



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

155 Corey Avenue  
St. Pete Beach, FL 33706

Wednesday, March 27, 2024  
2:00 PM

Call to Order  
Pledge of Allegiance  
Roll Call

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**REGULAR MEETING**

1. Approval of the Agenda -

**Action Request: Motion to approve the March 27, 2024 agenda.**

2. Audience Comments -

*Comments shall be limited to 3 minutes. Please complete and submit a public comment card to the Clerk.*

3. Approval of Minutes

**a. February 28, 2024**

4. Action Items -

**a. Case No. 24012 – 510 78<sup>th</sup> Ave.**

*Unnecessary and Undue Hardship Variance:* Thomas de Yampert requests to replace existing residential storage building with proposed 160 sq. ft., 9'1" high residential storage building where maximum of 80 sq. ft. and maximum height of 8' is permitted (LDC Sec. 6.13(b)(5)(a-b)).

**b. Case No. 24002 – 2909 Sunset Way**

*Practical Difficulty Variance:* Brian Aungst, Jr. for Olin and Elise Lippincott requests construction of an elevated rear deck and inground pool that exceeds 2' in height with proposed north and south side yard setbacks of 2' where a minimum 5' setback is required and rear yard setback of 0' where 20' is required (LDC Sec. 6.13(c)(1)(b) and (c)(2)(b)) and construction of 3rd floor open, unroofed terrace that does not meet the required 17' rear yard setback with 9'7" proposed (LDC Sec. 6.22(b)).

## 5. Adjournment - Next Meeting April 24, 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](http://www.stpetebeach.org).**

**DRAFT BOARD OF ADJUSTMENT MINUTES**  
**February 28, 2024 – 2:00 P.M.**  
**Commission Chambers**

**PRESENT:** Paul Skipper, Chair  
Michael Bomar, Vice Chair  
Denise Chase, Member  
Joe Moholland, Member  
Dan Small, Member

**STAFF PRESENT:** Kristin Coman, Senior Planner; Andrew Dickman, City Attorney; Ginny Bodkin, Deputy City Clerk

Chair Skipper called the meeting to order at 2:12 P.M.

**1. Approval of the Agenda -**

**Motion: Vice Chair Bomar moved, and Member Small seconded the approval of the February 28, 2024 agenda as presented; the motion carried unanimously by a voice vote.**

**2. Audience Comments – There were no comments.**

**3. Approval of Minutes – December 20, 2023 Meeting**

**Motion: Member Chase moved, and Member Small seconded approval of the December 20, 2023 meeting minutes as presented; the motion carried unanimously.**

The Deputy Clerk duly swore in all those present who would be testifying.

City Attorney Andrew Dickman reminded the board members to disclose any ex-parte communications they may have had prior to each agenda item.

Member Moholland disclosed that he received one resident email prior to the meeting and received printed emails from staff when he arrived for the meeting today. He visited the sites of all four cases being heard today but had no communications while there.

**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).

Senior Planner Brandon Berry presented a thorough review of the application for this Variance application. His presentation is part of the meeting record and included site photographs, zoning,

zoning table, survey, property description, site plans, hearing notices, variance criteria, variance request detail, staff analysis and staff comments. No letters of support or opposition were received.

Staff found that the applicant had provided partial support for a hardship with regard to points required for LEED certification and would like additional testimony from the applicant pertaining to the hardship faced. Staff recommendation was for the applicants to obtain FGBC Bronze or greater certification and Florida Water Star certification for the development.

Applicant Steven Boyle of 3672 Belle Vista Dr. introduced Contractor Grant McLaughlin of PJ Callaghan Construction, 3251 Moore St. N., St. Petersburg. Mr. McLaughlin testified regarding his communications with SWFWMD and Florida Water Star. Engineer Daniel Bergen of Civil on Demand, 3876 Belle Vista Dr. E., testified that the unique characteristics of the site make it at odds with LEED, and that there are no objections to the proposed conditions.

There was no comment in favor of or against the application and the Chair closed public comment.

**Motion: Member Chase moved and Member Small seconded to approve the variance for Case No. 23093 with the recommended conditions; the motion passed 5-0.**

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).

Senior Planner Kristin Coman presented a thorough review of the application for this Variance application. Her presentation is part of the meeting record and included photographs, zoning, zoning table, site plan, survey, elevation renderings, property description, plans, hearing notices, and variance criteria. The property is in the Pass-A-Grille Overlay. The Historic Preservation Board previously reviewed the request and found that the hardship was self-created. They recommended denial of the request. Staff would like the applicant to provide additional testimony, and their recommendation was for denial as the request does not advance the purposes of LDC Secs. 1.1 and 3.12 would be of substantial detriment and impair the intent and purpose of the zoning code. .

Ron Wilson Peregrine of Construction Group testified that they are only seeking an elevator in the center of the building; it cannot be seen from Pass-A-Grille Way. ADA requirements are met throughout the dwelling. If the variance is not granted, they will remove this elevator. The Board members asked questions.

Scott Schaming, the neighbor across Pass-A-Grill Way spoke in opposition to the request as it affects their views.

Tina Douglas of 2811 Pass-A-Grille Way spoke in opposition to the request and in support of the Historic Preservation Board's recommendation.

The Chair closed public comment and the Board deliberated.

**Motion:** Vice Chair Bomar moved, and Member Chase seconded to deny the variance for Case No. 23091 as there was no hardship had the applicant not created one; the motion passed 5-0.

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)).

Senior Planner Kristin Coman presented a thorough review of the application for this Variance application. Her presentation is part of the meeting record and included photographs, zoning, zoning table, survey of sign location, sign rendering, adjacent properties, plans, hearing notices, variance criteria, staff analysis and staff comments. There has been no freestanding sign since Hurricane Ian damaged the original. The sign is conforming, it just does not meet setback criteria.

Staff asked that the applicant provide additional testimony on prior signage comparison and landscaping. Staff found the request reasonable and recommended a condition that the sign layout be modified so that the street address numbers are clearly legible and approved by staff at permitting.

Anthony Sparacino of Extreme Signage, 5050 Seminole Blvd. appeared with applicant Ralph Ostrovski of 6243 7<sup>th</sup> Avenue S. and testified as to his client's intent for the signage; the sign cannot meet the setback without infringing on the golf course. The original sign was on the property line with no setback. Mr. Sparacino agreed to place the street number on the edge of the sign. The Board asked questions. Mr. Ostrovski. agreed to improved landscaping as a condition.

There was no public comment for or against the variance. The Chair closed public comment and the Board deliberated.

Ms. Coman will confer with the Fire Marshall on the best placement of the street address numbers.

**Motion:** Member Chase moved and Member Small seconded to approve the variance for Case No. 23076 with the conditions that the applicant work with staff to improve the visibility of the address numbers and provide a landscaping plan; the motion passed 5-0.

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)).

Senior Planner Brandon Berry presented a thorough review of the application for this Variance application. His presentation is part of the meeting record and included photographs, zoning, zoning table, survey, property description, plans, hearing notices, variance request detail and criteria, staff analysis and staff comments. Mr. Berry reported that the applicant supplied an updated rendering with a rooftop area for the development, which is not visible from Gulf Blvd.

Staff found the request to be reasonable with no adverse impact on the neighborhood. The applicant had substantially revised the submittal to reduce the impact on abutting properties. Staff recommended approval with the condition that the design features, colors, height and setbacks be as shown in the attachments at the time of site planning. Should any alterations be deemed significant by the City Manager or designee, the approval would be void and the applicant would return to the Board for reconsideration. Parking requirements could be added as a condition.

Attorney Katie Cole of Hill Ward Henderson appeared for the applicant. She presented a Powerpoint presentation to highlight some of the reasons why it is a difficult lot and the hardship exists. Her presentation is part of the meeting record. She requested to modify the condition of approval to say the design features, colors, setbacks shall be as generally shown in the attachments and the height may be varied within the district's permitted height.

Casey Sanders of 520 Bay Laurel Ct. St. Petersburg thanked the board for opportunity and improvement to the neighborhood.

No letters of opposition were received and there were no comments; the Chair closed public comment and opened Board deliberation.

The garages on the property were discussed and Ms. Cole asked for clarification.

**Motion: Member Chase moved and Member Small seconded to approve the variance for Case No. 24003 with the adjustment to the condition as requested by the applicant and an agreement to maintain a two-car garage per unit; the motion passed unanimously.**

6. Adjournment – The next meeting is scheduled for March 27, 2024.

**Vice Chair Bomar moved, and Member Chase seconded to adjourn the meeting at 3:40 PM.**

*These minutes will be considered for approval at the March 27, 2024 Board of Adjustment meeting.*

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

**Agenda Report**

**Action Request:** Motion to **APPROVE** as proposed Case No. 24012 to replace the existing residential storage building with proposed 160 sq. ft., 9'1" high residential storage building that exceeds maximum size requirement of 80 sq. ft. and maximum building height where 8' is permitted (LDC Sec. 6.13(b)(5)(a-b)).

**Strategic Objective:**

**Date:** March 27, 2024

**Prepared By:** Kristin Coman, Senior Planner

**Through:** Jennifer McMahon, Chief Operating Officer

**Summary of Issue:** *Unnecessary and Undue Hardship Variance:* Thomas de Yampert requests to replace existing residential storage building with proposed 160 sq. ft., 9'1" high residential storage building where maximum of 80 sq. ft. and maximum height of 8' is permitted (LDC Sec. 6.13(b)(5)(a-b)).

**Funding:** n/a

**Attachments:**

1. 24012 - 510 78th Ave. - Certificate of Completeness with Submittal Documents
2. 24012 - 510 78th Ave., Staff Report



Memo To: Board of Adjustment  
From: Kristin Coman, Senior Planner  
Date: 3/1/2024  
Re: **CERTIFICATE OF COMPLETENESS**

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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 **March 27, 2024**.

**Variance Case Number:** 24012

**Application Type:** Unnecessary and Undue Hardship Variance

**Owner:** Thomas K. de Yampert

**Applicant/Agent:** Same

**Parcel Number:** 36-31-15-61524-077-0140

**Address:** 510 78<sup>th</sup> Ave., St. Pete Beach, FL 33706

**Zone:** RLM-1

**Submittal Documents:**

1. Completed Unnecessary and Undue Hardship Variance application form last amended 3/1/2024.
2. Boundary Survey prepared by David C. Harner dated 2/8/2022, consisting of 1 sheet.
3. Boundary Survey prepared by David C. Harner dated 2/8/2022, consisting of 1 sheet showing proposed residential storage building.
4. Color photos representing proposed residential storage building, current shed and proposed shed location, consisting of 3 sheets.
5. Detail sheet providing overall heights provided by applicant.
6. Detail sheet of proposed residential storage structure prepared by Tuff Shed dated 12.20.23.

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

☒ Joe Moholland

☒ Michael Bomar, Vice Chair

☒ Dan Small

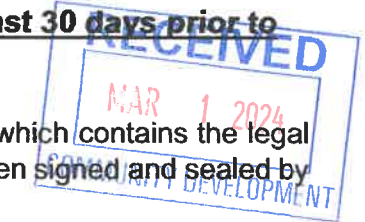
☒ Denise Chase

Cc: Thomas K. de Yampert, Applicant/Owner *via email* ([tomdeyampert@gmail.com](mailto:tomdeyampert@gmail.com))

CASE #: 24012PARCEL #: 36-31-15-61524-07-0140SUBMITTAL DATE: 2/1/24 AMOUNT DUE: 9555.04 PAYMENT DATE: 2/7/24**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](mailto:planning@stpetebeach.org).
- The Application Fee, payable to the City of St. Pete Beach (non-refundable)

**OWNER/AGENT INFORMATION:**

| Identification         | Name                 | Address                                   | Phone #      |
|------------------------|----------------------|-------------------------------------------|--------------|
| Owner                  | Thomas K. de Yampert | 510 78th Ave.<br>St. Pete Beach, FL 33706 | 727-420-2669 |
| Applicant/<br>Agent    | Same                 |                                           |              |
| Owner Email Address:   |                      | Applicant/Agent Email Address:            |              |
| tomdeyampert@gmail.com |                      | Same                                      |              |

**PROPERTY FOR PROPOSED VARIANCE:**

| Zoning Designation                                                       | Future Land Use Designation | Lot Area |
|--------------------------------------------------------------------------|-----------------------------|----------|
| RLM-1                                                                    | RLM                         | 5,000 SF |
| Legal Description: Lot 14, Blk 77, Unit 1, Book 21, Page 27 Pinellas Cty |                             |          |
| Address: 510 78th Ave St Pete Beach FL 33706                             |                             |          |
| Explanation of Request: SEE Attached                                     |                             |          |
| Replace existing 10x6 (60 sf) shed with a 10x16 (160 sf) shed.           |                             |          |
| WITH A PROPOSED HEIGHT OF 9'1"                                           |                             |          |
|                                                                          |                             |          |
|                                                                          |                             |          |
|                                                                          |                             |          |

**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;

*SEE ATTACHED*

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

*SEE ATTACHED*

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;

*SEE ATTACHED*

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;

*SEE ATTACHED*

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

SEE ATTACHED

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;

SEE ATTACHED

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

SEE ATTACHED

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.

SEE ATTACHED

 2/7/2024

Signature of Applicant

Date

Signature of Authorized Agent

Date

# UNNECESSARY AND UNDUE HARDSHIP VARIANCE APPLICATION 510 78<sup>TH</sup> AVE ST PETE BEACH



## EXPLANATION OF REQUEST:

I am requesting a variance to add an additional 100sf of storage space by removing an old existing 60sf Wally Watt shed and replacing it with a pre-manufactured 10X16X9'1", 160sf TUFF SHED. This request is for two variances (1) total square footage of 160 sqft (net additional square footage of 80sqft after the removal of the existing 80 sqft shed) and (2) a pre-designed height of 9'1".

## FINDINGS NECESSARY FOR GRANTING THIS VARIANCE REQUEST:

1. My lot is a standard 5,000sf lot and my house has only 912sf of living space and cannot be expanded due to the FEMA 50% rule regulations and the City of St Pete Beach {impervious ratio restraints} thus restricting me from adding any additional storage space for daily living needs. My house also may be considered of historical significance as a Sears Kit House built in 1946.
2. The house was built in 1946 as a simple beach cottage with only 912 sf of total living area and was never meant for a full-time residency with storage and closet space to accommodate a family full time. The closets are literally 2 ft deep by 5 ft wide. The only interior storage space is a 3 ft deep by 5 ft wide hall closet. To the best of my knowledge, there have been no spatial modifications to the interior of the home since original construction in 1946. I have lived at this address since 1986.
3. To the best of my knowledge, the home was built prior to our modern LDC and Zoning regulations as evidenced by the survey that shows the house 2.5ft into the utility easement. At that time houses were constructed in my neighborhood, mostly as weekend retreats or secondary housing, they had minimal storage areas such as closets, pantries, or other such storage space as is found in homes constructed for permanent, full-time, occupancy since that time. Housing built since the 1950s, in this neighborhood, were mostly constructed as primary residences with sufficient living space and placed within setbacks and

utility easement of record. Since the construction of my home a concrete drive was added which eliminated any option to expand my home, given current FEMA and impervious lot coverage ratios. This TUFF SHED is a fully engineered pre-manufactured shed. The wall heights are fixed thus making the 1'1' height variance required. Failure to grant this variance would deny me from adding a minimal amount of additional storage space, which would result in unnecessary and undue hardship.

4. The additional non-occupiable storage space will not increase the development density of my property and will not create a use of a structure which is not otherwise consistent with the Comprehensive Plan or the Development Code.
5. The minor square footage and height variance requested for additional storage space will not alter the current value of my property or bring me any financial gain,
6. Granting this variance will provide me with a small portion of the additional storage space currently found in other homes in the same zoning district.
7. This variance request provides me with the minimum variance that makes possible the reasonable use of the land and building area.
8. This variance request will not diminish or impair property values within the neighborhood. Additionally, this TUFF SHED will be back-to-back to my neighbors shed that is also approximately 9.5 feet above grade.

#### **BENEFITS RESULTING FROM APPROVAL OF THIS VARIANCE REQUEST:**

1. The existing shed is located on the rear property line of my property visible to my neighbor and is located on previous soil. The replacement shed will be located on the existing concrete drive and a minimum of 6 feet from the existing gazebo thus reducing the amount of impervious area of my property.
2. The second benefit to the neighborhood is the location of the new shed will be on my eastern side yard property line obscured from visibility by my neighbor's shed and garage and located approximately 25 feet north of my rear property line and approximately 1.5 ft off the eastern property line visually obscured from the south. Per St Pete Beach Land Development Code ancillary structures are allowed to be located adjacent to the property line, at the drip edge of the roof. Please refer to the attached site survey.



**ADDITIONALLY:**

This variance requested has a minimal impact on my property by increasing the square footage of my existing storage shed from 60 sf to 160 sf. If approved the existing 60 sf ancillary structure will be removed following the delivery of the new TUFF SHED.

The new shed will be installed on the existing concrete driveway behind the drive gate. The interest of the city will be served by allowing a new shed to replace an existing antiquated shed in a location that visually obscure to adjoining neighbors and decreasing the impervious area of my lot thus allowing my lot to retain more water.

The site survey, as attached hereto, has been reviewed by the City's Engineering Dept with no objection to placing the shed within the utility easement as all utilities are located along the western property line of my property. I assume all responsibility, if at some future date, the eastern utility easement is needed.

Thomas K. Dwyer  
SIGNATURE OF APPLICANT

3-1-24  
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.**

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

K 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.

K 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.

K 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.

K 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.

K 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.

K 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.**

Thomas K. Geyer  
Signature of Applicant

2/2/2024  
Date



### PUBLIC HEARING SIGN POSTING AFFIDAVIT

Applicant, THOMAS K. deYAMPERT, 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): THOMAS K. deYAMPERT

Address: 510 78<sup>th</sup> AVE, ST. PETE BEACH, FL 33706

Thomas K. deYampert 2/7/2024  
Signature Date

STATE OF FLORIDA )  
 ) SS:  
PINELLAS COUNTY )

The foregoing instrument was acknowledged before me this 7 day of February, 2024<sup>@</sup> by: Thomas K. DeYampert who appeared before me, and is personally known to me, or has produced as identification, and did take an oath.

My commission Expires:

NOTARY: Mistelle Dykens  
Print Name: Mistelle Dykens Notary

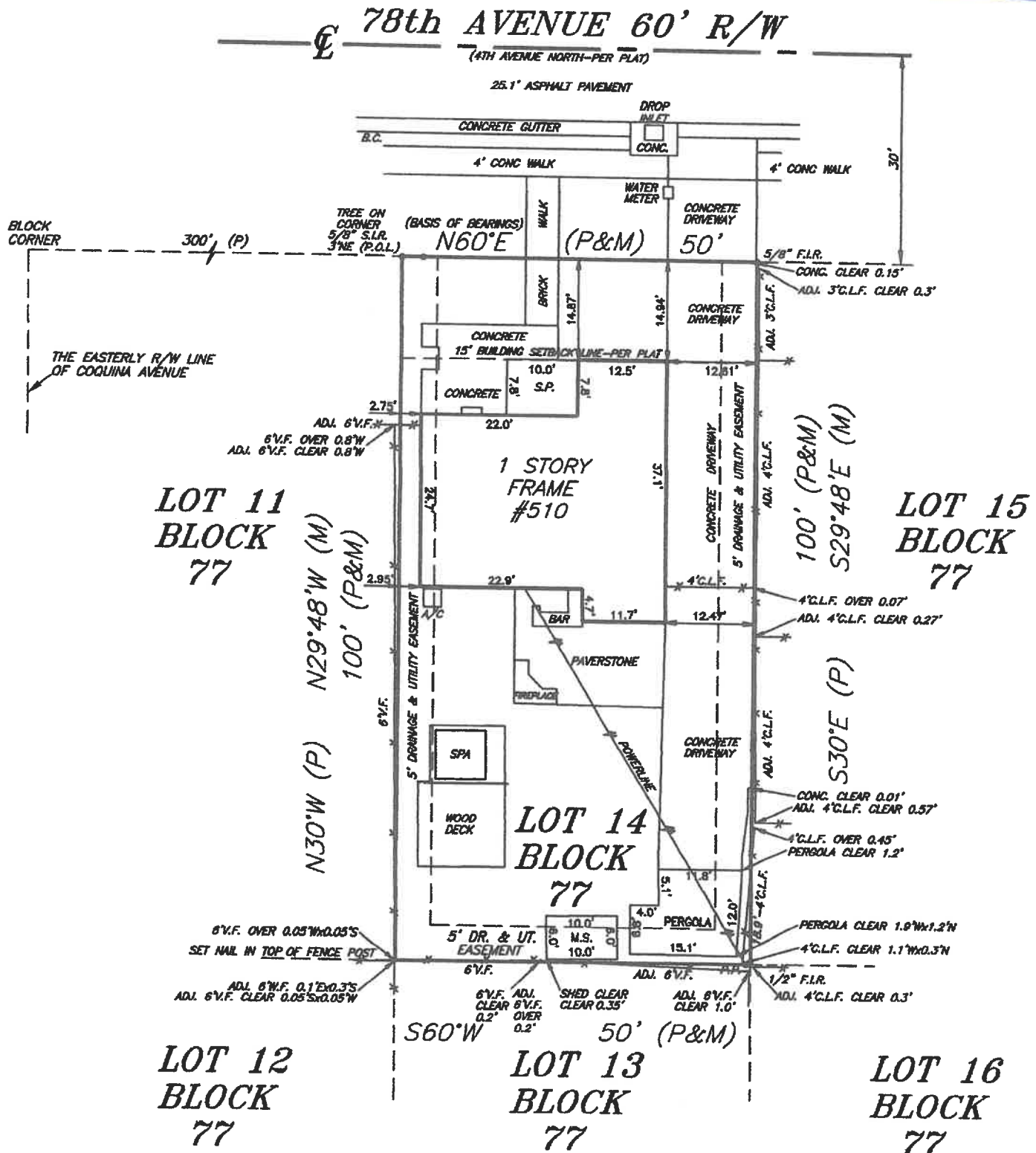
Public, State of Florida

(Notarial Seal)



24012, A-2

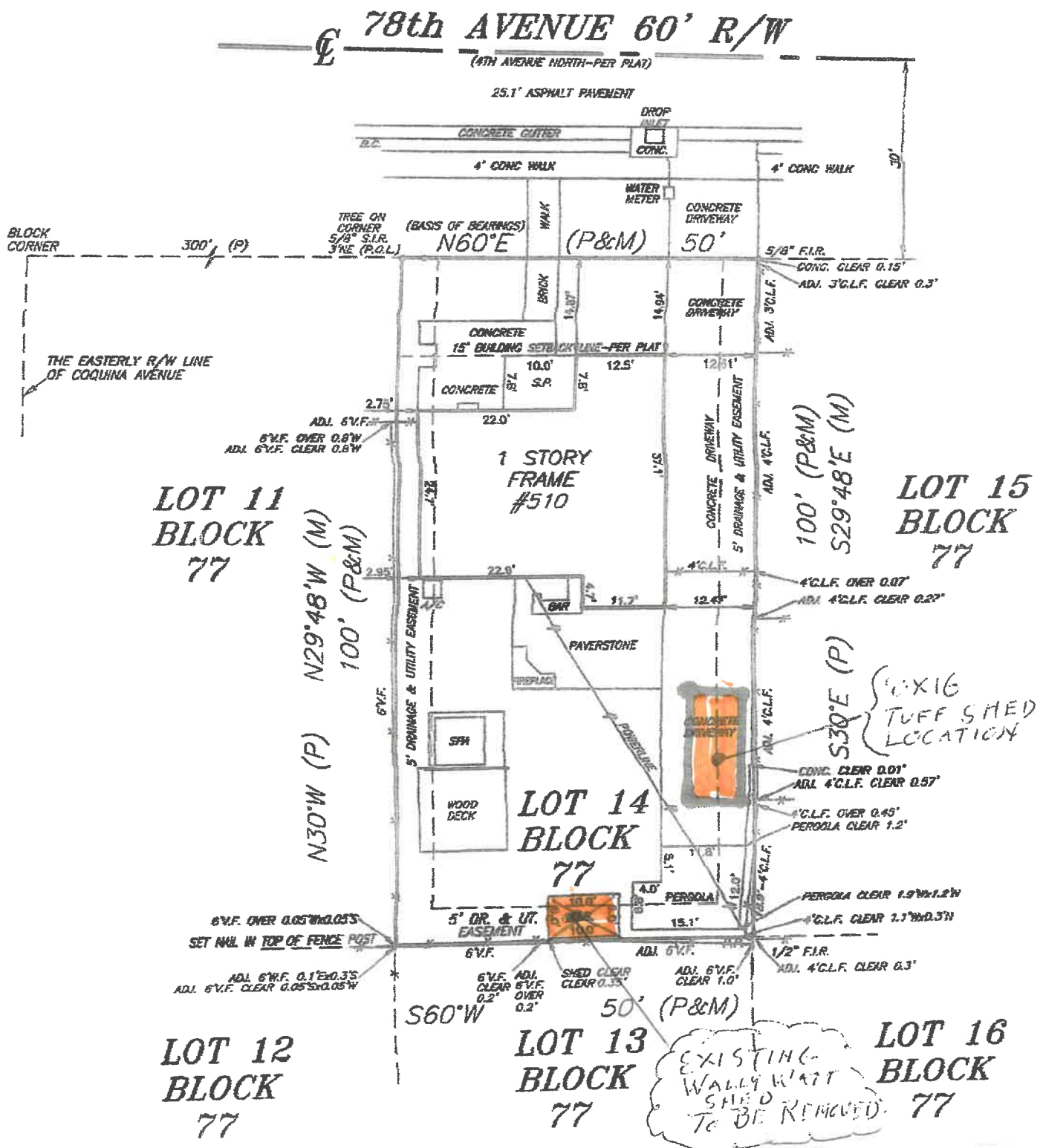
A Boundary Survey of Lot 14, Block 77, NORTH UNIT NO. 1, according to the map or plat thereof as recorded in Plat Book 21, Page 27, Public Records of Pinellas County, Florida.



|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                      |                                                                                                                                   |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|
| JOB NUMBER: MMXXII047<br>TELEPHONE: (727) 360-0636<br>DATE OF FIELD SURVEY: 2/07/22<br>SCALE: 1 INCH = 20 FEET<br>DRAWN BY: DLP                                                                                                                                                                                                                                                                                                                                                                                                                          | DAVID C. HARNER<br>PROFESSIONAL SURVEYOR & MAPPER<br>9925 GULF BOULEVARD<br>TREASURE ISLAND, FL. 33706<br>SECTION 36 TOWNSHIP 31 SOUTH RANGE 15 EAST | FLOOD ZONE: "AE" B.F.E.=10'<br>FLOOD MAP DATE: 8/24/21<br>COMMUNITY NUMBER: 125149<br>MAP NUMBER: 12103C0257 H<br>CHECKED BY: DCH |
| CERTIFIED TO:<br>THOMAS K. DEYAMPERT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                      |                                                                                                                                   |
| I HEREBY CERTIFY TO THE HEREON NAMED PARTY OR PARTIES, AND ONLY TO THOSE NAMED HEREON, THAT THE BOUNDARY SURVEY REPRESENTED HEREON MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO FLORIDA STATUTE 472.027.                                                                                                                                                                                                                     |                                                                                                                                                      |                                                                                                                                   |
| NOTES: UNDERGROUND FOUNDATIONS AND/OR IMPROVEMENTS, IF ANY, ARE NOT SHOWN. OTHER EASEMENTS AFFECTING THIS PROPERTY MAY EXIST IN THE PUBLIC RECORDS OF THIS COUNTY. ONLY THOSE EASEMENTS KNOWN TO ME OR SUPPLIED TO ME BY THE HEREON NAMED PARTY OR PARTIES ARE DEPICTED HEREON.                                                                                                                                                                                                                                                                          |                                                                                                                                                      |                                                                                                                                   |
| LEGEND:<br>A=ARC LENGTH ADJ=ADJACENT B.C.=BACK OF CURB CH.=CHORD LENGTH C=CALC C.L.F.=CHAINLINK FENCE<br>CONC=CONCRETE M.H.=MANHOLE C/C=COVERED CONC CL=CENTERLINE CH. BRG.=CHORD BEARING<br>EL=ELEVATION FF=FINISHED FLOOR F.I.P.=FOUND IRON PIPE S.I.R.=SET IRON ROD WITH CAP #2650<br>F.I.R.=FOUND IRON ROD F.C.M.=FOUND CONCRETE MONUMENT M=MEASURED M.S.=METAL SHED<br>D=DEED R=RECORD W/W=WING WALL W.F.=WOOD FENCE DR.=DRAINAGE UT.=UTILITY EASE=EASEMENT<br>B.M.=BENCHMARK P.I.=POINT OF INTERSECTION P.R.M.=PERMANENT REFERENCE MONUMENT P=PLAT |                                                                                                                                                      |                                                                                                                                   |
| "NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER"                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                      |                                                                                                                                   |

24012, A-3

A Boundary Survey of Lot 14, Block 77, NORTH UNIT NO. 1, according to the map or plot thereof as recorded in Plat Book 21, Page 27, Public Records of Pinellas County, Florida.



JOB NUMBER: MMXXII047  
TELEPHONE: (727) 360-0636  
DATE OF FIELD SURVEY: 2/07/22  
SCALE: 1 INCH = 20 FEET  
DRAWN BY: DLP

DAVID C. HARNER  
PROFESSIONAL SURVEYOR & MAPPER  
8025 GULF BOULEVARD  
TREASURE ISLAND, FL. 33706  
SECTION 36 TOWNSHIP 31 SOUTH RANGE 15 EAST

FLOOD ZONE: "AE" B.F.E.=10'  
FLOOD MAP DATE: 8/24/21  
COMMUNITY NUMBER: 125149  
MAP NUMBER: 1210300257 H  
CHECKED BY: DCH

CERTIFIED TO: THOMAS K. DEYAMPERT

I HEREBY CERTIFY TO THE HEREON NAMED PARTY OR PARTIES, AND ONLY TO THOSE NAMED HEREON, THAT THE BOUNDARY SURVEY REPRESENTED HEREON MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER SJ-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO FLORIDA STATUTE 472.027.

NOTES: UNDERGROUND FOUNDATIONS AND/OR IMPROVEMENTS, IF ANY, ARE NOT SHOWN. OTHER EASEMENTS AFFECTING THIS PROPERTY MAY EXIST IN THE PUBLIC RECORDS OF THIS COUNTY. ONLY THOSE EASEMENTS KNOWN TO ME OR SUPPLIED TO ME BY THE HEREON NAMED PARTY OR PARTIES ARE DEPICTED HEREON.

LEGEND:  
A=ARC LENGTH ADJ=ADJACENT B.C.=BACK OF CURB CH=CHORD LENGTH C=CALC C.L.F.=CHAINLINK FENCE  
CONC=CONCRETE M.H.=MANHOLE C/C=COVERED CONC CL=CENTERLINE CH. BRG.=CHORD BEARING  
EL=ELEVATION FF=FINISHED FLOOR F.I.P.=FOUND IRON PIPE S.I.R.=SET IRON ROD WITH CAP #2650  
F.I.R.=FOUND IRON ROD F.C.M.=FOUND CONCRETE MONUMENT M=MEASURED M.S.=METAL SHED  
D=DEED R=RECORD W/W=WOOD WALL W.F.=WOOD FENCE DR.=DRAINAGE UT.=UTILITY EASE=EASEMENT  
B.M.=BENCHMARK P.I.=POINT OF INTERSECTION P.R.M.=PERMANENT REFERENCE MONUMENT P=PLAT

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

2/08/22 [Signature]  
DAVID C. HARNER P. S. & M.  
REGISTRATION NUMBER 2650



24012, A-4





24012, A - b

**MEASUREMENT FROM BOTTOM OF FLOOR JOIST TO TALLEST POINT OF ROOF**

**GARDEN RANCH/SR600**

| WIDTH OF TRUSS | 2/12 Pitch | 3/12 Pitch | 4/12 Pitch | 5/12 Pitch | 6/12 Pitch | 8/12 Pitch |
|----------------|------------|------------|------------|------------|------------|------------|
| 6'             | 7'0"       | 7'3"       | 7'6"       | 7'9"       | 8'0"       | 8'6"       |
| 8'             | 7'2"       | 7'6"       | 7'10"      | 8'2"       | 8'6"       | 9'2"       |
| 10'            | 7'4"       | 7'9"       | 8'2"       | 8'7"       | 9'0"       | 9'10"      |

**PREMIER RANCH/TR700 and Pro Ranch**

| WIDTH OF TRUSS | 2/12 Pitch | 3/12 Pitch | 4/12 Pitch | 5/12 Pitch | 6/12 Pitch | 8/12 Pitch |
|----------------|------------|------------|------------|------------|------------|------------|
| 6'             | 8'0"       | 8'3"       | 8'6"       | 8'10"      | 9'1"       | 9'7"       |
| 7'             | 8'1"       | 8'5"       | 8'8"       | 9'0"       | 9'4"       | 10'0"      |
| 8'             | 8'2"       | 8'6"       | 8'10"      | 9'2"       | 9'6"       | 10'2"      |
| 9'             | 8'3"       | 8'8"       | 9'0"       | 9'5"       | 9'10"      | 10'7"      |
| 10'            | 8'4"       | 8'9"       | 9'2"       | 9'8"       | 10'1"      | 10'11"     |
| 11'            | 8'5"       | 8'11"      | 9'4"       | 9'10"      | 10'4"      | 11'4"      |
| 12'            | 8'6"       | 9'0"       | 9'6"       | 10'1"      | 10'8"      | 11'9"      |

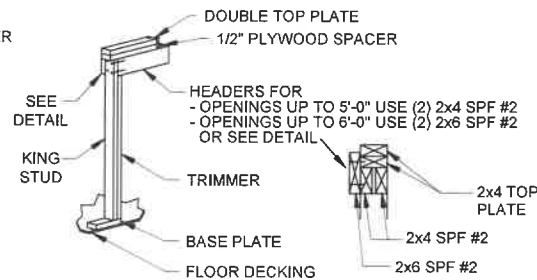
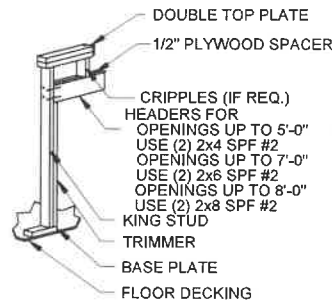
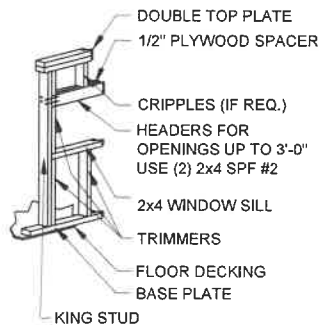
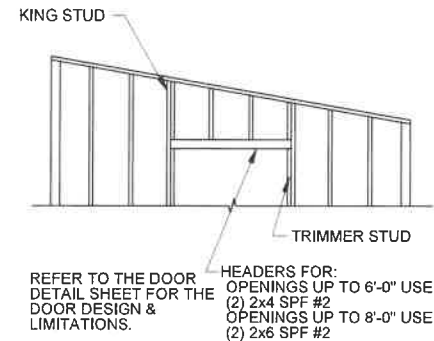
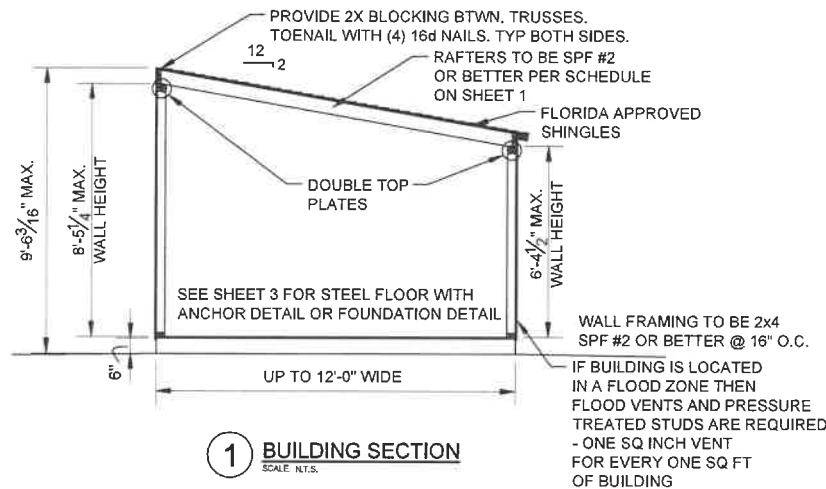
**PREMIER TALL RANCH/TR800 and Pro Tall Ranch**

| WIDTH OF TRUSS | 2/12 Pitch | 3/12 Pitch | 4/12 Pitch | 5/12 Pitch | 6/12 Pitch | 8/12 Pitch |
|----------------|------------|------------|------------|------------|------------|------------|
| 6'             | 9'0"       | 9'3"       | 9'6"       | 9'10"      | 10'1"      | 10'7"      |
| 7'             | 9'1"       | 9'5"       | 9'8"       | 10'0"      | 10'4"      | 11'0"      |
| 8'             | 9'2"       | 9'6"       | 9'10"      | 10'2"      | 10'6"      | 11'2"      |
| 9'             | 9'3"       | 9'8"       | 10'0"      | 10'5"      | 10'10"     | 11'7"      |
| 10'            | 9'4"       | 9'9"       | 10'2"      | 10'8"      | 11'1"      | 11'11"     |
| 11'            | 9'5"       | 9'11"      | 10'4"      | 10'10"     | 11'4"      | 12'4"      |
| 12'            | 9'6"       | 10'0"      | 10'6"      | 11'1"      | 11'8"      | 12'8"      |
| 13'            | 9'7"       | 10'2"      | 10'8"      | 11'3"      | 11'10"     | 12'11"     |
| 14'            | 9'8"       | 10'3"      | 10'10"     | 11'5"      | 12'0"      | 13'2"      |
| 15'            | 9'9"       | 10'5"      | 11'0"      | 11'8"      | 12'4"      | 13'7"      |
| 16'            | 9'10"      | 10'6"      | 11'2"      | 11'10"     | 12'6"      | 13'10"     |

**LEAN-TO**

| WIDTH OF TRUSS | 2/12 Pitch | 3/12 Pitch |
|----------------|------------|------------|
| 4'             | 7'11"      | 8'3"       |
| 5'             | 8'1"       | 8'6"       |
| 6'             | 8'3"       | 8'9"       |
| 7'             | 8'5"       | 9'0"       |
| 8'             | 8'7"       | 9'3"       |
| 9'             | 8'10"      | 9'7"       |
| 10'            | 9'1"       | 9'11"      |
| 11'            | 9'4"       | 10'3"      |
| 12'            | 9'6"       | 10'6"      |





Order #:  
Customer:  
Site Address:  
Building Size: WIDTH - LENGTH - HEIGHT - SQ. FT. AREA

PO #  
Drawn By: TB  
Date: 2/9/23  
Checked By:  
Date:  
Scale: N.T.S.

THESE DRAWINGS AND THE DESIGN ARE THE PROPERTY OF TUFF SHED, INC. THESE DRAWINGS ARE FOR A BUILDING TO BE SUPPLIED AND BUILT BY TUFF SHED. ANY OTHER USE IS FORBIDDEN BY BOTH TUFF SHED AND THE ENGINEER OF RECORD

TUFF SHED, INC.  
ENGINEERING DEPARTMENT  
RICHARD J. WILLS, P.E.  
RWILLS@TUFFSHED.COM  
1777 S. HARRISON STREET  
DENVER, COLORADO 80210  
(303) 753-8833 EXT. 96315

TITLE  
BUILDING SECTIONS  
HEADER FRAMING DETAILS  
FBC, 8th EDITION (2023)  
155C

DRAWING NO.  
FL-PLT-01  
REV. LEVEL 01  
SHEET 2  
SHEET 2 OF 4

This item has been digitally signed and sealed by Richard Wills, P.E. on the date adjacent to the seal.  
Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.



20 DEC 2023



City of St. Pete Beach · 155 Corey Avenue, St. Pete Beach, Florida 33706 727-367-2735 · [www.stpetebeach.org](http://www.stpetebeach.org)

## PLANNING DEPARTMENT

**Date:** March 14, 2024  
**To:** Board of Adjustment  
**Re:** Staff Findings Report  
Unnecessary and Undue Hardship Variance  
Variance Case No: 24012  
Address: 510 78th Ave.  
Parcel Number: 36-31-15-61524-077-0140  
Thomas de Yampert  
**Prepared by:** Kristin Coman, Senior Planner

**Hearing Date:** 3/27/2024

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 3/1/2024.
2. Boundary Survey prepared by David C. Harner dated 2/8/2022, consisting of 1 sheet.
3. Boundary Survey prepared by David C. Harner dated 2/8/2022, consisting of 1 sheet showing proposed residential storage building.
4. Color photos representing proposed residential storage building, current shed and proposed shed location, consisting of 3 sheets.
5. Detail sheet providing overall heights provided by applicant.
6. Detail sheet of proposed residential storage structure prepared by Tuff Shed dated 12.20.23.

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

### **Site Description/Surrounding Land Uses**

The subject site is a 5,000 sq. ft. (approx. 0.11 acre) parcel located at 510 78<sup>th</sup> Ave. known as parcel number 36-31-15-61524-077-0140 and legal description NORTH UNIT NO. 1 BLK 77, LOT 14 within the AE-Elevation 10 flood zone. The property is located in the RLM-1, Residential District zone; RLM, Residential Low Medium on the future land map and contains a single-family residence constructed in 1946 according to the Pinellas County Property Appraiser. It is an interior parcel surrounded by single family dwelling uses to the north, south, east and west. The site is improved with a one-story dwelling with single driveway, rear patio area with pergola and existing residential storage structure.

Figure 1: Aerial Photography



Source: Pinellas County Property Appraiser

Figure 2: Zoning Map



Source: City of St. Pete Beach Official Zoning Map Page 3 of 15, dated 7/20/2012

### Request

The applicant requests to replace the existing residential storage building with proposed 160 sq. ft., 9'1" high residential storage building that exceeds maximum size requirement of 80 sq. ft. and maximum building height where 8' is permitted (LDC Sec. 6.13(b)(5)(a-b)).

### Prior Approvals

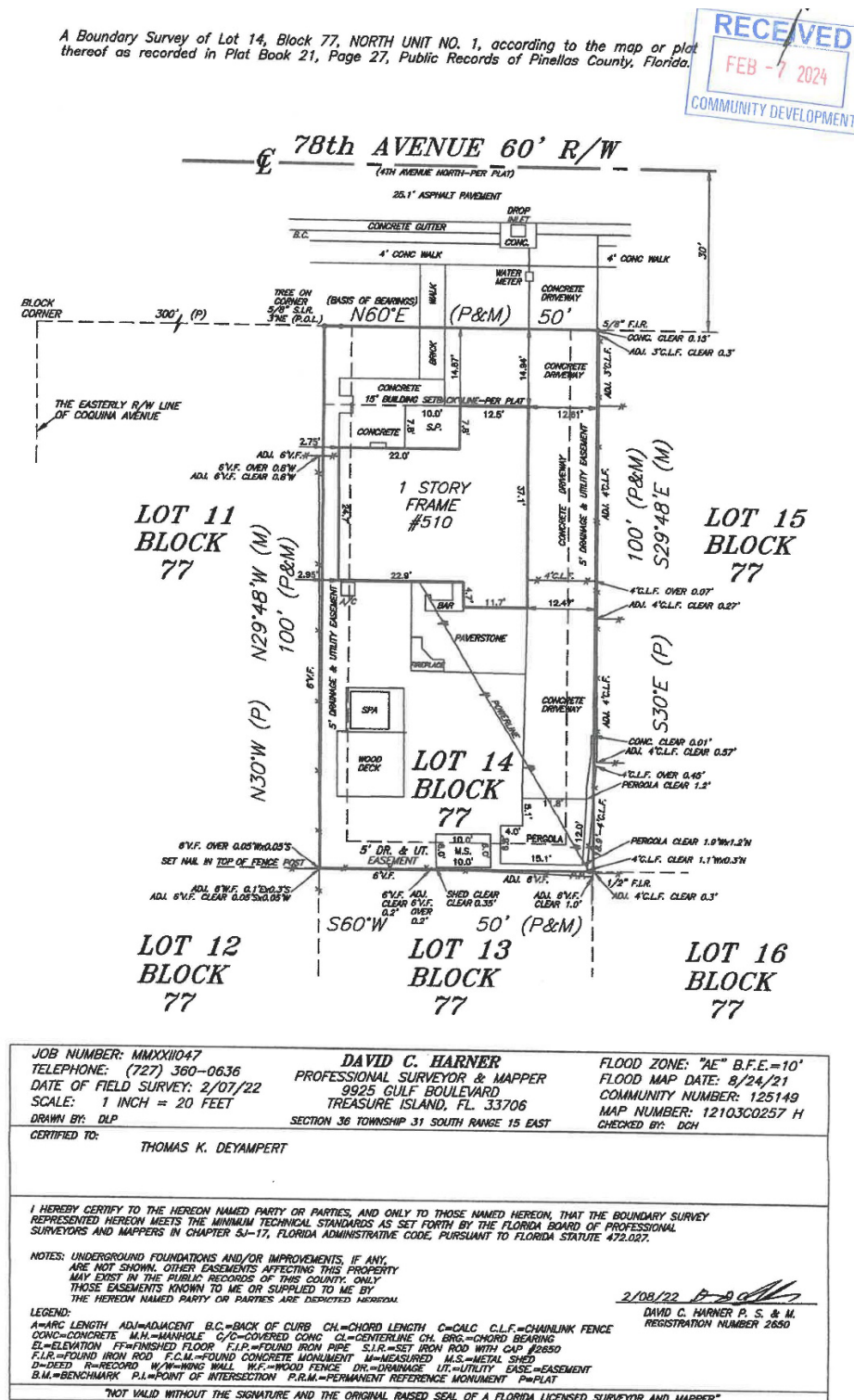
The applicant has received a prior Board of Adjustment approval with conditions in 2022, Case No. 22013, for a patio cover to encroach approximately 3 feet into the side setback where 5 feet is required and 12 feet into the rear setback where 15 feet is required. Modification of conditions contained within the Development Order for Case No. 22013 were approved when the applicant returned back to the Board in May 2023.

### Analysis

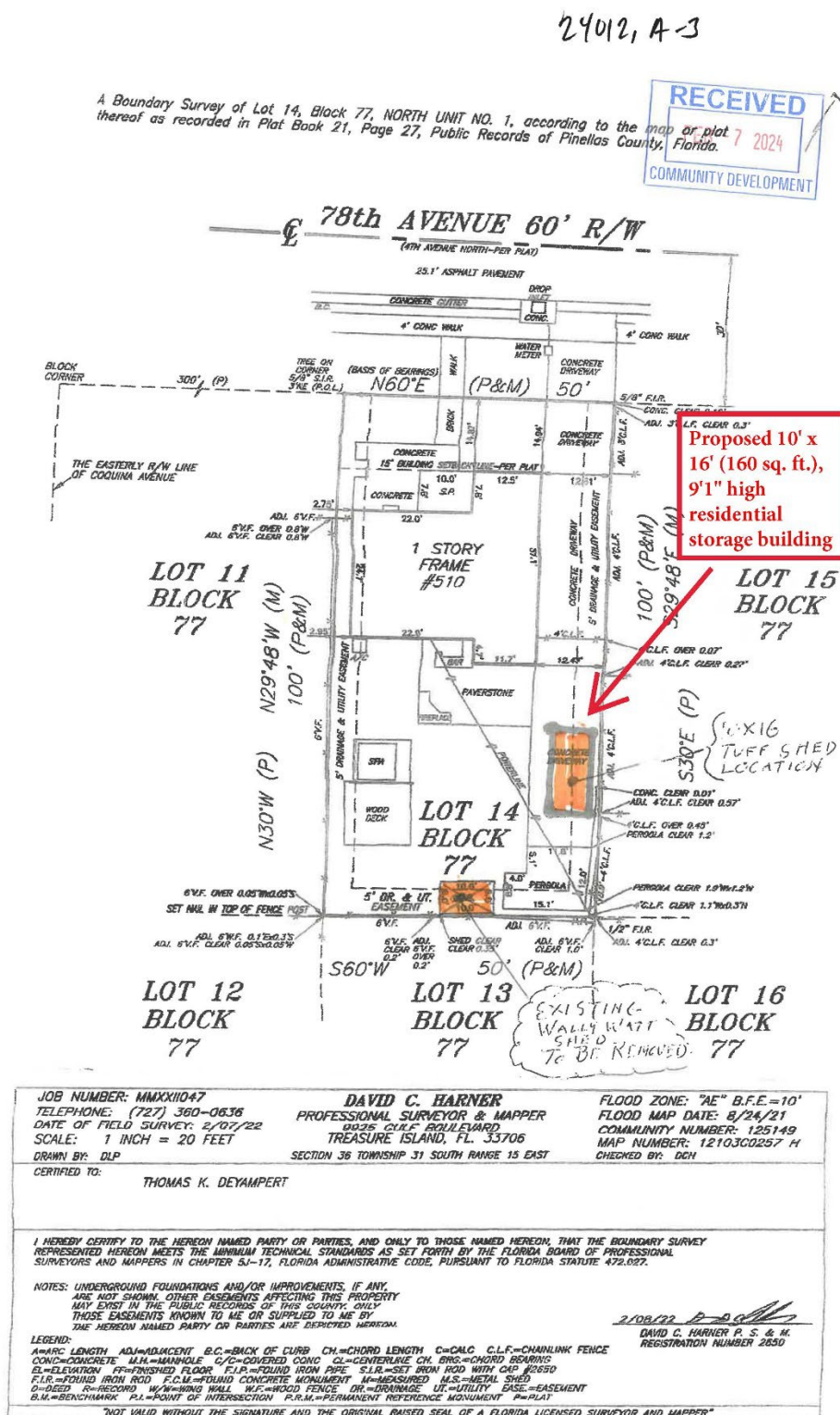
1. New variances required as a result of the proposed changes:
  - a. **Maximum size:** Where 80 sq. ft. is the maximum square footage permitted and 160 sq. ft. is proposed (LDC 6.13(b)(5)(a)). The applicant is requesting an additional 80 square feet than what is permitted by code.
  - b. **Maximum height:** Where a maximum height of 8' (measured grade to the highest point on the structure) is permitted and proposed height grade to peak is 9'1" (LDC Sec. 6.13(5)(b)).

| Figure 3: Zoning Table                                      |                      |                 |                 |
|-------------------------------------------------------------|----------------------|-----------------|-----------------|
| Detached, Single-Family Residential                         | 510 78th Ave.        |                 |                 |
|                                                             | <u>RU-2 Required</u> | <u>Existing</u> | <u>Proposed</u> |
| Accessory Structure                                         |                      |                 |                 |
| Residential Storage Building                                |                      |                 |                 |
| Size (Max.)                                                 | 80 sq. ft.           | 80 sq. ft.      | 160 sq. ft.(v)  |
| Front Yard Setback (Min.)                                   | 60'                  | 92'             | 60'             |
| Height (Max.)                                               | 8'                   | n/a             | 9'1"(v)         |
| *Denotes existing non-conformity<br>(v) = Variance required |                      |                 |                 |

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



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



### **Additional Comments**

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

The Board has standards of review for a 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 owner of the property indicated within the application that the dwelling may be considered of historical importance as a Sears Kit House that was built in 1946. An addition may an addition may change the significance of the structure in addition to limitations to the FEMA 50% rule and an accessory storage structure would be able to meet his current storage needs.*
2. The special conditions and circumstances do not result from the actions of the applicant or a prior owner of the property;
  - *The owner has indicated that he has maintained the current interior layout since residing in the dwelling since 1986 and when built in 1946, most dwellings in the area were not occupied year-round requiring less square footage of storage.*
3. Literal interpretation of the provisions of the Land Development Code deprives the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Land Development Code and results in unnecessary and undue hardship on the applicant;
  - *Staff find that a literal interpretation of the provisions of the Land Development Code will not deprive the applicant of rights commonly enjoyed by other properties in the same zoning district and but may result in unnecessary and undue hardship on the applicant requiring the removal and possible replacement with a new structure.*
4. The hardship has not been deliberately or knowingly created or suffered to establish a use or structure which is not otherwise consistent with the comprehensive plan or the Land Development Code, nor will it permit and increase in development density;
  - *Staff find that this request will not establish a use not permitted in the district. This is a single-family residence that is located within a single-family zoning district. There will be no increase in density.*
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.*
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

- *The current residential storage building is to be removed and replaced with the new proposed storage building on a current slab, increasing the permeable square footage.*
- 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 LDC allows for only one residential storage building permitted as an accessory structure on a residential property, therefore no additional storage buildings would be permitted and the applicant is removing the existing maintaining one structure.*

**Other:**

- The applicant should provide testimony as to the materials to be stored on or within the proposed building.
- The applicant should give details on any proposed material to stabilize the area where the current storage building is to be removed, such as landscaping.
- Applicant should provide testimony as to how the stormwater runoff is or shall be directed and maintained on the property to ensure compliance with LDC Sec. 6.13(b)(3).

**Recommendation**

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

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

Respectfully submitted,



Kristin Coman  
Senior Planner

Cc: Thomas de Yampert, Applicant/Owner **via email** (tomdeyampert@gmail.com)  
Board of Adjustment Attorney

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

**Agenda Report**

**Action Request:** Motion to **APPROVE** Case No. 24002 to permit the construction of an elevated rear deck and inground pool that exceeds 2' in height with proposed north and south side yard setbacks of 2' where a minimum 5' setback is required, rear yard setback of 0' where 20' is required and construction of 3rd floor open, unroofed terrace that does not meet the required 17' rear yard setback with 9'7" proposed, with the staff recommendation that following condition(s) shall apply:

- The condition of prior Variance Case No. 20040 contained within the executed Development Order that any elevated deck railing used for the rooftop seating area shall be open in design to the extent possible under the Florida Building Code shall also be applied to this approval.
- The proposed 3rd floor terrace and lower patio levels shall not be enclosed or roofed by any means, permanent or temporary, and shall remain open and may not be enclosed in such a manner as to be construed as living space.
- Fencing to secure the pool may not exceed an overall height of 4' as shown on the application for building permit 2101068.
- Applicant shall submit sealed As-Built Survey noting all setbacks and ISR calculation and approved by Zoning prior to the issuance of the Certificate of Occupancy/Final Inspection.

**Strategic Objective:**

**Date:** March 27, 2024

**Prepared By:** Kristin Coman, Senior Planner

**Through:** Jennifer McMahon, Chief Operating Officer

**Summary of Issue:** *Practical Difficulty Variance:* Brian Aungst, Jr. for Olin

and Elise Lippincott requests construction of an elevated rear deck and inground pool that exceeds 2' in height with proposed north and south side yard setbacks of 2' where a minimum 5' setback is required, rear yard setback of 0' where 20' is required (LDC Sec. 6.13(c)(1)(b) and (c)(2)(b)) and construction of 3rd floor open, unroofed terrace that does not meet the required 17' rear yard setback with 9'7" proposed (LDC Sec. 6.22(b)).

**Funding:**

n/a

**Attachments:**

1. 24002 - 2909 Sunset Way - Certificate of Completeness with Submittal Documents
2. 24002 - 2909 Sunset Way - Staff Report
3. 24002 - Letters Received as of 03.18.24



Memo To: Board of Adjustment  
From: Kristin Coman, Senior Planner  
Date: 3/6/2024  
Re: **CERTIFICATE OF COMPLETENESS**

---

Please be advised that on this date, the following application has been deemed complete and will be scheduled for the Board of Adjustment agenda on the next available hearing of **March 27, 2024**.

**Variance Case Number:** 24002

**Application Type:** Practical Difficulty Variance

**Owner:** Olin & Elise Lippincott

**Applicant/Agent:** Brian Aungst, Jr. of Macfarlane, Ferguson & McMullen, P.A.

**Parcel Number:** 18-32-16-17316-002-0030

**Address:** 2909 Sunset Way, St. Pete Beach, FL 33706

**Zone:** RU-2/PAG

**Submittal Documents:**

1. Amended completed Practical Difficulty Variance application form, received 3/5/2024.
2. Digitally signed Boundary Survey prepared by John C. Brendla & Assoc., Inc. dated 1/10/2024, consisting of 1 sheet.
3. Unsigned Boundary Survey prepared by John C. Brendla & Assoc., Inc., consisting of 1 sheet showing proposed construction.
4. Photo Key Legend and Proposed Patio Height with associated 11 images, consisting of 12 sheets.
5. Plan Set prepared by C. Michael McCoy Residential Designs, Inc. dated 8/30/2023, last revised 2/21/2024 consisting of 11 sheets.

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

**City/Board Professionals:**

- |                                                                                          |                                                                |
|------------------------------------------------------------------------------------------|----------------------------------------------------------------|
| <input checked="" type="checkbox"/> Board of Adjustment Attorney <b><i>via email</i></b> | <input type="checkbox"/> TRC Committee <b><i>via email</i></b> |
| <input type="checkbox"/> Code Enforcement Manager <b><i>via email</i></b>                | <input type="checkbox"/> City Manager                          |

**Board Members:**

- |                                                               |                                                   |
|---------------------------------------------------------------|---------------------------------------------------|
| <input checked="" type="checkbox"/> Paul Skipper, Chair       | <input checked="" type="checkbox"/> Joe Moholland |
| <input checked="" type="checkbox"/> Michael Bomar, Vice Chair | <input checked="" type="checkbox"/> Dan Small     |
| <input checked="" type="checkbox"/> Denise Chase              |                                                   |

Cc: Olin and Elise Lippincott, Owner ***via email*** (eliselippincott@gmail.com)  
Brian J. Aungst, Jr., Applicant ***via email*** ([bj@macfar.com](mailto:bj@macfar.com))

CASE #:

24002

RECEIVED

MAR 05 2024

COMMUNITY DEVELOPMENT

Re-SUBMITTAL DATE: 3/5/24

AMOUNT DUE:

537.33

PAYMENT DATE:

pd 1.12.24

**PRACTICAL DIFFICULTY VARIANCE APPLICATION**

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

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

**OWNER/AGENT INFORMATION:**

| Identification                                    | Name                    | Address                                             | Phone #        |
|---------------------------------------------------|-------------------------|-----------------------------------------------------|----------------|
| Owner                                             | Olin & Elise Lippincott | 2909 Sunset Way, St. Pete Beach, FL 33706           | (813) 598-3351 |
| Applicant/<br>Agent                               | Brian J Aungst, Jr.     | 625 Court Street, Suite 200<br>Clearwater, FL 33756 | (727) 441-8966 |
| Owner Email Address:<br>eliselippincott@gmail.com |                         | Applicant/Agent Email Address:<br>bja@macfar.com    |                |

**PROPERTY FOR PROPOSED VARIANCE:**

|                                                 |                                           |                               |
|-------------------------------------------------|-------------------------------------------|-------------------------------|
| Zoning Designation<br>RU-2/PAG Overlay District | Future Land Use Designation<br>RU         | Lot Area<br>6,500 square feet |
| Legal Description:                              | COLONIAL CORP REPLAT BLK 2, LOT 3         |                               |
| Parcel ID:                                      | 18-32-16-17316-002-0030                   |                               |
| Address:                                        | 2909 Sunset Way, St. Pete Beach, FL 33706 |                               |

**Explanation of Request:** (1) To construct an elevated inground pool/spa (under separate permit #2101068) that exceeds 2' above grade with proposed north and south side yard setbacks of 2' where a minimum 5' setback is required pursuant to LDC Sec. 6.13(c)(1)(b) & (c)(2)(b); (2) to construct an elevated pool deck/patio that exceeds 2' above grade (to match pool elevation) with proposed north and south side yard setbacks of 2' where a minimum 5' setback is required pursuant to LDC Sec. 6.13(c)(1)(b) & (c)(2)(b); (3) construction of a 3rd floor open, unroofed terrace that does not meet the required 20' rear yard setback with 9'7" proposed (LDC 9.6(a)(4)), The new terrace will be open (not under roof) & its floor will provide shelter to 2nd floor terrace.

[NOTE: Items 1 & 2 requested are consistent w/ approved variance granted to 2905 Sunset Way (case #22020). See attached support documents.]

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

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

The request for items #1 & #2 will exceed the maximum height allowed of 24" above grade. We propose to approx. match the pool & deck height of our neighbor directly to our South, at 2905 Sunset Way, but not to exceed 24" (see attached supporting document). The lot conditions, first floor elevation & existing grade elevations for each property are nearly identical. The request for item #3 would allow a extension within the existing limits of a previously approved Terrace addition. We consider all three (3) requests to be minor deviations to the current LDC requirements.

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

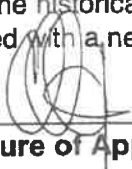
The requested variance will have no adverse impact to the neighborhood character. There are numerous homesites (including both adjacent lots @ 2905 & 2910 Sunset Way) in this block that have pools, pool decks, patios, screen enclosures, upper floor decks (both open & under roof) that encroach the minimum setbacks & exceed the maximum heights required by current zoning regulations. These deviations are common to the area & our request does not go beyond what is reasonable & customary for an existing home in the neighborhood.

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

There is no other practical or feasible alternative to a variance in this situation. The requested variance is the minimal necessary to allow the Owner to enjoy the outdoor recreational space. Without the variance, steps would be required from the house down to the pool and patio area, thereby making it inaccessible by wheelchair. The latter is a major concern for the Owner & the immediate family (elderly parents). The addition of the proposed 3rd floor Terrace will have no adverse effect on the neighbors, and there is no other practical location to construct a 3rd floor Terrace & still meet the requirements of the LDC.

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

We are limited by existing construction which predates the Land Development Code. Remodeling this existing home (originally built in 1925) presents its own unique set of challenges. In our case, being granted the variance allows us to maintain the historical integrity of this home, and its contribution to Pass-A-Grille, while also allowing the Owner to enjoy the home's new features as a result of the proposed remodeling. It can be argued that the interest of justice will not only extend to the Owner, but to the historical integrity of the home itself. Far too often, we see homes of this era demolished & replaced with a new structure that meets zoning requirements, but a piece of history is then forever lost.

|                                                                                     |                  |                                                                                      |                  |
|-------------------------------------------------------------------------------------|------------------|--------------------------------------------------------------------------------------|------------------|
|  | January 10, 2024 |  | January 10, 2024 |
| Signature of Applicant                                                              | Date             | Signature of Authorized Agent                                                        | Date             |

**For office use only:**

Hearing Date: \_\_\_\_\_ Fees: \_\_\_\_\_

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

## VARIANCE APPLICATION

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



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.

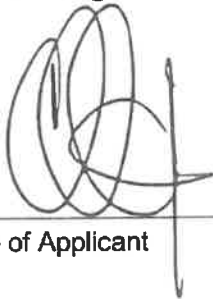


I understand that any person aggrieved by the final decision of the Board of Adjustment or City Commission has the right to file a petition in the Pinellas County Circuit Court within 30 calendar days after the decision. Appeals of decisions made by the City Manager for administrative variances are to 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

January 10, 2024

Date

**Owner's Authorization for Agent**

Community Development Department

City of St. Pete Beach, Florida

I/WE

Olin & Elise Lippincott

(print name of property owner)

hereby authorize

Brian J. Aungst, Jr. (Macfarlane, Ferguson & McMullen, P.A.)

(print name of agent)

to represent me/us in an application for

Practical Difficulty Variance

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

O. Garwood Lippincott  
Signature of Owner

Olin Garwood Lippincott  
Print Name of Owner

Elise Lippincott  
Signature of Owner

Elise Lippincott  
Print Name of Owner

The forgoing instrument was acknowledged before me this 22 day of

February 2024 by Gar Lippincott or who is

personally known \_\_\_\_\_ produced

\_\_\_\_\_ as identification.

Catherine A. Hammer  
(Notary Signature)

2/22/24  
(Date)

My Commission Expires April 8, 2024





**PUBLIC HEARING SIGN POSTING AFFIDAVIT**

Applicant, Elise Lippincott, 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): Elise Lippincott

Address: 2909 Sunset Way

Signature

2/22/24

Date

STATE OF FLORIDA       )  
                                          ) SS:  
PINELLAS COUNTY       )

The foregoing instrument was acknowledged before me this 22<sup>nd</sup> day of February, 2024 by:  
Elise Lippincott who appeared before me, and is personally known to me, or has produced  
as identification, and did take an oath.

My commission Expires:

NOTARY: Catherine A. Hammer

Print Name: CATHERINE A. Hammer Notary

Public, State of Florida

(Notarial Seal)



SECTION 18, TOWNSHIP 32S, RANGE 16E

CERTIFIED TO:

OLIN GARWOOD LIPPINCOTT  
ELISE GRUMAN LIPPINCOTT

LEGAL DESCRIPTION

LOT 3, BLOCK 2,  
ACCORDING TO THE PLAT OF  
COLONIAL CORPORATION'S REPLAT OF  
BLOCKS 'E', 'F', 'G' 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 IMPROVEMENTS  
AND ELEVATION CERTIFICATE - 10/29/2020  
REVISED FLOOD ZONE - 1/12/2023  
UPDATE & ELEVATION CERT. - 12/5/2023

LEGEND:

- FND = FOUND
- N&D = NAIL & DISK
- FIR = FOUND IRON ROD
- FOE = FOUND OPEN END PIPE
- (C) = CALCULATED
- (M) = FIELD MEASUREMENT
- (P) = PLAT
- CONC = CONCRETE
- R/W = RIGHT OF WAY
- P.O.L. = POINT ON LINE
- P.L. = PROPERTY LINE
- SN&D = SET NAIL AND DISK
- T.B.M. = TEMPORARY BENCHMARK
- C/C = COVERED CONCRETE
- L/O = LIVING OVER
- PVC = VINYL FENCE
- CLF = CHAIN LINK FENCE
- WF = WOOD FENCE
- WM = WATER METER
- RM = RECLAIMED WATER METER
- ☐ = CLEANOUT
- ⊙ = POWER METER
- ⊕ = POWER POLE
- = SPOT ELEVATION

29th AVE.  
17TH ST. (PER PLAT)

FIR 5/8"  
ILLEGIBLE

LOT 2

N89°46'59"W (M) 130.00' (P&C)

& P.O.L.  
WITNESS  
FIR 1/2" 0.54'  
NO ID. 1'S.

SUNSET WAY

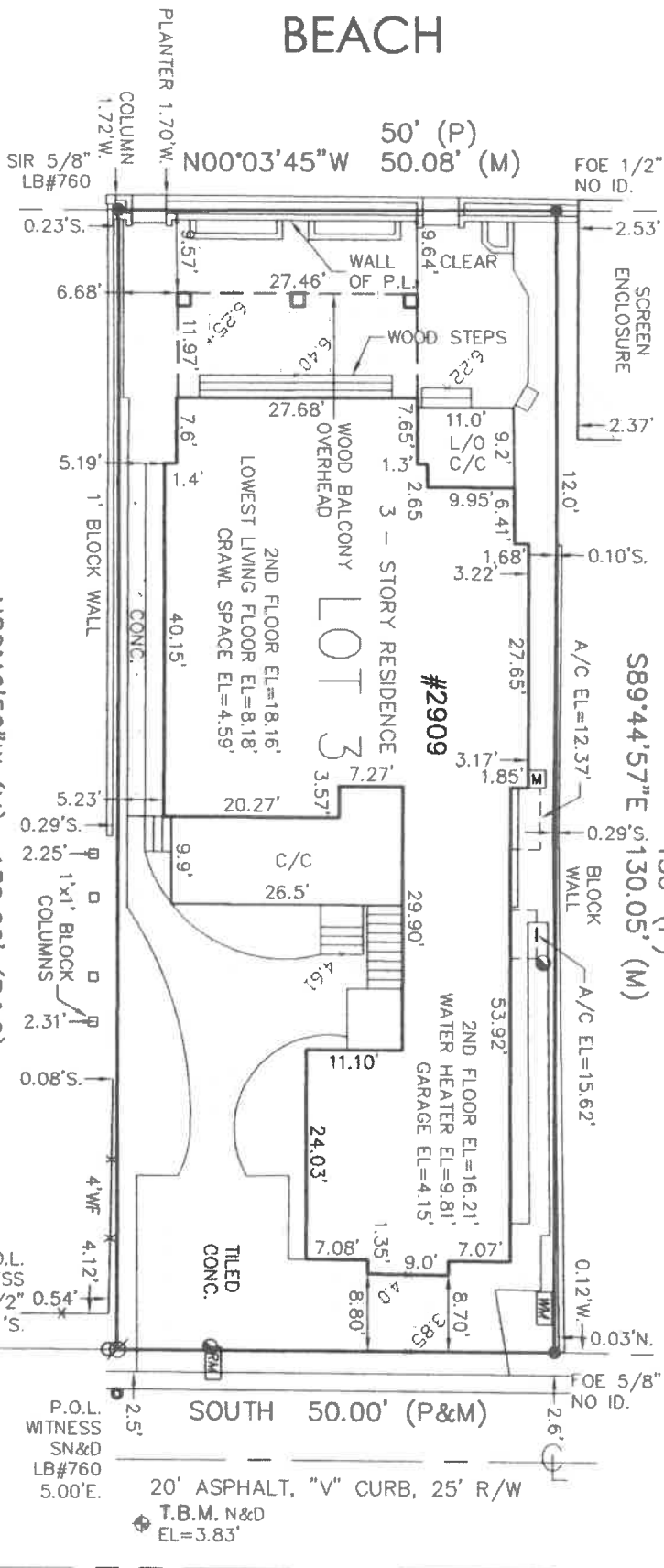
100.11' (M)  
100' (P)

P.O.L.  
WITNESS  
SN&D  
LB#760  
5.00'E.

SOUTH 50.00' (P&M)

20' ASPHALT, "V" CURB, 25' R/W  
T.B.M. N&D  
EL=3.83'

BEACH



John O.  
Brendla

Digitally signed  
by John O.  
Brendla

Date: 2024.01.10  
09:24:00 -05'00'

SCALE: 1" = 20'

NORTH BASIS:  
ASSUMED



Flood Zone  
AE (EL. 9')  
COMMUNITY PANEL #125149 12103C0278  
EFFECTIVE 8/24/21  
Basis of Bearings:  
EAST BOUNDARY  
ASSUMED SOUTH  
Benchmark:  
COUNTY #284 NOAA 1973  
EL. = 7.566' N.G.V.D., ADJUSTED TO  
EL. = 6.82' 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.

2009-69.CRD  
2009-69B.CRD

FIELD BOOK

964

PAGE 25-26

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.

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

69-6002 #80R  
Dwn:



# Photo Key Legend & Proposed Patio Height

CERTIFIED TO:

OLIN GARWOOD LIPPINCOTT  
ELISE GRUMAN LIPPINCOTT

SECTION 18, TOWNSHIP 32S, RANGE 16E

BEACH

proposed new Patio & Pool @ elevation 7.83' +/- which is approx. 20" above the existing Patio & approx. 36" above the existing grade @ the Entry

## LEGAL DESCRIPTION

LOT 3, BLOCK 2,  
ACCORDING TO THE PLAT OF  
COLONIAL CORPORATION'S REPLAT OF  
BLOCKS 'E', 'F', 'G' AND 'H' OF SECTION 'A'  
- NORTH PASS-A-GRILLE  
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BOUNDARY SURVEY WITH IMPROVEMENTS  
AND ELEVATION CERTIFICATE - 10/29/2020  
REVISED FLOOD ZONE - 1/12/2023  
UPDATE & ELEVATION CERT. - 12/5/2023

proposed new Terrace directly  
above this one (same footprint)

- FND = FOUND
- N&D = NAIL & DISK
- FIR = FOUND IRON ROD
- FOE = FOUND OPEN END PIPE
- (C) = CALCULATED
- (M) = FIELD MEASUREMENT
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- WM = WATER METER
- RM = RECLAIMED WATER METER
- CLN = CLEANOUT
- PM = POWER METER
- PP = POWER POLE
- SE = SPOT ELEVATION

29th AVE.  
17TH ST. (PER PLAT)

SUNSET WAY

100.11' (M)  
100' (P)

SOUTH 50.00' (P&M)

20' ASPHALT, "V" CURB, 25' R/W  
T.B.M. N&D  
EL=3.83'

Note: This survey shows the current/exist. site conditions. Refer to the Architectural Site Plan on sheet C-1 (dated 1-10-24) for the proposed work referenced in the Variance Application.

Flood Zone  
AE (EL. 9')  
COMMUNITY PANEL #125149 12103C0278 H,  
EFFECTIVE 8/24/21  
Basis of Bearings:  
EAST BOUNDARY  
ASSUMED SOUTH  
Benchmark:  
COUNTY #284 NOAA 1973  
EL = 7.566' N.G.V.D., ADJUSTED TO  
EL = 6.82' 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.

2009-69.CRD  
2009-69B.CRD  
FIELD BOOK 964

PAGE 25-26

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

JOHN O. BRENDLA  
Florida Surveyor's Registration No. 4601  
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Pinellas Park, Florida 33781  
phone (727) 576-7546 ~ fax (727) 577-9932

## 2909 Sunset Way (variance support photos)

January 10, 2024

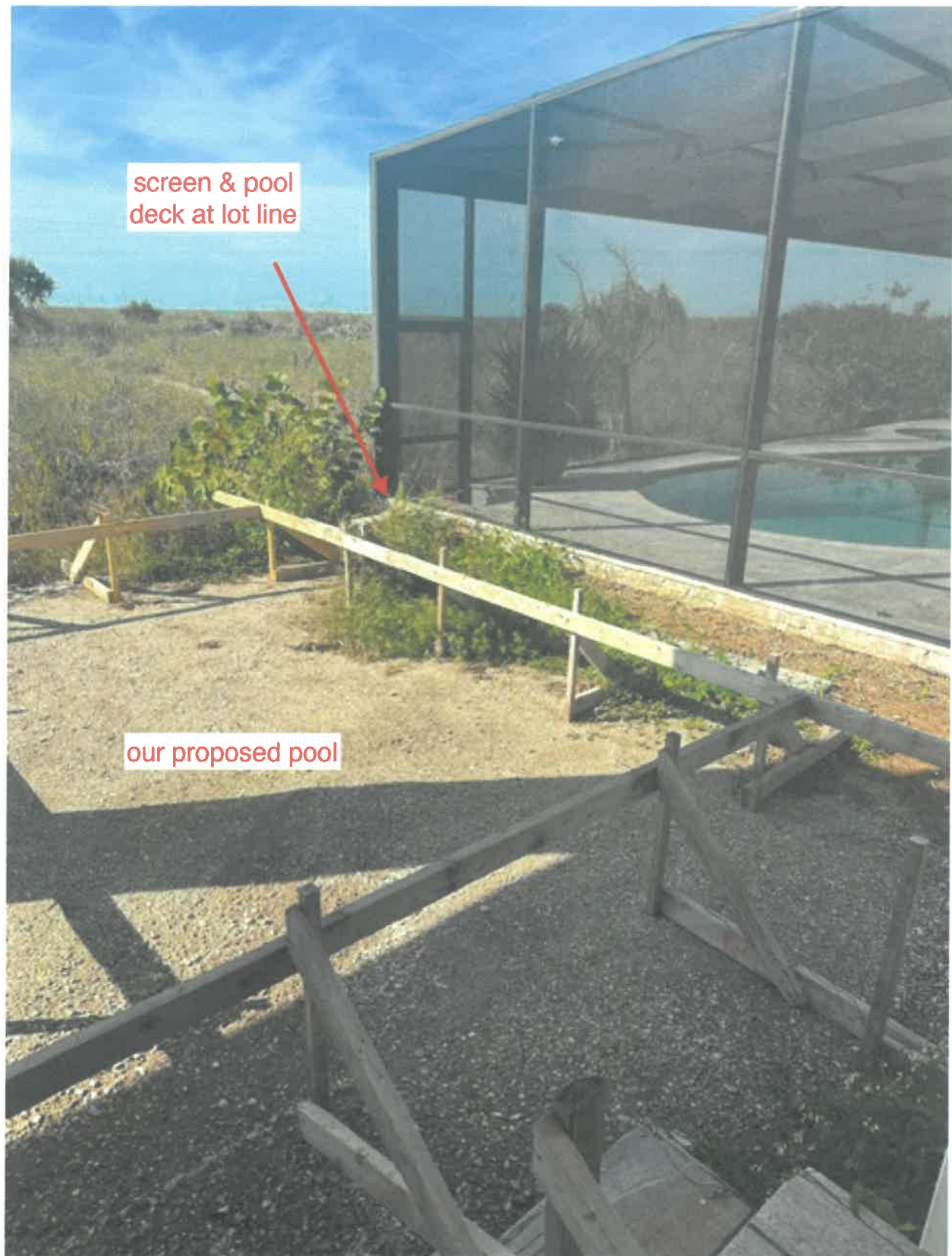


image 01



image 02



variance requests to  
construct pool & deck  
equivalent to #2905

see note @ image 02

image 03



see images #9, 10 & 11  
for measurements

image 04

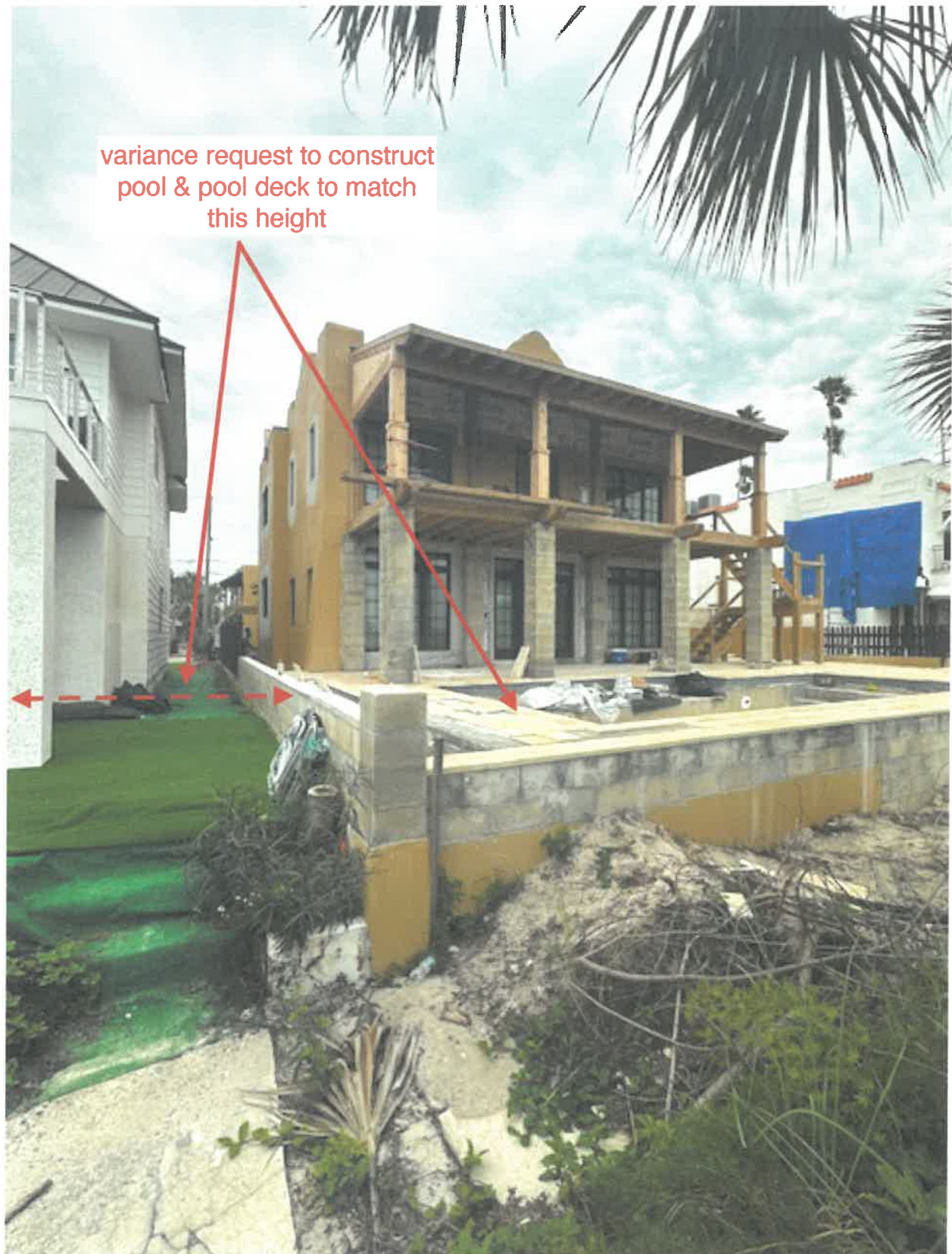
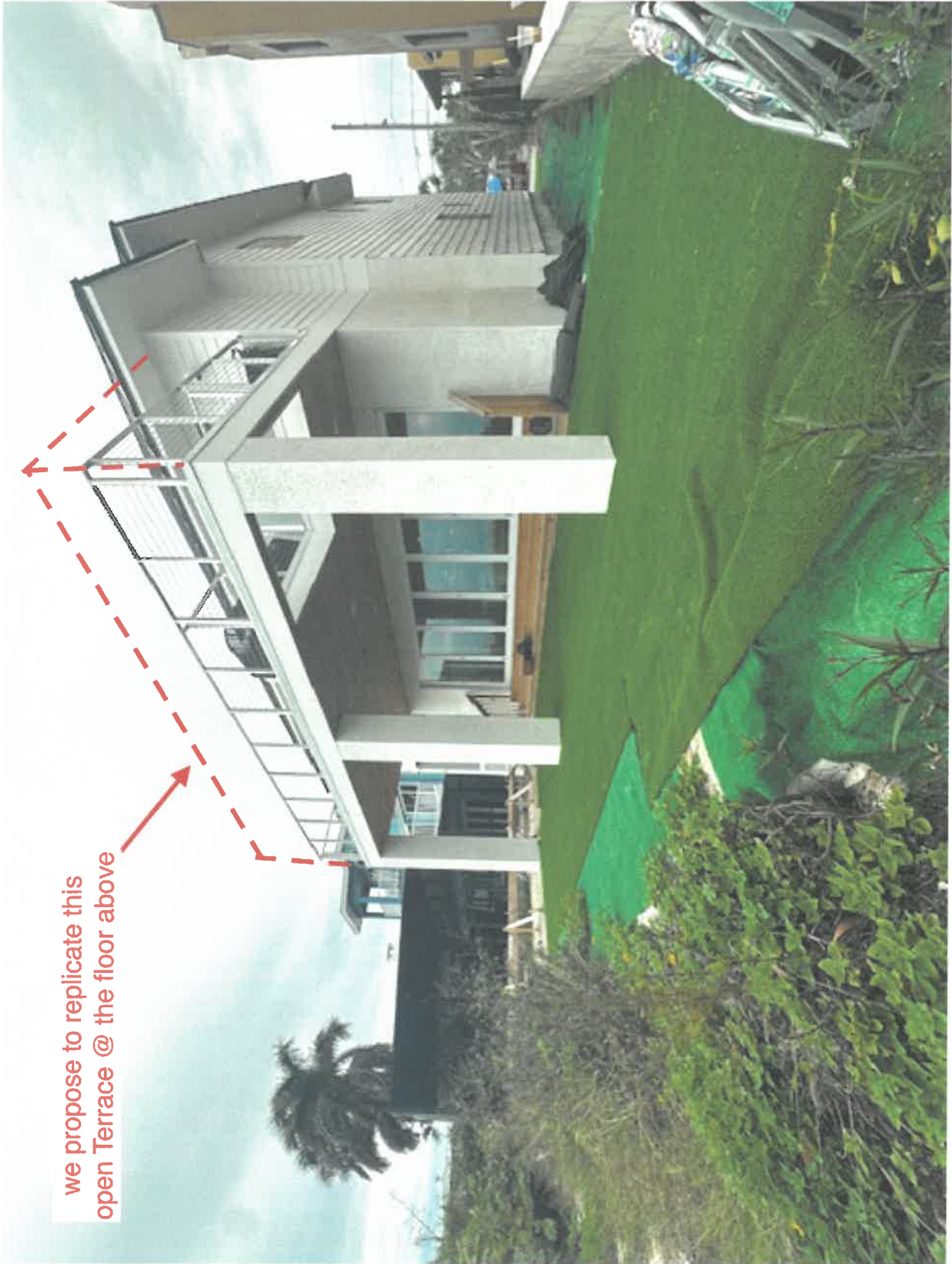


image 05



image 06



we propose to replicate this  
open Terrace @ the floor above

image 07



image 08



image 09



image 10

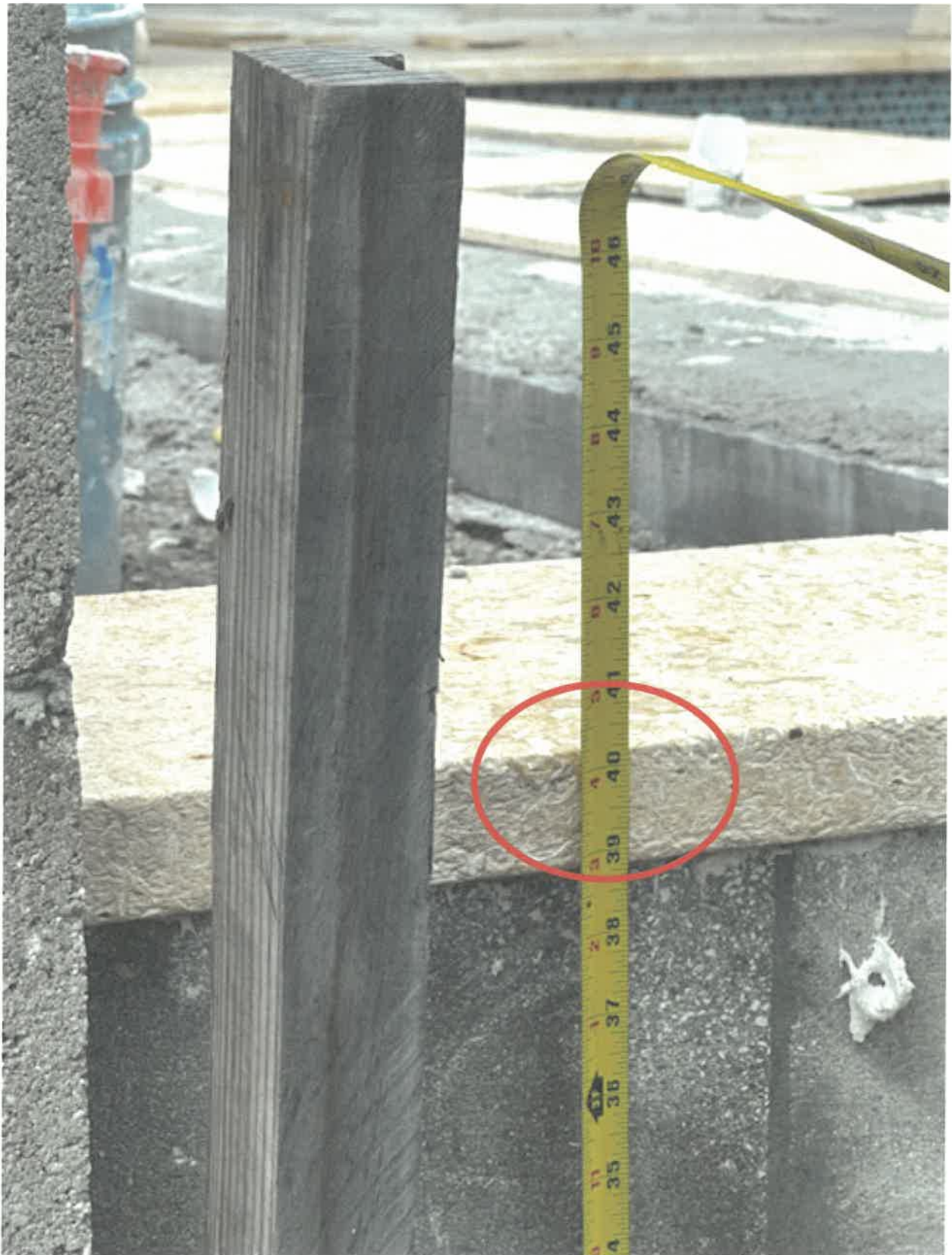


image 11

SPECIFICATIONS

DESIGN CRITERIA:

1. APPLICABLE FLORIDA BUILDING CODES, 2020, 7<sup>TH</sup> EDITION (E.G. BUILDING, RESIDENTIAL, EXISTING BUILDING, ACCESSIBILITY, ETC.)
2. DESIGN LIVE LOADS:
  - ROOF 20 PSF
  - FLOORS 40 PSF (30 PSF SLEEPING ROOMS)
  - STAIRS 100 PSF (40 PSF FOR ONE & TWO FAMILY DWELLINGS)
3. DESIGN WIND VELOCITY = 145 (3 SEC. GUST) MPH PER FLORIDA BUILDING CODE, SECTION 1609.
  - EXPOSURE CATEGORY = D
  - IMPORTANCE FACTOR = 1.0
  - BUILDING RISK CATEGORY = II
  - BUILDING CATEGORY = ENCLOSED BUILDING
  - INTERNAL PRESSURE COEFFICIENT = +/- 0.18
  - COMPONENTS AND CLADDING DESIGN WIND PRESSURE = + 58 PSF AND – 64 PSF
4. ALL MATERIALS AND WORKMANSHIP SHALL BE IN ACCORDANCE WITH THE FLORIDA BUILDING CODE, 2020, 7TH EDITION. ALL WORK SHALL COMPLY WITH INDUSTRY STANDARDS AND MANUFACTURER RECOMMENDATIONS.
5. ALL WATERPROOFING DETAILS, WINDOW AND DOOR INSTALLATION, AND STUCCO DETAILS SHALL BE COMPLIANT WITH THE FLORIDA BUILDING CODE AND ASTM E2112-07 (16), C926-17, C1063-17A, C920-14A, C1193-16, C1328-12 AND E2266-11.

SCOPE OF SERVICES:

Neither the Structural Engineer of Record, nor the Building Designer are responsible for the design or engineering of the following systems:

- Electrical design and load calculations
- Energy forms or calculations
- Plumbing systems, including roof drains, scuppers, over-flow systems, downspouts and gutters
- Mechanical systems
- Civil engineering, including site design and site drainage
- Pool and pool deck design
- Fire protection systems
- Pre-engineered structural components

Prescriptive requirements, per Code or Building Official, for said items may be included in the plans, but that does not imply responsibility for design. Should engineering be required for any of these systems, then the appropriate Professional Engineer in that field should be consulted.

GENERAL REQUIREMENTS:

1. IT IS THE CONTRACTOR'S SOLE RESPONSIBILITY TO DETERMINE ERECTION PROCEDURE AND SEQUENCE TO ENSURE THE SAFETY OF THE BUILDING AND ITS COMPONENT PARTS DURING CONSTRUCTION. THIS INCLUDES, BUT IS NOT LIMITED, TO THE FOLLOWING: THE ADDITION OF WHATEVER TEMPORARY BRACING, GUYS OR TIE-DOWNS WHICH MAY BE NECESSARY.
2. COORDINATE ALL DIMENSIONS AND ELEVATIONS WITH THE ARCHITECTURAL AND STRUCTURAL DRAWINGS.
3. CONTACT THE ENGINEER OF RECORD WITH ANY QUESTIONS OR DISCREPANCIES FOUND ON THE DRAWINGS.

CAST IN PLACE CONCRETE:

1. CONCRETE TO BE NORMAL WEIGHT WITH THE FOLLOWING MINIMUM COMPRESSIVE STRENGTHS AT TWENTY-EIGHT (28) DAYS:
  - a) FOOTINGS, SLAB-ON-GRADE, SLAB FILL = 3,000 PSI
  - b) MASONRY WALL TIE BEAMS, TIE COLUMNS, SHEAR WALLS = 3,000 PSI
  - c) COLUMNS, BEAMS, ELEVATED SLABS, GARAGE SLAB = 4,000 PSI
2. CONCRETE SHALL BE READY-MIX PER ASTM C94 AS FOLLOWS:
  - a) PORTLAND CEMENT - ASTM C150
  - b) AGGREGATES - ASTM C330 (3/4"MAX.)
  - c) AIR ENTRAINING - ASTM C260
  - d) WATER REDUCING - ASTM C494
  - e) FLYASH - ASTM C618-78 CLASS F
  - f) NO CALCIUM CHLORIDE,
3. REINFORCING STEEL: ASTM A615 GRADE 60.
4. REQUIRED SLUMP RANGE AT DISCHARGE END OF TRUCK EQUALS (±) THREE (3") TO FIVE (5") INCHES.
5. WELD WIRE FABRIC: ASTM A185.
6. CODES AND STANDARDS:
  - a) ACI 301 - "SPECIFICATIONS FOR STRUCTURAL CONCRETE FOR BUILDINGS"
  - b) ACI 305 - "RECOMMENDED PRACTICE FOR HOT WEATHER CONCRETING"
  - c) ACI 318 - "BUILDING CODE REQUIREMENTS FOR REINFORCED CONCRETE"
  - d) ACI 315 - "DETAILS AND DETAILING OF CONCRETE REINFORCEMENT"
7. SUBMITTALS:
  - a) SUBMIT PROPOSED CONCRETE MIX DESIGN PRIOR TO CONSTRUCTION, INCLUDING BACKUP DATA IN ACCORDANCE WITH ACI 301, CHAPTER 3, METHOD 1 OR 2.
  - b) SUBMIT DETAILED SHOP DRAWINGS TO STRUCTURAL ENGINEER OF REINFORCING BARS SHOWING NUMBER, SIZE AND LOCATION, INCLUDING BAR LISTS AND BEND DIAGRAM. SUBMITTED SHOP DRAWINGS SHALL ALSO BE CHECKED AND SIGNED BY THE GENERAL CONTRACTOR.
8. AT OWNER'S OPTION, A QUALIFIED TESTING LABORATORY SHALL BE RETAINED TO PERFORM THE FOLLOWING TESTS ON SITE:
  - a) CYLINDER STRENGTH TESTS - ASTM C39; ONE SET OF FOUR CYLINDERS FOR EACH 50 CUBIC YARDS OR FRACTION THEREOF. TEST ONE (1) CYLINDER AT SEVEN (7) DAYS AND TWO (2) AT TWENTY-EIGHT (28) DAYS. HOLD FINAL CYLINDER IN RESERVE.
  - b) SLUMP TESTS - ASTM C143.
9. ONE COPY OF ALL TEST REPORTS SHALL BE SENT DIRECTLY TO OWNER, BUILDING DESIGNER, STRUCTURAL ENGINEER AND GENERAL CONTRACTOR.
10. CONCRETE SHALL BE PLACED WITHIN 90 MINUTES OF BATCH TIME. WET FORMS BEFORE PLACING CONCRETE. WATER MAY NOT BE ADDED AFTER MIX IS COMPLETED.
11. MINIMUM LAP SPICE = 40 X BAR DIAMETERS UNLESS NOTED OTHERWISE.
12. PROVIDE PROPERLY TIED SPACERS, CHAIRS, BOLSTERS, ETC., AS REQUIRED. PLACE AND SUPPORT ALL REINFORCING IN PLACE. USE WIRE BAR TYPE SUPPORTS COMPLYING WITH CRSI RECOMMENDATIONS. USE PLASTIC TIP LEGS ON ALL EXPOSED SURFACES.
13. ALL BEAMS, SPANDRELS AND SLABS SHALL BE POURED MONOLITHICALLY EXCEPT AT APPROVED CONSTRUCTION JOINTS. PROPOSED CONSTRUCTION JOINT LOCATIONS SHALL BE SUBMITTED TO ENGINEER FOR APPROVAL.
14. CONTRACTOR SHALL VERIFY LOCATIONS OF ALL OPENINGS AND SLEEVES, SLAB RECESSES, ETC., AS REQUIRED BY OTHER TRADES BEFORE CONCRETE IS PLACED. NO SLEEVES, OPENING OR INSERT MAY BE PLACED IN BEAMS, JOISTS OR COLUMNS UNLESS APPROVED BY THE STRUCTURAL ENGINEER. CONTRACTOR SHALL VERIFY LOCATION OF EMBEDDED ITEMS, INCLUDING ANCHOR BOLTS, BOLT CLUSTERS, WELD PLATES, ETC., BEFORE PLACING CONCRETE. NOTIFY STRUCTURAL ENGINEER OF ANY CONFLICTS.
15. TYPICAL REINFORCING BAR COVER:
  - a) FOOTINGS = 3"
  - b) COLUMNS = 1-1/2"
  - c) BEAMS = 1-1/2"
  - d) SLABS:
    - INTERIOR = 3/4"
    - EXTERIOR = 1-1/2"
    - SLAB-ON-GRADE = CENTERED
16. ALL CONCRETE SHALL BE CONSOLIDATED IN PLACE USING INTERNAL VIBRATORS.
17. ALL CONCRETE SHALL BE CURED IMMEDIATELY AFTER FINISHING OPERATIONS, IN ACCORDANCE WITH ONE OF THE FOLLOWING METHODS:
  - a) APPLY A 30% SOLIDS LIQUID MEMBRANE FORMING CHEMICAL CURING COMPOUND IN ACCORDANCE WITH ASTM C309.
  - b) PROVIDE CONTINUOUS MOISTURE TO CONCRETE IN ACCORDANCE WITH ACI 301.
18. REPAIR AND PATCH DEFECTIVE AREAS WITH CEMENT MORTAR IMMEDIATELY AFTER REMOVAL OF FORMS, EXCEPT WHERE REINFORCING IS VISIBLE CONTACT STRUCTURAL ENGINEER FOR EVALUATION OF EXPOSED REINFORCING.
19. GENERAL CONTRACTOR IS RESPONSIBLE FOR THE PROPER DESIGN AND CONSTRUCTION OF ALL FORMWORK AND SHORING.

MASONRY:

1. HOLLOW LOAD BEARING UNITS SHALL CONFORM TO ASTM C90, NORMAL WEIGHT TYPE N2, WITH A MINIMUM COMPRESSIVE STRENGTH OF 1500 PSI.
2. MORTAR SHALL BE TYPE M OR S AND CONFORM TO ASTM C270. MORTAR SHALL BE USED WITHIN TWO (2) HOURS OF MIXING.
3. COARSE GROUT USED TO FILL CELLS SHALL CONFORM TO ASTM C476 WITH A MAXIMUM AGGREGATE SIZE OF THREE-EIGHTHS (3/8") INCH AND A MINIMUM COMPRESSIVE STRENGTH OF 2500 PSI.
4. VERTICAL BARS SHALL BE HELD IN POSITION AT THE TOP AND BOTTOM AND AT 8'-0" O.C. MAXIMUM WITH A MINIMUM CLEARANCE OF ONE-QUARTER (1/4") INCH FROM MASONRY AND NOT LESS THAN ONE BAR DIAMETER BETWEEN BARS.

5. VERTICAL REINFORCING SHALL BE AS SHOWN ON THE DRAWINGS. FILL CELLS WITH COURSE GROUT AS SPECIFIED.
6. REINFORCING BARS SHALL BE STRAIGHT EXCEPT FOR BENDS AROUND CORNERS AND WHERE BENDS OR HOOKS ARE DETAILED ON THE PLANS.
7. REINFORCING BARS SHALL BE LAPPED 40 X BAR DIAMETERS WHERE SPLICED AND SHALL BE WIRED TOGETHER.
8. HORIZONTAL WALL REINFORCING SHALL BE NINE (9) GAUGE LADDER TYPE DUR-O-WALL (OR EQUIVALENT) AT 16 INCHES O.C. (EVERY OTHER MORTAR JOINT). WIRE REINFORCEMENT SHALL BE LAPPED AT LEAST SIX (6") INCHES AT SPLICES AND SHALL CONTAIN AT LEAST ONE CROSS WIRE OF EACH PIECE OF REINFORCEMENT IN THE LAPPED DISTANCE.
9. **SAW-CUT FOUR INCH BY FOUR INCH (4"x4") OBSERVATION HOLE IN THE BASE COURSE OF ALL REINFORCED CELLS TO VERIFY GROUT PLACEMENT.**
10. **PLACE GROUT IN 4'-0" MAXIMUM LIFT. HOLD TOP OF POUR DOWN ONE AND ONE-HALF INCH (1-1/2") FROM TOP OF BLOCK FOR KEY-WAY.**
11. STORE BLOCKS SUCH THAT THEY REMAIN DRY.
12. PLACE ALL MASONRY IN RUNNING BOND WITH THREE-EIGHTHS (3/8") INCH MORTAR JOINTS.
13. SEE DRAWINGS FOR MASONRY CONTROL JOINT LOCATIONS, SPACE AT FORTY FEET (40'-0") O.C. UNLESS NOTED OTHERWISE.
14. **MASONRY INSPECTION** SHALL BE PROVIDED IN ACCORDANCE WITH ACI 531-4.6. IN ORDER TO QUALIFY FOR FULL DESIGN STRESSES.
15. CHASES SHALL BE BUILT INTO WALLS, NOT CUT IN. CHASES SHALL BE PLUMB AND SHALL BE A MINIMUM OF ONE MASONRY UNIT LENGTH FROM JAMBS OF WALL OPENINGS.

STRUCTURAL STEEL:

1. STRUCTURAL STEEL SHALL CONFORM TO THE AISC "SPECIFICATION FOR THE DESIGN, FABRICATION AND ERECTION OF STRUCTURAL STEEL FOR BUILDINGS", LATEST EDITION.
2. WELD CONNECTIONS SHALL CONFORM TO THE LATEST REVISED CODE OF THE AMERICAN WELDING SOCIETY, AWS D1.1. ALL WELDING SHALL BE PERFORMED USING E70 ELECTRODES.
3. BOLTS AND BOLTED CONNECTIONS SHALL CONFORM TO THE REQUIREMENTS OF THE "SPECIFICATIONS FOR STRUCTURAL JOINTS USING ASTM A325 OR A490 BOLTS" AS APPROVED BY THE RESEARCH COUNCIL ON STRUCTURAL CONNECTIONS. USE TYPE BEARING BOLTS WITH THREAD ALLOWED ACROSS THE SHEAR PLANE.
4. STRUCTURAL STEEL SHAPES, PLATES, ETC. - ASTM A36.
5. STRUCTURAL STEEL TUBING - ASTM A500 GRADE B.
6. STEEL PIPE - ASTM A501.
7. ANCHOR BOLTS - ASTM A307.
8. STEEL SHOP DRAWINGS SHALL BE SUBMITTED TO THE EOR PRIOR TO ORDERING THE STEEL. ALLOW TWO WEEKS REVIEW TIME.

CARPENTRY:

1. DIMENSION LUMBER SHALL BE DRESSED S4S AND SHALL BEAR THE GRADE STAMP OF THE MANUFACTURER'S ASSOCIATION.
2. ALL LOAD BEARING LUMBER, UNLESS OTHERWISE NOTED, SHALL BE SOUTHERN PINE NUMBER 2 GRADE OR S.P.F. #1 (NO STUD GRADE ALLOWED):
  - Fb = 850 PSI
  - Fv = 70 PSI
  - Fc = 975 PSI
  - E = 1,200,000 PSI
  - 19% (NINETEEN %) MAXIMUM MOISTURE CONTENT
3. ALL LUMBER IN CONTACT WITH MASONRY AND CONCRETE SHALL BE PRESSURE TREATED. PRESSURE TREATED LUMBER SHALL BE IMPREGNATED WITH A CCA SALT TREATMENT IN ACCORDANCE WITH F.S. TT-W-571 AND BEAR THE AMERICAN WOOD PRESERVES INSTITUTE QUALITY MARK LP-2.
4. PLYWOOD SHEATHING SHALL BE DFPA CD WITH EXTERIOR GLUE. ALL ROOF SHEATHING TO BE INSTALLED WITH PLYCLIPS.
5. INSTALL BRIDGING IN ALL FLOOR OR ROOF JOISTS AT 8'-0" (EIGHT-FEET-ZERO-INCH) O.C. MAXIMUM AND 4'-0" (FOUR-FEET-ZERO-INCH) O.C. MAXIMUM FOR LOAD BEARING WALL STUDS.
6. ALL NAILING AND BOLTING SHALL COMPLY WITH THE AMERICAN INSTITUTE OF TIMBER CONSTRUCTION REQUIREMENTS.
7. ALL CONNECTION HARDWARE SHALL BE GALVANIZED AND SUPPLIED BY SIMPSON STRONGTIE CO. OR HUGHES SUPPLY, SUBMIT CUT SHEETS FOR ALL CONNECTION HARDWARE TO ENGINEER FOR APPROVAL.
8. PROVIDE A SINGLE PLATE AT THE BOTTOM AND DOUBLE PLATE AT THE TOP OF ALL LOAD BEARING STUD WALLS (2-x6 UNLESS NOTED OTHERWISE ON PLANS).
9. STUDS SHALL BE DOUBLED AT ALL ANGLES AND AROUND ALL OPENINGS. STUDS SHALL BE TRIPLED AT ALL CORNERS.
10. WOOD LINTELS OVER OPENINGS SHALL BE DOUBLE 2"x6" (TWO-BY-SIX) HEADERS FOR SPANS UP TO 3'-0" (THREE-FEET-ZERO-INCH) AND DOUBLE 2"x8" (TWO-BY-EIGHT) HEADERS FOR 3'-0" TO 7'-0". SEE PLANS FOR SPANS GREATER THAN 7'-0". NOTATIONS ON PLANS GOVERN OVER THIS NOTE.

PRE-ENGINEERED WOOD ROOF AND FLOOR TRUSSES:

1. **SUBMITTALS:** SHOP DRAWINGS SHALL BE SUBMITTED TO STRUCTURAL ENGINEER PRIOR TO FABRICATION. ALL SUBMITTALS SHALL BE CHECKED AND SIGNED BY THE GENERAL CONTRACTOR AND SHALL BEAR THE SEAL OF A LICENSED FLORIDA ENGINEER.
  - a) SUBMIT TRUSS DESIGN CALCULATIONS FOR EACH TYPE OF TRUSS.
  - b) SUBMIT TRUSS ERECTION PLAN, CONNECTION DETAILS AND PERMANENT BRIDGING REQUIREMENTS.
2. ALL PRE-ENGINEERED, PRE-FABRICATED WOOD TRUSSES SHALL BE FASTENED TO THEIR SUPPORTS WITH APPROVED HURRICANE CLIPS OR STRAPS.
3. **ALL** CONNECTION HARDWARE SHALL BE GALVANIZED AND SUPPLIED BY SIMPSON STRONGTIE CO. OR HUGHES MANUFACTURING INC.
4. PRE-ENGINEERED WOOD TRUSSES SHALL BE DESIGNED AND FABRICATED IN ACCORDANCE WITH THE "NATIONAL DESIGN SPECIFICATION FOR STRESS GRADE LUMBER AND ITS FASTENERS".
5. TRUSS MEMBERS AND CONNECTIONS SHALL BE DESIGNED FOR ALL LIVE, DEAD AND WIND LOADS, PLUS ANY CONCENTRATED LOADS SHOWN ON THE DRAWINGS.
6. DURATION FACTORS:
  - a) ROOF DL+WL ... 1.33
  - b) ROOF DL+LL ... 1.25
  - c) FLOOR DL+LL ... 1.00
7. TRUSS ERECTOR SHALL BE FULLY RESPONSIBLE FOR ALL TEMPORARY BRIDGING OF TRUSS SYSTEM DURING CONSTRUCTION IN ACCORDANCE TO PUBLISHED INDUSTRY GUIDELINES.
8. **TRUSSES SHALL BE DESIGNED SUCH THAT NO HORIZONTAL REACTIONS ARE IMPOSED** ON THE SUPPORTING STRUCTURE UNDER VERTICAL LOADS.

APPLICABLE CODES AS FOLLOWS PER FBC 101.102 & FBC R322:

- 2020 7<sup>TH</sup> Edition FLORIDA BUILDING CODES (i.e. Building, Residential, Plumbing, Mechanical, Energy & Fuel Gas)
- Flood Resistant Design & Construction ASCE 24-98
- National Electric Code NEC 2017
- Current Pinellas County Technical Amendments

CONTRACTOR SHALL PROVIDE THE FOLLOWING:

- FLORIDA PRODUCT APPROVALS FOR DOORS, WINDOWS, ROOFING, GARAGE DOORS, SOFFIT, FASCIA & SIDING (AS APPLICABLE)
- EXTERIOR DOOR & WINDOW NOA DOCUMENTS FOR APPROVAL
- CERTIFIED COPIES OF THE SURVEY
- ELECTRICAL LOAD CALCS/DIAGRAM, PLUMBING RISER DIAGRAM, ENERGY CALCULATIONS, HVAC LAYOUT & SPECS, TRUSS COMPANY LAYOUT & TRUSS PROFILES, ETC.



Permit/Case No. Number: 24002

Impervious Surface Ratio (ISR) Worksheet



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

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

Owner Name & Address  
Olin & Elise Lippincott

Contractor/Applicant Name & Address  
Tom Pici & Son Builders

Phone

Phone 727-709-3953

Email

Email piciteam@aol.com

Property Address 2909 Sunset Way

Total Lot Area (sq. ft.) 6,500

Required Calculations:

| EXISTING IMPERVIOUS SURFACE:       |       |         |
|------------------------------------|-------|---------|
| Building Footprint:                | 3,149 | sq. ft. |
| Parking and Driveway:              | 1,072 | sq. ft. |
| Pool and/or Patio areas:           | 910   | sq. ft. |
| Walkways:                          | 187   | sq. ft. |
| Other:                             | 0     | sq. ft. |
| TOTAL EXISTING IMPERVIOUS SURFACE: | 5,318 | sq. ft. |

| PROPOSED IMPERVIOUS SURFACE:       |       |         |
|------------------------------------|-------|---------|
| Building Footprint:                | 3,540 | sq. ft. |
| Parking and Driveway:              | 710   | sq. ft. |
| Pool and/or Patio areas:           | 120   | sq. ft. |
| Walkways:                          | 0     | sq. ft. |
| Other: Pool Equip.                 | 24    | sq. ft. |
| TOTAL PROPOSED IMPERVIOUS SURFACE: | 4,394 | sq. ft. |

|                                    |         |   |          |         |   |                                   |
|------------------------------------|---------|---|----------|---------|---|-----------------------------------|
| 5,318                              | sq. ft. | + | 6,500    | sq. ft. | = | 81.8%                             |
| Total Existing Impervious Surfaces |         |   | Lot Area |         |   | Existing Impervious Surface Ratio |

|                                    |         |   |          |         |   |                                   |
|------------------------------------|---------|---|----------|---------|---|-----------------------------------|
| 4,394                              | sq. ft. | + | 6,500    | sq. ft. | = | 67%.                              |
| Total Proposed Impervious Surfaces |         |   | Lot Area |         |   | Proposed Impervious Surface Ratio |

Certification:

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

Applicant Signature: \_\_\_\_\_ Date: 2-21-24

City of St. Pete Beach | 55 Corey Avenue, St. Pete Beach Florida 33706 P: 727-367-2735

ZONING COMPLIANCE WORKSHEET

PROJECT INFORMATION:

- PROJECT TITLE: THE LIPPINCOTT RESIDENCE (SINGLE-FAMILY RESIDENCE)
- PROJECT ADDRESS: 2909 SUNSET WAY
- PARCEL ID: 18-32-16-1316-002-0030
- OWNER INFORMATION: OLIN & ELISE LIPPINCOTT
- CONTRACTOR: TOM PICI & SON BUILDERS, INC.

ZONING & USE:

- MUNICIPALITY: CITY OF ST. PETE BEACH
- ZONING DESIGNATION: RU-2 & PASS-A-GRIFFE OVERLAY DISTRICT
- LAND USE: EXISTING SINGLE-FAMILY
- BUILDING TYPE PER LDC SEC. 20.13: (UNDERLYING ZONING DISTRICT)

FLOOD ZONE INFORMATION:

- FLOOD ZONE: AE
- BASE FLOOD ELEVATION (BFE) 11' NAVD
- MINIMUM FREEBOARD: (+) 1'
- DESIGN FLOOD ELEVATION (DFE) 12' NAVD

LAND DEVELOPMENT RESTRICTIONS:

- MAX. BUILDING HEIGHT (MIDPOINT PITCHED ROOF) 28' (ALLOWED) 25'-10" (EXISTING)
- MAXIMUM BUILDING HEIGHT (TOP OF ROOF) 32' (ALLOWED) 30'-8" (EXISTING)
- BUILDING HEIGHT MEASURED FROM: DFE @ 12' NAVD
- MINIMUM YARDS (RU-2 SETBACKS) 20' (SUNSET WAY) 5' (SIDES) 20' (REAR)
- MAXIMUM DECK HEIGHT ABOVE GRADE 2' (ALLOWED) 3' (PROPOSED) 4'

LOT COVERAGE CALCULATIONS:

- LOT AREA SQUARE FOOTAGE (CALCULATED) 6,500 S/F
- MAXIMUM IMPERVIOUS SURFACE 10% = 650 S/F (ALLOWED)
- TOTAL IMPERVIOUS AREA 6168 = 4,394 S/F (PROPOSED)

FENCE & WALL REQUIREMENTS:

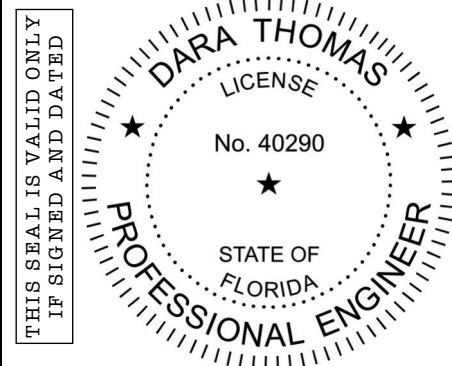
- MAX. HEIGHT ABV. GRADE (YARDS) 4' (STREET) 8' (SIDE) 4' (WATERFRONT)

| SHEET INDEX         |         |                                             |
|---------------------|---------|---------------------------------------------|
| SHEET GROUPINGS     | SHEET # | DESCRIPTION                                 |
| General Drawings    |         |                                             |
|                     | G-1     | Specs, Notes & Zoning                       |
| Civil Drawings      |         |                                             |
|                     | C-1     | Architectural Site Plan, Details & ISR Plan |
| Floor Plans         |         |                                             |
|                     | A-1     | First Floor Plans                           |
|                     | A-2     | Second Floor Plans                          |
|                     | A-3     | Third Floor Plans                           |
| Exterior Elevations |         |                                             |
|                     | A-4     | Exterior Elevations (East & West) & Details |
|                     | A-5     | Exterior Elevations (North & South)         |
| Structural Drawings |         |                                             |
|                     | S-1     | Foundation & Framing Plans                  |
|                     | S-2     | Framing Details & Wall Section              |
|                     | S-3     | Roof Framing Plans                          |
| Electrical Plans    |         |                                             |
|                     | E-1     | Electrical Floor Plans                      |



STRUCTURAL ENGINEER OF RECORD

DARA THOMAS, P.E., LLC  
118 LAUREL TREE WAY  
BRANDON, FL 33511  
TELEPHONE: (727) 435-1156  
P.E. #40290  
CERT. OF AUTH. #30957



THIS DRAWING IS ISSUED FOR CONSTRUCTION AFTER BEING REVIEWED BY THE ENGINEER OF RECORD TO ENSURE COMPLIANCE WITH THE STRUCTURAL DRAWINGS, FAMA REGULATIONS & THE FLORIDA BUILDING CODE.

The Lippincott Residence

Alterations & Additions to an existing residence

PROJECT LOCATION :  
2909 Sunset Way, St. Pete Beach, FL 33706

MUNICIPALITY: City of St. Pete Beach

CONTRACTOR: Tom Pici & Son Builders, Inc.

ADDRESS: 7211 1st Ave. S, St. Petersburg, FL

PLAN REVISION LOG

| MARK | DATE    | DESCRIPTION                                                                                        |
|------|---------|----------------------------------------------------------------------------------------------------|
| △    | 8/30/23 | ENCLOSE EXIST. PORCH                                                                               |
| △    | 9/11/23 | ADDT. CLOS. @ BR 4 & INCREASE ENTRY AREA                                                           |
| △    | 12/2/23 | PERMIT PLAN REVIEW REVISIONS (PER COMMENTS ON 12/28/23)                                            |
| △    | 1/10/24 | PERMIT PLAN REVIEW REVISIONS (PER COMMENTS ON 12/18/23)                                            |
| △    | 2/21/24 | PLANS AMENDED PER 02/16/24 APPLICATION REVIEW COMMENT LETTER RE: PRACTICAL VARIANCE CASE NO. 24002 |

DATE: JANUARY 12, 2023

PROJECT NO: 22-11

DRAWN BY: CMM

SCALE:

BID ISSUE DATE: 00/00/00

PERMIT ISSUE DATE: 00/00/00

CONSTRUCTION ISSUE DATE: 00/00/00

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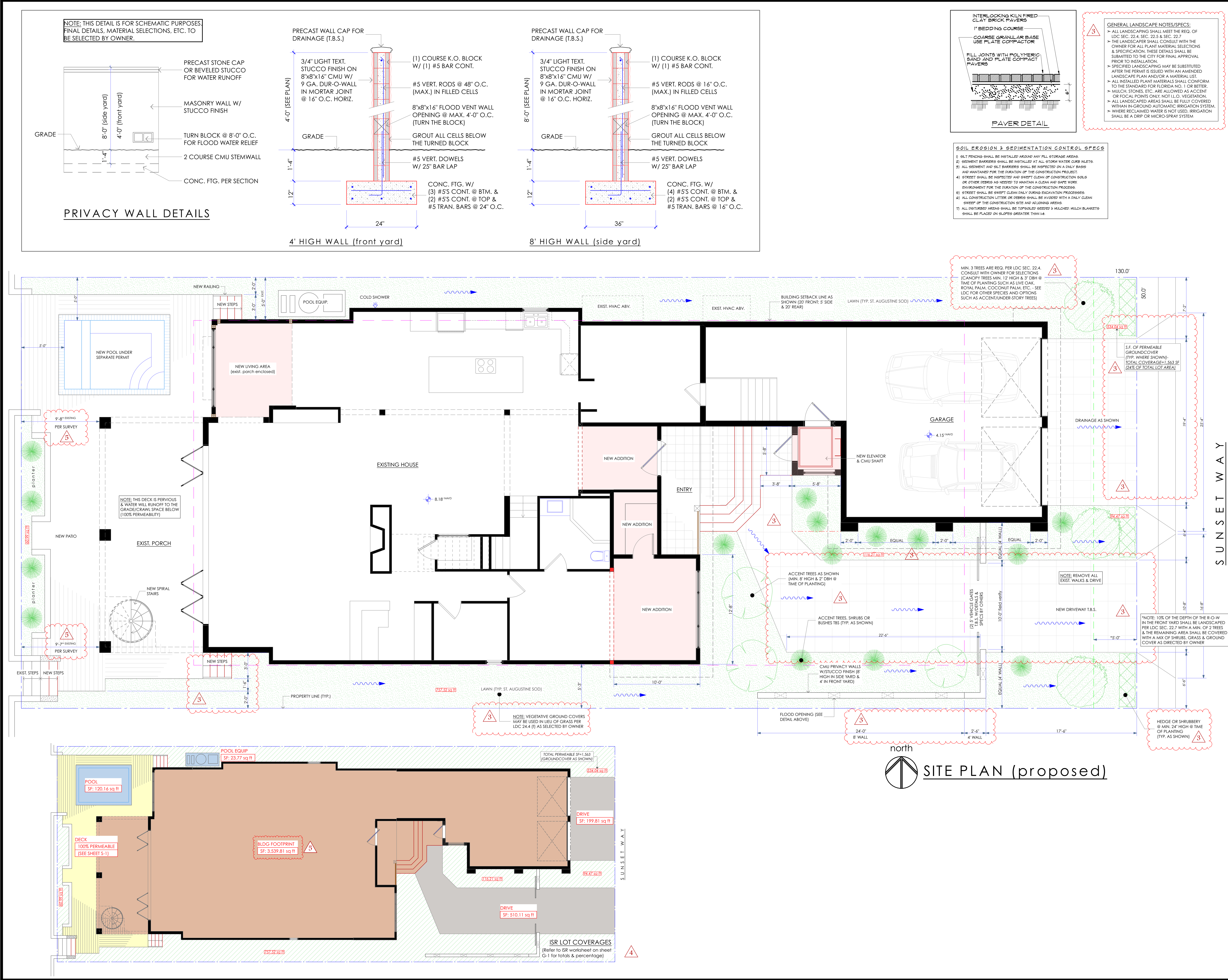
SHEET TITLE

Specs, Notes & Zoning

G~1

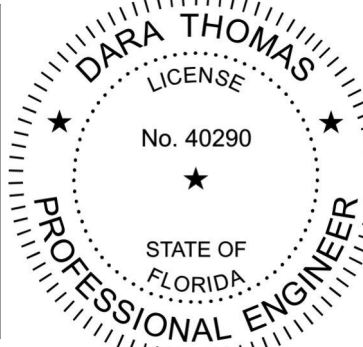
SHEET 1

OF 11



STRUCTURAL ENGINEER OF RECORD

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The Lippincott Residence

Alterations & Additions to an existing residence

PROJECT LOCATION:

2909 Sunset Way, St. Pete Beach, FL 33706

MUNICIPALITY: City of St. Pete Beach

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DATE: JANUARY 12, 2023  
PROJECT NO: 22-11  
DRAWN BY: CMM  
SCALE: 1/4" = 1'-0"

BID ISSUE DATE: 00/00/00  
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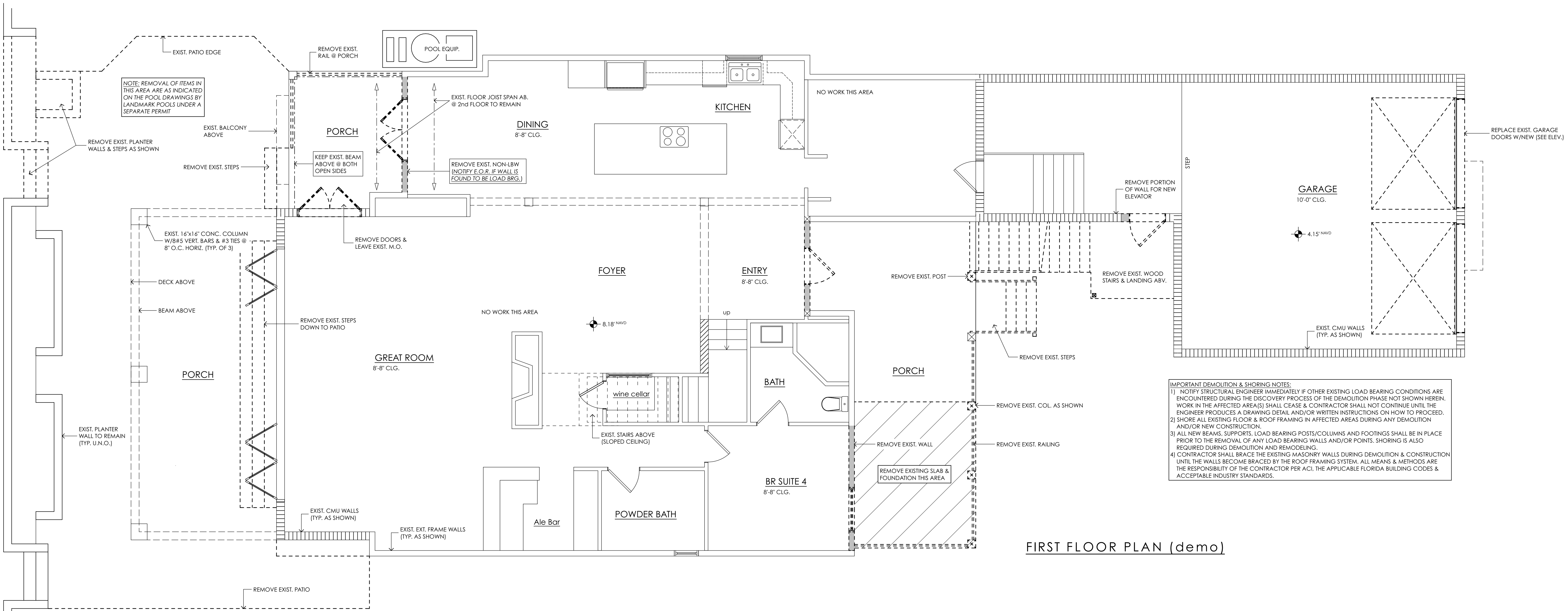
SHEET TITLE

First Floor Plans

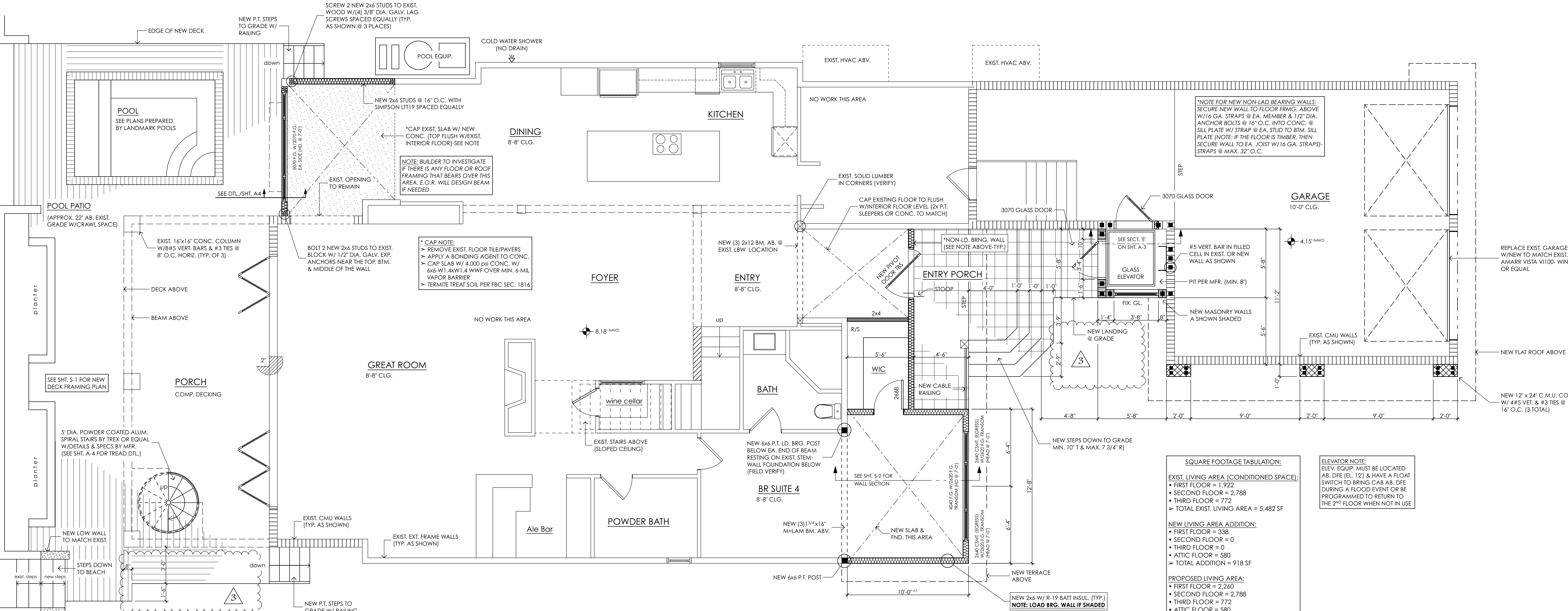
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SHEET 3

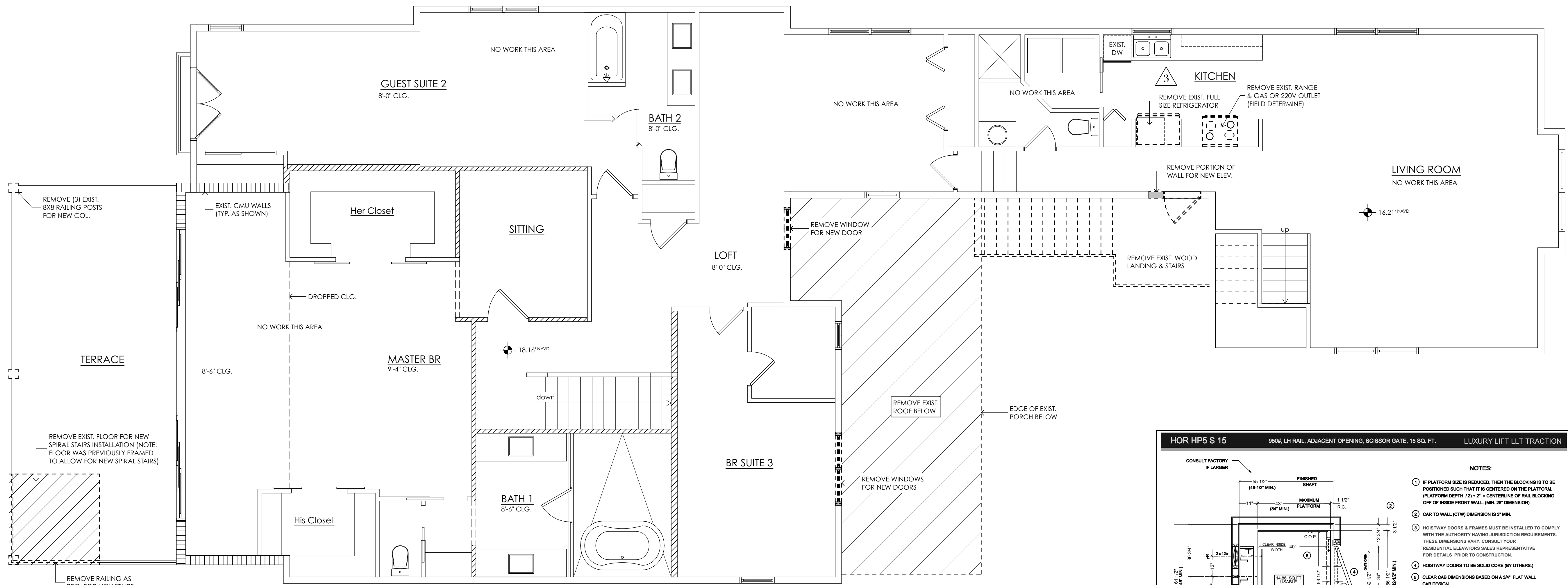
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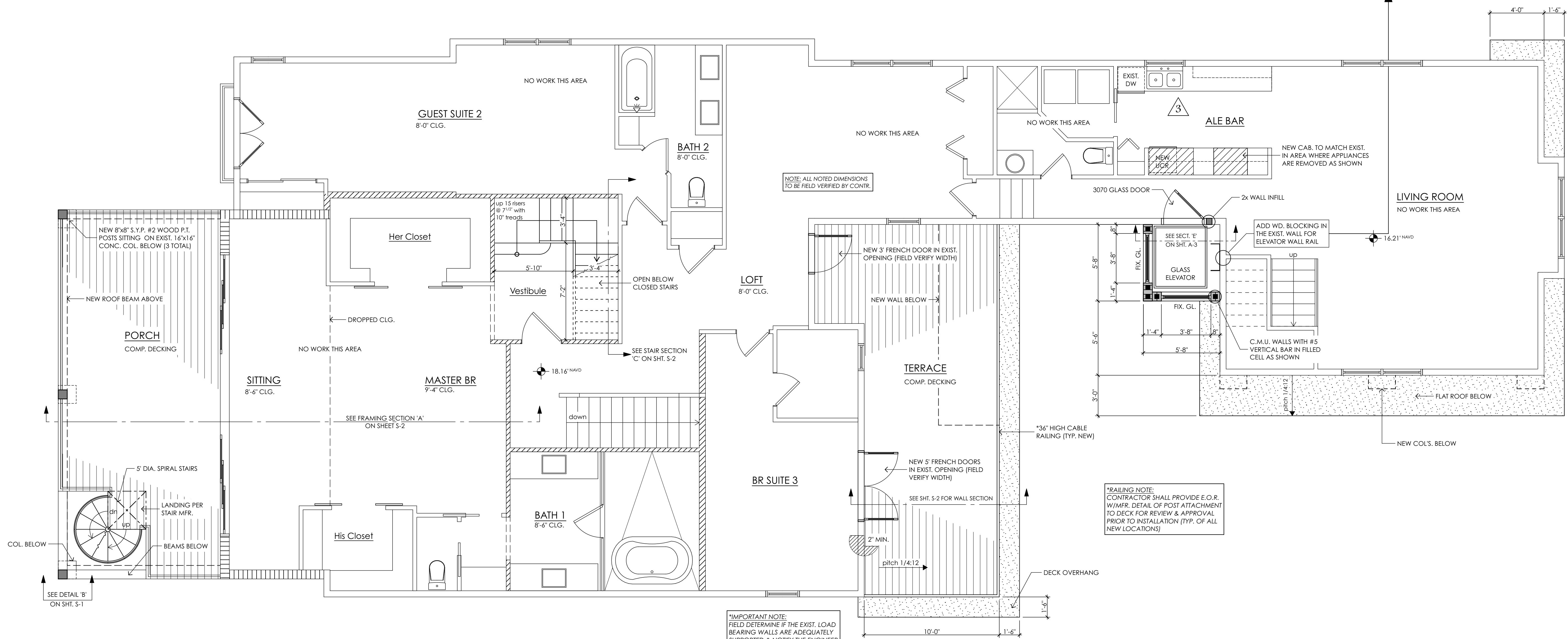
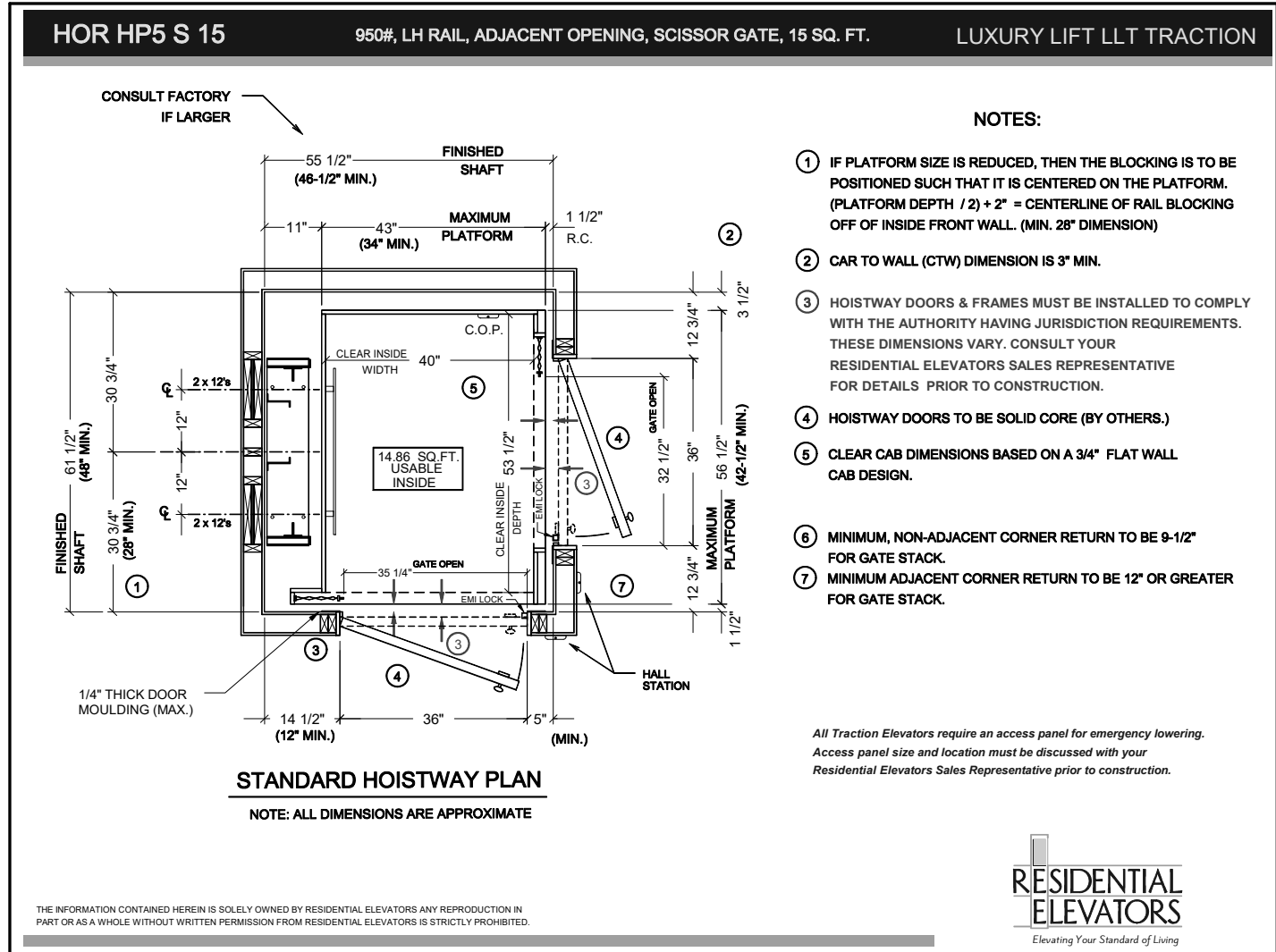
FIRST FLOOR PLAN (demo)



FIRST FLOOR PLAN (new)



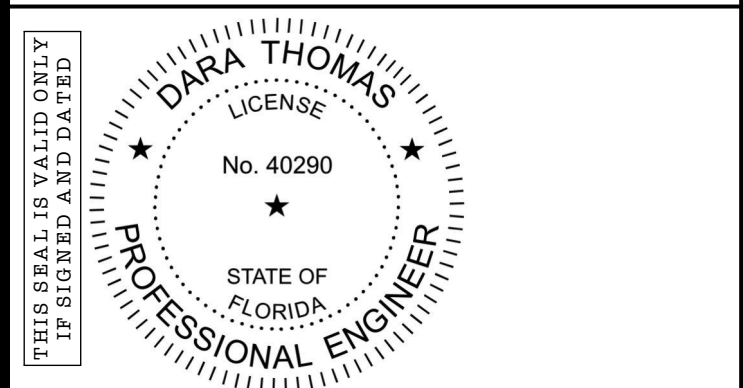
SECOND FLOOR PLAN (demo)



SECOND FLOOR PLAN (new)

**C. Michael McCoy**  
Residential Designs, Inc.  
Post Office Box 1305  
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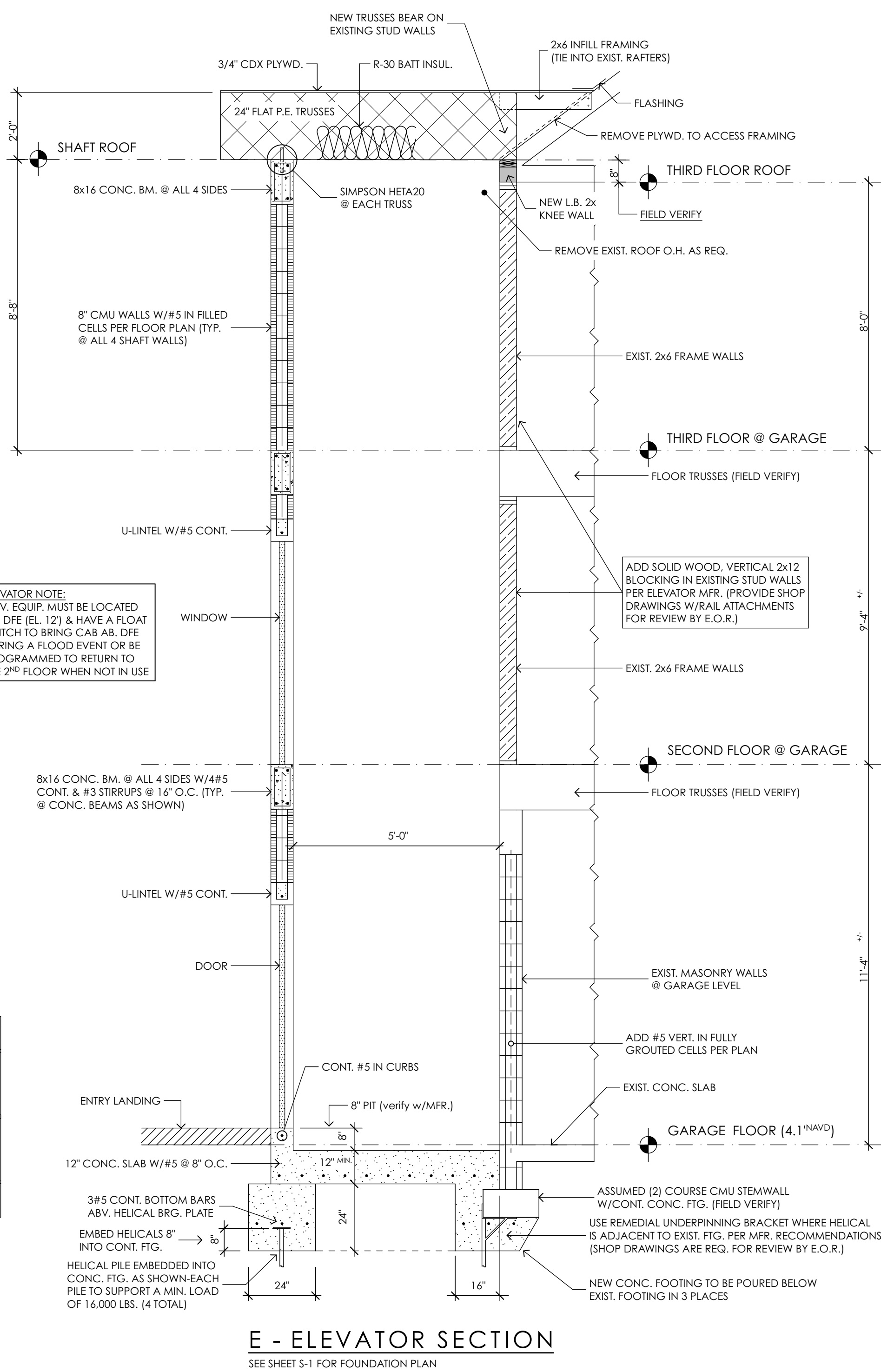
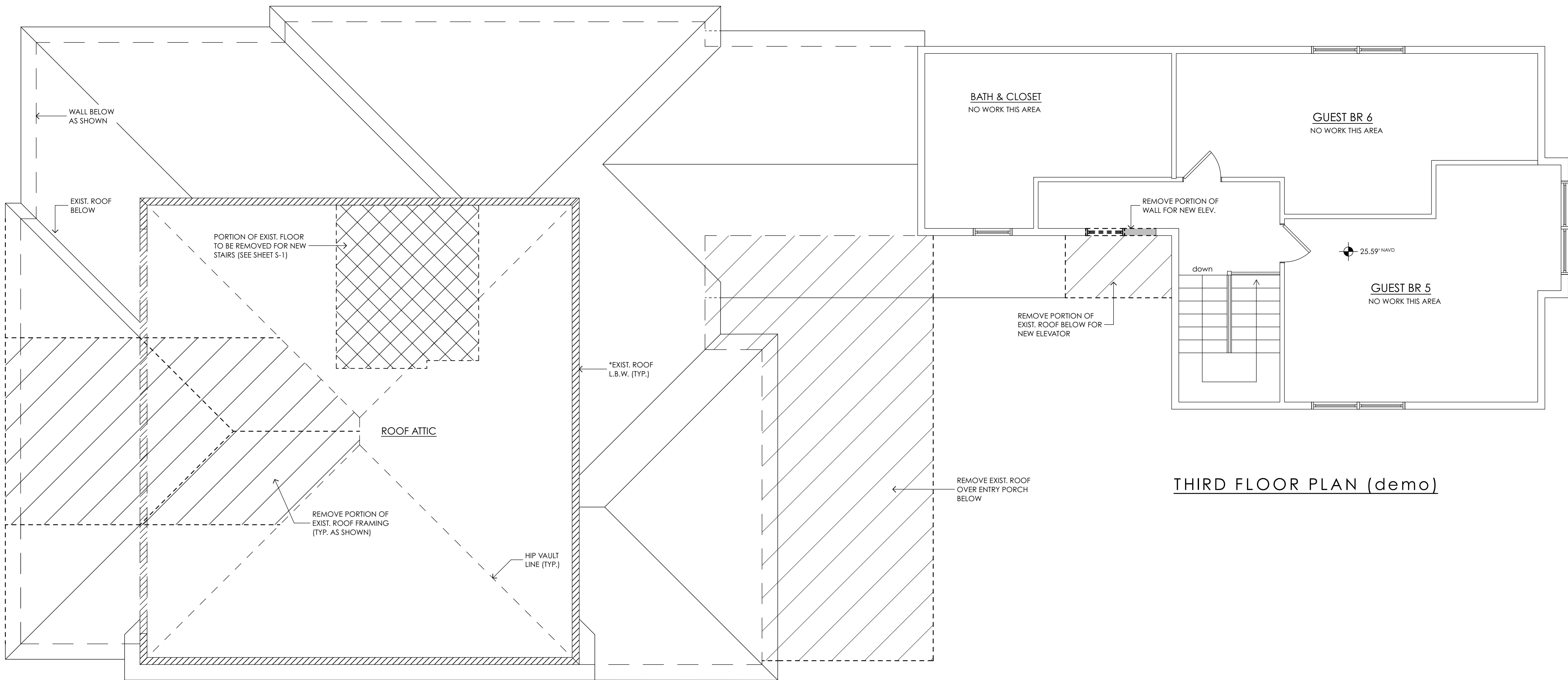
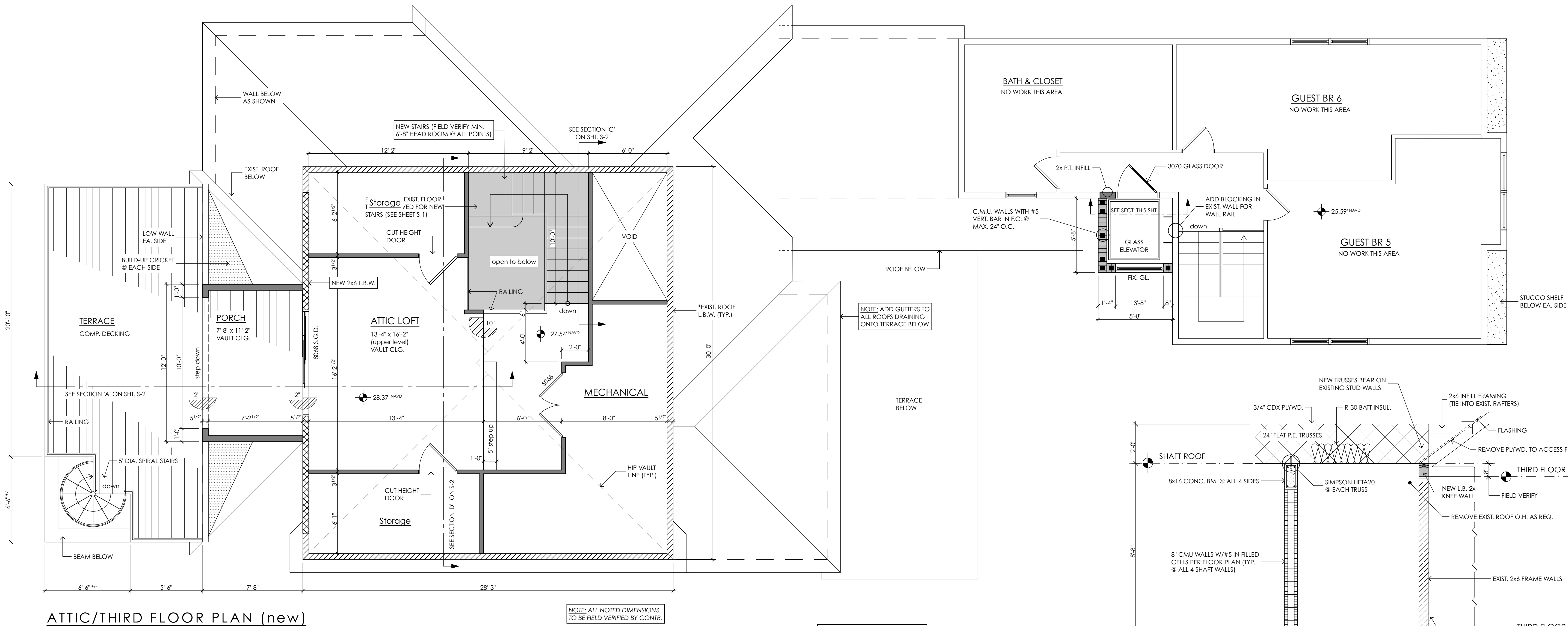
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**The Lippincott Residence**  
Alterations & Additions to an existing residence  
**PROJECT LOCATION:**  
2909 Sunset Way, St. Pete Beach, FL 33706  
**MUNICIPALITY:** City of St. Pete Beach  
**CONTRACTOR:** Tom Plet & Son Builders, Inc.  
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| PLAN REVISION LOG                 |         |                                                                                                    |
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**SHEET TITLE**  
Second Floor Plans



**C. Michael McCoy**  
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CERT. OF AUTH. #30957

STATE OF FLORIDA  
PROFESSIONAL ENGINEER  
DARA THOMAS  
LICENSE No. 40290  
IF PREPARED AND USED  
IN ACCORDANCE WITH THE  
FLORIDA BUILDING CODE

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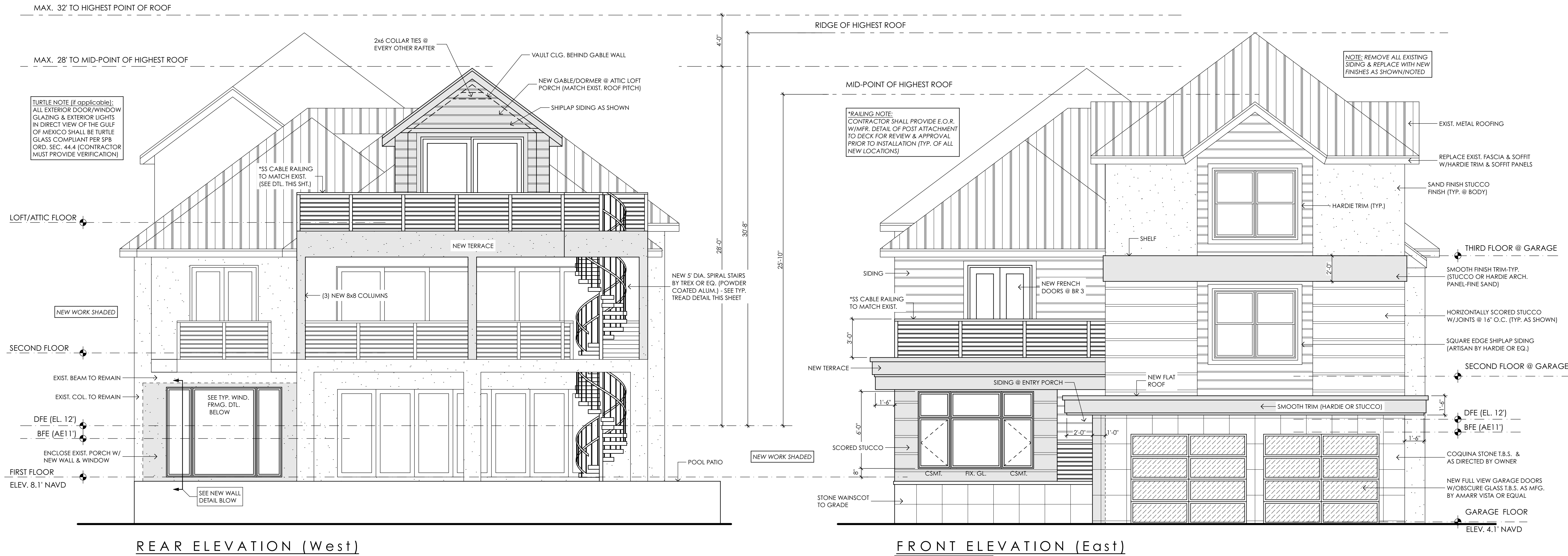
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| PERMIT ISSUE DATE:       | 00/00/00         |
| CONSTRUCTION ISSUE DATE: | 00/00/00         |

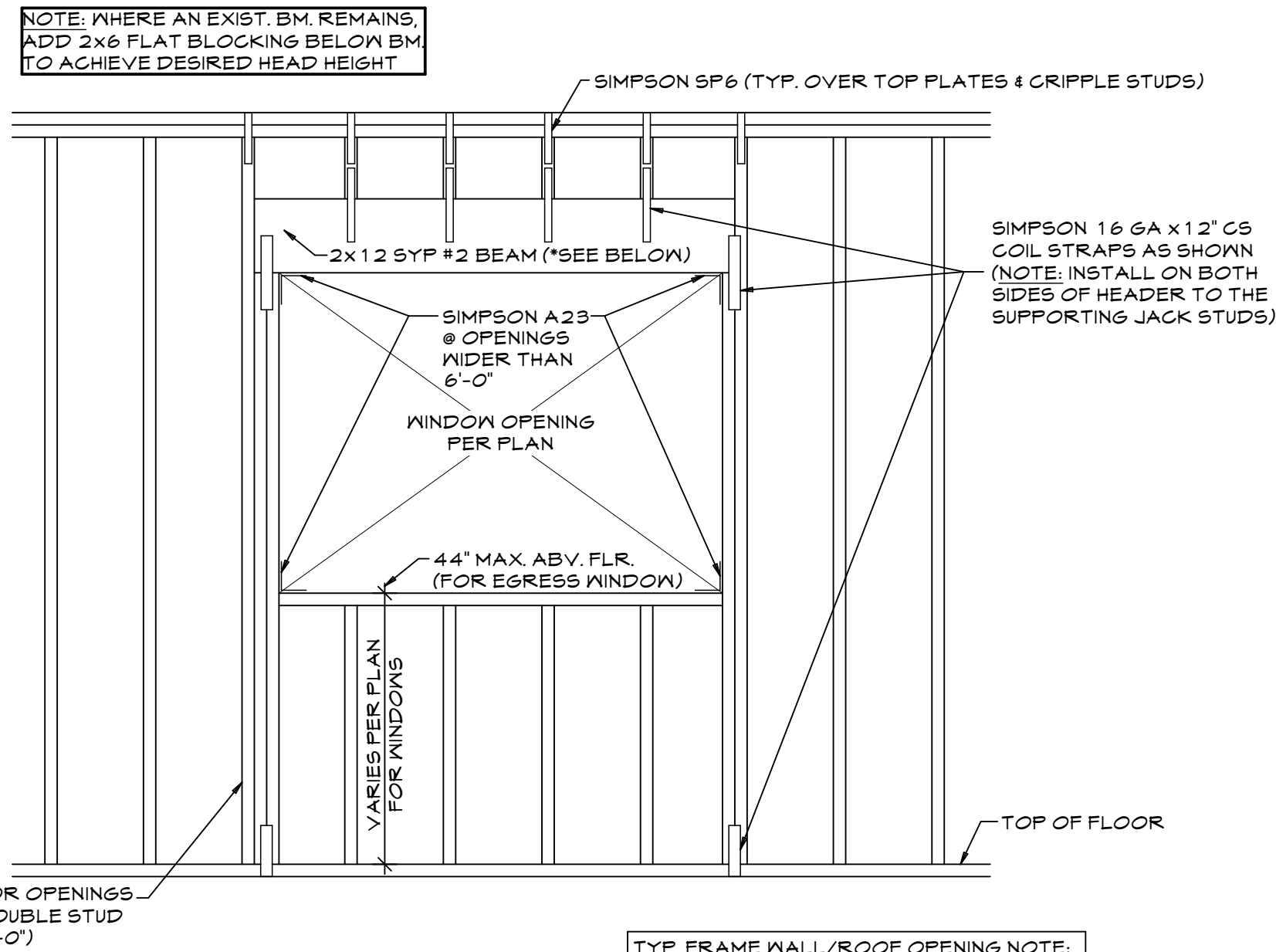
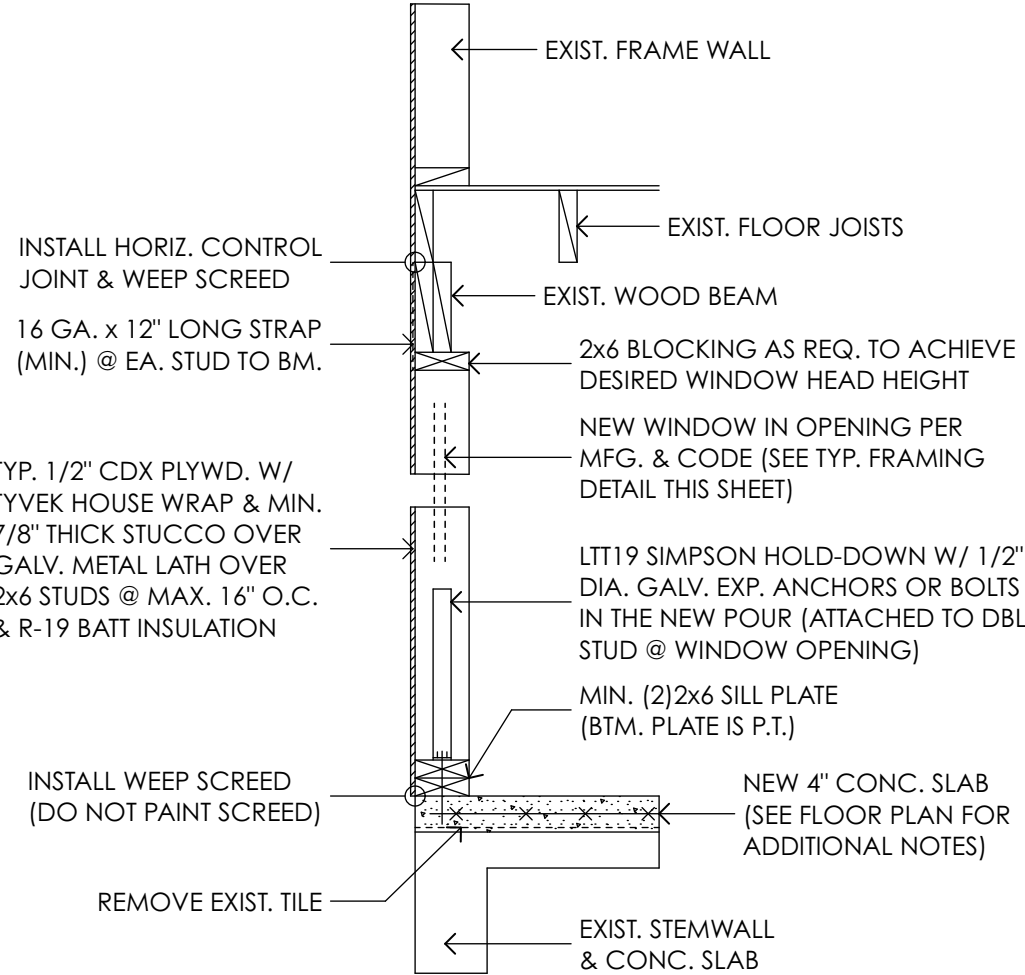
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**SHEET TITLE**  
Third Floor Plans

**A~3**  
SHEET 5 OF 11

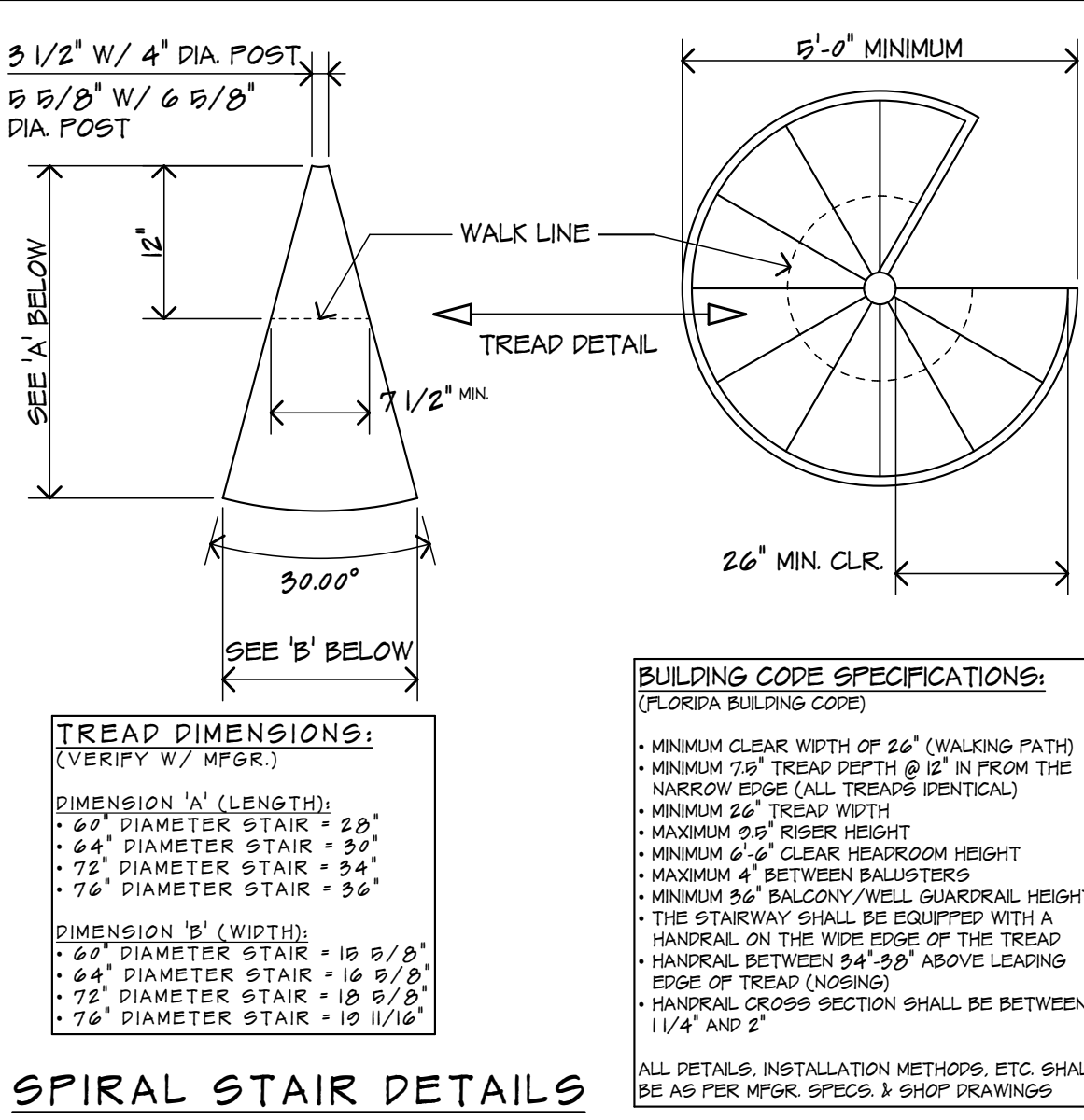


NEW WALL DETAIL



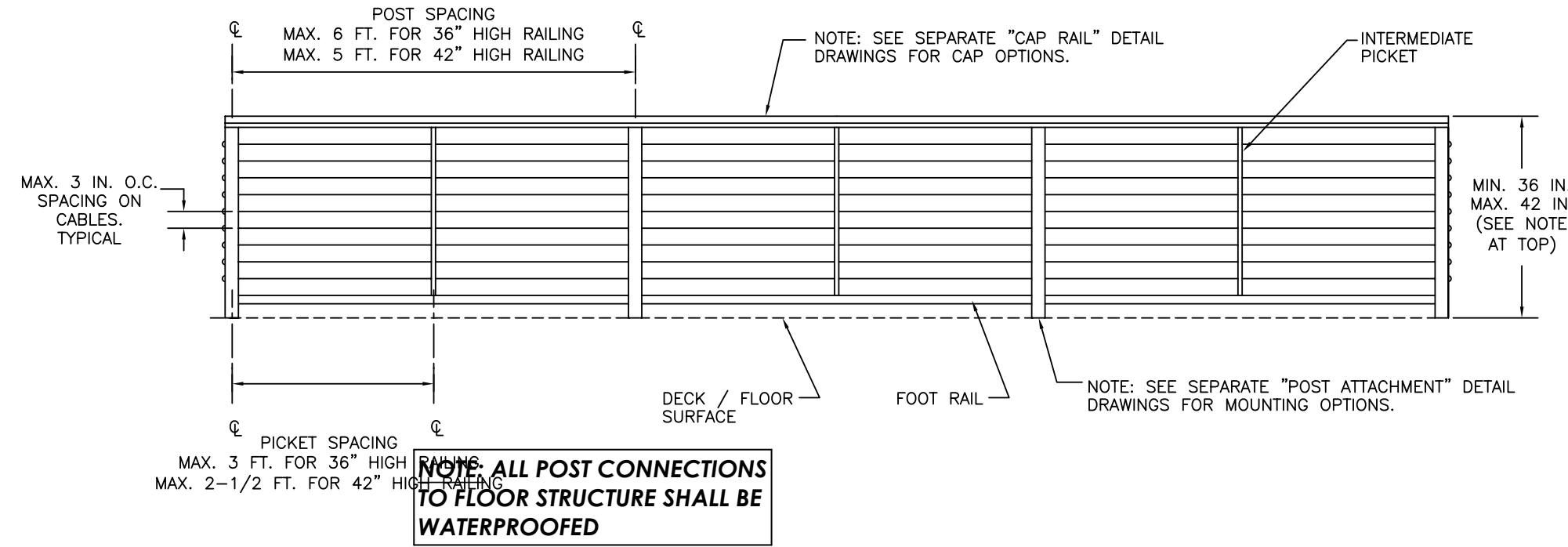
TYP. WINDOW FRAMING

\*HEADER SIZES:  
IN 2X6 WALL-(3) 2X12 OR M-L  
IN 2X4 WALL-(2) 2X12 OR M-L



SPIRAL STAIR DETAILS

**STUCCO VENEER REQUIREMENTS:**  
APPLY STUCCO FINISH (CONFORMING TO ASTM C 926 & 1083) WITH THE FOLLOWING MINIMUM THICKNESSES:  
A. CMU WALLS - MIN. 5/8" APPLIED IN (2) COATS.  
B. EXTERIOR FRAME WALLS- MIN. 7/8" APPLIED IN (2) COATS OVER GALV. METAL LATH OVER (2) LAYERS 15# FELT PAPER VAPOR BARRIER, OR (1) LAYER OF PLASTIC HOUSE WRAP (TYVEK OR EQ.) OVER (1) LAYER OF 15# FELT PAPER OVER MIN. 1/2" CDX PLYWOOD SHEATHING.  
C. WEEP SCREEDS ARE REQUIRED AT THE BOTTOM OF ALL STUCCO CLAD FRAME WALLS, BEAMS OR FEATURES.  
D. TYP. FRAME WALL/ROOF OPENING - EXTERIOR WINDOW, DOOR & SKYLIGHT FLASHING. INSTALLATION & MOISTURE RESISTANT CONSTRUCTION OF EXTERIOR WOOD WALLS SHALL ADHERE TO THE REQUIREMENTS OF ASTM E2112 & E2266.

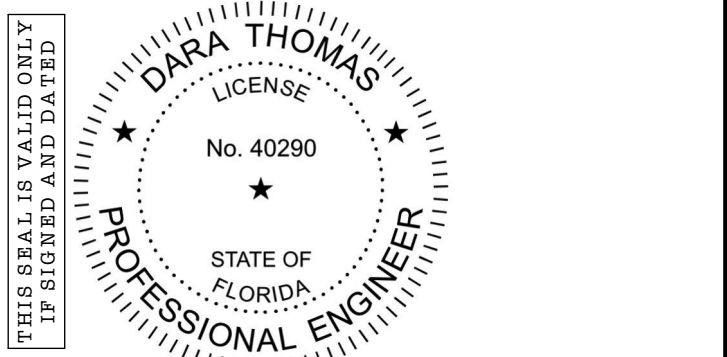


TYP. HORIZONTAL CABLE GUARDRAIL DETAIL

**GENERAL NOTES & SPECS:**  
1. ALL GUARDRAILS SHALL CONFORM TO THE REQUIREMENTS OF SECTION 1301 OF THE CURRENT FLORIDA BUILDING CODE. RESIDENTIAL  
2. GUARDRAILS @ PORCHES, BALCONIES OR LANDINGS SHALL BE MINIMUM 36" HIGH PER FBC SEC. 1301.1  
3. FINAL DETAILS & SPECIFICATIONS BY OTHERS.

**RAILING SYSTEM SPECIFICATION:**  
EXTENDED LENGTH STAINLESS STEEL (POWDER COATED) RAILING SYSTEM W/ STAINLESS STEEL HORIZ. CABLES AS PER FBC PERMITS. 1/2" OR EQUAL (PICKET/RAIL) PROVIDE SURFACE MID-HEAVY DUTY PICKETS FOOT RAIL & CAP RAIL TBS BY OWNER W/ COLOR TBS ALL DETAILS SHOP DRAWINGS AND SPECIFICATIONS BY MANUFACTURER.

**STRUCTURAL ENGINEER OF RECORD**  
**DARA THOMAS, P.E., LLC**  
118 LAUREL TREE WAY  
BRANDON, FL 33511  
TELEPHONE: (727) 455-1156  
P.E. #40290  
CERT. OF AUTH. #30957



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**The Lippincott Residence**  
Alterations & Additions to an existing residence  
**PROJECT LOCATION:**  
2909 Sunset Way, St. Pete Beach, FL 33706  
**MUNICIPALITY:** City of St. Pete Beach  
**CONTRACTOR:** Tom Pict & Son Builders, Inc.  
**ADDRESS:** 7211 1st Ave. S, St. Petersburg, FL

| PLAN REVISION LOG |         |                                                                                                      |
|-------------------|---------|------------------------------------------------------------------------------------------------------|
| MARK              | DATE    | DESCRIPTION                                                                                          |
| Δ                 | 8/30/23 | ENCLOSE EXIST. PORCH                                                                                 |
| Δ                 | 9/11/23 | ADD CLOS. @ BR 4 & INCREASE ENTRY AREA                                                               |
| Δ                 | 12/2/23 | PERMIT PLAN REVIEW REVISIONS (PER COMMENTS ON 10/28/23)                                              |
| Δ                 | 1/10/24 | PERMIT PLAN REVIEW REVISIONS (PER COMMENTS ON 12/18/23)                                              |
| Δ                 | 2/21/24 | PLANS AMENDED PER 02/06/24 APPLICATION REVIEW COMMENT (LETTER RE: PRACITIAL VARIANCE CASE NO. 24002) |

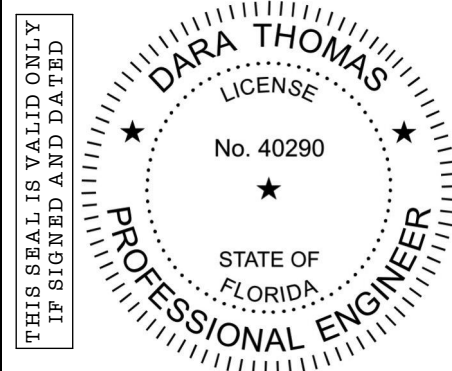
**DATE:** JANUARY 12, 2023  
**PROJECT NO:** 22-11  
**DRAWN BY:** CMM  
**SCALE:** 1/4" = 1'-0"  
**BID ISSUE DATE:** 00/00/00  
**PERMIT ISSUE DATE:** 00/00/00  
**CONSTRUCTION ISSUE DATE:** 00/00/00

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**SHEET TITLE**  
Exterior Elevations (East & West) & Details

STRUCTURAL ENGINEER OF RECORD

DARA THOMAS, P.E., LLC  
118 LAUREL TREE WAY  
BRANDON, FL 33511  
TELEPHONE: (727) 455-1156  
P.E. #40290  
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The Lippincott Residence

Alterations & Additions to an existing residence

PROJECT LOCATION:

2909 Sunset Way, St. Pete Beach, FL 33706

MUNICIPALITY: City of St. Pete Beach

CONTRACTOR: Tom Plet & Son Builders, Inc.

ADDRESS: 7211 1st Ave. S, St. Petersburg, FL

PLAN REVISION LOG

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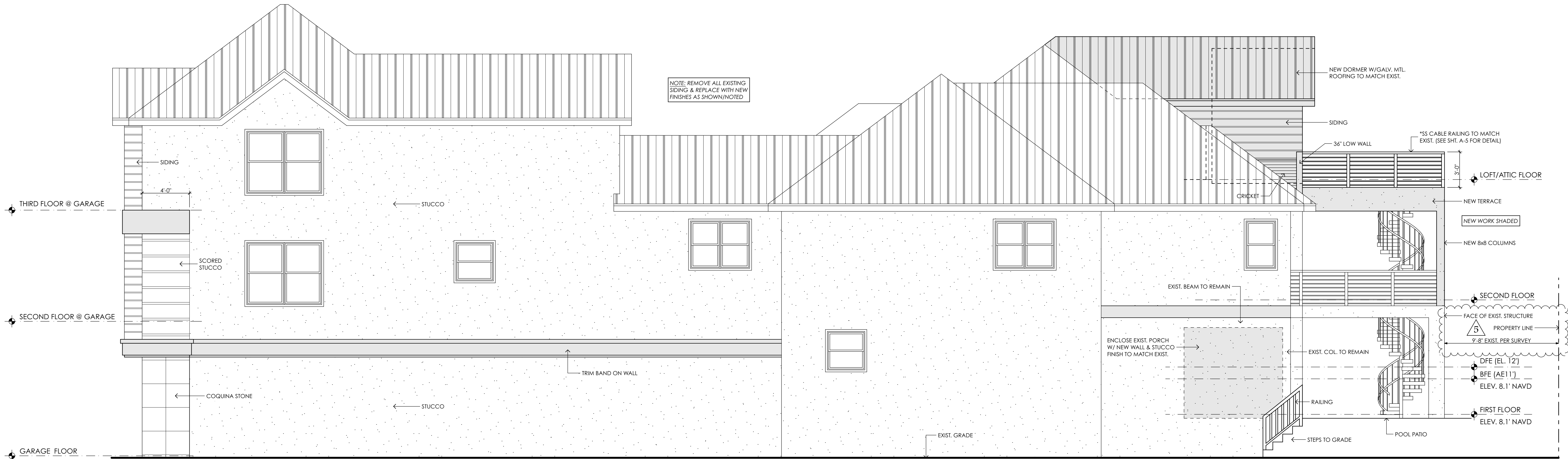
SHEET TITLE

Exterior Elevations  
(North & South)

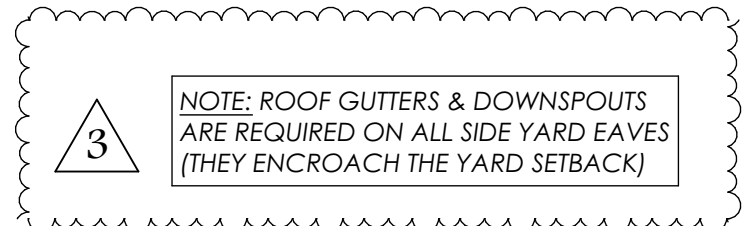
A~5

SHEET 7

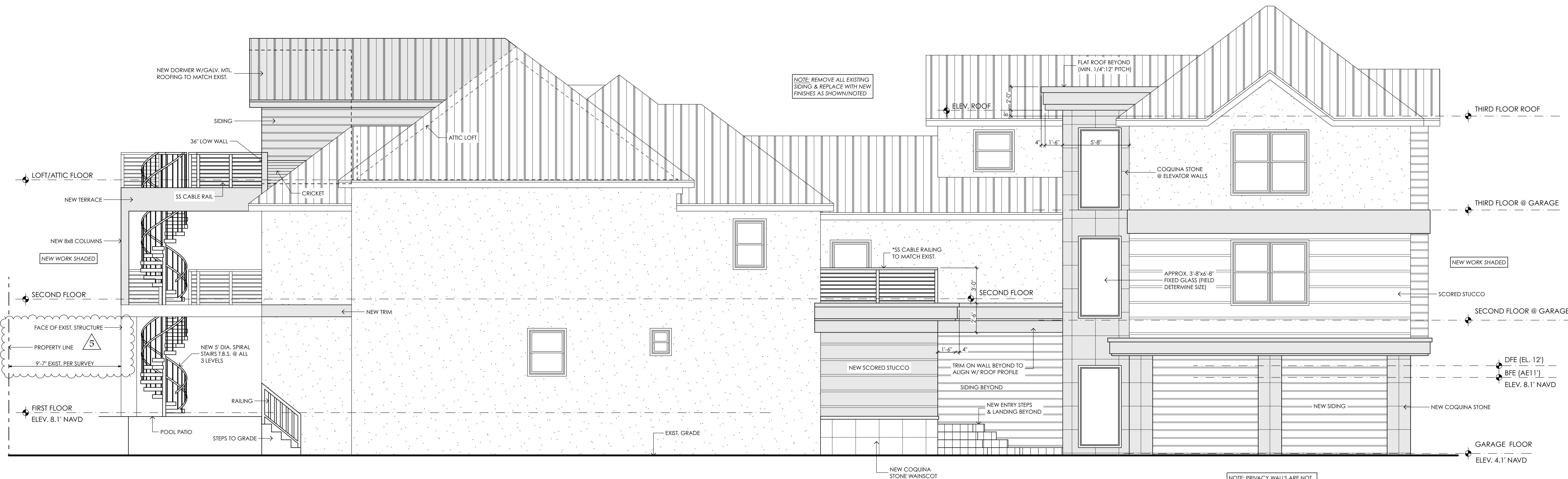
OF 11



RIGHT SIDE ELEVATION (North)

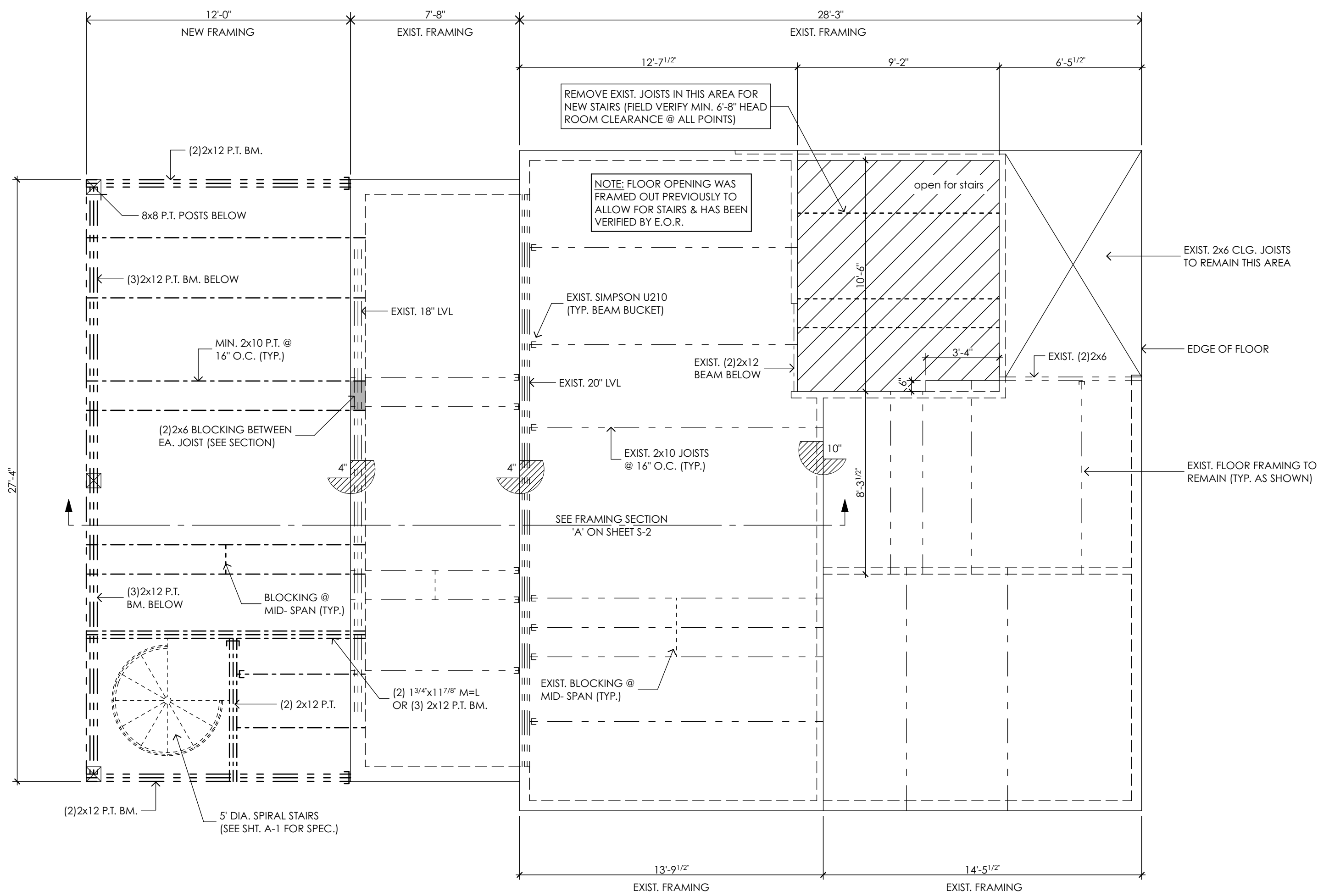


\*RAILING NOTE:  
CONTRACTOR SHALL PROVIDE E.O.R.  
WINNER. DETAIL OF POST ATTACHMENT  
TO DECK FOR REVIEW & APPROVAL  
PRIOR TO INSTALLATION (TYP. OF ALL  
NEW LOCATIONS)

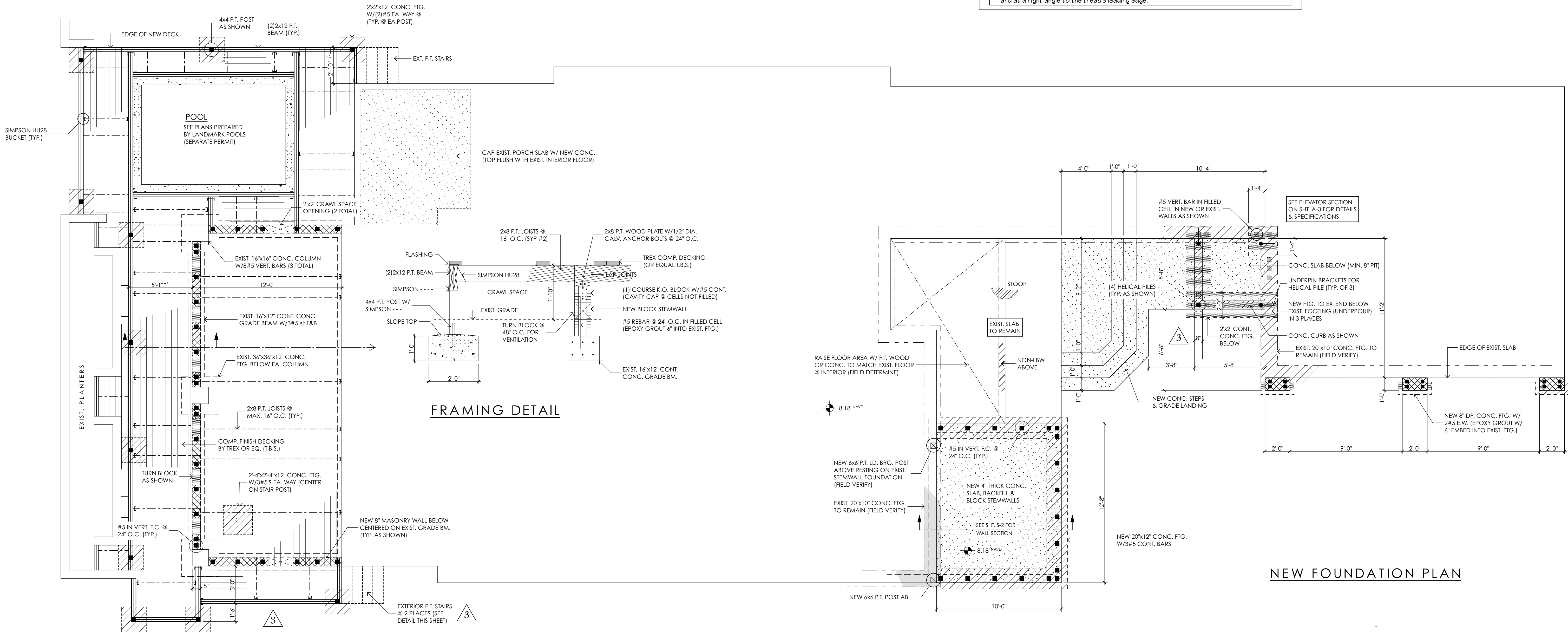
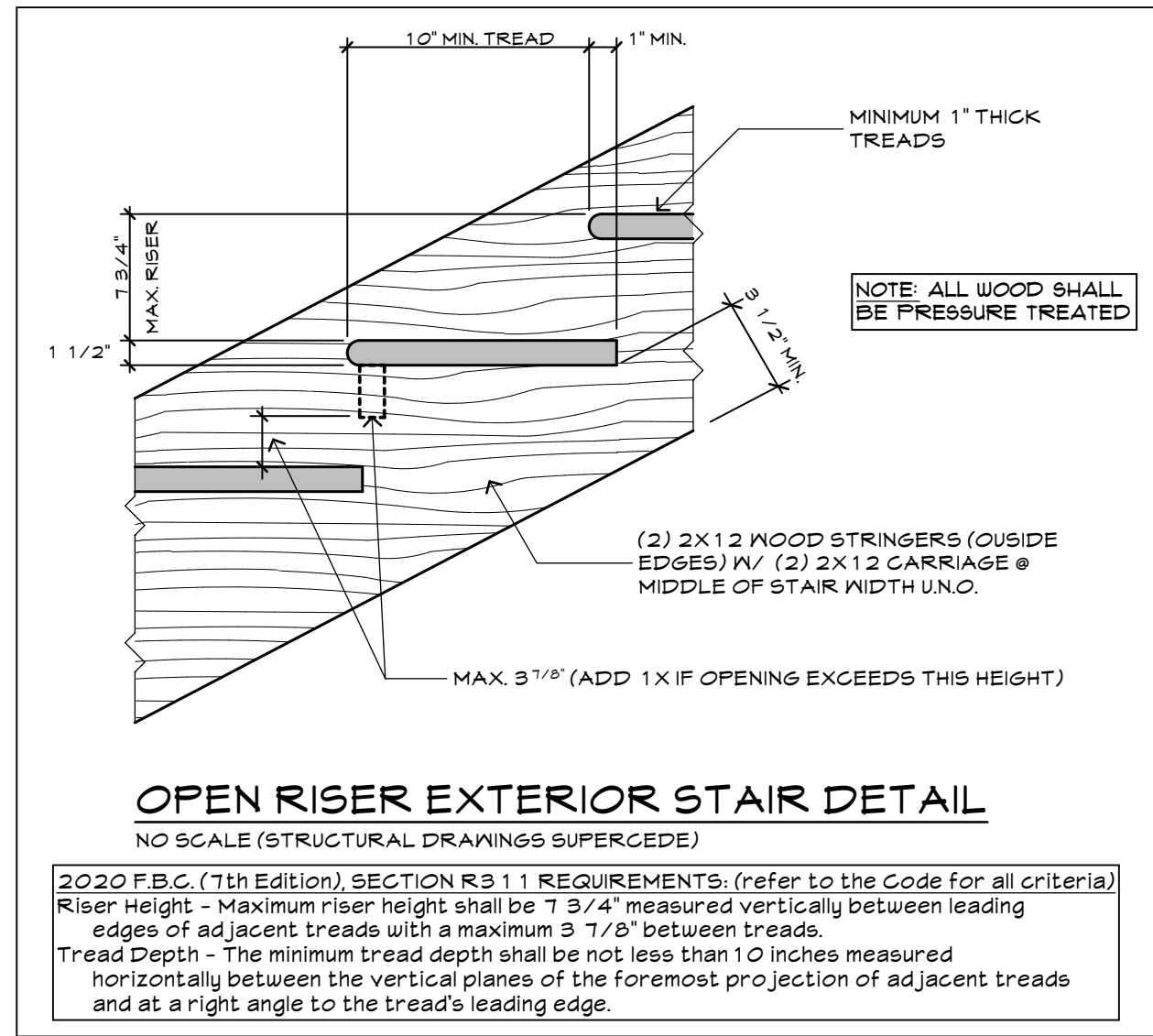


LEFT SIDE ELEVATION (South)

NOTE: PRIVACY WALLS ARE NOT  
SHOWN FOR CLARITY. REFER TO  
SITE PLAN FOR LOCATION, DETAIL  
& SPECIFICATIONS



ATTIC FLOOR FRAMING



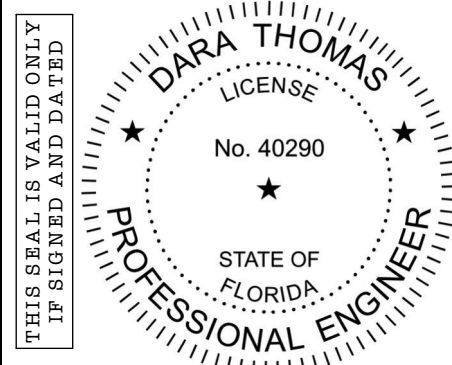
PATIO FRAMING

NEW FOUNDATION PLAN

**C. Michael McCoy**  
Residential Designs, Inc.  
Post Office Box 1305  
Crystal Beach, Florida 34681  
(phone) 737.492.2683  
www.mccoyresidentialdesigns.com

STRUCTURAL ENGINEER OF RECORD

**DARA THOMAS, P.E., LLC**  
118 LAUREL TREE WAY  
BRANDON, FL 33511  
TELEPHONE: (727) 455-1156  
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CERT. OF AUTH. #30957



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The Lippincott Residence

Alterations & Additions to an existing residence

PROJECT LOCATION :

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MUNICIPALITY: City of St. Pete Beach

CONTRACTOR: Tom Plet & Son Builders, Inc.

ADDRESS: 7211 1st Ave. S, St. Petersburg, FL

PLAN REVISION LOG

| MARK | DATE    | DESCRIPTION                                                                                        |
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| △    | 8/30/23 | ENCLOSE EXIST. PORCH                                                                               |
| △    | 9/11/23 | ADD CLOS. @ BR 4 & INCREASE ENTRY AREA                                                             |
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DATE: JANUARY 12, 2023  
PROJECT NO: 22-11  
DRAWN BY: CMM  
SCALE: 1/4" = 1'-0"

BID ISSUE DATE: 00/00/00  
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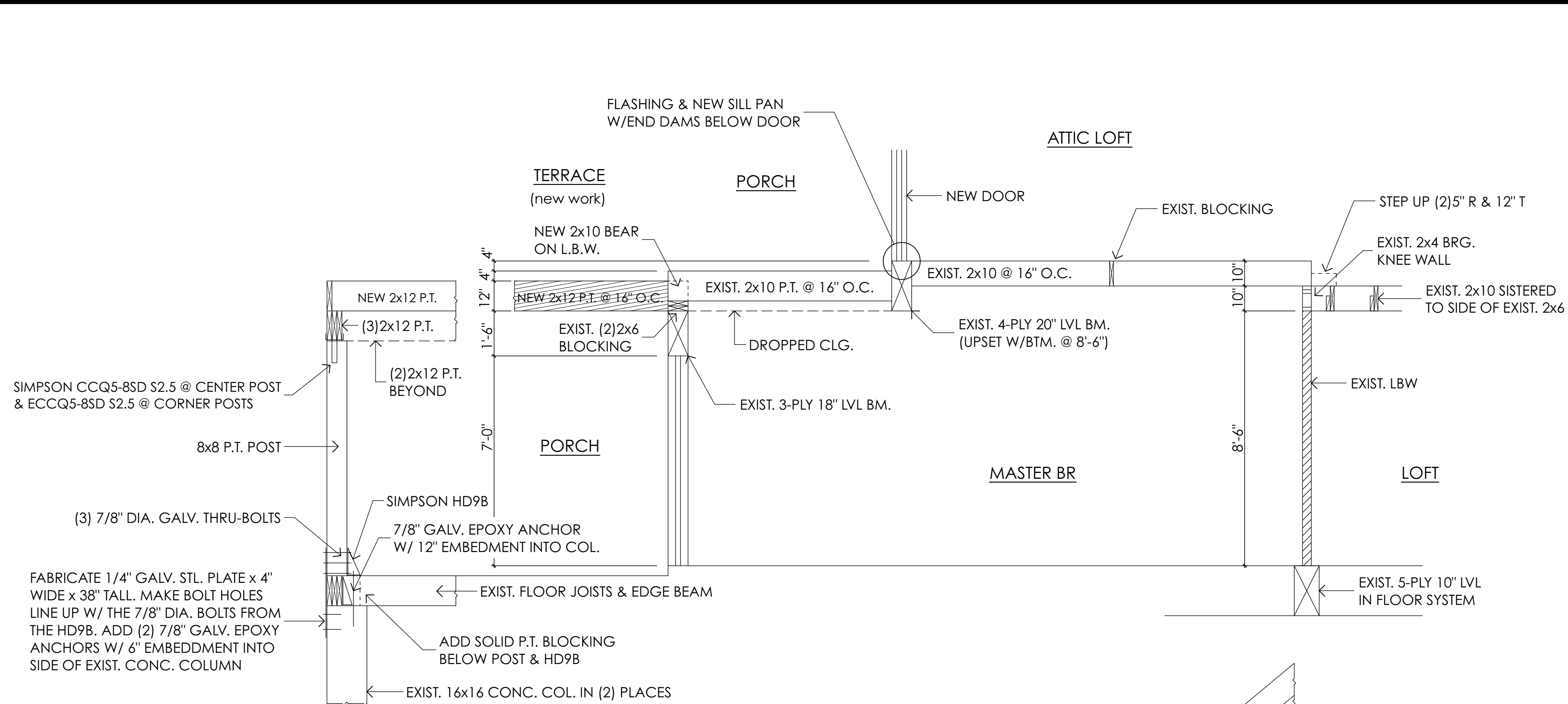
SHEET TITLE

Foundation & Framing Plans

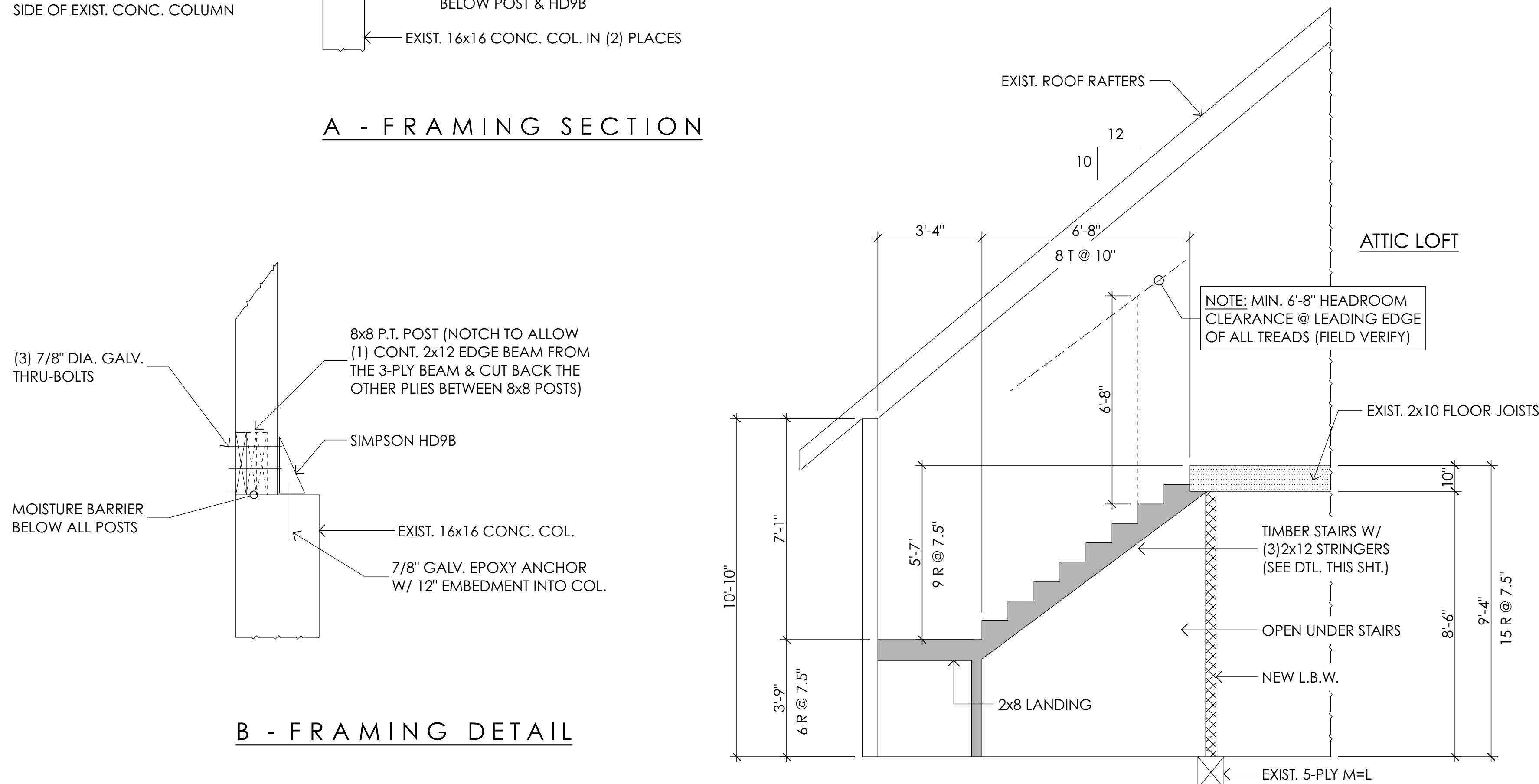
S~1

SHEET 8

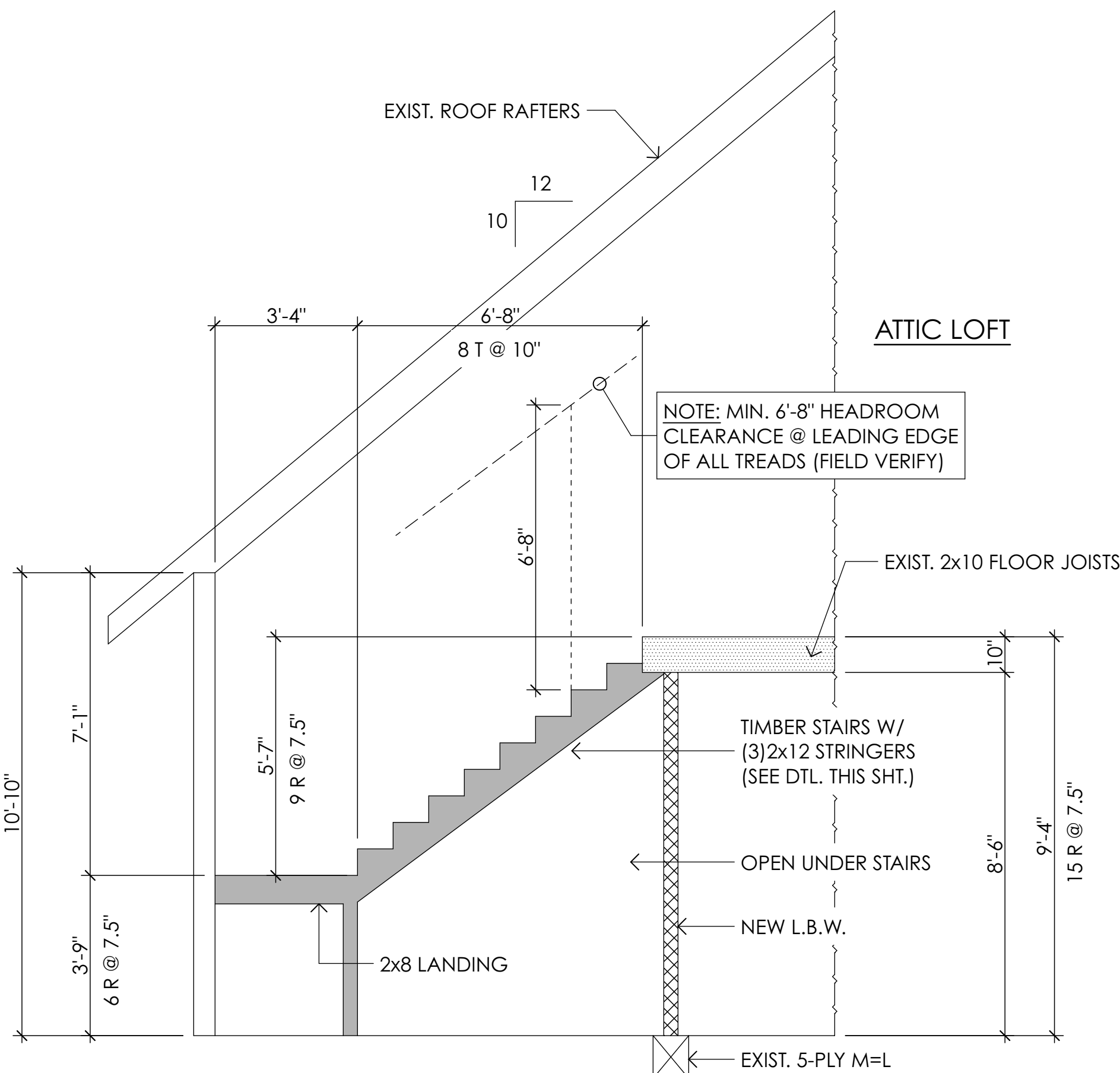
OF 11



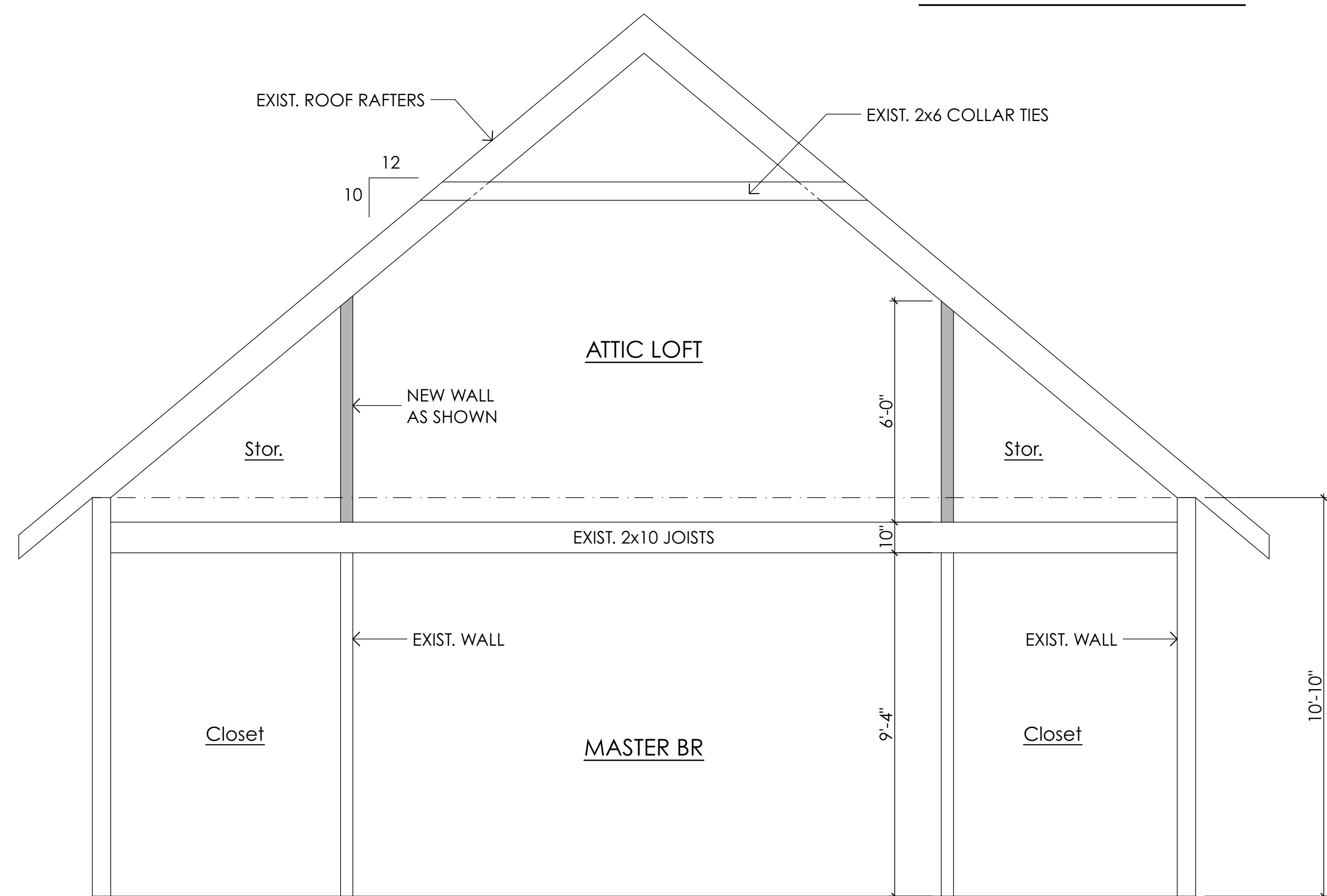
A - FRAMING SECTION



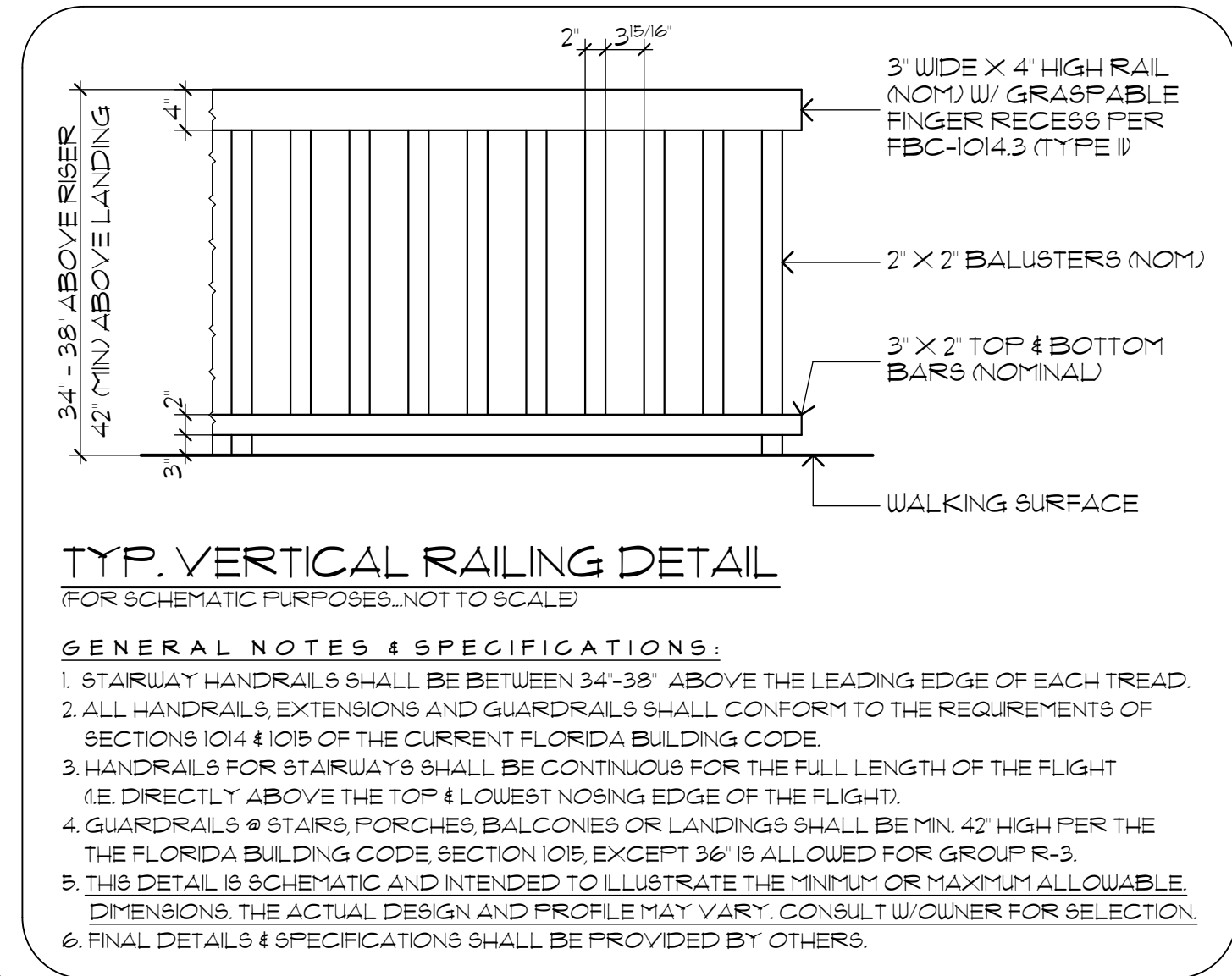
B - FRAMING DETAIL



C - STAIR SECTION



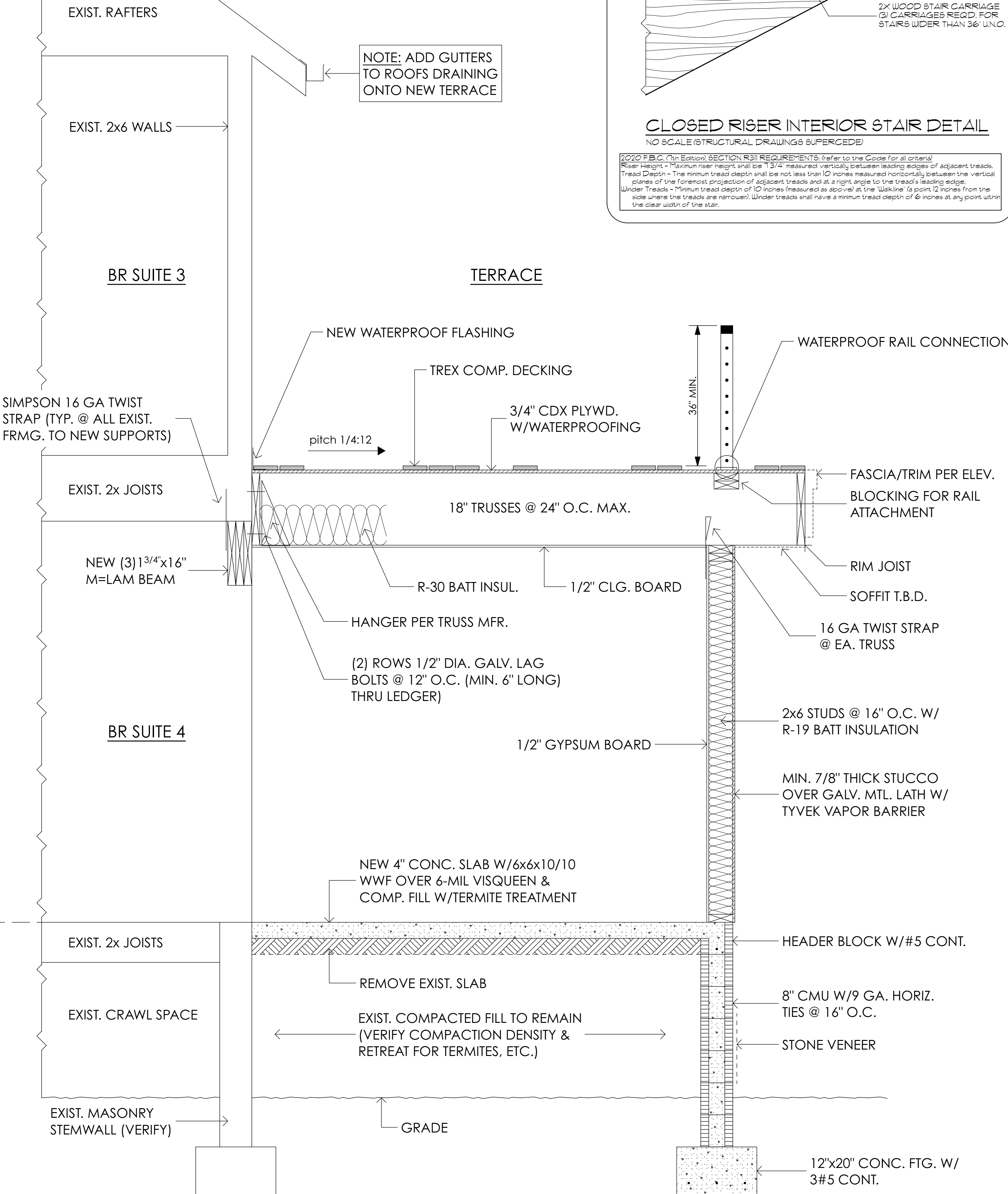
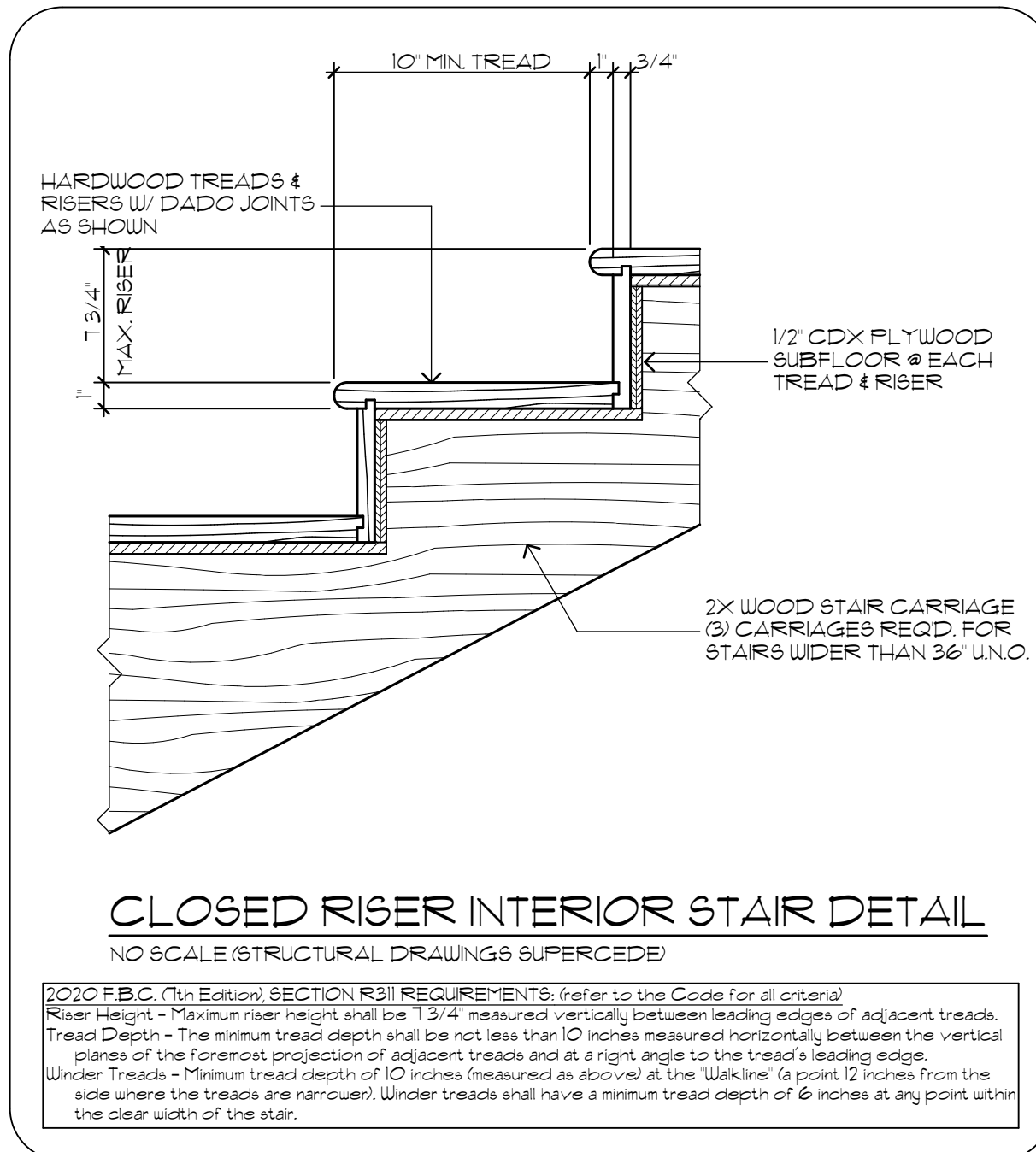
D - SCHEMATIC SECTION



**TYP. VERTICAL RAILING DETAIL**  
(FOR SCHEMATIC PURPOSES, NOT TO SCALE)

**GENERAL NOTES & SPECIFICATIONS:**

1. STAIRWAY HANDRAILS SHALL BE BETWEEN 34\"-36\" ABOVE THE LEADING EDGE OF EACH TREAD.
2. ALL HANDRAILS, EXTENSIONS AND GUARDRAILS SHALL CONFORM TO THE REQUIREMENTS OF SECTIONS 1014 & 1015 OF THE CURRENT FLORIDA BUILDING CODE.
3. HANDRAILS FOR STAIRWAYS SHALL BE CONTINUOUS FOR THE FULL LENGTH OF THE FLIGHT (IE DIRECTLY ABOVE THE TOP & LOWEST NOBING EDGE OF THE FLIGHT).
4. GUARDRAILS @ STAIRS, PORCHES, BALCONIES OR LANDINGS SHALL BE MIN. 42\" HIGH PER THE FLORIDA BUILDING CODE SECTION 1018, EXCEPT 36\" IS ALLOWED FOR GROUP R-3.
5. THIS DETAIL IS SCHEMATIC AND INTENDED TO ILLUSTRATE THE MINIMUM OR MAXIMUM ALLOWABLE DIMENSIONS. THE ACTUAL DESIGN AND PROFILE MAY VARY. CONSULT W/OWNER FOR SELECTION.
6. FINAL DETAILS & SPECIFICATIONS SHALL BE PROVIDED BY OTHERS.



WALL SECTION (new addition)

C. Michael McCoy

Residential Designs, Inc.

Post Office Box 1305  
Crystal Beach, Florida 34681  
(phone) 787.492.2683

www.mccoypresidentialdesigns.com

STRUCTURAL ENGINEER OF RECORD

DARA THOMAS, P.E., LLC  
118 LAUREL TREE WAY  
BRANDON, FL 33511  
TELEPHONE: (727) 435-1156  
P.E. #40290  
CERT. OF AUTH. #30957

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DARA THOMAS

LICENSE

No. 40290

STATE OF FLORIDA

PROFESSIONAL ENGINEER

The Lippincott Residence

Alterations & Additions to an existing residence

PROJECT LOCATION :  
2909 Sunset Way, St. Pete Beach, FL 33706

MUNICIPALITY: City of St. Pete Beach  
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PLAN REVISION LOG

| MARK | DATE    | DESCRIPTION                                                                                          |
|------|---------|------------------------------------------------------------------------------------------------------|
| ▲    | 8/30/23 | ENCLOSE EXIST. PORCH                                                                                 |
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DATE:

JANUARY 12, 2023

PROJECT NO:

22-11

DRAWN BY:

CMM

SCALE:

NOT TO SCALE

BID ISSUE DATE:

00/00/00

PERMIT ISSUE DATE:

00/00/00

CONSTRUCTION ISSUE DATE:

00/00/00

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SHEET TITLE

Framing Details & Wall Section

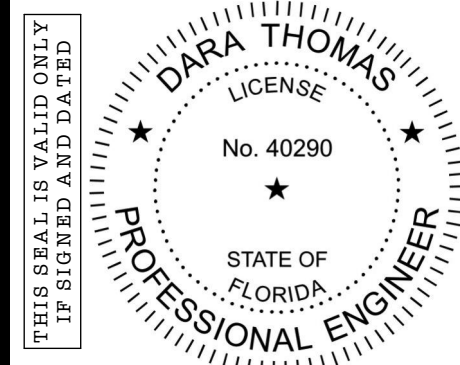
S~2

SHEET 9

OF 11

Page 61 of 73

DARA THOMAS, P.E., LLC  
118 LAUREL TREE WAY  
BRANDON, FL 33511  
TELEPHONE: (727) 455-1156  
P.E. #40290  
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|      |         |                                                                                                             |
|      |         |                                                                                                             |
|      |         |                                                                                                             |

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

CONSTRUCTION ISSUE DATE: 00/00/00

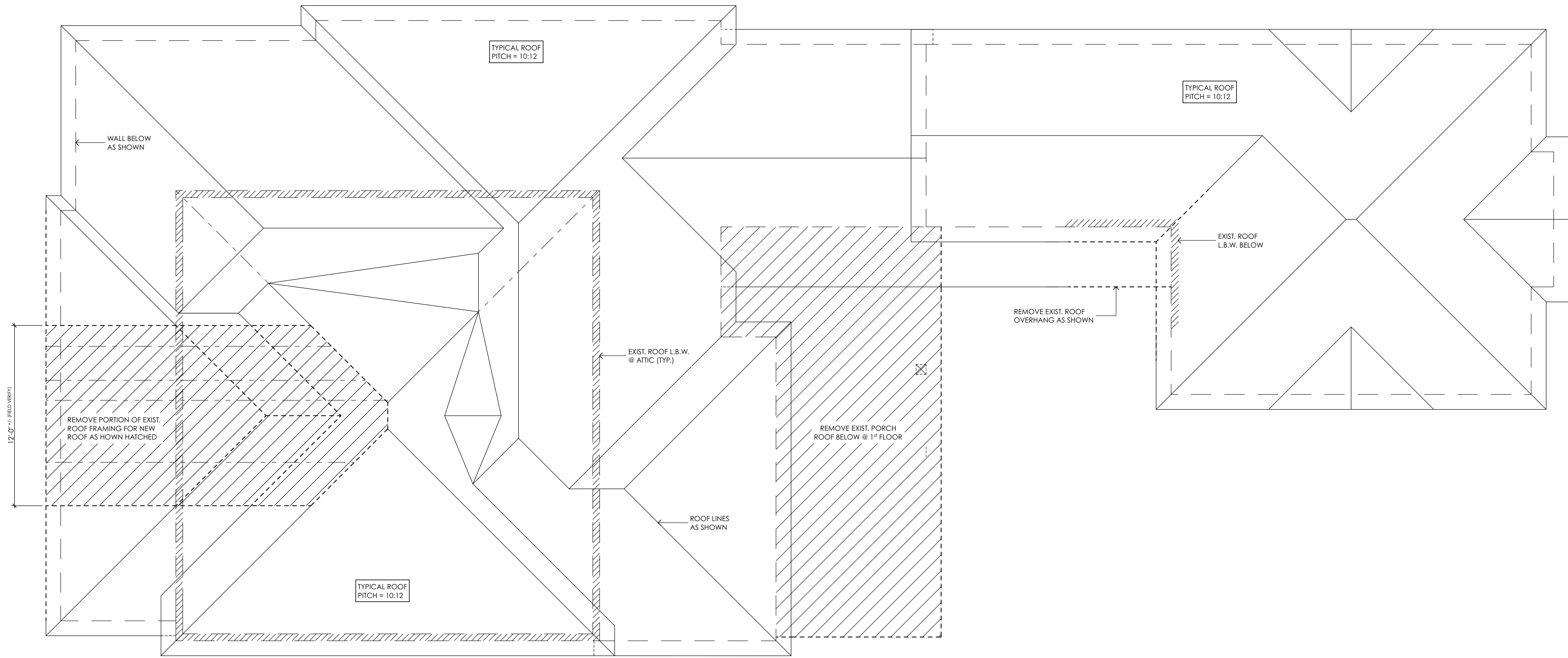
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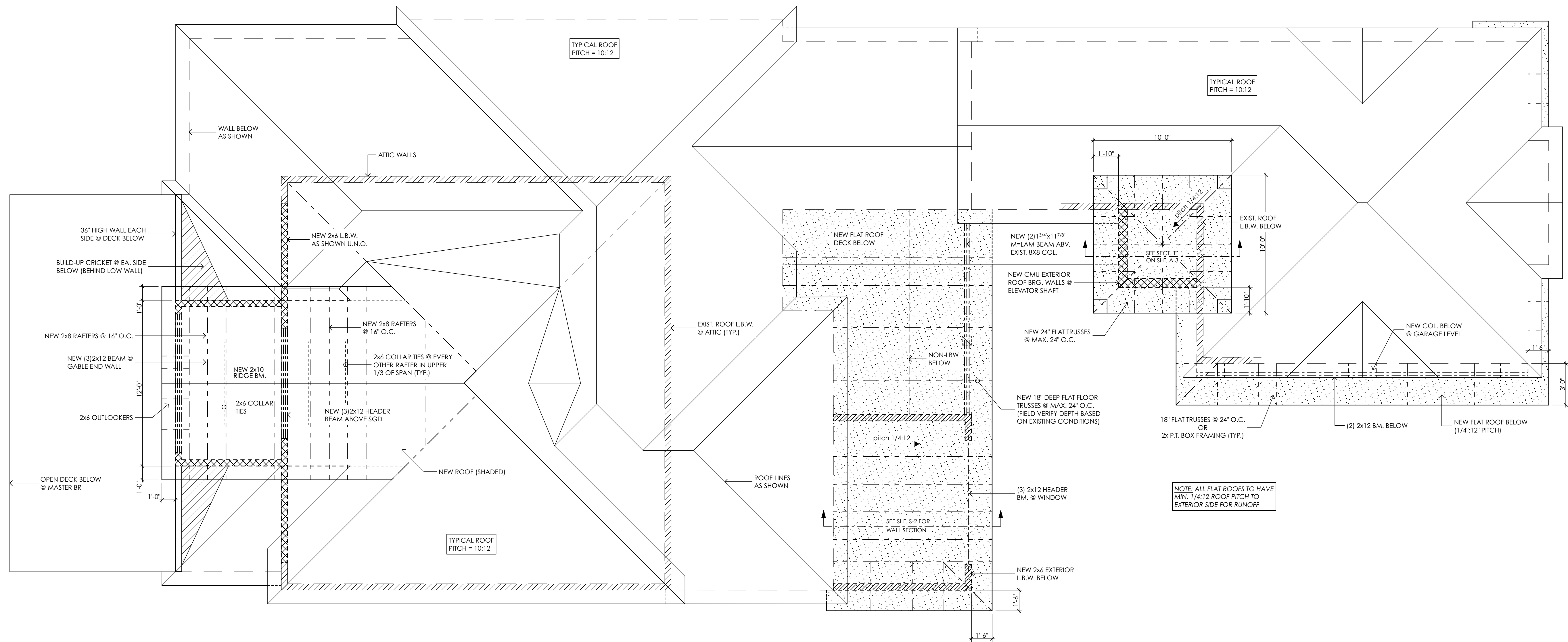
## Roof Framing Plans

S-3

OF 11

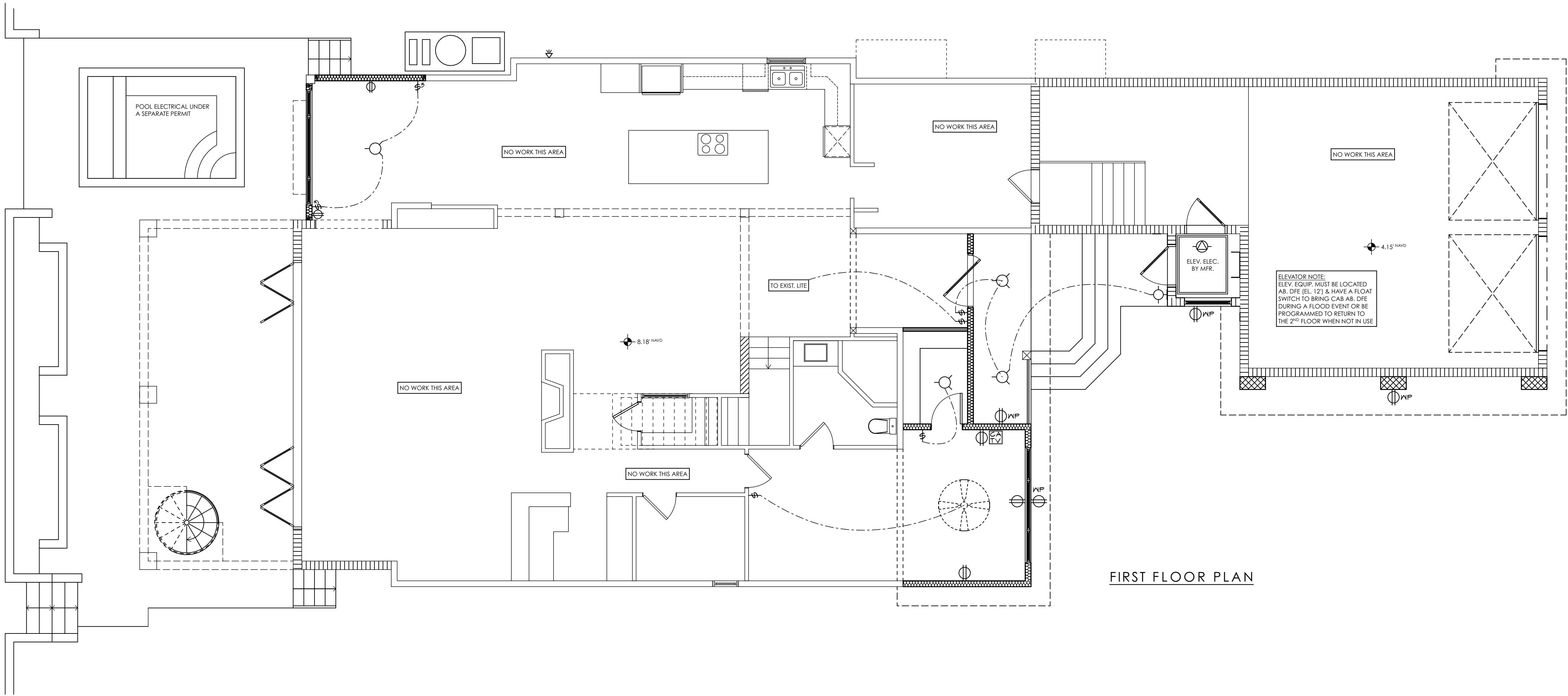
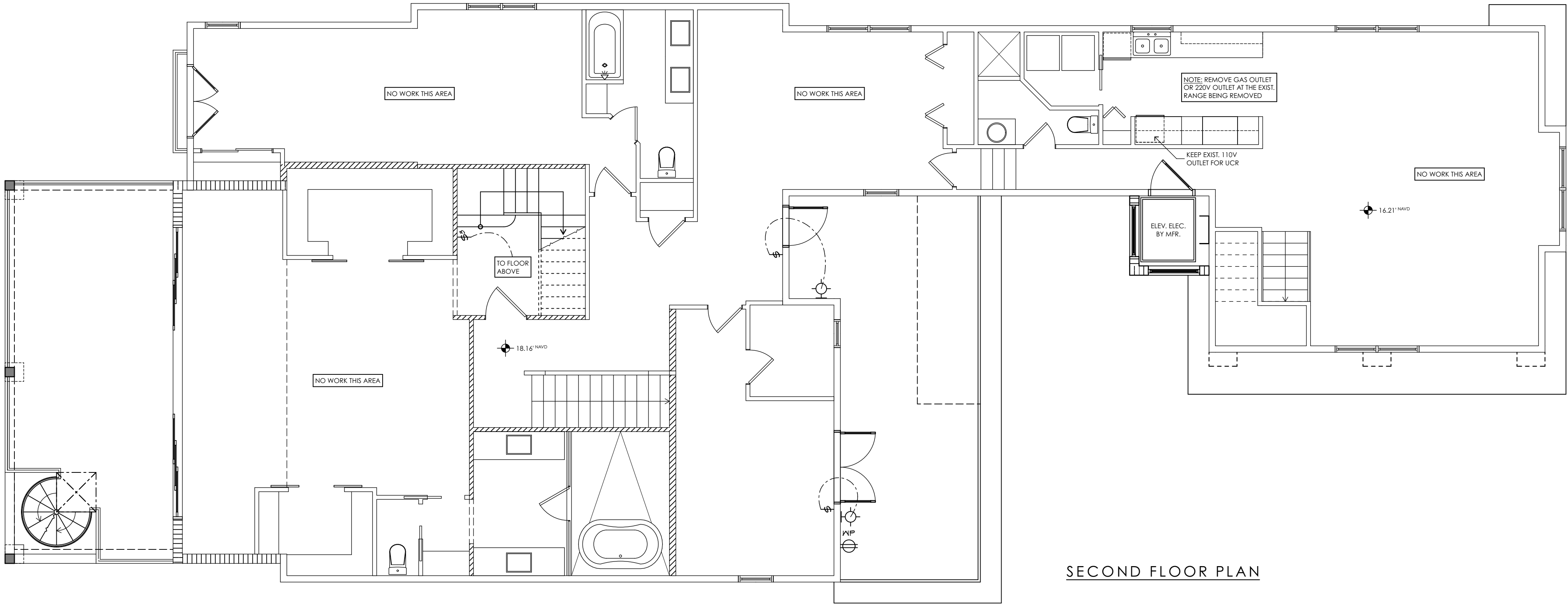
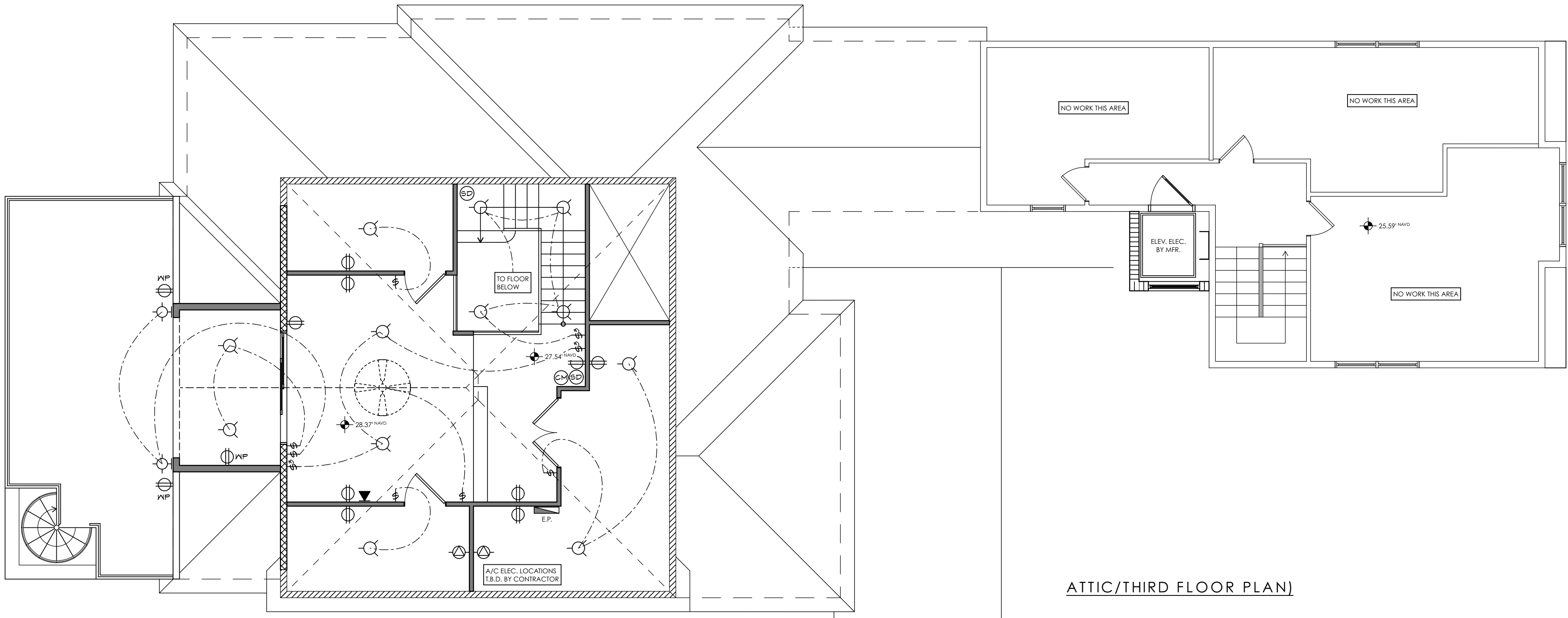


ROOF PLAN (demo)



ROOF FRAMING PLAN (new)

| ELECTRICAL SYMBOL LEGEND |                                                                                                                                                         |
|--------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|
|                          | 110 V DUPLEX WALL OUTLET                                                                                                                                |
|                          | SPLIT-WIRED WALL OUTLET (SWITCHED)                                                                                                                      |
|                          | 110 V FLOOR OUTLET-LOCATION PER OWNER                                                                                                                   |
|                          | FLOOR OUTLET (SWITCHED)-LOCATION PER OWNER                                                                                                              |
|                          | SPECIAL PURPOSE OUTLET (EQUIPMENT, ETC.)                                                                                                                |
|                          | 110 V ABOVE OR BELOW                                                                                                                                    |
|                          | 6FGI DUPLEX OUTLET w/ GROUND FAULT INTERRUPTER                                                                                                          |
|                          | 220 V OUTLET                                                                                                                                            |
|                          | WEATHERPROOF DUPLEX OUTLET (6FGI CIRCUIT)                                                                                                               |
|                          | 110V 4-PLEX WALL OUTLET                                                                                                                                 |
|                          | CABLE TELEVISION OUTLET-LOCATION PER OWNER                                                                                                              |
|                          | TELEPHONE OUTLET                                                                                                                                        |
|                          | SINGLE POLE WALL SWITCH                                                                                                                                 |
|                          | 3-WAY SWITCH                                                                                                                                            |
|                          | 4-WAY SWITCH                                                                                                                                            |
|                          | HEAT LAMP                                                                                                                                               |
|                          | FLOOD LIGHT w/ MOTION SENSOR                                                                                                                            |
|                          | CEILING MOUNTED CARBON MONOXIDE DETECTOR (LOCATED WITHIN 10' OF ALL SLEEPING ROOMS)                                                                     |
|                          | CEILING MOUNTED SMOKE DETECTOR-HARDWIRED w/ BATTERY PACK (LOCATED IN EACH SLEEPING ROOM, OUTSIDE EA, SEPARATE SLEEPING AREA & ON EACH ADDITIONAL STORY) |
|                          | EXHAUST FAN                                                                                                                                             |
|                          | EXHAUST FAN & LIGHT COMBINATION                                                                                                                         |
|                          | CEILING MOUNTED RECESSED LIGHT                                                                                                                          |
|                          | CEILING MOUNTED RECESSED LIGHT (WATERPROOF & DAMP LOCATIONS)                                                                                            |
|                          | CEILING MOUNTED RECESSED LIGHT (WALL WASHER)                                                                                                            |
|                          | CEILING MOUNTED RECESSED LIGHT (PIN SPOT)                                                                                                               |
|                          | HANGING LIGHT FIXTURE                                                                                                                                   |
|                          | WALL MOUNTED LIGHT FIXTURE                                                                                                                              |
|                          | CEILING SURFACE MOUNTED LIGHT                                                                                                                           |
|                          | WALL SCONCE                                                                                                                                             |
|                          | FLUORESCENT LIGHT FIXTURE                                                                                                                               |
|                          | LED UNDER CABINET LIGHTING (T.B.S. BY OWNER)                                                                                                            |
|                          | DOOR ACTIVATED LIGHT (ABOVE HEADER)                                                                                                                     |
|                          | CEILING FAN w/ LIGHT FIXTURE PRE-WIRE                                                                                                                   |
|                          | PUSHBUTTON (DOORBELL, GARAGE DOOR, ETC.)                                                                                                                |
|                          | ELECTRICAL PANEL                                                                                                                                        |



C. Michael McCoy  
Residential Designs, Inc.  
Post Office Box 1305  
Crystal Beach, Florida 34681  
(phone) 787.492.2683  
www.mccoyresidentialdesigns.com

The Lippincott Residence

Alterations & Additions to an existing residence

PROJECT LOCATION :  
2909 Sunset Way, St. Pete Beach, FL 33706

MUNICIPALITY: City of St. Pete Beach

CONTRACTOR: Tom Plet & Son Builders, Inc.

ADDRESS: 7211 1st Ave. S, St. Petersburg, FL

| PLAN REVISION LOG                 |         |                                                                                                    |
|-----------------------------------|---------|----------------------------------------------------------------------------------------------------|
| MARK                              | DATE    | DESCRIPTION                                                                                        |
| △                                 | 8/30/23 | ENCLOSE EXIST. PORCH                                                                               |
| △                                 | 9/11/23 | ADD CLOS. @ BR 4 & INCREASE ENTRY AREA                                                             |
| △                                 | 12/2/23 | PERMIT PLAN REVIEW REVISIONS (PER COMMENTS ON 10/28/23)                                            |
| △                                 | 1/10/24 | PERMIT PLAN REVIEW REVISIONS (PER COMMENTS ON 12/18/23)                                            |
| △                                 | 2/21/24 | PLANS AMENDED PER 02/08/24 APPLICATION REVIEW COMMENT LETTER RE: PRACTICAL VARIANCE CASE NO. 24002 |
| DATE: JANUARY 12, 2023            |         |                                                                                                    |
| PROJECT NO: 22-11                 |         |                                                                                                    |
| DRAWN BY: CMM                     |         |                                                                                                    |
| SCALE: 3/16" = 1'-0"              |         |                                                                                                    |
| BID ISSUE DATE: 00/00/00          |         |                                                                                                    |
| PERMIT ISSUE DATE: 00/00/00       |         |                                                                                                    |
| CONSTRUCTION ISSUE DATE: 00/00/00 |         |                                                                                                    |

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SHEET TITLE

Electrical Floor Plans

E~1

SHEET 11 OF 11



City of St. Pete Beach · 155 Corey Avenue, St. Pete. Beach, Florida 33706 727-367-2735 · [www.stpetebeach.org](http://www.stpetebeach.org)

## PLANNING DEPARTMENT

**Date:** March 15, 2024  
**To:** Board of Adjustment  
**Re:** Staff Findings Report  
Practical Difficulty Variance  
Address: 2909 Sunset Way  
Parcel Number: 18-32-16-17316-002-0030  
Brian Aungst, Jr. for Olin and Elise Lippincott  
Case No: 24002

**Prepared by:** Kristin Coman, Senior Planner

**Hearing Date:** 3/27/2024

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

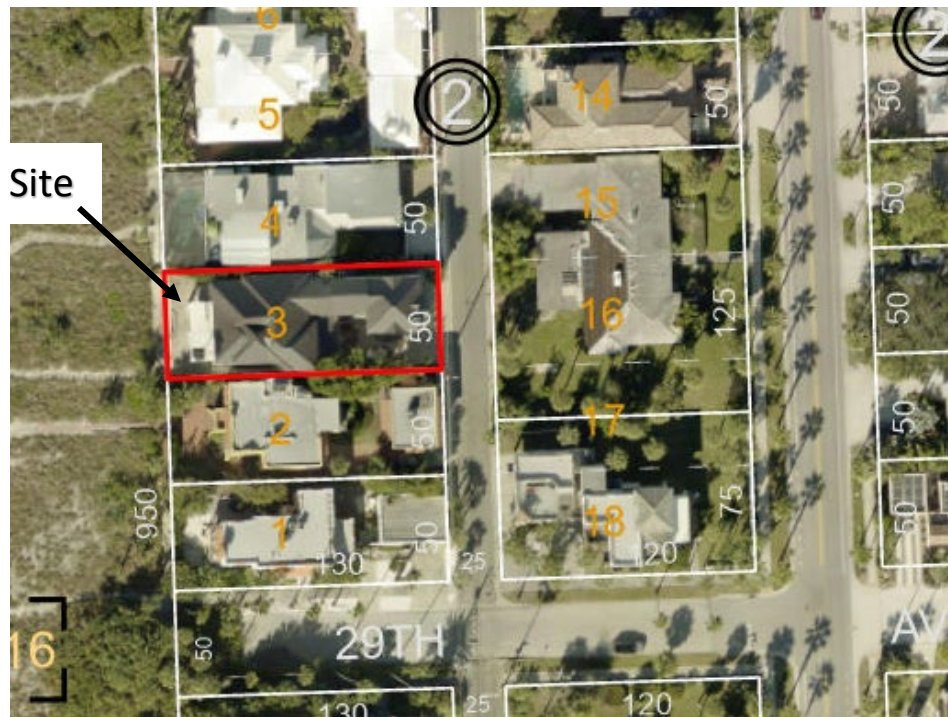
1. Amended completed Practical Difficulty Variance application form, received 3/5/2024.
2. Digitally signed Boundary Survey prepared by John C. Brendla & Assoc., Inc. dated 1/10/2024, consisting of 1 sheet.
3. Unsigned Boundary Survey prepared by John C. Brendla & Assoc., Inc., consisting of 1 sheet showing proposed construction.
4. Photo Key Legend and Proposed Patio Height with associated 11 images, consisting of 12 sheets.
5. Plan Set prepared by C. Michael McCoy Residential Designs, Inc. dated 8/30/2023, last revised 2/21/2024 consisting of 11 sheets.

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

### **Site Description/Surrounding Land Uses**

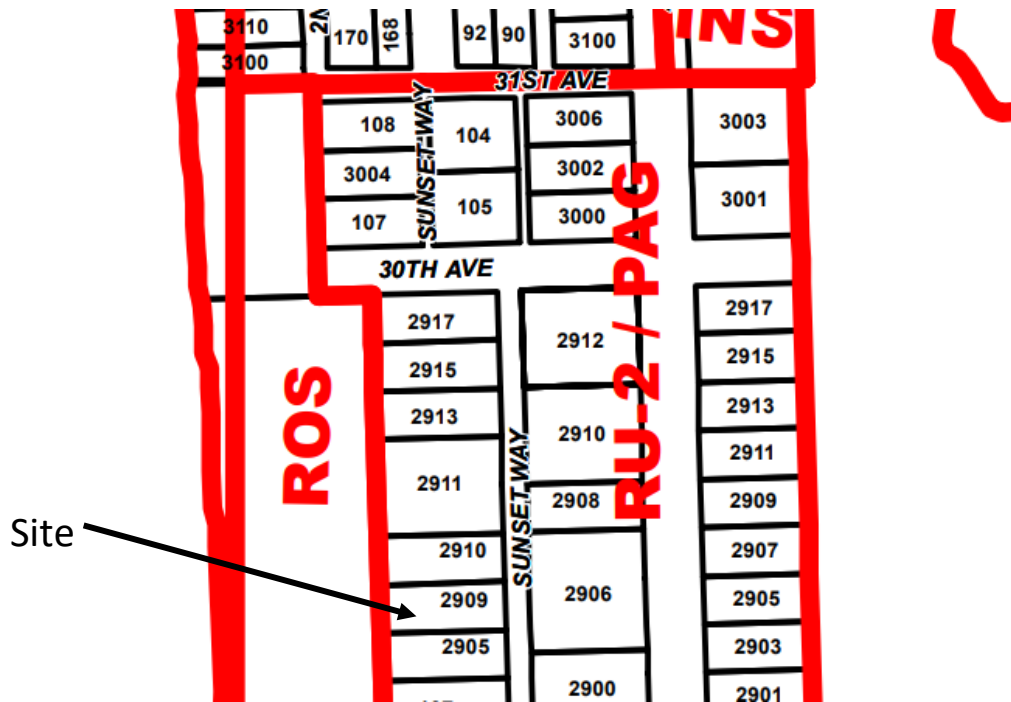
The subject site is a 50x130' (6,500 sq. ft.) lot located at 2909 Sunset Way, known as parcel number 18-32-16-17316-002-0030 and legal description COLONIAL CORP REPLAT BLK 2, LOT 3 within the AE-Elevation 11 flood zone. The property is located in the RU-2/PAG Overlay zone; RU on the future land use map and contains a three-story single-family residence. The property was developed in 1925 and is not considered contributing to the Pass-a-Grille Overlay District. The residence abuts a single-family residence to the north, single-family residence to the south, Sunset Way and single-family residence to the east, and the beach/Recreation Open space to the west.

Figure 1: Aerial Photography



Source: Pinellas County Property Appraiser

Figure 2: Zoning Map



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

**Request**

The applicant requests variances to:

1. LDC Sec. 6.13(c)(1)(b) and 6.13(c)(2)(b) to construct an elevated rear deck and inground pool that exceeds 2' in height to allow for the encroachment of an elevated rear deck into the required 5' side yard setbacks with 2' proposed and required 20' rear yard with 0' proposed.
2. LDC Sec. 6.22(b) to construct a 3<sup>rd</sup> floor open, unroofed terrace to allow for the encroachment into the 17' required rear yard setback with 9'7" proposed.

**Prior Approvals**

The applicant has received prior Board of Adjustment approval with condition(s) outlined below:

**2020, Case No. 20040**

A Practical Difficulty Variance to allow for the encroachment of an elevated deck into the required rear setback with 9' setback proposed (LDC Sec. 6.13(c)(3)).

With the condition:

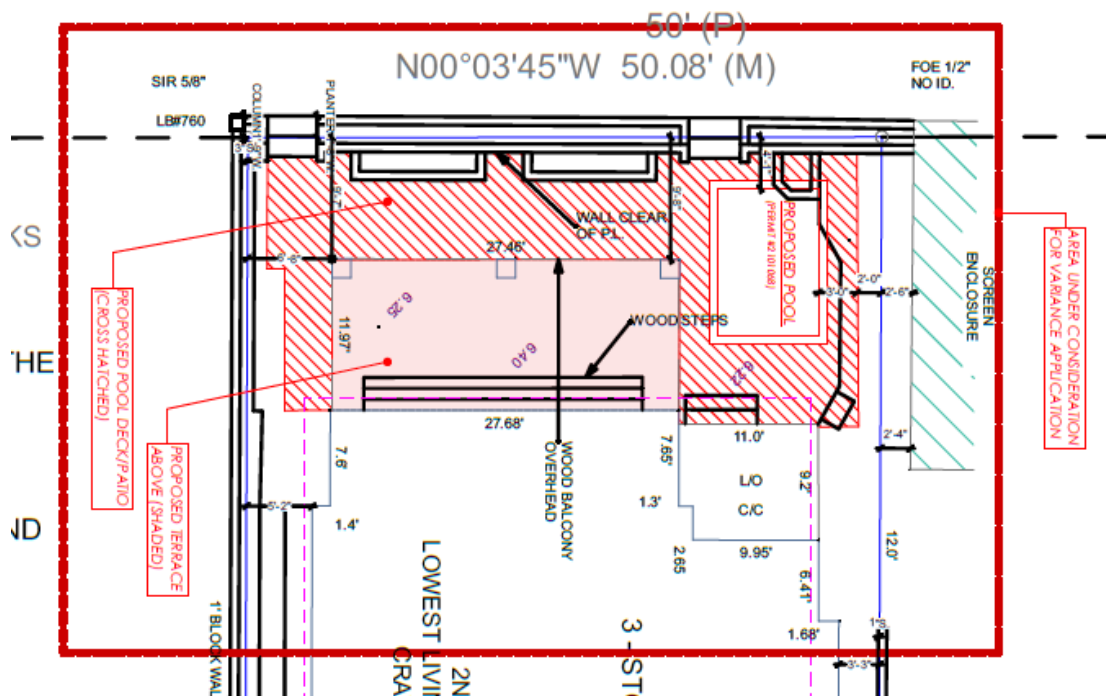
1. Any elevated deck railing used for the rooftop seating area shall be open in design to the extent possible under the Florida Building Code.

**Analysis**

1. New variance(s) required as a result of the proposed construction:
  - a. **Special accessory structure standards:** Swimming pools and patios that exceed 2' above grade requires meeting the principal building setback for the district in which the property is located and, in this instance, 5' for the side yard and 20' for rear yard is required.
  - b. **Yard and measurement requirements:** Encroachment of open balconies are permitted to encroach into required rear yards a distance of 3'. The required rear yard setback for the property is 20', resulting in the 17' requirement for the open balcony and 9'7" is proposed.

| Figure 3: Zoning Table                                          |                 |          |          |
|-----------------------------------------------------------------|-----------------|----------|----------|
| Detached, Single-Family Residential                             | 2909 Sunset Way |          |          |
|                                                                 | Required        | Existing | Proposed |
| Rear yard setback, 3 <sup>rd</sup> floor-open, unroofed terrace | 17'             | 9'6"*    | 9'7" (v) |
| Accessory Structure                                             |                 |          |          |
| Pool and Patio                                                  |                 |          |          |
| Side yard setback, Pool, elevated-greater than 2' from grade    | 5'              | n/a      | 5'       |
| Side yard setback, Patio, elevated-greater than 2' from grade   | 5'              | n/a      | 2' (v)   |
| Rear yard setback, Pool, elevated-greater than 2' from grade    | 20'             | n/a      | 5' (v)   |
| Rear yard setback, Patio, elevated-greater than 2' from grade   | 20'             | 0'*      | 0' (v)   |
| *Denotes existing non-conformity<br>(v) = Variance required     |                 |          |          |

Figure 4: Portion of Unsigned Boundary Survey showing proposed construction location (N.T.S.)





**Figure 7: Existing Rear Elevation (staff photo taken 3.13.24)**



### **Additional Comments**

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

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

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

*The applicant is requesting a 2' setback from the side lot line to the elevated patio where 5' is required, 0' from rear lot line where 20' is required and rear setback of 9'7" to the proposed unroofed terrace where 17' is required.*

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

- *Staff does not find there will be an adverse change produced in the character of the neighborhood from the addition in the 3<sup>rd</sup> floor uncovered terrace. The applicant is utilizing the footprint of the existing lower-level porches with a minor alteration of adding a spiral staircase inset within the porches.*
- *As part of the site visit, staff did observe that other properties within the area currently have elevated patios adjacent to the walkway that currently exists between the dunes and the rear property line and do not anticipate any adverse impacts provided that all runoff from the area can be addressed on-site.*

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

- *While the applicant could reduce the depth of the balcony area to meet compliance, this would result in a shallow balcony area and not provide much cover to the porch below which received prior variance approval to be constructed.*
- *The applicant could maintain the existing grade but taking into consideration the scope of the renovations of this parcel and of the lot adjacent to the south will improve accessibility to the rear yard areas.*

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

- *The request is reasonable, and the interest of justice will be served by allowing for the variances. The roofed rear porch is existing, and the additional open unroofed terrace will not create negative impacts on the neighborhood and will also include another means of egress with the addition of the spiral staircase that is included in the scope of work. The elevated patio will provide ease of access from the dwelling and into the rear yard which is reasonable keeping with both the character of the neighborhood and the configuration and design of the home.*

**Other:**

- The applicant should discuss the request to elevate the patio if any alternative plans were considered and provide testimony on to the proposed changes including existing grade and proposed pool location.
- There will be a grade change from the property directly to the north of the subject property. Testimony on what the property conditions will look like due to the grade change should be described.
- The applicant should advise if there are any plans to construct a fence or install vegetation along the adjacent northern property line that will soften or buffer the view of the elevated patio but still maintain views. It is noted that the building permit application submitted does reference a 4' high aluminum fence.

**Recommendation**

Staff find the request will not have an adverse impact on the neighborhood. Staff recommends **approval** with the following conditions:

- The condition of prior Variance Case No. 20040 contained within the executed Development Order that any elevated deck railing used for the rooftop seating area shall be open in design to the extent possible under the Florida Building Code shall also be applied to this approval.
- The proposed 3rd floor terrace and lower patio levels shall not be enclosed or roofed by any means, permanent or temporary, and shall remain open and may not be enclosed in such a manner as to be construed as living space.
- Fencing to secure the pool may not exceed an overall height of 4' as shown on the application for building permit 2101068.
- Applicant shall submit sealed As-Built Survey noting all setbacks and ISR calculation and approved by Zoning prior to the issuance of the Certificate of Occupancy/Final Inspection.

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

Respectfully submitted,

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

Kristin Coman  
Senior Planner

Cc: Brian J. Aungst, Jr., Applicant **via email** (bja@macfar.com)  
Olin and Elise Lippincott, Owner **via email** (eliselippincott@gmail.com)  
Board of Adjustment Attorney

# Letters Received

(as of 3/18/24)

Case No. 24002, 2909 Sunset Way

**Bridgette & Eliot Heller**

2905 Sunset Way, St. Pete Beach, FL 33706

(914) 715-6770

Bridgette@loxandbiscuits.com

eliot@loxandbiscuits.com

January 11, 2024

Community Development Department

City of St. Pete Beach, Florida

To Whom it May Concern:

We are writing to express our support for the variance application submitted by Olin and Elise Lippincott for their pool, patio, and third floor balcony at 2909 Sunset Way.

Our property (2905 Sunset Way) shares the property line in question with the subject property. We have been collaborating as neighbors and enjoy a good relationship with the Lippincotts. We have no objection or concerns related to the location of the pool, patio, and third floor balcony. The Lippincott's variance application has our full support.

Thank you for your consideration of our support of the variance application.

Sincerely,

Bridgette & Eliot Heller

