



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

155 Corey Avenue
St. Pete Beach, FL 33706

Wednesday, October 30, 2024
2:00 PM

Call to Order
Pledge of Allegiance
Roll Call

REGULAR MEETING

1. Approval of the Agenda -

Action Request: Motion to approve the October 30, 2024 agenda.

2. Audience Comments -

Comments shall be limited to 3 minutes for general and agenda item comments. Public comment on agenda items will be allowed when that item is called. Please complete a comment card and submit to the Clerk.

3. Approval of Minutes

a. August 25, 2024 Meeting Minutes

4. Action Items -

a. Election of Officers

Following the August Special Election, the Board will need to appoint both a Chair and Vice Chair for the remainder of 2024-25.

Requested Actions:

Motion to APPOINT _____ as the Committee Chair for 2024-2025.

Motion to APPOINT _____ as the Committee Vice Chair for 2024-2025.

b. Approval of Board Meeting Dates 2025

c. Case No. 24054 - 120 60th Ave.

Practical Difficulty Variances: Michael Keller of Frazee Design requests a four-part

variance to: a) Removal of existing carport and construct new 11'7" x 40', 8' h carport with proposed side yard setback of 2' where 6.7' is required (LDC Sec.6.13(a)(1)); b) Installation of 12'6" x 33' long patio area with side yard setback of 1' where 2' is required (LDC Sec. 6.13(2)(d)(2)); c) Replacement of existing 112 sq. ft. residential storage building where a maximum of 80 sq. ft. is permitted (LDC Sec. 6.13(b)(5)(a)); and, d) Proposed residential storage building to have overall height of 9' where maximum height of 8' is permitted (LDC Sec. 6.13(b)(5)(b)).

d. Case No. 24060 - 315 Corey Ave.

Unnecessary and Undue Hardship Variance: John A. Bodziak for 315 Corey Ave, LLC requests a variance to reinstall two illuminated marquee signs and two illuminated playbill signs in addition to the existing illuminated blade sign, allowing for a total of five commercial signs where three are permitted and allowing all five to be illuminated along Corey Avenue where none are permitted to be illuminated along Corey Avenue (LDC Sec. 26.33).

e. Case No. 24061 - 1950 Pass-a-Grille Way

Unnecessary and Undue Hardship Variances: Dustin Ballard, P.E. of Kimley Horn and Associates Inc. for the City of St. Pete Beach requests a five-part variance to: a) reduce the front building setback along 20th Avenue to 1.2 feet where 25 feet is required, the secondary front building setback along Pass A Grille Way to 8.4 feet where 15 feet is required, the western side building setback to one foot where 10 feet is required, and the southern rear building setback to 0.5 feet where 15 feet is required, to permit the construction of a new two-story fire station (LDC Sec. 17.7); b) permit the site impervious surface coverage to be no greater than 85% of the lot area where no greater than 80% is permitted (LDC Sec. 17.12); c) permit the property-wide vegetated coverage to be 14% where 16% minimum is required (LDC Sec. 22.4.(f)); d) Reduce the required northern frontage landscaping buffer to zero feet along a portion where five feet is required, and the required southern landscaping buffer adjacent the driveway to 2.5 feet along a portion where six feet is required (LDC Sec. 22.7.(a)(1) & (b)(1)), and; e) Permit the rooftop chimney training element to be located at 15 feet above the maximum height of the roof, or 45 feet above required design flood elevation, where 10 feet and 40 feet respectively is the maximum allowable (LDC Sec. 7.2.(k)).

f. Case No. 23072 - 2007 Pass-a-Grille Way

Unnecessary and Undue Hardship Variance: Kyle Bass, Weber Crabb & Wein, P.A. for Collom Properties, LLC requests the construction of roofed, open porch extension, 12' x 28.67' (overall dimensions), 11'2" high, to create an approximately 300 sq. ft. covered ride wait area that will encroach entirely into the required 25' secondary front setback while maintaining the existing 1.67' setback where 25' is required (LDC Sec. 15.7.(b)(2)).

**-Progress report as required by condition 6 of the Development Order issued on 5/9/2024 in connection with Case No. 23072:
Condition 6) Within 120 days from the issuance of the Development Order, the applicant shall provide an update on the status of all open permits, including conditions listed in this variance, and the Board may modify or revoke the variance at that time.**

g. Case No. 24042 – 3700 Gulf Blvd. [Parcel #07-32-16-21852-028-0001]

Staff requests a review of revised design features for the project, which was originally approved by the Board of Adjustment on February 28, 2024.

5. Adjournment - Next meeting to be held November 20, 2024 -

APPEAL: In accordance with 286.0105, Florida Statute (Notices of meetings and hearings must advise that a record is required to appeal), if a person decides to appeal any decision made by this committee, board, agency, or commission with respect to any matter considered at this meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

AMERICANS WITH DISABILITIES ACT (ADA): In accordance with the Americans with Disabilities Act and Florida Statutes, if any person with a disability defined by the ADA needs special accommodation to participate in this proceeding, then not later than two business days prior to the proceeding, he or she should contact City Hall at (727) 367-2735.

The public is cordially invited to attend this meeting.
All agenda material is available for review at City Hall or www.stpetebeach.org.

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

PRESENT: Denise Chase, Vice Chair
Al Causey, Member
Chris Core, Member
Kathy Garchow, Member
Dan Small, Member

STAFF PRESENT: Kristin Coman, Community Development Director; Matthew McConnell, Assistant City Attorney; Ginny Bodkin, Deputy City Clerk; Brandon Berry, Senior Planner

Vice Chair Chase called the meeting to order at 2:00 P.M.

1. Approval of the Agenda -

Assistant City Attorney McConnell explained that discussion item 5.a. will be removed for another time, and the Attorney for the Applicant for Case 4.e. asked for that case to be heard first, due to a scheduling conflict.

Motion: Member Causey moved, and Member Core seconded the approval of the August 28, 2024 agenda as amended; the motion carried unanimously.

2. Audience Comments – There were no comments.

3. Approval of Minutes – June 20, 2024

Motion: Vice Chair Chase moved, and Member Garchow seconded the approval of the June 20, 2024 meeting minutes as presented; the motion carried unanimously.

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

4. Action Items

a. Case No. 24040 - 3112 Pass-a-Grille Way

Unnecessary and Undue Hardship Variance: Vivian Herald on behalf of PAGSUP LLC requests installation of a 34"x52" frame sign, with sign face of 8 SF, approximately 102" (8.5 feet) from grade, projecting/hanging sign under the eave of the existing building along the Pass-a-Grille Way frontage (LDC Sec. 26.19).

The Board members individually declared their ex-parte communications and research, including conversations and texts with residents, staff, and the owner/Applicant, and a conversation with a Historic Preservation Board member.

Community Development Director Kristin Coman reviewed a presentation of the request for this variance. Her presentation included photos, zoning, site plan, request details, existing conditions, surveys, proof of noticing, variance criteria, Technical Review Committee findings, and staff

comments. This is a Locally Designated Historic property. Her presentation is part of the meeting record.

Staff found that the request reasonable as the sign is not excessively sized and in character with the sign in place at the time of the structure's placement on the local registry. Ms. Coman reviewed the staff recommendations.

The Board members asked questions of Ms. Coman. She indicated that 14 letters of objection and 2 in support were received.

Vivian Hearld, representative for the Applicant, appeared and testified regarding the reasons for the request, their desire to not interfere with visibility, and to keep with the historic aesthetic. Ms. Hearld also spoke about the parking situation at the property and the challenges. She provided some visibility renderings, and historic and parking lot photos, which are made part of the meeting record. She answered Board questions. Ms. Hearld testified that the compliance issues have been corrected and that they would be amenable to stabilization at the bottom of the sign and had no objections to staff recommendations.

There was no public comment for or against the application. Board deliberation was opened. Variations to the sign were discussed.

Public comment was reopened. Resident James Miller, 3107 1st St. W., commented on commercial vehicles parked in front of cottages for days and that the sign should meet all hurricane standards. Resident Rob Czyszczon of 4506 Gulf Blvd. spoke in favor of the variance request. Applicant representative Vivian Hearld commented on the letters that were received by the Board and harassment at their business.

Motion: Member Garchow moved, and Member Causey seconded to approve the variance for Case No. 24040 with the staff recommended conditions 1) any installation of signage as part of this proposal or any future signage may not be internally illuminated, 2) removal of all signs that were installed without permits be removed which include the LED window and A frame signs, and 3) in the event of forecasted inclement weather which includes excessive or high winds, the sign is to be removed temporarily so as to not cause damage to the surrounding area or building, or to install a fixed sign with hurricane resistant engineered connection to the building; the motion carried 5-0.

b. Case No. 24046 - 6390 2nd Palm Point

Practical Difficulty Variance: Amy Rebecca and Nicholas Laffler request to construct an in-ground swimming pool of approximately 21'x17' with 9'x6' spa and 20'x9' sun shelf that is elevated less than two feet above grade and proposed to be installed 5' from the southeastern side property line where 7' is required (LDC Sec. 6.13.(c)(1)c.1.).

The Board members individually declared their ex-parte communications and research, which included driving by the property and speaking with staff.

Senior Planner Brandon Berry reviewed a presentation of the request, which is part of the meeting record. He reviewed photos, zoning, variance request details, survey, proof of required noticing, and variance criteria.

Staff found the request will not have an adverse impact on the neighborhood but recommended seeking additional testimony from the Applicant. He reviewed staff's recommendations.

Mr. Berry answered Board questions. Applicant Nicholas Laffler testified regarding the hardship and adjustments that they have already made to the design. He testified that the neighbors have no objections and that he did have an alternate plan should the variance be denied.

Resident Rob Czystczon of 4506 Gulf Blvd. spoke in favor of the variance. The Vice Chair closed public comment and the Board deliberated.

Motion: Member Small moved, and Member Causey seconded to deny the variance for Case No. 24046 as the evidence presented has not met the practical difficulty hardship criteria; the motion carried unanimously.

c. Case No. 24047 - 402 39th Ave.

Practical Difficulty Variance: Sam Angelides, ASPBS LLC on behalf of SPBN LLC requests additional relief for the rear yard setback of the recently constructed 2-car detached garage (22' x 24'), which does not meet the previously approved 15' setback (BOA Case No. 22018), now measuring at 14.5' existing after construction (LDC Sec. 6.13(a)(2)).

The Board members individually declared their ex-parte communications and research, which was only driving by the property.

Ms. Coman reviewed the staff presentation for this request, which is part of the meeting record. The presentation included zoning, a survey, proposed site plan, request details, proof of required noticing, photographs, previous variance approvals, and staff comments.

Staff find the request is reasonable given the existing conditions of the lot and will not have an adverse impact on the neighborhood. Staff recommended approval as proposed.

Applicant Sam Angelides testified to the irregular shape of the lot, the 3.5' encroachment into the setback, and his error in calculations. He estimated \$12,000 to redesign the garage if the variance is not approved.

Resident William Brown, 401 Belle Point Drive, commented that he had no objections to the garage. Resident Rob Czystczon of 4506 Gulf Blvd. spoke in favor of the variance.

Public comment was closed, and the Board deliberated.

Motion: Member Small moved, and Member Garchow seconded to approve the variance for Case No. 24047 based upon the evidence presented; the motion carried 5-0.

d. Case No. 24048 - 0 Gulf Blvd. [Parcel #07-32-16-51660-000-0011] Gulf Beach Water Booster Station

Unnecessary and Undue Hardship Variance: Christopher Baggett of Wright-Pierce for Pinellas County Utilities requests to construct a new building in the Community Redevelopment District without providing either of the two required energy and environmental design standards (LDC Sec. 39.9.).

The Board members individually declared their ex-parte communications and research, which included only driving by the property.

Mr. Berry reviewed the staff presentation for this request, which is part of the meeting record. The presentation included zoning, a survey, proposed site plan, request details, proof of required noticing, photographs, previous variance requests, and staff comments. The site plan has been approved. One letter in opposition was received.

Staff found that that request is reasonable, and that the Applicant had adequately addressed the criteria as they pertain to the subject development. The limited scope of the redevelopment, heightened need for facility reliability, lack of public access or consistent staff use that would benefit from the quality of life-oriented LEED credit-granting improvements, and inclusion of some of the City's priorities such as an expanded sidewalk and pedestrian-scale lighting, all contribute to the recommendation. Staff recommended approval of the request as presented.

Applicant representative Chris Baggett of Wright-Pierce, 2502 Victoria Circle, Tampa, testified regarding plans for the property, flood design criteria, placement of a generator, the ventilation system which exceeds the requirements, and the expected completion date.

Resident Rob Czystczon of 4506 Gulf Blvd. spoke in favor of the variance. Board deliberation followed public comment.

Motion: Member Small moved, and Member Core seconded to approve the variance for Case No. 24048 as proposed, based upon evidence presented; the motion carried 5-0.

e. Case No. 24042 – 3700 Gulf Blvd. [Parcel #07-32-16-21852-028-0001]

Preliminary Plat: Ely Payne of Baysite Engineering LLC for SMILEYS SNACK SHACK-ST PETE BEACH INC requests preliminary plat approval to replat the subject property to four fee-simple parcels proposed for residential townhouses, with remaining land held in common homeowners' association ownership.

This case was heard first. The Board members individually declared their ex-parte communications and research. Member Garchow was included in a discussion of the property as part the DonCesar Place Homeowners Association, and Vice Chair Chase visited the site.

Mr. Berry reviewed the staff presentation for this request, which is part of the meeting record. The presentation included the request background and an aerial overlay of the proposed parcel splits.

This request was reviewed by the Technical Review Committee on July 17, 2024, where no substantial comments were shared. The lot is adequately sized to support the number of residences proposed. Other development standards (height, lot coverage, impervious surface) are met. This request received setback variances in February 2024, which are currently active.

Staff recommendation was to recommend approval of Preliminary Plat #24042 to the City Commission with the condition that the approval of the preliminary plat be contingent upon the final approval and adoption of the proposed language found in Land Development Code Text

Change Case #24041. Should the case be denied, the approval of this preliminary plat would be null and void.

The Applicant's Attorney Kate Cole appeared and testified regarding fee simple ownership of the proposed townhomes and was available for questions. She testified that the Don CeSar Property Homeowners Association was supportive of the project.

There was no public comment and the Board deliberated.

Motion: Member Small moved, and Member Core seconded to recommend approval of preliminary plot Case No. 24042 to the City Commission with the recommended staff condition that the approval of the preliminary plat be contingent upon the final approval and adoption of the proposed language found in Land Development Code Text Change Case #24041. Should the case be denied, the approval of this preliminary plat would be null and void; the motion carried 5-0.

5. Items for Discussion –

a. Board Procedures

This item was continued to a future date to be named.

Assistant City Attorney Matthew McConnell welcomed new Board members Causey and Core.

6. Adjournment – The next meeting is scheduled for September 25, 2024.

Member Core moved adjournment at 3:57 PM; all were in favor.

These minutes will be considered for approval at the September 25, 2024 Board of Adjustment meeting.

Notice of Meetings
Board of Adjustment
2025

The Board of Adjustment meets on the last Wednesday of the month in the Commission Chambers of City Hall, 155 Corey Avenue, St. Pete Beach, Florida.

<u>Meeting Date</u>	<u>Time</u>
January 29, 2025	2:00 pm
February 26, 2025	2:00 pm
March 26, 2025	2:00 pm
April 30, 2025	2:00 pm
May 28, 2025	2:00 pm
June 25, 2025	2:00 pm
July 30, 2025	2:00 pm
August 27, 2025	2:00 pm
September 24, 2025	2:00 pm
October 29, 2025	2:00 pm
November 19, 2025*	2:00 pm *(Moved due to holiday)
December 17, 2025*	2:00 pm *(Moved due to holiday)

Meeting to elect the Chair and Vice Chair will be on April 30, 2025, or the soonest meeting thereafter.

The Code of Ordinances pertaining to this board can be found at:
https://www.municode.com/library/fl/st._pete_beach/codes/code_of_ordinances?nodeId=PTIICOOR_CH22BOCOCO_ARTIIBOARD

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

Agenda Report

Agenda Title Name: Case No. 24054 - 120 60th Ave.

Action Request: As directed by the Board of Adjustment.
Options:
Motion to approve Case No. 24054 with staff recommendation(s),

- Stormwater runoff shall be directed and maintained on the property to ensure compliance with LDC Sec. 6.13(b)(3)

OR

Motion to approve Case No. 24054 as proposed,

OR

Motion to deny Case No. 24054

Strategic Objective:

Date: October 30, 2024

Prepared By: Kristin Coman, Community Development Director

Through: Denise Sanderson

Summary of Issue: *Practical Difficulty Variances:* Michael Keller of Frazee Design requests a four-part variance to: a) Removal of existing carport and construct new 11'7" x 40', 8' h carport with proposed side yard setback of 2' where 6.7' is required (LDC Sec.6.13(a)(1)); b) Installation of 12'6" x 33' long patio area with side yard setback of 1' where 2' is required (LDC Sec. 6.13(2)(d)(2)); c) Replacement of existing 112 sq. ft. residential storage building where a maximum of 80 sq. ft. is permitted (LDC Sec. 6.13(b)(5)(a)); and, d) Proposed residential storage building to have overall height of 9' where maximum height of 8' is permitted (LDC Sec. 6.13(b)(5)(b)).

Funding: n/a

Attachments:

1. 24054 - 120 60th Ave., Certificate of Completeness with Submittal Documents
2. 24054 - 120 60th Ave. Staff Report



Memo To: Board of Adjustment
From: Kristin Coman, Community Development Director
Date: 9/18/2024
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 and placed on the agenda for **October 30, 2024**.

Variance Case Number: 24054
Application Type: Practical Difficulty Variance
Owner: Steven Cline
Applicant/Agent: Michael Keller, Frazee Design
Parcel Number: 36-31-15-78336-015-0200
Address: 120 60th Ave., St. Pete Beach, FL 33706
Zone: RU-1

Submittal Documents:

1. Completed Practical Difficulty Variance package with application form.
2. Boundary Survey prepared by Murphy's Land Surveying, Inc. dated 2/28/2023, consisting of 1 sheet.
3. Plan set prepared by Frazee Design dated 8/7/24, consisting of 3 sheets which includes architectural site plan with proposed carport, shed and site improvements and shed construction plan.
4. Plan set prepared by Florida Engineering LLC dated 6/10/24, last revised 8/3/24 consisting of 4 sheets which includes canopy/carport plan and concrete foundation plans.
5. Photo set 1-A to 1-L, consisting of 12 pages showing property details and examples.
6. Photo set 3-A to 3-G, consisting of 7 pages showing existing improvements.
7. Completed Impervious Surface Ratio (ISR) worksheet.

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

City/Board Professionals:

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

Board Members:

- | | |
|--|---|
| ☒ Denise Chase | ☒ Kathy Garchow |
| ☒ Chris Core | ☒ Dan Small |
| ☒ Al Causey | |

Cc: Steven Cline, Owner ***via email*** (steve@stevenmcline.com)
Michael Keller, Frazee Design, Applicant ***via email*** (mkeller@frazeedesign.com)

CASE #: 24054
SUBMITTAL DATE: 8.8.24 AMOUNT DUE: 319 \$ 773.46 PAYMENT DATE: 8.8.24

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
- The Application Fee, payable to the City of St. Pete Beach (non-refundable)



OWNER/AGENT INFORMATION:

Identification	Name	Address	Phone #
Owner	Steve Cline	120 60th Avenue St. Pete Beach, Florida 33706	920-728-2267
Applicant/ Agent	Michael Keller	3125 5th Ave N. , Suite 200 St. Petersburg, Florida 33713	727-328-3608
Owner Email Address: steve@stevenmcline.com		Applicant/Agent Email Address: mkeller@frazedesign.com	

PROPERTY FOR PROPOSED VARIANCE:

Zoning Designation RU-1	Future Land Use Designation RU	Lot Area 6690 S.F.
Legal Description:	St. Petersburg Beach 1st ADD BLOCK 15, LOT 20 & NE'LY 1/2 OF LOT 19	
Parcel ID:	36-31-15-78336-015-0200	
Address:	120 60th Avenue, St. Pete Beach, Florida	
Explanation of Request: Please see Attachment "A"		

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;

Please see Attachment "A"

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

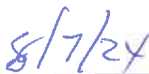
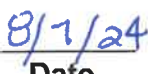
Please see Attachment "A"

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

Please see Attachment "A"

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

Please see Attachment "A"

			
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.

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

 Steven M. Plino

Signature of Applicant

 8/7/24

Date

PICTURE ATTACHMENT A
Practical Difficulty Variance-Cline-120 60th Ave

Explanation of Request:

1. Carport-Variance 1-Remove existing carport and construct a new Pre-manufactured aluminum 11'7" x 40'0" long x 8'0" tall carport where side yard setback of 2'0" is required and 6'7" is required for structures.

Variance request is to reduce side clearance for carport structure, post to 2' where 6'7" is required for structures.

2. Carport-Variance 2- remove and replace non-conforming gravel, 12'6" x 40' and replace gravel and asphalt in front of carport and house and with 12'6" wide' x 33' with a 1' setback where 2'0" is required for setback.

Variance request is to change the setback to 1' where 2' is required.

3. Shed Variance 3-Replace Shed with non-conforming shed of same size 10.5' x 10.7' existing. Shed will be placed 4' from the fence, inside the property line.

Variance request is to increase size to 112 S.F shed where 80 S.F is permitted.

4. Shed Variance 4-Increase roof height from 7'6" to 9'. Front of shed will have a 9' height in the front tapering down to an 8'2 height in the rear.

Variance request is to raise the roof to a 9' height, where 8'0" is permitted height.

Findings Necessary for Granting Request:

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

Both items, the Carport and Shed, are located mostly out of sight of any neighbors. What will remain in sight, is only slightly in sight of the neighbors and very similar to what they see now, which is very little. It is designed to provide minimal intrusion and professional looking, very clean lines, appearance.

In terms of the Carport, Variances 1.

Picture Attachments (PA) 1-A, 1-B, 1-C & 1-D show the existing carport. The carport is offset, non-conforming, to work around the Air Conditioning unit, PA 1-E. I am looking to park 2-cars under the carport. Moving the air conditioner would be very expensive and more importantly would reduce the efficiency, cooling of my house, and decrease the life of the unit.

The carport would be hung on a "super gutter" as they call it which is basically a long heavy-duty metal, wider than normal gutter (dimension details on Architect drawings), mounted on the front and rear flat soffit. In between, where the roof goes up to a peak, roof would be mounted to the side of the house, PA 1-fF& 1-G. The posts on the other side of the yard there will be 4 3" x 3" square metal posts, and will be 11'6" from the soffit on the side of the house, a 2' setback. This pole placement width is needed to drive a car past the air conditioner which is edge is 3'6" from the side of the house. For additional reference when you look at PA 1-B showing the existing carport and air conditioner, a car, even a Mini, parked in that space you can't open the passenger door (assuming you drove straight in) and you could only open the driver door if you were parked in between the post. There is only 2" of clearance on each side of the car's side mirrors. 11'6" post less Air Conditioner that is 3'6" from the house leaves me a 9'6" wide driveway. A normal parking place is 9' wide space has 9'.

In terms of the Carport, Variances 2.

PA 1-C shows the gravel that is under the current carport, the rest of that side of the house is dirt, PA-1-D. For compliance I must cement or pavers. I am choosing cement. While the pole placement provides for the 2' setback required I am asking for 1' such that I can pave past the post to provide more support. Because I have a solid fence around my yard the view of my ground is blocked from the neighbors so it shouldn't have any impact on them.

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

Most of these changes won't be noticed or hardly noticed as there is a lot of landscaping, trees, that hide things as well as I have a solid, can't see through, fence around my yard. PA 1-H, 1-I & 1-J show images of similar carports to what I am getting that were done by my vendor. The fence is 6' high, and the top of the carport is only 8' high. PA-1K & PA-1L show the carport side view of my house from the apartment building next door.

PA 3-A show the current location of the shed. PA 3-B show the proposed location. PA-C is the corner view of what's behind me, PA 3-D & PA 3-E show the view of the neighbor behind me, and PA 3-F show the view to the apartment building to the west side of me all from my yard. PA 3-G is from the middle of the apartments on my west side.

Continued on the next page

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

These are the only methods i feel that will allow us to achieve our goal. I have looked at other alternatives, like moving my air conditioner so that vehicles will fit in the carport with a lesser variance request but that is not only cost prohibitive, but moving it further away from where it is, and the actual indoor unit, I would lose efficiently, not be able to cool my house, and it would run substantially more, and need replacement sooner.

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

Most importantly, there would be no injustice in granting these variances. There would be no negative impact on any of the neighbors as most everything will be out of view or like the view they have now. I also don't feel, can't think of any negative impact on the city.

These difficulties were not a result of anything the city, or I, have done, I am just trying to make the property more useful to myself and any future residents.

Owner's Authorization for Agent

Community Development Department

City of St. Pete Beach, Florida

I/WE

STEVEN M CLINE
(print name of property owner)

hereby authorize

MICHAEL KELLER
(print name of agent)

to represent me/us in an application for

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

Steven M Cline
Signature of Owner

Signature of Owner

STEVEN M CLINE
Print Name of Owner

Print Name of Owner

The forgoing instrument was acknowledged before me this 7TH day of

AUGUST 2024 by STEVEN M CLINE or who is

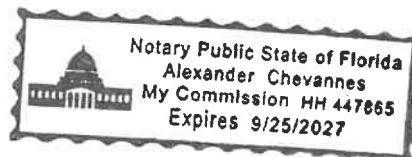
personally known hus produced

drivers license as identification.

(Notary Signature)

8/7/24
(Date)

My Commission Expires 9/25/27





PUBLIC HEARING SIGN POSTING AFFIDAVIT

Applicant, Steve Cline 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): Steve Cline

Address: 120 60th Avenue, St. Pete Beach, Florida

Steven M. Cline
Signature

8/7/24
Date

STATE OF FLORIDA)
) SS:
PINELLAS COUNTY)

The foregoing instrument was acknowledged before me this 7TH day of AUGUST, 2024 by:
Steven Cline who appeared before me, and is personally known to me, or has produced
drivers license as identification, and did take an oath.

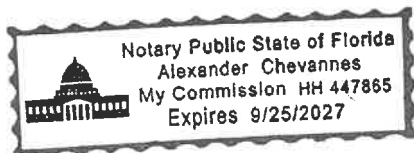
My commission Expires: 9/25/27

NOTARY: alex

Print Name: Alexander Chevannes Notary

Public, State of Florida

(Notarial Seal)





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

Steve Cline
120 60th Avenue
St. Pete Beach, Florida
Phone 920-728-2267
Email steve@stevenmcline.com

Contractor/Applicant Name & Address

Michael Keller
Frazee Design
3125 5th Ave N., Suite 200, St. Petersburg, Fl
Phone 727-328-3608
Email mkeller@frazeedesign.com

Property Address 120 60th Ave, St. Pete Beach, Florida

Total Lot Area (sq. ft.) 6690 S.F.

Required Calculations:

EXISTING IMPERVIOUS SURFACE:		
Building Footprint:	1504	sq. ft.
Parking and Driveway:	465	sq. ft.
Pool and/or Patio areas:		sq. ft.
Walkways:	654	sq. ft.
Other:	112	sq. ft.
TOTAL EXISTING IMPERVIOUS SURFACE:	2740	sq. ft.

PROPOSED IMPERVIOUS SURFACE:		
Building Footprint:	1504	sq. ft.
Parking and Driveway:	1149	sq. ft.
Pool and/or Patio areas:		sq. ft.
Walkways:	654	sq. ft.
Other:	472	sq. ft.
TOTAL PROPOSED IMPERVIOUS SURFACE:	3914	sq. ft.

2740	sq. ft.	÷	6690	sq. ft.	=	36.92
Total Existing Impervious Surfaces			Lot Area			Existing Impervious Surface Ratio

3914	sq. ft.	÷	6690	sq. ft.	=	58.50
Total Proposed Impervious Surfaces			Lot Area			Proposed Impervious Surface Ratio

Certification:

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

Applicant Signature: [Signature] Date: 8/7/24

ATTACHMENT 1-A, Existing



ATTACHMENT 1-B, Existing



RECEIVED
AUG 08 2024
COMMUNITY DEVELOPMENT

ATTACHMENT 1-C, Existing



ATTACHMENT 1-D, Existing



ATTACHMENT 1-E, Existing



ATTACHMENT I-F, Existing



ATTACHMENT 1-6) Existing



RECEIVED
AUG 08 2024
COMMUNITY DEVELOPMENT

ATTACHMENT 1-H, Example



RECEIVED
AUG 08 2024
COMMUNITY DEVELOPMENT

ATTACHMENT 1-I, Example



RECEIVED
AUG 08 2024
COMMUNITY DEVELOPMENT

ATTACHMENT 1-5, Example



ATTACHMENT 1-K, From adjacent property



ATTACHMENT 1-2, Adjacent prop to fence



ATTACHMENT 3-A, Existing Shed



ATTACHMENT 3-B, Proposed Shed location



ATTACHMENT 3-C, Existing fence



ATTACHMENT 3-D, Existing fence



ATTACHMENT 3-E, Existing Shed, Adj property



ATTACHMENT 3-F, View from backyard



ATTACHMENT 3-G, Shed on Adjacent Property



JOB NO.:230248

DRAWN BY:MRB

CHECKED BY:EDM

DATE OF FIELD WORK:2/28/2023

MURPHY'S LAND SURVEYING, INC.

PROFESSIONAL LAND SURVEYORS

5760 11TH AVENUE NORTH

ST. PETERSBURG, FLORIDA 33710

WWW.MURPHYSLANDSURVEYING.COM

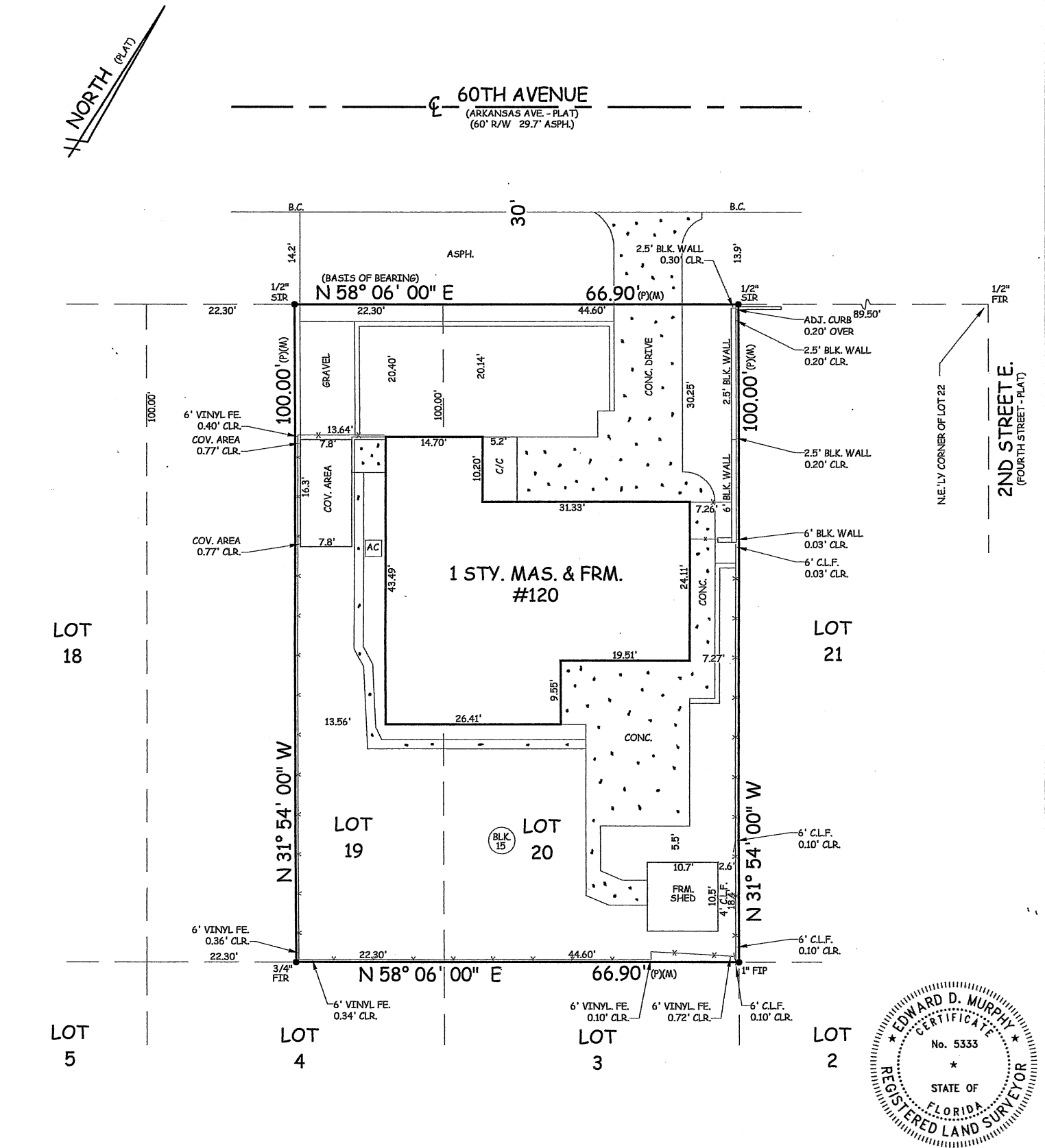
L.B. #7410

PH. (727) 347-8740

FAX (727) 344-4640

CERTIFIED TO: Steven M. Cline

SCALE: 1" = 20' Survey not valid for more than one (1) year from date of field work. SEC. 06 TWP. 32 S. RGE. 16 E.



A BOUNDARY SURVEY OF: Lot 20 and the Northeastery 1/2 of Lot 19, Block 15, ST. PETERSBURG BEACH SUBDIVISION FIRST ADDITION, as recorded in Plat Book 20, Page 11 of the Public Records of Pinellas County, Florida.

According to the maps prepared by the U.S. Department of Homeland Security, this property appears to be located in
Flood zone: AE Comm. Panel No. : 125149 0276 H Map Date : 8/24/2021 Base Flood Elev : 10.0'

FOR THE EXCLUSIVE USE OF THE HEREON PARTY(IES), I HEREBY CERTIFY TO ITS ACCURACY (EXCEPT SUCH EASEMENTS, IF ANY, THAT MAY BE LOCATED BELOW THE SURFACE OF THE LANDS, OR ON THE SURFACE OF THE LANDS AND NOT VISIBLE), AND THAT THE SURVEY REPRESENTED HEREON MEETS THE MINIMUM REQUIREMENTS OF CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE TO THE BEST OF MY KNOWLEDGE AND BELIEF. UNDERGROUND FOUNDATIONS AND/OR IMPROVEMENTS, IF ANY, ARE NOT SHOWN AND OTHER RESTRICTIONS AFFECTING THIS PROPERTY MAY EXIST IN THE PUBLIC RECORDS OF THIS COUNTY. (THIS SURVEY HAS BEEN DONE WITHOUT THE BENEFIT OF REVIEWING A CURRENT TITLE SEARCH). SURVEY NOT VALID FOR MORE THAN ONE YEAR FROM DATE OF FIELD WORK AND NOT VALID UNLESS EMBOSSED WITH SURVEYOR'S SEAL. BEARINGS SHOWN ARE BASED ON PLAT, UNLESS OTHERWISE NOTED.

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

LEGEND: F.I.P. - FOUND IRON PIPE F.C.M. - FOUND CONCRETE MONUMENT F.I.R. - FOUND IRON ROD S.I.R. - SET IRON ROD 1/2" LB #7410 P.R.C. - POINT OF REVERSE CURVATURE P.C.C. - POINT OF COMPOUND CURVATURE FIN. FLR. - FINISHED FLOOR ELEVATION P.R.M. - PERMANENT REFERENCE MONUMENT N.A.V.D. - NORTH AMERICAN VERTICAL DATUM OF 1988	FD. - FOUND N.A.D. - NAIL AND DISK P.O.L. - POINT ON LINE P.C. - POINT OF CURVATURE P.T. - POINT OF TANGENCY P.I. - POINT OF INTERSECTION -X-X-X- FENCE FE. - FENCE C.L.F. - CHAIN LINK FENCE -H- - ADJACENT FENCE ADJ. - ADJACENT	R. - RADIUS A. - ARC C. - CHORD Δ - DELTA R/W - RIGHT OF WAY # - NUMBER MAS. - MASONRY FRM. - FRAME G.I. - GRATE INLET C.B. - CATCH BASIN F.H. - FIRE HYDRANT	M/S - METAL SHED ALUM. - ALUMINUM W.H. - WATER HEATER P.S. - PATIO STONE C.P. - CARPORT PL. - PLANTER B.C. - BACK OF CURB E.P. - EDGE OF PAVEMENT E.R. - EDGE OF ROAD E.O.W. - EDGE OF WATER T.O.B. - TOP OF BANK	WWW - WING WALL C. - CENTERLINE R/W - RIGHT OF WAY (P) - PLAT (C) - CALCULATION (D) - DEED (M) - MEASURED N. - NORTH S. - SOUTH E. - EAST W. - WEST	ESMT. - EASEMENT M.H. - MANHOLE CONC. - CONCRETE CLR. - CLEAR COL. - COLUMN WD. - WOOD BLK. - BLOCK S/W. - SEAWALL ASPH. - ASPHALT UTIL. - UTILITY DR. - DRAINAGE	O.H. - OVERHANG GAR. - GARAGE C/WD. - COVERED WOOD C/P.S. - COVERED PATIO STONE C/C. - COVERED CONCRETE A/C. - AIR CONDITIONER S.P. - SCREENED PORCH -P-P- OVERHEAD POWER LINES -T-T- OVERHEAD TELEPHONE LINES P.P. - POWER POLE L.P. - LIGHT POLE
--	--	---	---	---	---	--

NEW CONCRETE
DRIVEWAY

REQUESTED
VARIANCE

00" W

60'-4"

1'-0" CONCRETE SETBACK

6'-6" SIDE SETBACK

13.56'

40'

NEW PRE-MANUF.
ALUMINUM
CARPORT

AC

POST LOCATION

ROOF OVERHANG

6'-11"
TO
SETBACK

4'-8"

12"

24"

13'-7"

TO PROPERTY
LINE

13.64'

9'

43.49'



JOB NO.:
230248

DRAWN BY:
MRB

DATE OF FIELD WORK:
2/28/2023

CHECKED BY:
EDM

MURPHY'S LAND SURVEYING, INC.

PROFESSIONAL LAND SURVEYORS

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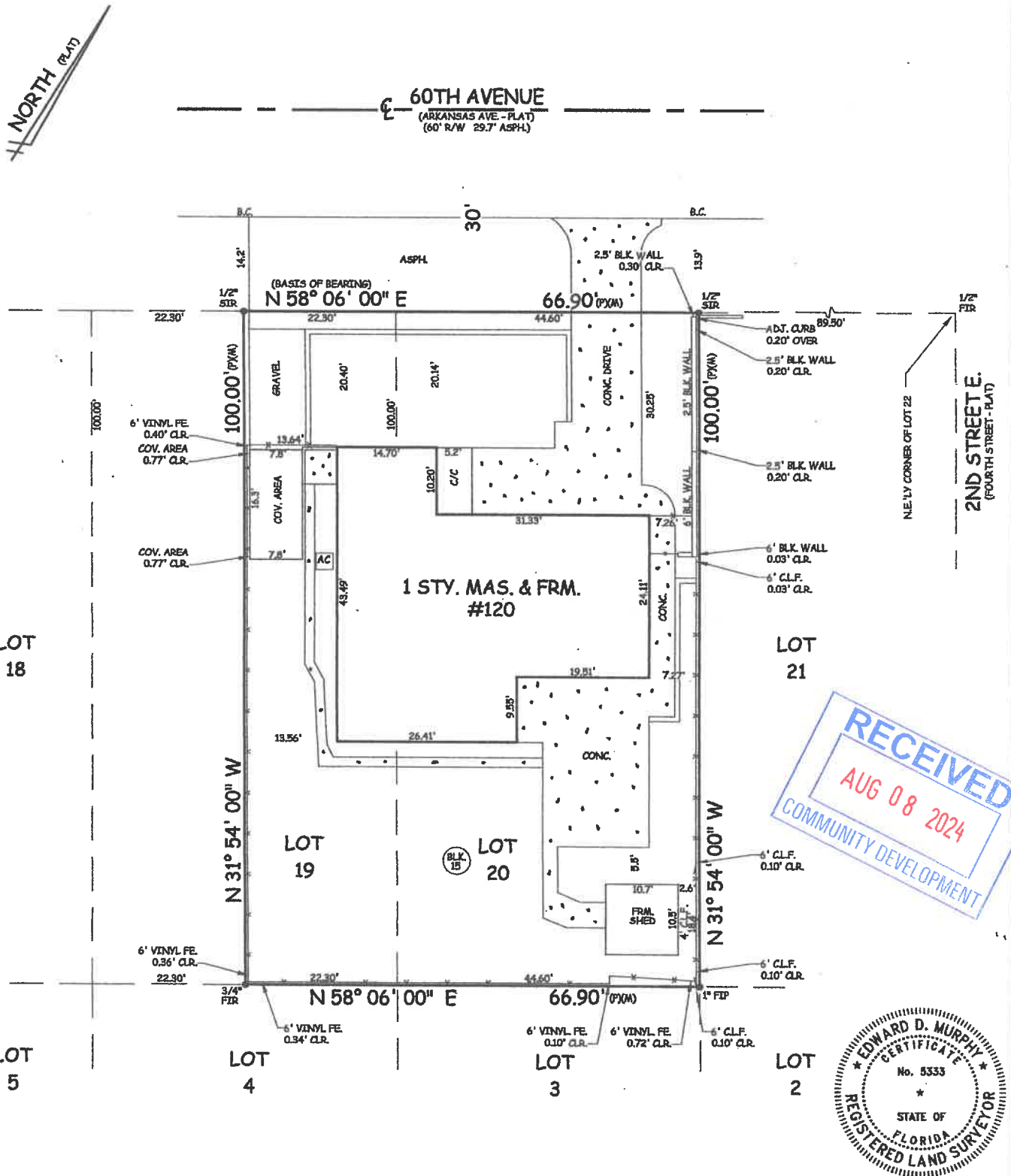
FAX (727) 344-4640

CERTIFIED TO: Steven M. Cline

SCALE: 1" = 20'

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

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



A BOUNDARY SURVEY OF: Lot 20 and the Northeasterly 1/2 of Lot 19, Block 15, ST. PETERSBURG BEACH SUBDIVISION FIRST ADDITION, as recorded in Plat Book 20, Page 11 of the Public Records of Pinellas County, Florida.

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Flood zone: AE Comm. Panel No.: 125149 0276 H Map Date: 8/24/2021 Base Flood Elev.: 10.0'

FOR THE EXCLUSIVE USE OF THE HEREON PARTY(IES), I HEREBY CERTIFY TO ITS ACCURACY (EXCEPT SUCH EASEMENTS, IF ANY, THAT MAY BE LOCATED BELOW THE SURFACE OF THE LANDS, OR ON THE SURFACE OF THE LANDS AND NOT VISIBLE), AND THAT THE SURVEY REPRESENTED HEREON MEETS THE MINIMUM REQUIREMENTS OF CHAPTER 54-17, FLORIDA ADMINISTRATIVE CODE TO THE BEST OF MY KNOWLEDGE AND BELIEF, UNDERGROUND FOUNDATIONS AND/OR IMPROVEMENTS, IF ANY, ARE NOT SHOWN AND OTHER RESTRICTIONS AFFECTING THIS PROPERTY MAY EXIST IN THE PUBLIC RECORDS OF THIS COUNTY. THIS SURVEY HAS BEEN DONE WITHOUT THE BENEFIT OF REVIEWING A CURRENT TITLE SEARCH. SURVEY NOT VALID FOR MORE THAN ONE YEAR FROM DATE OF FIELD WORK AND NOT VALID UNLESS EMBOZZED WITH SURVEYOR'S SEAL. BEARINGS SHOWN ARE BASED ON PLAT, UNLESS OTHERWISE NOTED.

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

- LEGEND:

F.I.P. - FOUND IRON PIPE

F.C.M. - FOUND CONCRETE MONUMENT

F.I.R. - FOUND IRON ROD

S.I.R. - SET IRON ROD 1/2" LB #7410

P.R.C. - POINT OF REVERSE CURVATURE

P.C.C. - POINT OF COMPOUND CURVATURE

FIN. FLR. - FINISHED FLOOR ELEVATION

P.R.M. - PERMANENT REFERENCE MONUMENT

N.A.V.D. - NORTH AMERICAN VERTICAL DATUM OF 1988

FD. - FOUND

N.A.D. - NAIL AND DISK

P.O.L. - POINT ON LINE

P.C. - POINT OF CURVATURE

P.T. - POINT OF TANGENCY

P.I. - POINT OF INTERSECTION

X-X-X - FENCE

FE. - FENCE

C.L.F. - CHAIN LINK FENCE

A.H. - ADJACENT FENCE

ADJ. - ADJACENT

R. - RADIUS

A. - ARC

C. - CHORD

Δ - DELTA

R/W - RIGHT OF WAY

- NUMBER

M.S. - MASONRY

FRM. - FRAME

G.I. - GRATE INLET

C.B. - CATCH BASIN

F.H. - FIRE HYDRANT

M/S - METAL SHED

ALLUM. - ALUMINUM

W.H. - WATER HEATER

P.S. - PATIO STONE

C.P. - CARPORT

PL. - PLANTER

B.O. - BACK OF CURB

E.P. - EDGE OF PAVEMENT

E.R. - EDGE OF ROAD

E.O.W. - EDGE OF WATER

T.O.B. - TOP OF BANK

WWW - WING WALL

CL. - CENTERLINE

R/W - RIGHT OF WAY

(P) - PLAT

(C) - CALCULATION

(D) - DEED

(M) - MEASURED

N. - NORTH

S. - SOUTH

E. - EAST

W. - WEST

ESMT. - EASEMENT

M.H. - MANHOLE

CONC. - CONCRETE

CLR. - CLEAR

COL. - COLUMN

WD. - WOOD

BLK. - BLOCK

S/W. - SEAWALL

ASPH. - ASPHALT

UTIL. - UTILITY

DR. - DRAINAGE

O.H. - OVERHEAD

GAR. - GARAGE

C/WD. - COVERED WOOD

C/P.S. - COVERED PATIO STONE

C/C. - COVERED CONCRETE

A/C. - AIR CONDITIONER

S.P. - SCREENED PORCH

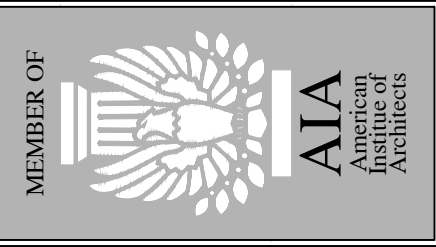
P-P. - OVERHEAD POWER LINES

T-T. - OVERHEAD TELEPHONE LINES

P.P. - POWER POLE

L.P. - LIGHT POLE

- THE PROPERTY IS ZONED AS RU-1
- FUTURE LAND USE IS RU
- FLOOD ZONE IS AE
- THE FRONT SETBACK IS 20'
- SIDE SETBACKS ARE 6.69'
- REAR SETBACK IS 20'

[illegible]

IMPERVIOUS RATIO CALCULATIONS	
EXISTING IMPERVIOUS CALCULATIONS	
TOTAL AREA OF PROPERTY	= 6690 SF.
TOTAL IMPERVIOUS AREA	= 2740 SF.
RESIDENCE	= 1504 SF.
DRIVEWAY	= 465 SF.
SIDEWALK	= 654 SF.
REAR SHED	= 112 SF.
$2740 / 6690 \times 3692$	= 36.92% IMPERVIOUS
PROPOSED IMPERVIOUS CALCULATIONS	
TOTAL AREA OF PROPERTY	= 6690 SF.
TOTAL IMPERVIOUS AREA	= 3914 SF.
RESIDENCE	= 1504 SF.
DRIVEWAY	= 465 SF.
SIDEWALK	= 1149 SF.
NEW WOOD SHED	= 112 SF.
NEW DRIVEWAY FOR CARPORT	= 684 SF.
$3914 / 6690 \times 5850$	= 58.50% IMPERVIOUS (10% MAX)

FDMK# 2412.00

Construction Documents for:

CLINE RESIDENCE
120 60TH AVENUE
ST. PETE BEACH, FLORIDA



SHEET TITLE
ARCHITECTURAL
SITE PLAN

SHEET NUMBER

2

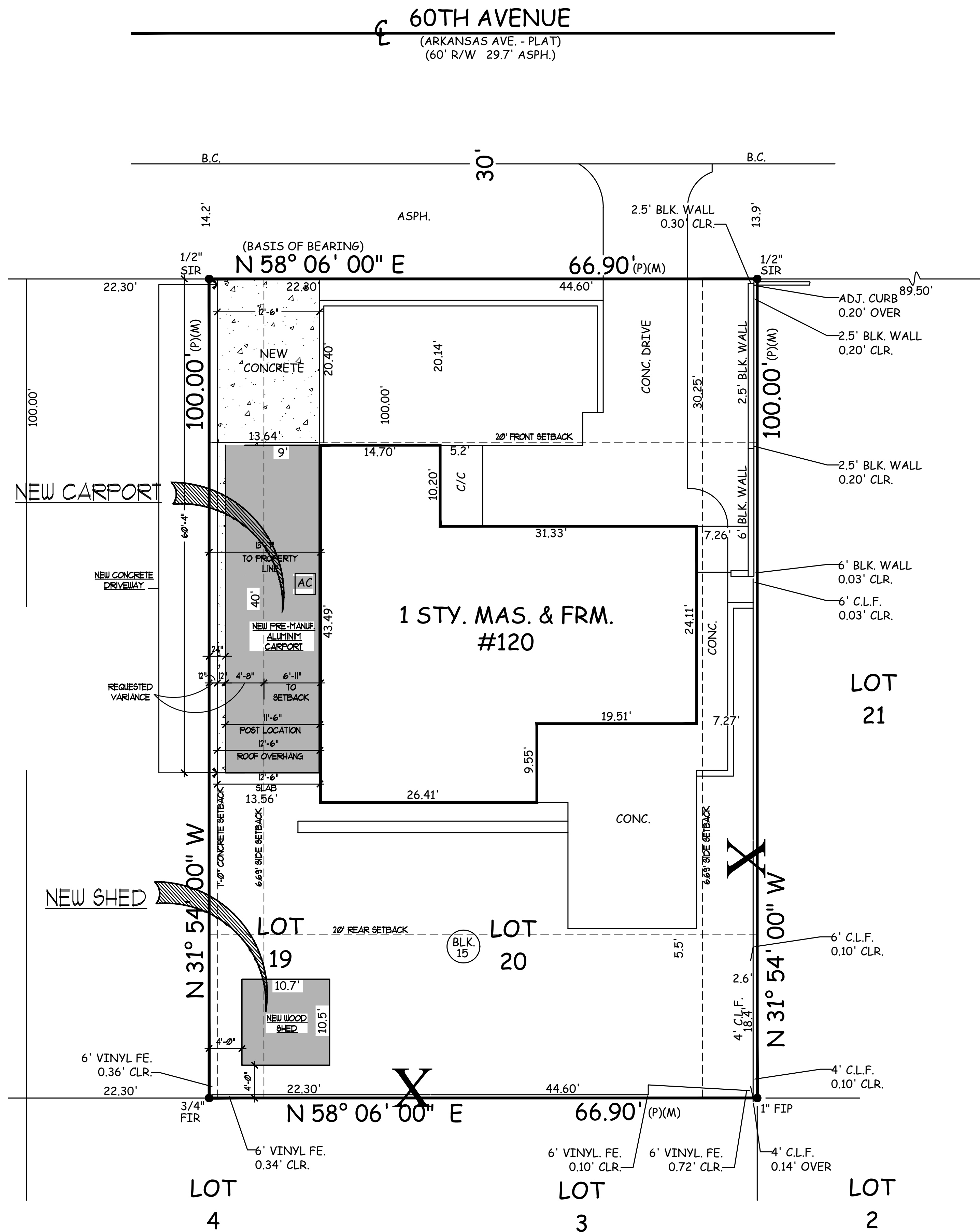
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WITH U.S. COPYRIGHT AND PATENT LAWS. UNAUTHORIZED
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LAW.

* THE DRAWINGS & DESIGN ARE VALID FOR 12 MONTHS FROM DATE OF BEING SEALED.

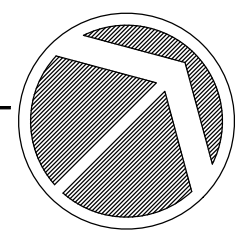
TO THE BEST OF THE ARCHITECT OR ENGINEER'S KNOWLEDGE AND BELIEF, THESE PLANS AND SPECIFICATIONS COMPLY WITH THE 8TH EDITION 2023 FLORIDA BUILDING CODE. IN ADDITION TO ANY OTHER APPLICABLE BUILDING CODES AND MINIMUM FIRE SAFETY STANDARDS

ALL DIMENSIONS AND JOB CONDITIONS SHALL BE VERIFIED BY THE CONTRACTOR, ANY AND ALL DISCREPANCIES SHALL BE REPORTED TO THE ARCHITECT PRIOR TO COMMENCEMENT OF CONSTRUCTION.

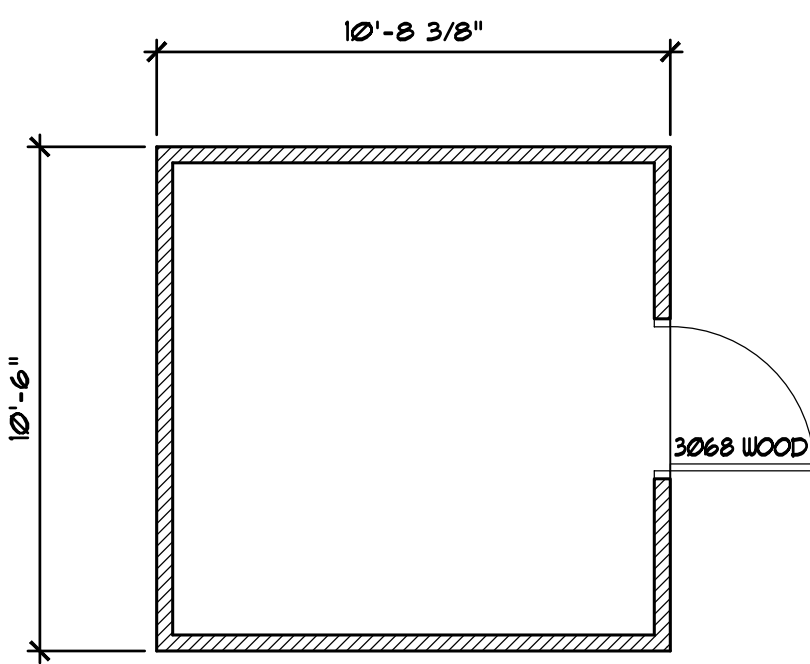


ARCHITECTURAL SITE PLAN

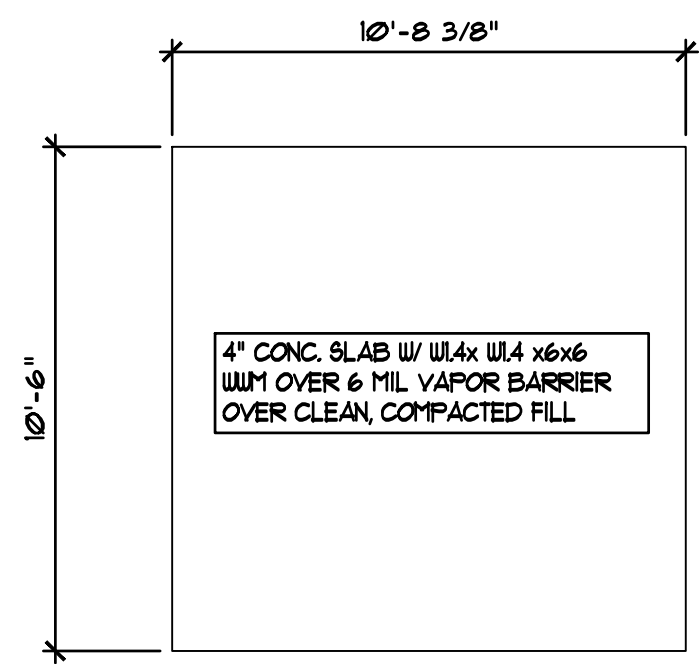
SCALE: 1/8" = 1'-0"



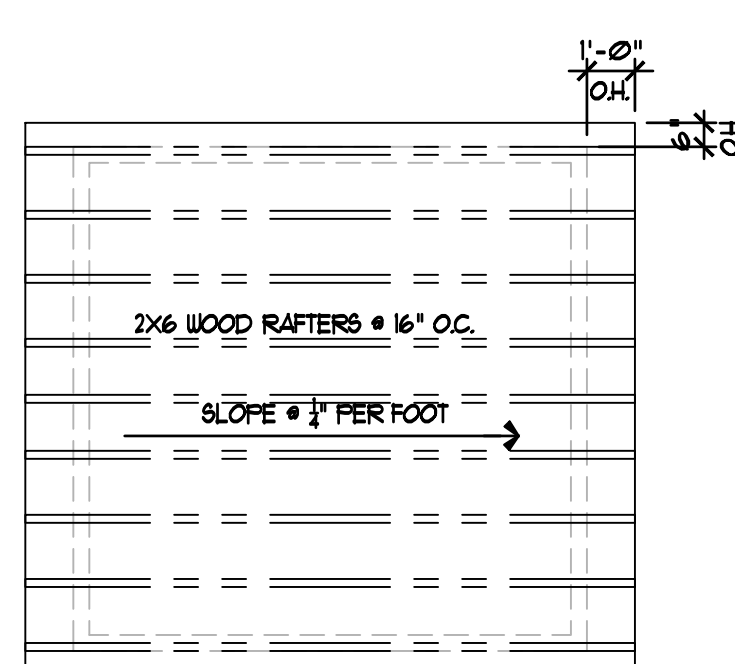
1. ALL WALLS ARE TO BE 2X4 WOOD FRAMING.
2. INTERIOR OF WALL TO BE EXPOSED.
3. EXTERIOR OF WALL TO HAVE PLYWOOD SHEATHING AND VERTICAL WOOD PANELS TO MATCH THE WOOD SHED THAT IS BEING DEMO'D.
- ALL DIMENSIONS ARE TO BE VERIFIED IN FIELD



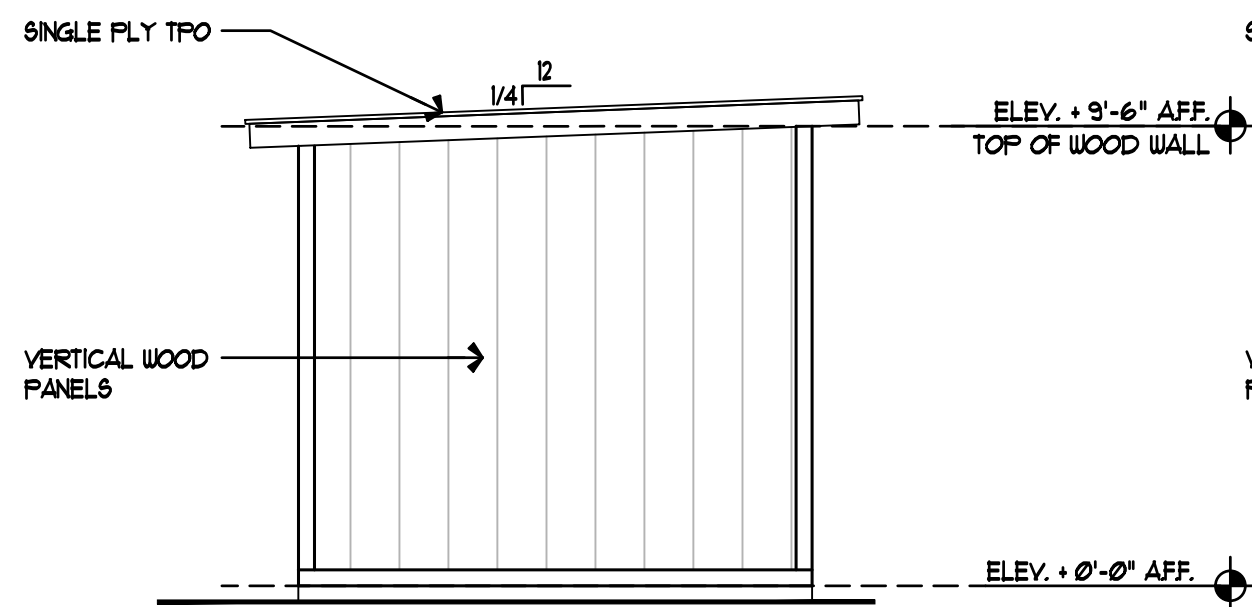
1 FLOOR PLAN
SCALE: 1/4" = 1'-0"



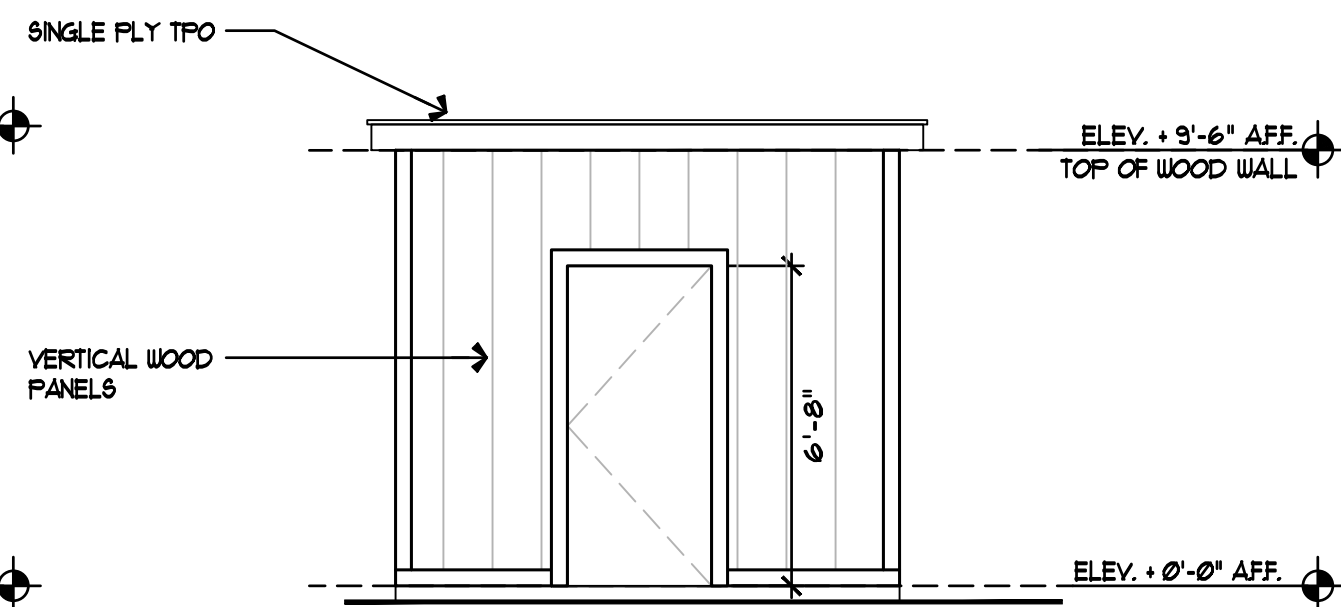
2 SLAB PLAN
SCALE: 1/4" = 1'-0"



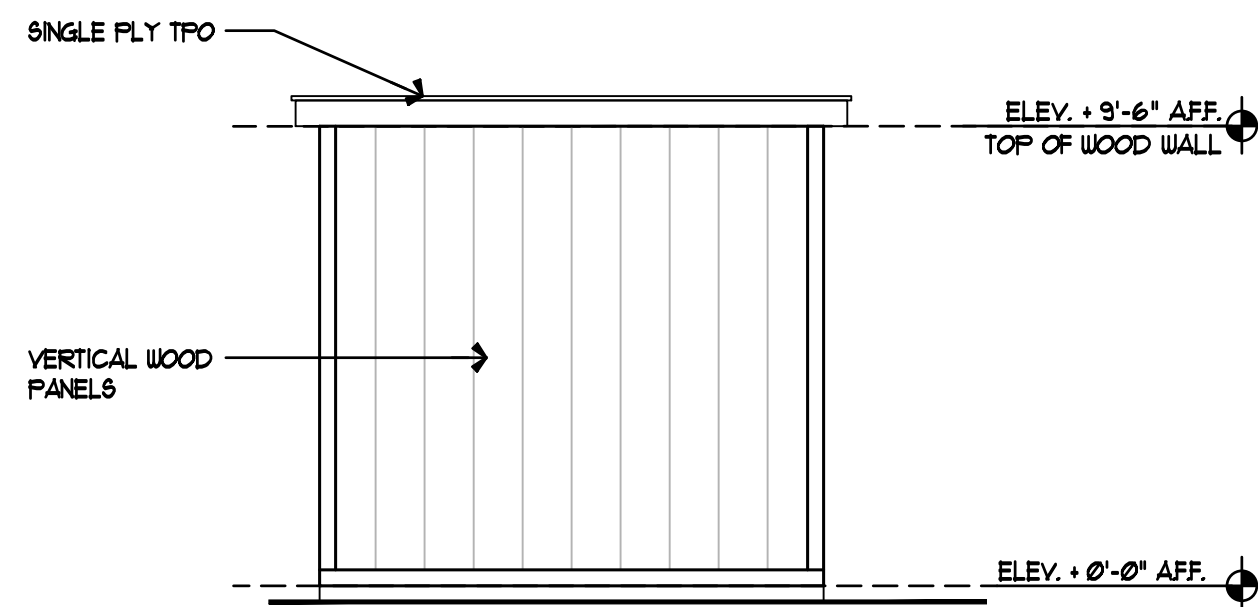
3 ROOF PLAN
SCALE: 1/4" = 1'-0"



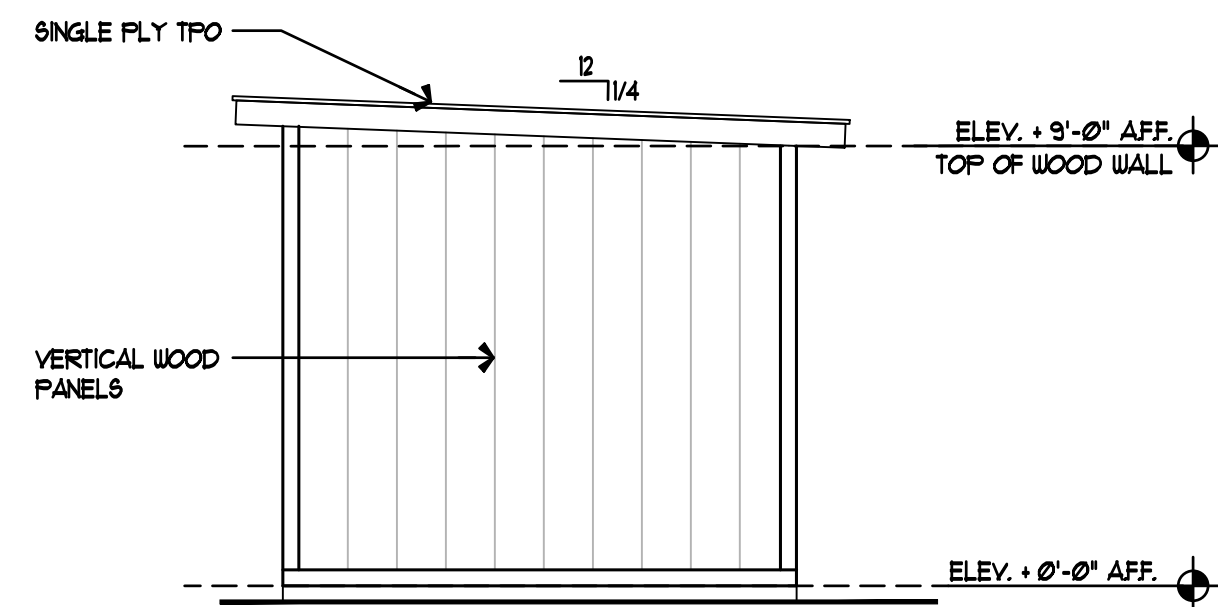
5 SIDE ELEVATION
SCALE: 1/4" = 1'-0"



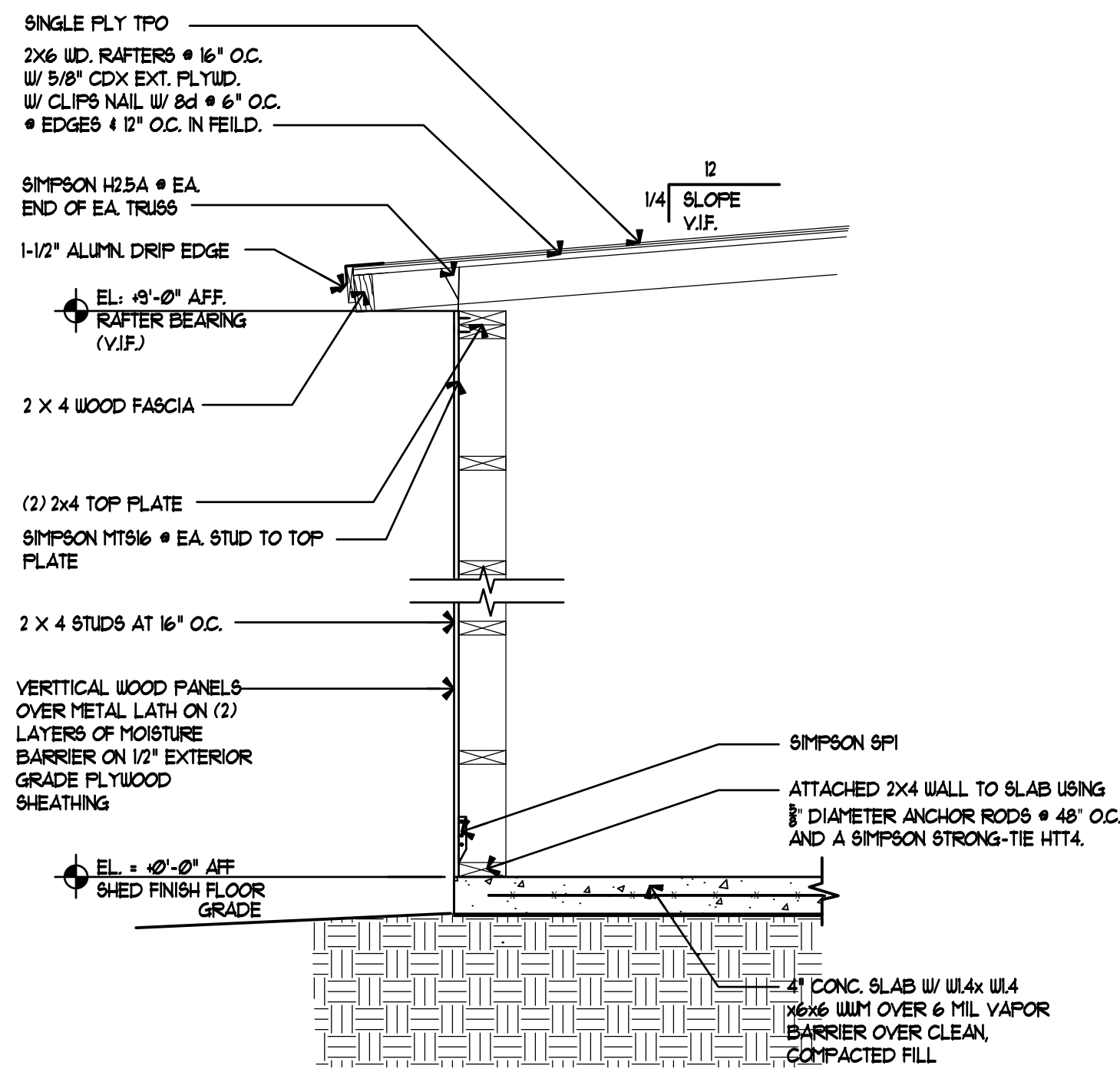
6 FRONT ELEVATION
SCALE: 1/4" = 1'-0"



7 SIDE ELEVATION
SCALE: 1/4" = 1'-0"



8 REAR ELEVATION
SCALE: 1/4" = 1'-0"



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

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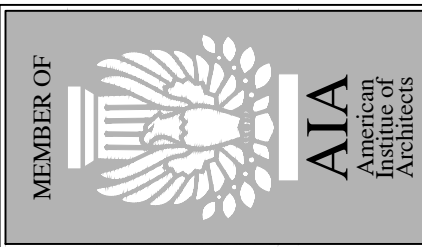
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TO THE BEST OF THE ARCHITECT OR ENGINEER'S KNOWLEDGE AND BELIEF, THESE PLANS AND SPECIFICATIONS COMPLY WITH THE 8TH EDITION 2023 FLORIDA BUILDING CODE, IN ADDITION TO ANY OTHER APPLICABLE BUILDING CODES AND MINIMUM FIRE SAFETY STANDARDS.

ALL DIMENSIONS AND JOB CONDITIONS SHALL BE VERIFIED BY THE CONTRACTOR, ANY AND ALL DISCREPANCIES SHALL BE REPORTED TO THE ARCHITECT PRIOR TO COMMENCEMENT OF CONSTRUCTION.

ISSUE	DATE	BY:
REVIEW	08/01/24	TK
PERMIT	08/01/24	TK
REV.		
REV.		
REV.		
REV.		
REV.		
REV.		



FDMK# 2412.00

Construction Documents for:
CLINE RESIDENCE
120 60TH AVENUE
ST. PETE BEACH, FLORIDA



FRAZE commercial residential architecture
E-MAIL: ftd@frazedesign.com
1750 CENTRAL AVENUE
ST. PETERSBURG, FLORIDA 33712
PHONE: 727/328-3608
FAX: 727/328-3609
STUDIO: 727/328-3607
FL LIC. NO. AA26000685

SHEET TITLE
WOOD SHED PLAN
SHEET NUMBER
3

DESIGN CRITERIA:

APPLICABLE CODES, REGULATIONS & STANDARDS:

- 1. THE 2023 FLORIDA BUILDING CODE, SPECIFICALLY CHAPTER 16 STRUCTURAL DESIGN, CHAPTER 20 ALUMINUM & CH. 23 WOOD.
- 2. AA ASM 35 & SPECIFICATIONS FOR ALUMINUM STRUCTURES, PART 1-A OF THE ALUMINUM DESIGN MANUAL PREPARED BY THE ALUMINUM ASSOCIATION, INC. WASHINGTON D.C. 2005 ED.
- 3. ASCE 7-22 & SE17
- 4. NDS NATIONAL DESIGN SPECIFICATION FOR WOOD.
- 5. ACI318 CONCRETE REFERENCE MANUAL.

WIND LOADS:

- 1. BUILDING OCCUPANCY CATEGORY, PARAGRAPH 1604.5 & TABLE 1604.5: RISK CATEGORY: I
- 2. BASIC WIND SPEED, TABLE 1609C, STATE OF FLORIDA DEBRIS REGION & BASIC WIND SPEED, PARAGRAPH 1609.3.1 & TABLE 1609.3.1 EQUIVALENT BASIC WIND SPEED: 140 MPH EXPOSURE CATEGORY, PARAGRAPH 1609.4.3: D
- 3. WIND LOADS PER FBC TABLE 2002.4 (MWFRS) VULT = 140 MPH & EXPOSURE = D

FOR 20 X 20 X 0.013" MESH SCREEN
HORIZONTAL PRESSURES ON WINDWARD SURFACES = 40 PSF
HORIZONTAL PRESSURES ON LEEWARD SURFACES = 31 PSF
VERTICAL PRESSURES ON SCREEN SURFACES = 11 PSF
VERTICAL PRESSURES ON SOLID SURFACES = 41 PSF

FOR 18 X 14 X 0.013" MESH SCREEN, APPLIED FACTOR = .88
FOR ALLOWABLE STRESS DESIGN, APPLIED FACTOR = .6

FOUNDATION DESIGN:

NO ADDITIONAL FOOTING OR FOUNDATION SYSTEM IS REQUIRED BY THE PROPOSED CONSTRUCTION IF A MINIMUM 4" CONCRETE SLAB IS PROVIDED IN SOUND CONDITION, FREE FROM STRUCTURAL CRACKING, SPALLING & OTHER DETERIORATION. EXISTING FOUNDATION/FOOTING UNDER CONCRETE SLAB MINIMUM 8"x8" w/ (1) #5 BAR TO BE VERIFIED BY CONTRACTOR. SEE TYPICAL FOOTING DETAILS FOR NEW FOOTING DESIGN MINIMUM REQUIREMENTS.

MISCELLANEOUS:

- 1. SCREENED ENCLOSURES CONTAINING SWIMMING POOLS SHALL COMPLY WITH THE APPLICABLE REQUIREMENTS OF FBC R4501.17 RESIDENTIAL SWIMMING BARRIER REQUIREMENTS.
- 2. ALUMINUM ADDITIONS ARE NOT TO BE INSTALLED ON A MANUFACTURED HOME, TRAILER HOME, OR PRE-FAB HOME. IF THE EXISTING STRUCTURE IS ONE OF THESE, A SEPARATE 4TH WALL SUPPORT SYSTEM IS SO TO BE ENGINEERED SO THAT NO ADDITIONAL LOADING IS PLACED ON THE MANUFACTURED HOME.
- 3. THE ENGINEERING ON THESE PLANS IS SITE SPECIFIC FOR (1) STRUCTURE ONLY AT THE PROVIDED ADDRESS(ES).

FASTENER SPECIFICATIONS:

- 1. FASTENERS ARE REQUIRED TO BE SAE GRADE 2 OR BETTER ZINC PLATED. (CONCRETE ANCHORS ARE TO BE 410 S.S. TAPCONS OR BETTER, INSTALLED TO MFG. SPECIFICATIONS)
- 2. WHERE WOOD DECK IS PRESENT USE 1/4" X 3-1/2" GALV. LAG SCREWS IN LIEU OF MASONRY ANCHORS. UNLESS OTHERWISE SPECIFIED.
- 3. FOR 1"x2" NON-STRUCTURAL MEMBERS ATTACHED TO HOST
 - a. FOR MASONRY/CONCRETE APPLICATION USE GALVANIZED 1/4" X 2-3/4" TAPCONS 6" FROM ENDS & 24" CENTER TO CENTER.
 - b. FOR WOOD APPLICATION USE # 14 X 2-3/4" WOOD SCREW AT 6" FROM ENDS & 24" CENTER TO CENTER.
 - c. FOR ALUMINUM APPLICATION USE # 10 X 1-1/2" SMS OR TEK 6" FROM ENDS & 24" CENTER TO CENTER..
 - d. WHERE 1"x2" INSTALLED THROUGHOUT AN "OPEN VIEW" SPACING SHALL BE REDUCED TO 6" FROM ENDS & 18" C.C.

RESPONSIBILITIES:

- 1. ALL SITE WORK SHALL BE PERFORMED BY A LICENSED CONTRACTOR IN ACCORDANCE WITH APPLICABLE BUILDING CODES, LOCAL ORDANANCES, AND THE ENGINEER SHALL BE NOTIFIED OF ANY DISCREPANCIES.
- 2. FOR FASTENERS WHICH ARE NOT VISIBLE AFTER INSTALLATION, THE CONTRACTOR SHALL VERIFY AND ENSURE INSTALLATION HAS BEEN ACCOMPLISHED IN ACCORDANCE WITH MANUFACTURERS SPECIFICATIONS AND IN ACCORDANCE WITH THE ATTACHED DETAILS.
- 3. CONTRACTOR TO PROVIDE NOA'S & INSTALL ALL MATERIALS AS PER MANUFACTURER'S SPECIFICATIONS.
- 4. INTEGRITY OF EXISTING/ HOST STRUCTURE SHALL NOT BE COMPROMISED WITH THE ATTACHMENT OF THE PROPOSED STRUCTURE.
- 5. IT IS THE OWNERS RESPONSIBILITY TO MAINTAIN THE SCREENS & FASTENERS TO MANUFACTURING SPECIFICATIONS.

ALUMINUM SPECIFICATIONS:

- 1. ALUMINUM EXTRUSIONS SHALL BE 6005 T5 ALLOY UNLESS OTHERWISE NOTED.
- 2. ALL SELF MATING BEAM SECTIONS ARE TO BE STITCHED WITH
 - a. #14 SCREWS 6" FROM ENDS & 24" CENTER TO CENTER.
 - b. #12 SCREWS 6" FROM ENDS & 18" CENTER TO CENTER.
 - c. #10 SCREW 6" FROM ENDS & 12" CENTER TO CENETER.
- 3. ROOF BRACING SHALL BE A MINIMUM 2"x3"x.050".
- 4. THE MINIMUM NORMAL THICKNESS OF PROTECTOR PANELS (KICKPLATES) SHALL BE AN INDUSTRY STANDARD OF 0.024 INCHES.
- 5. SCREEN MATERIAL SHALL BE 18/14 SCREEN UNLESS APPROVED BY FLORIDA ENGINEERING LLC.
- 6. 1"x2" & 1"x3" NON-STRUCTURAL MEMBERS MAY BE USED INTERCHANGEABLY.
- 7. DOOR LOCATION MAY BE DETERMINED/ RELOCATED BY CONTRACTOR IN THE FIELD. NOT TO AFFECT DESIGN SPANS AND STRUCTURAL MEMEBRS SHOWN

CONCRETE SPECIFICATIONS:

THE FOLLOWING SPECIFICATIONS ARE APPLICABLE TO THIS PROJECT:

- 1. WHERE CONCRETE SPECIFICATIONS ARE REQUIRED, WHETHER IN THE SCREEN ENCLOSURE SCOPE OR NOT, BY ONE OR MORE REGULATORY AGENCIES, THE FOLLOWING SPECIFICATIONS ARE APPLICABLE:
 - a. CONCRETE SHALL CONFORM TO ASTM C94 FOR THE FOLLOWING COMPONENTS:
 - i. PORTLAND CEMENT TYPE 1 - ASTM C 150
 - ii AGGREGATES - LARGE AGGREGATE 3/4 MAX. - ASTM C 33
 - iii. AIR ENTRAINING +/- 1 % - ASTM C 260
 - iv. WATER REDUCING AGENT - ASTM C 494
 - v. CLEAN POTABLE WATER
 - vi. OTHER ADMIXTURES NOT PERMITTED
 - b. METAL ACCESSORIES SHALL CONFORM TO:
 - i. REINFORCING BARS - ASTM A615, GRADE 60
 - ii. WELDED WIRE FABRIC - ASTM A185
 - c. CONCRETE SLUMP AT DISCHARGE CHUTE NOT LESS THAN 3" OR MORE THAN 5". WATER ADDED AFTER BATCHING IS NOT PERMITTED.
 - d. PREPARE & PLACE CONCRETE PER AMERICAN CONCRETE INSTITUTE MANUAL OF STANDARD PRACTICE, PART 1, 2, & 3 INCLUDING HOT WEATHER RECOMMENDATIONS.
 - e. MOIST CURE OR POLYETHYLENE CURING PERMITTED.
 - f. PRIOR TO PLACING CONCRETE, TREAT THE ENTIRE SUBSURFACE AREA FOR TERMITES IN COMPLIANCE WITH THE FBC. FOR RISK CATEGORY II, III, & IV STRUCTURES ONLY.
 - g. CONCRETE SLAB SHALL BE PLACED OVER A POLYETHYLENE VAPOR BARRIER. (SLAB ONLY)
- 2. WHEN PAVERS ARE UNDER ALUMINUM MEMBERS, CONTRACTOR SHALL EPOXY TO DECK OR GROUT TO DECK w/ 2000 PSI GROUT WITH BONDING AGENT
 - 3. WHEN APPLICABLE FOR NEW SLAB ADDITION TO ADJACENT DRILL & EPOXY #4 X 8" REBAR INTO EX. FOUNDATION EMBED 4" MIN W/ NON-SHRINKING SIMPSON EPOXY-TIE (OR EQUAL) 48" O.C. TYP. ALL LOCATIONS
 - 4. WHEN APPLICABLE FOR NEW FOOTER TO EXISTING, DRILL & EPOXY NEW STEEL INTO EX. FOUNDATION WITH EMBED 6" MIN W/ NON-SHRINKING SIMPSON EPOXY-TIE (OR EQUAL) TYP. ALL LOCATIONS
 - 5. WHERE PAVERS ARE UNDER ALUMINUM MEMBERS, CONTRACTOR SHALL EPOXY TO DECK OR GROUT TO DECK w/3000 PSI GROUT WITH BONDING AGENT.
 - 6. MINIMUM CONCRETE STRENGTH 3000 PSI UNLESS OTHERWISE NOTED.

MASONRY SPECIFICATIONS:

- 1. CONCRETE MASONRY UNITS (CMU) SHALL BE STANDARD HOLLOW UNITS AND SHALL BE 1900 PSI MINIMUM BASED ON TYPE M OR S MORTAR.
- 2. ALL MORTAR SHALL BE TYPE M OR S.
- 3. ALL GROUT SHALL BE 1800 PSI MINIMUM AND HAVE MAXIMUM COARSE AGGREGATE SIZE OF 3/8".
- 4. PROVIDE CLEAN-OUTS FOR REINFORCED CELLS CONTAINING REINFORCEMENT WHEN GROUT POUR EXCEEDS 5'-0" IN HEIGHT.

ALUMINUM MEMBERS DIMENSIONS:

HOLLOW SECTIONS
2 x 2: 2" x 2" x 0.050"
2 x 3: 2" x 3" x 0.050"
2 x 4: 2" x 4" x 0.050"
2 x 5: 2" x 5" x 0.050"

OPEN BACK SECTIONS
1 x 2: 1" x 2" x 0.044"
1 x 3: 1" x 3" x 0.045"

SNAP SECTIONS
2 x 2 SNAP: 2" x 2" x 0.045"
2 x 3 SNAP: 2" x 3" x 0.050"
2 x 4 SNAP: 2" x 4" x 0.045"

SELF MATING (SMB)
2 x 4 SMB: 2" x 4" x 0.046" x 0.100"
2 x 5 SMB: 2" x 5" x 0.050" x 0.116"
2 x 6 SMB: 2" x 6" x 0.050" x 0.120"
2 x 7 SMB: 2" x 7" x 0.055" x 0.120"
2 x 8 SMB: 2" x 8" x 0.072" x 0.224"
2 x 9 SMB: 2" x 9" x 0.072" x 0.224"
2 x 9(H) SMB: 2" x 9" x 0.082" x 0.306"
2 x 10 SMB: 2" x 10" x 0.092" x 0.374"

ALL MAY NOT APPLY
DETAIL "A" MEMEBR DIMENSIONS

SHEET NO.	DRAWING INDEX
S/01	GENERAL NOTES
S/02	PLAN/ ELEVATIONS
S/03	DETAILS
S/04	FOUNDATION PLAN

DESIGN LOADS: 1. DEAD LOADS = 2. LIVE LOADS a. PRIMARY MEMBERS = b. SECONDARY MEMBERS = c. SCREEN ROOF = d. SOLID ROOF =	<u>MEMBER SELF-WEIGHT</u> <u>300 LB. VERT. LOAD</u> <u>200 LB. VERT. LOAD</u> <u>5 PSF</u> <u>20 PSF</u>
---	--

This item has been digitally signed and sealed by Richard E. Walker, 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.

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PORT CHARLOTTE, FLORIDA 33952
(941) 391-5980
FLEng.com
Orders@FLEng.com

CA CERT. #30782

CONTRACTOR: ROLLSHIELD LLC		PROJECT ADDRESS: CLINE 120 6TH AVE ST PETERSBURG BEACH, FL 33706	
DESIGN DATE:		06/10/2024	
REVISION 1:		07/29/2024	
REVISION 2:		08/03/2024	SHEET: 01
DRAWN BY:		SV - ES	
SCALE:		Page 47 of 118	

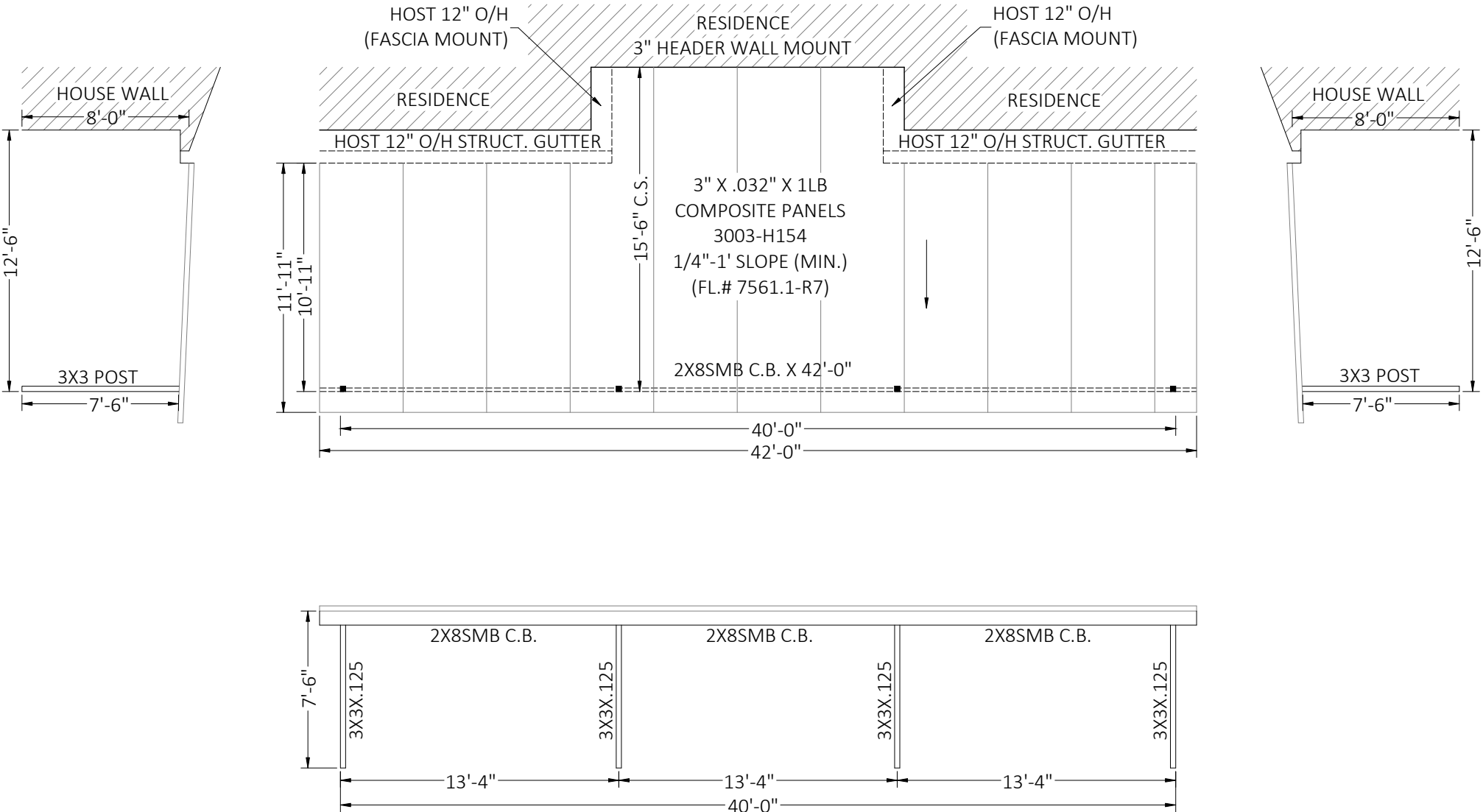
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HATCH/ SYMBOL LEGEND

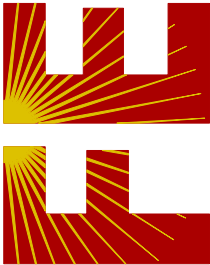
HATCH	INDICATES
	EXIST. STRUCTURE

NOTE: ALL MAY NOT APPLY

■ = 3X3X.125



PROPOSED ALUM. ROOF CANOPY/ CARPORT

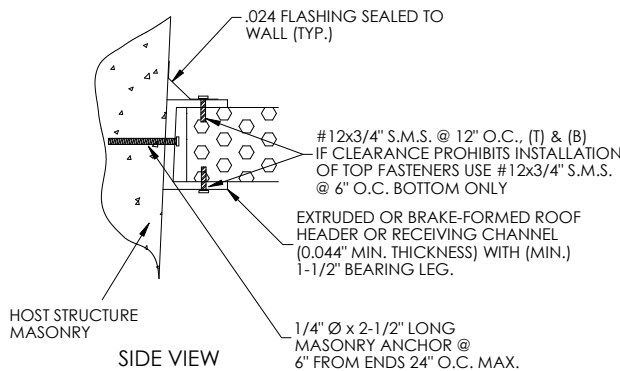


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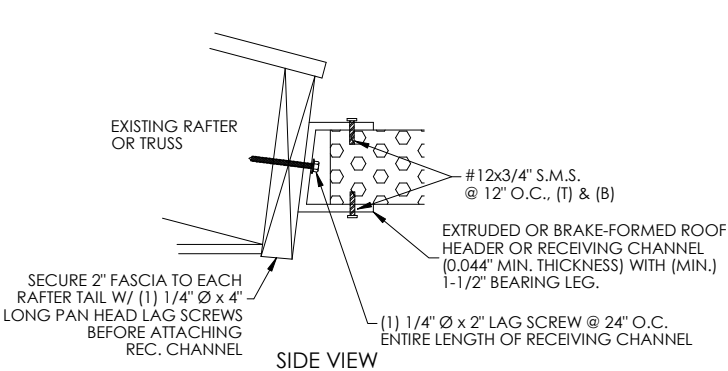
PROJECT NO. 2415969-3

CONTRACTOR: ROLLSHIELD LLC		PROJECT ADDRESS: CLINE 120 6TH AVE ST PETERSBURG BEACH, FL 33706	
DESIGN DATE: 06/10/2024		REVISION 1: 07/29/2024	
REVISION 2: 08/03/2024		SHEET: 02	
DRAWN BY: SV - ES		Page 48 of 148	
SCALE:			

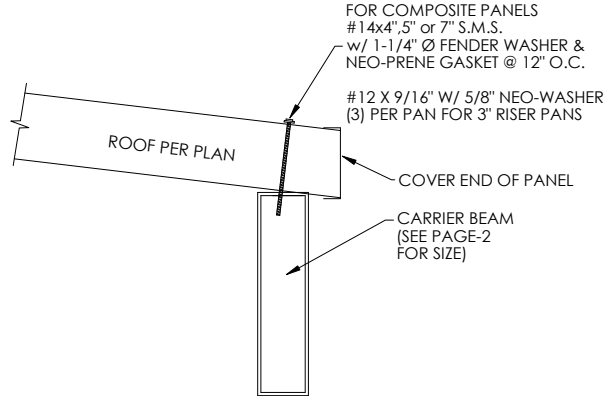
CA CERT. #30782



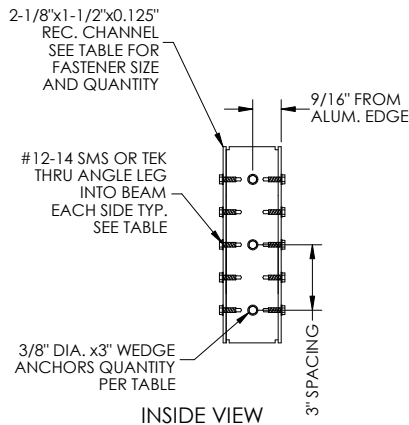
ROOF PANEL ATTACHMENT - MASONRY
SCALE: NTS



ROOF PANEL ATTACHMENT - WOOD FRAME
SCALE: NTS

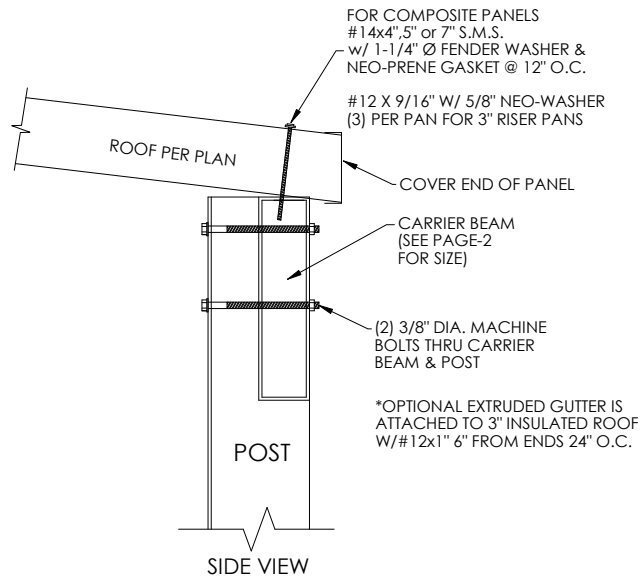


ROOF PANEL TO CARRIER BEAM
CONNECTION SCALE: NTS

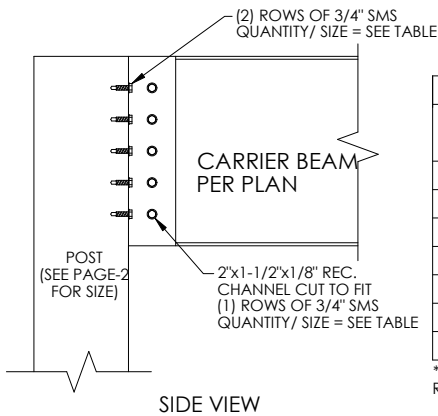


BEAM TO HOST w/ 1/8" REC. TABLE		
BEAM SIZE	QUANTITY SMS TO BEAM EACH SIDE	QUANTITY 3/8" ANCHOR (INTERNAL)
2X4	(4) #12	(2) 3/8"
2X5	(5) #12	(2) 3/8"
2X6	(5) #12	(2) 3/8"
2X7	(6) #14	(2) 3/8"
2X8	(7) #14	(3) 3/8"
2X9	(8) #14	(3) 3/8"
2X10	(9) #14	(3) 3/8"

SELF-MATING BEAM TO MASONRY WALL
CONNECTION SCALE: NTS



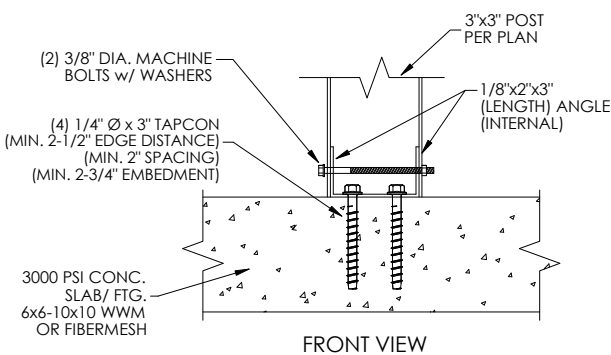
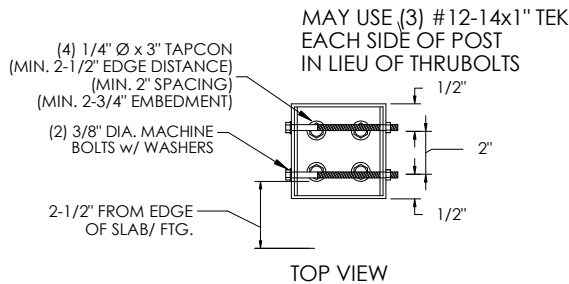
POST TO CARRIER BEAM
CONNECTION SCALE: NTS



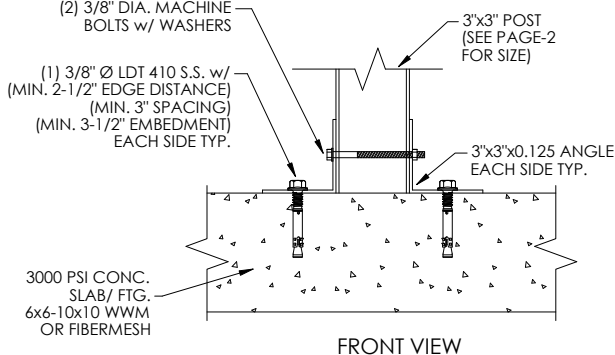
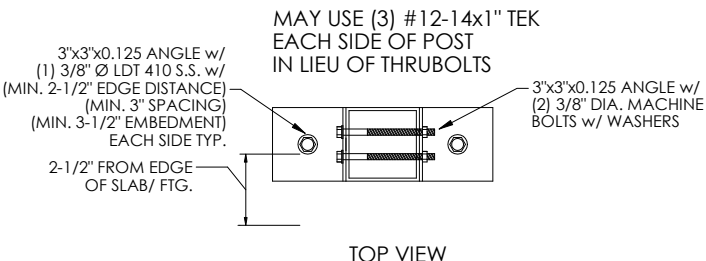
BEAM TO COLUMN w/ REC. TABLE		
BEAM SIZE	QUANTITY TO BEAM EACH SIDE	QUANTITY TO COLUMN (INTERNAL)
2X4	(4) #12	(8) #12
2X5	(5) #12	(10) #12
2X6	(5) #12	(10) #12
2X7	(6) #14	(12) #14
2X8	(7) #14	(12) #14
2X9	(8) #14	(14) #14
2X10	(9) #14	(14) #14

**MAY USE: (2) 3/8" DIA. MACHINE BOLTS THRU REC. CHANNEL & COLUMN IN LIEU OF #12/14 SMS

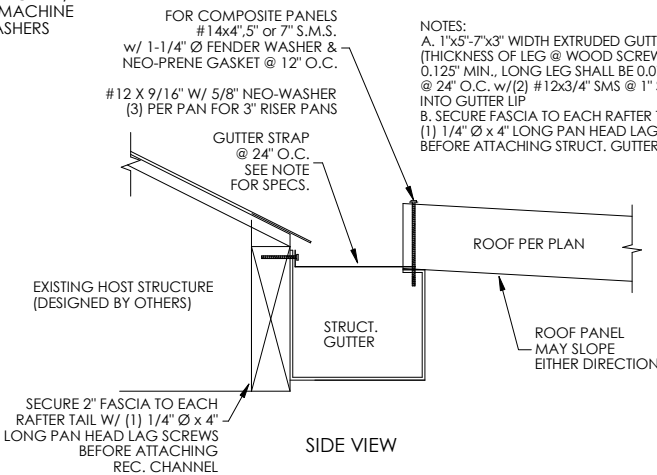
BEAM TO COLUMN CONNECTION
DETAIL SCALE: NTS



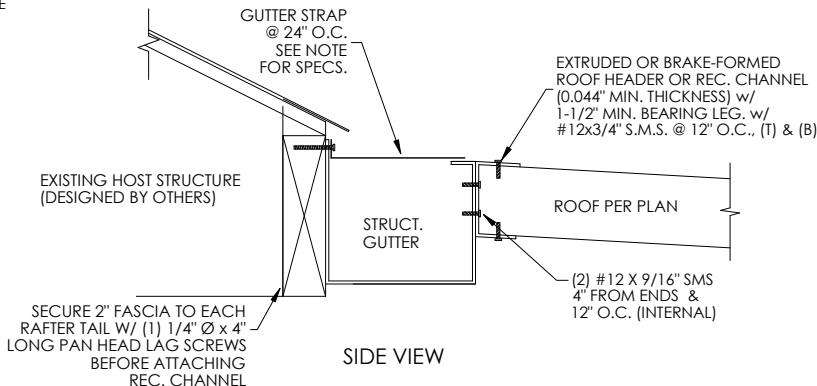
3"X3" POST CONNECTION DETAIL
(INTERNAL BASE) SCALE: NTS



3"X3" POST CONNECTION DETAIL
SCALE: NTS



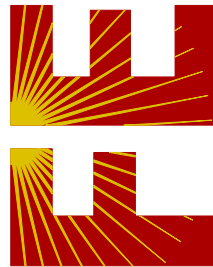
INSULATED ROOF PANEL TO GUTTER LIP
CONNECTION DETAIL SCALE: NTS



INSULATED ROOF PANEL TO GUTTER FACE
CONNECTION DETAIL SCALE: NTS

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CA CERT. #30782

PROJECT NO. 2415969-3

CONTRACTOR:
ROLLSHIELD LLC

PROJECT ADDRESS:

CLINE
120 6TH AVE
ST PETERSBURG BEACH, FL 33706

DESIGN DATE: 06/10/2024

REVISION 1: 07/29/2024

REVISION 2: 08/03/2024

SHEET:

DRAWN BY: SV - ES

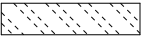
SCALE: 1/8" = 1'-0"

Page 49 of 148

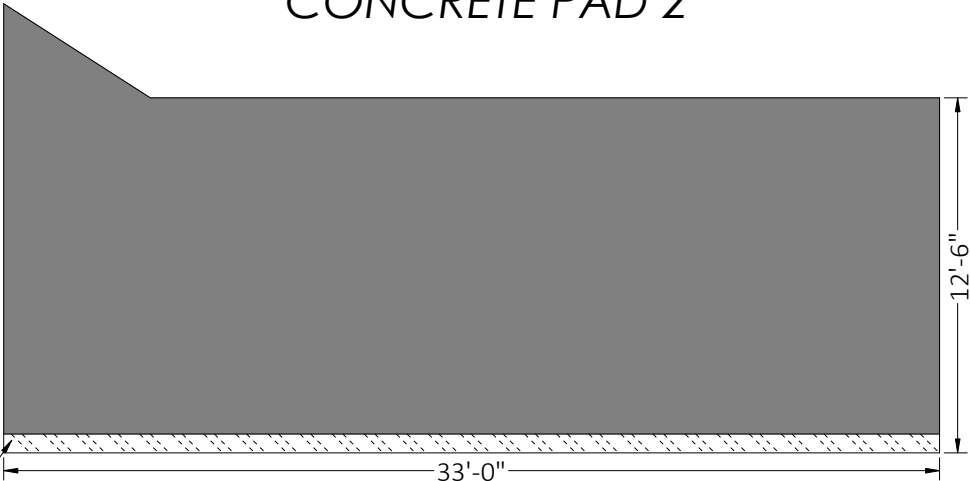
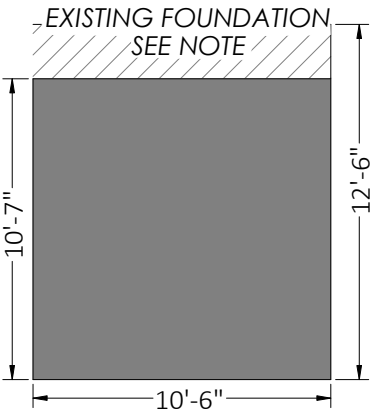
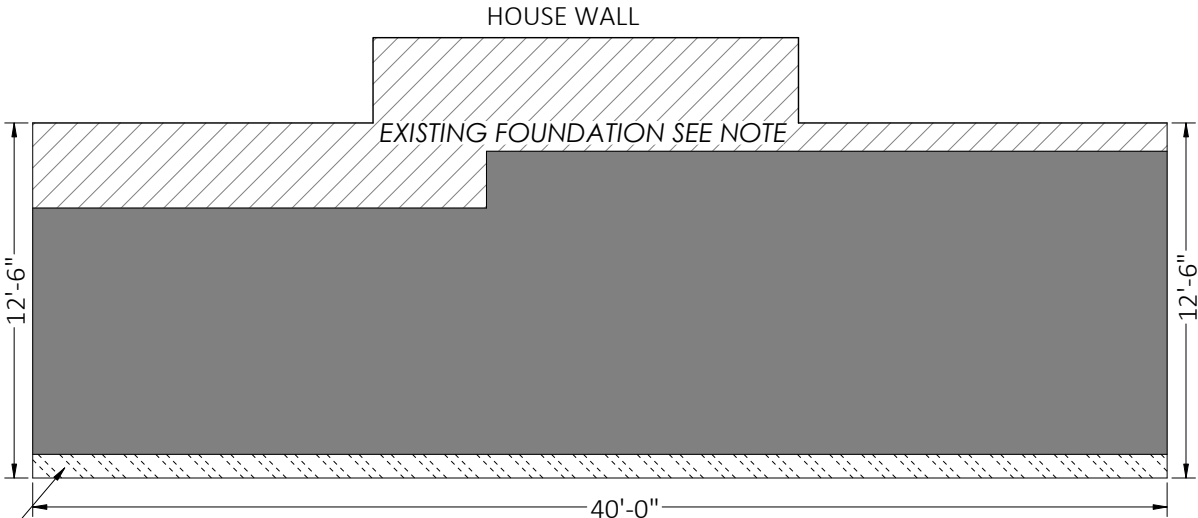
NOTE:
FOOTING SIZE EXISTING CONCRETE
SLAB. NO ADDITIONAL FOOTING OR
FOUNDATION SYSTEM IS REQUIRED BY
THE PROPOSED CONSTRUCTION IF A
MINIMUM 4" CONCRETE SLAB IS
PROVIDED IN SOUND CONDITION,
FREE FROM STRUCTURAL CRACKING,
SPALLING & OTHER DETERIORATION.
EXISTING FOUNDATION/FOOTING
UNDER CONCRETE SLAB MINIMUM
8"x8" W/ (1) #5 BAR TO BE VERIFIED
BY CONTRACTOR. SEE TYPICAL
FOOTING DETAILS FOR NEW FOOTING
DESIGN MINIMUM REQUIREMENTS.

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and sealed by Richard E. Walker,
P.E. on the date adjacent to the seal.
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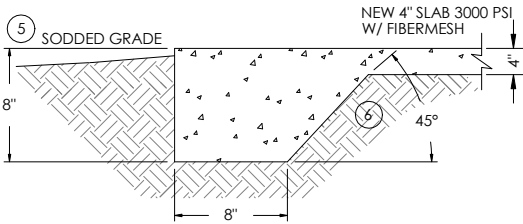
CONCRETE LEGEND

HATCH	INDICATES
	HOST/ EXIST.
	NEW FOOTING
	NEW SLAB AREA

NOTE: ALL MAY NOT APPLY



PROPOSED:
4" NOMINAL CONCRETE SLAB (3000 PSI, MIN.)
FIBER REINFORCED [POLYPROPYLENE FIBER -
1.5 POUND (MIN.) PER C.Y.
73'-0" LN. FT. OF 8"x8" THICKENED EDGE



8"x8" THICKENED EDGE FOOTING
SCALE: NTS

FLORIDA ENGINEERING LLC

4161 TAMiami TRAIL, UNIT 101

PORT CHARLOTTE, FLORIDA 33952

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CA CERT. #30782

PROJECT NO. 2415969-3

CONTRACTOR:
ROLLSHIELD LLC

PROJECT ADDRESS:

CLINE
120 6TH AVE
ST PETERSBURG BEACH, FL 33706

DESIGN DATE: 06/10/2024

REVISION 1: 07/29/2024

REVISION 2: 08/03/2024

SHEET:

DRAWN BY: SV - ES

SCALE: 1/8" = 1'-0"

Page 50 of 146

04

FOUNDATION PLAN : NTS



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

COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING

Date: October 14, 2024
To: Board of Adjustment
Re: Staff Findings Report
Practical Difficulty Variance
Address: 120 60th Ave.
Parcel Number: 36-31-15-78336-015-0200
Michael Keller, Frazee Design for Steven Cline
Variance Case No: 24054

Prepared by: Kristin Coman, Senior Planner

Hearing Date: 10/30/2024

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

1. Completed Practical Difficulty Variance package with application form.
2. Boundary Survey prepared by Murphy's Land Surveying, Inc. dated 2/28/2023, consisting of 1 sheet.
3. Plan set prepared by Frazee Design dated 8/7/24, consisting of 3 sheets which includes architectural site plan with proposed carport, shed and site improvements and shed construction plan.
4. Plan set prepared by Florida Engineering LLC dated 6/10/24, last revised 8/3/24 consisting of 4 sheets which includes canopy/carport plan and concrete foundation plans.
5. Photo set 1-A to 1-L, consisting of 12 pages showing property details and examples.
6. Photo set 3-A to 3-G, consisting of 7 pages showing existing improvements.
7. Completed Impervious Surface Ratio (ISR) worksheet.

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

Site Description/Surrounding Land Uses

The subject site is a 6,691 sq. ft. (approx. .15 acre) parcel located at 120 60th Ave. known as parcel number 36-31-15-78336-015-0200 and legal description of ST PETERSBURG BEACH 1ST ADD BLK 15, LOT 20 & NE'LY 1/2 OF LOT 19 within the AE-Elevation 10 flood zone. The property is located in the RU-1, Residential District zone; RU on the future land map and consisting of a single-family dwelling constructed in 1953 according to the Pinellas County Property Appraiser. There are single-family uses to

the east and south. Located to the north is 60th Ave. and Sylvette Condominiums and a fourplex to the west. The interior property is improved with a one-story dwelling with concrete driveway, existing carport and residential storage building.

Figure 1: Aerial Photography



Source: Pinellas County Property Appraiser

Figure 2: Zoning Map



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

Request and Analysis

The applicant proposes removal and replacement of two accessory structures currently situated on the property and installation of an additional concrete driveway and patio area where gravel exists.

The applicant requests a four-part variance for:

- Removal of existing carport and construct new 11'7" x 40', 8' h carport with proposed side yard setback of 2' where 6.7' is required (LDC Sec.6.13(a)(1));
- Installation of 12'6" x 33' long patio area with side yard setback of 1' where 2' is required (LDC Sec. 6.13(2)(d)(2));
- Replacement of existing 112 sq. ft. residential storage building where a maximum of 80 sq. ft. is permitted (LDC Sec. 6.13(b)(5)(a)); and,
- Proposed residential storage building to have overall height of 9' where maximum height of 8' is permitted (LDC Sec. 6.13(b)(5)(b)).

Figure 3: Zoning Table			
Accessory Structures	120 60 th Ave.		
	Required	Existing	Proposed
Carport, Side Yard Setback (Min.)	6.7'	0.77'*	2'(v)
Patio, Side Yard Setback (Min.)	2'	n/a	1'(v)
Residential Storage Building			
Square Footage (Max.)	80 sq. ft.	112 sq. ft.*	112 sq. ft.(v)
Front Yard Setback (Min.)	60'	79'	85'
Side Yard Setback (Min.)	along property line	2.6'	4'
Rear Yard Setback (Min.)	along property line	4'6"	4'
Residential Storage Building, Height (Max.)	8'	7'6"	9'(v)
*Denotes existing non-conformity (v) Variance required			

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

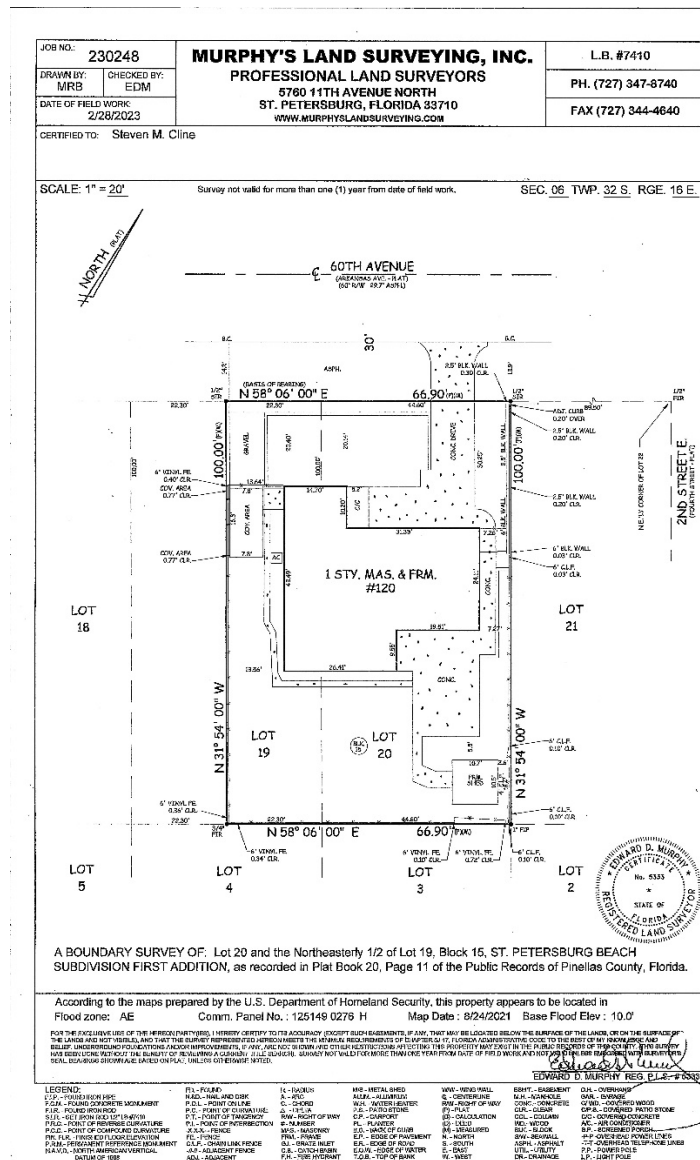


Figure 5: Survey with Proposed Improvements (N.T.S.)

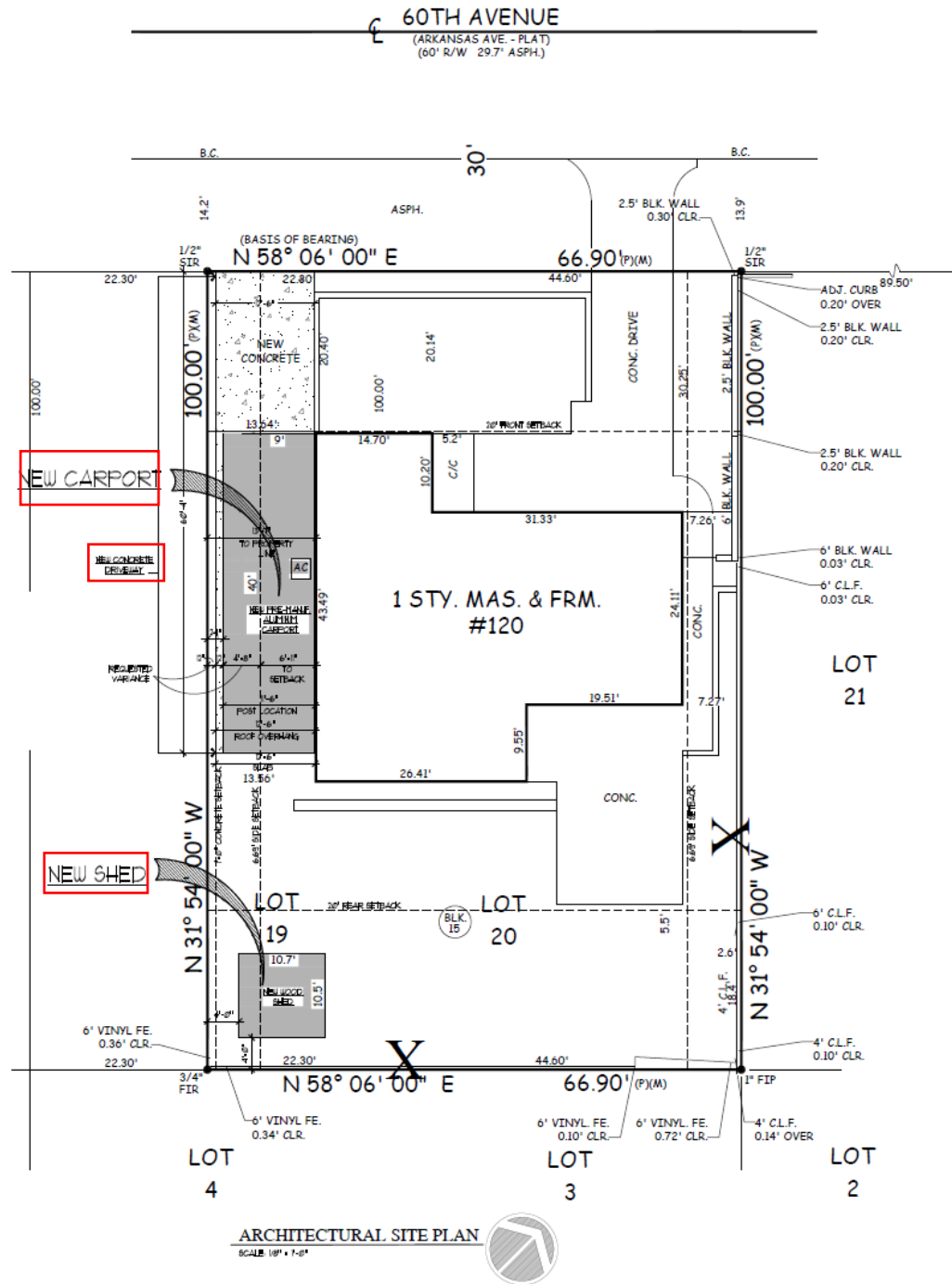


Figure 6: Existing Carport**Figure 7: Existing Residential Storage Building****Additional Comments**

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

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

- How substantial the variance is in relation to the requirement sought to be varied;
- *The existing carport currently maintains a current nonconforming .77' side yard setback where an increased side setback of 2' is proposed. The applicant is also proposing to remove an existing residential storage structure of the same nonconforming square footage and*

- increase the height an additional 1.5' creating 1' higher than permitted. The proposed installation of the additional concrete driveway and area under the carport is 1' closer to the side property line where 2' is required.*
- Whether an adverse change will be produced in the character of the neighborhood;
 - *Staff finds that no adverse change will be produced in the character of the neighborhood with the proposed improvements. Conforming 6' high fencing with gates currently exists along the rear and side property lines effectively shielding most of the existing carport and residential storage structure. While the location of the residential storage building will change it does not appear that there will be an adverse change with the additional height proposed.*
 - Whether the difficulty can be obviated by some method feasible for the applicant to pursue other than by a variance; and
 - *The applicant has indicated that the current location of the mechanical equipment would need to be relocated to increase the side yard setback of the carport which would decrease the efficiency and longevity of the unit. Based on the current setbacks of the dwelling, the carport could only be feasible to be located within the side yard proposed. The driveway and proposed patio/parking area creates the improved surface under the carport area.*
 - Whether, in view of the manner in which the difficulty arose, the interest of justice will be served by allowing the variance.
 - *No permits could be located for the existing residential storage structure or carport. Historical imagery supports a version of carport that has existed in place on the property since at least 2002. This could not be confirmed with the residential storage building as there is a dense tree canopy in the location of the existing structure.*

Other:

- The applicant should provide testimony as to the desire to increase the height of the proposed residential storage structure and types of materials to be stored within.
- Applicant should provide testimony as to how the stormwater runoff shall be directed and maintained on the property to ensure compliance with LDC Sec. 6.13(b)(3).

Summary

If the Board determines that the applicant and/or owner has provided substantial and competent evidence meeting the required criteria, Staff recommends the following condition(s) for consideration:

- 1) Stormwater runoff shall be directed and maintained on the property to ensure compliance with LDC Sec. 6.13(b)(3).

In addition, 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: Michael Keller of Frazee Design, Applicant **via email** (mkeller@frazedesign.com)
Steven Cline, Owner **via email** (steve@stevenmcline.com)
Board of Adjustment Attorney

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

Agenda Report

Agenda Title Name: Case No. 24060 - 315 Corey Ave.

Action Request: As directed by the Board of Adjustment

Options:

Motion to approve Case No. 24060 with staff recommendation(s),

1. Operation of the internally illuminated signs to be limited to hours of operation

OR

Motion to approve Case No. 24060 as proposed,

OR

Motion to deny Case No. 24060

Strategic Objective:

Date: October 30, 2024

Prepared By: Gilbert Martinez, Senior Planner

Through: Denise Sanderson

Summary of Issue: *Unnecessary and Undue Hardship Variance:* John A. Bodziak for 315 Corey Ave, LLC requests a variance to reinstall two illuminated marquee signs and two illuminated playbill signs in addition to the existing illuminated blade sign, allowing for a total of five commercial signs where three are permitted and allowing all five to be illuminated along Corey Avenue where none are permitted to be illuminated along Corey Avenue (LDC Sec. 26.33).

Funding: n/a

Attachments:

1. 24060 - 315 Corey Ave, Variance Submittal Set
2. 24060 - 315 Corey Ave., Staff Report

CASE #: _____

PARCEL #: 36-31-15-77994-061-0110

SUBMITTAL DATE: 9/13/24 AMOUNT DUE: _____ PAYMENT DATE: _____

UNNECESSARY AND UNDUE HARDSHIP VARIANCE APPLICATION

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

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

OWNER/AGENT INFORMATION:

Identification	Name	Address	Phone #
Owner	315 Corey Ave, LLC	3600 Centro St, St Pete Beach, FL 33706	813-777-0219
Applicant/ Agent	John A. Bodziak	5665 Central Ave, St. Petersburg, FL 33710	727-327-1966
Owner Email Address: hhockman@thebeachtheater.org		Applicant/Agent Email Address: jack@jabodziak.com	

PROPERTY FOR PROPOSED VARIANCE:

Zoning Designation TC-1	Future Land Use Designation TC-1	Lot Area 4,832 SF
Legal Description: See Exhibit "A" attached hereto.		
Address: 315 Corey Avenue, Saint Pete Beach, FL 33706		
Explanation of Request: _____ Allow restoration and reinstallation of five historic illuminated signs. (LDC 26.33) _____ _____ _____ _____		

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 Exhibit "B" attached hereto

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

See Exhibit "B" attached hereto

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 Exhibit "B" attached hereto

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 Exhibit "B" attached hereto

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

See Exhibit "B" attached hereto

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 Exhibit "B" attached hereto

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

See Exhibit "B" attached hereto

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 Exhibit "B" attached hereto

Signature of Applicant

Date

Signature of Authorized Agent

Date

Exhibit A
Unnecessary Undue Hardship Variance Request
(as part of Exterior Renovation Permit Application)

315 Corey Avenue
St. Pete Beach, FL 33706

Exhibit "A"
Legal Description

BLOCK 61 LOT 11 RE-PLAT ST. PETERSBURG BEACH SUB-DIVISION ACCORDING TO PLAT THEREOF AS RECORDED IN PLAT BOOK 5 PAGES 28 AND 29 OF THE PUBLIC RECORDS OF PINELLAS COUNTY FLORIDA LESS THE FOLLOWING DESCRIBED PORTION THEREOF:
FROM THE MOST WESTERLY CORNER OF SAID LOT 11 AS POINT OF BEGINNING, RUN NORTHEASTERLY ALONG THE NORTHWESTERLY LINE OF SAID LOT 11, 1.86 FEET; THENCE SOUTHEASTERLY A STRAIGHT LINE TO A POINT ON THE SOUTHEASTERLY LINE OF SAID LOT 11, SAID POINT BEING 1.7 FEET NORTHEASTERLY OF THE MOST SOUTHERLY CORNER OF SAID LOT 11; THENCE SOUTHWESTERLY ALONG THE SOUTHEASTERLY LINE OF SAID LOT 11, 1.7 FEET; THENCE NORTHWESTERLY ALONG THE SOUTHWESTERLY LINE OF SAID LOT 11 TO THE POINT OF BEGINNING.

Exhibit B
Unnecessary Undue Hardship Variance Request
(as part of Exterior Renovation Permit Application)
315 Corey Avenue
St. Pete Beach, FL 33706

Exhibit "B"
Unnecessary Undue Hardship Variance Application

- 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;

Response:

As is abundantly recognized the Beach Theater is one of very few remaining historic landmarks in St. Pete Beach, and is currently undergoing an historic renovation. The signage was taken down by previous owners with the intent of restoring and reinstalling to its original positions. The City is requiring the proper permitting prior to reinstallation of restored signs, however any attempt to bring the original historic signs into compliance with current signage codes would deny the building much of its authenticity and would not correctly represent the building's original character.

Also, the building's proximity to the property line, requires that the signage intrudes into that setback as it has originally, also the signage has an unusual purpose and use, in that its intent is to on a regular basis, rotate descriptions of the current events being staged within the building.

We are herein requesting that two illuminated display/marquee signs (measuring 12' x 7'-3") that post the current events be allowed to be restored to their original position, prior to being taken down for repair. Additionally, the illuminated decorative display blade sign should historically be allowed to continue to identify the building properly, and the two illuminated 5' x 3' glass enclosed playbill signs that play an important part in announcing upcoming events, are also being requested for approval of reinstallation on the front surface of the building.

The combination of these signs serve three purposes, the blade sign identifying the building, the two display/marquee signs announce the current event being presented at the venue, and the two glass boxed playbill display signs announce upcoming events. These are traditional signage for not only this venue, but any theater restoration, and each specific signage group is very important to the theater's success. The historic board has recommended approval and we respectfully request that we are approved and allowed to reinstall these important pieces of this historic venue's legacy and vital to the financial success of the theatre.

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

Response:

The prior owner, not recognizing that a permit should have been obtained prior to the removal of these signs, removed them with the intent of restoring and reinstalling them. The prior owners were not aware the simple act of taking the existing signs down in preparations for renovation would create a violation of the intent of the applicable code.

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

Response:

Please recognize that the historic nature and unusual use/purpose of this building creates a need for signage identification not common to other uses found on typical commercial properties as governed by the codes of the City of St Pete Beach.

- 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;

Response:

The historic use of the structure is intended to be maintained. There is no proposed change to the use of the structure or development intensity.

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

Response:

Preservation of a building of this use is very difficult in today's society as theaters have lost their appeal and become increasingly hard to maintain financially, as the marketplace has simply reduced significantly for this type of venue.

- 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;

Response:

There are no similar properties of this type located in this Zoning District.

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

Response:

The requested signage is the minimum necessary for the reasonable use and function of this historic property. It should be noted that in the past the building had several other signs, including a total of (4) playbill signs, therefore we believe it is a fair and reasonable compromise to allow the five signs requested.

- 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.

Response:

The requested variance is in harmony with the general intent and purpose of the comprehensive Plan and Land Development Code, and in fact the return to operation of this landmark venue will be a benefit to neighboring businesses along the Historic Corey Avenue corridor.

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.

1 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

Date _____

DEAR APPLICANT:

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

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

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

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

Owner's Authorization for Agent

Community Development Department

City of St. Pete Beach, Florida

315 coney Ave LLC

I/WE

Ron Hockman managing member
(print name of property owner)

hereby authorize

John A. Bodziak, AIA
(print name of agent)

to represent me/us in an application for Variance, COA Historical Commission Submission
(type of application: variance, conditional use, zoning, etc.)

RH

Signature of Owner

Signature of Owner

Ron Hockman

Print Name of Owner

Print Name of Owner

The forgoing instrument was acknowledged before me this 30 day of May 2024 by Ron Hockman or who is personally known produced

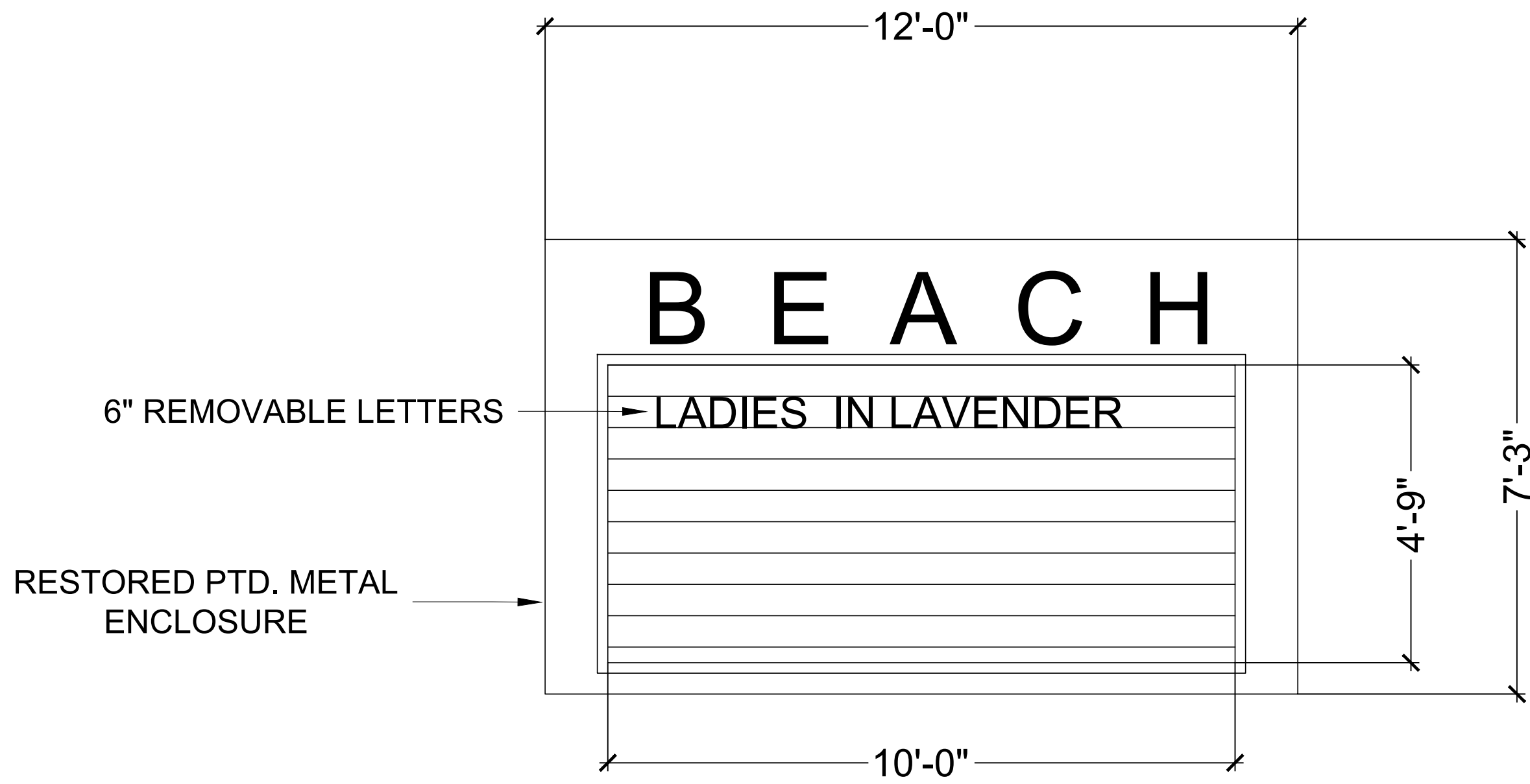
as identification.

Cynthia D. Armsden
(Notary Signature)

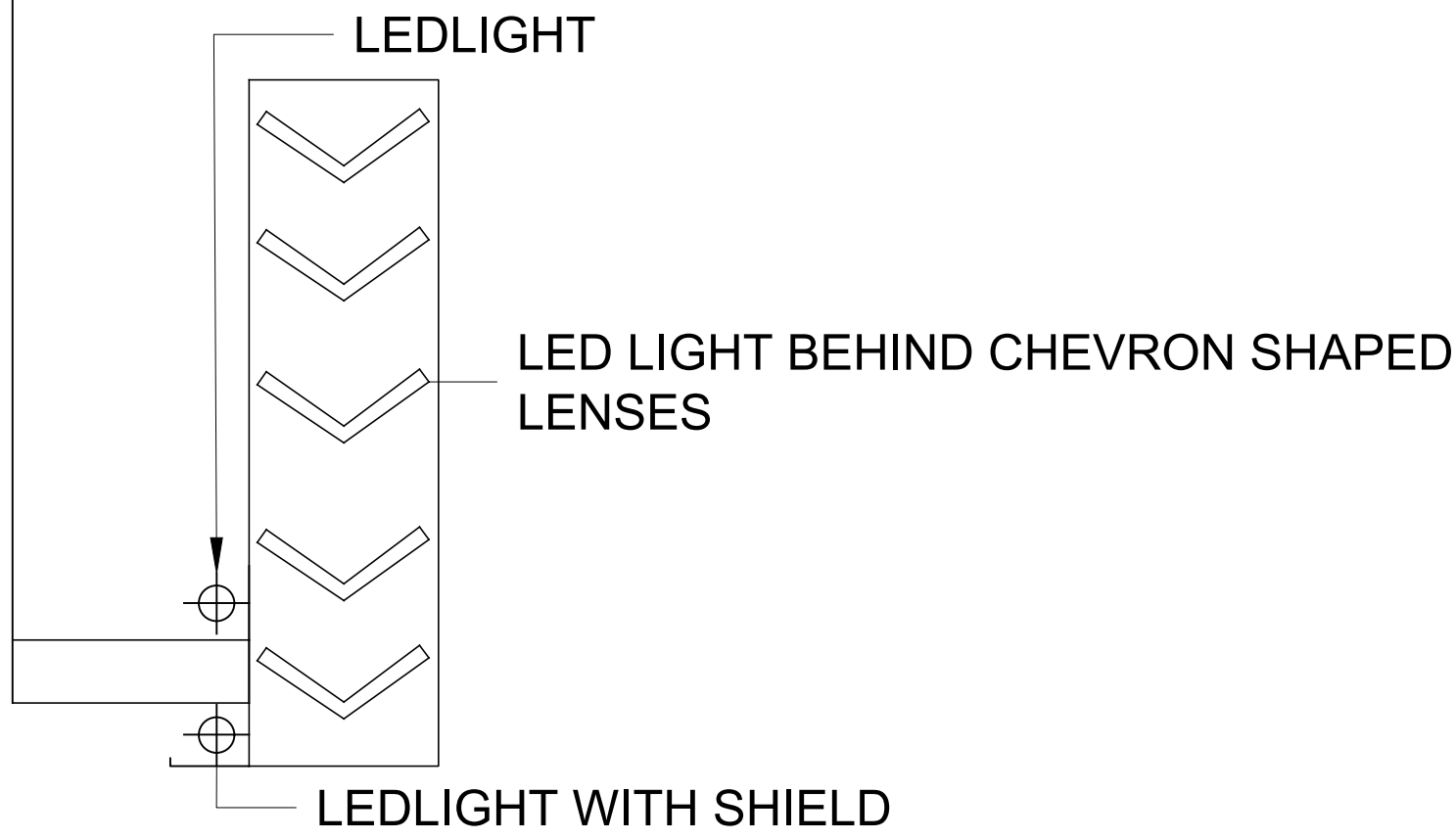
My Commission Expires _____

5-30-24
(Date)

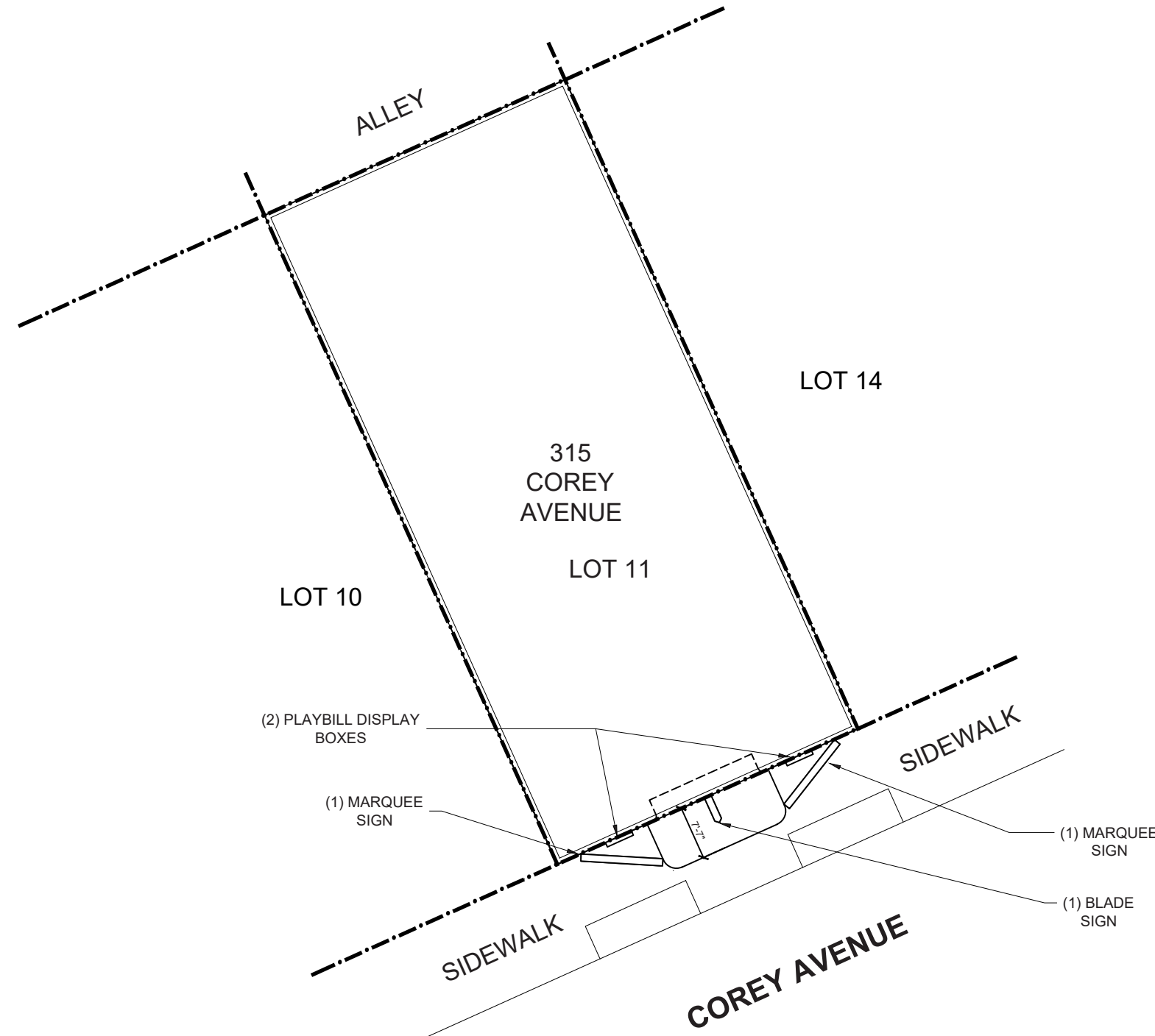




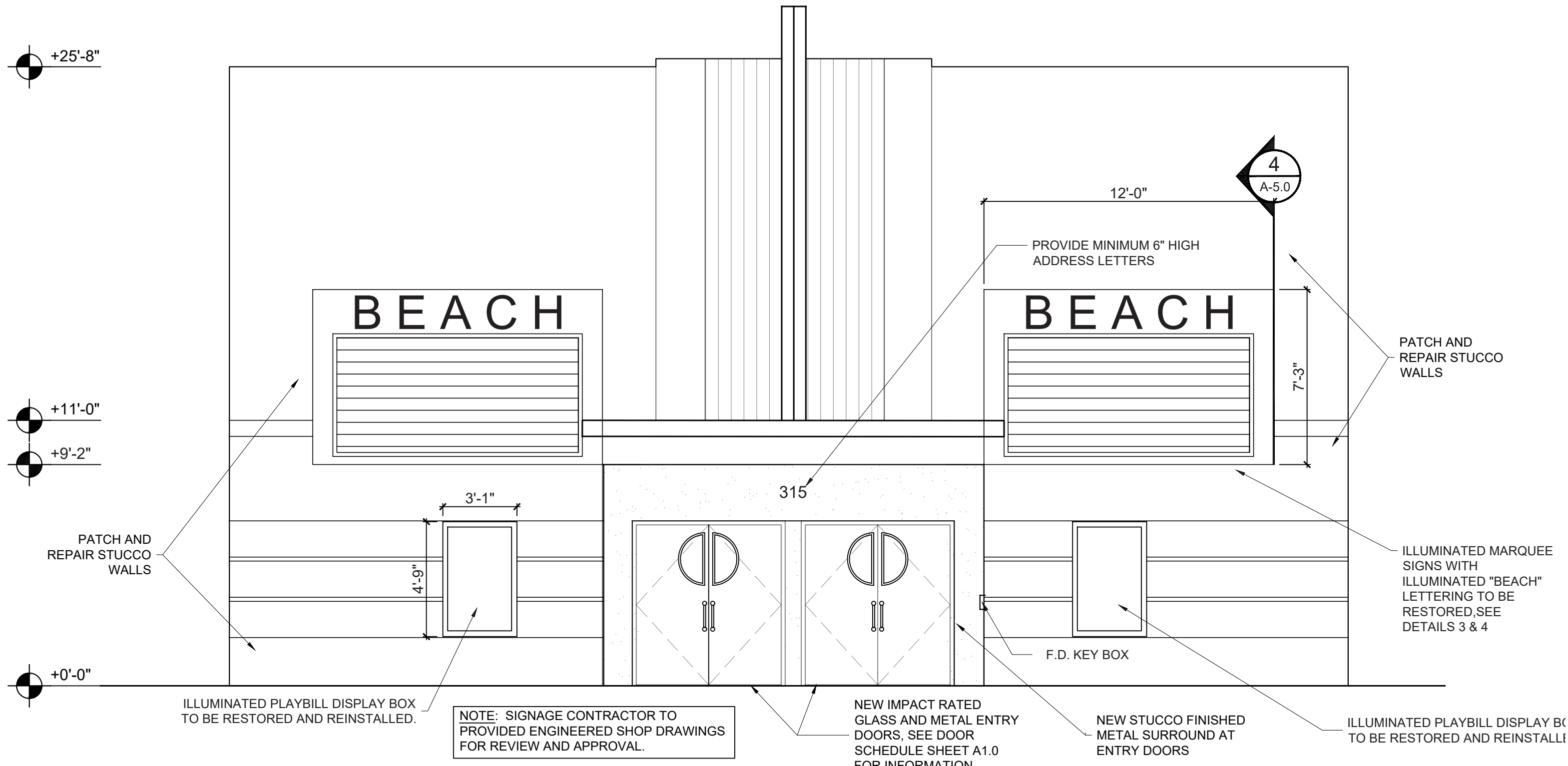
3 MARQUEE SIGN ELEVATION
SCALE: 1/2" = 1'-0"



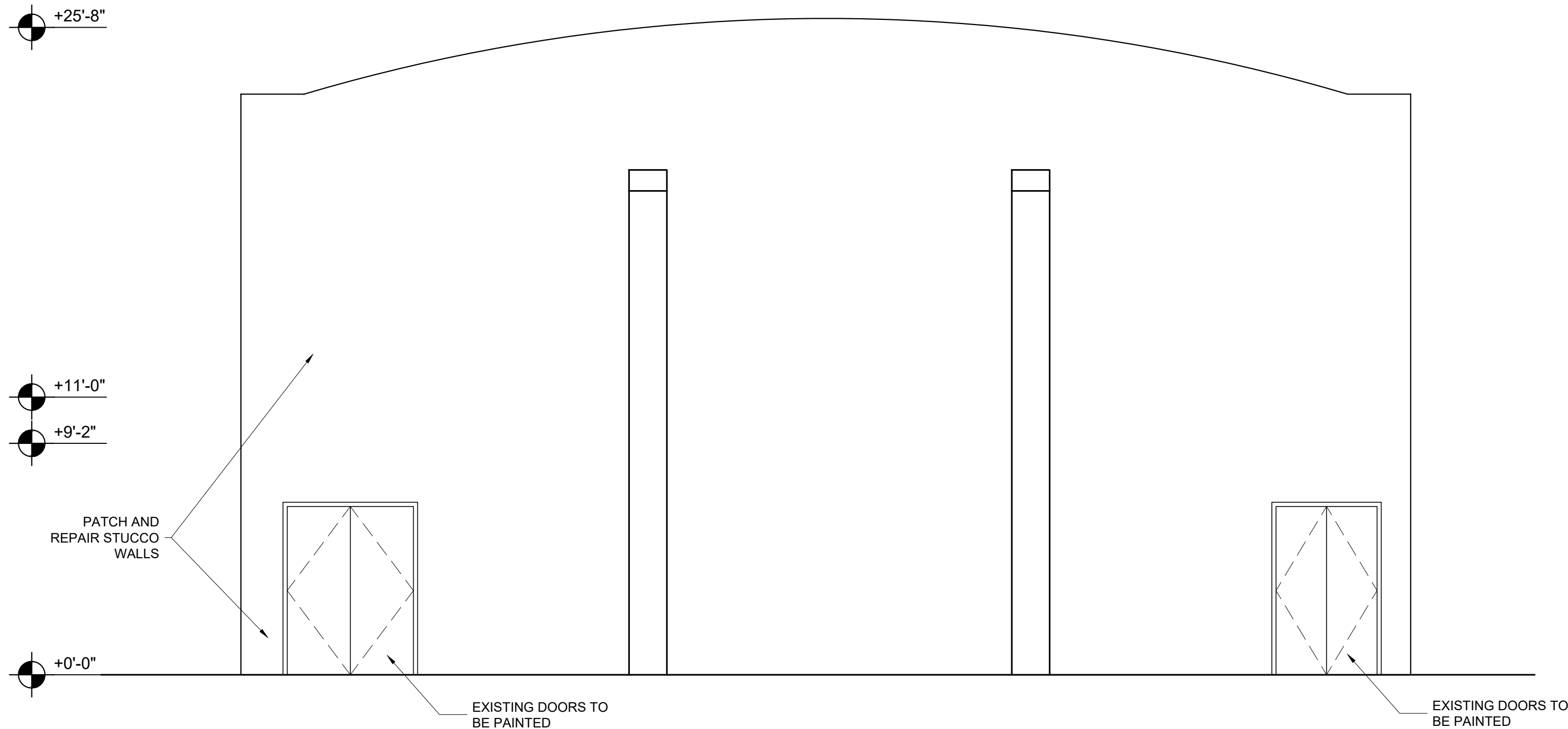
4 MARQUEE SIGN- SIDE ELEVATION
SCALE: 1/2" = 1'-0"



5 SIGNAGE PLAN
SCALE: 1" = 20'-0"



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



2 REAR ELEVATION
SCALE: 1/4" = 1'-0"

CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND COORDINATE ALL FIELD CONDITIONS. ALL DISCREPANCIES AND CONFLICTS SHALL BE REPORTED TO THE ARCHITECT IN WRITING PRIOR TO PROCEEDING OR CONTINUING WITH CONSTRUCTION. UNREPORTED DISCREPANCIES AND CONFLICTS SHALL REMAIN THE RESPONSIBILITY OF THE CONTRACTOR.

JOHN A. BODZIAK & ASSOC., INC. HEREBY RESERVE ITS RIGHT IN THESE PLANS, DESIGN AND DESIGN. THESE PLANS, DESIGN AND DESIGN ARE THE PROPERTY OF JOHN A. BODZIAK & ASSOC., INC. AND ARE NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION AND SIGNATURE OF JOHN A. BODZIAK & ASSOC., INC. ANY VIOLATION SHALL BE PROSECUTED TO THE FULL EXTENT OF THE LAW AND JOHN A. BODZIAK & ASSOC., INC. SHALL BE RESPONSIBLE FOR THE PROTECTION OF THESE PLANS FROM THE UNAUTHORIZED COPIING AND REPRODUCTION OF THESE PLANS.

NO.	DATE	DESCRIPTION
	5/29/2024	Permit Resubmittal
	6/27/2024	Permit Resubmittal
	8/23/2024	Exterior Renovations Permit

PROJECT

BEACH THEATRE

315 COREY AVE, ST. PETE BEACH

EXTERIOR ELEVATIONS

BODZIAK/HAYES

ARCHITECTS, PLLC

JOHN A. BODZIAK, AIA, FL LIC #AR0005065

BRITT HAYES, RA, FL LIC #AR102428

5665 CENTRAL AVE, SAINT PETERSBURG, FLORIDA 33710

EMAIL: JACK@BODZIAKHAYES.COM / BRITT@BODZIAKHAYES.COM

TEL: (727) 327-1966 / FAX: (727) 826-0986

DRAWN BY: JAB

UPDATED ON: Sep. 13, 24

DATE: MAR - 2024

JAB PROJECT #: 2024-006

SHEET #

A-5.0

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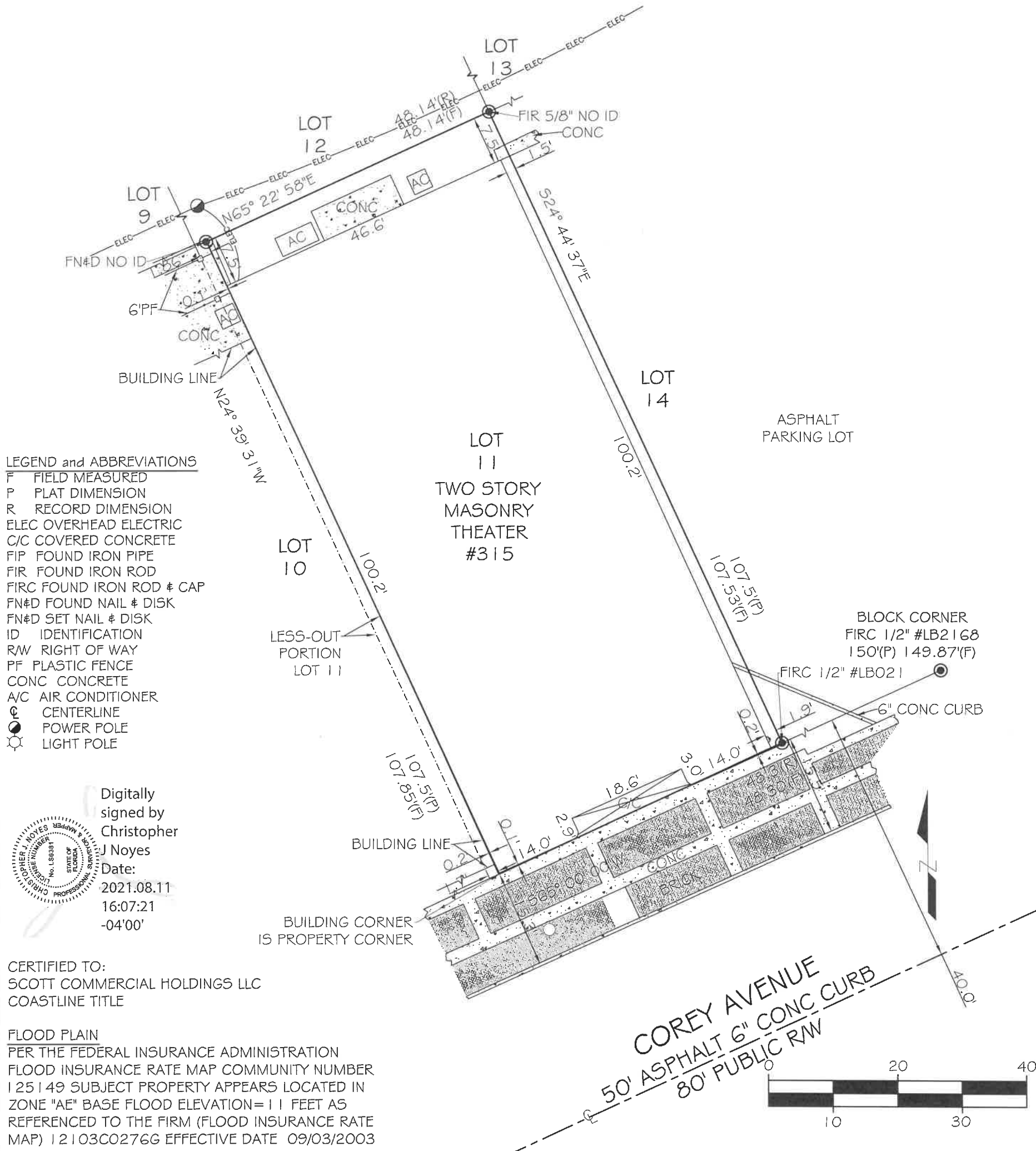
PROPERTY ADDRESS;
315 COREY AVENUE
ST. PETERSBURG BEACH FL 33706

SECTION 36 TOWNSHIP 31 S RANGE 15 E
A BOUNDARY SURVEY OF:
BLOCK 61 LOT 11

RE-PLAT ST. PETERSBURG BEACH SUB-DIVISION

ACCORDING TO PLAT THEREOF AS RECORDED IN PLAT BOOK 5 PAGES 28 AND 29 OF THE PUBLIC
RECORDS OF PINELLAS COUNTY FLORIDA

LESS THE FOLLOWING DESCRIBED PORTION THEREOF:
FROM THE MOST WESTERLY CORNER OF SAID LOT 11 AS A POINT OF BEGINNING, RUN NORTHEASTERLY ALONG THE
NORTHWESTERLY LINE OF SAID LOT 11, 1.86 FEET; THENCE SOUTHEASTERLY A STRAIGHT LINE TO A POINT ON THE
SOUTHEASTERLY LINE OF SAID LOT 11, SAID POINT BEING 1.7 FEET NORTHEASTERLY OF THE MOST SOUTHERLY CORNER
OF SAID LOT 11; THENCE SOUTHWESTERLY ALONG THE SOUTHEASTERLY LINE OF SAID LOT 11, 1.7 FEET; THENCE
NORTHWESTERLY ALONG THE SOUTHWESTERLY LINE OF SAID LOT 11 TO THE POINT OF BEGINNING.





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

PLANNING DEPARTMENT

Date: October 18, 2024

To: Board of Adjustment

Re: Variance Case No: 24060
Unnecessary and Undue Hardship Variance
Staff Findings Report

Location: Address: 315 Corey Ave.
Parcel Number: 36-31-15-77994-061-0110
John Bodziak for 315 Corey Ave., LLC

Prepared by: Gil Martinez, Senior Planner

Hearing Date: October 30, 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 and supporting documents, submitted 09/12/24.
2. Amended responses to variance criteria and staff questions, submitted 09/13/24.
3. Plan set prepared by Bodziak/Hayes Architects, PLLC dated Mar 2024, last revised 8/23/24 consisting of 2 sheets.
4. Boundary Survey prepared by Christopher J. Noyes PSM, LLC dated 8/6/21, consisting of 1 sheet.

Staff offers the following for the Board's consideration:

Site Description/Surrounding Land Uses

The subject site is an approximately 0.11 acre parcel/commercial bay located at 315 Corey Ave. known as parcel number 36-31-15-77994-061-0110 and legal description of ST PETERSBURG BEACH REPLAT BLK 61, LOT 11 LESS THAT PART DESC AS BEG MOST W'LY COR OF SD LOT TH NE'LY 1.86FT ALG NW'LY LOT LINE TH SE'LY TO PT ON SE'LY LOT LINE TH SW'LY ALG SD SE'LY LOT LINE 1.7FT TO MOST S'LY COR OF SD LOT TH NW'LY ALG SW'LY LOT LINE TO POB within the AE-Elevation 10 flood zone.

The property is in the **TC-1– Town Center zone; TC-1 on the future land map** and presently consists of an approximately 4,832 square foot historic movie theatre.

Surrounding Uses Include:

North: Commercial- CR Bros. Hardware Store
South: Commercial- Simply Perfet Boutique
East: Commercial- Beach Memorial Chapel
West: Commercial- Natural Comfort Footwear

Background

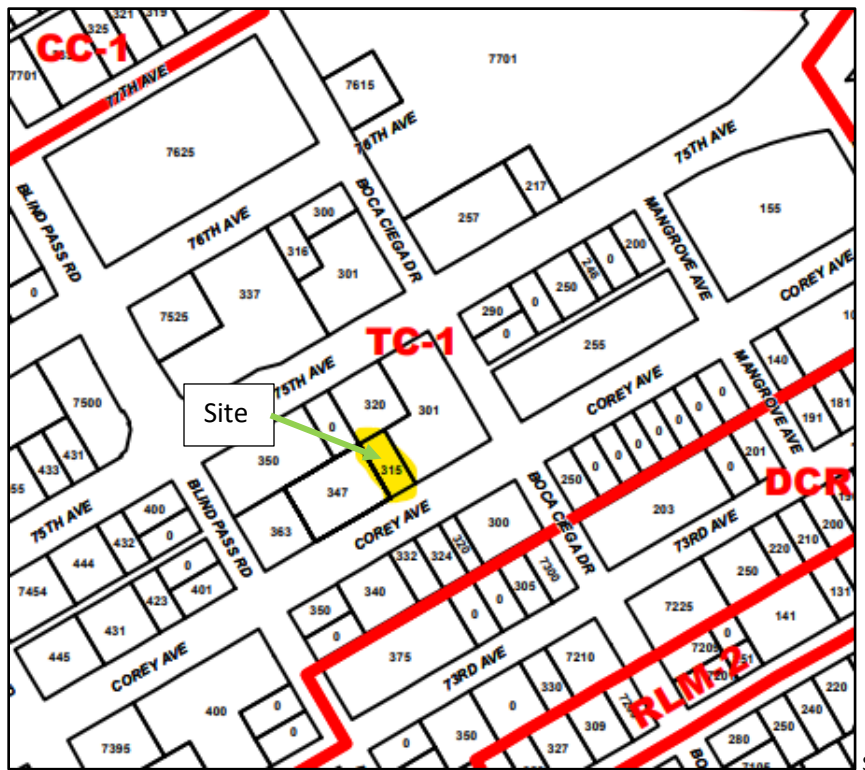
Constructed in 1939, the Beach Theater was one of the earliest buildings along Corey Avenue. Designed by St. Petersburg architect Winfield Lott, it was built for approximately \$50,000 by Boston financier Stephen Girard. The Beach Theater opened in January 1940 as the first movie theater in Pinellas County equipped with sound and air conditioning. It has been closed since 2012. Since being designated as a landmark last year, the Beach Theater has come under new ownership by 315 Corey Ave. LLC, with Ron Hockman as the managing member. The estimated cost of the proposed renovations is \$300,000. On July 6, 2023, The Beach Theatre was classified as a Locally Registered Historic Structure.

Figure 1: Aerial Photography



Source: Pinellas County Property Appraiser

Figure 2: Zoning Map



Source: City of St. Pete Beach Zoning Map

Request and Analysis

The applicant is requesting an Unnecessary and Undue Hardship Variance to Land Development Code (LDC) Sec. 26.33 to reinstall two illuminated marquee signs and two illuminated playbill signs in addition to the existing illuminated blade sign, allowing for a total of five commercial signs where three are permitted and allowing all five to be illuminated along Corey Avenue where none are permitted to be illuminated along Corey Avenue.

Sec. 26.33. - TC-1 and TC-2 Districts.



In addition to the permanent and temporary signs and sign-types that are allowed pursuant to [section 26.25](#), each business within the TC-1 or TC-2 District may have up to three of the following signs in [subsections] (a)—(f) below, subject to permit approval and compliance with the conditions for each type of sign. One of the allowable signs may be internally illuminated subject to [section 26.23](#). Such signs shall not be located on any building façade or property frontage adjacent to Corey Avenue.

- (a) One sandwich board sign or one designer sign, subject to the following:
 - (1) *Sandwich board*—Shall be located in front of the storefront for which it advertises and will not be placed in the right-of-way, not be placed within the visibility triangle required for intersections at streets and driveways, as required by this Code, be no larger than five feet in height and 12 square feet in area per face, shall have no illumination of any kind, and may be displayed only during the time when the business is open to the public.
 - (2) *Designer sign*—Shall not be located on public right-of-way or within the visibility triangle required by this Code and shall be no larger than five feet tall by three feet wide by three feet deep.
- (b) A marquee or canopy sign;
- (c) A menu display sign;
- (d) A projecting sign, provided that the sign is no larger than 12 square feet in area, does not project within two feet of any curb, and has a minimum ground clearance of seven feet;
- (e) A wall sign, provided the sign is not internally illuminated, unless such sign is on a parcel which abuts Gulf Boulevard south of 76th Avenue, in which case internal illumination shall be allowed. The area of the sign may be one square foot for every linear foot of building frontage, per business, not to exceed a total of 50 square feet.
- (f) A freestanding monument sign, provided that the sign face does not exceed 40 square feet in area, is not taller than eight feet in height, does not block any pedestrian walkway, and is not located within the visibility triangle as required by this Code. The sign may be located within the front yard setback.
- (g) *Waterside identification signs*. For facades of a building that can only be viewed from a navigable waterway, one waterside identification sign shall be allowed. A waterside identification sign may be either a free-standing sign or an attached sign. A waterside identification sign shall not exceed 40 square feet in area.

(Ord. No. 2013-14, § 1(Exh. A), 4-23-13; Ord. No. 2016-24, § 6, 1-10-17)

Figure 3: Existing Elevation



Figure 4: Proposed Front Elevation Signage

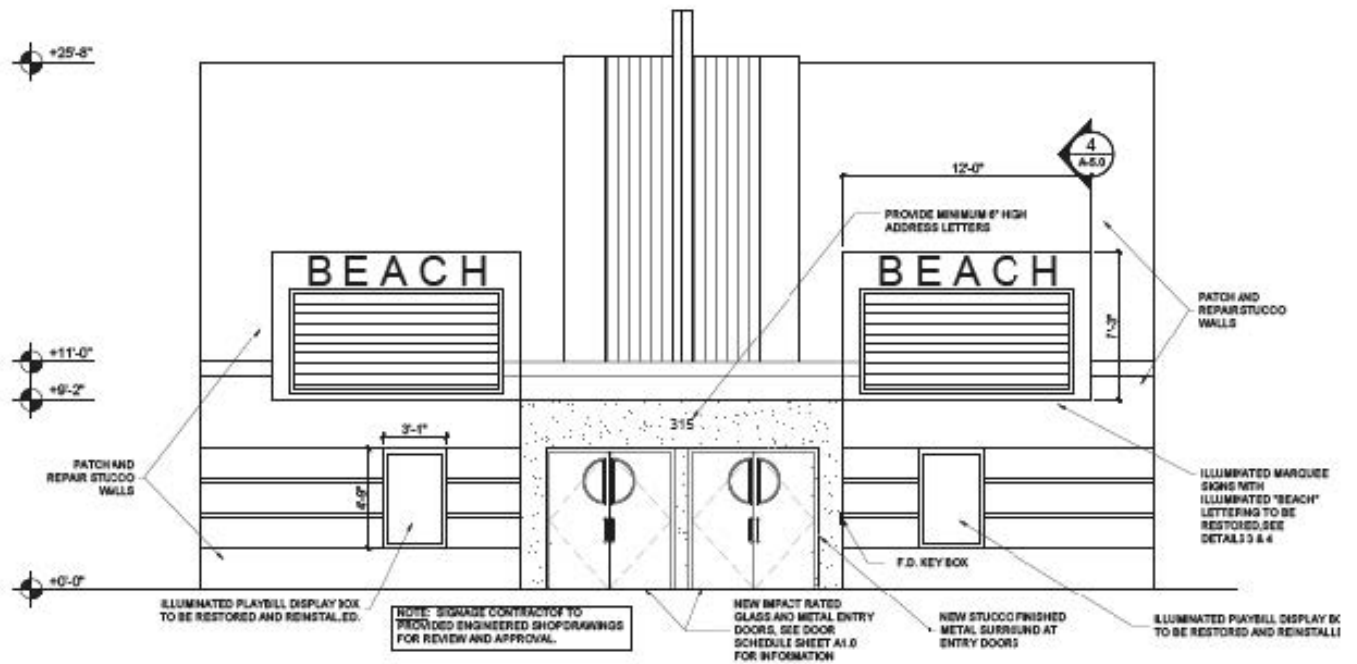
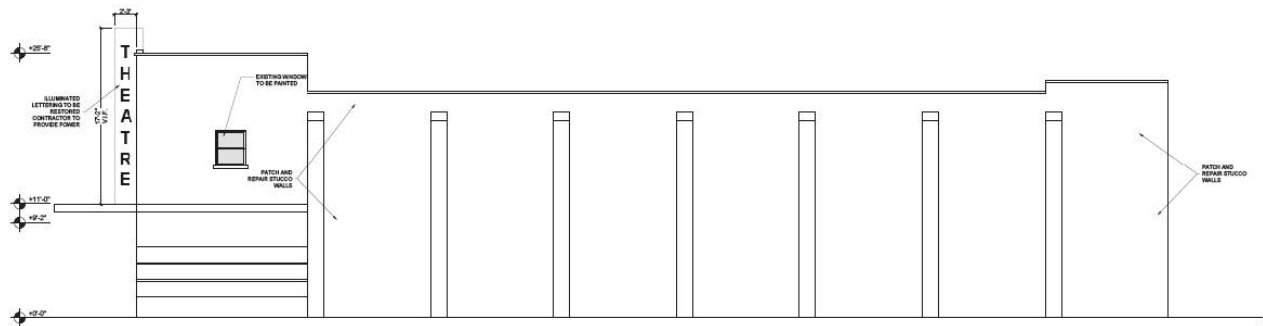


Figure 5: Proposed Side Elevation Signage**Historic Preservation Board (HPB)**

On July 6, 2023, The Beach Theatre was classified as a Locally Registered Historic Structure. On August 1, 2024, the Historic Preservation Board approved a Certificate of Appropriateness for the proposed sign program. The Board's discussion, witness testimony, and archival photos affirmed the historical validity of the proposed signage and its associated illumination.

Technical Review Committee (TRC):

A TRC meeting was unable to be held prior to publication of the staff findings report and any information shared from the upcoming October 23, 2024 meeting to be shared with the Board at the October 30, 2024 hearing.

Additional Comments

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 Beach Theater, a historic landmark in St. Pete Beach, is currently undergoing renovation. The previous owners removed the signage in preparation for restoration. While the City requires proper permits for reinstallation, modifying the original signs to meet current codes would compromise the building's authenticity.

The applicant is seeking approval to restore two illuminated display/marquee signs (12' x 7'-3") for current events, as well as an illuminated decorative blade sign for identification. Additionally, they are requesting approval for two illuminated 5' x 3' glass-enclosed playbill signs to announce upcoming events.

These signs serve vital functions: the blade sign identifies the theater, the marquee signs promote current events, and the playbills inform the public about future performances. This type of signage is standard for theater restorations and is essential for the theater's success.

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

The previous owner removed the signs without obtaining the necessary permit. The applicant has indicated that the previous owner was unaware this action violated the relevant code.

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

The historic nature and unique purpose of this 1939 building requires signage that differs from what is typical for commercial properties in St. Pete Beach. This request is in line with sign programs for other historic theaters in Florida. A strict interpretation of the Land Development Code would create an undue hardship for the applicant.

- 3. The hardship has not been deliberately or knowingly created or suffered to establish a use or structure which is not otherwise consistent with the comprehensive plan or the Land Development Code, nor will it permit and increase in development density;**

The application seeks to restore the original sign program, which is currently in poor condition due to neglect and abandonment, failing to convey the character necessary for vibrant business activity. To enhance the venue's visibility and appeal, the proposal includes reinstating two illuminated display/marquee signs, measuring 12' x 7' 3", to announce current events. Additionally, an illuminated decorative blade sign is requested for building identification, along with two glass-enclosed playbill signs (5' x 3') to highlight upcoming events. Together, these signs represent traditional elements of theater venues and are essential for the establishment's operational success. The request does not increase the property's density or intensity.

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

The preservation of the building and restoration of the historic sign program face significant challenges in the current market, as theaters have diminished in popularity and financial viability. This decline has made it increasingly difficult to maintain such venues. However, the desire for greater financial return does not constitute a basis for an undue hardship variance.

- 5. 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 subject property is fundamentally different from most others in the zoning district. There are no comparable properties that would necessitate the proposed sign program aimed at restoring the historic attributes associated with the building and Corey Avenue.

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

The requested signage is essential for the reasonable use and functionality of this historic property. Historically, the building fostered a vibrant atmosphere with multiple signs, including four playbill signs that were crucial for its operation. In this context, the proposal for five signs not only restores a previous standard but also strikes a reasonable balance between visibility and preserving the building's historic character. This proposed sign program supports the venue's continued viability while honoring its historical significance. Staff believes that the requested variance represents the minimum necessary to ensure the reasonable use of the land, building, or structure.

7. 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.

It is the staff's assessment that the requested variance aligns with the overall intent of the Comprehensive Plan and the Land Development Code. Revitalizing this landmark venue is expected to enhance the Historic Corey Avenue corridor, benefiting neighboring businesses and positively impacting the community. Restoring this property will create a vibrant atmosphere that supports public safety and welfare while ensuring compatibility with the surrounding neighborhood.

Other:

The applicant should be prepared to provide testimony on the following:

- ◆ What specific features of the original signs are being restored.
- ◆ Consultation with neighboring property owners or businesses.
- ◆ Percentage of facade space utilized by the proposed sign program.
- ◆ Hours of operation of the business and anticipated timing for use of illumination.
- ◆ Any photos, documents or testimony associated with the structure as it relates to the requested variance.

Summary

If the Board determines that the applicant and/or owner has provided substantial and competent evidence meeting the required conditions, Staff recommends the following condition(s) for consideration:

- 1) Operation of the internally illuminated signs to be limited to hours of operation.

In addition, 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,

Gil Martinez
Senior Planner

Cc: Board of Adjustment Attorney
John Bodziak, Applicant
315 Corey Ave, LLC, Owner

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

Agenda Report

Agenda Title Name: Case No. 24061 - 1950 Pass-a-Grille Way

Action Request: As directed by the Board of Adjustment. If the Board moves to approve the request, Staff recommends three conditions as listed in the Staff Report.

Strategic Objective:

Date: October 30, 2024

Prepared By: Brandon Berry, Senior Planner

Through: Denise Sanderson

Summary of Issue: *Unnecessary and Undue Hardship Variances:* Dustin Ballard, P.E. of Kimley Horn and Associates Inc. for the City of St. Pete Beach requests a five-part variance to: a) reduce the front building setback along 20th Avenue to 1.2 feet where 25 feet is required, the secondary front building setback along Pass A Grille Way to 8.4 feet where 15 feet is required, the western side building setback to one foot where 10 feet is required, and the southern rear building setback to 0.5 feet where 15 feet is required, to permit the construction of a new two-story fire station (LDC Sec. 17.7); b) permit the site impervious surface coverage to be no greater than 85% of the lot area where no greater than 80% is permitted (LDC Sec. 17.12); c) permit the property-wide vegetated coverage to be 14% where 16% minimum is required (LDC Sec. 22.4.(f)); d) Reduce the required northern frontage landscaping buffer to zero feet along a portion where five feet is required, and the required southern landscaping buffer adjacent the driveway to 2.5 feet along a portion where six feet is required (LDC Sec. 22.7.(a)(1) & (b)(1)), and; e) Permit the rooftop chimney training element to be located at 15 feet above the maximum height of the roof, or 45 feet above required design flood elevation, where 10 feet and 40 feet respectively is the maximum allowable (LDC Sec. 7.2.(k)).

Funding: n/a

Attachments:

1. Case No. 24061 Staff Report
2. Case No. 24061 Application, Site Plans, Elevations and Survey
3. Case No. 24061 Technical Review Committee Comments



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

PLANNING DEPARTMENT

Date: October 21, 2024
To: Board of Adjustment
Re: Staff Findings Report
Unnecessary and Undue Hardship Variances
Address: 1950 Pass A Grille Way
Parcel Number: 18-32-16-68634-008-0250
Dustin Ballard, P.E. of Kimley-Horn for the City of St. Pete Beach
Variance Case No: 24061

Prepared by: Brandon Berry, Senior Planner

Hearing Date: October 30, 2024

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

- 1) Unnecessary and undue hardship application for requests #1-4, submitted August 22, 2024;
- 2) Unnecessary and undue hardship application for request #5, submitted October 15, 2024;
- 3) Revised to-scale plans showing requests and elevation of the training tower, submitted October 17, 2024;
- 4) Topographic survey, sealed by Russell P Hyatt, PSM on October 3, 2024, depicting current site improvements.

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

Site Description/Background/Surrounding Land Uses

The subject property is a 107.5x100' (10,750 sq. ft.) parcel comprised of two platted lots of the Phillips Division subdivision and half of a vacated east-west alleyway that originally separated the lots from those to the south. The lot contains a single-story fire station that was constructed in 1974 according to the Pinellas County Property Appraiser. The applicant, on behalf of the City, is seeking variance approval to redevelop the lot with a new fire station that is updated to meet current needs.

The Pass A Grille Way-facing lot frontages between 19th and 21st Avenues are unique for the area in that the properties face them are the sole properties that are non-residentially-zoned and located outside of the Pass A Grille Overlay and Community Redevelopment District-Eighth Avenue Districts south of 32nd

Avenue. Because of this the design standards, height and bulk standards, and reduced setbacks that are typically permitted for other non-residential properties in Pass A Grille are not applicable to the subject property or its immediate neighbors. The property is zoned INS – Institutional, which permits government buildings like fire stations as uses by right.

The general design presented in the subject case was reviewed by and recommended to the Board of Adjustment by the Historic Preservation Board (HPB) in April 2023. The HPB was presented with two options, one of which showed compliance with the required setbacks and one of which was the subject request, albeit with different window placement and style, modified hip roofing above the second-story walkout at the corner of Pass A Grille Way and 20th Avenue, and other stylistic changes. The HPB recommended the general design unanimously, noting that it fit better with the scale and aesthetic of the area, with general comments that the design would allow for community space in the form of a 500-square-foot community room, that could not be accommodated in the smaller-footprint alternative compliant design.

The subject property faces similar-intensity Residential/Office/Retail zoning to the south and north across 20th Avenue, and higher-intensity Commercial General zoning east across Pass A Grille Way. To the west is RLM-2 Residential District zoning, which permits moderate-density residential but no commercial development.

The subject project is not yet fully funded, with approximately one-half unfunded as of April 2023, but the City is pursuing both grant and local funding opportunities. As such, there is no expected date for start of construction. As with all variances, the subject variances if approved will expire after one year, unless extended by tolling through emergency orders.

Figure 1: Aerial Photography



Source: Pinellas County Property Appraiser

Figure 2: Zoning Map



Source: City of St. Pete Beach Zoning Map

Figure 3: Future Land Use Map



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

Request

The applicant is requesting five (5) variances, as follows:

- 1) Reduce the front building setback along 20th Avenue to 1.2 feet where 25 feet is required, the secondary front building setback along Pass A Grille Way to 8.4 feet where 15 feet is required, the western side building setback to one foot where 10 feet is required, and the southern rear building setback to 0.5 feet where 15 feet is required, to permit the construction of a new two-story fire station (LDC Sec. 17.7);
- 2) Permit the site impervious surface coverage to be no greater than 85% of the lot area where no greater than 80% is permitted (LDC Sec. 17.12);
- 3) Permit the property-wide vegetated coverage to be 14% where 16% minimum is required (LDC Sec. 22.4.(f));
- 4) Reduce the required northern frontage landscaping buffer to zero feet along a portion where five feet is required, and the required southern landscaping buffer adjacent the driveway to 2.5 feet along a portion where six feet is required (LDC Sec. 22.7.(a)(1) & (b)(1)), and;
- 5) Permit the rooftop training tower element to be located at 15 feet above the maximum height of the roof, or 45 feet above required design flood elevation, where 10 feet and 40 feet respectively is the maximum allowable (LDC Sec. 7.2.(k)).

Analysis (Development Standards)

Development Standards (LDC Division 17 & 22)	1950 Pass A Grille Way (St. Pete Beach Fire Station 22)		
	<u>Required</u>	<u>Existing</u>	<u>Proposed</u>
Setbacks (Request #1 – LDC Sec. 17.7)			
Setback (Min.), Front Yard (20 th Ave)	25'	1.5' (Enc)	1.2' (v)
Setback (Min.), Secondary Front Yard (Pass A Grille Way)	15'	21.1'	8.4' (v)
Setback (Min.), Side Yard (West)	10'	20.8'	1.0' (v)
Setback (Min.) Rear Yard (South)	15'	0.5' (ENC)	0.5' (v)
Height (Request #5 – LDC Sec. 7.2.(k))			
Building Height	30' from Design Flood Elevation; 40' from DFE for non-habitable overruns	Unspecified	30' to midpoint of roof; Approximately 45' to top of rooftop training tower (v)
Impervious and Greenspace Coverage (Requests #2 & 3 – LDC Sec. 17.12 & 22.4.(f))			
Maximum Impervious Surface Ratio	0.80	0.88 (ENC)	0.85* (v)
Minimum Greenspace	0.16	0.12 (ENC)	0.14 (v)
Buffer Requirements			
Frontage buffer requirement (north side) (LDC Sec. 22.7.(a)(1))	5'	Unspecified	0' (v)

Parking Area landscaping buffer width (south side) (LDC Sec. 22.7.(b)(1))	6'	Unspecified	2.5' (v)
ENc = Existing nonconforming condition. All redevelopment projects require full compliance with the existing Land Development Code standards. (v) = Variance required * Applicant requests 0.86, but the Comprehensive Plan limits variances greater than 0.85, so the request has been reduced to achieve compliance.			

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 regard to the provisions located in Division 3 of the Land Development Code in order to grant the variance(s). The applicant should be prepared to provide their own testimony by answering the following items 1-8 in **addition** to Staff comments below:

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

As noted by the applicant, the property is the existing site of a fire station, and faces constraints relative to modern service requirements that are not applicable to other structures in the vicinity. Unlike a commercially-zoned property that has a variety of uses available to it that can be modified to fit the lot parameters, the subject property is sought for continued use as a fire station, and there are certain requirements for the use such as adequate vehicle bay clearance and width, private sleeping quarters, administrative and storage spaces, and so on that are directly tied to the effectiveness of the building and are typically not as clearly connected to the public purpose as a private commercial development. These requirements and the overall necessity for such a facility is a unique circumstance of the land and of the structure that is not generally applicable to other lands and buildings in the same zoning district.

Furthermore, the applicant has produced a structure that was previously found by the Historic Preservation Board to match the design and compatibility requirements of the Pass A Grille Overlay District but which itself is not eligible for such setbacks and height, which permit a larger and taller structure than permitted under typical zoning in exchange for a compatibility review. This is a peculiar circumstance of the subject property, albeit one shared with other Institutionally-zoned properties south of 32nd Avenue such as the St. Pete Yacht Club, that is not generally applicable to other non-residentially zoned developments in the vicinity.

The applicant stated in conversations with Staff that the pull-through design which is currently in place and permits entry along the western alleyway with egress to the east is an essential component of the design. However, it is unclear why such a design is a necessity rising to the level of a hardship rather than an inconvenience. The applicant should address this in their testimony, as a lack of driveway along the western side would permit additional vegetation that would appear to eliminate both the impervious surface and greenspace ratio variance requests.

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

The applicant is attempting to develop a building that meets local emergency management needs in the vicinity while being modernized to meet current administrative and floodplain codes. These circumstances are not the result of the applicant. However, the City's architect has produced a design that shows the development could be generally made compatible with the setback and height requirements, albeit without the massing compatibility.

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

The applicant should provide testimony as to how the denial of the setback and height variances (requests #1 & 5) would result in hardship rather than inconvenience. The compliant design loses the training tower element, first-level community room, and shows small reductions in total square footage for the exercise and dining rooms among other spaces. The compliant design was also found to be less compatible with the vicinity by the Historic Preservation Board which, while not an essential element as would be the case if the structure were zoned in the Pass A Grille Overlay District, nonetheless is more contrary with general Comprehensive Plan provisions that promote architectural integrity and preservation City-wide. However, it is not clear from application responses whether the compliant structure would present significant structural or land-based hardships that produce reduced response times, lesser service quality, or other deficits that are clear justifications for such requests.

If the applicant adequately demonstrates how the required setbacks pose a hardship relative to the promotion of public health and safety, and that the side-entry is similarly essential, Staff finds this criteria is met for requests #2-4 related to lot coverage, greenspace, and buffering. Given other limitations, the space outside of the building appears to be efficiently utilized, and the limited parking area and use of space under a projecting second-story appears to be logical given the expected needs of the use.

- 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;**

Government buildings and public facilities are permitted uses in the subject zoning district. The applicant is redeveloping to meet current floodplain requirements, and required and requested uses of space within the structure, in order to more effectively respond to the emergency needs of the community.

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

The applicant is not seeking greater financial return as the result of these variances. The building serves a clear public purpose and is not itself a revenue-generating source for the City.

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. There is no similar use in the same zoning district south of 32nd Avenue.

The zoning of Fire Station 23 located in the northern part of the City, which is shared with the rest of the City's core downtown, permits significant additional front and rear setback encroachments and lot coverage than the subject lot, in exchange for increased landscaping and reduced height below what the applicant is requesting for Fire Station 22.

As noted previously, the applicant would also be eligible for a reduction in front and rear setbacks if the structure were located in the Pass A Grille Overlay, although it would not abrogate the need for any of the variances requested herein, but simply reduce their magnitude. The design is most compatible with the commercial building standard of the Pass A Grille Overlay District rather than the institutional standard, which would be permitted on lots to the north, east and south of the subject property, and generally allows for the Pass A Grille Way frontage and opposite side setbacks that the applicant is proposing. However, the retention of the 20th Avenue setback at 1.2 feet from the property line, and rear setback of 0.5 feet, is not permitted anywhere in the Pass A Grille Overlay District.

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

The setback variances requested are considerable, particularly the setback along the west side, which reduces from the current building's setback of more than twice the requirement to just one foot under the new building, or a reduction of 90% of the standard. Given the encroachment, particularly to the lower-intensity residential to the west, Staff requests the applicant provide additional testimony as to the need for the setback variances relative to gains in public safety, emergency response, and other public benefits that are not resolved by the redevelopment of a setback-compliant structure that would still be compliant with modern floodplain, stormwater, and similar requirements.

As the setback variance requests partially or fully create the conditions of requests #2-4, Staff finds justification for the setback variances as well as the western driveway access requirement will also support those variances. Since the City is required to construct the building to LEED Silver standards as a means of setting a leading example for the City's promotion of green building and energy conservation, Staff finds the installation of a green roof or similar feature that will award Sustainable Sites points toward that certification is an option for mitigating the reduced on-ground landscaping in terms of aesthetics, and ecological and environmental benefits.

Staff also requests testimony from the applicant as to the value of the training tower in terms of public safety benefits. Granting a variance to this request would produce a structure with element that exceeds, by up to five feet, the allowable height of a structure to the west, north or south of the subject property. However, the structure would remain fifteen feet shorter than would be permitted to the east, in the CG-1 zoning. Staff does generally find the bulk and massing of the

structure to be compliant with others in the vicinity, but requests support for this criteria from the applicant.

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.**

Generally, code harmony is easiest to certify for public buildings, as there are almost always clear public benefits that arise from having higher-quality facilities or additional public space or amenities that are accessible or beneficial to all. To the extent that the variances requested involve developing a facility that offers additional or more robust public services, Staff finds the requested variances to be in harmony with the Comprehensive Plan and Land Development Code. The structure has been assessed by the Historic Preservation Board to be generally compatible with the area, and Staff does not find that the redevelopment of the structure will diminish or impair property values, as the redevelopment is simply a reconstruction of the existing use utilizing a similar site layout with expanded facilities. Staff finds the requests for increased impervious surface ratio and reduced greenspace and buffer width to be logical should adequate support be found for the setback variances, as the applicant will be required to comply with modern stormwater requirements during permitting, and achieve LEED certification which can involve installation of green roofs or other greenscaping that is not located on the ground.

The architect has chosen to remove windows from the western side of the second-story portion of the structure, and there are no above-ground new elements that Staff expects to cause nuisance for the abutting residence. This area has historically been used as parking and truck access, and will remain as such. Additionally, due to the intervening alleyway, Staff is not aware of any separation requirements that would not be met now or in the future if this development proceeds. However, due to the significant additional encroachment of the building toward this side alleyway compared with existing, Staff finds the applicant should provide additional justification for this encroachment in particular.

The applicant should address in more detail the need for the rooftop training tower relative to the use and harmony of the element with the general Land Development Code promotion of public health, safety and welfare.

Other:

- Should the Board not grant all or some of the variances, the applicant should provide testimony of whether they will proceed with “Option B” as presented to the Historic Preservation Board in April 2023, or if they would redesign the plan.
- The applicant should provide additional testimony as to the additional public benefits that would be provided for this building compared with a Code-compliant structure.
- Details should be provided by the applicant or fire department staff as to the frequency of use and benefit of the rooftop training tower as justification for the granting of the variance.

- The applicant should suggest opportunities to mitigate the impervious surface ratio increases and greenspace reductions through a green roof, denser plantings, cool roof, or other opportunities to generally comply the intent of the landscaping ordinance, which requires landscaping as a means of beautification along with air and water purification.
- If an expected timeline for grant application results and/or construction is known, it should be shared. The applicant should address what would happen if the variance were to expire without the building permit being issued.

Technical Review Committee Meeting Comments from October 23, 2024

This meeting is scheduled for October 23, 2024, after the publication of this report. Comments are attached to this staff report. If additional questions or comments are shared at the meeting, Staff will present them to the Board of Adjustment at the hearing for this case.

Summary

The applicant clearly states the benefits of the new facility in terms of emergency management, allowing for a structure that is elevated above the floodplain and contains spaces that meet the needs of current and future fire department administration and staff. The structure and development also have ancillary benefits, such as a community space and stormwater improvements, the former which is apparently unable to be accommodated in the Code-compliant structure.

However, Staff requests significant additional testimony from the applicant that links the requested variances to additional public health, safety and/or welfare benefits that could not be accommodated in a Code-compliant structure, or a structure with setbacks that are more in line with the setbacks required for an institutional structure that could be constructed within the Pass A Grille Overlay District. Staff acknowledges that the structure generally meets the design, massing and bulk standards of the Pass A Grille Overlay District, but the setback portion of this request is for significant additional encroachments beyond those permitted in the Overlay. There may be strong justification for such requests, but the similar layouts and square footages of critical spaces within the Code-compliant and subject design are not apparent through the floor plans or narrative provided.

Staff also requests additional testimony as to the need for the rooftop training tower.

Should the Board of Adjustment find justification for the setback variance (request #1), and the need for the alleyway-entry driveway, staff finds that there is adequate justification for requests #2-4 pertaining to impervious surface ratio, greenspace coverage, and buffer reduction, with the following conditions:

- 1) The applicant shall provide a green roof, cool roof, or additional frontage landscaping of at least five percent of the lot area (538 square feet).
- 2) Unless demonstrated to be technically unviable, the applicant shall pursue "Sustainable Sites" credit through LEED Silver certification at the time of building permitting.

- 3) Due to significant façade alterations since the request was shared with the Historic Preservation Board, this item shall be re-presented to the Board at time of site plan permitting for design consideration. Alterations from the plan set shared April 2023 shall be clearly noted and recommendations from the Historic Preservation Board that are not contrary to the Land Development Code or any variance approved through Development Order 24061 shall be included to the extent viable.

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

Respectfully submitted,

Brandon Berry
Senior Planner

Cc: Dustin Ballard, P.E., Applicant ***via email*** ()
Jim Kilpatrick, St. Pete Beach Fire Chief, ***via email*** ()
Matthew McConnell, Board of Adjustment Attorney, ***via email***



Memo To: Board of Adjustment
From: Brandon Berry, Planner
Date: 10/21/2024
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 **October 21, 2024**.

Variance Case Number: 24061
Application Type: Unnecessary & Undue Hardship Variance
Owner: City of St. Pete Beach
Applicant/Agent: Dustin Ballard, P.E. of Kimley-Horn
Parcel Number: 18-32-16-68634-008-0250
Address: 1950 Pass A Grille Way, St. Pete Beach, FL 33706
Zone: INS

Submittal Documents:

- 1) Unnecessary and undue hardship application for requests #1-4, submitted August 22, 2024;
- 2) Unnecessary and undue hardship application for request #5, submitted October 15, 2024;
- 3) Revised to-scale plans showing requests and elevation of the training tower, submitted October 17, 2024;
- 4) Topographic survey, sealed by Russell P Hyatt, PSM on October 3, 2024, depicting current site improvements.

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

City/Board Professionals:

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

Board Members:

- | | |
|--|---|
| ☒ Denise Chase | ☒ Kathy Garchow |
| ☒ Al Causey | ☒ Chris Core |
| | ☒ Dan Small |

Cc: Dustin Ballard, P.E., Applicant, *via email* (dustin.ballard@kimley-horn.com)



Frances Robustelli, City Manager, *via email* (frobustelli@stpetebeach.org)

Best,

Brandon Berry
Planner

Cc: Board of Adjustment Attorney *via email*

CASE #: _____

PARCEL #: _____

SUBMITTAL DATE: _____ AMOUNT DUE: _____ PAYMENT DATE: _____

UNNECESSARY AND UNDUE HARDSHIP VARIANCE APPLICATION

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

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

OWNER/AGENT INFORMATION:

Identification	Name	Address	Phone #
Owner	City of St.Pete Beach	155 Corey Ave. St. Pete Beach, FL 33706	727-804-5934
Applicant/ Agent	Dustin Ballard, Kimley Horn and Associates Inc.	200 Central Ave, Suite 600, St.Petersburg FL 33701	813-713-5646
Owner Email Address: jkilpatrick@stpetebeach.org		Applicant/Agent Email Address: dustin.ballard@kimley-horn.com	

PROPERTY FOR PROPOSED VARIANCE:

Zoning Designation INS (Institutional District)	Future Land Use Designation City Govt- Non-residential (commercial only)	Lot Area 0.24 AC
Legal Description: PHILLIPS DIVISION REV MAP BLK H, LOTS 25 & 26 & N 7.5 FT OF ALLEY ON S SIDE LOT 25		
Address: 1950 PASS A GRILLE WAY ST PETE BEACH, FL 33706		
Explanation of Request: Variance request for building setbacks, Impervious Surface Ration (IRS), and Landscape Buffer, due to the existing conditions and the proposed redevelopment. .		
See attached Variance Exhibits and Elevations		

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

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

This project includes the redevelopment of existing Fire Station No. 22, owned and operated by the City of St. Pete Beach. The decision to redevelop this facility is due to the aging infrastructure and current limitations of the existing building. Currently, the building does not meet the setback requirements for the INS (institutional district) zoning classification as outlined in the City's land development code. The main objective of this project is to replace the existing fire station with a more resilient facility, prioritizing safety and sustainable operation in response to future weather events. In the past, the existing building was rendered out of service during severe weather events, leaving the community without sufficient fire service once evacuation orders were no longer in place. To mitigate this issue, the proposed building will be constructed with a finished floor elevation above the flood plain, reducing the risk of disruption during flooding events. Additionally, the new fire station will be designed to be self-reliant, with an on-site permanent generator, and will feature separate living areas for both male and female firefighters, a kitchen, wellness areas, and other necessary facilities for an improved working environment. This will ensure that the fire station can operate independently during emergencies, without relying on external resources. Due to these requirements and considerations, the proposed building will be larger in size, necessitating a Building Setback Variance, considering the existing facility already exceeds the setback limitations permitted.

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

No, there were no special conditions or circumstances caused by the applicant and/or the city that resulted in the need for the building setback.

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;

Based on the Land Development Code for the City of St. Pete Beach, Section 17.1, the required setbacks shall be as follows:

- (1) Front yard (East): 25 feet.
- (2) Secondary front yard (North): 15 feet.
- (3) Side yards (South): Ten feet or ten percent of the lot width, whichever is greater, to a maximum of 20 feet.
- (4) Rear yard (West): 15 feet.

Currently, the building does not meet the setback requirements for the INS (institutional district) zoning classification as outlined in the City's land development code, the proposed redevelopment of the fire station has been carefully redesign to avoid any impact to the current code, but will not be able to serve its purpose safely or effectively if literal interpretation of the code were applied.

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;

No, there were no deliberate or intentional actions taken to cause this hardship.

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

This project is specifically intended for the City of St. Pete Beach, aiming to construct a building that is more resilient and sustainable for the community.

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;

Very few parcels (4-5) in the city are zoned as INS (institutional district). The other developments on the institutional zoned site are generally schools or education centers.

This Fire Station and its location is unique to the general use of the institutional district. The proposed fire station is designed to be compatible with the context and massing of the adjacent structures. Although the property is zoned INS, the surrounding context is historic in nature and many of the existing structures pre-date zoning and land development codes. Many structures date back to Florida's land boom circa 1920's. As a result many of the buildings encroach within their setbacks and set the front of the building facades closer to the street. It can be argued that the pre-war development gives Pass-A-Grille a pedestrian-oriented street scape and its charm as a built community. The proposed fire station is designed to fit in with the adjacent context and smaller structures in the Pass-A-Grille overly district. The design team has spent considerable time studying the existing built fabric and creating a structure that is compatible and sympathetic to those around it.

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

Yes, we have thoroughly examined several different options and collaborated with the City to minimize request and need for a variance request as much as possible.

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.

Yes, we have thoroughly examined the surrounding areas, zoning regulations, and presented our proposal to the Historical Board in order to seek their understanding and approval for the proposed fire station and City's needs. The proposed fire station is designed to be compatible with the context and massing of the adjacent structures. Although the property is zoned INS, the surrounding context is historic in nature and many of the existing structures pre-date the zoning and land development codes. Many structures date back to Florida's land boom circa 1920's. As a result many of the buildings encroach within their setbacks and set the front building facades closer to the street. It can be argued that this pre-war development gives Pass-A-Grille a pedestrian-oriented streetscape and its charm as a built community. The proposed fire station is designed to fit-in with the adjacent context and structures. The design team has spent considerable time studying the existing built fabric and creating a structure that is compatible and sympathetic to those around it.

			8/22/2024
Signature of Applicant	Date	Signature of Authorized Agent	Date

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

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

This project includes the redevelopment of existing Fire Station No. 22, owned and operated by the City of St. Pete Beach. The decision to redevelop this facility is due to the aging infrastructure and current limitations of the existing building. Currently, the building does not meet the Impervious Surface Ratio requirements as outlined in the City's land development code. The main objective of this project is to replace the existing fire station with a more resilient facility, prioritizing safety and sustainable operation in response to future weather events. In the past, the existing building was rendered out of service during severe weather events, leaving the community without sufficient fire service once evacuation orders were no longer in place. To mitigate this issue, the proposed building will be constructed with a finished floor elevation above the flood plain, reducing the risk of disruption during flooding events. Additionally, the new fire station will be designed to be self-reliant, with an on-site permanent generator, and will feature separate living areas for both male and female firefighters, a kitchen, wellness areas, and other necessary facilities for an improved working environment. This will ensure that the fire station can operate independently during emergencies, without relying on external resources. Due to these requirements and considerations, the proposed building will be larger in size, necessitating an Impervious Surface Ratio (ISR) increase, considering the existing facility already exceeds the ISR limitations permitted.

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

No, there were no special conditions or circumstances caused by the applicant and/or the city that resulted in the need for the building setback.

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;

Based on the Land Development Code for the City of St. Pete Beach, Section 17.12
Maximum impervious surface ratio (ISR): 0.80.

Existing Fire Station has an impervious surface ratio (ISR) of 0.88

Due to the proposed layout of the site, which has been carefully configured and designed to meet codes and standards while its existing conditions do not, the ISR requirements have been determined to be unable to meet. We have improved the existing conditions and have proposed pervious pavers to be implemented as part of the design in an effort to meet this code requirement.

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;

No, there were no deliberate or intentional actions taken to cause this hardship.

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

This project is specifically intended for the City of St. Pete Beach, aiming to construct a building that is more resilient and sustainable for the community.

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;

Very few parcels (4-5) in the city are zoning as INS (institutional district). The other developments on the institutional zoned site are generally schools or education centers.

This Fire Station and it's location is unique to the general use of the institutional district.

The proposed fire station is designed to be compatible with the context and massing of the adjacent structures. Although the property is zoned INS, the surrounding context is historic in nature and many of the existing structures pre-date zoning and land development codes. Many structures date back to Florida's land boom circa 1920's. As a result many of the buildings encroach within their setbacks and set the front of the building facades closer to the street. It can be argued that the pre-war development gives Pass-A-Grille a pedestrian- oriented street scape and its charm as a built community. The proposed fire station is designed to fir in with the adjacent context and smaller structures in the Pass-A-Grille overly district. The design team has spent considerable time studying the exisitng built fabric and creating a structure that is compatible and sympathetic to those around it.

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

Yes, we have thoroughly examined several different options and collaborated with the city to minimize request and need for a variance request as much as possible.

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.

Yes, we have thoroughly examined the surrounding areas, zoning regulations, and presented our proposal to the Historical Board in order to seek their understanding and approval for the proposed fire station and City's needs. The proposed fire station is designed to be compatible with the context and massing of the adjacent structures. Although the property is zoned INS, the surrounding context is historic in nature and many of the existing structures pre-date the zoning and land development codes. Many structures date back to Florida's land boom circa 1920's. The design team has spent considerable time studying the existing built fabric and creating a structure that is compatible and sympathetic to those around it.

Dusti Ballard

8/22/2024

Signature of Applicant

Date

Signature of Authorized Agent

Date

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

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

This project includes the redevelopment of existing Fire Station No. 22, owned and operated by the City of St. Pete Beach. The decision to redevelop this facility is due to the aging infrastructure and current limitations of the existing building. Currently, the building does not meet the Landscape Buffer requirements as outlined in the City's land development code. The main objective of this project is to replace the existing fire station with a more resilient facility, prioritizing safety and sustainable operation in response to future weather events. In the past, the existing building was rendered out of service during severe weather events, leaving the community without sufficient fire service once evacuation orders were no longer in place. To mitigate this issue, the proposed building will be constructed with a finished floor elevation above the flood plain, reducing the risk of disruption during flooding events. Additionally, the new fire station will be designed to be self-reliant, with an on-site permanent generator, and will feature separate living areas for both male and female firefighters, a kitchen, wellness areas, and other necessary facilities for an improved working environment. This will ensure that the fire station can operate independently during emergencies, without relying on external resources. Due to these requirements and considerations, the proposed building will be larger in size, necessitating the Landscape Buffer decrease, considering the existing facility already exceeds the Landscape Buffer limitations permitted.

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

No, there were no special conditions or circumstances caused by the applicant and/or the city that resulted in the need for the building setback.

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;

Based on the Land Development Code for the City of St.Pete Beach, Division 22- Landscaping and Tree Protection, Section 22.7- Development Standards.

Pass-a-grill Way (Front - East): Entire length of property frontage shall be landscaped with a minimum depth from front property line inward of 10% of adjacent ROW width. (5' of frontage for 50' ROW)

Minimum of 6' of landscaping between property line and VUA Area for non-front setback areas.

At least 20 SF of interior landscaping for each parking space.

Due to the proposed layout of the site, which has been carefully configured and designed to meet codes and standards while its existing conditions do not, the landscape requirements have been determined to be unable to meet.

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;

No, there were no deliberate or intentional actions taken to cause this hardship.

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

This project is specifically intended for the City of St. Pete Beach, aiming to construct a building that is more resilient and sustainable for the community.

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;

Very few parcels (4-5) in the city are zoning as INS (institutional district). The other developments on the institutional zoned site are generally schools or education centers.

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This Fire Station and it's location is unique to the general use of the institutional district.

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

Yes, we have thoroughly examined several different options and collaborated with the city to minimize request and need for a variance request as much as possible. Several alternatives for landscaping have been considered, including planters and a rooftop garden, however, the additional cost to the project is extensive, and the landscaping improvements are not considered critical to facility operation. In an effort to diminish the variance request for the required landscaping, we are proposing a terrace accessible from the second level that would be located atop the Aparatus Bays. This area, currently shown as 600 SF can be treated with potted plants to provide additional landscaping opportunities. Based on budgetary limitations, we are proposing potted plants on elevated pavers. If converted to a green roof, the impact could be in the magnitude \$50.00/SF or \$30,000.00.

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.

Yes, we have thoroughly examined the surrounding areas, zoning regulations, and presented our proposal to the Historical Board in order to seek their understanding and approval for the proposed fire station and City's needs. The proposed fire station is designed to be compatible with the context and massing of the adjacent structures. Although the property is zoned INS, the surrounding context is historic in nature and many of the existing structures pre-date the zoning and land development codes. Many structures date back to Florida's land boom circa 1920's. As a result many of the buildings encroach within their setbacks and set the front building facades closer to the street. It can be argued that this pre-war development gives Pass-A-Grille a pedestrian-oriented streetscape and its charm as a built community. The proposed fire station is designed to fit-in with the adjacent context and structures. The design team has spent considerable time studying the existing built fabric and creating a structure that is compatible and sympathetic to those around it.

Dusti Burkhead

8/22/2024

Signature of Applicant

Date

Signature of Authorized Agent

Date

VARIANCE APPLICATION

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

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

DMB 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.

DMB 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.

DMB 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.

DMB 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.

DMB 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.

DMB 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.

Dusti Ballard
Signature of Applicant

8/22/2024
Date

Owner's Authorization for Agent

Community Development Department

City of St. Pete Beach, Florida

I/WE _____
City of St. Pete Beach
(print name of property owner)

hereby authorize _____
Kimley-Horn
(print name of agent)

to represent me/us in an application for _____
Variance
(type of application: variance, conditional use, zoning, etc.)

Signature of Owner

Signature of Owner

Print Name of Owner

Print Name of Owner

The forgoing instrument was acknowledged before me this _____ day of
_____ 2021 by _____ or _____ who is
personally known _____ produced
_____ as identification.

(Notary Signature)

(Date)

My Commission Expires _____



PUBLIC HEARING SIGN POSTING AFFIDAVIT

Applicant, City of St. Pete Beach, 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): _____

Address: _____

Signature *Date*

STATE OF FLORIDA)
) SS:
PINELLAS COUNTY)

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

My commission Expires:

NOTARY:

Print Name: _____ Notary

Public, State of Florida

(Notarial Seal)

DEAR APPLICANT:

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

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

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

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

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

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

This project includes the redevelopment of existing Fire Station No. 22, owned and operated by the City of St. Pete Beach. The decision to redevelop this facility is due to the aging infrastructure and current limitations of the existing building. Currently, the building does not meet the Building Height requirements as outlined in the City's land development code. The main objective of this project is to replace the existing fire station with a more resilient facility, prioritizing safety and sustainable operation in response to future weather events. In the past, the existing building was rendered out of service during severe weather events, leaving the community without sufficient fire service once evacuation orders were no longer in place. To mitigate this issue, the proposed building will be constructed with a finished floor elevation above the flood plain, reducing the risk of disruption during flooding events. Additionally, the new fire station will be designed to be self-reliant, with an on-site permanent generator, and will feature separate living areas for both male and female firefighters, a kitchen, wellness areas, and other necessary facilities for an improved working environment. This will ensure that the fire station can operate independently during emergencies, without relying on external resources. Due to these requirements and considerations, the proposed building will be larger in size, necessitating the total building height increase.

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

No, there were no special conditions or circumstances caused by the applicant and/or the city that resulted in the need for the building setback.

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;

Based on the Land Development Code for the City of St. Pete Beach, Division 17- INS Institutional District Section 17.8- Maximum Height of Structures.

The maximum height for all structures shall be 30 feet, except for places of worship, which shall be allowed a maximum height of 50 feet. Purely aesthetic architectural features of places of worship, such as steeples, minarets, religious symbols and flag poles shall not count against the building height limits.

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;

No, there were no deliberate or intentional actions taken to cause this hardship.

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

This project is specifically intended for the City of St. Pete Beach, aiming to construct a building that is more resilient and sustainable for the community.

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;

Very few parcels (4-5) in the city are zoning as INS (institutional district). The other developments on the institutional zoned site are generally schools or education centers.

The proposed fire station is designed to be compatible with the context and massing of the adjacent structures. Although the property is zoned INS, the surrounding context is historic in nature and many of the existing structures pre-date zoning and land development codes. Many structures date back to Florida's land boom circa 1920's. As a result many of the buildings encroach within their setbacks and set the front of the building facades closer to the street. It can be argued that the pre-war development gives Pass-A-Grille a pedestrian- oriented street scape and its charm as a built community. The proposed fire station is designed to fit in with the adjacent context and smaller structures in the Pass-A-Grille overly district. The design team has spent considerable time studying the existing built fabric and creating a structure that is compatible and sympathetic to those around it.

This Fire Station and it's location is unique to the general use of the institutional district.

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

Yes, we have thoroughly examined several different options and collaborated with the city to minimize request and need for a variance request as much as possible.

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.

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Dusti Burkhead

8/22/2024

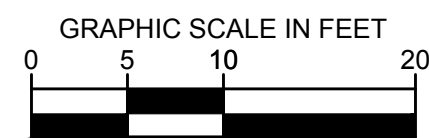
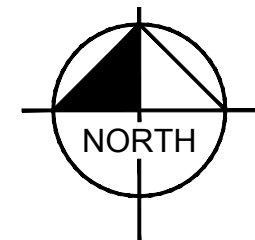
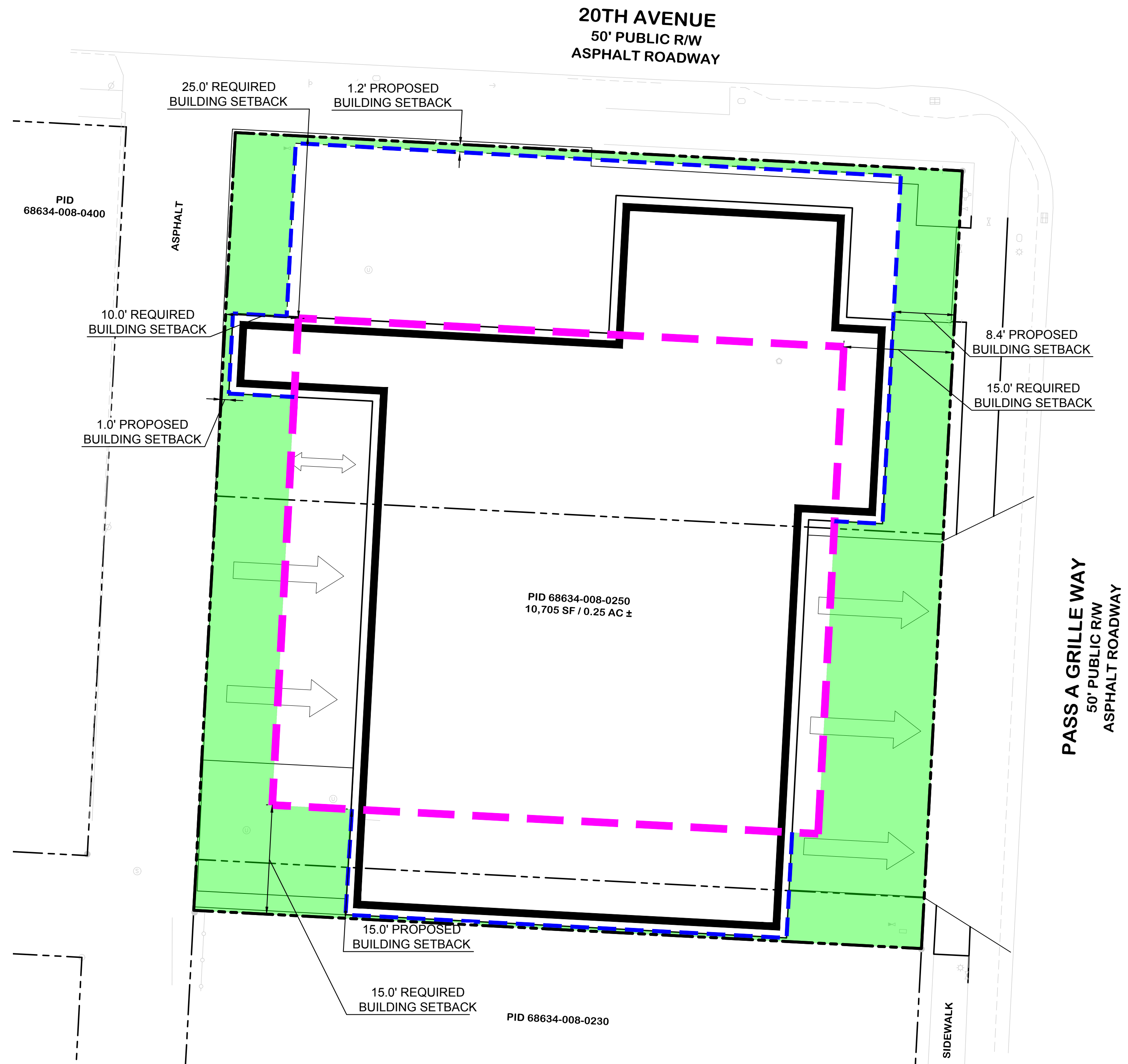
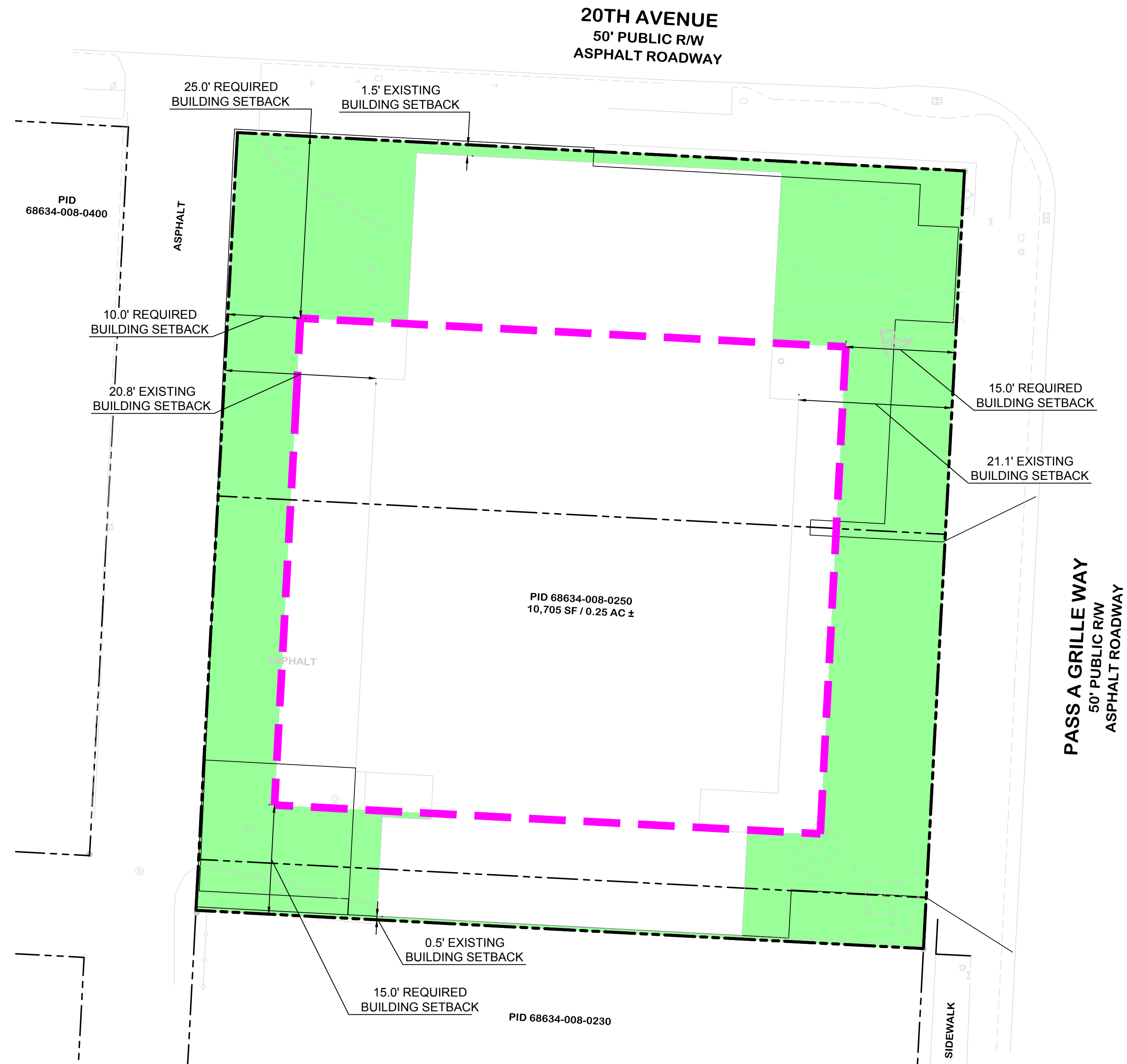
Signature of Applicant

Date

Signature of Authorized Agent

Date

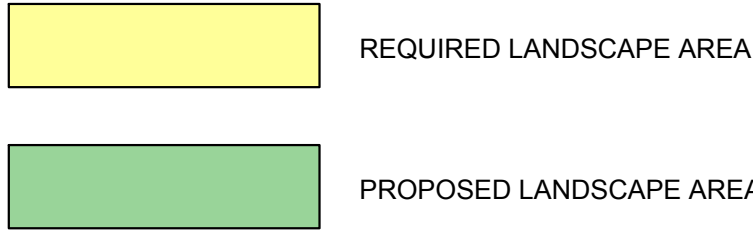
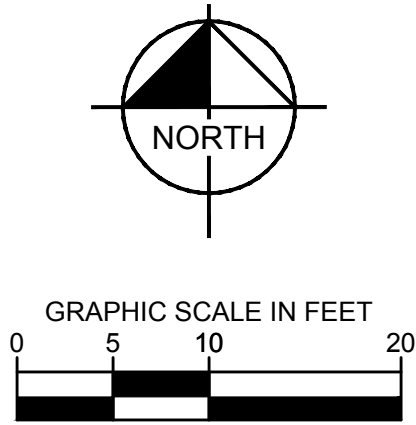
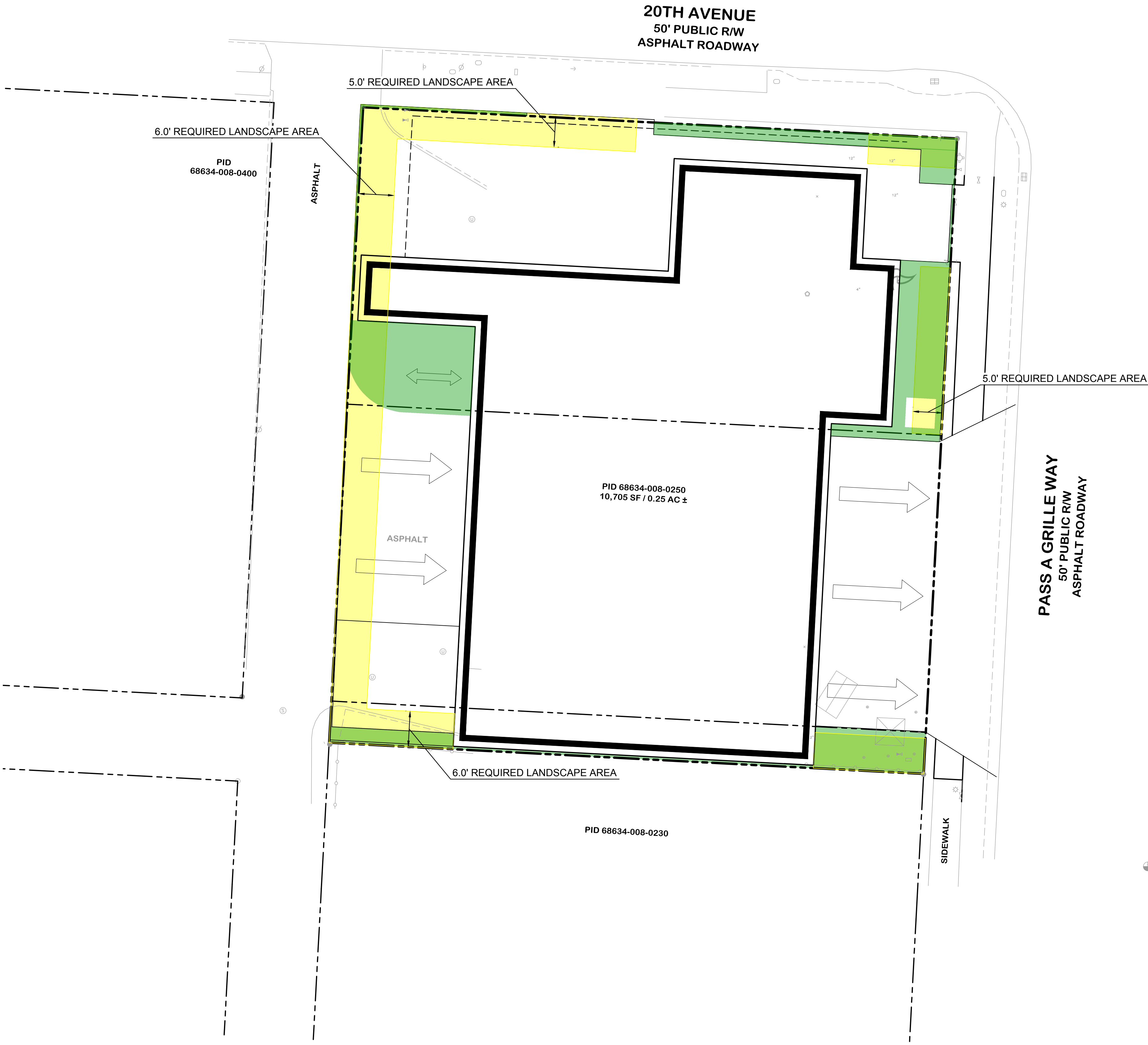
PROPOSED CONDITION



-  REQUIRED BUILDING SETBACK
 PROPOSED BUILDING FOOTPRINT - FIRST FLOOR
 PROPOSED BUILDING FOOTPRINT - SECOND FLOOR
 PORTION OF SITE MEETING CODE SETBACK

SITE DATA TABLE			
	REQUIRED BUILDING SETBACKS	EXISTING BUILDING SETBACKS	PROPOSED BUILDING SETBACKS
SETBACKS			
NORTH (FRONT)	25 FT	1.5 FT	1.2 FT
WEST (SIDE)	10 FT	20.8 FT	1.0 FT
EAST (SECONDARY)	15 FT	21.1 FT	8.4 FT
SOUTH (REAR)	15 FT	0.5 FT	0.5 FT
PERCENT OF PROPOSED FRONTAGE MEETING SETBACKS			
	TOTAL LENGTH	LENGTH MEETING SETBACK	
NORTH (FRONT)	100 FT	14 FT	14.00%
WEST (SIDE)	107 FT	71 FT	71.00%
EAST (SECONDARY)	107 FT	58 FT	58.00%
SOUTH (REAR)	100 FT	40 FT	40.00%

This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.



SITE DATA TABLE		
PERCENTAGE OF FRONTAGE MEETING LANDSCAPE REQUIREMENTS		
	REQUIRED AREA (SF)	PROPOSED AREA (SF)
NORTH (FRONT)	307	115
WEST (SIDE)	226	323
EAST(SECONDARY)	195	270
SOUTH (REAR)	236	217
TOTAL LANDSCAPE AREA (SF)	964	925

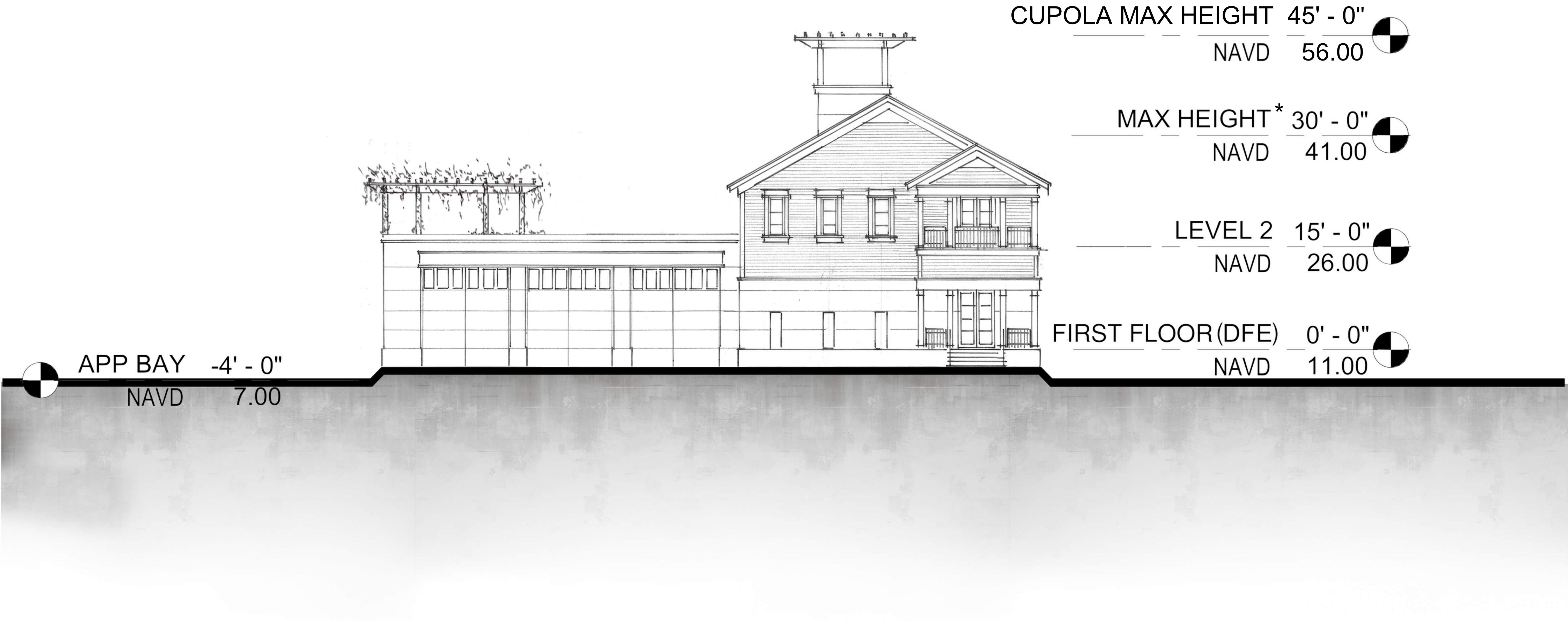
*ENTRY SIDEWALKS AND DRIVEWAYS NOT INCLUDED IN REQUIRED LANDSCAPE CALCULATIONS.

LANDSCAPE CODE REQUIREMENTS:

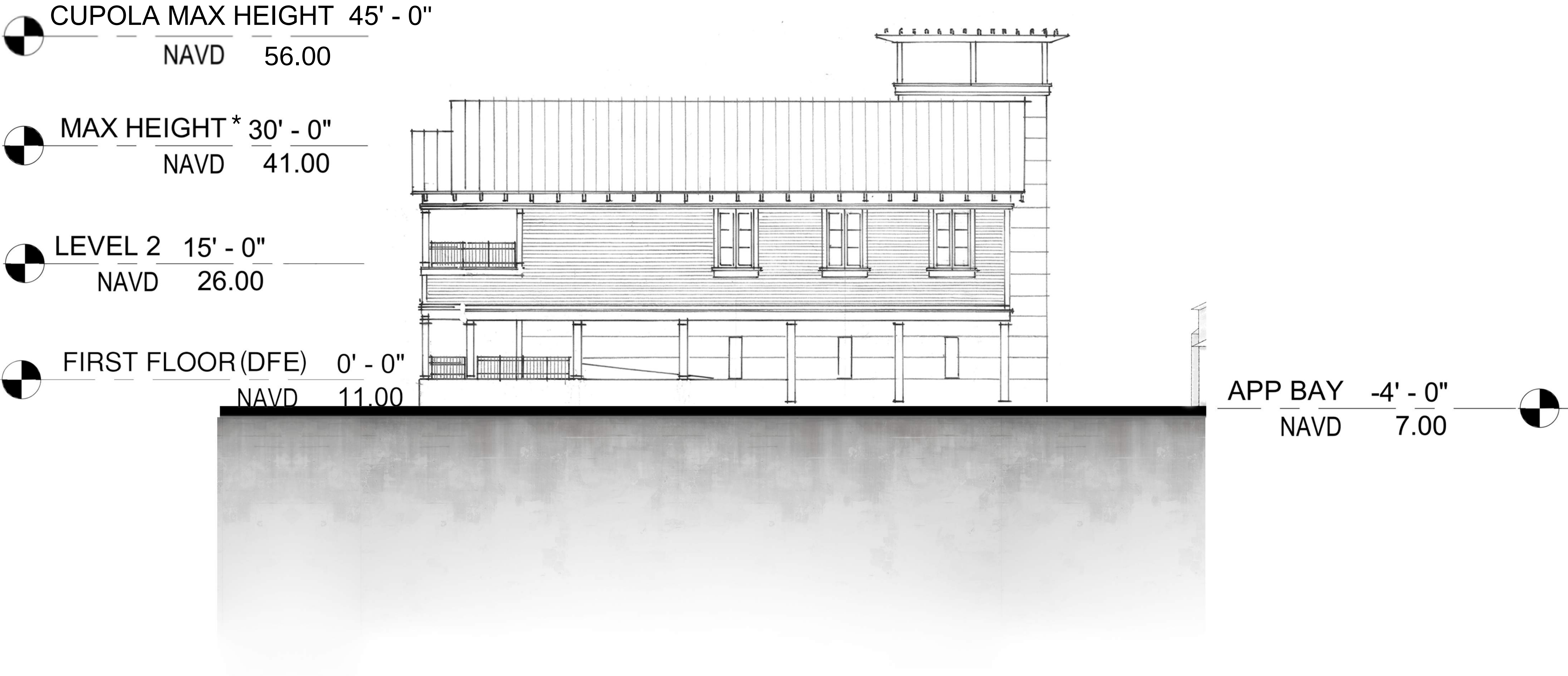
- PASS-A-GRILLE WAY (FRONT): ENTIRE LENGTH OF PROPERTY FRONTAGE SHALL BE LANDSCAPED WITH A MINIMUM DEPTH FROM FRONT PROPERTY LINE INWARD OF 10% OF ADJACENT ROW WIDTH
 - 5' FRONTAGE FOR 50' ROW
 - 1 TREE/180 SF OF LANDSCAPING
- MINIMUM 6' LANDSCAPING BETWEEN PROPERTY LINE AND VUA AREA FOR NON-FRONT SETBACK AREAS
 - 1 TREE/30 LF OF LANDSCAPING
 - 2' TALL HEDGE TO BE PLACED ALONG ENTIRE LENGTH OF LANDSCAPED AREA SURROUNDING VUA.
- AT LEAST 20 SF OF INTERIOR LANDSCAPING FOR EACH PARKING SPACE
 - WITH LESS THAN 20 PARKING SPACES, REQUIRED LANDSCAPING CAN BE ADDED TO THE PERIMETER LANDSCAPING.

CITY OF ST. PETE BEACH		VARIANCE EXHIBIT		Kimley»Horn	
FIRE STATION #22		LANDSCAPE		© 2023 KIMLEY-HORN AND ASSOCIATES, INC. 201 NORTH FRANKLIN STREET, SUITE 1400, TAMPA, FL 33602 PHONE: 813-620-1460 WWW.KIMLEY-HORN.COM REGISTRY NO. 35106	
PINELLAS COUNTY		FLORIDA		DESIGN ENGINEER:	
DATE		SCALE		FL LICENSE NUMBER	
JANUARY 2024		AS NOTED		DATE:	
PROJECT NO.		DESIGNED BY		DB	
148111014		SF		DB	
SHEET NUMBER		CHECKED BY		REVISIONS	
EX-3		NO.		DATE	

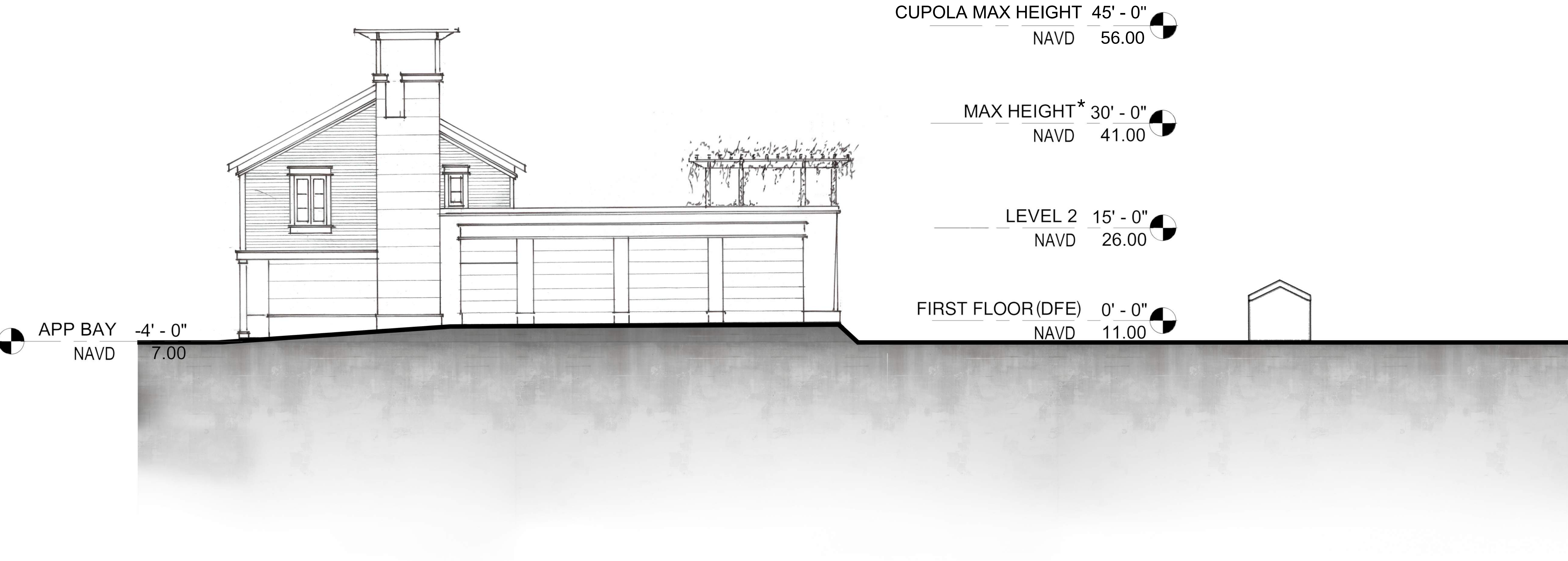
*To Midpoint of Roof



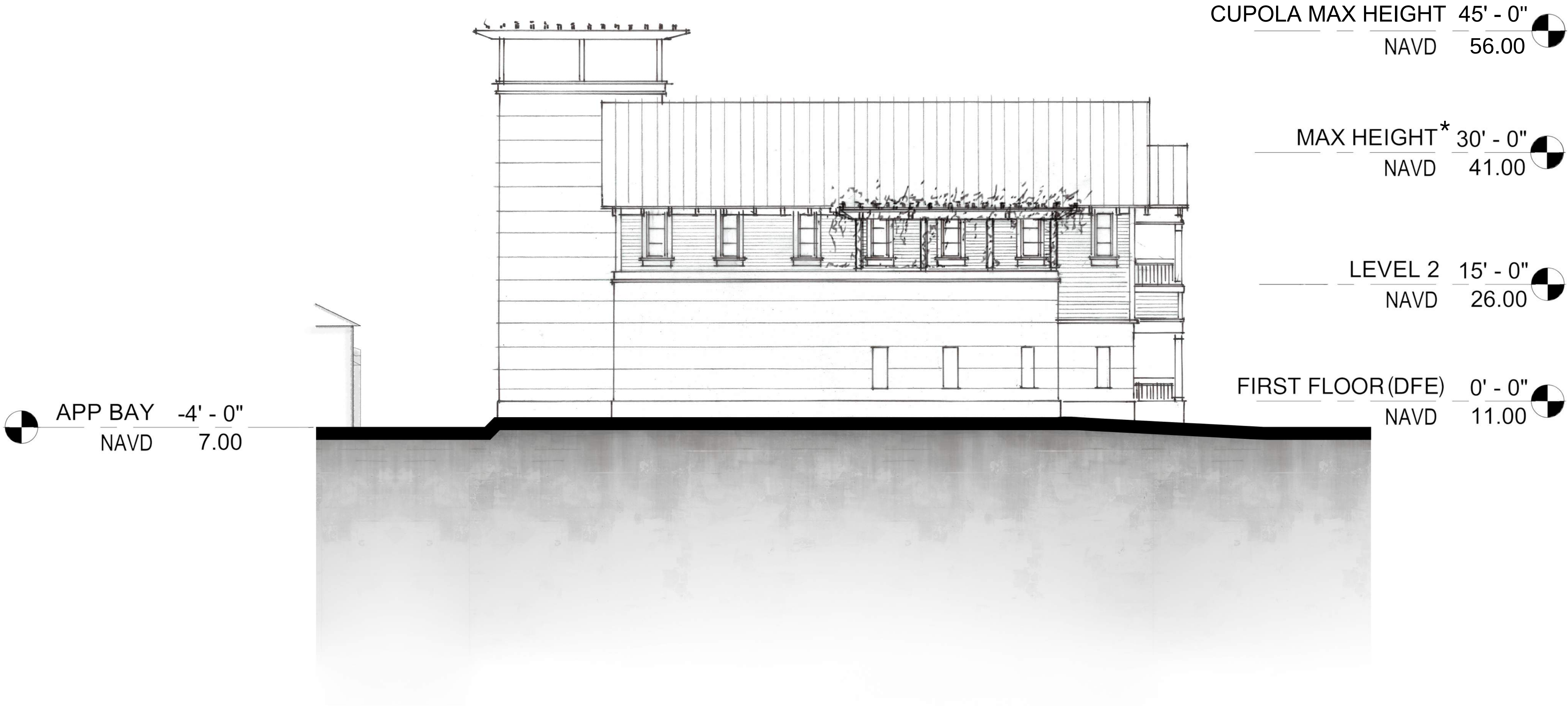
*To Midpoint of Roof



*To Midpoint of Roof



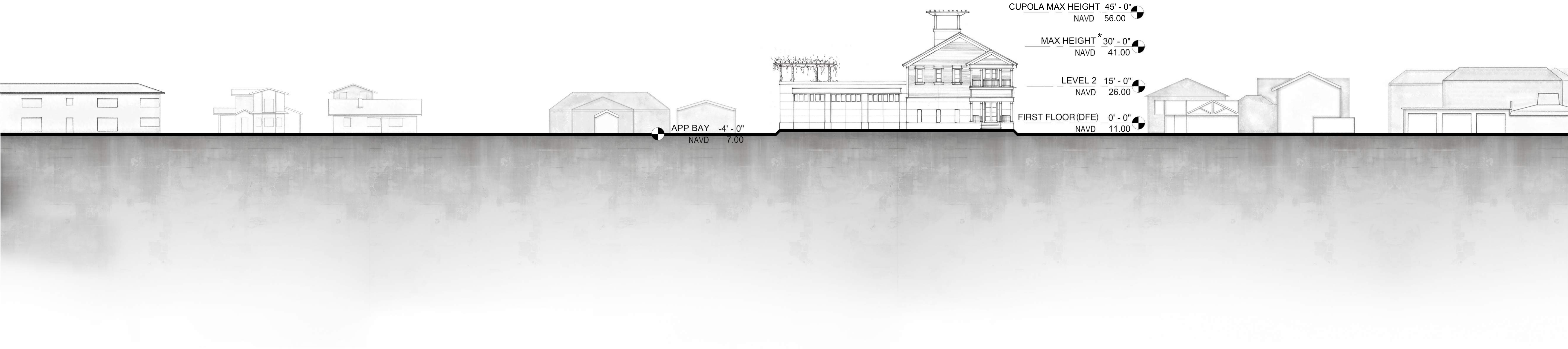
*To Midpoint of Roof



*To Midpoint of Roof



*To Midpoint of Roof





MEMORANDUM

To: Dustin Ballard, P.E. of Kimley-Horn

From: Brandon Berry, Planner
Community Development Department
City of St. Pete Beach - (727) 363-9229

Date: October 21, 2024

Re: **Unnecessary and Undue Hardship Variance #24061**

Dustin Ballard, P.E. of Kimley-Horn for the City of St. Pete Beach requests five-part variance to: a) reduce the front building setback along 20th Avenue to 1.2 feet where 25 feet is required, the secondary front building setback along Pass A Grille Way to 8.4 feet where 15 feet is required, the western side building setback to one foot where 10 feet is required, and the southern rear building setback to 0.5 feet where 15 feet is required, to permit the construction of a new two-story fire station (LDC Sec. 17.7); b) Permit the site impervious surface coverage to be no greater than 85% of the lot area where no greater than 80% is permitted (LDC Sec. 17.12); c) Permit the property-wide vegetated coverage to be 14% where 16% minimum is required (LDC Sec. 22.4.(f)); d) Reduce the required northern frontage landscaping buffer to zero feet along a portion where five feet is required, and the required southern landscaping buffer adjacent the driveway to 2.5 feet along a portion where six feet is required (LDC Sec. 22.7.(a)(1) & (b)(1)), and; e) Permit the rooftop chimney training element to be located at 15 feet above the maximum height of the roof, or 45 feet above required design flood elevation, where 10 feet and 40 feet respectively is the maximum allowable (LDC Sec. 7.2.(k)).

The City's Technical Review Committee will meet on October 23, 2024 at 10:00 AM to discuss the following comments regarding the application. Additional comments may be shared at the meeting.

Public Works:

Comments have not been shared, but may be shared at the meeting.

Building:

Comments have not been shared, but may be shared at the meeting.

Code Enforcement:

Comments have not been shared, but may be shared at the meeting.

Recreation:

Comments have not been shared, but may be shared at the meeting.

Fire:

No comments.

Planning & Zoning/Transportation:

1. The narrative provides strong support for the need for a new fire facility, but is not as particular to the need for the additional space and features that the variances would provide. It appears that similar spaces could be provided for in a compliant facility, albeit one that is not as contextual with the surrounding Pass A Grille Overlay District. However, the setback variances and height exceed what would be permitted in the Overlay. Staff requests the applicant provide additional testimony at the hearing that justifies the need for the setback variances, which if provided staff finds provides significant support for the requested landscaping and impervious surface variances, as well as the tower height variance, relative to the needs of the community or the public safety in general.
2. Below are proposed variance conditions if this request is approved. Please let staff know if any pose significant hardship:
 - a. The applicant shall provide a green roof, cool roof, or additional frontage landscaping of at least five percent of the lot area (538 square feet).
 - b. Unless demonstrated to be technically unviable, the applicant shall pursue “sustainable sites” credit through LEED Silver certification at the time of building permitting.
 - c. Due to significant façade alterations since the request was shared with the Historic Preservation Board, this item shall be re-presented to the Board at time of site plan permitting for design consideration. Alterations from the plan set shared April 2023 shall be clearly noted and recommendations that are not contrary to the Land Development Code or any variance approved through Development Order 24061 shall be included to the extent viable.
3. Who from the applicant’s team will be in attendance at next Wednesday’s meeting?

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

Agenda Report

Agenda Title Name: Case No. 23072 - 2007 Pass-a-Grille Way

Action Request: As directed by the Board of Adjustment based on discussion of testimony provided.

Strategic Objective:

Date: October 30, 2024

Prepared By: Kristin Coman, Community Development Director

Through: Denise Sanderson

Summary of Issue: Progress report as required by condition 6 of the Development Order issued on 5/9/2024 in connection with Case No. 23072. Applicant and/or owner, in addition to staff, to provide information on their status to the Board.

Case No. 23072 Development Order Conditions:

- 1) The project shall be ADA compliant,
- 2) A landscaping plan shall be submitted with additional plantings installed as required per LDC Sec. 22.6,
- 3) The roofed, open porches to be constructed as per the plan submitted shall only be used as a waiting area and shall not be utilized as a service area for food or drinks, not include any outdoor music and may not be later enclosed without a subsequent variance,
- 4) Plans should be amended to reflect any changes requested by the Board or Staff as part of the 4/24/2024 hearing. All items contained within the Staff Findings Report dated 4/11/2024 and site improvements shall be installed as per the revised approved plans,
- 5) A Declaration of Unified Site Plan, as approved by the City Attorney, shall be recorded within 45 days from the date of this order,
- 6) Within 120 days (the August Board meeting) from the issuance of the Development Order, the applicant shall provide an update on the status of all open permits, including conditions listed in this variance, and the Board may modify or revoke the variance at

that time.

Funding:

n/a

Attachments:

1. 23072 - DO Package
2. 23072 - 2007 Pass-a-Grille Way - Staff Report



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PLANNING DEPARTMENT

May 9, 2024

Kyle Bass
Weber, Crabb & Wein, P.A.
5453 Central Ave.
St. Petersburg, FL 33710

Collom Properties, LLC
2381 E. Vina Del Mar Blvd.
St. Pete Beach, FL 33706

Re: Board of Adjustment Case No: 23072
Address: 2007 Pass-a-Grille Way
Parcel Number: 18-32-16-68634-000-0020

At the 4/24/2024 hearing of the City of St. Pete Beach Board of Adjustment, your request for an Unnecessary and Undue Hardship Variance Request was **approved with conditions**. Please find enclosed the Development Order issued in connection with your case.

The next step in the process is to obtain a building permit prior to construction. **Submittal of a copy of the enclosed Development Order will need to be included with the building application.** Any variance granted under the provisions of the Land Development Code Section (LDC) 3.12 – Variances shall expire one (1) year from the date of the development order providing for such variance, unless a building permit for the construction authorized by such variance is obtained within such time and said building permit has not expired prior to the completion of construction in accordance therewith.

Section 3.14 of the LDC establishes the appeal process for any person or persons, jointly or severally, aggrieved by any decision of the Board of Adjustment and all appeals must be filed within 30 days after rendition of the decision of the Board of Adjustment.

If there are any questions on this case, please contact me at kcoman@stpetebeach.org or 727-363-9265.

Respectfully,

Kristin Coman
Community Development Director

Encl.

Cc: Board of Adjustment Attorney (*via email*)



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PLANNING DEPARTMENT

May 9, 2024

Kyle Bass
Weber, Crabb & Wein, PA
5453 Central Ave.
St. Petersburg, FL 33710

Collom Properties, LLC
2381 E. Vina Del Mar Blvd.
St. Pete Beach, FL 33706

DEVELOPMENT ORDER

Board of Adjustment Case No: 23072

The Board of Adjustment reviewed and conducted a public hearing on an application for a(n) Unnecessary and Undue Hardship Variance in which the Board determined that substantial and competent evidence was presented to satisfy the criteria required in the above-captioned case on April 24, 2024.

Address: 2007 Pass-a-Grille Way, St. Pete Beach, FL 33706

Parcel Number: 18-32-16-68634-000-0020

Request: Unnecessary and Undue Hardship Variance the construction of roofed, open porch extension, 12' x 28.67' (overall dimensions), 11'2" high, to create an approximately 300 sq. ft. covered ride wait area that will encroach entirely into the required 25' secondary front setback while maintaining the existing 1.67' setback where 25' is required (LDC Sec. 15.7.(b)(2)).

IT IS HEREBY ORDERED:

Case Number **23072** is hereby **APPROVED WITH CONDITIONS:**

- 1) The project shall be ADA compliant,
- 2) A landscaping plan shall be submitted with additional plantings installed as required per LDC Sec. 22.6,
- 3) The roofed, open porches to be constructed as per the plan submitted shall only be used as a waiting area and shall not be utilized as a service area for food or drinks, not include any outdoor music and may not be later enclosed without a subsequent variance,
- 4) Plans should be amended to reflect any changes requested by the Board or Staff as part of the 4/24/2024 hearing. All items contained within the Staff Findings Report dated 4/11/2024 and site improvements shall be installed as per the revised approved plans,
- 5) A Declaration of Unified Site Plan, as approved by the City Attorney, shall be recorded within 45 days from the date of this order,
- 6) Within 120 days (the August Board meeting) from the issuance of the Development Order, the



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PLANNING DEPARTMENT

applicant shall provide an update on the status of all open permits, including conditions listed in this variance, and the Board may modify or revoke the variance at that time.

5/9/2024

Kristin Coman, Community Development Director

Date

LDC Section 3.6(f) Subsequent applications. if any application filed under the provisions of this Code is denied, no subsequent application seeking substantially the same or similar approval shall be filed within six months of the final decision on the original application, unless such application is denied without prejudice by the board hearing the request. Applications which are withdrawn in writing at least 48, hours prior to the public hearing at which they are to be heard shall be considered to have been withdrawn without prejudice and may be resubmitted immediately.

LDC Section 3.14(b) Appeals. Any person aggrieved by this Order may appeal to the Circuit Court on or before thirty (30) days from the date of the Order.



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PLANNING DEPARTMENT

Date: April 11, 2024
To: Board of Adjustment
Re: Staff Findings Report
Unnecessary and Undue Hardship Variance
Address: 2007 Pass-a-Grille Way
Parcel Number: 18-32-16-68634-000-0020
Charles Collom for Collom Properties, LLC
Variance Case No: 23072

Prepared by: Kristin Coman, Community Development Director

Hearing Date: 4/24/2024

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 and documents.
2. Boundary Survey with Topography and Improvements prepared by John C. Brendla and Assoc. Inc. dated 10/5/2022, last revised 5/16/2023 consisting of 1 page.
3. Plan set prepared by Keene Engineering Consultants, LLC, Coastal Contracting Services, Inc. and Andrews Design Services dated 10.24.2023, last revised 11.14.23 consisting of 4 sheets.

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

Site Description/Surrounding Land Uses

The subject site is a 13,283 sq. ft. (approx. 0.30 acre) parcel located at 2007 Pass-a Grille Way known as parcel number 18-32-16-68634-000-0020 and legal description of PHILLIPS DIVISION REV MAP N 115FT OF THAT UNNUMBERED TRACT LYING E OF BLK I BETWEEN E R/W OF FLORIDA AVE (NKA PASS-A-GRILLE WAY) & WATER within portions of the AE-Elevation 9 and AE-Elevation 10 flood zone. The property is located within the CG-1, Commercial District; CG on the future land map and contains a restaurant use, Red, White and Booze, consisting of approximately 3,666 square feet that was constructed in 1979 according to the Pinellas County Property Appraiser. It is a corner, waterfront parcel located on the Pass-a-Grille Channel with single family residential across the water to the east, 21st Ave. and single

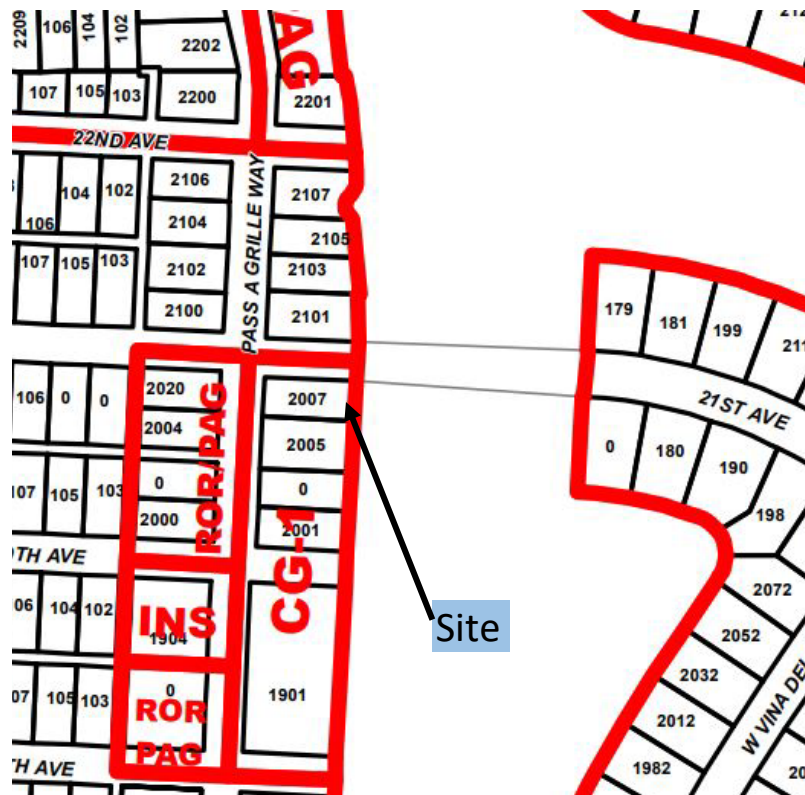
family residential to the north, another commercial restaurant, The Wharf, to the south and commercial uses to the west.

Figure 1: Aerial Photography



Source: Pinellas County Property Appraiser

Figure 2: Zoning Map



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

Prior Approvals/Background**Variance Case No. 23018**

In 2023, the property received variance approval with conditions from the Board of Adjustment for removal of the existing non-conforming 6' high wood fence and installation of 8' high wooden shadowbox fencing that exceeds maximum permitted height of 4' within waterfront yard (LDC Sec. 6.15).

Conditions:

1. Applicant to retain and/or install curb stops for each parking space along the southern property line.
2. Applicant to ensure that parking spaces will meet the minimum depth requirements and drive aisle width as required by LCD Sec, 23.11 and inspected by Zoning prior to Final Inspection.

In connection with building permit 2202218, a site inspection requested by the applicant and completed by staff revealed that wheel stops along Pass-a-Grill Way right-of-way will need to be removed as the parking spots are not fully contained within the property or meet dimension requirements and may alter the parking layout and parking calculations to be reevaluated.

Conditional Use Permit No. 23034

On 9/11/2023 City Commission approved a conditional use permit with conditions for the following:

- 1) Request to allow the continued use of an approximately 20x48' (960 SF) "Class A" dock addition used for dining and drinking that was erroneously approved without a Conditional Use Permit (LDC Sec. 15.4.(m));
- (2) Request to establish an area to play live music on the outdoor dining and drinking deck (LDC Sec. 15.4.(n)).

Technical Review Committee

During the Technical Review Committee review of the variance submittal held 4/3/24, there were several Planning & Zoning/Transportation comments that were discussed with the applicant, property owner and contractor and it was determined that the site lacked the following design and landscaping items required by the Land Development Code and some of which may be included below for testimony to be provided from either the applicant or owner for the record.

Request

The applicant requests the construction of roofed, open porch extension, 12' x 28.67' (overall dimensions), 11'2" high, to create an approximately 300 sq. ft. covered ride wait area that will encroach entirely into the required 25' secondary front setback while maintaining the existing 1.67' setback where 25' is required (LDC Sec. 15.7(b)(2)).

Analysis

1. New variance required:
 - a. **Minimum yard requirements, secondary front yard (LDC Sec. 15.7(b)(2)):** where a minimum secondary front yard of 25' is required and 1.67' is proposed.

Figure 3: Zoning Table			
Other Uses	2007 Pass-a-Grille Way		
	<u>CG-1 Required</u>	<u>Existing</u>	<u>Proposed</u>
Lot Area (Min.)	5,000 sq. ft.	13,283 sq. ft	No Change
Lot Width (Min.)	50'	115'	No Change
Front Yard Setback (Min.)	25'	49.78'	41.78'
Secondary Front Yard Setback (Min.)	25'	1.15*	1.67(v)
Side Yard Setback (Min.)	10% of lot width (11.5')	65'	44'
Rear Yard Setback (Min.)	25'	0'*	No Change
ISR (Max.)	0.90	98.63*	No Change
Height (Max.)	50'	11'2"	12'
*Denotes existing non-conformity (v) = Variance required			

Figure 4: Portion of site plan showing proposed front additions and required 25' secondary front yard setback (N.T.S.)

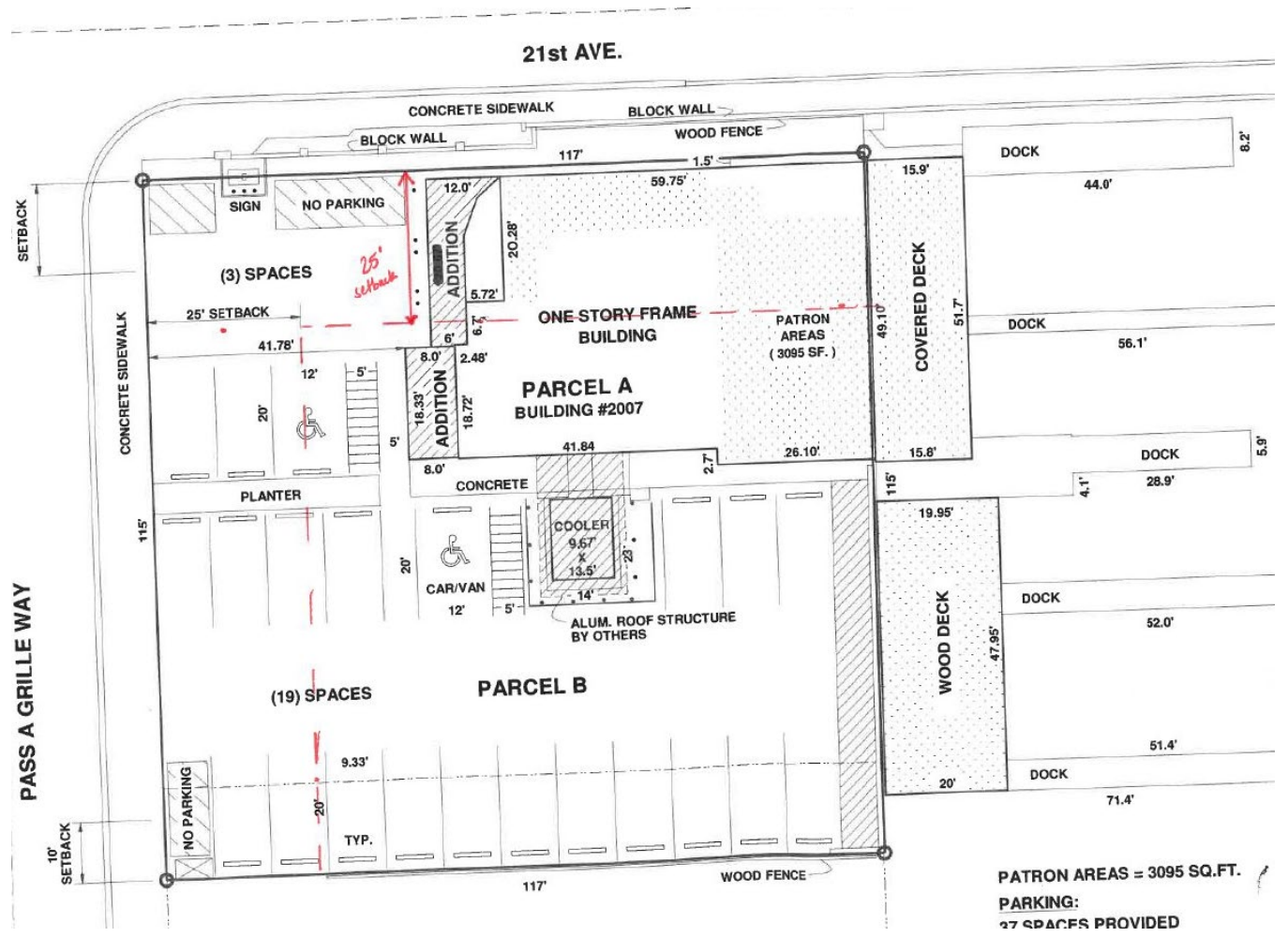


Figure 5: Proposed Front Elevation (N.T.S.)**Additional Comments**

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

The Board has standards of review for a hardship variance and must make a positive finding with regards to the provisions located in Division 3 of the Land Development Code in order to grant the variance(s). The applicant should be prepared to provide their own testimony by answering the following items 1-8 **in addition** to staff comments below:

1. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved, and which are not applicable to other lands, structures, or building in the same zoning district;
 - *The property was developed prior to the city's effective zoning ordinance and contains a secondary front yard setback that would be preserved through the approval of this variance, which is an irregular situation not applicable to other lands in the vicinity. While located south of 32nd Ave, the property is also one of the few located west of the Vina Del Mar subdivision that is not within the Pass-a-Grille Overlay District, which was adopted in part to recognize the historic development patterns of the area. If the property were to be zoned within the Overlay, as referenced in the District's purpose, the secondary street setback would be only 5 feet, with a side yard of 0 feet. Although this zoning does not apply to the subject property, this is also a unique circumstance not applicable to other commercial properties in the vicinity due to the zoning of the properties on the eastern side of Pass-a-Grille Way between 19th and 21st Avenues. It is noted that a sole similar use in the area is the subject property's southern neighbor, also a restaurant.*
2. The special conditions and circumstances do not result from the actions of the applicant or a prior owner of the property;
 - *The existing secondary front condition is not the result of the applicant, nor is the existing secondary front setback known to Staff to have been constructed without the benefit of zoning approval when the structure was initially developed. The applicant's request to extend the front of the structure is, by nature, a result of the action of the applicant, but they are not responsible*

for existing conditions and are preserving the existing nonconforming side setback with their request.

3. Literal interpretation of the provisions of the Land Development Code deprives the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Land Development Code and results in unnecessary and undue hardship on the applicant;
 - *Staff finds the open frontage waiting area element to be a common feature of other restaurants in the area but does not find that the applicant has thoroughly demonstrated that denial would result in deprivation of an integral and necessary aspect of their business in a manner that creates a hardship. Staff finds the request reasonable given the presence of other open waiting areas on the front of restaurants in Pass-a-Grille, and the challenge faced given the existing site layout and building location. However, the applicant should address why the conversion of existing space at the front of the building, which would not require a variance, could pose a hardship to the use of the building.*
4. The hardship has not been deliberately or knowingly created or suffered to establish a use or structure which is not otherwise consistent with the comprehensive plan or the Land Development Code, nor will it permit and increase in development density;
 - *The request is for the extension of a restaurant, which is a permitted use in the property's zoning district.*
5. An applicant's desire or ability to achieve greater financial return or maximum financial return from his property does not constitute hardship;
 - *Staff finds the request to be for a reasonably-sized extension, and one which is not proposed to contain any additional direct income-generating activity underneath such as additional tables or bar area. Staff finds that should the provided conditions are followed, these criteria will be met.*
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 property's southern neighbor is the only property in the same zoning district, within the area, that is of similar character. Although the encroachment of the neighbor is into the secondary front yard of a street end rather than a thoroughfare as is the case for the subject property, the southern neighbor's building does encroach to an effective zero-foot setback on the southern secondary front of the property at 20th Ave when riparian extensions are considered. This subject request, which would place the front addition at 1.67 feet from the secondary front lot line of 21st Ave, is in general keeping with the neighbor's current secondary front yard building encroachment, and the subject building would maintain a similar overall gross square footage to the neighboring building.*
7. The requested variance is the minimum variance that makes possible the reasonable use of the land, building, or structure; and
 - *Staff finds the request is of reasonable depth given the addition is proposed to maintain a significantly greater setback from Pass-a-Grille Way than required by the Land Development Code. The addition will maintain the existing roof pitch at the northern side of the structure and*

be lower than the existing roofline near the entrance and center of the building at a maximum height of twelve feet from grade, which should not significantly increase overall visual impacts to the neighboring properties. The covered ride wait areas will be approximately 280 square feet in size, which is in keeping with the character of the 240 square foot frontage porch of the neighboring property.

8. The requested variance is in harmony with the general intent and purpose of the comprehensive plan and the Land Development Code, is not injurious to the neighborhood or otherwise detrimental to the public safety and welfare, is compatible with the neighborhood, and will not substantially diminish or impair property values within the neighborhood.
 - *Staff finds that the request will not result in a more imposing structure due to the maintenance of the existing structure's roofline combined with the substantial grade change adjacent to the property at the Vina-Del-Mar Bridge. Staff is recommending conditions to limit outdoor seating underneath the extension, which should result in a limited-if-any intensity increases to the property that could cause additional disturbances to neighboring residents or businesses. Additionally, the applicant will be required to make parking lot and landscaping improvements under this scope, which will contribute to furthering drainage and beautification goals.*
 - *The applicant should provide testimony addressing any future changes that may be proposed for the restaurant or site that may include use of space that are not covered under this scope. This property has undergone significant improvements over the past few years pertaining to installation of a walk-in cooler, new dock seating areas, and fencing, among others. Addressing future project proposals holistically with this subject development will enable a more thorough understanding of how the space will interface with those potential improvements.*

Other Comments:

1. The applicant should provide further testimony as to the hardship faced in terms of the necessity for this proposed covered roof waiting area relative to their use. The applicant has the right to maintain their nonconforming structure as is the case for others in the same situation, but this information is requested to pertain to the necessity of the covered area relative to the use of the restaurant.
2. The applicant should provide testimony sharing details on open permits or current construction, addressing any future changes that may be proposed for the restaurant or site that may include use of space that are not covered under this scope. This property has undergone significant improvements over the past few years pertaining to installation of a walk-in cooler, new dock seating areas, and fencing, among others. Addressing future project proposals holistically with this subject development will enable a more thorough understanding of how the space will interface with those potential improvements.
3. The proposed site plan alterations of current site improvements, outlined and comments below:
 - a) The parking lot striping on the site does not match what is currently on-site. The applicant should confirm the new site layout with restriping is intended to be installed under this scope.
 - b) Proposed relocation of bike rack to be shown on the site plan.
 - c) Colors and materials should be described. If a color elevation is not available, please provide a color board with references.

- d) Recently a photo opportunity or prop which appears to be metal section of a ship for has been installed near the front entrance of the building. Applicant should provide details on relocation or removal of the element under this scope.
 - e) Applicant should indicate if any railings are to be installed along the front of the additions or if intended to be open.
 - f) The planter and landscaping beds currently contain minimal landscaping and should be supplemented. A landscaping plan should be submitted and if additional areas of landscaping can be identified, additional plantings should be installed. LDC Sec. 22.6 requires a specified percentage of the addition cost to be supplied in on-site landscaping if the site is deficient to landscaping. Staff typically requests one square foot of landscaping be provided for each square foot of building floor area added for properties that are deficient to landscaping, when viable.
 - g) Applicant should provide details on the proposed use of each addition and if any amenities such as seating or tables etc. are to be provided.
4. Plans should be revised to address the following comments:
- a) Plan Set, Sheet 1 incorrectly identifies the proposed length of the covered ride wait area as 20.67' where the dimension should be amended to 26.67'.
 - b) Plan Set, Sheet 2 identifies the additions as a covered ride wait area and rain shelter whereas the Construction Plan, Sheet 4 identifies them as covered ride wait area and covered maintenance area.
 - c) Plan Set, Sheet 3 Roof Plan also provides the elevations of the building. The front elevation does not include the door that is currently to the right of the front entrance and the floor plan sheet 2 does not include information if that door is to be removed as it indicates a solid wall which is not correct.



Recommendation

Staff finds that the applicant has addressed some of the hardship criteria but does not find that the applicant has thoroughly demonstrated that denial would result in deprivation of an integral and necessary aspect of their business in a manner that creates a hardship.

Due to the lack of support within the submittal documents, staff recommends requesting more information from the applicant pertaining to the demonstration of an unnecessary and undue hardship. If the applicant cannot provide substantial evidence through testimony, staff finds the proposed variance relief sought does not advance the purposes of Land Development Code Sec. 1.1 or granting the variance from the applicable LDC Sec. 15.7(b)(2)), staff recommends **denial** of the request.

Should the applicant and owner provide additional information to satisfy the Board that substantial and competent evidence has been provided and look favorably on the application on the relief request, the Board may want to consider the following conditions:

1. The roofed, open porches to be constructed as per plan submitted and may not be later enclosed or utilized as a service area without obtaining a subsequent variance and shall be utilized as a waiting area only.
2. Applicant to work with staff on submission and approval of landscaping plan and shall be installed with site inspection completed prior to issuance of Certificate of Occupancy/Final Inspection. The plan should identify any additional areas of landscaping and plantings should be installed as per LDC Sec. 22.6.
3. Plans shall be amended to reflect any changes requested by the Board or Staff and site improvements to be installed as per approved plans.

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
Community Development Director

Cc: Kyle Bass, Weber, Crabb & Wein, P.A., Applicant **via email** (kyle.bass@webercrabb.com)
Charles Collom, Collom Properties, LLC, Owner **via email** (jrcmoo@aol.com)
Matthew McConnell, Board of Adjustment Attorney

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

Agenda Report

Agenda Title Name: Case No. 24042 – 3700 Gulf Blvd. [Parcel #07-32-16-21852-028-0001]

Action Request: None, for informational purposes, unless the Board of Adjustment finds the changes adverse to the original approval condition, in which Staff requests recommendations to approve that condition.

Strategic Objective:

Date: October 30, 2024

Prepared By: Brandon Berry, Senior Planner

Through: Denise Sanderson

Summary of Issue: This variance was approved by the Board of Adjustment on February 28, 2024, with conditions related to preservation of the design as presented and that overall features, color, height and setbacks meet the requirements generally shown in the rendering. The applicant has since revised the design and rendering of the structure, seeking a structure different in color and secondary facade elements. Staff does not find these changes to be significant or adverse to the condition as approved in February, but requests Board of Adjustment input into the changes, and any recommendations related to the retention of the original conditions as required.

Funding: N/A

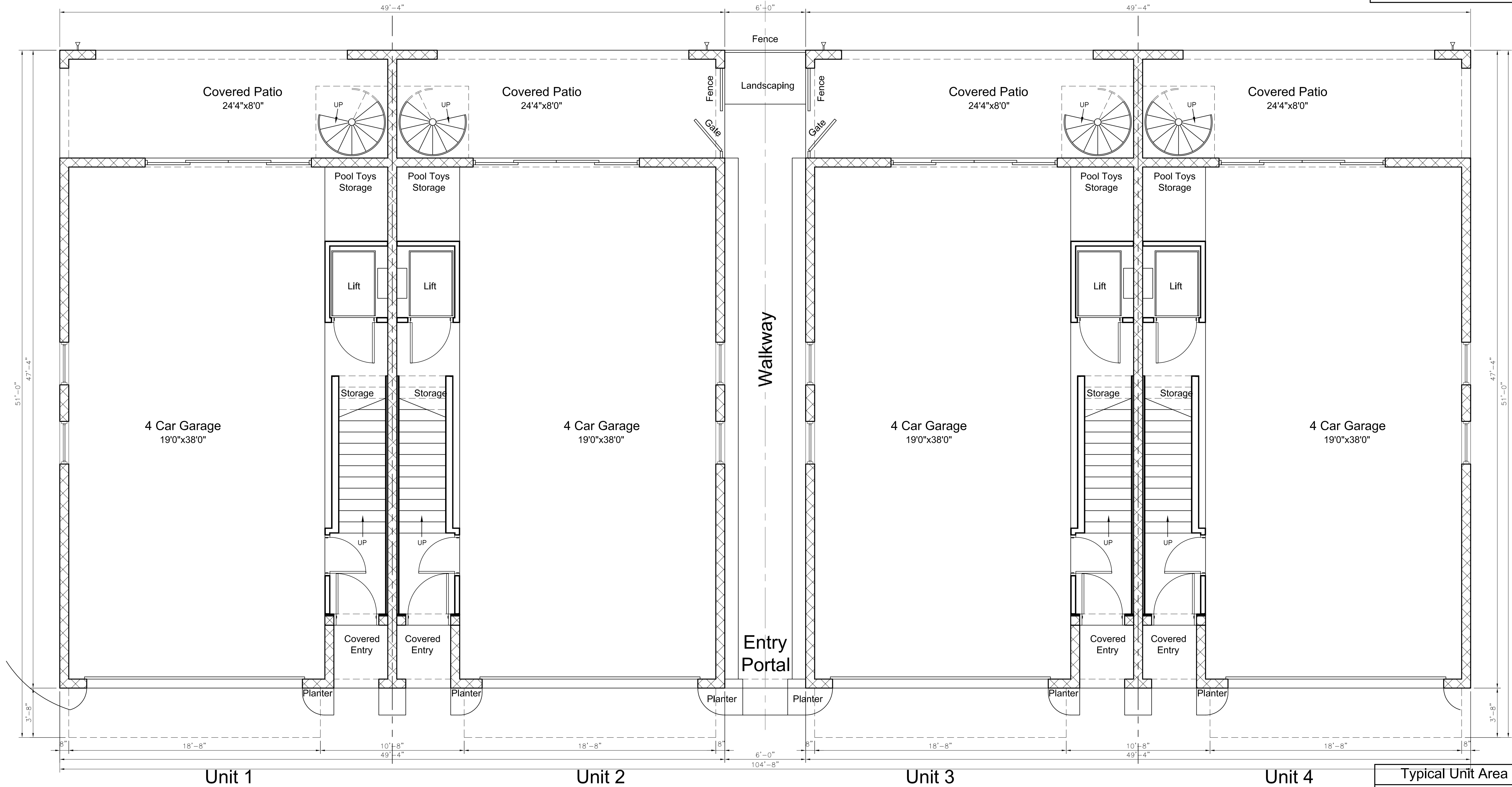
Attachments:

1. Rendering presented at February 2024 Board of Adjustment
2. Rendering revised in October 2024 (Current)
3. Revised Floor Plan & Elevations





Total Area Tabulation All Units	
LIVING AREA:	
GRADE LEVEL:	500 SqFt
1ST FLOOR:	3880 SqFt
2ND FLOOR:	4672 SqFt
3RD FLOOR:	4672 SqFt
4TH FLOOR:	1952 SqFt
TOTAL LIVING AREA:	15676 SqFt
GARAGE:	3292 SqFt
TOTAL ENCLOSED:	18968 SqFt
FRONT PORCH:	88 SqFt
BACK PORCH:	788 SqFt
FRONT BALCONY:	280 SqFt
REAR BALCONY:	788 SqFt
COVERED DECK:	336 SqFt
TOTAL UNDER ROOF:	21248 SqFt



Typical Unit Area Tabulation	
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GARAGE:	823 SqFt
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FRONT PORCH:	22 SqFt
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REAR BALCONY:	197 SqFt
COVERED DECK:	84 SqFt
TOTAL UNDER ROOF:	5312 SqFt

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

0'1"2"4"6"8"16"

16

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Grade Level Floor Plans

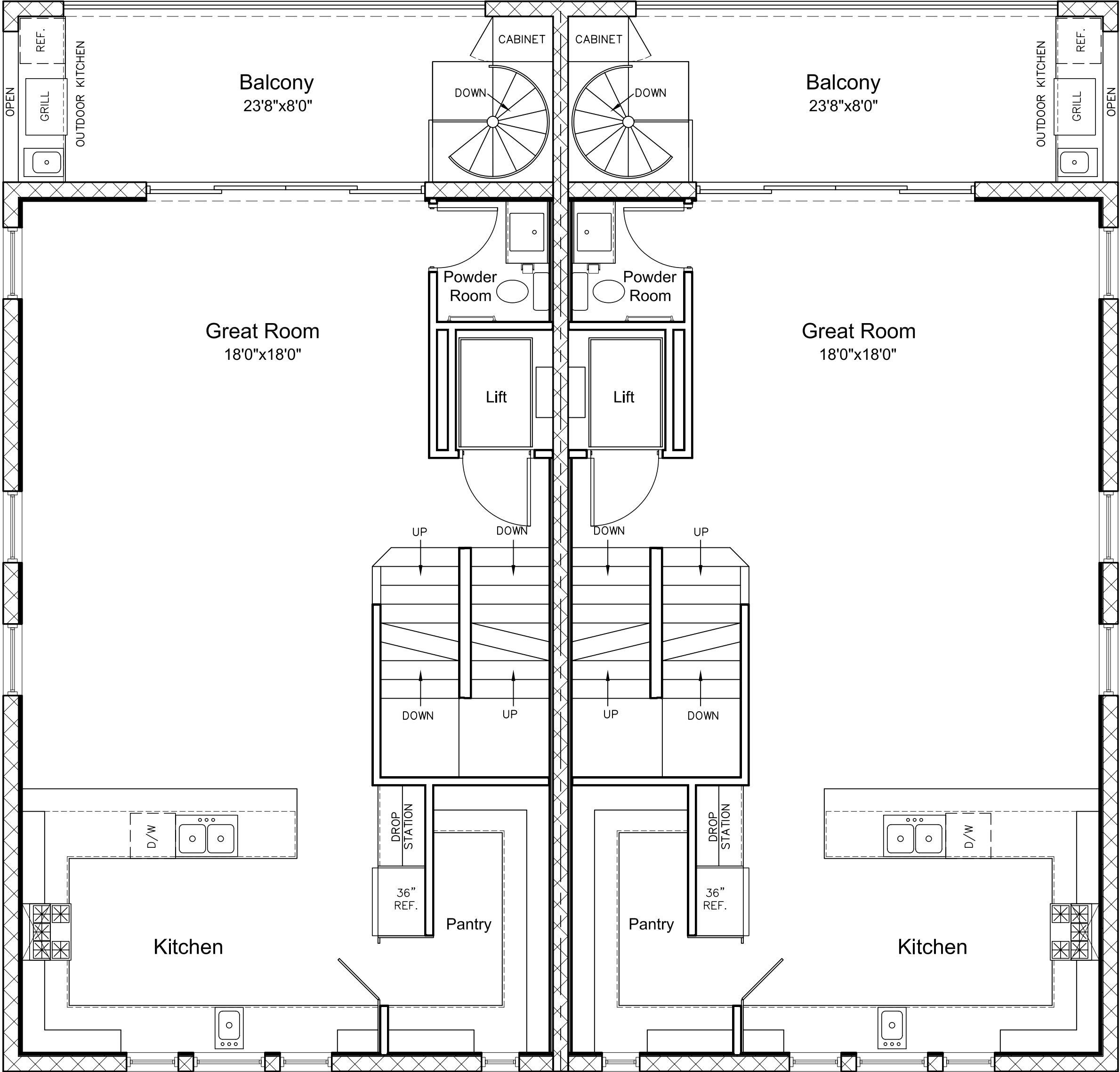
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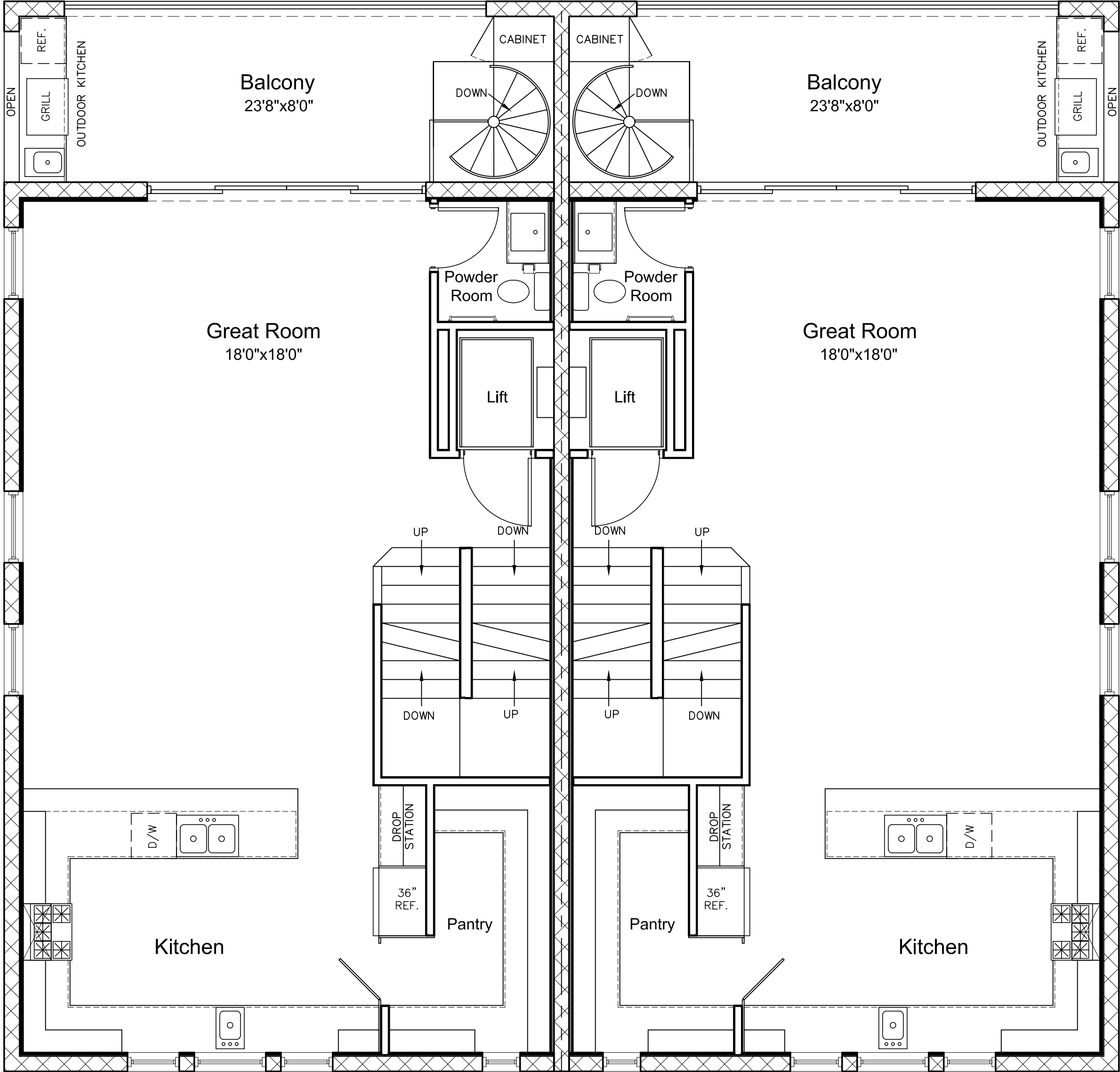
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Unit 1

Unit 2



Unit 3

Unit 4

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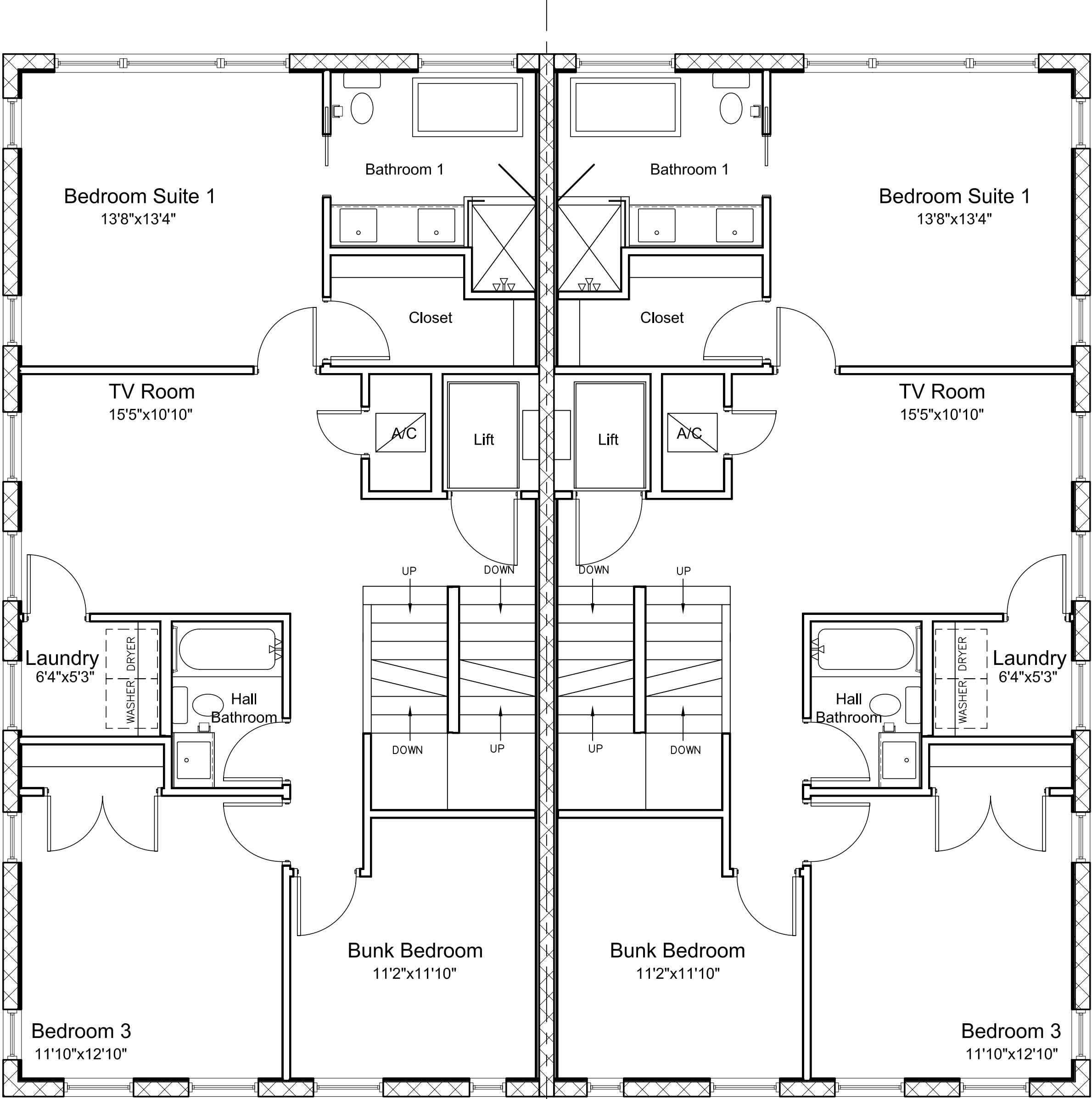
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1st Floor Plans

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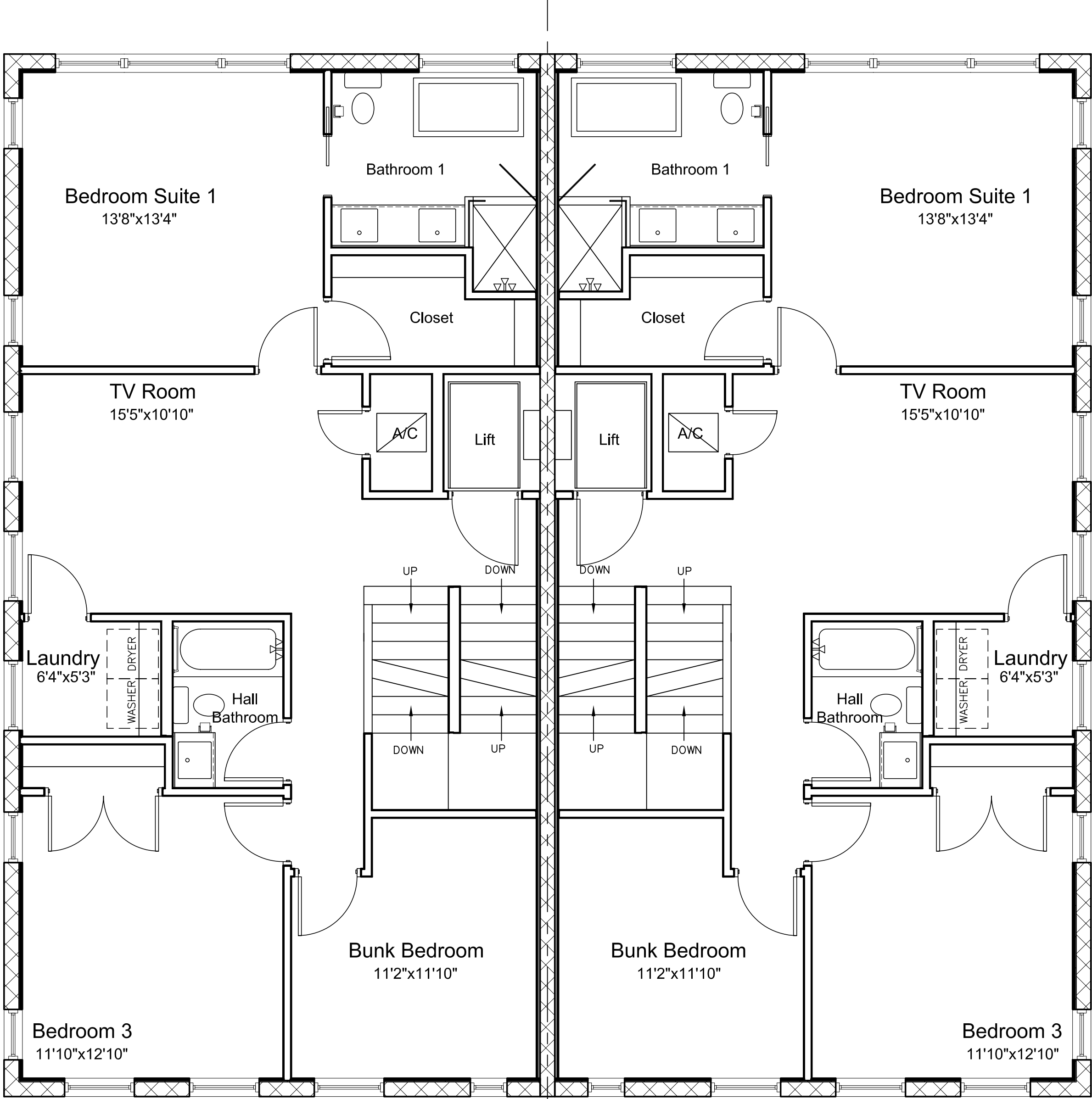
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Unit 2



Unit 3

Unit 4

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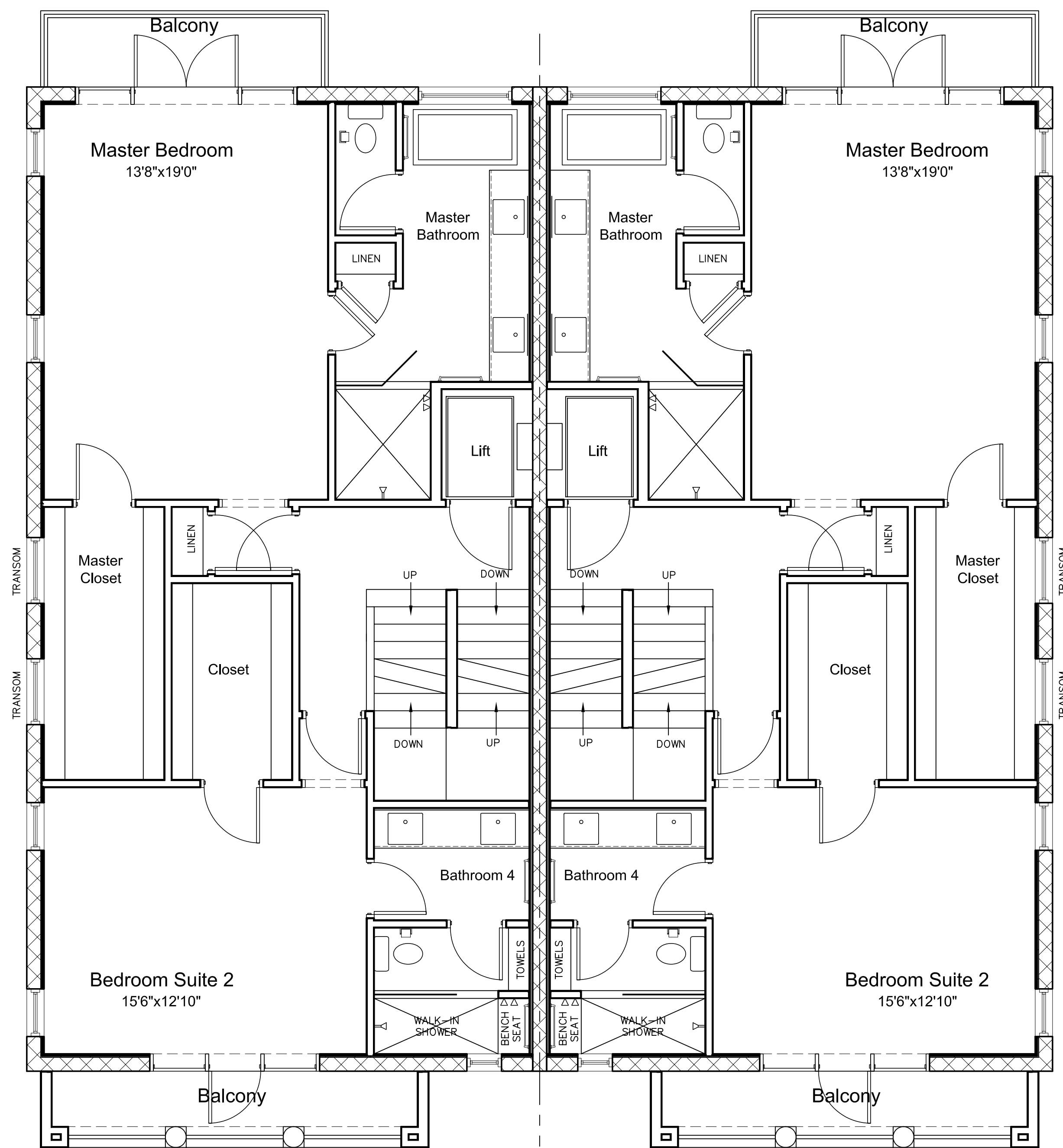
2nd Floor Plans

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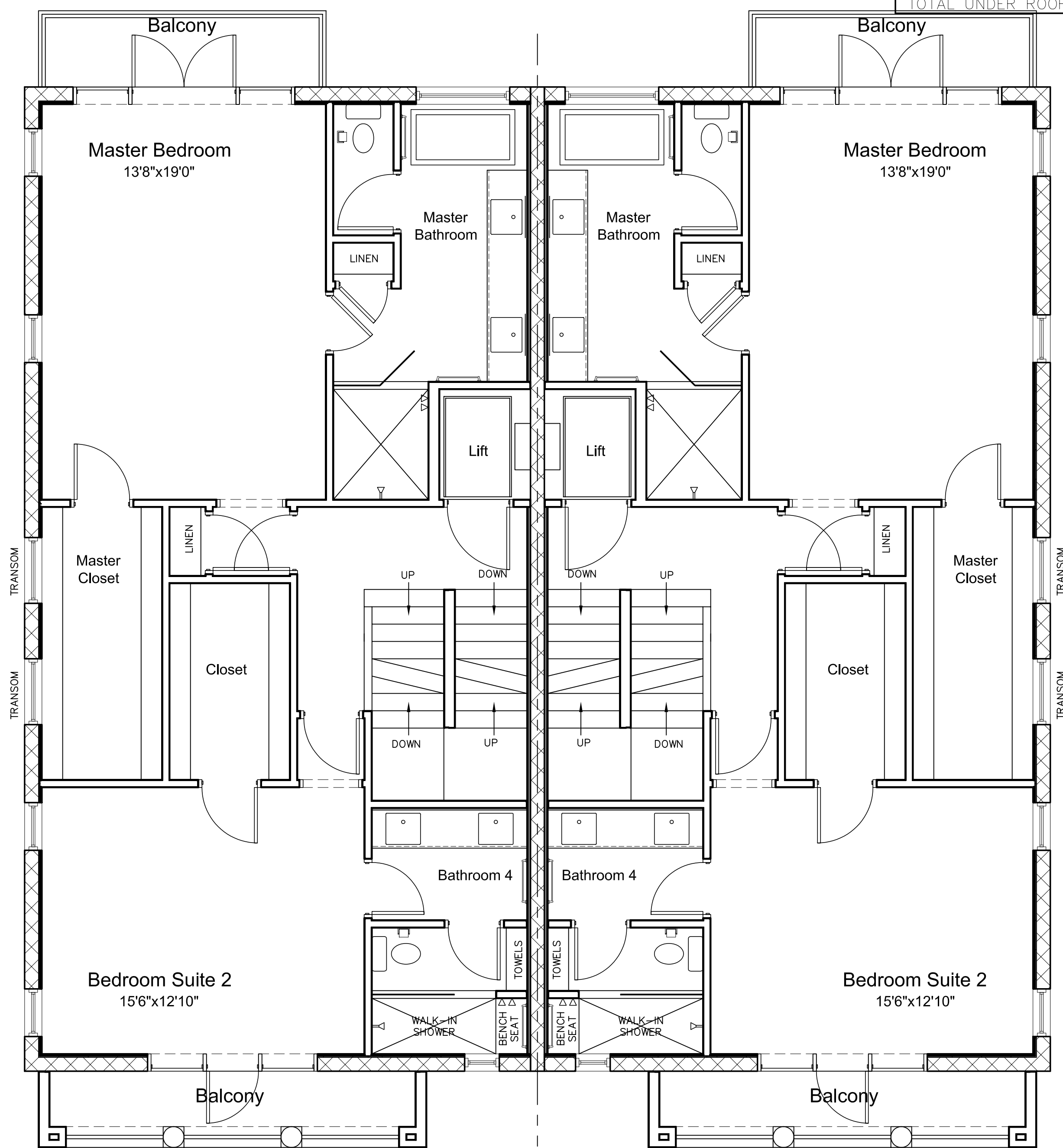
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Unit 1

Unit 2



Unit 3

Unit 4

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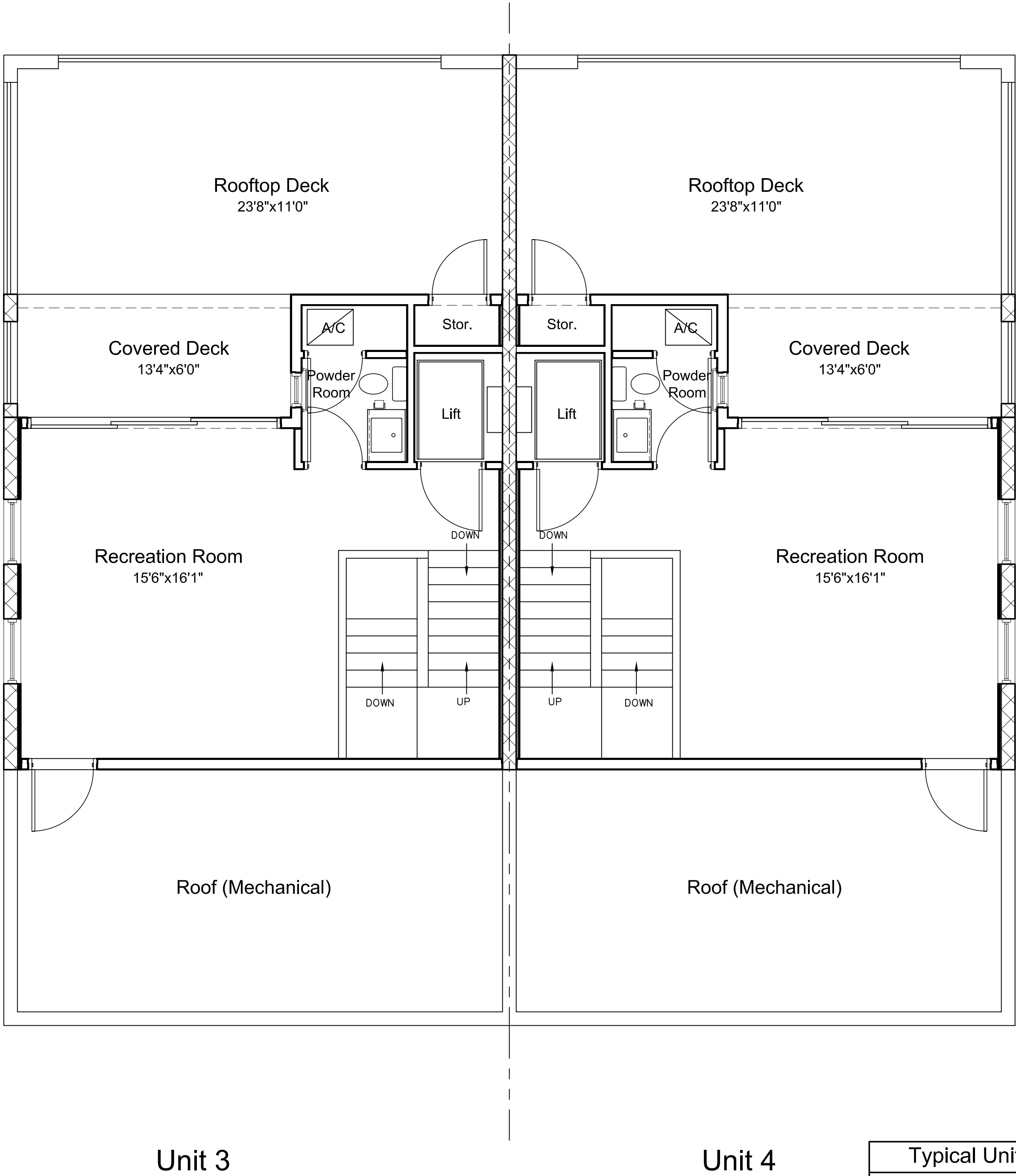
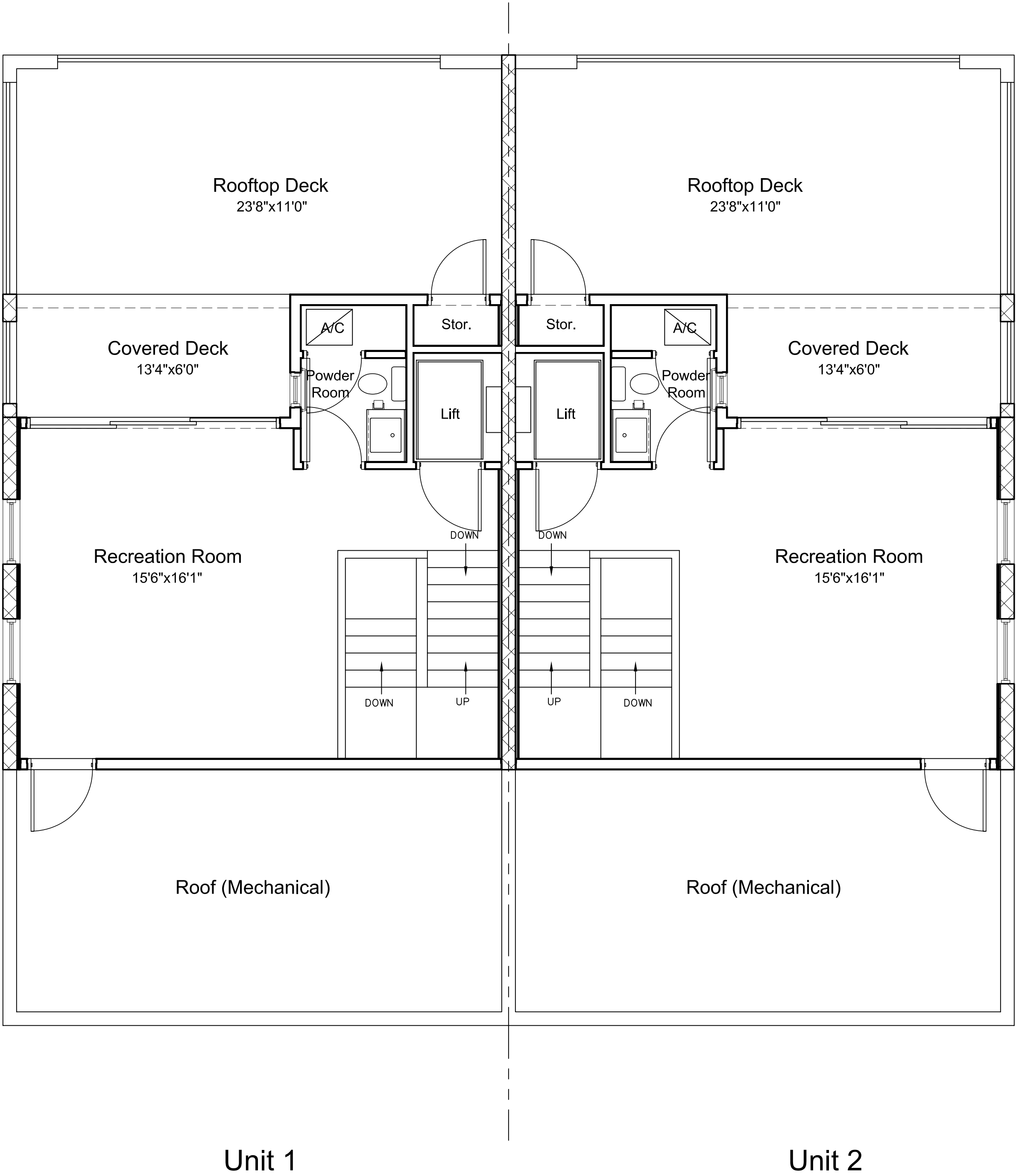
3rd Floor Plans

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4th Floor Plans

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

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Front Elevation

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

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Rear Elevation

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