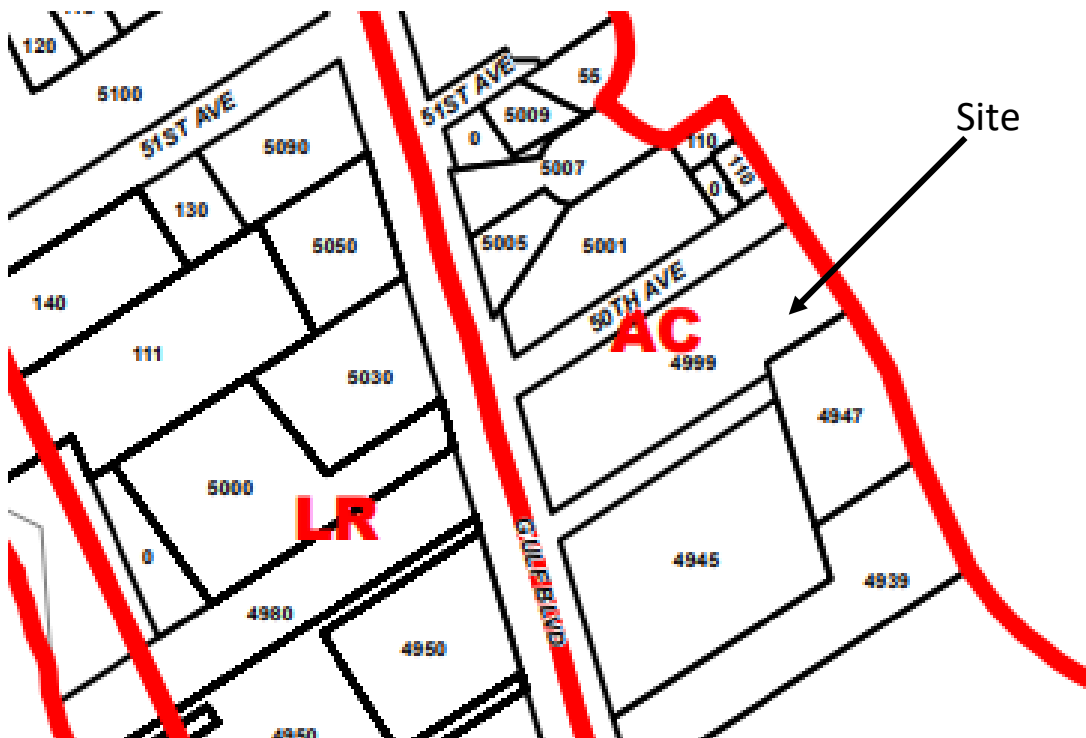
During the Technical Review Committee review of the submittal in February 2024, no comments were made.

Figure 1: Aerial Photography



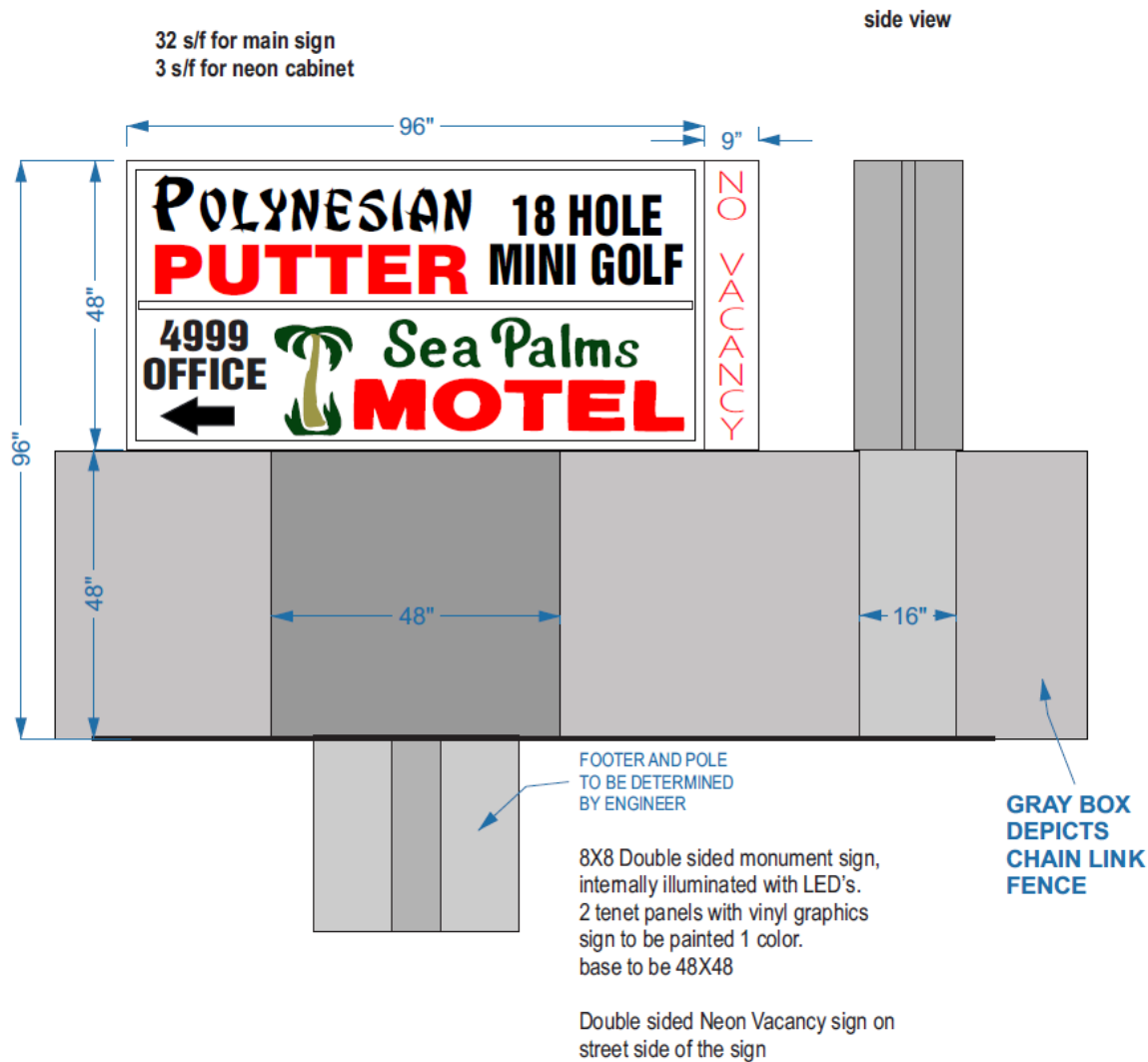
Source: Pinellas County Property Appraiser

Figure 2: Zoning Map



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

Figure 5: Proposed Sign Schematic (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;
 - *The property currently has two uses, a motel and miniature golf course. Information from the Florida Department of State, Division of Historical Resources – Florida Historic Golf Trail noted that the miniature golf course was built in 1967 by the prior owner. The layout of the*

- golf course poses an issue in locating the sign as required as it would be located within the putting green of one of the holes. Staff acknowledges that this combination creates a condition unique to this specific property.*
2. The special conditions and circumstances do not result from the actions of the applicant or a prior owner of the property;
 - *The prior sign was subject to damage beyond repair due to Hurricane Ian in October 2022 that was beyond the actions of the applicant.*
 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;
 - *The proposed location of the sign is in the general location of the previous sign which is limited in due to the current layout of the holes of the miniature golf course. Should the applicant install the sign as required, may require reconfiguration and changes to the established course.*
 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;
 - *The request will not establish a use not permitted in the district or increase density and the sign will be conforming with the code except for the setbacks.*
 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 a sign, providing site identification.*
 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 installation of the more conforming sign in the same general location is minimal while maintaining the unique use and layout.*
 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, or impair property values within the neighborhood.*

Other

- Applicant should provide testimony regarding the prior signage and comparison with the proposed sign, including but not limited to height, setbacks and square footage.

- No information was provided if any of the current landscaping would need to be removed for the installation of the sign and/or any installation of plantings are proposed. Applicant should discuss any changes.
- The sign schematic submitted contains the street number, 4999, but it's location on the panel does not clearly stand out for motorists or pedestrians from a greater distance and it is suggested to amend for greater visibility.

Recommendation

Staff finds the request is reasonable given the features unique to this specific property and the installation of a new monument sign will provide identification to the property. Staff recommends **approval** with the following condition(s):

- Sign layout to be modified so that street address numbers are clearly legible, enhancing visibility and site identification to be reviewed and approved by staff at time of permitting.

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: Anthony Sparacino, Extreme Signage, Applicant **via email** (tony@extremesignage.com, permitting@extremesignage.com)
Renate Ostrovskis Living Trust, Owner **via email** (seapalmsmotel@aol.com)
Matthew McConnell, Board of Adjustment Attorney

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

Agenda Report

Action Request: Motion to approve case 24003 with recommended condition.

Strategic Objective:

Date: February 28, 2024

Prepared By: Brandon Berry, Planner II

Through: Jennifer McMahon, Chief Operating Officer

Summary of Issue: Unnecessary and Undue Hardship Variance: Casey Sanders for Albert Paul Nicklaus Jr. of Smileys Snack Shack-St Pete Beach Inc requests variances to reduce the required front yard setback facing 37th Ave to 43' where 50' is required and reduce the required northern rear yard setback to 16.8' where 20' is required (LDC Sec. 14.7.(b)(1) & (4)).

Funding: N/A

Attachments:

1. Case 24003 - 3700 Gulf Blvd - Staff Report
2. Case 24003 - Updated Site Plan
3. Case 24003 - Revised Application
4. Case 24003 - Application Attachments
5. Case 24003 - Updated Rendering
6. Case 24003 - Transmittal Letter
7. Case 24003 - Gulf Blvd Villas Floor Plans & Elevations
8. Case 24003 - Survey
9. Case 24003 - Legal Description
10. Case 24003 - Site Data Table



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PLANNING DEPARTMENT

Date: February 20, 2024
To: Board of Adjustment
Re: Staff Findings Report
Unnecessary and Undue Hardship Variance
Address: 3700 Gulf Blvd.
Parcel Number: 07-32-16-21852-028-0001
Casey Sanders for Albert Paul Nicklaus Jr. of Smileys Snack Shack-St Pete Beach Inc
Variance Case No: 24003

Prepared by: Brandon Berry, Senior Planner

Hearing Date: 2/28/2024

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

1. Transmittal letter with staff clarification dated January 16, 2024.
2. Completed Unnecessary and Undue Hardship application form.
3. Boundary, Topographic and Tree Survey prepared by Lauster Land Survey & Mapping Services LLC, sealed by Brandon Lauster, P.S.M., dated 12/20/2023, consisting of one sheet.
4. Updated Variance Site Plan prepared by Baysite Engineering LLC, dated 1/25/2024, consisting of one sheet.
5. Floor Plans and Elevations, prepared by Alderman Planning Company, dated 12/28/2023, consisting of seven sheets.
6. A front rendering, undated, showing the structure from Gulf Boulevard

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

Site Description/Surrounding Land Uses

The subject site is a 16,956 sq. ft. (approx. 0.39 acre) parcel located at 3700 Gulf Blvd. known as parcel number 07-32-16-21852-028-0001 and legal description of DON CE-SAR PLACE BLK G, E'LY 110FT OF BLK G LESS E 10FT FOR RD R/W within the AE-Elevation 9 flood zone. The property is located in the RFM – Resort Facilities Medium zone; RFM on the future land map and presently consists of an approximately 1,300 square foot restaurant known as Smiley's Snack Shack according to City records.

The site is unique in that it is one of the few properties remaining in the RFM District within the City and one of only two in the immediate vicinity, with the four-unit condominiums at 3800 Gulf Blvd to the property's north the only adjacent identically-zoned neighbor. The Don CeSar Resort just south of the Bayway, and several properties along Upham Beach, also share the RFM zoning. RFM was the initial zoning of most properties west of Gulf Boulevard between 37th and 64th Avenues from the date of the city's current zoning code adoption until 2008-2011, when the City created the Large Resort and later the Boutique Hotel-Condo zoning districts that now comprise the zoning of all Gulf-front properties in this range north of 3800 Gulf Blvd.

The lot is considered a corner lot, with a front setback relationship to the property line along 37th Avenue and a secondary front relationship to the property line along Gulf Boulevard. This changes the orientation of the allowable buildable area on the lot from one that favors a wider building with a greater setback when viewed from Gulf Boulevard, to a narrower building that is set closer to Gulf Boulevard. The lot's side yard is on the western side, requiring an approximate ten-foot setback which the applicant is exceeding, and abutting four single family residences that utilize easements for access rather than a public road. The northern lot line is considered the rear yard, requiring a twenty-foot setback which the applicant is seeking to vary to ten feet.

The applicant has met with staff to discuss this request, which precedes site plan application. If the variances are approved the applicant is seeking to develop four transient single-family attached accommodations on the property. Transient accommodations are permitted uses in the RFM zoning district, and in discussion with staff, the applicant has stated that the units will be subdivided into fee simple ownership with a condominium corporation controlling all lands. Should the applicant move forward with subdividing the property, the preliminary plat will need to be brought back to the Board of Adjustment, and additional staff review is required. This subject case pertains only to the dimensional variances requested, as explained in the next section.

After a discussion outlining staff concerns, the applicant resubmitted an amended site plan on January 25. This plan eliminated an initial request for a variance to the front yard buffer depth from 8 to 4 feet. The updated plan also reduced the requested northern side yard encroachment from 10 feet to 3.2 feet, while increasing the requested southern front yard encroachment from five feet to seven feet. The table under the Analysis section of this report provides the updated requested variances rather than those initially submitted with the application.

Figure 1: Aerial Photography



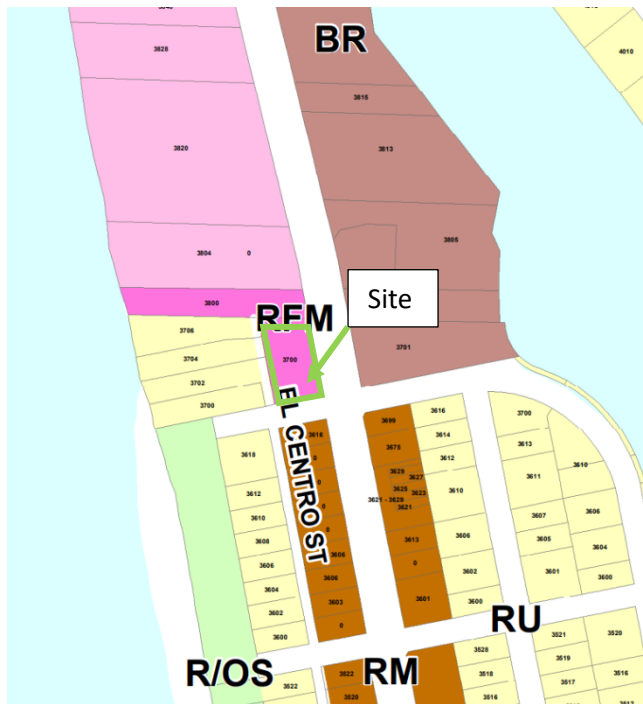
Source: Pinellas County Property Appraiser

Figure 2: Zoning Map



Source: City of St. Pete Beach Zoning Map

Figure 3: Future Land Use Map



Source: City of St. Pete Beach Future Land Use Map

Request

The applicant is requesting variances to setbacks, particularly:

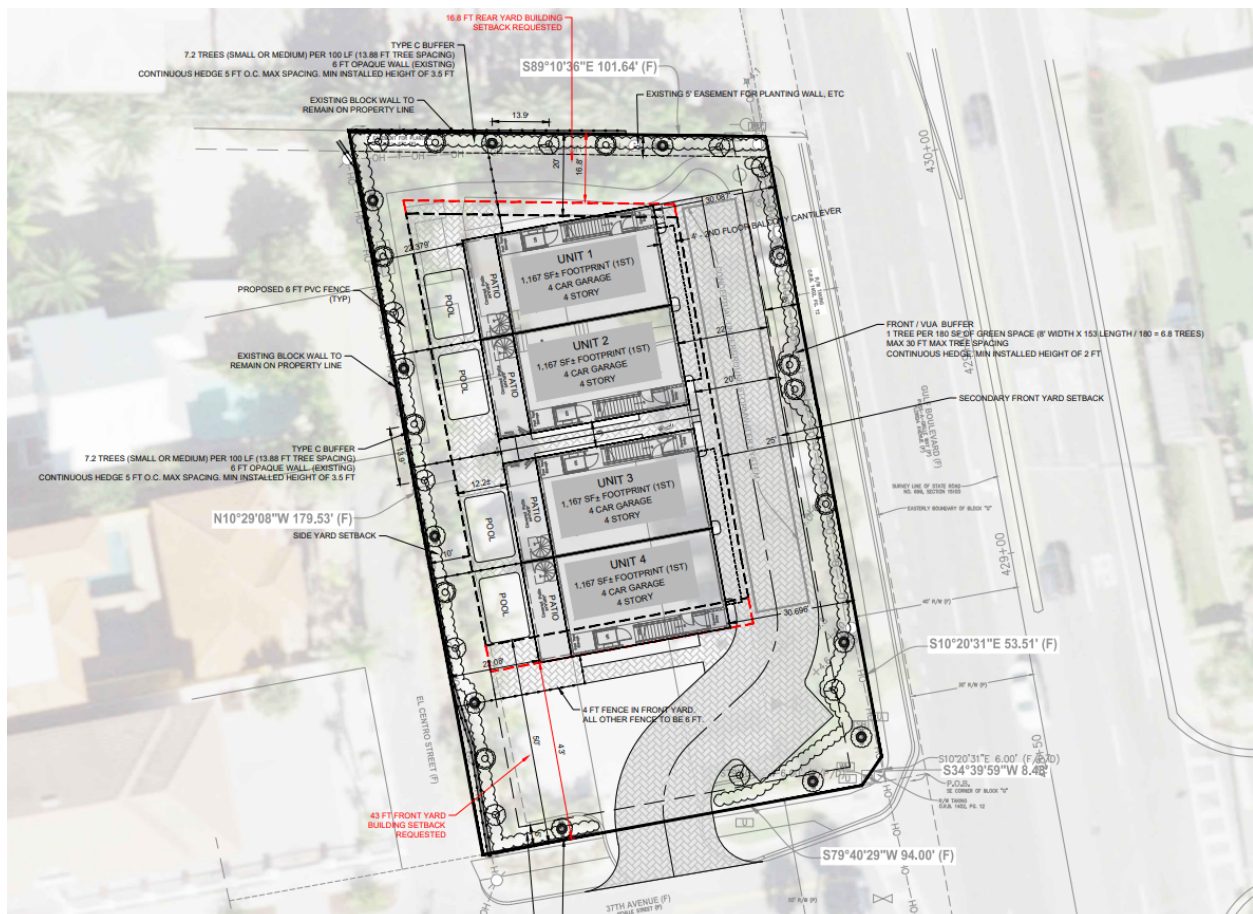
- 1) The requirement of a twenty-foot rear yard setback adjacent the northern property line where 16.8 feet is proposed (LDC Sec. 14.7.(b)(4));
- 2) The requirement of a fifty-foot front yard setback adjacent the southern property line where 43 feet is proposed (LDC Sec. 14.7.(b)(1)).

Analysis

Development Standards (LDC Division 14, 22 & 23)	3700 Gulf Blvd.		
	<u>Required</u>	<u>Existing</u>	<u>Proposed</u>
Setbacks			
Setback (Min.), Front Yard (37 th Ave)	50'	120' (approx.)	43' (v)
Setback (Min.), Secondary Front Yard (Gulf Blvd)	25'	6' (approx.)	30.1' (building face) & 26.1' (balconies)
Setback (Min.), Side Yard (West)	10'	12' (approx.)	22.1' (building face) & 10' (pool deck)
Setback (Min.) Rear Yard (North)	20'	19.5'	16.8' (v)
Height			

Building Height	50' from DFE (52-2/3' from grade)	Unknown	44' from DFE to rooftop 48-1/3' from DFE to top of parapet
Density			
Allowable Density Units	1,452 SF/lodging unit (11 units or fewer)	0	4 units
Floor Area Ratio (FAR)			
Commercial FAR	≤0.65	0.08	0.0
Greenspace			
Minimum Required Greenspace	0.24	Unknown	0.308
Front Buffer (37 th Ave)	5'	6' (approx.)	5'
Secondary Front Buffer (Gulf Blvd)	8'	Variable	8'
*Denotes existing non-conformity (v) = Variance required			

Figure 4: Site Plan with Noted Variances (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;**

The property is one of the few remaining RFM-zoned zoning lots in the City, one of three in the vicinity, and one of two in the vicinity (with the Don CeSar's parcels) that has a secondary front in addition to a front setback relationship. This makes direct comparison with others in the same zoning district difficult.

The confluence of both secondary and front setback requirements generally lessens the allowable building envelope, as noted by the applicant. However, it should be noted in the subject case, due to the shallowness of the site, the presence of a secondary front along 37th Ave is beneficial to the subject property in terms of overall buildable area. Had the applicant lacked a frontage along the southern side of the property they would be faced with a 50 foot setback from Gulf Boulevard, a 20 foot setback from the western property line, and an approximate 17 foot setback along the northern and southern lot lines. This would have resulted in a buildable envelope of only 24% of the lot area, and permit a structure of only approximately 30 feet in depth. As noted by the applicant in their narrative, under current setback conditions, the property would permit an approximate 38% buildable envelope if built to the maximum setbacks without any variances.

The property's special circumstance is in the significant shallowness of the lot compared to others both within the same district as well as those eligible for similar development potential in the vicinity. At approximately 100 feet in depth, the lot possesses approximately 35% of the buildable depth of the RFM-zoned condominiums to its north, and is significantly shallower than the single-family residential lots to its west. This circumstance also positions the property as the only transient lodging development with a direct side relationship with single-family residences in the vicinity, resulting in a lot where the narrowest required yard abuts developments where the most significant screening is required. The applicant's amended proposal positions the building further from the western property line to provide additional distance from the single-family residences, demonstrating an approximately 22-foot setback where ten feet is required. This provides a western side setback akin to a rear yard setback requirement, which is required of other transient properties with a more traditional front yard setback along Gulf Boulevard and keeping the development consistent with others in the vicinity.

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

The uniqueness of the lot is not the result of the applicant or prior owner. The lot has been utilized in its current configuration since prior to the RFM designation of the property in 2003. The

applicant is seeking to later subdivide the property for ownership purposes if this development moves forward, but would not be creating a condition where the lots would exceed allowable density or other development standards required in the Land Development Code.

- 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 finds the front property setback requirement to provide a hardship on the applicant due to the orientation of the property relative to others in the zoning district in the vicinity which creates an extensive 37th Avenue setback that substantially exceeds the side setback requirement for any other development in the vicinity. Requiring a setback of fifty feet requires a southern setback only slightly lesser than the RFM-zoned Don CeSar, which has a property width of more than three times the size of the subject property. The request is reasonable in scope and not anticipated to create any adverse effects on surrounding properties.

Staff also finds the northern side setback requirement to provide a hardship to the applicant due to the unique orientation of the property. The subject property is the only property south of 51st Avenue West on the Gulf side of Gulf Boulevard where the rear setback is oriented to the north rather than the west, where the northern yard generally requires a side setback relationship. While staff was not supportive of the applicant's initial request for a ten-foot setback along the northern side, finding it to be based on development preference, the requested 16.8-foot side setback treats this yard as a side which is the right of other properties in the same district and the same area of the city generally. This provides the same setback along the northern side if the subject property lacked a frontage along the southern side, or if it were sufficiently deep for the Gulf Boulevard frontage to be treated as a front yard.

- 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;**

The applicant is proposing a permitted use for the zoning district, although staff will address with the applicant at site plan permitting the covenant and other improvements necessary to ensure the lot functions in line with the city's development standards. The applicant is proposing significantly fewer density units than would be permitted under a maximum buildout scenario, at four units where 11 are permitted by code.

- 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 the applicant to be seeking these variances in pursuit of the maximization of financial return. As noted previously, the applicant is proposing significantly less intensity to the development than would be permitted under a maximum buildout scenario, and is offering concessions to mitigate setback impacts, such as placing the building a greater distance from the western lot line than required. Staff has estimated that the setbacks requested provide the applicant an approximate 430 square feet of footprint above what is permitted under typical code requirements, but in exchange has set the building an additional

12 feet from the western property line, forgoing 1250 square feet of potential buildable space. This results in a lesser buildout than would be permitted under a maximum buildout scenario.

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. As discussed with the applicant, if constructed, the proposal will result in the only development in the city constructed under the RFM zoning code, and the significant number of nonconforming structures permitted in the same zoning district are at least in part a result of former zoning regulations in place at time of their development approval, or the structure preceding zoning regulations in some instances. The Don CeSar was approved for setback variances in early 2022, but that structure's setback challenges pertained to a secondary front hardship experienced under a different scenario than the proposed.

Direct comparison between the subject property and others in the zoning district is difficult due to the shallowness of the lot and the two frontages, but in terms of overall building envelope, staff recognizes that the northern RFM property containing condominiums has a much larger buildable envelope, at approximately 60% of the buildable lot area compared with approximately 38% of the subject property. Lots in this zoning district, as in most in the city, favor deep, narrow lots where front and rear setbacks are static for the development type, while the side yards are dynamic based on lot width.

Staff finds that treating the northern yard as a side yard is consistent with other properties in the same zoning district, and allowing for a seven-foot variance into the southern front yard is both consistent with other properties and provides general uniformity to the buildout potential of this project relative to others in the vicinity. The Boutique Hotel-Condo (BHC) District located north of the property up to the County Beach access, in which all properties were zoned RFM until 2011, is required to maintain only a 20-foot setback from Gulf Boulevard for buildings up to 50 feet in height such as the subject proposal, and only a ten-foot secondary front setback. The BHC District does require a 30 percent combined side setback, which for the subject property would be approximately 50.6 feet. If approved as proposed, the project will have a 59.8 foot combined setback to the north and south, exceeding the minimum standard that would have been applied in the BHC District under a more conventional scenario.

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

Staff finds the setbacks proposed the minimum to make reasonable use of the land, in the context of the constraints faced at the property and providing uniformity along Gulf Boulevard for new construction. As previously noted, the applicant is developing a project that is significantly lesser than the intensity of the

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 the requests to not be injurious to the neighborhood and generally preserve the public safety and welfare by locating the building further from the lower-density residences to the west, and preserving a greater setback from the northern side property line than would be required for the abutting northern property both under a redevelopment scenario and when compared with the building in existence today. While the northern property is developed as a three-unit residential condominium, the proposed development does not directly abut it, instead being oriented toward a single-level garage with the residences located further west on the lot. The development is both significantly lesser in terms of intensity potential, and lesser in total square footage, than would be permitted under a typical maximum buildout scenario.

While not subject to the scope, staff finds the demonstrated renderings to be indicative of a high quality development that is a significant reduction in allowable density compared to its potential, and is unlikely to diminish property values due to the requests themselves. The development is generally compatible with and considered a primary use within the zoning district. In locating a short-term rental use further from the single-family residences to the west, the applicant also contributes to protecting residential character, providing additional distance and significant landscaping buffering from the western residences.

Other:

- Should the Board not grant the variance, the applicant should provide testimony of how they would proceed with the site plan.
- The applicant should produce the northern recorded easement detail to indicate whether the landscaping improvements proposed are permitted within the location. If not, the applicant should address how the landscaping buffer will be modified.
- The applicant should provide any additional proffer that may be component of the consideration of issuance of these variances, whether to address staff concerns or subsequent concerns brought up by the Board of Adjustment ("Board").
- The applicant should be advised that this variance does not represent staff approval for any subsequent site plan or constitute review of solid waste, concurrency, or other facilities that will be subject to site plan review if the variance(s) is/are approved.
- The Board should be aware that any approval granted under this scope applies only to the two requested dimensional variances and the applicant shall still be required to undergo an administrative site plan process prior to construction. Should the applicant desire to subdivide the parcel through any means other than a condominium plat, the subdivision application shall be required to return to this Board for recommendation prior to a final determination being made by the City Commission.

Technical Review Committee Meeting Comments from February 16, 2024

Staff met on February 17, 2024 to discuss this request. Comments were shared by the fire and public works officials present pertaining to site plan requirements for the development, but neither department had comments pertaining to the subject request.

The applicant discussed with staff site plan and subdivision requirements, as well as questions pertaining to Floor Area Ratio. Staff requested that the applicant update the elevations to depict the building as currently proposed. The applicant's amended site plan and rendering accurately depict the current scope of the request, but the elevations depict a larger courtyard than proposed under the subject request. The applicant agreed to update the elevations prior to the Board of Adjustment hearing and will present them as evidence at the hearing.

Recommendation

Staff find the request is reasonable and will not have an adverse impact on the neighborhood. The request, as modified and contemplated under this proposal, does result from an attempt to mitigate the hardships faced by the property's unique orientation and conditions imposed by the Land Development Code setbacks, and is minimal in scale. The requests bring the project into general conformity with other properties in the vicinity and within the same zoning district.

Staff recommends approval with one (1) condition:

- 1) The design features, colors, height, and setbacks of the development shall be as shown in attachments at time of site plan permitting. Any alterations from submitted plans shall be noted. Should the alterations be deemed significant by the City Manager or their designee, this approval shall be considered void and required to return to the Board of Adjustment for reconsideration.

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,

Brandon Berry
Senior Planner

Cc: Casey Sanders, Applicant **via email** (CaseyRyanSanders@gmail.com)
Matthew McConnell, Board of Adjustment Attorney

PARCEL ID: 07-32-16-21852-028-0001 ADDRESS: 3700 GULF BLVD, ST PETE BEACH



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CASE #: 24003

PARCEL #: 07-32-16-21852-028-0001

SUBMITTAL DATE: 1.17.2024 AMOUNT DUE: 640.80 PAYMENT DATE: 1.17.2024

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	SMILEYS SNACK SHACK-ST PETE BEACH INC	3700 GULF BLVD ST PETE BEACH, FL 33706	
Applicant/ Agent	Casey Sanders	520 Bay Laurel Ct NE, Saint Petersburg, FL 33703	813-382-8766
Owner Email Address:		Applicant/Agent Email Address: caseyryansanders@gmail.com	

PROPERTY FOR PROPOSED VARIANCE:

Zoning Designation RFM	Future Land Use Designation RFM	Lot Area 16,956 sf 0.39 ac
Legal Description: See attached.		
Address: 3700 GULF BLVD ST PETE BEACH, FL 33706		
Explanation of Request: Project includes redevelopment of a vacant restaurant site into a transient single family attached accommodation. Variance request includes relief from sec.14.7.(b)(1), to reduce the front yard setback from 50ft to 43ft, sec.14.7.(b)(4), to reduce the rear yard setback from 20ft to 16.8ft, . This request is due to the percieved and unnecessary and undue harship the property based on the property's particular size and configuration and underlying zoning. The approval will allow for a development more in line with the neighboring properties and overall zoning objectives.		

Findings Necessary for Granting Request: In order for an application for an 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;

The subject property is one of only 8 with the same zoning classification. All but 1 of the other parcels are much larger in size and configuration where they can better absorb the 50ft front, 20ft rear and 25ft secondary front yard setbacks. The subject's lot area is 17,050sf. The existing setback requirements would take up 10,500sf of space, approximately 61.6% of the parcel. The total setback variance request totals only 1,040sf. The other land, structures, or buildings in the same zoning district are not hardship by such a large percentage of their property to account for so much in setbacks, even if variance is approved. The length of this property is only 160 feet at its shortest point. Of the properties zoned RFM, the subject property has much smaller linear depth than the other properties, thereby creating an unnecessary and undue hardship. The parcels on Sunset Way with the RFM zoning have over 700ft in depth. The Don has over 400ft in depth. The closest relatable property is at 3800 Gulf Blvd and it still has 371 feet in depth. The sizes of the other parcels allow them to more easily absorb the 50 ft front yard set back and 25 ft rear yard setback. The subject parcel abuts two street frontages which creates increased yard setbacks and alters the perceived orientation of the development.

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

These special conditions and circumstances are not the result of the actions of the applicant or a prior owner of the property. In fact, the existing structure on the property conforms much less to the setback requirements than the proposed development.

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;

The closest relatable property with the same zoning classification is the property at 3800 Gulf Blvd. This property does not conform to the setback requirements. Due to the specific small size and configuration of the subject parcel, the subject parcel does not enjoy the rights commonly enjoyed by other properties in the same zoning district such as the percentage of land available for use compared to the other parcels in the same zone. The RFM zoning is by far the most burdensome of the districts in terms of required front, rear, front side yard, and side setbacks. The unique way in which the literal interpretation of the code identifies the subject property's frontage road and corresponding Secondary Front Side Yard creates an undue hardship on the property by restriction a majority percentage of the property from use. This zoning district is for larger properties in size and length thus creating an unnecessary and undue hardship for this particular and unique property in this zoning category.

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;

The proposed development is well in line with the Comprehensive Plan and overall zoning objectives of the City of St. Pete Beach. The proposal is actually well under the maximum allowed development density. The hardship variance is requested due to the parcel's unique size and configuration to allow for a completer and more optimal layout.

The proposed single family characteristics of the four units will be in align with the immediate neighborhood.

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

The applicant's request is due to site configuration and unnecessary and undue hardship due to the setback requirements and not to achieve greater financial return or maximum financial return. As stated, the proposal is for less than the allowed development density.

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;

The granting of the variance application conveys the same treatment as to the other lands, buildings, and structures in the same zoning district. No other property within the same zoning district meets all the setback and zoning requirements as literally interpreted in the code. Specifically, setback and height requirements.

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

The minimally requested variance is the minimum necessary to allow for a use of the land to accommodate for an optimal development in terms of layout and configuration based on the spirit, intent, and consistency of the city's zoning objectives and comprehensive plan.

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 requested variance is necessary to allow for a better use of the property for a use and structure more in line with the Comprehensive Plan and Land Development Code. The location of the proposed variances do not back up to any neighboring buildings or structures and still more than allow for the intent and purpose of the setbacks to be effective and satisfactory. The request fits with the neighborhood and is consistent with the neighboring properties. The proposal will enhance the look and feel of the community and will not diminish or impair property values. On the contrary, the proposal will likely elevate the community and improve property values.

Casey Sanders

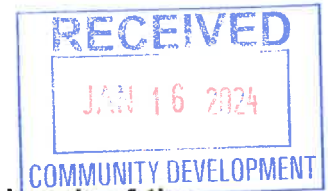
2.9.2024

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.

CS (initials) I understand that the City will not accept or process an incomplete application.

CS (initials) 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.

CS (initials) 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.

CS (initials) 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.

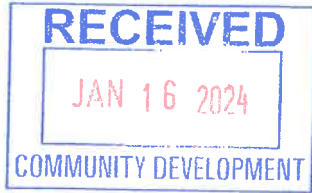
CS (initials) I understand that if any application filed under the provisions of this Code is denied, no subsequent application seeking substantially the same or similar approval shall be filed within six months of the final decision on the original application.

CS (initials) 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.

CS (initials) 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) 1-16-2024
Signature of Applicant Date



Owner's Authorization for Agent

Community Development Department
City of St. Pete Beach, Florida

I/WE

ALBERT PAUL NICKLAUS JR.
(print name of property owner)

hereby authorize

Todd Pressman
(print name of agent)

to represent me/us in an application for

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

[Signature]
Signature of Owner

Signature of Owner

ALBERT PAUL NICKLAUS JR.
Print Name of Owner

Print Name of Owner

The forgoing instrument was acknowledged before me this 16th day of

January 2024 by A. Paul Nicklaus or who is

personally known

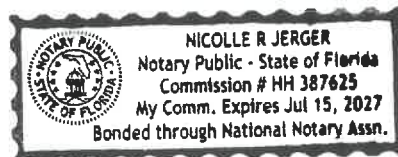
produced

as identification.

[Signature]
(Notary Signature)

1/16/24
(Date)

My Commission Expires July 15, 2027





Owner's Authorization for Agent

Community Development Department
City of St. Pete Beach, Florida

I/WE

ALBERT PAUL NICKLAUS JR.
(print name of property owner)

hereby authorize

Bayside Eng - Ely Payne
(print name of agent)

to represent me/us in an application for

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

Signature of Owner

Signature of Owner

Print Name of Owner

ALBERT PAUL NICKLAUS JR.

Print Name of Owner

The forgoing instrument was acknowledged before me this 16th day of January 2024 by A. Paul Nicklaus or who is personally known produced as identification.

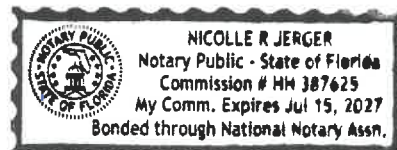
(Notary Signature)

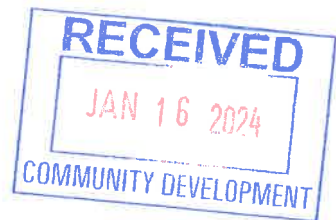
(Date)

1/16/24

My Commission Expires

July 15, 2027





Owner's Authorization for Agent

Community Development Department

City of St. Pete Beach, Florida

I/WE

ALBERT PAUL NICKLAUS JR.
(print name of property owner)

hereby authorize

Cassey Sanders
(print name of agent)

to represent me/us in an application for

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

[Signature]
Signature of Owner

Signature of Owner

ALBERT PAUL NICKLAUS JR.
Print Name of Owner

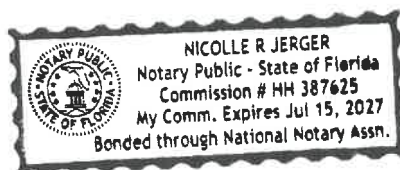
Print Name of Owner

The forgoing instrument was acknowledged before me this 16th day of January 2024 by A. Paul Nicklaus or who is personally known as identification. produced

[Signature]
(Notary Signature)

1/16/24
(Date)

My Commission Expires July 15, 2027





PUBLIC HEARING SIGN POSTING AFFIDAVIT

Applicant Casey Sanders, 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): Casey Sanders

Address: 520 Bay Laurel Ct NE, St. Petersburg, FL 33703

[Signature] 1-16-2024
Signature Date

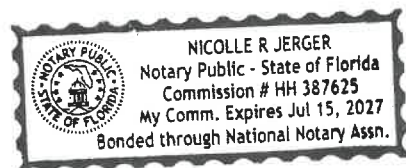
STATE OF FLORIDA)
) SS:
PINELLAS COUNTY)

The foregoing instrument was acknowledged before me this 16th day of January, 2024 by:
A. Paul Nicklaus who appeared before me, and is personally known to me, or has produced
as identification, and did take an oath.

My commission Expires: July 15, 2027 NOTARY: Nicolle Jerger
Print Name: Nicolle Jerger Notary

Public, State of Florida

(Notarial Seal)



DEAR APPLICANT:

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

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

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

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

LEGAL DESCRIPTION:

(per LAUSTER LAND SURVEY LLC survey)

THE PART OF BLOCK "G" OF DON CE-SAR PLACE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 13, PAGE(S) 15-20, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: STARTING AT THE INTERSECTION OF THE NORTHERLY BOUNDARY OF 37TH STREET (FORMERLY KNOW AS SEVILLE STREET) AND THE WESTERLY BOUNDARY OF GULF BOULEVARD (FORMERLY KNOWN AS PASS-A-GRILLE WAY AND FLORIDA AVE.), SAID POINT BEING OTHERWISE DESCRIBED AS THE SOUTHEASTERLY CORNER OF SAID BLOCK "G", AS A POINT OF BEGINNING; RUN THENCE WESTERLY ALONG THE SOUTH BOUNDARY OF SAID BLOCK "G", A DISTANCE OF 110 FEET TO A POINT; THENCE RUN NORTHERLY PARALLEL TO THE EAST BOUNDARY LINE OF SAID BLOCK "G" TO A POINT ON THE NORTH BOUNDARY LINE OF SAID BLOCK "G" A DISTANCE OF 178 FEET MORE OR LESS; THENCE EASTERLY ALONG THE NORTHERLY BOUNDARY OF SAID BLOCK "G" TO THE INTERSECTION OF THE NORTHERLY BOUNDARY OF SAID BLOCK "G" AND THE WESTERLY BOUNDARY OF GULF BOULEVARD (FORMERLY KNOW AS PASS-A-GRILLE WAY AND FLORIDA AVE.), SAID POINT BEING OTHERWISE DESCRIBED AS THE NORTHEASTERLY CORNER OF SAID BLOCK "G", A DISTANCE OF 122.26 FEET MORE OR LESS; THEN SOUTHERLY ALONG THE EASTERLY BOUNDARY OF SAID BLOCK "G", TO THE POINT OF BEGINNING;

LESS THAT PORTION LYING WITHIN 40 FEET OF THE SURVEY LINE OF STATE ROAD NO. 699, SECTION 15100, AS SAID SURVEY LINE IS FURTHER DESCRIBED IN DEED TO THE STATE OF FLORIDA, FILED APRIL 11, 1962, AND RECORDED IN OFFICIAL RECORDS BOOK 1402, PAGE 12, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA;

ALSO LESS THAT PORTION LYING WITHIN THE FOLLOWING METES AND BOUNDS DESCRIPTION: BEGIN ON THE EASTERLY EXTENSION OF THE NORTHERLY BOUNDARY OF LOT 9, BLOCK 4, SAID SUBDIVISION, AT A POINT 140.02 FEET EASTERLY OF THE WESTERNMOST CORNER OF SAID LOT 9, RUN THENCE NORTH 10°20'31" WEST, 50.00 FEET; THENCE SOUTH 79°40'20" WEST 40 FEET TO A POINT OF BEGINNING; CONTINUE THENCE SOUTH 79°40'29" WEST, 6 FEET; THENCE NORTH 34°39'59" EAST, 8.49 FEET; THENCE SOUTH 10°20'31" EAST, 6 FEET TO THE POINT OF BEGINNING.





January 16, 2024

City of St. Pete Beach - Planning Department
155 Corey Avenue
St. Pete Beach, FL

Re: Transmittal letter - GULF & 37TH VBROs
UNNECESSARY AND UNDUE HARDSHIP VARIANCE APPLICATION
Parcel ID: 07-32-16-21852-028-0001
Address: 3700 Gulf Blvd, St Pete Beach, FL 33706

Dear Mr. Berry & Ms. Coman,

We are submitting an Unnecessary and Undue Hardship Variance Application for the project, GULF & 37TH VBROs, on behalf of our client Casey Sanders for review and approval by the City of St. Pete Beach. Project includes redevelopment of a vacant restaurant site into a transient single family attached accommodation. Project includes four (4) Units spilt between two (2) duplex buildings along with drive aisle, stormwater management system, and landscape buffers. Access will be provided off 37th Ave in the location of the current driveway.

Variance request includes relief from sec.14.7.(b)(1), to reduce the front yard setback from 50ft to 45ft, sec.14.7.(b)(4), to reduce the rear yard setback from 20ft to 10ft, and sec. 22.7.(b)(1), to reduce the vehicle use area buffer from 8ft to 4ft. This request is due to the perceived unnecessary and undue hardship to the property based on the property's particular size and configuration and underlying zoning. The approval will allow for a development more in line with the neighboring properties and overall zoning objectives.

Included in this package are the following documents:

- Project Narrative (above)
- Variance Application
 - Legal Description
- (7) Variance Site Plan
- (2) Survey
- Conceptual Elevations & Floor Plans
- Conceptual Elevation Rendering
- Agent Authorization Form
- Site Data Table – with ISR Calculations
- Application Fee - \$500
- Mailing Fee – TBD
- CD – digital copy of all documents.
- Response to Preliminary Comments (Below)

Response to Preliminary Comments

1. We need scalable hard copies of all documents;
Response: Printed scalable documents submitted and included in digital form on submitted CD.
2. Please provide a short narrative description of what this development will entail. Based on conversations I understand it to be short-term condo lodging rentals. Typically our city does not allow for “interchangeable” units that are residential in part and lodging in part, so is there any intent for these to be occupied as permanent or seasonal residences?
Response: Units will be short-term condo lodging rentals and not permanent residential units. Narrative shown above.
3. The narrative seems to focus significantly on the comparison between the development and other properties in the same zoning district. While I understand that other properties in the RFM zoning are developed with nonconforming structures, they are still subject to the same regulations as your development when it comes to redevelopment, as you are proposing. I’d like to see a more significant focus on the actual hardship of the land, structure or building on your property specifically.
Response: Please see revised narrative.
4. Gulf Boulevard is 80’ wide at your property, so the front VUA should be 8’, not 6’. That does not affect the request you are making but it is affecting its magnitude.
Response: Required setback shown on revised plans as 8 ft. Project still proposed 4’. The drive aisle has been revised to only be 24’ wide at the location of the garage doors where cars will be backing up into the drive aisle. The remaining portion of the aisle will only be 20 ft wide as required. This will allow for additional plantings and green space in the VUA buffer.
5. I would like to see detail of the buffers along the eastern frontage and northern rear yard due to the encroachment. What are you planning to plant in those areas? The northern yard shows ten feet of space but there is hardscape within it. How can a Type C buffer be accommodated in less than ten feet of space?
Response: Detail added to the plan to show the amount of trees and shrubs needed for each buffer. Hardscape sidewalk, building wall detail, and large portion of drive aisle removed from northern 10 ft type C Buffer. The trees planted in the front VUA buffer will have to be understory trees due to the above overhead wires. The 4 ft should be sufficient planting space for the understory trees and 2 ft continuous hedge. The number of plantings for the buffer was based on the 8 ft width, not the proposed 4 ft width to try and be as consistent with code as possible.
6. There is a reference to an easement along the northern lot line on the site plan but it is not shown on the survey. Is there an overhead line easement present? Would that restrict the type of landscaping permitted?
Response: There is a 5 ft easement shown on the survey and now called out on the revised plans. It is referenced as a “5’ easement for planting wall, etc” on the submitted survey. 5 ft setback will be maintained to the building from referenced easement.

Please feel free to call with any questions or if any additional information is needed.

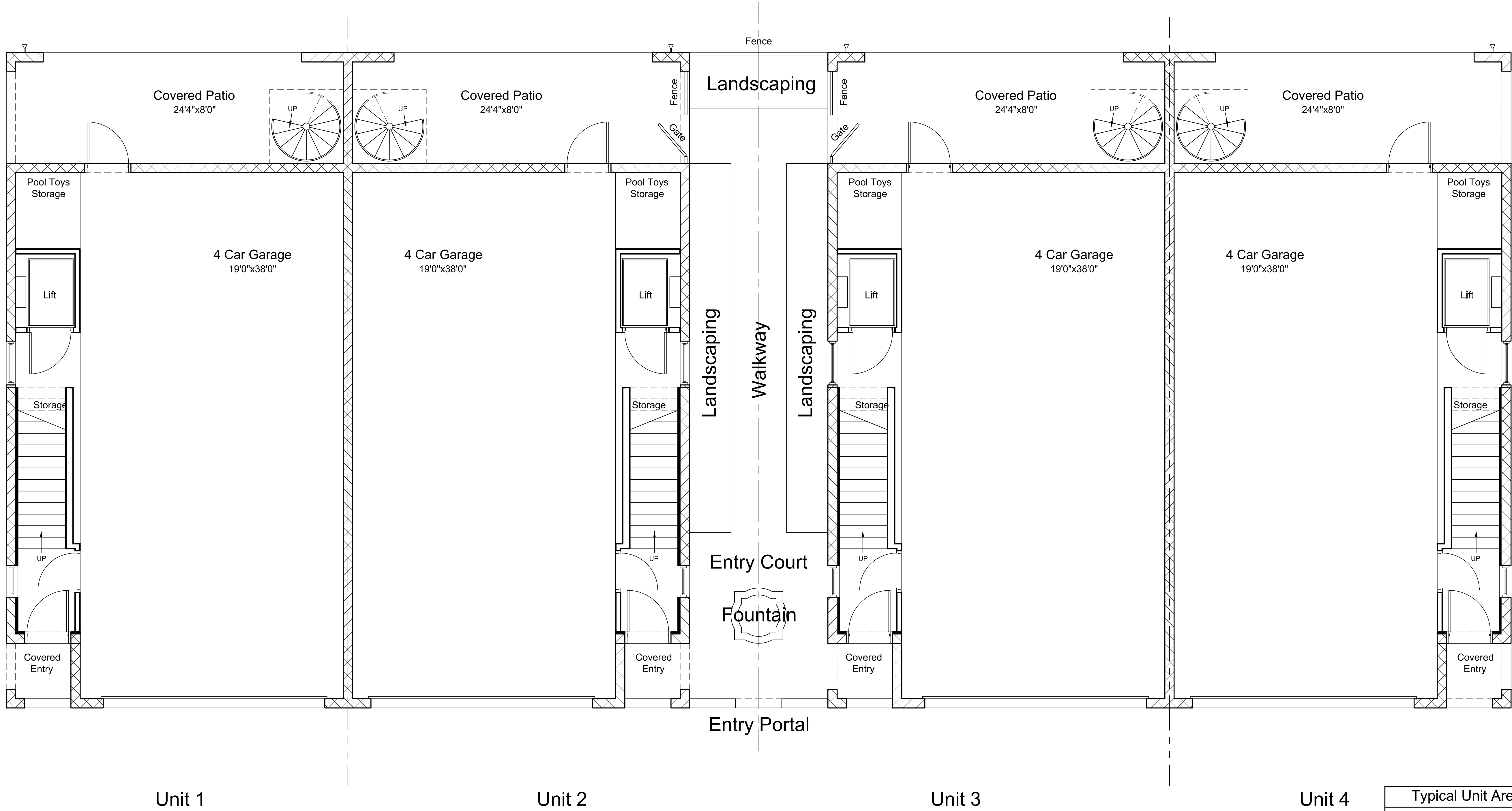
Respectfully,

Baysite Engineering, LLC.

A handwritten signature in blue ink, appearing to read 'P. Ely Payne', is positioned below the company name.

P. Ely Payne, P.E.
Principal

Total Area Tabulation All Units	
LIVING AREA:	
GRADE LEVEL:	500 SqFt
1ST FLOOR:	3880 SqFt
2ND FLOOR:	4672 SqFt
3RD FLOOR:	3520 SqFt
TOTAL LIVING AREA:	12,572 SqFt
GARAGE:	3292 SqFt
TOTAL ENCLOSED:	15,864 SqFt
FRONT PORCH:	88 SqFt
BACK PORCH:	788 SqFt
FRONT BALCONY:	204 SqFt
REAR BALCONY:	788 SqFt
TOTAL UNDER ROOF:	17,732 SqFt



Typical Unit Area Tabulation	
LIVING AREA:	
GRADE LEVEL:	125 SqFt
1ST FLOOR:	970 SqFt
2ND FLOOR:	1168 SqFt
3RD FLOOR:	880 SqFt
TOTAL LIVING AREA:	3143 SqFt
GARAGE:	823 SqFt
TOTAL ENCLOSED:	3966 SqFt
FRONT PORCH:	22 SqFt
BACK PORCH:	197 SqFt
FRONT BALCONY:	51 SqFt
REAR BALCONY:	197 SqFt
TOTAL UNDER ROOF:	4433 SqFt

Project No. APC-2345 Scale: 1/4"=1'-0"

0' 1' 2' 4' 6' 10'

Gulf Boulevard Villas
3700 Gulf Boulevard
St. Pete Beach, Florida

Date Issued: 12-28-23	
No.:	Revision:
Date:	

Grade Level Floor Plans

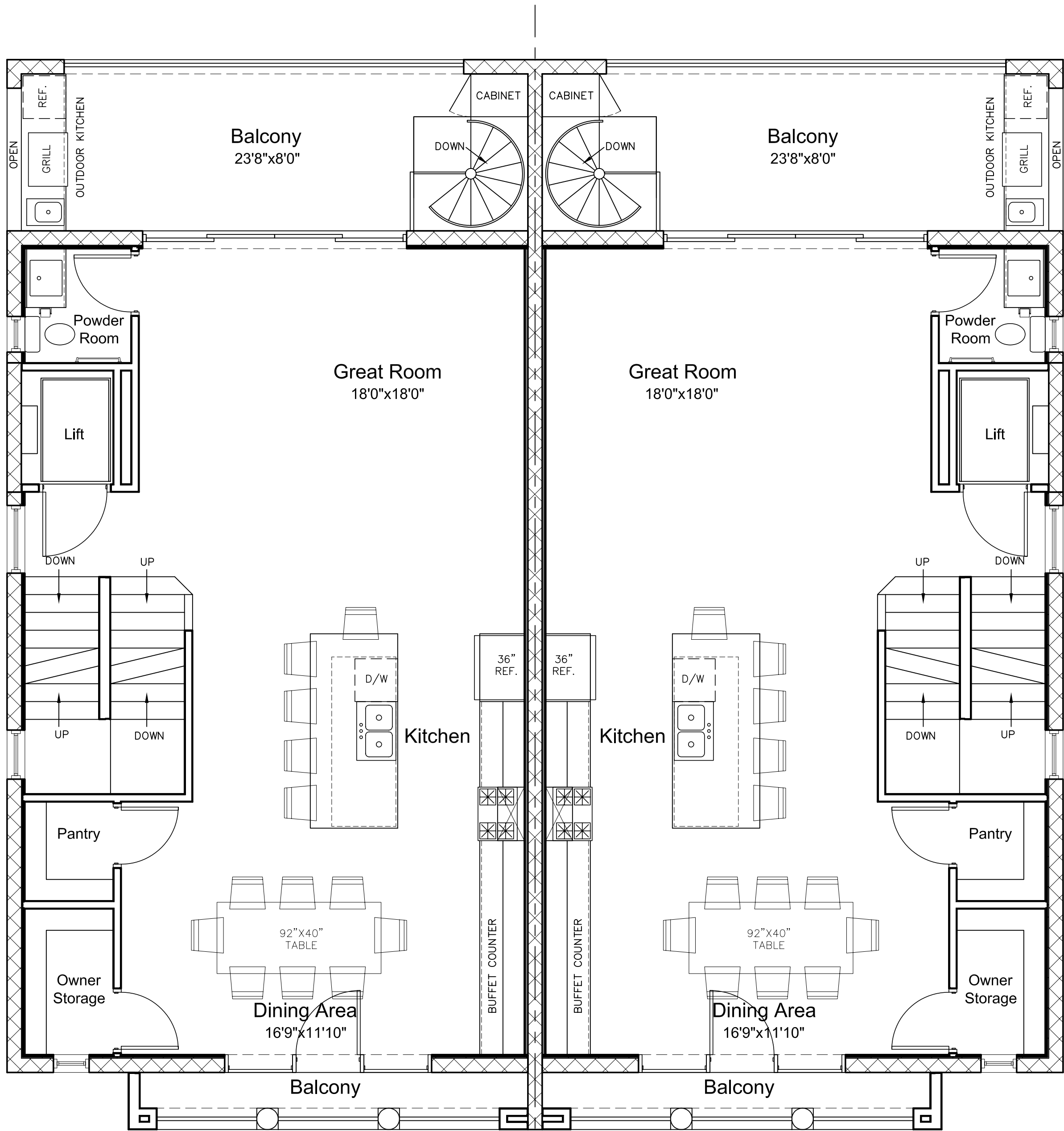
ALDERMAN Planning

COMPANY

Phone: 813.833.5161
617 Marshall Street, Lexington, VA 24450

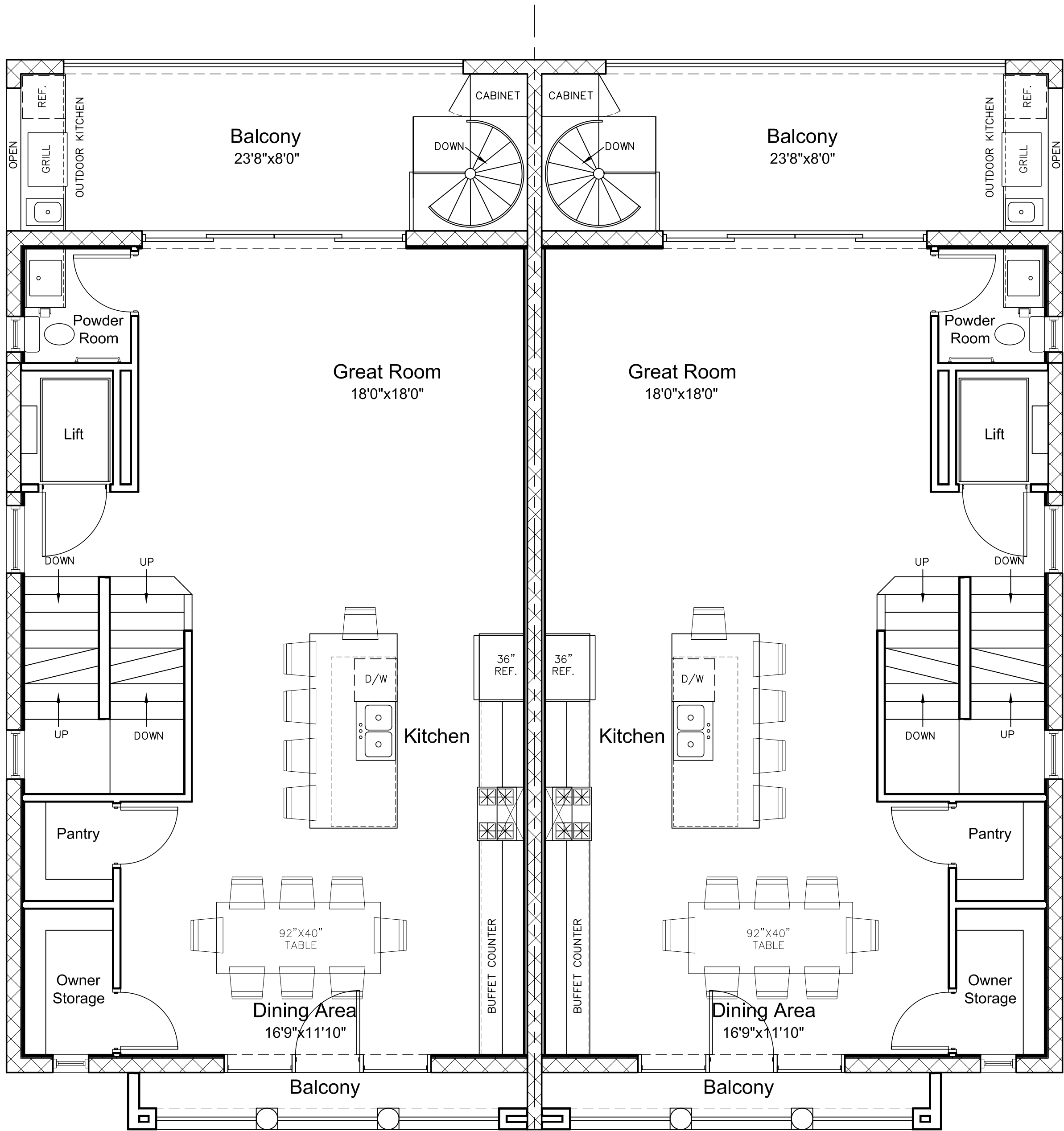
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Unit 1

Unit 2



Unit 3

Unit 4

Total Area Tabulation All Units	
LIVING AREA:	
GRADE LEVEL:	500 SqFt
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2ND FLOOR:	4672 SqFt
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REAR BALCONY:	197 SqFt
TOTAL UNDER ROOF:	4433 SqFt

Project No. APC-2345 Scale: 1/4"=1'-0"

0' 1' 2' 4' 8' 16'

Gulf Boulevard Villas
3700 Gulf Boulevard
St. Pete Beach, Florida

Date Issued: 12-28-23	
No.:	Revision:
Date:	

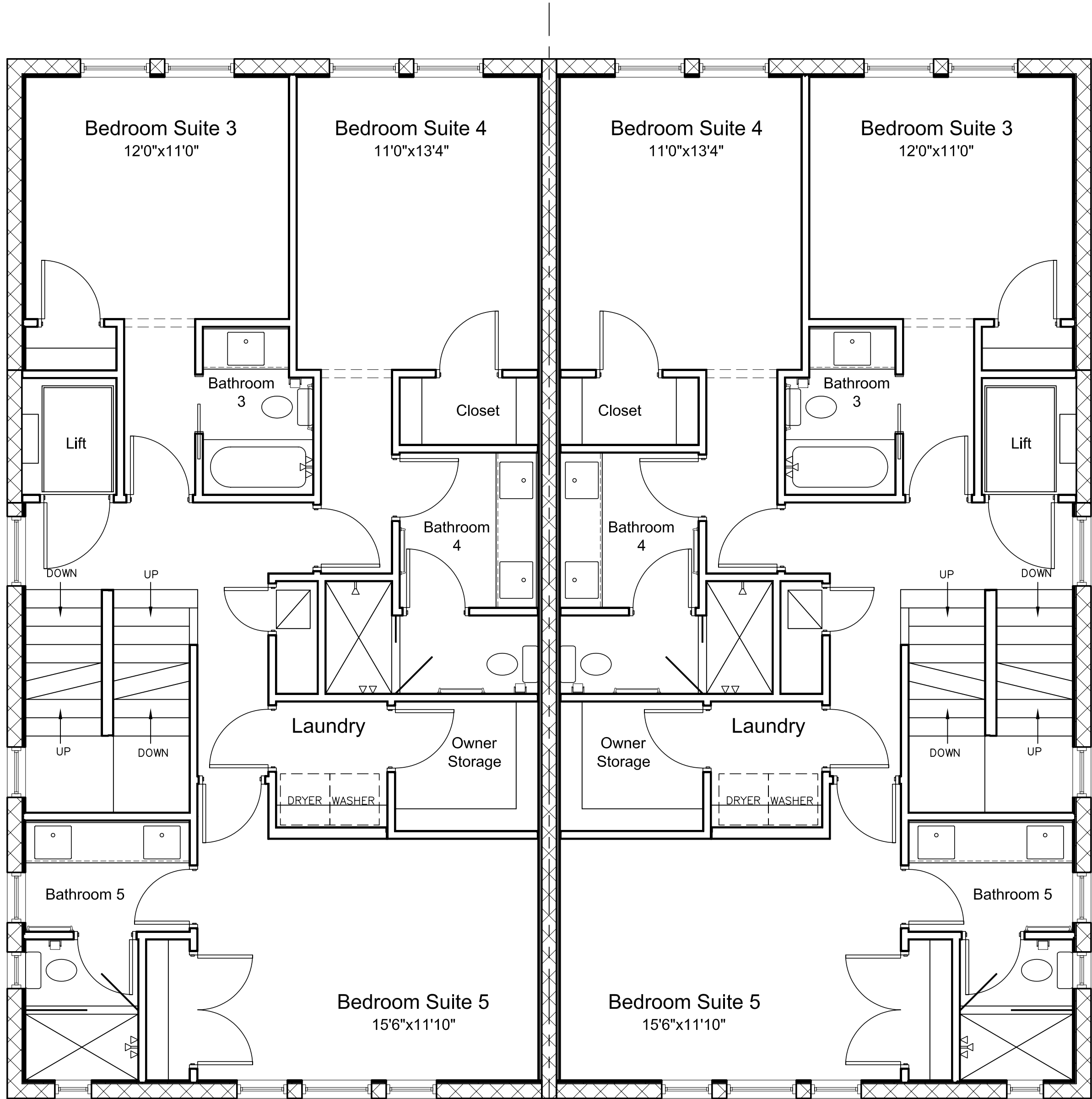
1st Floor Plans

ALDERMAN Planning
COMPANY
Phone: 813.833.5161
617 Marshall Street, Lexington, VA 24450

Sheet

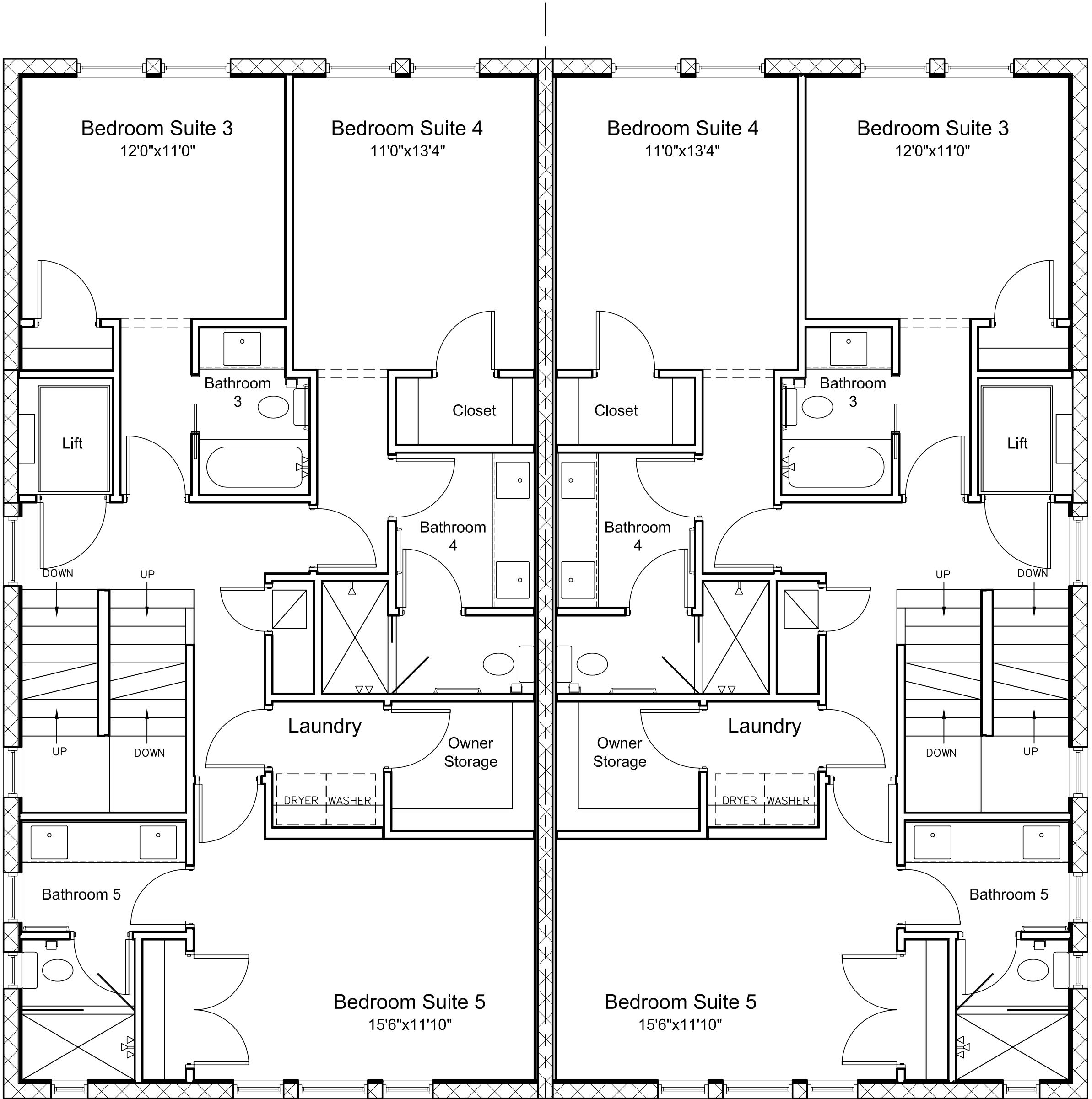
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Total Area Tabulation All Units	
LIVING AREA:	
GRADE LEVEL:	500 SqFt
1ST FLOOR:	3880 SqFt
2ND FLOOR:	4672 SqFt
3RD FLOOR:	3520 SqFt
TOTAL LIVING AREA:	12,572 SqFt
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TOTAL UNDER ROOF:	17,732 SqFt



Unit 1

Unit 2



Unit 3

Unit 4

Typical Unit Area Tabulation	
LIVING AREA:	
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REAR BALCONY:	197 SqFt
TOTAL UNDER ROOF:	4433 SqFt

Project No. APC-2345

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

0'

1'

2'

4'

8'

16'

Gulf Boulevard Villas

3700 Gulf Boulevard

St. Pete Beach, Florida

Date Issued: 12-28-23	
No.:	Revision:
Date:	

2nd Floor Plans

ALDERMAN Planning

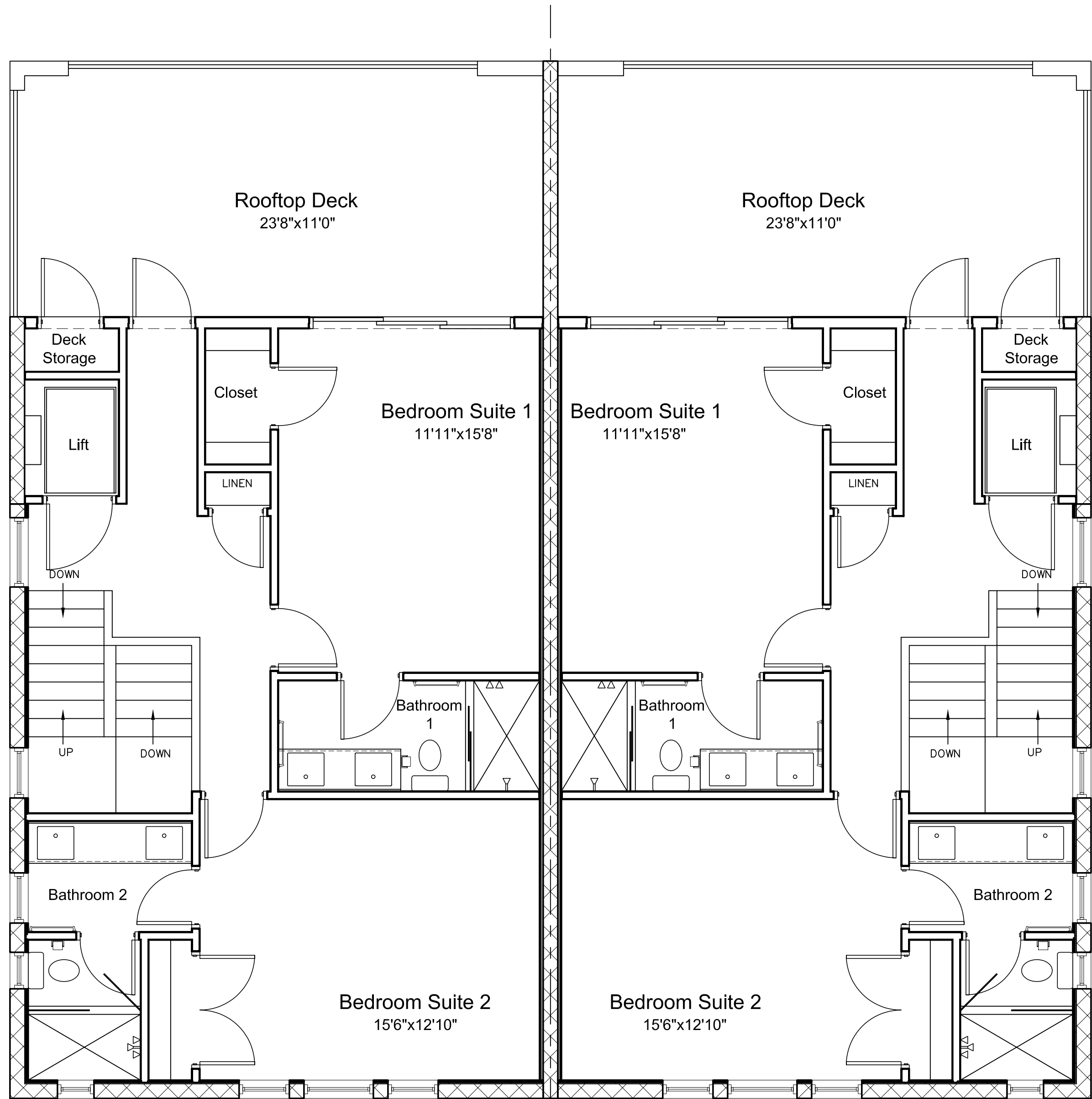
COMPANY

Phone: 813.833.5161

617 Marshall Street, Lexington, VA 24450

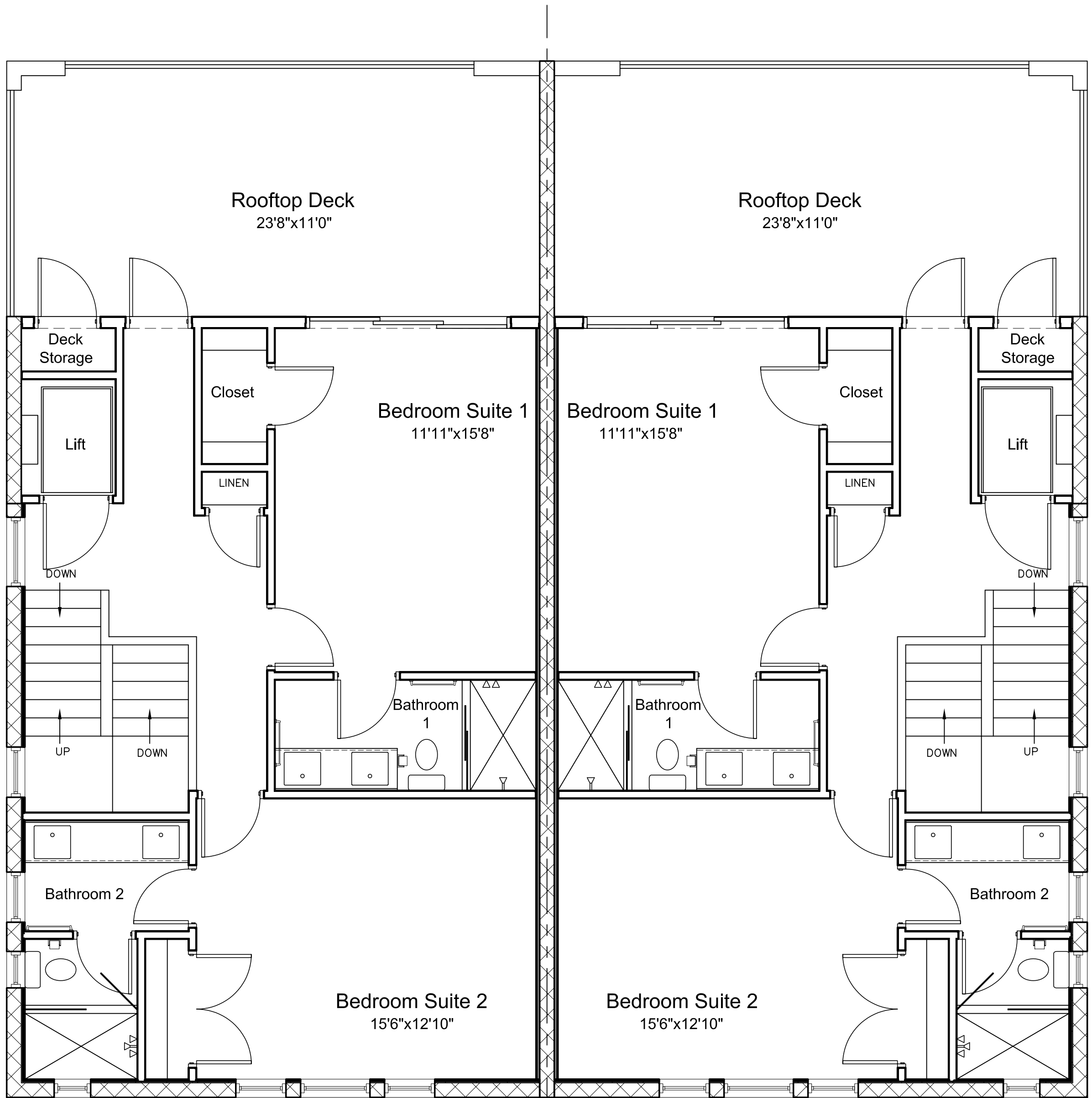
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Unit 1

Unit 2



Unit 3

Unit 4

Project No. APC-2345 Scale: 1/4"=1'-0"

Gulf Boulevard Villas
3700 Gulf Boulevard
St. Pete Beach, Florida

Date Issued: 12-28-23

No.	Date	Revision

3rd Floor Plans

ALDERMAN Planning
COMPANY
Phone: 813.833.5161
617 Marshall Street, Lexington, VA 24450

Sheet

A.1.3



Unit 1

Unit 2

Unit 3

Unit 4

Front (Easterly - Gulf Boulevard) Elevation

Project No. APC-2345 Scale: 1/4"=1'-0"

0'

1'

2'

4'

8'

16'

0'

1'

2'

4'

8'

16'

Gulf Boulevard Villas
3700 Gulf Boulevard
St. Pete Beach, Florida

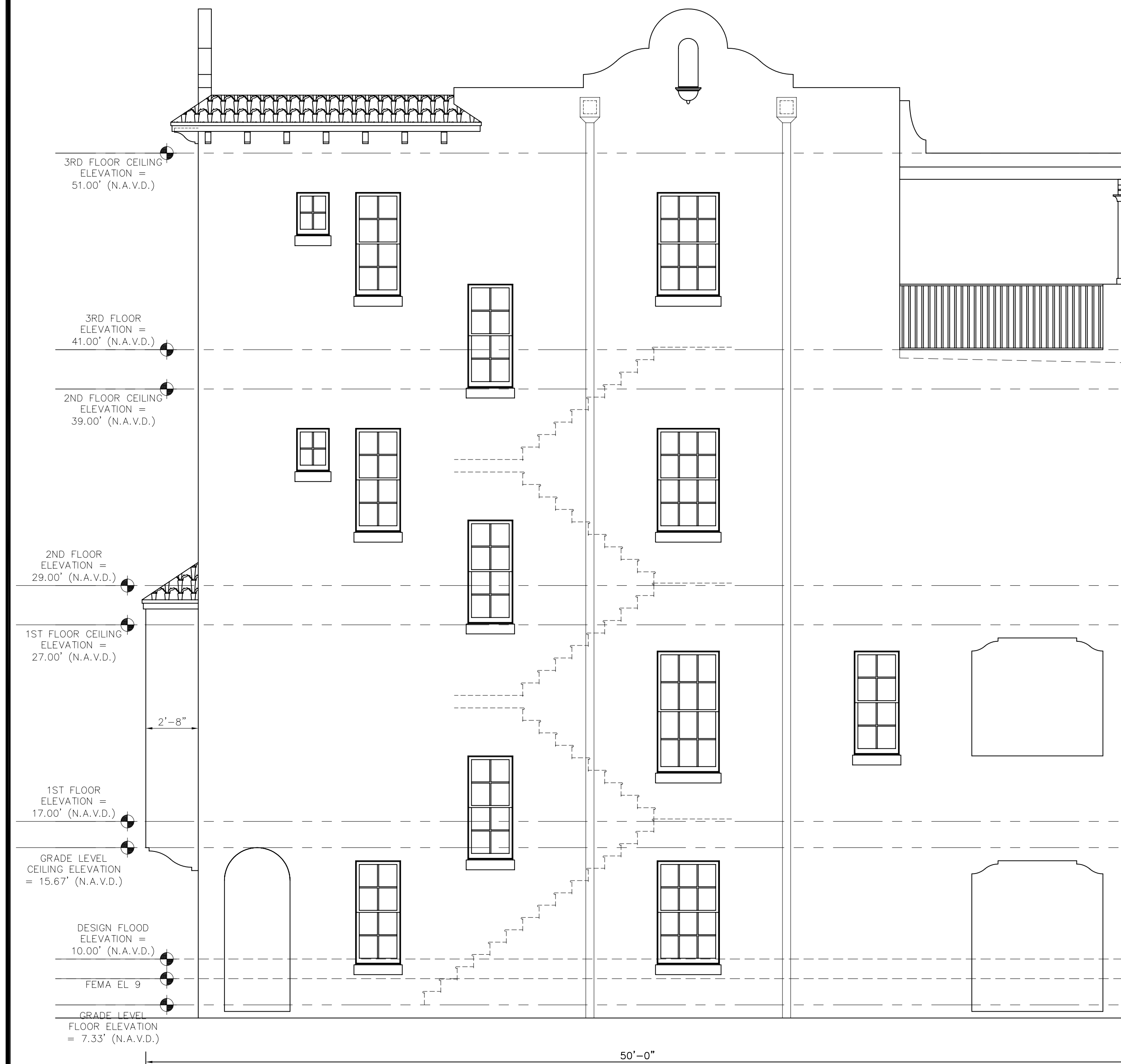
Date Issued: 12-28-23		Revision:	
No.:	Date:		

Front Elevation

ALDERMAN Planning
COMPANY
Phone: 813.833.5161
617 Marshall Street, Lexington, VA 24450

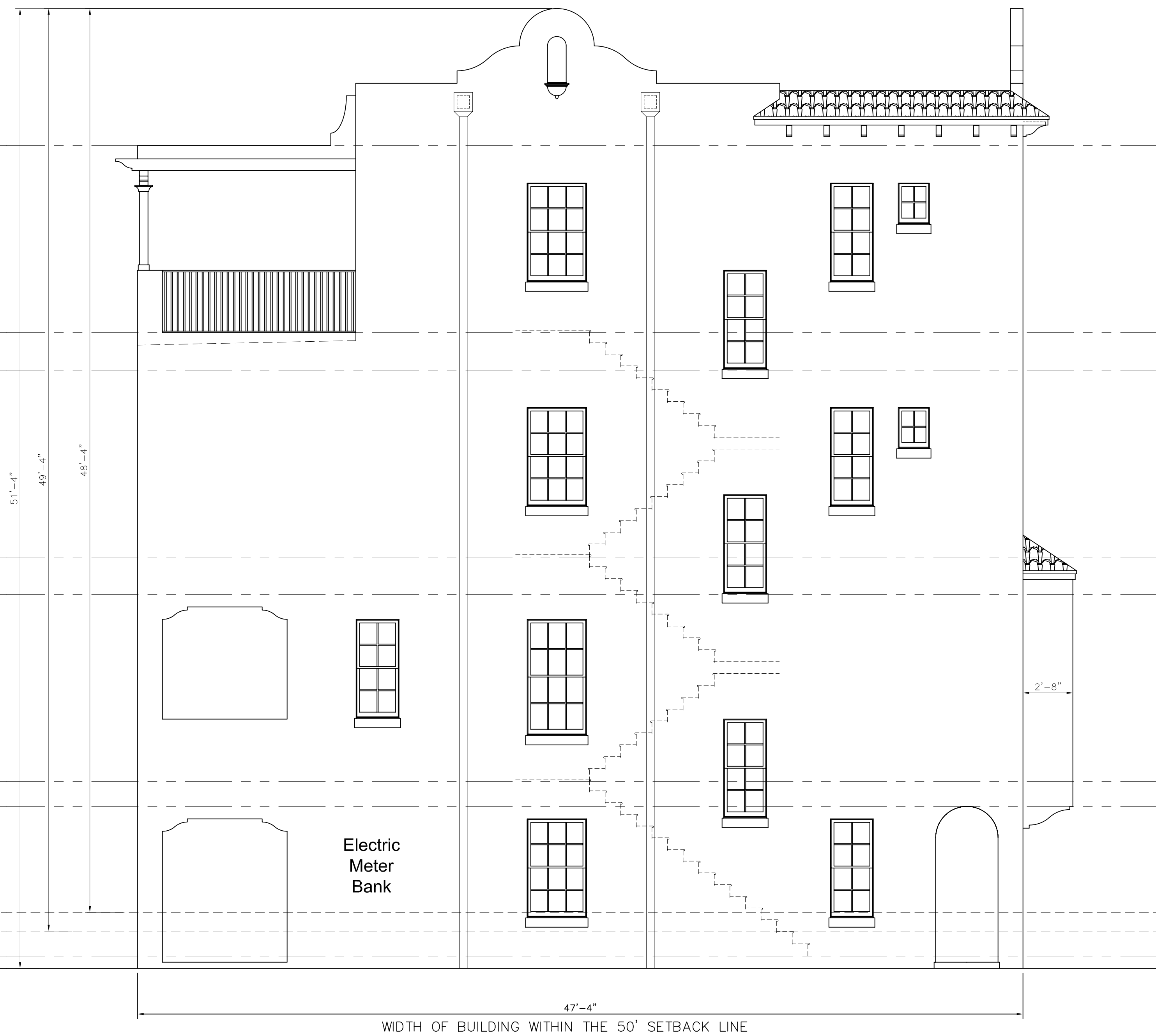
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Unit 4

Right Side (Northerly) Elevation



Unit 1

Left Side (Southerly - 37th Avenue) Elevation



Gulf Boulevard Villas
3700 Gulf Boulevard
St. Pete Beach, Florida

o.i.	Date:	Revision:
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Date Issued: 12-28-23

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Side Elevations

Phone: 813.833.5161

617 Marshall Street, Lexington, VA 24450

Sheet

A.2.2



Rear (Westerly) Elevation

Project No. APC-2345 Scale: 1/4"=1'-0"

Gulf Boulevard Villas
3700 Gulf Boulevard
St. Pete Beach, Florida

Date Issued: 12-28-23

No.: Date: Revision:

Rear Elevation

ALDERMAN Planning

Phone: 813.833.5161
617 Marshall Street, Lexington, VA 24450

Sheet

A.2.3



DESCRIPTION:

THE PART OF BLOCK "G" OF DON CE-SAR PLACE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 13, PAGE(S) 15-20, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: STARTING AT THE INTERSECTION OF THE NORTHERLY BOUNDARY OF 37TH STREET (FORMERLY KNOWN AS PASS-A-GRIFFE WAY AND FLORIDA AVE.) SAID POINT BEING (FORMERLY KNOWN AS PASS-A-GRIFFE WAY AND FLORIDA AVE.), SAID POINT BEING OTHERWISE DESCRIBED AS THE SOUTHEASTERLY CORNER OF SAID BLOCK "G", AS A POINT OF BEGINNING; RUN THENCE WESTERLY ALONG THE SOUTH BOUNDARY OF SAID BLOCK "G", A DISTANCE OF 110 FEET TO A POINT; THENCE RUN NORTHERLY PARALLEL TO SAID SOUTH BOUNDARY OF SAID BLOCK "G", A DISTANCE OF 178 FEET MORE OR LESS; THENCE EASTERLY ALONG THE NORTHERLY BOUNDARY OF SAID BLOCK "G" TO THE INTERSECTION OF THE NORTHERLY BOUNDARY OF SAID BLOCK "G" AND THE WESTERLY BOUNDARY OF GULF BOULEVARD (FORMERLY KNOWN AS PASS-A-GRIFFE WAY AND FLORIDA AVE.), SAID POINT BEING OTHERWISE DESCRIBED AS THE SOUTHWESTERLY CORNER OF SAID BLOCK "G", A DISTANCE OF 122.26 FEET MORE OR LESS; THEN SOUTHERLY ALONG THE EASTERLY BOUNDARY OF SAID BLOCK "G", TO THE POINT OF BEGINNING;

LESS THAT PORTION LYING WITHIN 40 FEET OF THE SURVEY LINE OF STATE ROAD NO. 699, SECTION 15100, AS SAID SURVEY LINE IS FURTHER DESCRIBED IN DEED TO THE STATE OF FLORIDA, FILED APRIL 11, 1962, AND RECORDED IN OFFICIAL RECORDS BOOK 1402, PAGE 12, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA;

ALSO LESS THAT PORTION LYING WITHIN THE FOLLOWING METES AND BOUNDS DESCRIPTION: BEGIN ON THE EASTERLY EXTENSION OF THE NORTHERLY BOUNDARY OF LOT 9, BLOCK 4, SAID SUBDIVISION, AT A POINT 140.02 FEET EASTERLY OF THE WESTERMOST CORNER OF SAID LOT 9, RUN THENCE NORTH 102°03'1" WEST, 50.00 FEET; THENCE SOUTH 79°42'00" WEST 40 FEET TO A POINT OF BEGINNING; CONTINUE THENCE SOUTH 79°40'29" WEST, 6 FEET; THENCE NORTH 34°39'59" EAST, 8.49 FEET; THENCE SOUTH 102°30'31" EAST, 6 FEET TO THE POINT OF BEGINNING.

NOTES:

1. BEARINGS ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM [WEST ZONE] NAD 83/2011 -- EPOCH 2010.0000 AND ARE DERIVED FROM THE WESTERLY RIGHT-OF-WAY LINE OF GULF BOULEVARD HAVING A BEARING OF S10°20'31"E.
2. THE PROPERTY LIES WITHIN FLOOD ZONE "AE" AS SHOWN ON FLOOD INSURANCE RATE MAP PANEL NO. 12103C00278H REVISED 8/24/2021.
BASE FLOOD ELEVATION = 9 FEET.
3. THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT OR ABSTRACT AND THEREFORE DOES NOT NECESSARILY INDICATE ALL THE ENCUMBRANCES ON THE PROPERTY.
4. BEARINGS AND DISTANCES ARE FIELD MEASUREMENTS UNLESS NOTED OTHERWISE.
5. THIS SURVEY IS FOR THE EXCLUSIVE USE AND CERTIFIED TO PRIME STR, LLC. RE-USE OF THIS SURVEY FOR PURPOSES OTHER THAN INTENDED, WITHOUT WRITTEN PERMISSION WILL BE AT THE RE-USERS SOLE RISK AND WITHOUT LIABILITY TO THE SURVEYOR. NOTHING HEREIN SHALL BE CONSTRUED TO GIVE ANY RIGHTS OR BENEFITS TO ANYONE OTHER THAN THOSE CERTIFIED TO ON THIS SURVEY.
6. PORTIONS OF THIS SURVEY WERE UNDERTAKEN USING A TRIMBLE R12 GPS SYSTEM IN REAL TIME KINEMATIC MODE BASED ON THE FLORIDA PERMANENT REFERENCE NETWORK.
7. IMPROVEMENTS SUCH AS, BUT NOT LIMITED TO, FOUNDATIONS, SUBSURFACE IMPROVEMENTS AND LANDSCAPE FEATURES, ETC., HAVE NOT BEEN LOCATED EXCEPT AS SHOWN THERE MAY BE SOME AREAS NOT PHYSICALLY LOCATED OR SHOWN THAT LIE WITHIN THE BOUNDS OF THIS SURVEY THAT MAY BE TERMED JURISDICTIONAL BY DIAMETER OR VARIOUS GOVERNMENT AGENCIES.
8. TREES 4 INCHES IN DIAMETER OR LESS WERE NOT LOCATED.
9. UTILITIES SHOWN ARE ABOVE GROUND EVIDENCE ONLY. NO EXCAVATION OR UTILITY LOCATING SERVICES WERE PERFORMED TO VERIFY THE LOCATION OF UTILITIES.
10. OWNERSHIP OF FENCING WAS NOT DETERMINED.
11. SITE ELEVATION IS NAVD 1988. ELEVATIONS ARE BASED ON NGS BENCHMARK "196" (PID #AG00101) HAVING AN ELEVATION OF 3.24 NAVD. 1988 AND ELEVATION OF 4.16 NAVD 1929. THE DIFFERENCE WAS COMPUTED USING PERTON (NORTH AMERICAN VERTICAL DATUM CONVERSION) WHICH IS A GEODETIC TOOL PROVIDED BY NGS, THAT COMPUTES THE MODELED DIFFERENCES IN ORTHOMETRIC HEIGHT BETWEEN NAVD 1988 AND NAVD 1929.
13. ADDRESS: 3700 GULF BLVD, SAINT PETE BEACH, FL 33706
14. THIS SURVEY IS NOT VALID IF PRINTED, OR WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.



UTILITIES

- | | |
|---|---------------------|
|  | UTILITY BOX |
|  | TELEPHONE PEDESTAL |
|  | UTILITY POLE |
|  | TRAFFIC SIGNAL BOX |
|  | WATER METER |
|  | BACK FLOW PREVENTER |
|  | WATER VALVE |
|  | IRRIGATION VALVE |
|  | ELECTRIC BOX |

TREES & BRUSH

- | | |
|---|-----------------|
|  | OAK TREE |
|  | PALM TREE |
|  | PINE TREE |
|  | ORNAMENTAL TREE |
|  | UNKNOWN TREE |

MISCELLANEOUS

-  HANDICAP PARKING
SIGN POST

HATCHING

- | | |
|--|----------|
| | CONCRETE |
| | ASPHALT |
| | BUILDING |

LINE TYPE

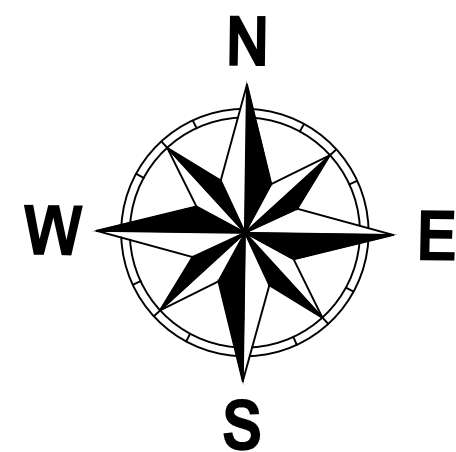
- | | |
|--|-------------------------------------|
| | BOUNDARY LINE |
| | RIGHT-OF-WAY LINE |
| | MISCELLANEOUS OVERHEAD UTILITY LINE |
| | CHAINLINK FENCE |
| | VINYL FENCE |

ABBREVIATIONS

- | | |
|---------|----------------------------------|
| P.O.B. | POINT OF BEGINNING |
| Δ | DELTA (CENTRAL ANGLE) |
| R | RADIUS |
| L | ARC LENGTH |
| CB | CHORD BEARING |
| R/W | RIGHT-OF-WAY |
| O.R.B. | OFFICIAL RECORDS BOOK |
| C.B. | CONDOMINIUM BOOK |
| P.B. | PLAT BOOK |
| PG. | PAGE |
| (P) | PLAT DATA |
| (D) | DEED DATA |
| (F) | FIELD DATA |
| NAD | NORTH AMERICAN DATUM |
| NAVd | NORTH AMERICAN VERTICAL DATUM |
| NGVD | NATIONAL GEODETIC VERTICAL DATUM |
| LS | LICENSED BUSINESS |
| PSM | PROFESSIONAL SURVEYOR & MAPPER |
| LS | LICENSED SURVEYOR |
| SQ. FT. | SQUARE FEET |
| ± | MORE OR LESS |



ADDRESS: 3735 2ND AVENUE NORTH
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LB8466



SCALE: 1:10

NAD 83/2011

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COMPLIANCE WITH F.S. CHAPTER
119.

BOUNDARY, TOPOGRAPHY, & TREE SURVEY

PINELLAS COUNTY, FLORIDA
SECTION 7, TOWNSHIP 32 SOUTH, RANGE 16 EAST

REVISION	BY	DATE
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REVISION	BY	DATE
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REVISION	BY	DATE
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120 of 122

LEGAL DESCRIPTION:

(per LAUSTER LAND SURVEY LLC survey)

THE PART OF BLOCK "G" OF DON CE-SAR PLACE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 13, PAGE(S) 15-20, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: STARTING AT THE INTERSECTION OF THE NORTHERLY BOUNDARY OF 37TH STREET (FORMERLY KNOWN AS SEVILLE STREET) AND THE WESTERLY BOUNDARY OF GULF BOULEVARD (FORMERLY KNOWN AS PASS-A-GRILLE WAY AND FLORIDA AVE.), SAID POINT BEING OTHERWISE DESCRIBED AS THE SOUTHEASTERLY CORNER OF SAID BLOCK "G", AS A POINT OF BEGINNING; RUN THENCE WESTERLY ALONG THE SOUTH BOUNDARY OF SAID BLOCK "G", A DISTANCE OF 110 FEET TO A POINT; THENCE RUN NORTHERLY PARALLEL TO THE EAST BOUNDARY LINE OF SAID BLOCK "G" TO A POINT ON THE NORTH BOUNDARY LINE OF SAID BLOCK "G" A DISTANCE OF 178 FEET MORE OR LESS; THENCE EASTERLY ALONG THE NORTHERLY BOUNDARY OF SAID BLOCK "G" TO THE INTERSECTION OF THE NORTHERLY BOUNDARY OF SAID BLOCK "G" AND THE WESTERLY BOUNDARY OF GULF BOULEVARD (FORMERLY KNOWN AS PASS-A-GRILLE WAY AND FLORIDA AVE.), SAID POINT BEING OTHERWISE DESCRIBED AS THE NORTHEASTERLY CORNER OF SAID BLOCK "G", A DISTANCE OF 122.26 FEET MORE OR LESS; THEN SOUTHERLY ALONG THE EASTERLY BOUNDARY OF SAID BLOCK "G", TO THE POINT OF BEGINNING;

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Site Data Table

PROJECT LOCATION	ST.PETE BEACH, FLORIDA
PARCEL ID & ADDRESS	3700 GULF BLVD, ST PETE BEACH 07-32-16-21852-028-0001
PROPERTY AREA	0.39 AC (16,956 SF±)
FLU	RFM: RESORT FACILITIES MEDIUM
ZONING	RFM
CURRENT USE	VACANT - RESTAURANT, CAFETERIA
PROPOSED USE	TRANSIENT ACCOMMODATION
MAX DENSITY	30 UNITS PER ACRE 30 * 0.39 = 11.7 UNITS
PROPOSED DENSITY	4 UNITS
MAX ISR	0.70
MAX BUILDING HEIGHT	50 FEET
MIN GREEN SPACE	30% = 5,086 SF 5,400 SF± GREEN PROPOSED
BUILDING SETBACKS	FRONT = 50 FT SECONDARY FRONT YARD = 25 FT SIDE YARD: TEN PERCENT OF THE LOT WIDTH; MINIMUM TEN FEET = 0.10 * 90 FT = 9 FT SIDE YARD = 10 FT REAR YARD = 20 FT
PARKING REQUIRED	SINGLE FAMILY ATTACHED 2 SPACES/UNIT
PARKING PROPOSED	2 GARAGE SPACES PER UNIT + 1 GUEST SPACE
FEMA FLOODPLAIN	COASTAL AE - ELEVATION 9 MAP 12103C0278H - EFF. 8/24/2021
UTILITIES	
WATER	PINELLAS COUNTY
SEWER	CITY OF ST PETE BEACH
EXISTING SITE AREA	
TOTAL PROPERTY AREA	0.39 AC (16,956 SF±)
EX BUILDING	1,431 SF±
EX ASPHALT & SIDEWALK	8,803 SF±
EX IMPERVIOUS TOTAL	10,234 SF± (60%)
EX OPEN SPACE (PERVIOUS)	6,722 SF± (40%)
PROP SITE AREA	
PROP BUILDING	4,668 SF±
PROP ASPHALT & SIDEWALK	2,382 SF±
PROP IMPERVIOUS TOTAL	7,050 SF± (42%)
PERMEABLE DRIVEWAYS	4,688 SF±
PROPOSED PERVIOUS	9,906 SF± (58%)
IMPERVIOUS DIFFERENCE	10,234 SF± - 7,050 SF± = - 3,184 SF = 3,184 SF REDUCTION