



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

155 Corey Avenue  
St. Pete Beach, FL 33706

Wednesday, July 30, 2025  
2:00 PM

Call to Order  
Pledge of Allegiance  
Roll Call

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**REGULAR MEETING**

1. Approval of the Agenda -

**Action Request: Motion to approve the July 30, 2025 agenda.**

2. Audience Comments -

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

3. Approval of Minutes

**a. June 25, 2025 Meeting Minutes**

4. Action Items -

**a. Case No. 25060 - 4107 Miller Dr.**

*Unnecessary and Undue Hardship Variance:* Micah Thompson, Gulf & Bay Dock Works, LLC for Marilyn Orbach-Rosenberg requests demolition of an existing 10' x 25.5' dock to construct a new 6' x 20' long dock which exceeds the maximum length allowed, with 20 feet proposed where 19.5 feet is permitted, and a proposed southeastern riparian line setback of 0.6 feet where 9.75 feet is required (LDC Sec. 6.23.(d)(3-4)).

**b. Case No. 25089 - 3214 W. De Bazan Ave.**

*Unnecessary and Undue Hardship Variance:* Kristen Hansen of George F Young, Inc. for Jeffrey, John and Scott Trull requests to split a zoning lot to create two lots each capable of supporting one single-family residence, with both created lots averaging 59.91 feet in width where 60 feet is required (LDC Sec. 9.6.(a)(2)).

**c. Case No. 25087 - 565 Belle Point Dr.**

*Practical Difficulty Variance:* James Kearney requests to construct a 22'10" x 15' addition for expansion of existing attached garage with the proposed front yard setback of 13.6 feet where 20 feet is required (LDC Sec. 8.7(a)(1)).

**d. Case No. 25084 - 3314 E. Maritana Dr.**

*Unnecessary and Undue Hardship Variance:* Joshua Trosclair for Charlotte and Allen Schmitt requests to retain the existing residential storage building of 99 sq. ft. that exceeds the maximum of 80 sq. ft. permitted (LDC Sec. 6.13(b)(5)).

5. **Adjournment - Next meeting to be held on August 27, 2025 -**

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

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

**The public is cordially invited to attend this meeting.**

**All agenda material is available for review at City Hall or [www.stpetebeach.org](http://www.stpetebeach.org).**

## BOARD OF ADJUSTMENT MINUTES

June 25, 2025 – 2:00 P.M.

Commission Chambers

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

**STAFF PRESENT:** Kristin Coman, Senior Planner; Ralf Brookes, City Attorney; Brandon Berry, Senior Planner; Ginny Keeter-Bodkin, Deputy City Clerk

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

### 1. Approval of the Agenda -

There were no changes to the agenda.

**There was unanimous approval of the June 25, 2025 agenda as presented by a voice vote.**

The Deputy Clerk swore in all those who would be speaking or presenting to the Board.

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

### 3. Approval of Minutes – May 28, 2025 Meeting

**Motion: Member Garchow moved, Member Causey seconded, and the motion carried 5-0 to approve the May 28, 2025 meeting minutes as amended.**

### 4. Action Items

Ex-parte disclosures were made for Case 25074; Vice Chair Garchow and Members Core and Causey declared that they had driven by or visited the site.

#### a. Case No. 25074 - 107 20th Ave.

*Practical Difficulty Variance: Mark Zdrojewski of Strobel Design Build for Patrick Dufour requests to construct a new House-Medium structure that will encroach to 8'-0" from the rear property line where 15'-0" is required (LDC Sec. 20.15.)*

Senior Planner Brandon Berry reviewed a presentation for the variance request that included photos, a zoning map, survey, application, posted notices, variance conditions, plans, and staff findings. The presentation is part of the meeting record. The applicant's intent is to construct a new two-story residence on the property, following Historic Preservation Board approval to demolish the previous residence. The applicant had initially applied for a reduction to the front setback requirement, proposing 10 feet where 20 feet is required by the underlying zoning district. However, as the applicant chose to undertake a design review with the Historic Preservation Board (HPB), they are eligible for a ten-foot front setback provided that the design elements are included in the request. They are currently requesting a rear setback reduction that goes beyond what the HPB can grant.

Staff found the variance would be unlikely to cause adverse change in the neighborhood, and that the requested footprint and massing of the structure were reasonable. Staff sought testimony from the applicant as to why the seven-foot portion of the building proposed for encroachment could not be accommodated elsewhere without difficulty, such as adjacent the enclosed portion of the home at the rear of the western side of the structure – and whether the applicant had alternative plans should the variance not be granted. Ms. Coman confirmed that there are two other properties that use the alley which have detached contributing structures that encroach farther into the alley than this request.

Vice Chair Garchow asked staff for clarification on current and previous setbacks variances at this property. Member Core inquired about the size of the lot and the front garage doors vs. the rear garages.

Contractor/Designer Mark Zdrojewski (705 125<sup>th</sup> Avenue, Treasure Island) of Strobel Design Build appeared for applicant Patrick Dufour. Mr. Zdrojewski testified that the front garage doors will be for beach storage and other uses, but not for cars. There will be islands of vegetation in front of those doors and a garden wall around the front of the property. He testified that the previous structure would not have survived being lifted after the flood, and that the setback area is for the open porch; he reviewed the porch plans. They had considered many different iterations of the floor plans. The rear encroachment is for a small home office. Mr. Zdrojewski testified that the house next door has the same massing. Without the variance, the applicant would likely lose their office space and might need to add another story. Mr. Berry stated that no letters had been received. Ms. Coman added that two other structures along that alley are going to be demolished.

Applicant Patrick Dufour appeared and testified that their children are home schooled, and additional space is necessary. He added that there are four houses to the south and four to the north that use the alley; the alley is made of sand. He testified that cars could pass each other in the alley.

There was no public comment.

The Chair opened board discussion. Mr. Berry confirmed for Vice Chair Garchow there is a 5-foot encroachment in the rear and the 10 feet in the front that are allowed by right. He confirmed that the owner could opt to build higher. Vice Chair Garchow opined that in the case of new builds, every effort should be made to design to fit their land and conform to code; she also emphasized the need for adequate space for emergency vehicles should they be needed in the alleyway. Member Causey mentioned that there are many other encroachments in the immediate area. The width of the alley was discussed. Ms. Coman asked if any further improvements were intended in the yard area and the applicant testified that there were not.

**Motion: Member Small moved, Member Causey seconded, and the motion carried 3-2 to approve the variance for Case No. 25074 based upon the testimony heard today. Member Core and Vice Chair Garchow voted no.**

## **5. Items for Discussion –**

### **a. Case No. 23072 - 2007 Pass-a-Grille Way - Progress Report #3**

*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)).*

Senior Planner Kristin Coman explained that Progress Report #3 is to be provided on the status of all open permits and conditions outlined in the Development Order for Case No. 23072, as requested by the Board following Progress Report #2 presented at the 3/26/25 hearing and Progress Report #1 presented at the 10/30/24 hearing. A slide of a graph containing open and closed permits on the property was included in the meeting packet.

Attorney Kyle Bass appeared for the applicant. He testified regarding the 6 open permits; one is for the current project of relining the parking lot, one for the walk-in cooler, and one for the project as a whole. The generator work is not yet completed, and that permit does not expire until next month. He testified that two of the open permits are for contractor Kron & West; he spoke with them yesterday and they reported that the work and inspections are complete, and all fees have been paid. If Kron & West cannot get them closed, the general contractor will when they close out the whole project.

John Shapiro (12645 Racetrack Rd., Tampa), General Contractor for Red, White and Booze provided a progress report on the renovation and scheduling. The screen wall to camouflage the walk-in cooler has been approved, and they are scheduling the stucco; it will be painted to match the building. An open permit for the fence will close out with the final parking lot inspection. Mr. Shapiro estimated a month to 6 weeks until completion. Chair Chase suggested that if there are still permits open in 8 weeks, staff can bring the case back. Ms. Coman added that the landscaping will be inspected once finished.

Following the agenda items, Vice Chair Garchow mentioned that listening to the previous night's Commission meeting and District 4 candidate interviews, she pondered how this board can be the best stewards in their roles by having a good understanding of the Comp Plan and why things are in place for specific neighborhoods. She suggested that type of relevant training could be beneficial in the form of a workshop, or by shared, digestible information for the members to study independently. There is a massive amount of building post-hurricanes and there will be an increase in cases. Ms. Coman suggested that staff would include additional history and applicable codes on the cases prior to their hearing before this board. On meeting dates with lighter agendas, additional topics could be reviewed.

**6. Adjournment** – The next meeting is scheduled for July 30, 2025.

**Chair Chase adjourned the meeting at 2:57 PM.**

*These minutes will be considered for approval at the July 30, 2025 Board of Adjustment meeting.*

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

**Agenda Report**

**Agenda Title Name:** Case No. 25060 - 4107 Miller Dr.

**Action Request:** Motion to [approve/approve with conditions/deny/continue to [specify date certain]] Case Number 25060 for 4107 Miller Dr.

**Strategic Objective:**

**Date:** July 30, 2025

**Prepared By:** Brandon Berry, Senior Planner

**Through:** Laura Canary, Community Development Director

**Summary of Issue:** *Unnecessary and Undue Hardship Variance:* Micah Thompson, Gulf & Bay Dock Works, LLC for Marilyn Orbach-Rosenberg requests demolition of an existing 10' x 25.5' dock to construct a new 6' x 20' long dock which exceeds the maximum length allowed, with 20 feet proposed where 19.5 feet is permitted, and a proposed southeastern riparian line setback of 0.6 feet where 9.75 feet is required (LDC Sec. 6.23.(d)(3-4)).

**Funding:** n/a

**Attachments:**

1. Staff Report
2. 25060 - Certificate of Completeness and Submittal Documents
3. Letter of No Objection - Northern Neighbor
4. 25060 - 4107 Miller Dr., Completeness Review



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## PLANNING DEPARTMENT

**Date:** July 21, 2025  
**To:** Board of Adjustment  
**Re:** Staff Findings Report  
Unnecessary and Undue Hardship Variance  
Address: 4107 Miller Dr  
Parcel Number: 07-32-16-07524-009-0420  
Micah Thompson, Gulf & Bay Dock Works, LLC for Marilyn Orbach-Rosenberg  
Variance Case No: 25060

**Prepared by:** Brandon Berry, Senior Planner

**Hearing Date:** July 30, 2025

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

1. Revised Unnecessary and Undue Hardship Variance package with revised application form received 5/20/2025.
2. Boundary Survey prepared by First Choice Surveying Inc. dated 9/18/2024, consisting of 1 sheet.
3. Dock layout/design for proposed dock project with no preparer information or date, consisting of 1 sheet.
4. Photo set (3) showing existing dock and conditions on the property consisting, no date provided.

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

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

The subject site is an approximately 0.22 acre waterfront parcel located at 4107 Miller Dr. known as parcel number 07-32-16-07524-009-0420 and legal description of BELLE VISTA POINT 2ND ADD BLK I, LOT 42 within the AE-Elevation 10 flood zone. The property is located in the RU-1 Residential District; RU Residential Urban on the future land map and presently contains a single-family residence, originally constructed in 1960.

The lot is located in the western arc of the fingers at the eastern side of the Belle Vista neighborhood, between Miller and Holland Drives. It contains approximately 39 feet of waterfront set along a curve in the seawall. The property's existing dock was heavily damaged in the recent hurricanes.

Figure 1: Aerial Photography



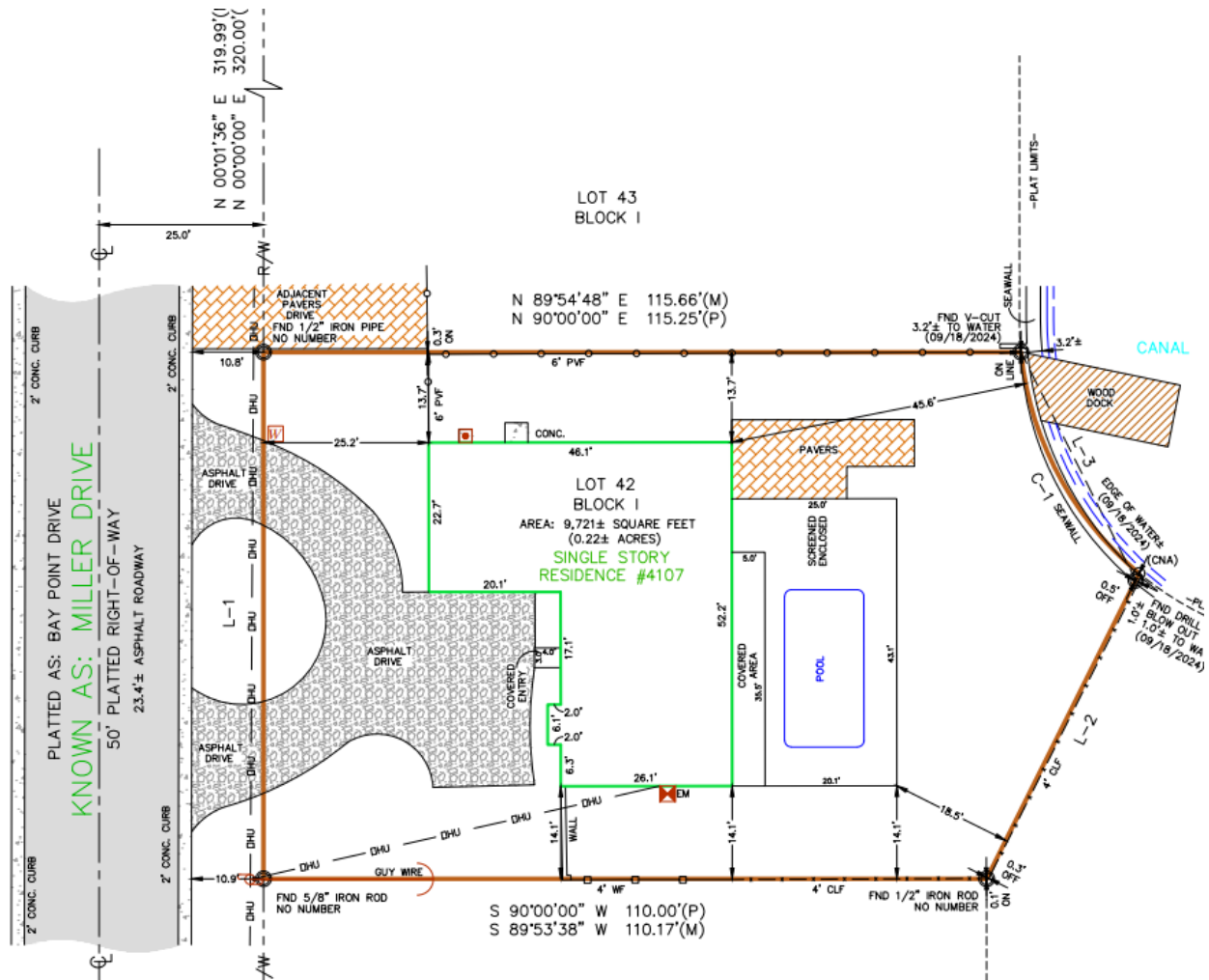
Source: Pinellas County Property Appraiser

Figure 2: Zoning Map



Source: City of St. Pete Beach Zoning Map

Figure 3: Existing Boundary Survey, showing existing dock (NTS)



**Request**

The applicant is requesting a variance to Land Development Code (LDC) Sec. 6.23.(d)(3)&(4):

Residential Dock (LDC Sec. 6.23.(d))	4107 Miller Dr		
	Permitted/Required	Existing	Proposed
Riparian side (north) setback	9.75 ft.	Unknown (estimated less than one foot)*	13.5 ft.
Riparian side (southeast) setback	9.75 ft	Unknown (estimated five ft)*	0.6 ft (v)
Dock length	19.5 ft**	25.5 ft*	20 ft (v)

\*Denotes existing non-conformity  
 \*\*This is the maximum length allowed by the Land Development Code. The actual length allowed for this property is less due to the convergence of the extended riparian lines.  
 (v) = Variance required

## Analysis

Residential docks throughout St. Pete Beach are permitted to extend one half of the waterfront width in length, and must meet required setbacks of 25% of the lot width on each side. For docks at properties such as the subject property, where side riparian lines extend inward in a manner where they converge within a buildable distance from the seawall, the side setback requirement frequently converges to a point where the length requirement cannot be met. As shown in the applicant-prepared graphic in the application, this property would not permit a 19.5 foot-length dock anywhere in the arc of the seawall without permission from one or both of the encroached-upon neighbors, even if that length is permitted by-right.

Docks are the one structure in St. Pete Beach for which waiver to a Land Development Code requirement can be provided by an affected neighbor rather than a variance being required, even with affected party concurrence. The proposed dock is oriented to encroach entirely into the southern neighbor's side waterfront setback, and the owner states in the application that they have been unable to contact the affected neighbor for signature. In cases such as these, despite the administrative relief option, the owner can still choose to proceed with a standard noticed variance request as requested here.

## Additional Comments

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

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;**

*The subject parcel is one of three in the vicinity with as aggressive of a curve to its seawall, which is a somewhat peculiar circumstance. Staff estimates that a six-foot wide dock perfectly centered at the seawall could extend approximately 12 feet from the seawall without requiring one or both neighbor signatures, which matches a statement in the applicant's narrative. Compared with the two other seawalls with similar restrictions, the subject dock will be approximately twice the footprint of the one at the other arc of this canal, which was approved without variance or administrative waiver, and approximately two-thirds the length of the other to the west, which appears to have been constructed several decades prior.*

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

*To Staff's knowledge, the applicant is voluntarily choosing to replace the dock in a different footprint and configuration than the one that exists on and was previously permitted for the property. According to the contractor, the proposed configuration will allow for a future small boat lift on its northwest side. The Land Development Code allows for perpetual removal and replacement of docks in the same previously-permitted footprint without need for neighbor*

*approval, provided that all additions to the dock are in compliance with current standards. Despite damage from the recent hurricanes, which was outside of the owner's control, the option to replace the dock in its existing, approved size of 25'-6" in length and 10' in width at the northern curve of the seawall remains pursuant to this permission. The applicant received a variance in 1993 for its then-reconstruction according to the permit application's narrative.*

- 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 owner purchased the property with the current waterfront configuration and the current restriction on dock length and setback. They are eligible to rebuild their dock as currently configured and approved, or construct a smaller dock within the center of the property which does not encroach into required setbacks, without concurrence of either neighbor. Review of historic aerials dating back to 2004 does not show the dock as having been used for permanent mooring of a vessel, although replacement and modification of the dock to accommodate a tie-up using on-dock tie poles could be permitted.*

- 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 structure is a residential dock, which is a permitted accessory use in this 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 does not find this request to be made on the basis of maximizing financial return. The size and scale of the dock is reasonable for the neighborhood and other docks located in waterfront of similar configuration. It is clearly designed for use as a residential accessory structure.*

- 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.*

*The overall footprint, degree of encroachment, and scale of the dock are not significantly out of character with other neighbor-approved requests in other neighborhoods with similar waterfront configurations that are within the same zoning district. Staff does not find the dock to be out of scale relative to the neighborhood or others within the canal, and the dock overall represents a significant reduction in footprint compared with the existing, vested dock. However, the request is being undertaken to accommodate a potential boat lift along the western side in the future, which could overall increase the structure's footprint. Due to existing conditions near the seawall, Staff does not find the dock is likely to present an intensification of use compared with the prior dock in its current proposed configuration.*

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

*The applicant could still construct a replacement dock without a variance. The waterfront conditions do not knowingly prevent the construction of a dock, only one outside the current footprint and location that is located within an extended riparian setback without neighbor acceptance or a variance, with the proposed dock in the subject case encroaching into the southeastern riparian setback.*

*Staff recognizes that the replacement dock will be lesser in overall footprint than the vested dock, albeit with a greater and overall higher-magnitude encroachment toward the southeastern riparian line. The neighboring encroached-upon dock has its boat lift oriented to the eastern side, which is unlikely to be significantly affected by this request, and the dock to the north both receives additional relief from this request as well as is oriented approximately 25 feet from the extended riparian line. Staff does not find the request is likely to substantially disrupt the use or function of this area of the canal as shown through permit approvals and review of aerials through the early 2000s.*

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

*Staff finds the request to be generally compatible with the neighborhood in terms of footprint and configuration.*

*The dock will be set approximately 4.5 feet closer to the southeastern riparian line than the existing dock as scaled from the property survey. This relocation will also replace the dock approximately parallel along this line, whereas the current dock only encroaches to this distance at the closest point of its head. The 1993 dock permit for the subject property showed minimal bottom slope approaching the seawall, apparently allowing for a boat with a draft of multiple feet that could likely support a Class A powerboat or similar directly adjacent the seawall, although canal bottom conditions have likely changed and may be different at the eastern side of the seawall. The applicant should address current canal bottom conditions to speak to whether the request provides reasonable vessel moorage without significant injury to the affected adjacent property owner, whose dock contains two tie poles along its west side but from aerial review does not appear to have been perpetually used. Staff does not find there will be significant injury to other owners along the canal if this request is approved.*



*The existing rear dock orientation would make access to a slip on the south side challenging if a boat were to be docked at the western side of the neighboring property's dock, where two tie poles exist. It is unclear if this, and/or existing conditions at the bottom near the seawall, form the basis for this request.*

*The applicant should also speak to the expected size of a boat lift or wet slip along the western side, and whether such a request has been reviewed with the abutting northern property owner. The applicant is showing a northern dock setback of 13.5 feet under this request, which is presently conforming but would provide for only 3.75 feet of encroachment prior to neighbor approval or a subsequent variance being required. This is unlikely to accommodate more than a small personal watercraft without variance or waiver. Regardless of justification provided for the subject request, any approval issued for this scope does not itself justify a subsequent variance, which will be subject to review criteria and consideration at time of submittal.*

**Other:**

- The applicant should address whether they reviewed options for adding a boat lift to a dock reconstructed in the same footprint as the vested, prior dock configuration, and if so why it was decided against.
- If an option for a boat lift on the southeastern side of the prior dock was explored, the applicant should state whether it was decided against because of difficulty to access, as that same difficulty may exist for the adjacent encroached-upon owner to utilize the northwestern side of their existing dock with the existing tie poles.
- From a site visit in mid-July 2025, there was noticeable erosion behind the seawall. The applicant should address whether there are plans to replace the seawall, particularly whether they plan to project the cap out farther or taller to meet the one on the neighbor's property to the north side.
- The home has been approved for hurricane repairs, but at time of visit did not have a visible placard posted and there did not appear to be significant work underway. The owner should address reoccupancy plans, including whether they plan to undertake the dock improvements in tandem if approved.
- The applicant should explain whether they have discussed a future boat lift with the northern neighbor, and whether they are agreeable to a riparian setback encroachment if one is necessary. They should also state whether egress through the northern neighbor's waterfront will be necessary to access this slip, and whether such access would be challenged if the northern neighbor extended their dock further into the canal in the future.

**Summary**

Staff finds the request overall is reasonable and is of a similar or smaller scale, footprint, and location as other docks constructed within similar lengths and chords in the curve of a seawall. Staff also finds the permanent mooring facilities of the encroached-upon property's waterfront are oriented east and are unlikely to be affected by this request. However, from photos, the encroached-upon dock was also significantly damaged in the recent storm, and it is unclear if that owner will choose to move forward with a reconstruction or new configuration.

The applicant's narrative largely focuses on the dock setback and length challenges faced by the property due to its waterfront configuration relative to code permissions, rather than the actual needs for the reasonable use of the property's waterfront. Residential docks, by definition, provide for mooring of personal vessels, but any request for a variance should be demonstrated as both minimal and as mitigating of impact to abutting properties as viable. Staff is asking for applicant testimony to further support this request, as provided in the preceding section.

Staff also requests testimony from the applicant regarding whether they have explored the desired size of a boat lift or tie poles to create a wet slip along the northern side, and whether such slip would encroach into the northern property owner's waterfront. If the slip is expected to encroach, the applicant should address whether the neighbor has preliminarily reviewed and approved such a request.

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 of the dock is obtained and continuous construction is maintained.

Respectfully submitted,

Brandon Berry  
Senior Planner

Cc: Marilyn Orbach-Rosenberg, Owner, **via email** ([myrep487@gmail.com](mailto:myrep487@gmail.com))  
Micah Thompson, Applicant, **via email** ([permitting@gulfandbaydockworks.com](mailto:permitting@gulfandbaydockworks.com))  
Ralf Brookes, Board of Adjustment Attorney



COMMUNITY DEVELOPMENT - PLANNING DIVISION

Memo To: Board of Adjustment  
From: Kristin Coman, Senior Planner  
Date: 5/30/2025  
Re: **CERTIFICATE OF COMPLETENESS**

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Please be advised that on this date, the following application has been deemed complete and will be scheduled for the Board of Adjustment and placed on the agenda for **July 30, 2025**.

**Variance Case Number:** 25060

**Application Type:** Unnecessary Undue Hardship Variance

**Owner:** Marilyn Orbach-Rosenberg

**Applicant/Agent:** Micah Thompson, Gulf & Bay Dock Works, LLC

**Parcel Number:** 06-32-16-09594-003-0160

**Address:** 4107 Miller Dr., St. Pete Beach, FL 33706

**Submittal Documents:**

1. Revised Unnecessary and Undue Hardship Variance package with revised application form received 5/20/2025.
2. Boundary Survey prepared by First Choice Surveying Inc. dated 9/18/2024, consisting of 1 sheet.
3. Dock layout/design for proposed dock project with no preparer information or date, consisting of 1 sheet.
4. Photo set (3) showing existing dock and conditions on the property consisting, no date provided.

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

**City/Board Professionals:**

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

**Board Members:**

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Denise Chase | <input checked="" type="checkbox"/> Kathy Garchow |
| <input checked="" type="checkbox"/> Chris Core   | <input checked="" type="checkbox"/> Dan Small     |
| <input checked="" type="checkbox"/> Al Causey    |   |

Cc: Marilyn Orbach-Rosenberg, Owner ***via email*** (myrep487@gmail.com)  
Micah Thompson, Gulf & Bay Dock Works, LLC, Applicant ***via email***  
(office@gulfandbaydockworks.com)

CASE #: 25060

PARCEL #: \_\_\_\_\_

SUBMITTAL DATE: \_\_\_\_\_

AMOUNT DUE: 532.68

PAYMENT DATE: 5/30/25

### UNNECESSARY AND UNDUE HARDSHIP VARIANCE APPLICATION

The following Items are to be submitted, along with this application, to be reviewed for completeness:

- Two (2) copies of the property survey, to scale, 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;
- Two (2) copies of a survey or site plan showing the request with dimensions, setbacks and other pertinent information, drawn to scale, of size a maximum of 36"x48" and minimum of 11"x17";
- Two (2) copies of scaled construction plans;
- Completed Impervious Surface Ratio (ISR) worksheet or equivalent;
- Emailed copy of the survey, plans and supplemental documents to planning @stpetebeach.org.
- The application fee and associated mailing fee, payable to the City of St. Pete Beach (non-refundable)

#### OWNER/AGENT INFORMATION:

Identification	Name	Address	Phone #
Owner	ORBACH-ROSENBERG, MARILYN	4107 MILLER DR ST PETE BEACH, FL 33706	646-413-5212
Applicant/ Agent	Micah Thompson   Gulf & Bay Dock Works, LLC	1510 51st St. S Gulfport, FL 33707	727-252-9915
Owner Email Address: myrep487@gmail.com		Applicant/Agent Email Address: office@gulfandbaydockworks.com	

#### PROPERTY FOR PROPOSED VARIANCE:

Zoning Designation RU-1	Future Land Use Designation RU	Lot Area 9,727 SF
Legal Description: BELLE VISTA POINT 2ND ADD BLK I, LOT 42		
Address: 4107 MILLER DR ST PETE BEACH, FL 33706		
Explanation of Request: <u>Demo and remove existing 10'x25.5' dock.</u>		
<u>Build a new 6'x20' dock to replace the demolished dock.</u>		
<u>The new dock will be 0.5' futher than the length limit of 19.5' for this property.</u>		
<u>The new dock will be 0.6' from the right hand neighbors property line. The setbacks lengths for this property are 9.75'.</u>		

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

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

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 Attachment

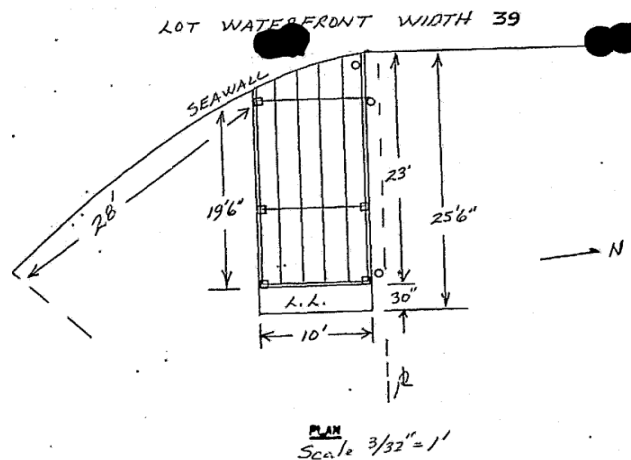
7. The requested variance is the minimum variance that makes possible the reasonable use of the land, building, or structure; and  
See Attachment

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 Attachment

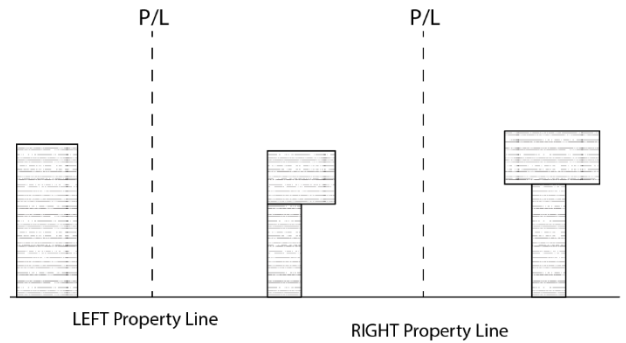
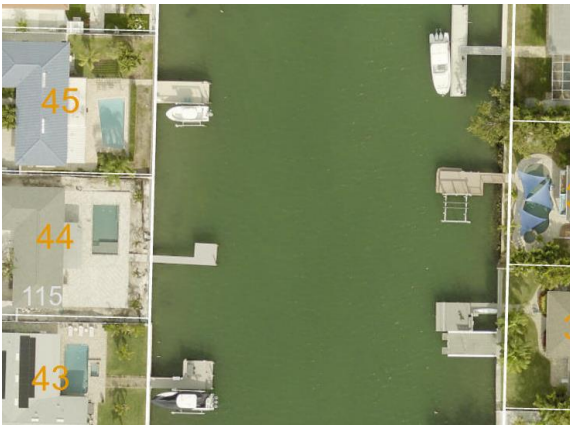
     
Signature of Applicant      Date      Signature of Authorized Agent      Date

**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**

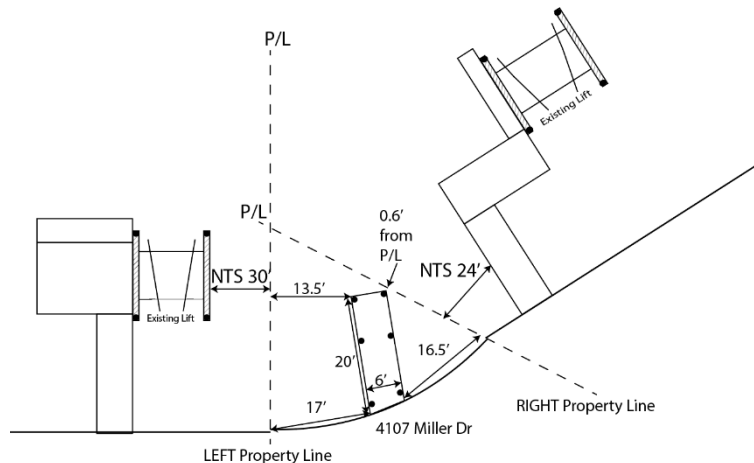
- a. **Overview for Both Variances:** A hardship variance is being pursued to build a dock to replace the damaged dock with the recent hurricanes. This variance for length and setback limits is needed due to the small size of the waterfront at this property and the property having converging property lines. These two circumstances related to this property severely limit the ability to utilize the waterfront in a similar fashion to neighboring properties. The city of St. Pete Beach limits the dock length for this property to 19.5' and the dock must be at least 9.75' from ether property line. These limits can be waived if the affected neighbor(s) sign the letter of no objection page on the county's permit form. Due to the special conditions of this location (to be elaborated on in the following questions) these limits cause a hardship that is not applicable to other properties in the area.
- b. **Length Variance:** The proposed dock is 20' long, which is 0.5' past the length limits previously mentioned. The previously permitted dock was 25.5' long. The new dock is proposed to be 5.5' less than was previously permitted. Despite this reduction in length the city requires that both neighbors sign the letter of no objection page to wave this length limit. We have been unable to reach the property owner on the right-hand side of this property located at 396 41ST AVE. The owner of this property is a real estate investment company, and this company has not response to our numerous attempts to contact them to seek this letter of no objection. Pictured below is the permit drawing from the previous permit for this location



- c. **Setback Variance:** The city states that docks must be at least 9.75' from the property line for this property. The distance for the proposed dock to the left property line is 13.5' from the left neighbor but will be 0.6' from the right neighbor, which is 9.15' over the setback limit for the right neighbor. The reason for this is due to the special condition caused by the converging property lines for this property and due to the angle of the right property line. This makes it so a dock that makes adequate use of the waterfront property, similar in fashion to other docks in the area, cannot be constructed without being closer than the minimum setback distance as outline by the city. Most property lines extend in a line that is at a 90-degree angle to the seawall and do not converge. Pictured below is an example of similar docks in this same canal.



This property where the dock is proposed has a right-side property line that is less than a 45-degree angle and then intersects with the other property line, thus making it a special condition that is peculiar to this property, pictured below. This special condition makes it a hardship that cannot be avoided when designing a dock in a similar size to the previously permitted dock and similar in use as the surrounding docks.

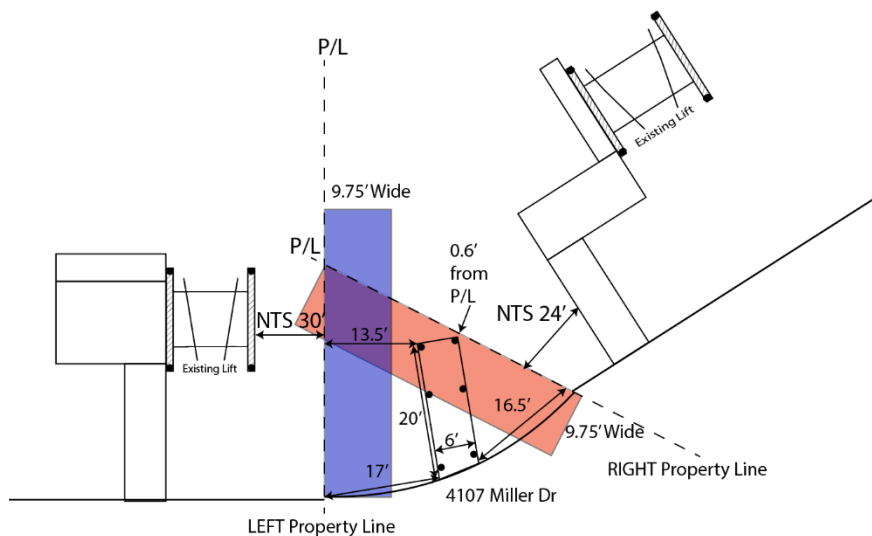


**2. The special conditions and circumstances do not result from the actions of the applicant or a prior owner of the property;**

- a. **Both Length and Setback Variance:** This special condition we are seeking a hardship variance on for the setbacks from the property line arises from the nature of the property's location on the curved location at the end of the canal and is **NOT** the result of the actions of the applicant or any prior owner.

**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;**

- a. **Both Length and Setback Variance:** Due to the length limits needing to be waived by both neighbors and the setback limit waived by the affected neighbor(s) a dock of usable size is not possible to be designed for this owner to utilize their waterfront property in a similar fashion to other properties that can avoid being inside both the setback limits and length limit set by the city in a literal interpretation. Pictured below in Red and Blue is a zone that is 9.75' in width. Blue is for the left property line and red is for the right property. To avoid both situations the white zone is the only area that a dock could be built that can avoid both limits simultaneously. This area could fit a 6' wide by 12' long dock, which is a drastic 4' reduction in width and 13.5' reduction in length compared to what was previously permitted. Since the right-hand neighbor



has been unreachable to sign the letter of no objection page a literal interpretation of this requirement for them to wave the setbacks and length limits for this property would cause an undue hardship to the property owner

as it would cause a drastic reduction in the size of the proposed dock compared to the current dock caused by the right lot owners absence.

**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;**

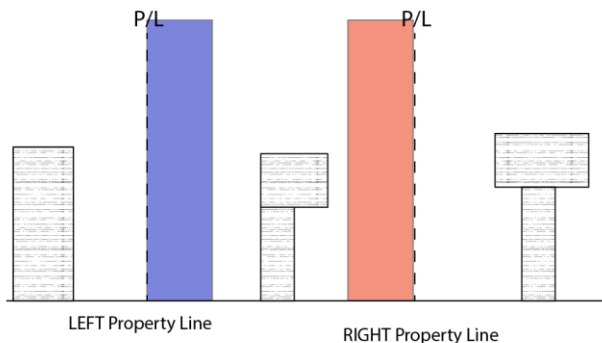
a. **Both Length and Setback Variance:** The hardship is not deliberately or knowingly created or suffered in order to construct a structure that is not already common to other properties in the canal and surrounding area. This hardship and this variance are sought solely to rebuild a reasonable dock to make use of the waterfront property that is in similar function and for similar use by other properties in the same area. This proposed dock would be smaller in size than the previously constructed dock.

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

a. **Both Length and Setback Variance:** The request for this variance is not based on a desire to achieve financial return and instead requested due to the recent damage from the hurricanes to their existing dock. The square footage for the proposed dock will be roughly 105 square footages less than the previous dock. The length would be 5.5' less than the current dock. The current dock also existing in both of the current setback zones as well. The intent and purpose of seeking this variance is to provide the property owner with reasonable access to the water in a similar fashion to surrounding docks and in a similar fashion to the dock the proposed dock will replace.

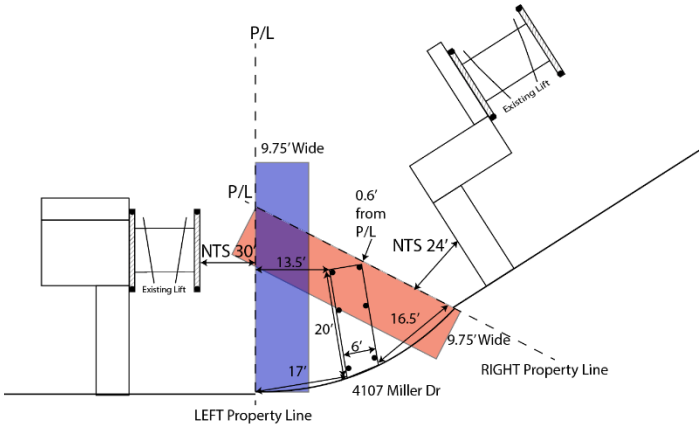
**6. Granting the variance application conveys the same treatment to the applicant as to the owner of other lands, buildings, or structures in the same zoning district;**

a. **Setback Variance:** Granting this variance would ensure the applicant is treated fairly in comparison to other property owners in the city and



surrounding area. Other property owners in the area do not have converging property lines such as the ones at this property. Pictured below are similar setback zones that run the length of the property on other properties in the area.

As you can see the setback zones do not run across the property as they do at this location. Other properties in this area can easily avoid the setback zones as they do not cross in front of the seawall and cut it off from being able to build a dock that accesses the water freely and openly.



- b. **Length Variance:** The length of the proposed dock is 5.5' less than the current dock. Granting this variance on length will allow for a similar dock to what was currently permitted and a dock much shorter in length than surrounding docks. Since the right neighbor cannot be reached to offer a letter of no objection, we are seeking this variance in order to build a dock in similar fashion to the current dock.

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

- a. **Both Length and Setback Variance:** Given the length limits, setback limits and the converging property lines for this property the requested dock design is of as minimum variance as reasonably possible while still allowing for a dock of similar size and function as the current dock.
- b. **Length Variance:** The new proposed design is smaller in length than the previously permitted dock design prior to the hurricane damage sustained by 5.5' and only 7.5' over the current length limits. While the current dock was 13' past the current length limits.



- c. **Setback Variance:** The dock is also roughly the same distance from the right property line as where the current dock is located. An overhead image of the current dock with extended lines into the water is shown above and can be compared with the plans of the proposed dock. The prior permit does not state the distance from the end of the dock to the current property line but as you can see there will be no meaningful difference in deviation between the current dock and the proposed dock.

**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.**

- a. **Both Length and Setback Variance:** The variance request does not diminish safety or welfare and will be compatible with other docks in the neighborhood. The variance request will not substantially diminish or impair property values within the neighborhood.



## 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.**

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

MOR 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.

MOR 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.

MOR 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.

MOR 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.

MOR 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.

MOR 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.**

MOR  
Signature of Applicant

05/19/2025  
Date



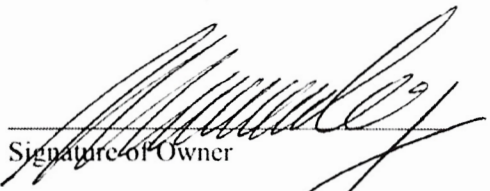
**Owner's Authorization For Agent Form**

**Community Development Department  
City of St. Pete Beach, Florida 727-363-9241**

I/We ORBACH-ROSENBERG, MARILYN  
(Property Owner(s) printed name)

hereby authorize Micah Thompson | Gulf & Bay Dock Works, LLC  
(Agent's printed name)

to represent me in an application for Variance  
(Type of application: Variance, Conditional Use, Zoning, etc.)

  
Signature of Owner

MARILYN ORBACH-ROSENBERG  
Owner's Printed Name

  
Signature of Owner

Micah Thompson  
Owner's Printed Name

The foregoing instrument was acknowledged before me this 19 day  
of May 2025, by Marilyn Orbach Rosenberg who  
is personally known  or produced \_\_\_\_\_ as  
identification.

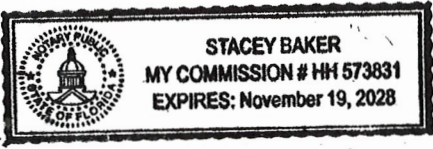


(Notary Signature)

5/19/25

(Date)

My commission expires Nov. 19, 2028







# 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**  
ORBACH-ROSENBERG, MARILYN  
4107 MILLER DR  
ST PETE BEACH, FL 33706  
  
Phone 646-413-5212  
  
Email myrep487@gmail.com

**Contractor/Applicant Name & Address**  
Micah Thompson | Gulf & Bay Dock Works, LLC  
510 51st St South  
Gulfport FL 33707  
  
Phone 727-252-9915  
  
Email office@gulfandbaydockworks.com

**Property Address** 4107 MILLER DR ST PETE BEACH, FL 33706

**Total Lot Area (sq. ft.)** 2,312

**Required Calculations:**

EXISTING IMPERVIOUS SURFACE:		
Building Footprint:		sq. ft.
Parking and Driveway:		sq. ft.
Pool and/or Patio areas:		sq. ft.
Walkways:		sq. ft.
Other:	255	sq. ft.
<b>TOTAL EXISTING IMPERVIOUS SURFACE:</b>	<b>255</b>	<b>sq. ft.</b>

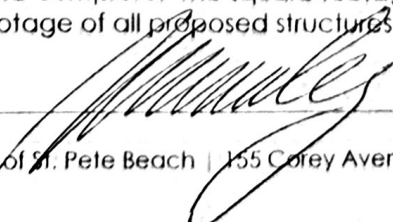
PROPOSED IMPERVIOUS SURFACE:		
Building Footprint:		sq. ft.
Parking and Driveway:		sq. ft.
Pool and/or Patio areas:		sq. ft.
Walkways:		sq. ft.
Other:	120	sq. ft.
<b>TOTAL PROPOSED IMPERVIOUS SURFACE:</b>	<b>120</b>	<b>sq. ft.</b>

255	sq. ft.	÷	2,312	sq. ft.	=	0.11029
Total Existing Impervious Surfaces			Lot Area			Existing Impervious Surface Ratio

120	sq. ft.	÷	2,312	sq. ft.	=	0.05190
Total Proposed Impervious Surfaces			Lot Area			Proposed Impervious Surface Ratio

**Certification:**

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

Applicant Signature:  Date: 05/19/2025



**AERIAL VIEW**

SHEET 2 OF 2 (SURVEY RELATED INFORMATION) - SEE SHEET ONE FOR MAP OF SURVEY. SURVEY IS NOT COMPLETE WITHOUT BOTH SHEETS.  
AERIAL PROVIDED IS FOR VIEWING PURPOSES ONLY AND MAY NOT SHOW CURRENT IMPROVEMENTS. AERIAL IS NOT TO SCALE.



PROPERTY ADDRESS: 4107 MILLER DRIVE, ST. PETE BEACH, FLORIDA 33706

LEGAL DESCRIPTION:  
LOT 42, BLOCK "I" BELLE VISTA POINT SECOND ADDITION ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 43, PAGE 35 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

LEGEND			
AE = ACCESS EASEMENT	DUE = DRAINAGE/UTILITY EASEMENT	MHWL = MEAN HIGH WATER LINE	POC = POINT OF COMMENCEMENT
BFP = BACKFLOW PREVENTER	ELEV = ELEVATION	MN = MAG NAIL	PRC = POINT OF REVERSE CURVATURE
BSL = BUILDING SETBACK LINE	EM = ELECTRIC METER	MW = MONITOR WELL	PRM = PERMANENT REFERENCE MONUMENT
BWF = BARBED WIRE FENCE	EOW = EDGE OF WATER	N&D = NAIL AND DISK	PSM = PROFESSIONAL SURVEYOR & MAPPER
(C) = CALCULATED	EP = EDGE OF PAVEMENT	ORB = OFFICIAL RECORDS BOOK	PT = POINT OF TANGENCY
Δ = CENTRAL ANGLE	FCC = FOUND CROSS CUT	(P) = PLAT	PUE = PUBLIC UTILITY EASEMENT
CB = CHORD BEARING	FF = FINISHED FLOOR	PB = PLAT BOOK	PVF = PLASTIC VINYL FENCE
CH = CHORD LENGTH	FND = FOUND	PC = POINT OF CURVATURE	PVUE = PRIVATE UTILITY EASEMENT
CL = CENTER LINE	GV = GATE VALVE	PCC = POINT OF COMPOUND CURVATURE	RP = RADIAL POINT
CLF = CHAIN LINK FENCE	HWF = HOG WIRE FENCE	PCP = PERMANENT CONTROL POINT	R = RADIUS
CME = CANAL MAINTENANCE EASEMENT	INST = INSTRUMENT NUMBER	PDE = PRIVATE DRAINAGE EASEMENT	RE = REAL ESTATE NUMBER
CNA = CORNER NOT ACCESSIBLE	L = ARC LENGTH	PE = POOL EQUIPMENT	RSR = RISER
CONC = CONCRETE	LB = LICENSED BUSINESS	PG = PAGE	R/W = RIGHT OF WAY
COV = COVERED	LE = LANDSCAPE EASEMENT	PI = POINT OF INTERSECTION	SV = SEWER VALVE
CS = CONCRETE SLAB	LME = LAKE MAINTENANCE EASEMENT	PID = PARCEL IDENTIFICATION NUMBER	UE = UTILITY EASEMENT
(D) = DEED	LS = LICENSED SURVEYOR	PK = PARKER KALON NAIL	WF = WOOD FENCE
DB = DEED BOOK	(M) = MEASURED	PL = PROPERTY LINE	
DE = DRAINAGE EASEMENT	MB = MAP BOOK	POB = POINT OF BEGINNING	
DH = DRILL HOLE	ME = MAINTENANCE EASEMENT		

**SURVEYOR'S NOTES:**

- THIS SURVEY SHOWN HEREON WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT. THE SURVEYOR DID NOT PULL AND/OR RESEARCH ANY DOCUMENTS OTHER THAN THOSE PROVIDED BY THE TITLE COMPANY. UNLESS OTHERWISE AGREED, IT IS THE RESPONSIBILITY OF THE TITLE COMPANY (OR CLIENT) TO REQUEST THE SURVEYOR TO OBTAIN SUCH DATA AS NECESSARY PER AGREEMENT; ANY PULLED DOCUMENTS PROVIDED WITH THE TITLE COMMITMENT WILL BE REVIEWED. IF ADDITIONAL DOCUMENTS AND/OR REVIEWS OF THE CLIENT ARE REQUESTED, THERE MAY BE ADDITIONAL FEES INCURRED.
- UNLESS SHOWN, UNDERGROUND UTILITIES, IMPROVEMENTS, FOUNDATIONS, FOOTERS, AND/OR SUBSURFACE STRUCTURES ARE NOT LOCATED ON THIS SURVEY.
- BEARINGS ARE BASED ON THE EASTERLY RIGHT OF WAY LINE OF MILLER DRIVE, AS BEING, DUE N 00°00'00" E, PER PLAT, ASSUMED.
- THE PURPOSE OF THIS SURVEY IS FOR THE USE OF FINANCING AND/OR SALE TRANSACTIONS, AND DOES NOT DETERMINE OR INDICATE LAND OWNERSHIP AND IS NOT PERMITTED FOR USE WITH ANY CONSTRUCTION/PERMITTING PURPOSES WITHOUT WRITTEN CONSENT FROM THE LAND SURVEYOR WHOM SIGNED AND SEALED THIS SURVEY.
- THE SURVEYOR DID NOT RESEARCH OR ABSTRACT LAND RECORDS FOR RIGHT OF WAYS, EASEMENTS, RESERVATIONS, DEED RESTRICTIONS, ZONING REGULATIONS, SETBACKS, LAND USE, ADJOINING DEEDS OR OTHER SIMILAR JURISDICTIONAL DETERMINATIONS NOT SHOWN ON PLAT TO THE EXTENT THAT THIS TYPE OF INFORMATION IS SHOWN. IT IS SHOWN SOLELY ON THE BASIS OF INFORMATION PROVIDED BY CLIENT AND MAY NOT BE COMPLETE.
- FENCE OWNERSHIP NOT DETERMINED. THE SURVEYOR WILL NOT BE RESPONSIBLE FOR DAMAGES RESULTING FROM THE REMOVAL AND/OR CHANGES TO ANY FENCES UNLESS THE SURVEY WAS PROVIDED SPECIFICALLY FOR FENCE LOCATION PURPOSES.
- THE SURVEY DEPICTED HEREON FORMS A CLOSED GEOMETRIC FIGURE.
- THE SURVEY IS EXCLUSIVE FOR THE USE OF THE PARTIES TO WHOM IT IS CERTIFIED. THE CERTIFICATIONS DO NOT EXTEND TO ANY UNNAMED PARTIES.
- THIS IS A BOUNDARY SURVEY UNLESS OTHERWISE NOTED AND TIES SHOWN HEREON ARE TO THE PLATTED BOUNDARY LINES UNLESS OTHERWISE STATED.
- WALL TIES ARE TO THE FACE OF THE WALL AND ARE NOT TO BE USED TO RECONSTRUCT BOUNDARY LINES.
- PURSUANT TO ES. 558.0035, AN INDIVIDUAL EMPLOYEE OR AGENT MAY NOT BE HELD LIABLE FOR NEGLIGENCE.
- THIS SURVEY IS NOT INTENDED TO BE PROOF OF OWNERSHIP AND IS NOT A GUARANTEE OR WARRANTY OF OWNERSHIP OF ANY KIND, AND SURVEYOR ACCEPTS NO LIABILITY FOR ANY COSTS OR DAMAGES ARISING IN THE DEFENSE, PROOF OF, OR LOSS OF OWNERSHIP OF ANY OR ALL OF THE LANDS SHOWN AND DESCRIBED ON THIS SURVEY.

CERTIFIED TO:  
MARILYN ORBACH-ROSENBERG; FIRST TITLE SOURCE; OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

FLOOD ZONE  
(FOR INFORMATIONAL PURPOSES ONLY)  
SUBJECT PROPERTY SHOWN HEREON APPEARS TO BE LOCATED IN ZONE AE(BFE 10'), PER F.I.R.M MAP NUMBER 12103C0278H, DATED 8/24/2021.  
THIS SURVEYOR MAKES NO GUARANTEES AS THE ACCURACY OF THE ABOVE INFORMATION. THE LOCAL F.E.M.A AGENT SHOULD BE CONTACTED FOR VERIFICATION.

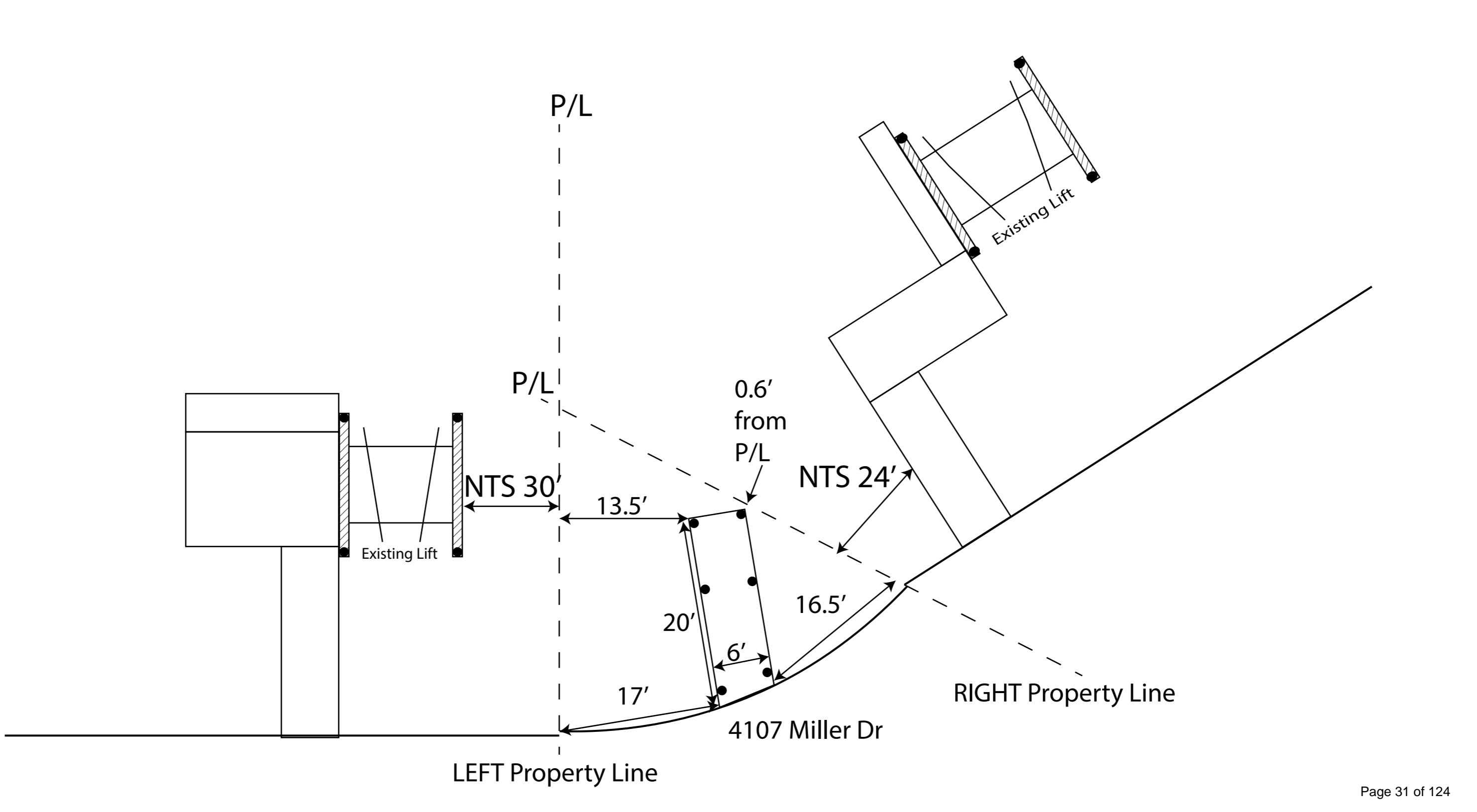
I HEREBY CERTIFY THAT THE SURVEY OF THE HEREON DESCRIBED PROPERTY WAS PREPARED UNDER MY DIRECT SUPERVISION AND MEETS THE STANDARD OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17.050 THROUGH 5J-17.053, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.

ORDERED BY:



CERTIFIED BY: JON SHOEMAKER PSM NO. 5144  
FIRST CHOICE SURVEYING, INC.  
P.O. 470978 LAKE MONROE, FL 32747  
407.951.3425 (OFFICE); 407.520.5453 (FAX); LB 7564  
NOT VALID WITHOUT SIGNATURE AND RAISED SEAL OR ELECTRONIC SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

DATE SIGNED: 09/18/24







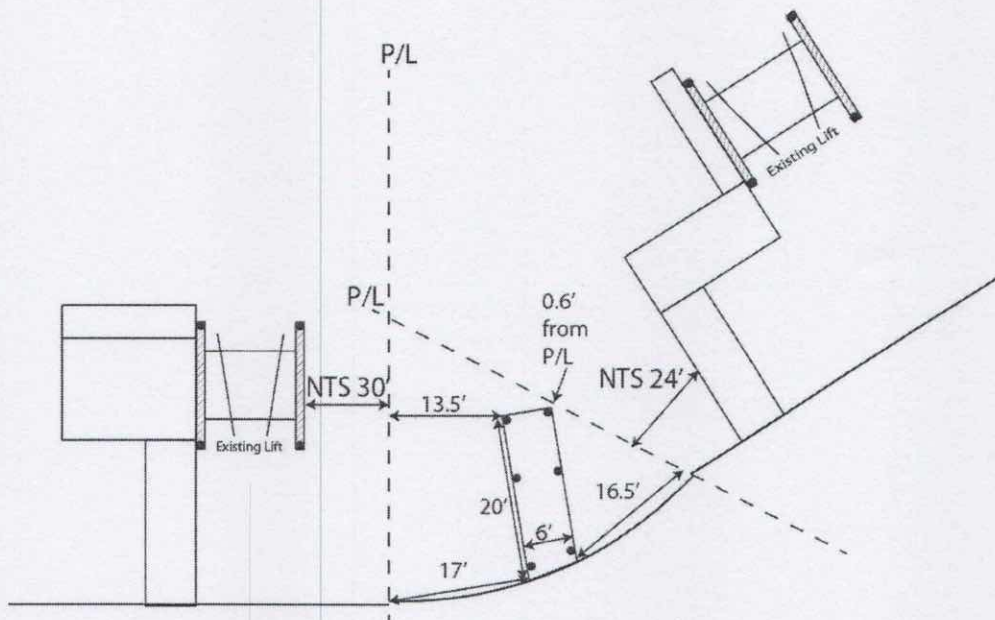


Owner Name: Orbach-Rosenberg, Marilyn Site Address: 4107 Miller Dr

Nature and Size of Project: Wreck and remove existing structure. Wreck and lay down 3 concrete pilings. Build new 6x20' dock.

Total Project Square Footage:	<u>120</u>	New Square Footage:	<u>100</u>
Total Number of Pilings:	<u>6</u>	Diameter of Pilings:	<u>8"+</u>
Waterway Width	<u>NA</u>	Waterfront Width	<u>39</u>

**Plan View Drawing**  
(applicant and adjacent docks)



SHORELINE			
The undersigned does not object to the proposed project as drawn in the space provided above.			
Left Owner		Right Owner	
Signature	Date	Signature	Date
Municipality Approval		Water and Navigation Approval	

**LETTER OF NO OBJECTION**

Left Lot Owner's Name MARILYN ORBACH-ROSENBERG

Mailing Address 12 WEST 96TH ST #2B MM Zip 10025

I certify that I am the owner of 4107 MILLER DR. ST PETERS BEACH FL 33706 which adjoins the property owned by the applicant who proposes to construct a structure at the following address:

4107 Miller Dr

I have seen the County permit application – including plans or drawings – for the proposed structure(s) and DO NOT OBJECT to the proposed structure(s).

OWNER'S SIGNATURE: [Signature] Date 07/16/2025

**NOTARY:**

STATE OF FLORIDA, PINELLAS COUNTY, the foregoing instrument was acknowledged before me by means of

physical presence or  online notarization this 16th day of July, 2025 by Marilyn Rosenberg

personally known OR  produced identification

Type of Identification Produced NY PL 995 523 768 exp 12/11/2033

Witness my hand and official seal this 16th day of July, 2025



Amanda Loeffler  
Notary Public  
My commission expires: Dec 19th, 2025

Right Lot Owner's Name \_\_\_\_\_

Mailing Address \_\_\_\_\_ Zip \_\_\_\_\_

I certify that I am the owner of \_\_\_\_\_ which adjoins the property owned by the applicant who proposes to construct a structure at the following address:

4107 Miller Dr

I have seen the application – including plans or drawings – for the proposed structure(s) and DO NOT OBJECT to the proposed structure(s).

OWNER'S SIGNATURE: \_\_\_\_\_ Date \_\_\_\_\_

**NOTARY:**

STATE OF FLORIDA, PINELLAS COUNTY, the foregoing instrument was acknowledged before me by means of

physical presence or  online notarization this \_\_\_\_ day of \_\_\_\_\_, 20\_\_ by

Personally Known OR  Produced Identification

Type of Identification Produced \_\_\_\_\_

Witness my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

\_\_\_\_\_  
Notary Public  
My commission expires: \_\_\_\_\_



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

**COMMUNITY DEVELOPMENT - PLANNING DIVISION**

May 2, 2025

Marilyn Orbach-Rosenberg  
4107 Miller Dr.  
St. Pete Beach, FL 33706

Micah Thompson  
Gulf & Bay Dock Works, LLC  
1510 51<sup>st</sup> St. S  
Gulfport, FL 33707

**VIA EMAIL:** myrep487@gmail.com and office@gulfandbaydockworks.com

**RE: Board of Adjustment Case No. 25060**  
**Address: 4107 Miller Dr.**  
**Parcel Number: 07-32-16-07524-009-0420**  
**Unnecessary and Undue Hardship Variance - Application Completeness Review Letter**

The City is in receipt of an Unnecessary and Undue Hardship Variance submittal in connection with the location above to request relief to demolish existing dock and construct new dock that appears to exceed the permitted length (LDC Sec. 6.23(d)(3)) and required setbacks (LDC Sec. 6.23(d)(4)). Staff have reviewed the application pursuant to Section 4.2 of the City's Land Development Code (LDC) for the purpose of determining the completeness of the submittal. Staff has identified items that must be submitted and/or addressed prior to further review. ***Your application cannot be deemed complete, or hearing date provided until the following items are addressed.***

Review of the completed application, plan, survey, and items submitted resulted in the following comments:

**Unnecessary and Undue Hardship Variance -Page 1**

- Zoning Designation incorrect-property is located within the RU-1 zoning district
- Future Land Use Designation-No information provided. Future Land Use Designation is RU.
- Lot Area-2,312 sq. ft. provided on application, Pinellas County Property Appraiser reflects 9,727 sq. ft.
- Explanation of Request-

The explanation should include:

The request should include the specifics on what variance relief is being sought. Such as:

1. *Relief requested to demolish existing \_\_\_ by \_\_\_' long dock and construct \_\_\_' long dock that exceeds the permitted length of 19.5' (LDC Sec. 6.23(d)(3)) to consist of \_\_\_' wide by \_\_\_' long overall.*
2. *Proposed dock requires a side setback of 9.75' and \_\_\_' is proposed (LDC Sec. 6.23(d)(4)).*

**Unnecessary and Undue Hardship Variance -Page 2  
Findings Necessary for Granting Request, 1-8**

Not all provisions appear to be fully demonstrated as required.

- As per the application “In order for an application for a 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).**” It is suggested that criteria numbers 1-8 be reviewed, and additional information provided for **EACH** variance request. Please note, this information will be provided to the Board of Adjustment as part of the information to be reviewed for positive findings.

**Other:**

- Required Fees: Total of \$532.68 to be submitted, \$500.00 administrative fee and \$32.68 required mailing fee. Checks to be made payable to City of St. Pete Beach or payment link may be provided.
- It is encouraged to submit photos, elevations, plans or detailed sheets that may supplement your request to be provided to the Board in order to provide a more in-depth overview of the request.

Should you require a new application, the Unnecessary and Undue Hardship Variance application can be found on the city website at <https://www.stpetebeach.org/585/Variance>. Upon receipt of the items listed above, the application submittal will go through a completeness review. Should you have any questions, please contact me at [kcoman@stpetebeach.org](mailto:kcoman@stpetebeach.org) or 727-363-9265. We look forward to working with you on this project.

Best,



Kristin Coman  
Senior Planner

Cc: Board of Adjustment Attorney *via email*



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

**Agenda Report**

**Agenda Title Name:** Case No. 25089 - 3214 W. De Bazan Ave.

**Action Request:** Motion to [approve/approve with conditions/deny/continue to [specify date certain]] Case Number 25089 for 3214 W. De Bazan Ave.

**Strategic Objective:**

**Date:** July 30, 2025

**Prepared By:** Brandon Berry, Senior Planner

**Through:** Laura Canary, Community Development Director

**Summary of Issue:** *Unnecessary and Undue Hardship Variance:* Kristen Hansen of George F Young, Inc. for Jeffrey, John and Scott Trull requests to split a zoning lot to create two lots each capable of supporting one single-family residence, with both created lots averaging 59.91 feet in width where 60 feet is required (LDC Sec. 9.6.(a)(2)).

**Funding:** n/a

**Attachments:**

1. 25089 - Staff Report
2. 25089 - Certificate of Completeness and Submittal



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

## PLANNING DEPARTMENT

**Date:** July 14, 2025  
**To:** Board of Adjustment  
**Re:** Staff Findings Report  
Unnecessary and Undue Hardship Variance  
Address: 3214 W De Bazan Ave  
Parcel Number: 07-32-16-21852-023-0130  
Kristen Hansen of George F. Young, Inc. for Jeffrey, John and Scott Trull  
Variance Case No: 25089

**Prepared by:** Brandon Berry, Senior Planner

**Hearing Date:** 7/30/2025

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 package with application form
2. Boundary Survey prepared by George F. Young, Inc., dated 5.29.25 consisting of 1 sheet
3. South Lot Split Plan prepared by George F. Young, Inc., dated 5.29.25 consisting of 2 sheets
4. North Lot Split Plan prepared by George F. Young, Inc., dated 5.29.25 consisting of 2 sheets

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

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

The subject site is a 15,300 sq. ft. (approx. 0.35 acre) parcel located at 3214 W De Bazan Ave, known as parcel number 07-32-16-21852-023-0130 and legal description of DON CE-SAR PLACE BLK 23, LOT 13 LESS N 21FT & UNNUMBERED LOTS ON PLAT AKA LOTS 14 & 15. The property is located in the RU-2, Residential zone; RU on the future land map and contains a single-family residence constructed in 1938 according to the Pinellas County Property Appraiser. Adjacent uses include detached single-family to the south, west and north, and Lazarillo Park to the east.

Figure 1: Aerial Photography



Source: Pinellas County Property Appraiser

Figure 2: Zoning Map



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

**Request**

The applicant is seeking to separate the existing zoning lot to create two lots of 59.91 feet in width where 60 feet is required, each of which will be capable of supporting a single-family home (LDC Sec. 9.6.(a)(2)). The resulting lots will be approximately 7,600 sq. ft. in size, significantly exceeding the minimum lot area.

**Analysis**

1. Variance required:
  - a. **Permit the reduction in lot width from 60 feet to 59.91 feet to permit the separation of an existing zoning lot to create two single-family residential zoning lots.**

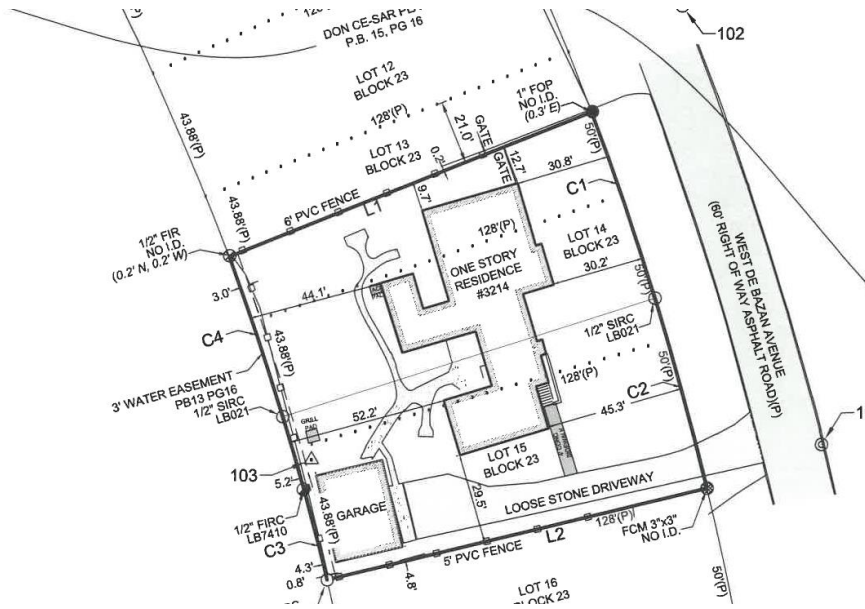
Lot Dimensions	3214 W De Bazan Ave		
	Required	Existing	Proposed
Lot Area	6,000 sq. ft.	15,300 sq. ft.	7,600 sq. ft. (approx.)
Lot Width	60 ft.	119.8' (avg)	59.91' (avg)(v)
<b>(v) = Variance required</b>			

The applicant is proposing to completely demolish the single-family home, detached garage, and other structures and surfaces on the property to create two parcels each capable of supporting one detached single-family home. Pursuant to St. Pete Beach policy, the lot separation can be executed after the demolition has concluded should this request and a subsequent building permit be approved.

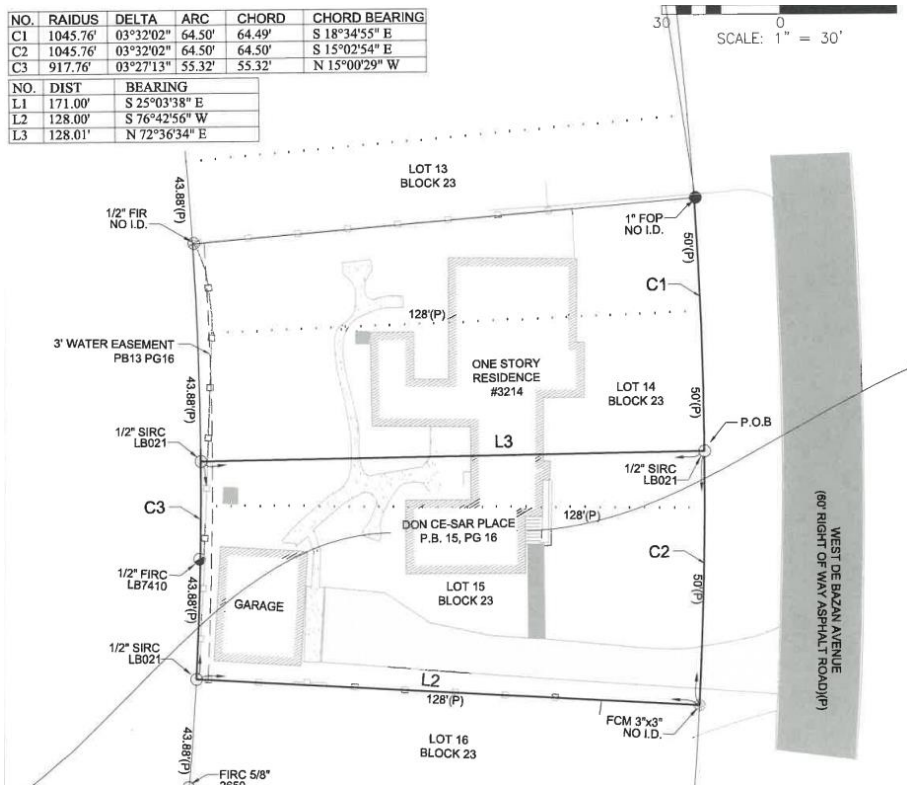
At 15,300 sq. ft., the existing parcel is the largest in use with a single-family structure in the Don CeSar peninsula, although one larger parcel in use as a multifamily condominium exists at the southeastern corner of Casablanca and 35<sup>th</sup> Avenues. The residence on the subject property was built less than two decades after the platting of the neighborhood and appears to have been in continuous use as a single-family home in the decades since.

The structure was surveyed in the 2024 Stantec historic resources neighborhood survey and found to be noncontributing to a potential future historic district due to alterations, including replacement siding and windows. As the result of extensive damage from the recent hurricanes, estimated by the City at 99.2% of the structure’s depreciated value, an owner of the property stated in conversation with Staff that remediation of the existing structure was not considered.

**Figure 3: Survey showing existing residence (N.T.S.)**



**Figure 4: Survey showing proposed lot separation (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 subject property is the largest single-family property in the neighborhood's peninsula and was developed in its current condition prior to municipal incorporation. Most platted lots in the Don CeSar neighborhood have less than the width required by the RU-2 zoning they possess, but are permitted to be redeveloped and maintained provided that they existed in that configuration prior to 1972 when the City's current minimum lot size standards took effect. In the subject case, the lots as proposed would exceed the existing, maintained width of more than 80% of the properties on the same block, despite not meeting the minimum lot width standard by approximately one inch per created parcel. Additionally, the subject zoning lot existed in its current size and configuration prior to 1972 when the City implemented its minimum lot standards, and neither the then-owner or prior developer could have reasonably known that future limitation would prohibit separation based on the developed lot width. These are peculiar circumstances that are not shared by other similar lands in the same zoning district.*
  
2. The special conditions and circumstances do not result from the actions of the applicant or a prior owner of the property;
  - *The owner is choosing to undertake the lot split that necessitates this variance. However, Staff does not find the original developer or assembler of property could have reasonably known that the subject limitation would face the property in the future. A porch addition was added to the rear of the primary structure in the 2000s, but the structure has not been substantially improved or significantly expanded to occupy a greater portion of the lot since its original construction to Staff's knowledge.*
  
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 denial of this variance could deny the owners rights that are commonly enjoyed by others in the same zoning district. Other owners in the same zoning and in the vicinity can use and maintain their zoning lots at a smaller size than the subject request is proposing, due in part to their development parcel containing less assembled land prior to implementation of minimum municipal lot sizes. Many homes in the Don CeSar neighborhood, including the subject home, were developed in the first half of the 20<sup>th</sup> century where such limitations did not exist. While the zoning code and minimum dimensions exist in part to prevent*

- overcrowding of land and maintain property values, Staff does not find this request will produce lots out of character in terms of size or orientation with the rest of the neighborhood.*
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 lots will be used to support detached single-family development, which is a permitted primary use in the 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;
    - *The request is likely to increase financial return to the applicant. However, Staff does not find it to be the sole basis for this request or the demonstration of a hardship.*
  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. However, Staff finds this request will produce lots of similar character to others in the area and allow for maintenance of existing development patterns without significant adverse impact to neighboring lands and buildings. In terms of the immediate vicinity, these lots will remain larger and wider than others that have been in use for more than a half-century.*
  7. The requested variance is the minimum variance that makes possible the reasonable use of the land, building, or structure; and
    - *The property could continue to be used as one parcel capable of supporting one detached single-family home. However, Staff finds the request to be generally reasonable. The lots maintain similar width and orientation to others in the vicinity, do not encroach upon or unintentionally vacate public easements, or create parcels that could support homes of unusual massing or scale compared with the potential of other, existing parcels in the vicinity. The requested variance is for approximately one inch of width for each created zoning lot, which is a minimal request and imperceptible compared to other lots in the vicinity.*
  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 find that the request is in general harmony with the Land Development Code and will not be injurious to or incompatible with the neighborhood. The overall size, orientation, width, and layout of the lots are complementary to others in the vicinity and reflect a pre-incorporation suburban development pattern. Homes developed on the properties will likely be greater in mass than the current residence due to elevation requirements but will not have unusual setbacks or encroachments compared with those permitted for other existing parcels in the vicinity. The lots will exceed size requirements relative to the underlying zoning and other residential lots in the vicinity, and Staff does not find the request to be adverse to the*

*general intent of the Land Development Code, to prevent overcrowding and undue concentration of population.*

*The request also does not create a situation where any property to the north of the parcel remains perpetually without sufficient land area relative to the zoning district requirement. If lots to the north were to be combined and subdivided in the future, Staff estimates that the created lots could not exceed three total units, which would reduce the total density along this side of the block relative to platted condition by one unit. The properties to the south are largely one platted lot in size and may also be maintained at their existing, originally-platted conditions without ability to undertake further subdivision.*

**Other:**

- The applicant should acknowledge that all structures on the property must be demolished before Staff provides approval for this lot separation should this variance be granted.
- Staff does not find the lots as proposed to be unusual in size, orientation, width and layout compared with other lots in the vicinity, which helps support the basis for the subject request, but which is likely to be adverse to any future dimensional variance pursued for new construction should this request be granted. The applicant should state whether the owner has explored new construction options at this time, if known.
- The applicant or owner remains responsible for submitting a lot split request application through the City, which may carry additional administrative requirements.

**Summary**

Staff find that the applicant has addressed the criteria but does request additional testimony be provided as noted above to demonstrate that substantial and competent evidence has been provided. In general, Staff finds the application and analysis adequately supports the request based on the following findings:

- The request is minimal, at a request of approximately one inch in width relative to the 60-foot width standard, which is a variance of less than 1%;
- The existing land is peculiar for the zoning district and the vicinity, as one of the largest lots in the neighborhood and the largest in detached single-family use, and the created lots would be similar in scale, size, orientation, and potential for new construction as other parcels in the vicinity;
- The combination of land that created the subject parcel occurred prior to municipal incorporation and prior to 1972 standards placing limits on minimum lot size, and it is unlikely the then-owner or original developer would have known that such limitation would come to exist. The property has not been redeveloped in the interim and significant additions have not knowingly been made to the residence.
- The lots that are created are unlikely to produce development that is significantly out of scale or character with that allowed on adjacent lots based on current adopted zoning standards.

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 the structures on the lot have been demolished following issuance of a building permit, and the lot split has been executed through the Pinellas County Property Appraiser's Office.

Respectfully submitted,

Brandon Berry  
Senior Planner

Cc: Jeffrey Trull, Owner **via email** (Jwtrull@icloud.com)  
Kristen Hansen, Applicant **via email** (Khansen@georgefyoung.com)  
Board of Adjustment Attorney



Memo To: Board of Adjustment  
From: Kristin Coman, Senior Planner  
Date: 7/9/2025  
Re: **CERTIFICATE OF COMPLETENESS**

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Please be advised that on this date, the following application has been deemed complete and will be scheduled for the Board of Adjustment and placed on the agenda for **July 30, 2025**.

**Variance Case Number:** 25089  
**Application Type:** Unnecessary and Undue Hardship Variance  
**Owner:** Jeffrey Trull, John Trull, Scott Trull  
**Applicant/Agent:** Kristen Hansen, George F Young, Inc.  
**Parcel Number:** 07-32-16-21852-0256-0130  
**Address:** 3412 W. De Bazan Ave., St. Pete Beach, FL 33706  
**Zone:** RU-2

**Submittal Documents:**

1. Completed Unnecessary and Undue Hardship Variance package with application form
2. Boundary Survey prepared by George F. Young, Inc., dated 5.29.25 consisting of 1 sheet
3. South Lot Split Plan prepared by George F. Young, Inc., dated 5.29.25 consisting of 2 sheets
4. North Lot Split Plan prepared by George F. Young, Inc., dated 5.29.25 consisting of 2 sheets

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

**City/Board Professionals:**

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

**Board Members:**

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Denise Chase, Chair | <input checked="" type="checkbox"/> Kathy Garchow, Vice Chair |
| <input checked="" type="checkbox"/> Chris Core          | <input checked="" type="checkbox"/> Dan Small                 |
| <input checked="" type="checkbox"/> Al Causey           |   |

Cc: Jeffrey Trull, John Trull, Scott Trull, Owner ***via email*** ([jwtrull@icloud.com](mailto:jwtrull@icloud.com))  
Kristen Hansen, Applicant ***via email*** ([khansen@georgefyoung.com](mailto:khansen@georgefyoung.com))

CASE #: 25069

PARCEL #: 07-32-16-21852-026-0130

SUBMITTAL DATE: 6/25/25

AMOUNT DUE: 524.94

PAYMENT DATE: 6/25/25 check 107

**UNNECESSARY AND UNDUE HARDSHIP VARIANCE APPLICATION**

The following items are to be submitted, along with this application, to be reviewed for completeness:

- Two (2) copies of the property survey, to scale, 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;
- Two (2) copies of a survey or site plan showing the request with dimensions, setbacks and other pertinent information, drawn to scale, of size a maximum of 36"x48" and minimum of 11"x17";
- Two (2) copies of scaled construction plans;
- Completed Impervious Surface Ratio (ISR) worksheet or equivalent;
- Emailed copy of the survey, plans and supplemental documents to planning @stpetebeach.org.
- The application fee and associated mailing fee, payable to the City of St. Pete Beach (non-refundable)

**OWNER/AGENT INFORMATION:**

Identification	Name	Address	Phone #
Owner Jeffrey John Scott	Trull Trull Trull	3214 W. Debazan Avenue St. Pete Beach FL, 33706	727-415-3419
Applicant/ Agent	Kristen Hansen	GeorgeFYoung,inc. 299 Dr. MLK jr. ST. No. St.Pete., FL 33701	727-822-4317
Owner Email Address:  Jwtrull@icloud.com		Applicant/Agent Email Address:  Khansen@georgefyoung.com	

**PROPERTY FOR PROPOSED VARIANCE:**

Zoning Designation	Future Land Use Designation	Lot Area
RU-2	Subdivide 1 into 2 Lots of equal size	approx: 16,512 sq.ft.
Legal Description: Don Ce-Sar Place Blk 23, Lot 13 less N 21FT & Unnumbered Lots on Plat AKA lots 14 & 15		
Address: 3214 W. De Bazan Avenue, St. Pete Beach, FL 33706		
Explanation of Request: <u>Seeking a Variance where as the St. Pete Beach Land Development code,sec.9.6 requires minimum lot size of 60 feet. Current Survey results show 59.91Feet per lot, or .09 Feet or 1.08 inches per lot or 2.16 " difference for 2 equal size lots. Our current Home is 99.2% Substantially Damaged and its foot print is over lots 13,14,15. Future plans are to downsize to, one of the lots, a code compliant Elevated Home. LDC sec.9.6 (b) states "requirements may be modified by the city site plan review process".</u>		

1. **Special Conditions and Circumstances exist which are peculiar to the land, Structure, or building involved, and which are not applicable to other lands, structures, or buildings in the same zoning district.**

The Property at **3214 W. De Bazan Avenue, St. Pete Beach** possesses **distinct characteristics** that differentiate it from other properties within the zoning district, Specifically:

- a. **Irregular Lot Composition:** The property consists of **three inclusive lots** (lot 15, lot14, and lot 13 less 21 feet) rather than a single unified parcel, making its subdivision configuration different from standard properties.
- b. **Arc- Based Depth Measurements:** The **Lot's rear measurement of 110.64** feet is determined Using arc lengths, which is an atypical measurement method compared to conventional rectangular lot depths in the area.
- c. **Subdivision Challenges:** The calculation method outlined in LDC Sec. 9.6 Results in an **average lot width of 59.91 feet**, which is **just under 60 -foot** Requirement. Given the **minimal difference**, the property presents a **unique case** where rigid adherence to the rule may not align with the intended use of the land.

Due to these special circumstances, flexibility in subdivision requirements would allow for reasonable land utilization while maintaining the integrity of the zoning regulations.

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

The special conditions and circumstances affecting **3214 W. Debazan Avenue** are **not** the result of any actions taken by me as the applicant or by any prior owner.

- The lot structure—**Lot 15, Lot 14, and Lot 13 (less 21 feet)**—was platted according to historical zoning regulations and was **not altered** in a way that would create difficulties in meeting the current standard.
- The **transition from 50-foot-wide lots to 60-foot-wide standards** was enacted through zoning changes over time, **independent of any owner's decisions**.
- The **depth measurement method using arc lengths** was established before ownership changes, presenting a **unique technical factor** that affects compliance calculations.

Given these circumstances were **pre-existing** and resulted from broader zoning updates and historical platting, a variance is justified to allow for reasonable land division in line with current standards.

**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.**

A Literal interpretation of the **Land Development Code (LDC)** Division imposes an undue hardship in my case by preventing reasonable use of the property in a manner commonly enjoyed by others in the **same zoning district**. Although, LDC sec.9.6 (b) "the requirements may be modified by the city under the site plan review process to fit the specific use.

- a. **Neighborhood Precedent:** Historically, properties in this zoning district were platted at 50 feet wide, whereas the current standard is 60 feet wide. Many existing properties still reflect the earlier subdivision pattern, (50 feet wide) making my proposed division consistent with the established neighborhood layout.
- b. **Minimal Deviation:** The required **average lot width is 60 feet**, and my calculated width is **59.91 feet --- a difference of only 0.09 feet, or 1.08 inches**. Strict enforcement of the 60-foot standard in this case, creates an **unnecessary burden** without offering significant planning or structural benefit.
- c. **Loss of Property Utilization:** Without a Variance, the property would be restricted from Division, limiting its functional use compared to neighboring parcels that were historically subdivided under earlier standards.
- d. **No Negative Impact on Surrounding Area:** Granting a variance would allow for **logical Land use** while keeping the subdivision pattern **consistent** with nearby properties, ensuring compliance with zoning principles while avoiding unnecessary Hardship.

Given these factors, a variance justifies permitting subdivision without disrupting the intent of the zoning Codes.

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

The hardship associated with the subdivision of **3214 W. De Bazan Avenue** was **not** deliberately created to establish a use or structure that is inconsistent with the **Comprehensive Plan or Land Development Code (LDC)**.

- a. The lot Structure --- **lot 15, lot 14 and lot 13 ( less 21 feet)**—was platted before Ownership, and its subdivision challenge results from changes in zoning standards, **not any deliberate action** by the applicant or prior owners.
- b. The request does **not** seek to increase development density; rather, it aims to establish two equal, compliant **lots that align** with surrounding properties and historical land Divisions in Don Cesar Place.
- c. The **Comprehensive Land Plan's** intent is to ensure reasonable and functional land use while **maintaining the character of the neighborhood**. The proposed subdivision fully adheres to this Principle.
- d. The request for variance simply **accommodates a minimal difference of 0.09 of a Foot-** difference from the 60 feet, average lot width required, and the survey results of 59.91Feet, allowing practical use of the land without violating zoning intent.

Therefore, this variance request aligns completely with zoning objectives and does not result in excessive or inappropriate development beyond what is currently permitted.

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

The variance request **is not based** on financial gain, far from it! But rather on the practical challenges posed by Historical zoning changes and the pre-existing lot structure.

- a. The hardship arises **solely** from zoning constraints, not from an attempt to increase property value Or financial return.
- b. The lot Dimensions and subdivision limitations were established **before ownership** and were not influenced by financial motivations.
- c. The requested variance **ensures compliance** with neighborhood land plat consistency and logical Use, not maximizing financial return.
- d. This request is **entirely based** on ensuring fair and reasonable application of zoning regulations Without imposing undue restrictions.
- e. On Labor Day Weekend 1966, The weekend the NEW Corey Causeway opened, My Mother and her five Children moved to 3214 W. De Bazan Avenue on St. Pete. Beach. Built in 1938, A larger home, purchased via her friend, a new realtor then. And on the Beach!  
What we found was a larger home with larger rooms for five children and Mom. A yard that was 2 feet deep, a driveway that the St. Augustine Grass had grown over. The windows barely opened, no Insulation, no Air Conditioning, no Heating system, except for the fireplace.

The home had sat empty for about 6 years, before us, but it was a larger, intriguing home. And on the beach! Lazarillo Park was covered in sand spurs and had a concrete rubble pile from the water tower foundation that once served the Majestic Don Cesar Hotel.

This home has been a Work in Progress and Love. We got the lawn back to normal; we worked on the landscaping and removed many, many 6-inch-thick Pepper bushes (weeds that turn into trees!) that had grown everywhere on the property. Uncovered the driveway and over the years have fixed and repaired and upgraded many features of our home.

Over the years, we have put in new Windows, new insulation, Central Air/ Heat. New Kitchen rewired the house. This home was our passion and still is! And now a Legacy from our mother to her Children.

This home is our family home and always will be and now our legacy. **No amount of Funds or financial gains** will ever replace our lives in this home and property. It is priceless!

With the Destruction of our home, change is evitable, downsizing to meet the needs of the Land Development Code, FEMA Flood Codes, etc. will ensure our desire to continue with our love of our property and ensure safety for the community and its residents on St. Pete Beach.

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

Granting this variance ensures **fair and equal treatment** for the applicant, consistent with how other properties in the **same** zoning district have been handled.

- a. **Historical Precedent:** Many properties in the district were originally platted with **50-foot-wide lots**, meaning subdivision allowances have historically reflected pre-existing lot configurations rather than rigid enforcement of new standards.
- b. **Neighborhood Consistency:** The proposed division maintains alignment with neighboring properties, ensuring that the applicant is not unnecessarily restricted compared to other landowners who have previously subdivided.
- c. **Minimal Difference:** The **60-foot average lot width** requirement is nearly met (**59.91- feet - .09 of a foot, for each lot**) meaning denying the request would impose an **excessive** burden without any significant zoning benefit.
- d. **No Competitive Advantage or Privilege:** The variance does **not grant an unfair advantage**- it simply allows the applicant to use their property in a manner consistent with others in the district.

This variance request upholds **equitable** treatment under zoning regulations while maintaining the integrity of the district's land-use Zoning Standards.

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

- a. The requested variance represents the **Minimum** necessary adjustment to allow Reasonable use of the property while maintaining compliance with zoning intent.
- b. **Minimal Deviation:** The required Average Lot width is 60- Feet, according to the St. Pete Beach Land Development Code- Division 9, sec.9.6. The proposed subdivision and Survey, From George F Young, inc., achieves 59.91- Feet – a difference of only 0.09 Feet for each lot.

For both lots, equal size:  $60' \times 2 = 120$  Feet – LDC, sec. (9.6).

Survey results: lots of equal size:  $59.91 \times 2 = 119.82$  Feet. Translated into a difference of **.18 of a foot** deviation: i.e. - .18 of a foot equals **2.16 inches**.

**No Excessive Modifications:** The request does not seek additional exemptions, Density increases, or alterations beyond what is strictly required to allow for a fair subdivision.

- c. **Alignment with Neighborhood Standards:** The proposed division **remains consistent** with neighboring properties while allowing for practical land use.
- d. **Avoiding Unnecessary Hardship:** Denial of this variance would prevent logical Use of the property despite its near compliance with existing regulations.

This request ensures only the Minimal relief necessary to allow reasonable subdivision **without** compromising zoning principles.

**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.**

**a. The requested variance aligns with the intent of the Comprehensive Plan and Land Development Code, ensuring neighborhood compatibility while supporting responsible land use following Hurricane Helene's destruction.**

**b. Preserves Neighborhood Character:** The proposed subdivision mirrors **historical lot layouts**, ensuring consistency with surrounding properties. Many nearby homes were **platted at 50 feet wide**, making this adjustment **harmonious with existing land use patterns**.

**C. Minimal Impact on Zoning Standards:** The required **60-foot average lot width** is nearly met at **59.91 feet**, meaning approval maintains zoning integrity while avoiding unnecessary hardship.

**d. No Increase in Density or Overdevelopment:** This request **does not seek additional development privileges**—it simply enables the logical division of an **already established parcel** without disrupting zoning intent.

**e. Supports Long-Term Resilience & Sustainability:** Our home, the **existing structure was FEMA-designated as 99.2% Substantially Damaged**. According to FEMA, the LDC, there is a requirement for an **elevated home for flood mitigation**. This variance ensures land use **adapts responsibly to environmental and Building code regulations of St. Pete Beach**.

**f. No Negative Impact on Property Values:** The new subdivision supports **stability and responsible rebuilding**, ensuring continued **compatibility with neighborhood aesthetics and land use patterns**.

**g. Design of a new Home:** I desire to have a planned home, which can be found at : [www.Coastalhomeplans.com](http://www.Coastalhomeplans.com) . the Model name is Abalina Beach Cottage. It is an Elevated home with a livable square footage of 1289 sq.ft. and a total footprint of 1570 Sq.Ft. the appearance of the home, I believe, would be very compatible with the appearance of the rest of the homes in Don Cesar Place .

Approving this request ensures **reasonable, well-planned redevelopment while protecting neighborhood integrity and character of Don Ce Sar Place**.

## **Impact of Hurricane Helene Flooding & Property Downsizing**

On September 26, 2024, Hurricane Helene caused severe flooding at 3214 W. De Bazan Avenues, St. Pete. Beach, with three (3) feet of seawater entering the interior and approximately Five (5) Feet on ground level.

FEMA designated the home **as 99.2% Substantially Damaged**, requiring significant Reconstruction. Our home was built in 1938, though well-built and **loved**, she has become designated outdated to the Current and updated, meaningful FEMA, Florida building Codes.

Given the **extent of the damage**, the applicant wishes to **rebuild a smaller, elevated home (approx. 1,500 sq. ft.) on the southernmost lot** to better withstand future flood risks.

Additionally, subdividing the property will enable **downsizing** to ensure that ongoing costs, including **property taxes, insurance premiums, flood insurance, and maintenance**—remain **financially manageable**

while aligning with responsible land use and Zoning Regulations of the Land Development Code to assure the property is a contributing asset to the aesthetics of Unique and Distinctive, Don Cesar Place.

Thank You!

Jeffrey W. Trull



**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.**

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

JWT 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.

JWT 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.

JWT 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.

JWT 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.

JWT 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.

JWT 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.**

X *[Handwritten Signature]*  
Signature of Applicant

5/29/2025  
Date



**PUBLIC HEARING SIGN POSTING AFFIDAVIT**

Applicant, JEFFREY W. TRULL, agrees to maintain the posted 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): JEFFREY W. TRULL

Address: ~~1024~~ 5808 OLD VALDOSTA ROAD, NASHVILLE, GA 31639

Signature: [Handwritten Signature] Date: 5/19/2025

STATE OF FLORIDA )  
 ) SS:  
PINELLAS COUNTY )

The foregoing instrument was acknowledged before me this 19<sup>th</sup> day of May, 2025 by: Jeffrey William Trull who appeared before me, and is personally known to me, or has produced DL # 072275650 as identification, and did take an oath.

My commission Expires: Dec. 4<sup>th</sup>, 2026

NOTARY: [Signature]  
Print Name: Yaritza Marin Notary

Public, State of Florida  
(Notarial Seal)





**Owner's Authorization For Agent Form**  
Community Development Department  
City of St. Pete Beach, Florida 727-363-9241

I/We Jeffrey Trull  
(Property Owner(s) printed name)

hereby authorize Kristin Hansen  
(Agent's printed name)

to represent me in an application for Variance  
(Type of application: Variance, Conditional Use, Zoning, etc.)

[Signature]  
Signature of Owner

\_\_\_\_\_  
Signature of Owner

JEFFREY W TRULL  
Owner's Printed Name

\_\_\_\_\_  
Owner's Printed Name

The foregoing instrument was acknowledged before me this 29<sup>th</sup> day  
of May 2025, by Jeffrey Trull who  
is personally known \_\_\_\_\_ or produced Georgia Drivers License as  
identification. #072275650

[Signature]  
(Notary Signature)

May 29, 2025  
(Date)

My commission expires 5-16-2029



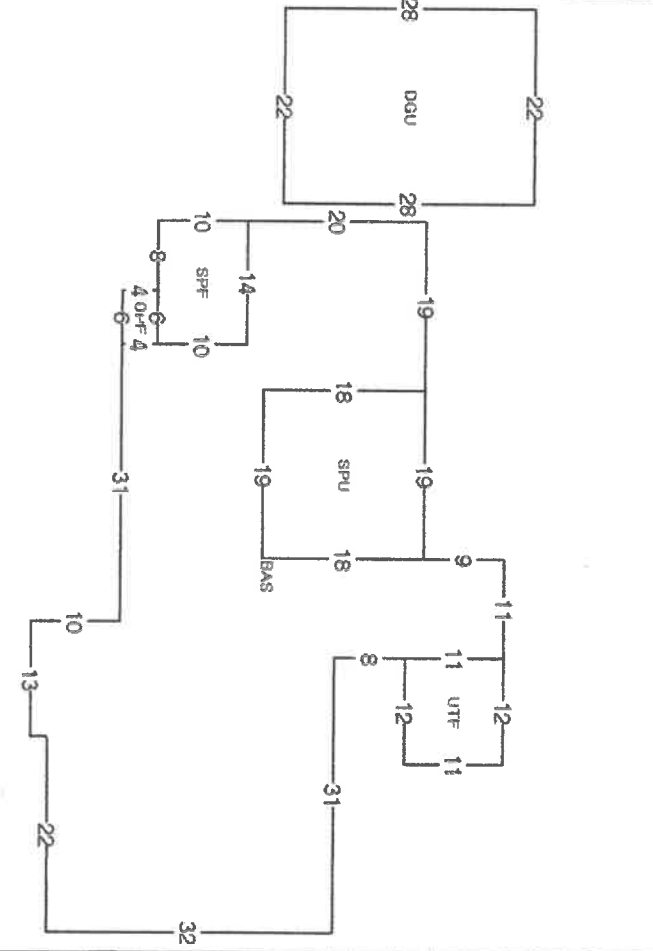
DON CE-SAR PLACE  
 Bk 23, LOT 13 LESS N 21FT  
 & UNNUMBERED LOTS ON PLAT  
 AKA LOTS 14 & 15  
 3214 W DEBAZAN AVE, ST PETE BEACH  
 0110 Single Family Home

TRULL, JEFFREY W  
 3214 W DEBAZAN AVE  
 ST PETE BEACH, FL 33706-4034

2017 07-32-16-21852-023-0130  
 Map Id: 110.00 1.00 1.00 1.00 AREA = 1; NEB = 10  
 \*\* VALUE SUBJECT TO CHANGE \*\*  
 Pinellas County Property Appraiser Office  
 VALUE SUMMARY  
 PRIOR JUST MARKET VALUE 472,669  
 CURRENT JUST MARKET VALUE 475,247  
 ASSESSED VALUE 475,247  
 HX/HX CAP BASE YEAR 2017  
 TAXABLE VALUE 425,247  
 HX Yes  
 % HX 100.00  
 TOT EXEMPTIONS VALUE 50,000

QUALITY	Average	PTS
FLOOR	2CONTINUOUS	100 3.00
EXTERIOR	3WOOD	100 12.0
ROOF	9FRAME/RECLA	100 23.0
FLOOR	1EABLE OR	100 6.00
INTERIOR	3SHINGLE	100 5.00
HEATING	2CARPET/	100 5.00
COOLING	2DRYWALL/PLA	100 33.0
	6CENTRAL	100 5.00
	COOLING	100 3.00

DEPRECIATION ADJ	ADJ
EXTERNAL OBSOLESCENCE	0.0000
EXTERNAL OBSOLESCENCE	0.0000
OTHER	0.0000

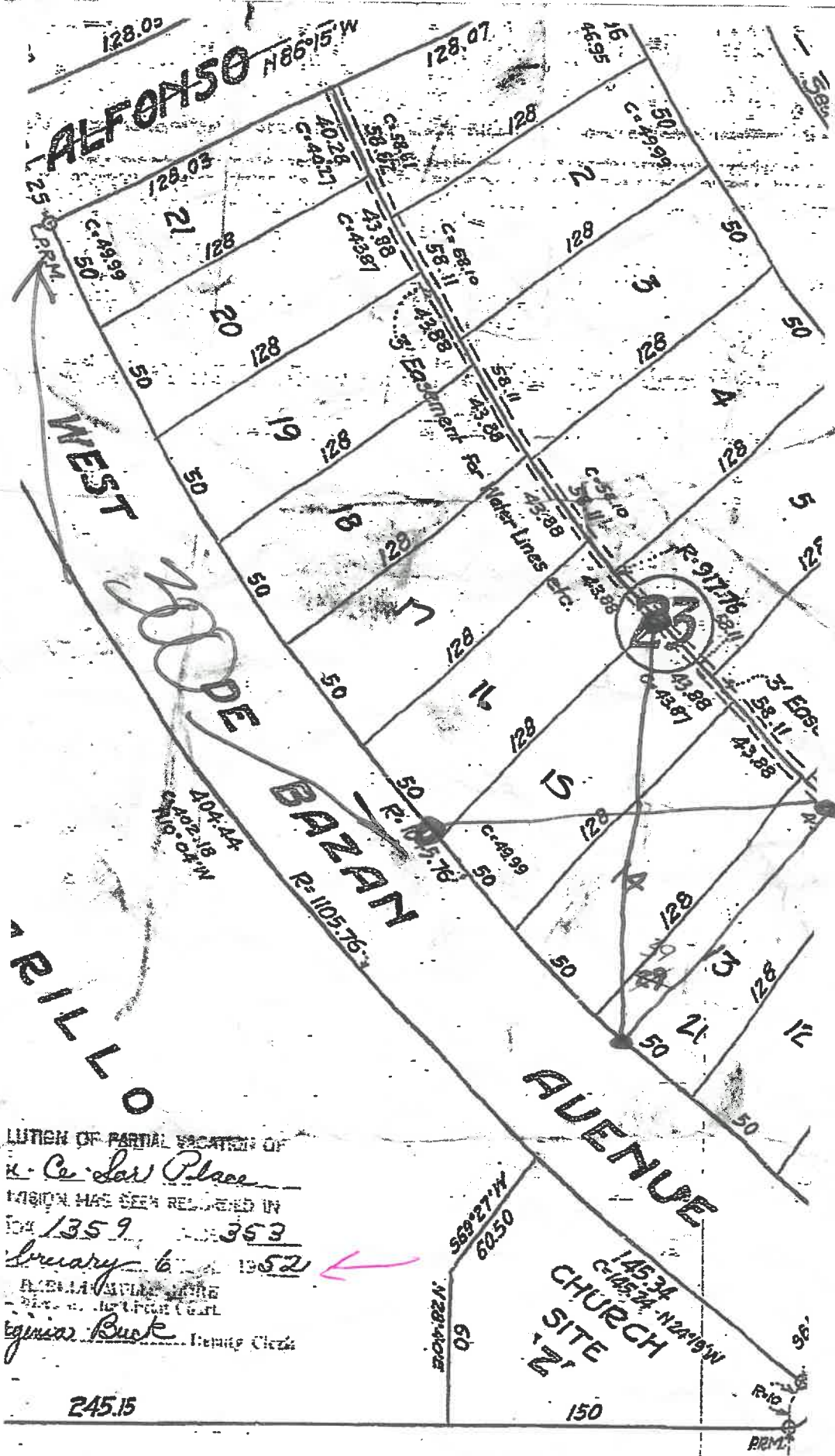


PERMIT	TP ST.	EST VAL	ISSUE DATE
20111194	96 C	14,187	10/21/11
20111007	51 C	6,955	09/19/11
20081065	00 C	12,420	10/03/08
20080859	95 C	5,500	09/08/08
20080859	95 C	5,500	08/07/08
20080777	99 C	3,000	08/06/08
021015	94 C	4,000	07/27/00

TYPE	QU	HX/HX	EA
01	02	100.0	EA
RCND	YB		
147893	1938		33

L	EXTRA	DESCRIPTION	BD	NHX	HX/	R	FRONT	DEPTH	FF	FRONT FT	UNITS	UNIT	VALUE	ADJ UNIT	YEAR	BLT	EFF	SALES	PRICE	BLT	%	GOOD	XF	VALUE	SELLER	BUYER	SALES NOTE
1	0101	PATIO/DECK	1	100	0	0	288.00	0		1.00	9.00	9,000.00	3,000.00	9.00	1968	34	1968	1,037	288SF	47	40	1,410	1,410	TRULL MARCIA L	TRULL MARCIA LAW	STR TRANSFER	
2	0502	FIREPLACE	1	100	0	0	1.00	0		1.00	3,000.00	3,000.00	1938	33	1938	47	1,410	AVG	47	47	1,410	1,410	TRULL JEFFREY W	TRULL JEFFREY W	8/19 LETTER FROM THE NAL		

L	EXTRA	DESCRIPTION	BD	NHX	HX/	R	FRONT	DEPTH	FF	FRONT FT	UNITS	UNIT	VALUE	ADJ UNIT	YEAR	BLT	EFF	SALES	PRICE	BLT	%	GOOD	XF	VALUE	SELLER	BUYER	SALES NOTE
1	0101	PATIO/DECK	1	100	0	0	288.00	0		1.00	9.00	9,000.00	3,000.00	9.00	1968	34	1968	1,037	288SF	47	40	1,410	1,410	TRULL MARCIA L	TRULL MARCIA LAW	STR TRANSFER	
2	0502	FIREPLACE	1	100	0	0	1.00	0		1.00	3,000.00	3,000.00	1938	33	1938	47	1,410	AVG	47	47	1,410	1,410	TRULL JEFFREY W	TRULL JEFFREY W	8/19 LETTER FROM THE NAL		

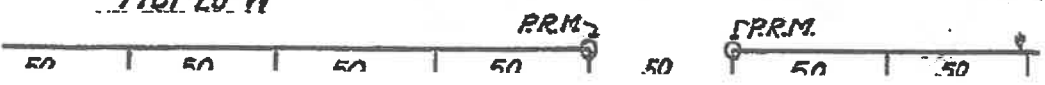


LOCATION OF PARTIAL VACATION OF  
 C. Cesar Place  
 REGION HAS BEEN RECORDED IN  
 104 1359 353  
 January 6 1952  
 REGISTRATION NO. 104  
 1359 353  
 Registrar Buck

245.15

DE BAZAN  
 N 61° 20' W

AVENUE



**3214 DEBAZAN AVE  
LOT SPLIT, SOUTH LOT**

A part of Lot 14 and Lot 15, in Block 23, in Don Ce-sar Place, according to the plat thereof as recorded in Plat Book 13, Pages 15 through 20, Public Records of Pinellas County, Florida, being more particularly described as follows:

Commence at the Northeast corner of Lot 10 of said Don Ce-Sar Place, thence S 25°03'38" E, a distance 171.00', thence along the eastern boundary of said Block 23 along a curve to the right, having a radius of 1045.76 feet, a chord bearing of S 18°34'55" E, a chord distance 64.49 feet, a delta of 03°32'02", for an arc distance of 64.50 feet to the POINT OF BEGINNING; thence continue along said eastern boundary, having a radius of 1045.76 feet, a chord bearing of S 15°02'54" E, a chord distance of 64.50 feet, a delta of 03°32'02", for an arc distance of 64.50 feet; thence S 76°42'56" W, a distance of 128.00 feet; thence along a curve to the left, having a radius of 917.76 feet, a chord bearing of N 15°00'29"E, a chord distance of 55.32 feet, a delta 03°27'13", an arc distance of 55.32 feet; thence N 72°36'34" W, a distance of 128.01 feet, to the POINT OF BEGINNING.

**NOTES:**

1. This sketch is based on a field survey.
2. Additions or deletions to survey maps or reports by other than the signing party or parties are prohibited without the written consent of the signing party or parties.
3. This survey map and report (if applicable) or the copies thereof are not valid without the original signature and seal of a Florida licensed surveyor and mapper.
4. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.
5. This report has been digitally signed and sealed under Rule 5J-17.062 of the Florida Administrative Code.

PREPARED FOR:  
**Jeff Trull**  
5808 Old Valdosta Rd  
Nashville, GA 31639

**3214 W DeBazan Ave  
South Lot Split**  
SECTION 07. TOWNSHIP 32 S. RANGE 16 E.

REVISED	BY	DATE	DESCRIPTION

	INITIALS	DATE
CREW CHIEF	LP	4/30/25
DRAWN	PM	5/28/25
CHECKED	TH	5/14/25
FIELD BOOK	-	-
FIELD DATE		5/14/25

*[Signature]*  
Trevor Hatch PSM LS 7443  
5-29-25  
DATE



**George F. Young, Inc.**  
299 DR. MARTIN LUTHER KING JR. STREET, N. ST. PETERSBURG, FLORIDA 33701  
PHONE (727) 822-4317 WWW.GEORGEFYOUNG.COM  
BUSINESS ENTITY LB21  
CIVIL, TRANSPORTATION, SUBSURFACE & STRUCTURAL ENGINEERING  
ECOLOGICAL GIS PLANNING SURVEYING  
ST. PETERSBURG • LAKEWOOD RANCH • TAMPA • GAINESVILLE • LAKE WALES • PUNTA GORDA

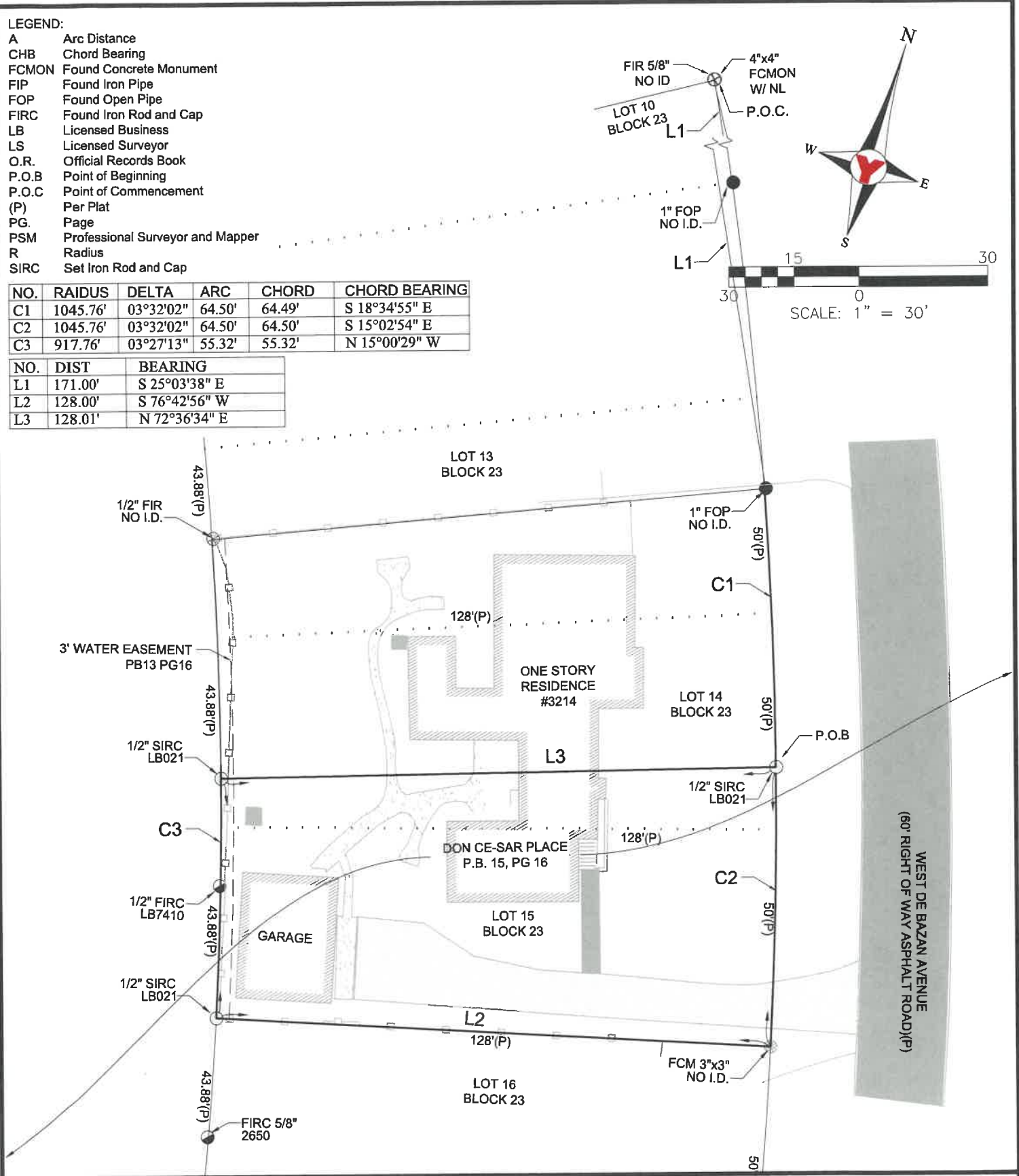
JOB NO.  
25005200SS  
SHEET NO.  
**1 OF 2**

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PLOTTED: 5/29/2025 9:08 AM

- LEGEND:
- A Arc Distance
  - CHB Chord Bearing
  - FCMON Found Concrete Monument
  - FIP Found Iron Pipe
  - FOP Found Open Pipe
  - FIRC Found Iron Rod and Cap
  - LB Licensed Business
  - LS Licensed Surveyor
  - O.R. Official Records Book
  - P.O.B Point of Beginning
  - P.O.C Point of Commencement
  - (P) Per Plat
  - PG. Page
  - PSM Professional Surveyor and Mapper
  - R Radius
  - SIRC Set Iron Rod and Cap

NO.	RAIDUS	DELTA	ARC	CHORD	CHORD BEARING
C1	1045.76'	03°32'02"	64.50'	64.49'	S 18°34'55" E
C2	1045.76'	03°32'02"	64.50'	64.50'	S 15°02'54" E
C3	917.76'	03°27'13"	55.32'	55.32'	N 15°00'29" W

NO.	DIST	BEARING
L1	171.00'	S 25°03'38" E
L2	128.00'	S 76°42'56" W
L3	128.01'	N 72°36'34" E



PREPARED FOR:  
 Jeff Trull  
 5808 Old Valdosta RD  
 Nashville, GA 31639

3214 W DeBazan Ave  
 South Lot Split  
 SECTION 07, TOWNSHIP 32S., RANGE 16E.

REVISED	BY	DATE	DESCRIPTION

	INITIALS	DATE
CREW CHIEF	LP	4/30/25
DRAWN	PM	5/28/25
CHECKED	TH	5/15/25
FIELD BOOK		
FIELD DATE		4/30/25

Trevor Hatch      PSM LS 7443  
 DATE \_\_\_\_\_



**George F. Young, Inc.**  
 299 DR. MARTIN LUTHER KING JR. STREET, N. ST. PETERSBURG, FLORIDA 33701  
 PHONE (727) 822-4317    WWW.GEORGEFYOUNG.COM  
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 ECOLOGY | GIS | PLANNING | SURVEYING  
 ST. PETERSBURG • LAKEWOOD RANCH • TAMPA • GAINESVILLE • LAKE WALES • PUNTA GORDA

JOB NO.  
 25005200SS  
 SHEET NO.  
 2 OF 2

**3214 DEBAZAN AVE  
LOT SPLIT, NORTH LOT**

A part of Lots 13 and 14, in Block 23, in Don Ce-Sar Place, according to the plat thereof as recorded in Plat Book 13, Pages 15 through 20, Public Records of Pinellas County, Florida, being more particularly described as follows:



Commence at the Northeast corner of Lot 10 of said Don Ce-Sar Palace, thence S 25°03'38" E, a distance of 171.00' to the POINT OF BEGINNING; thence on a curve to the right along the eastern boundary of said Lot 23, having a radius of 1045.76 feet, a chord bearing of S 18°34'55" E, a chord distance of 64.49 feet, a delta of 03°32'02", for an arc distance of 64.50 feet; thence S 72°36'34" W a distance of 128.01 feet; thence along a curve to the left, having a radius of 917.76 feet, a chord bearing of N 18°27'13" W, a chord distance of 55.32 feet, a delta of 03°27'13" W, an arc distance of 55.32 feet; thence N 68°30'02" E, a distance of 128.03 feet, to the POINT OF BEGINNING.

**NOTES:**

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3. This survey map and report (if applicable) or the copies thereof are not valid without the original signature and seal of a Florida licensed surveyor and mapper.
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5. This report has been digitally signed and sealed under Rule 5J-17.062 of the Florida Administrative Code.

FILE: I:\project\sur\2025\25005200SS - 3214 W Debazan Ave, SPB Lot Split\DWG\25005200SS BNDRY Part 1V3.dwg

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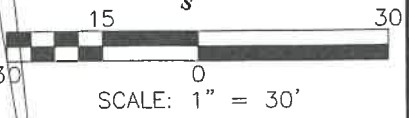
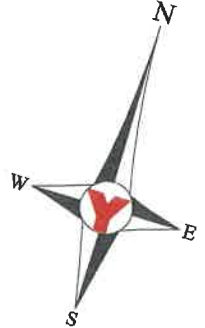
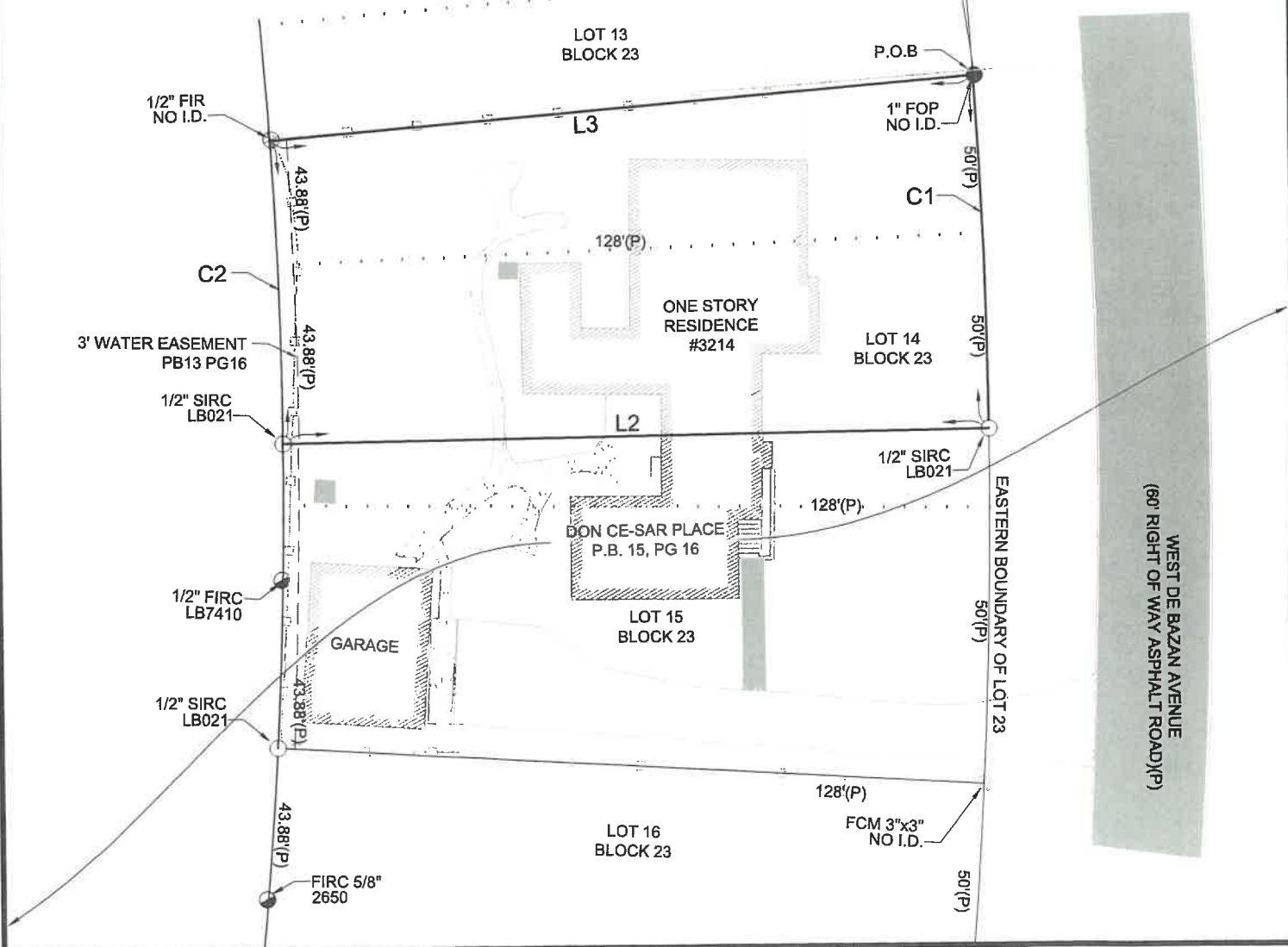
PREPARED FOR: <b>Jeff Trull</b> 5808 Old Valdosta Rd Nashville, GA 31639		<b>3214 W DeBazan Ave</b> <b>North Lot Split</b> <small>SECTION 07, TOWNSHIP 32 S., RANGE 16 E.</small>		REVISED BY DATE DESCRIPTION		
CREW CHIEF LP 4/30/25	INITIALS 	DATE 5/14/25	 <b>George F. Young, Inc.</b> <small>299 DR. MARTIN LUTHER KING JR. STREET, N. ST. PETERSBURG, FLORIDA 33701          PHONE (727) 822-4317 WWW.GEORGEFYOUNG.COM          BUSINESS ENTITY LB21          CIVIL, TRANSPORTATION, SUBSURFACE &amp; STRUCTURAL ENGINEERING          ECOLOGY   GIS   PLANNING   SURVEYING          ST. PETERSBURG • LAKEWOOD RANCH • TAMPA • GAINESVILLE • LAKE WALES • PUNTA GORDA</small>	JOB NO. 25005200SS	SHEET NO. <b>1 OF 2</b>	
DRAWN PM 5/14/25	CHECKED TH 5/14/25	FIELD BOOK -		DATE 5-29-25	PSM 1, S 7443	
FIELD DATE 5/14/25						


**LEGEND:**

- A Arc Distance
- CHB Chord Bearing
- FCMON Found Concrete Monument
- FIP Found Iron Pipe
- FOP Found Open Pipe
- FIRC Found Iron Rod and Cap
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L3	128.03'	N 68°30'02" E



PREPARED FOR: Jeff Trull 5808 Old Valdosta RD Nashville, GA 31639		<b>3214 W DeBazan Ave</b> Lot Split SECTION 07, TOWNSHIP 32S., RANGE 16E.		<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 5%;">REVISED</th> <th style="width: 15%;">DATE</th> <th style="width: 80%;">DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>		REVISED	DATE	DESCRIPTION									
REVISED	DATE	DESCRIPTION															
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;">INITIALS</th> <th style="width: 10%;">DATE</th> </tr> </thead> <tbody> <tr> <td>CREW CHIEF LP</td> <td>4/30/25</td> </tr> <tr> <td>DRAWN PM</td> <td>5/15/25</td> </tr> <tr> <td>CHECKED TH</td> <td>5/15/25</td> </tr> <tr> <td>FIELD BOOK</td> <td>-</td> </tr> <tr> <td>FIELD DATE</td> <td>4/30/25</td> </tr> </tbody> </table>		INITIALS	DATE	CREW CHIEF LP	4/30/25	DRAWN PM	5/15/25	CHECKED TH	5/15/25	FIELD BOOK	-	FIELD DATE	4/30/25	Trevor Hatch      PSM LS 7443  DATE _____		 <p><b>George F. Young, Inc.</b>                  299 DR. MARTIN LUTHER KING JR. STREET, N. ST. PETERSBURG, FLORIDA 33701                  PHONE (727) 822-4317    WWW.GEORGEFYOUNG.COM                  BUSINESS ENTITY LB21                  CIVIL, TRANSPORTATION, SUBSURFACE &amp; STRUCTURAL ENGINEERING                  ECOLOGY   GIS   PLANNING   SURVEYING                  ST. PETERSBURG • LAKEWOOD RANCH • TAMPA • GAINESVILLE • LAKE WALES • PUNTA GORDA</p>	
INITIALS	DATE																
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FIELD DATE	4/30/25																
JOB NO. 25005200SS		SHEET NO. <b>2 OF 2</b>		PLOTTED: 5/28/2025 8:53 AM													

FILE: I:\project\sur\2025\25005200SS - 3214 W DeBazan Ave. SPB Lot Split\DWG\25005200SS BNDRY Part 1V3.dwg  
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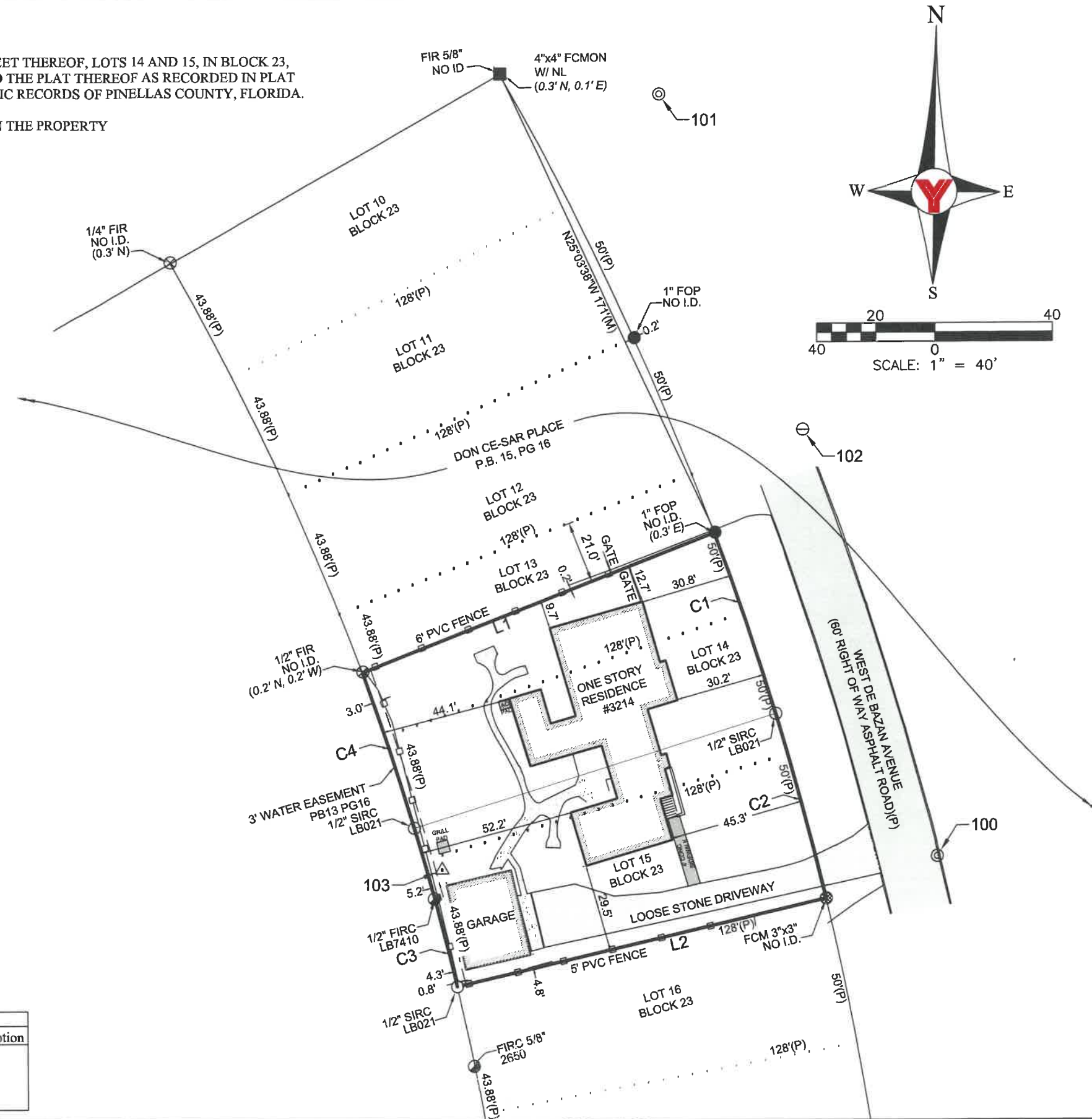
**SURVEY REPORT:**

1. A BOUNDARY SURVEY of 3214 W DeBazan Ave, Section 07, Township 32, South, Range 16 East, City of St. Pete Beach, Pinellas County, Florida.
2. This survey is a graphic depiction of the current boundary and visible improvements in accordance with the legal description shown hereon and may not reflect ownership.
3. George F. Young, Inc. and the undersigned make no representations or guarantees pertaining to easements, rights-of-way, set back lines, reservations and/or agreements.
4. Coordinates were established by Real-Time Kinematic GPS methodology utilizing the Florida Permanent Reference Network for corrections, Coordinates are relative to the Florida State Plane Coordinate System, West Zone, U.S. Survey Feet, North American Datum of 1983, 2011 Adjustment (NAD 83/11)
5. The printed dimensions shown on this survey supersede any scaled dimensions; there may be items drawn out of scale to graphically show their location.
6. "Certification" is understood to be an expression of professional opinion by the surveyor and mapper based on the surveyor and mapper's knowledge and information, and that it is not a guarantee or warranty, expressed or implied.
7. This survey has been exclusively prepared for Jeff Trull shown hereon and is not transferable. No other person or entity is entitled to rely upon and/or re-use this survey for any purpose without the expressed, written consent of George F.
8. This survey map and report (if applicable) or the copies thereof are not valid without the original signature and seal of a Florida licensed Surveyor and Mapper.
9. Printed copies of this document are not considered signed and sealed, and the signature must be verified on an electronic copies.
10. Additions or deletions to survey maps or reports by other than the signing party or parties are prohibited without written consent of the signing party or parties.
16. This survey has been digitally signed and sealed under Rule 5J-17.062 of the Florida Administrative Code.

**A BOUNDARY SURVEY:**

(INSTRUMENT No. 2016294884)  
 LOT 13, EXCEPT THE NORTHERLY 21 FEET THEREOF, LOTS 14 AND 15, IN BLOCK 23, IN DON CE-SAR PLACE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 13, PAGES 15 THROUGH 20, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

GRANTOR RESERVES A LIFE ESTATE IN THE PROPERTY



**ABBREVIATION LEGEND:**

- CONC. Concrete
- GPS Global Positioning System
- LB Licensed Business
- LS Licensed Surveyor
- NGS National Geodetic Survey
- PSM Professional Surveyor and Mapper
- PVC Polyvinyl Chloride
- FIP Found Iron Pipe
- FIR Found Iron Rod
- FOP Found Open Pipe
- (M) Measured
- SIR Set Iron Rod
- SOM Set Other Mark
- SND Set Nail and Disk
- SNL Set Nail

**SYMBOL LEGEND:**

- Found Concrete Monument
- Found Open Pipe
- Found Iron Pipe
- ⊗ Found Iron Rod
- Found Iron Rod and Cap
- Found Nail and Disk
- △ Set Nail
- ⊙ Set Nail and Disk
- ⊖ Set Other Mark

**LINestyle LEGEND:**

- Boundary
- - - Easement
- PVC Fence
- ⋯ Lot Line

NO.	DIST	BEARING
L1	128.03'	S 68°30'02" E
L2	128.00'	N 76°43'08" W

NO.	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C1	1045.76'	03°32'02"	64.50'	64.49'	S 18°34'56" E
C2	1045.76'	03°32'02"	64.50'	64.50'	S 15°02'54" E
C3	917.76'	03°27'13"	55.32'	55.32'	N 15°00'29" W
C4	917.76'	03°27'13"	55.32'	55.32'	N 18°27'13" W

CONTROL POINTS			
Point	Northing	Easting	Description
100	1227140.84	418838.51	SND
101	1227397.96	418745.04	SND
102	1227284.74	418793.42	SOM
103	1227136.60	418671.25	SNL

NO.	BY	DATE	DESCRIPTION	INITIALS	DATE
1					
2					
3					
4					
5					
6					

PREPARED FOR:  
 Jeff Trull  
 5808 Old Valdosta Rd  
 Nashville, GA 31639

**George F. Young, Inc.**  
 299 DR. MARTIN LUTHER KING JR. STREET. N. ST. PETERSBURG, FLORIDA 33701  
 PHONE (727) 822-4317 WWW.GEORGEFYOUNG.COM  
 BUSINESS ENTITY LB21  
 CIVIL, TRANSPORTATION, SUBSURFACE & STRUCTURAL ENGINEERING  
 ECOLOGY | GIS | PLANNING | SURVEYING  
 ST. PETERSBURG • LAKEWOOD RANCH • TAMPA • GAINESVILLE • LAKE WALES • PUNTA GORDA

Trevor Hatch  
 PSM LS 7443  
 DATE: 5-21-25

**3214 W DE BAZAN AVE**  
**BOUNDARY SURVEY**  
 SECTION 07, TOWNSHIP 32S., RANGE 16E.

JOB NO. 25005200SS  
 SHEET NO. 1 OF 1

FILE: I:\project\sur\2025\25005200SS - 3214 W DeBazan Ave, SPB Lot Split\DWG\25005200SS\_BNDRY.v3.dwg  
 LOGIN: Hatch, Trevor  
 PLOTTED: 5/29/2025 8:45 AM

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

**Agenda Report**

**Agenda Title Name:** Case No. 25087 - 565 Belle Point Dr.

**Action Request:** As directed by the Board of Adjustment

**Options:**

- Motion to approve Case No. 25087 with staff recommended or board-imposed conditions, including:

1. Applicant shall submit a sealed As-Built survey showing all dimensions, setbacks and ISR calculation and approved by Zoning prior to the issuance of a Final Inspection or Certificate of Occupancy.

OR

- Motion to approve Case No. 25087 as proposed

OR

- Motion to deny Case No. 25087

**Strategic Objective:**

**Date:** July 30, 2025

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

**Through:** Laura Canary, Community Development Director

**Summary of Issue:** *Practical Difficulty Variance:* James Kearney requests to construct a 22'10" x 15' addition for expansion of existing attached garage with the proposed front yard setback of 13.6 feet where 20 feet is required (LDC Sec. 8.7(a)(1)).

**Funding:** n/a

**Attachments:**

1. 25087 - Staff Report
2. 25087 - Certificate of Completeness and Submittal





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

## PLANNING DEPARTMENT

**Date:** July 11, 2025  
**To:** Board of Adjustment  
**Re:** Staff Findings Report  
Practical Difficulty Variance  
Address: 565 Belle Point Dr.  
Parcel Number: 07-32-16-07506-005-0140  
James Kearney  
Variance Case No: 25087

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

**Hearing Date:** 7/30/2025

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

1. Completed Practical Difficulty Variance package with application form.
2. Plan Set for proposed addition project prepared by LAN Engineering, LLC, dated 12.30.24 consisting of 7 sheets.

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

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

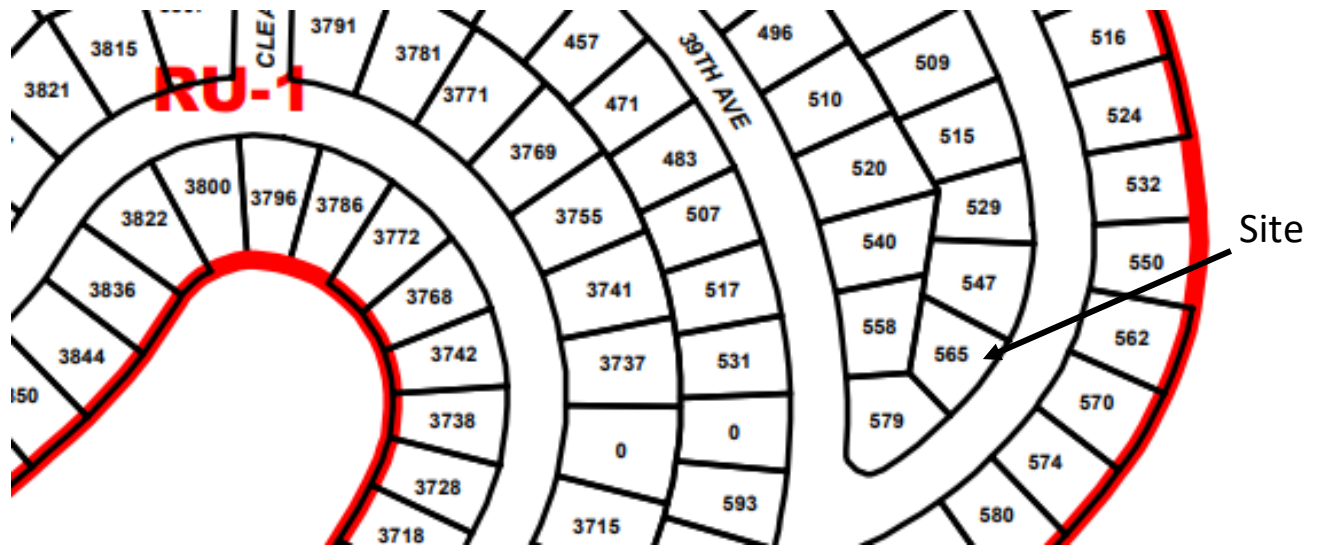
The subject site is a 7,388 sq. ft. (approx. 0.16 acre) parcel located at 565 Belle Pointe Dr. known as parcel number 07-32-16-07506-005-0140 and legal description of BELLE VISTA POINT 1ST ADD BLK E, LOT 14 within the AE-Elevation 10 flood zone. The property is located in the RU-1, Residential zone; RU on the future land map and contains a single-family residence constructed in 1956 according to the Pinellas County Property Appraiser. It is surrounded by single-family uses to the north, south, west and east. The interior parcel is improved with a one-story dwelling with circular paver driveway, rear paver patio with inground pool and patio.

Figure 1: Aerial Photography



Source: Pinellas County Property Appraiser

Figure 2: Zoning Map



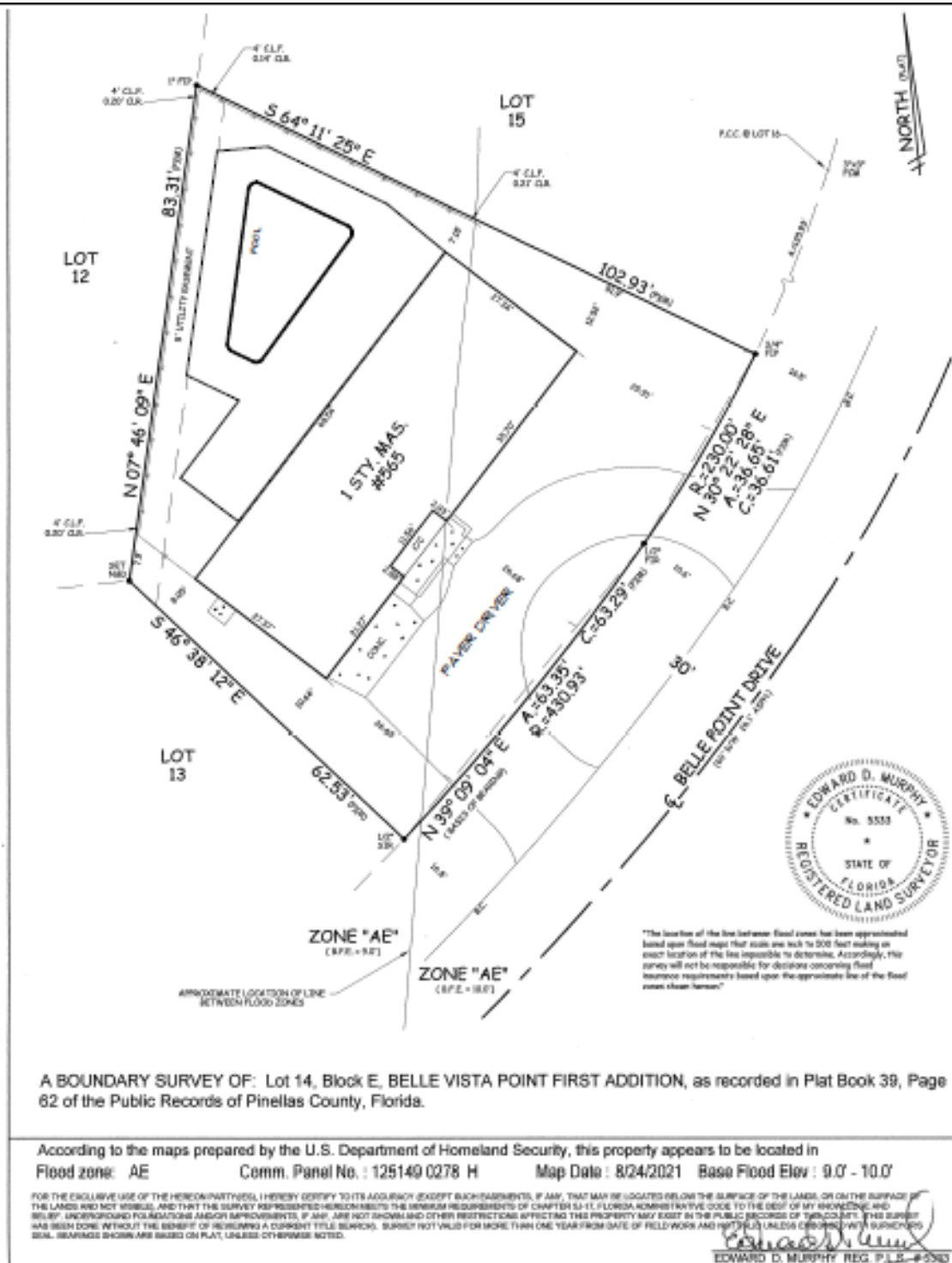
Source: City of St. Pete Beach Official Zoning Map Page 12 of 15, dated 7/20/2012

### Request and Analysis

The applicant is proposing to convert a portion of the existing attached garage into an additional bedroom with ensuite bathroom and laundry room with access from the existing kitchen and requests to construct a 22'10" x 15' addition for expansion of the existing attached garage with the proposed front yard setback of 13.6 feet where 20 feet is required (LDC Sec. 8.7(a)(1)).

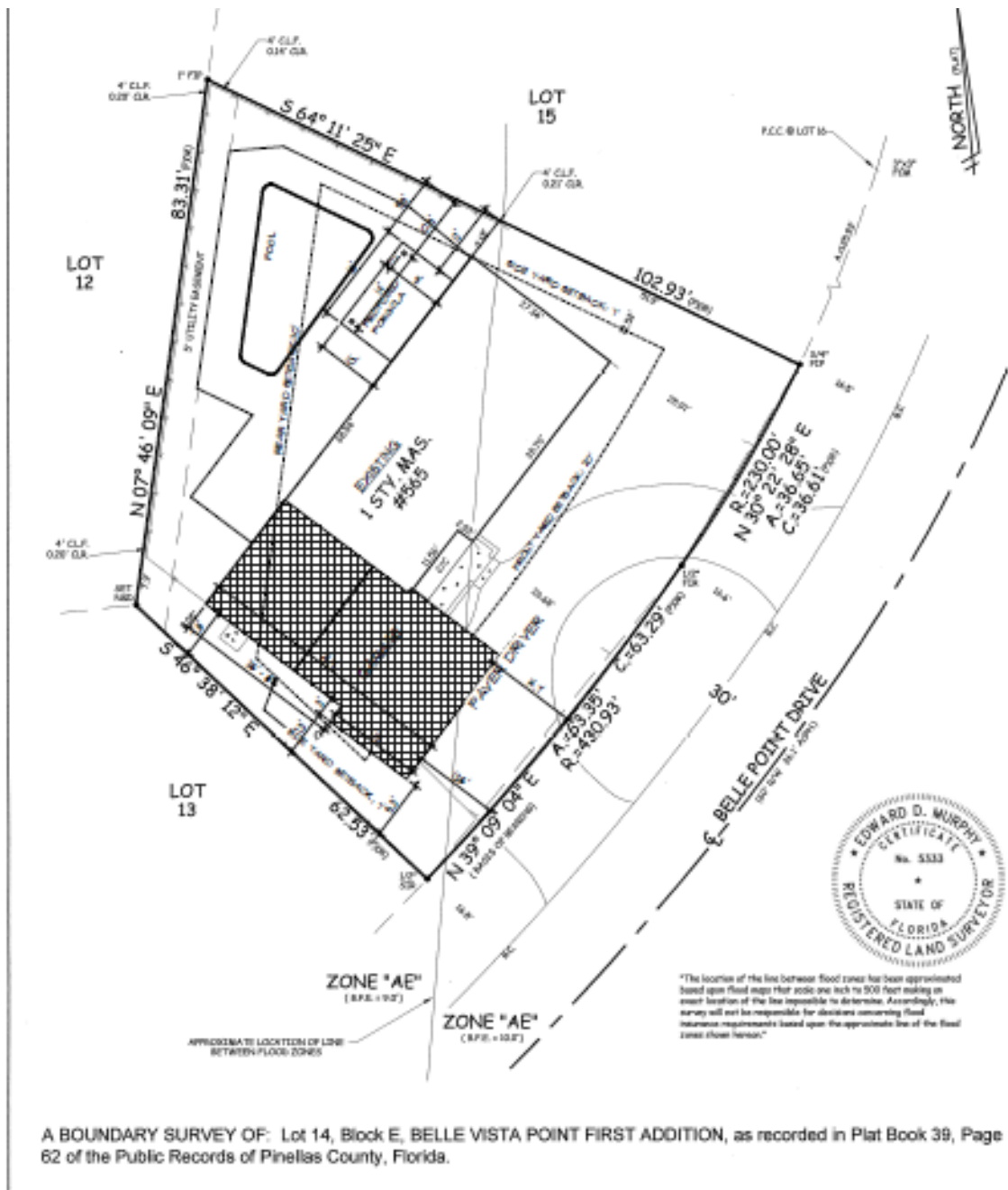
<b>Figure 3: Zoning Table</b>			
<b>Detached, Single-Family Residential</b>	<b>565 Belle Pointe Dr.</b>		
	<b><u>RU-1 Required</u></b>	<b><u>Existing</u></b>	<b><u>Proposed</u></b>
<b>Lot Area (Min.)</b>	7,000 sq. ft.	7,388 sq. ft.	No change
<b>Front Yard Setback (Min.)</b>	20'	27'	13.6' <b>(v)</b>
<b>Side Yard Setback (Min.)</b>	The lesser of 10% of lot width or 7'	8.05' South 7.18' North	7.3' South 7.18' North
<b>Rear Yard Setback (Min.)</b>	20'	12'*	no change
<b>ISR (Max.)</b>	0.70	0.61	0.64
<b>Height (Max.)</b>	35'	not provided, dwelling is currently one-story	not provided, dwelling is currently one-story
<b>*Denotes existing non-conformity</b> <b>(v) Variance required</b>			

Figure 4: Boundary Survey (does not reflect completed driveway expansion) (N.T.S.)



<b>LEGEND:</b>					
F.P.P. - FOUND IRON PIPE	F.D. - FOUND	C. - CURB	RUB. - RUBBER	V.W. - VENE WALL	EBMT. - EASEMENT
F.C.M. - FOUNO CONCRETE ENCLOSURE	F.C.L. - POINT OR LINE	A. - W.C.	ROA. - WATER HEATER	E. - CENTERLINE	R.W. - MANHOLE
F.I.B. - FOUND IRON ROD	F.C. - POINT OF CURVATURE	C. - CHORD	P.A. - PAINTED STONE	MB. - METAL SHED	CONC. - CONCRETE
B.L.K. - SET BACKED 1/2" LEWINS	P.T. - POINT OF TANGENCY	Δ - DELTA	C.P. - CARPORT	F. - FLAT	C.L. - CLEW
P.A.C. - POINT OF REVERSE CURVATURE	P.I. - POINT OF INTERSECTION	R.W. - RIGHT OF WAY	P.L. - PLASTER	IC. - CALCULATION	COL. - COLUMN
P.C. - POINT OF COMPOUND CURVATURE	F.S. - FENCE	# - MARKED	E.G. - EDGE OF CURB	IC. - GRID	ML. - MEASURED
P.R. P.L.R. - FINISHED FLOOR ELEVATION	± - ADJACENT FENCE	MAL - MASONRY	E.P. - EDGE OF PAVEMENT	N. - NORTH	ML. - WOOD
N.A.D. - NAIL AND DIM.	C.L.F. - GREEN LINK FENCE	FRM. - FRAME	E.S.A. - EDGE OF ROAD	S. - SOUTH	B.K. - BLOCK
N.A.V.D. - NORTH AMERICAN VERTICAL DATUM OF 1988	PL. - FENCE	G.I. - GRATE INLET	E.S.A. - EDGE OF WATER	E. - EAST	BR. - BRICK
	ADJ. - ADJACENT	C.B. - CATCH BASIN	T.O.B. - TOP OF BANK	W. - WEST	SPH. - ASPHALT
					UTL. - UTILITY
					DR. - DRAINAGE
					C.H. - OVERHEAD
					GAR. - GARAGE
					C'D. - COVERED WOOD
					C.P.E. - COVERED PATIO STONE
					AC. - AIR CONDITIONER
					S.P. - SCREENED PORCH
					P.P. - OVERHEAD POWER LINES
					T.T. - OVERHEAD TELEPHONE LINES
					P. - POWER POLE
					L.F. - LIGHT POLE

Figure 5: Proposed Site Plan with Garage Expansion (N.T.S.)



A BOUNDARY SURVEY OF: Lot 14, Block E, BELLE VISTA POINT FIRST ADDITION, as recorded in Plat Book 39, Page 62 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 0278 H      Map Date : 8/24/2021      Base Flood Elev : 9.0' - 10.0'

FOR THE EXCLUSIVE USE OF THE HEIR OR HEIRS (IF ANY), I HEREBY CERTIFY TO ITS ACCURACY (EXCEPT SUCH ERRORS, 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 541.01, FLORIDA STATUTES (AS IT APPLIES TO THE DEED OF MY SURVEYING 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 CORRECTED WITH SURVEYORS SEAL. ERRORS SHOWN ARE BASED ON PLAT, UNLESS OTHERWISE NOTED.

*Edward D. Murphy*  
 EDWARD D. MURPHY REG. P.L.S. #5533

<b>LEGEND:</b>	FD - FLOOD	S - SACUS	ALUM - ALUMINUM	WR - WIND WALL	BSMT - BASEMENT	CH - CHIMNEY
F.I.P. - FOUND IRON PIPE	P.O.L. - POINT ON LINE	A - ARC	WH - WATER HEATER	Q - CENTERLINE	BR - BRICK	GR - GARAGE
F.C.M. - FOUND CONCRETE MOUND	P.C. - POINT OF CURVATURE	C - CHORD	P.S. - PAVED STONE	MS - METAL SHEET	CONC - CONCRETE	C/WL - COVERED WOOD
F.I.R. - FOUND IRON ROD	P.I. - POINT OF INTERSECTION	DELTA - DELTA	C.P. - CARGO PORT	PL - PLASTER	CLR - CLEAR	C.P.S. - COVERED PAVING STONE
S.I.R. - SET IRON ROD 12" LEHIGH	J-X-X - FENCE	SW - RIGHT OF WAY	PL - PLASTER	CS - CALCIUM	COL - COLUMN	CS - CONCRETE CONCRETE
P.R.C. - POINT OF REVERSE CURVATURE	ADJ - ADJACENT FENCE	# - NUMBER	S.O. - BACK OF CURB	CS - CRACK	WD - WOOD	AC - AIR CONDITIONER
P.O.C. - POINT OF COMPOUND CURVATURE	CL.F. - CHAIN LINK FENCE	MSL - MASONRY	E.P. - EDGE OF PAVEMENT	BLK - BLOCK	S.P. - SCREENED PORCH	S.P. - SCREENED PORCH
FIN. FL. - FINISHED FLOOR ELEVATION	CL.F. - CHAIN LINK FENCE	FR - FRAME	E.R. - EDGE OF ROAD	BR - BRICK	SP - OVERHEAD POWER LINES	-TT - OVERHEAD TELEPHONE LINES
N.A.D. - NAD 83	FE - FENCE	GI - GRIFFIN	E.O.M. - EDGE OF WATER	SP - SPALL	UTL - UTILITY	P.P. - POWER POLE
N.A.V.2 - NORTH AMERICAN VERTICAL DATUM OF 1988	ADJ. - ADJACENT	C.B. - CATCH BASIN	T.O.S. - TOP OF BANK	DR - DRAINAGE	LN - LIGHT POLE	

Figure 6: Partial Existing Floorplan (N.T.S.)

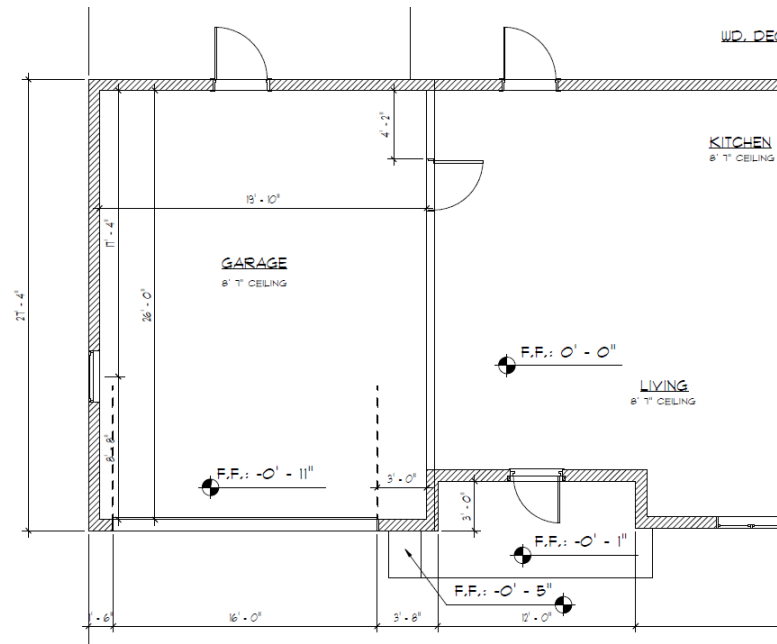


Figure 7: Partial Proposed Floorplan (N.T.S.)

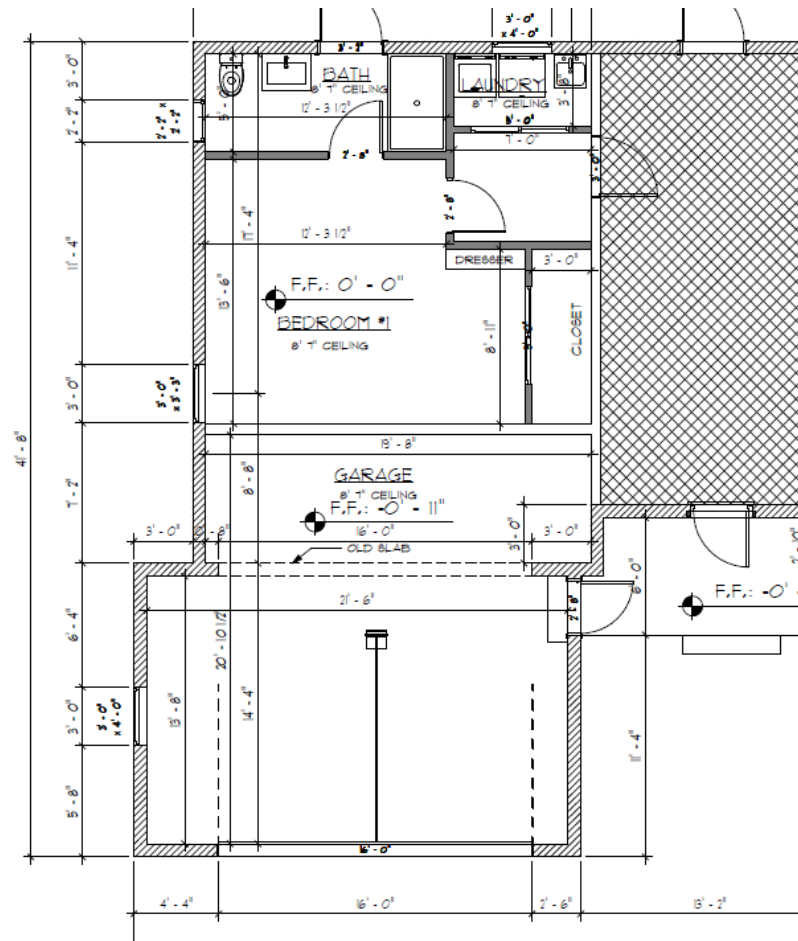


Figure 8: Staff Photo of Existing Front Facade



### 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 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 1-4 **in addition** to staff comments below:

1. How substantial the variance is in relation to the requirement sought to be varied;
  - *Staff finds the applicant is requesting a 13.6 feet front yard setback where 20 feet is required, representing relief for an additional 6.4 feet.*
2. Whether an adverse change will be produced in the character of the neighborhood;
  - *Staff finds that no adverse change will be produced in the character of the neighborhood. The dwellings in the immediate area contain two car-attached garages. Staff observed that most have front entry access. This front entry is to be maintained with the proposal and staff has some concern that the expansion may cause conflicts with the circular portion of the newly installed paver driveway layout and does request the applicant provide information on any if any changes are anticipated or may be necessary to maintain the current layout.*
3. Whether the difficulty can be obviated by some method feasible for the applicant to pursue other than by a variance; and
  - *The applicant currently has an attached garage and is requesting a 15'2" x 20'10" expansion which reasonably would be attached onto the existing garage. The applicant is proposing to renovate a portion of the garage into habitable space and any other location on the dwelling to construct the addition would be limited as there is a pre-existing non-conforming rear setback.*

4. Whether, in view of the manner in which the difficulty arose, the interest of justice will be served by allowing the variance.
  - o *Staff finds that the required minimum off street parking spaces will be maintained. The applicant has completed site improvements in the rear yard, including a new inground pool and patio area, and has expressed intent to install a patio cover over the recently added paver patio in the near future. These improvements limit the potential locations for a new addition that would not require a variance.*

**Other:**

- The applicant should provide an overview of proposed renovations as a whole and if any additional improvements other than what is shown on the elevations provided as part of the submittal are proposed to be made to the exterior of the dwelling that will complement the current architectural style.
- This front entry is to be maintained with the proposal and staff has some concern that the expansion may cause conflicts with the circular portion of the newly installed paver driveway layout and does request the applicant provide information on any if any changes are anticipated or may be necessary to maintain the current layout.
- The applicant should provide testimony regarding any potential alternatives if the variance is not approved.

**Summary**

Staff find that the applicant has addressed the criteria but does request additional testimony be provided as noted above to demonstrate that substantial and competent evidence has been provided. Should the board look favorably on the application and the relief request, the Board may wish to consider the following condition(s) and any additional conditions it deems necessary:

1. Applicant shall submit a sealed As-Built survey noting all dimensions, setbacks and ISR calculation and approved by Zoning prior to the issuance of a Final Inspection or Certificate of Occupancy.

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

Respectfully submitted,



Kristin Coman  
Senior Planner

Cc: James Kearny, Applicant *via email* (1941nmjk@gmail.com)  
Board of Adjustment Attorney



Memo To: Board of Adjustment  
From: Kristin Coman, Senior Planner  
Date: 7/7/2025  
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 **July 30, 2025**.

**Variance Case Number:** 25087  
**Application Type:** Practical Difficulty Variance  
**Owner:** James Kearney  
**Applicant/Agent:** Same  
**Parcel Number:** 07-32-16-07506-005-0140  
**Address:** 565 Belle Point Dr., St. Pete Beach, FL 33706  
**Zone:** RU-1

**Submittal Documents:**

1. Completed Practical Difficulty Variance package with application form.
2. Plan Set for proposed addition project prepared by LAN Engineering, LLC, dated 12.30.24 consisting of 7 sheets.

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

**City/Board Professionals:**

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

**Board Members:**

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Denise Chase, Chair | <input checked="" type="checkbox"/> Kathy Garchow, Vice Chair |
| <input checked="" type="checkbox"/> Chris Core          | <input checked="" type="checkbox"/> Dan Small                 |
| <input checked="" type="checkbox"/> Al Causey           |   |

Cc: James Kearney, Owner ***via email*** ([1941nmjk@gmail.com](mailto:1941nmjk@gmail.com))



# Impervious Surface Ratio (ISR) Worksheet

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

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

**Owner Name & Address**

James Kearney  
565 Belle Point Dr  
St Pete Beach, FL 33706

Phone 516-650-8707

Email 1941nmjk@gmail.com

**Contractor/Applicant Name & Address**

James Kearney  
565 Belle Point Dr  
St Pete Beach, FL 33706

Phone 516-650-8707

Email 1941nmjk@gmail.com

Property Address 565 Belle Point Dr. St Pete Beach, FL

Total Lot Area (sq. ft.) 7452

**Required Calculations:**

EXISTING IMPERVIOUS SURFACE:		
Building Footprint:	1794.2	sq. ft.
Parking and Driveway:	974	sq. ft.
Pool and/or Patio areas:	1488	sq. ft.
Walkways:		sq. ft.
Other:		sq. ft.
<b>TOTAL EXISTING IMPERVIOUS SURFACE:</b>	<b>4256</b>	<b>sq. ft.</b>

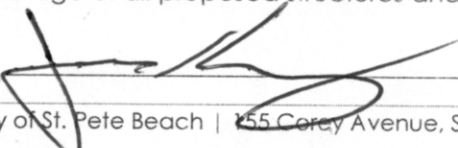
PROPOSED IMPERVIOUS SURFACE:		
Building Footprint:	2118.9	sq. ft.
Parking and Driveway:	829	sq. ft.
Pool and/or Patio areas:	1488	sq. ft.
Walkways:		sq. ft.
Other:		sq. ft.
<b>TOTAL PROPOSED IMPERVIOUS SURFACE:</b>	<b>4435.9</b>	<b>sq. ft.</b>

4256 sq. ft.	÷	7452 sq. ft.	=	57.1%
Total Existing Impervious Surfaces		Lot Area		Existing Impervious Surface Ratio

4435.9 sq. ft.	÷	7452 sq. ft.	=	59.5%
Total Proposed Impervious Surfaces		Lot Area		Proposed Impervious Surface Ratio

**Certification:**

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

Applicant Signature:  Date: 9-18-24

City of St. Pete Beach | 155 Corey Avenue, St. Pete Beach Florida 33706 P: 727-367-2735

CASE #: 25087

PARCEL #: 07-32-16-07506-005-0140

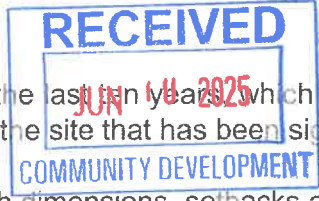
SUBMITTAL DATE: 6/10/25

AMOUNT DUE: 532.68

PAYMENT DATE: 6/10/25

### PRACTICAL DIFFICULTY VARIANCE APPLICATION

The following items are to be submitted, along with this completed application, to be reviewed for completeness:



- Two (2) copies of the property survey, to scale, 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;
- Two (2) copies of a survey or site plan showing the request with dimensions, setbacks and other pertinent information, drawn to scale, of size a maximum of 36"x48" and minimum of 11"x17";
- Two (2) copies of scaled construction plans;
- Completed Impervious Surface Ratio (ISR) worksheet or equivalent;
- Emailed copy of the survey, plans and supplemental documents to [planning@stpetebeach.org](mailto:planning@stpetebeach.org).
- The application fee and associated mailing fee, payable to the City of St. Pete Beach (non-refundable)

### OWNER/AGENT INFORMATION:

Identification	Name	Mailing Address	Phone #
Owner	James Kearney	565 Belle Point Dr St. Pete Beach, FL 33706	516- 650-8707
Applicant/ Agent	Same	Same	Same
Owner Email Address: 1941NMJK@gmail.com		Applicant/Agent Email Address: Same	

### PROPERTY FOR PROPOSED VARIANCE:

Zoning Designation	Future Land Use Designation	Lot Area
RU-1	RU	7452
Legal Description: Belle Vista Point 1st Add BLKE, Lot 14		
Address: 565 Belle Point Drive		
Explanation of Request: Construct 22'x10" w, 14'6" D, 15'5" h garage expansion that has a proposed front yard set back of 13'6" where 20' is required		

**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;

Looking for a reduction from 20' to 13' 6".

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


There still will be adequate parking and ability to utilize driveway circle.

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

The property is pie shaped with the shorter depth behind the garage. This prevents the addition out the back of the building.

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

Adding another bedroom will allow us room for visiting family and aging mother in law.

 6-10-25  
9-18-25  
Signature of Applicant      Date      Signature of Authorized Agent      Date

**For office use only:**

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

Board Action:  Approved as requested  Approved with conditions  Denied  Continued

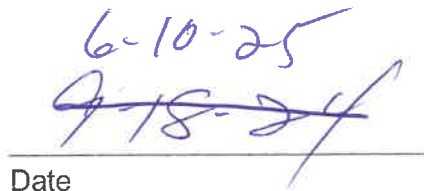
## VARIANCE APPLICATION

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

- I understand that the City will not accept or process an incomplete application.
- I understand that a non-conforming use or structure in a particular zoning district does not, in any way, provide justification for the granting of a variance. Furthermore, the existence of a permitted use or structure in adjacent districts does not constitute grounds for a variance.
- On all variances except for administrative (de-minimis) variances, a majority vote is required. Action on this application by the BOA/City Commission may be continued to a later meeting.
- I understand that if a variance is approved by the BOA, City Commission or City Manager, the applicant is required to obtain the appropriate building permits within 1 year from the date of the decision. If no permit is obtained within 1 year, the approval becomes voided.
- I understand that if any application filed under the provisions of this Code is denied, no subsequent application seeking substantially the same or similar approval shall be filed within six months of the final decision on the original application.
- I understand that any person aggrieved by the final decision of the Board of Adjustment or City Commission has the right to file a petition in the Pinellas County Circuit Court within 30 calendar days after the decision. Appeals of decisions made by the City Manager for administrative variances are to a hearing officer designated by the City Commission and must be made within 30 days from the date of the final administrative decision. Permits for construction may be granted prior to the expiration of this 30-day period, but an appeal will be grounds for revocation of the permit.
- I understand that I, as the applicant, or my authorized representative must be present at all scheduled public meetings on the application if applicable.

**After acknowledgement of these conditions, complete the application form on the following pages.**

  
Signature of Applicant

6-10-25  
  
Date



**Owner's Authorization For Agent Form**  
**Community Development Department**  
**City of St. Pete Beach, Florida 727-363-9241**

I/We James Kearney  
(Property Owner(s) printed name)

hereby authorize self  
(Agent's printed name)

to represent me in an application for Variance  
(Type of application: Variance, Conditional Use, Zoning, etc.)

[Signature]  
Signature of Owner  
James Kearney  
Owner's Printed Name

\_\_\_\_\_  
Signature of Owner  
\_\_\_\_\_  
Owner's Printed Name

The foregoing instrument was acknowledged before me this 10<sup>th</sup> day  
of June 2025, by JAMES KEARNEY who  
is personally known \_\_\_\_\_ or produced FLDL as  
identification.

[Signature]  
(Notary Signature)

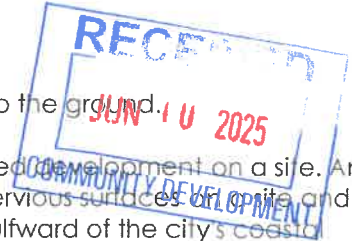
(Date) 6/10/25

My commission expires \_\_\_\_\_





# 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**

James Kearney  
565 Belle Point Dr  
St Pete Beach, Fl 33706  
Phone 516-650-8707  
Email 1941nmjk@gmail.com

**Contractor/Applicant Name & Address**

James Kearney  
565 Belle Point Dr  
St Pete Beach, Fl 33706  
Phone 516-650-8707  
Email 1941nmjk@gmail.com

**Property Address** 565 Belle Point Dr. St Pete Beach, Fl

**Total Lot Area (sq. ft.)** 7452

**Required Calculations:**

EXISTING IMPERVIOUS SURFACE:		
Building Footprint:	1794.2	sq. ft.
Parking and Driveway:	974	sq. ft.
Pool and/or Patio areas:	1488	sq. ft.
Walkways:		sq. ft.
Other:		sq. ft.
<b>TOTAL EXISTING IMPERVIOUS SURFACE:</b>	<b>4256</b>	<b>sq. ft.</b>

PROPOSED IMPERVIOUS SURFACE:		
Building Footprint:	2118.9	sq. ft.
Parking and Driveway:	829	sq. ft.
Pool and/or Patio areas:	1488	sq. ft.
Walkways:		sq. ft.
Other:		sq. ft.
<b>TOTAL PROPOSED IMPERVIOUS SURFACE:</b>	<b>4435.9</b>	<b>sq. ft.</b>

4256 sq. ft.	÷	7452 sq. ft.	=	57.1%
Total Existing Impervious Surfaces		Lot Area		Existing Impervious Surface Ratio

4435.9 sq. ft.	÷	7452 sq. ft.	=	59.5%
Total Proposed Impervious Surfaces		Lot Area		Proposed Impervious Surface Ratio

**Certification:**

I, James Kearney 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: 6-10-25



**PUBLIC HEARING SIGN POSTING AFFIDAVIT**

Applicant, James Kearney, agrees to maintain the posted 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): James Kearney

Address: 565 Belle Point Dr.

[Signature] Signature 6-10-25 Date

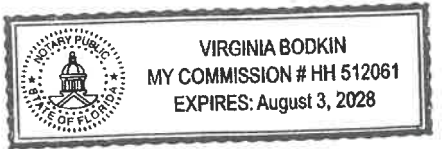
STATE OF FLORIDA )  
 ) SS:  
PINELLAS COUNTY )

The foregoing instrument was acknowledged before me this 10<sup>th</sup> day of JUNE, 2025 by: JAMES KEARNEY who appeared before me, and is personally known to me, or has produced FLDL as identification, and did take an oath.

My commission Expires:

NOTARY:  
Print Name: [Signature] Notary

Public, State of Florida  
(Notarial Seal)



# 565 BELLE POINT DR ST PETE BEACH, FL 33706

## DESIGN CRITERIA:

- DWELLING FLOORS - 40 PSF LIVE LOAD
- BALCONIES - 60 PSF LIVE LOAD
- WALKWAYS - 80 PSF LIVE LOAD
- ROOF OVER LIVING AREAS - 30 PSF LIVE LOAD, 11 PSF (1 PSF T/C & 10 PSF B/C) DEAD LOAD FOR SHINGLE ROOFS, 25 PSF (15 PSF T/C & 10 PSF B/C) DEAD LOAD FOR CONCRETE TILE ROOFS.
- NET UPLIFT DEAD LOADS 10 PSF SHINGLE & 15 PSF TILE.
- WIND - 142 MPH, PER FBC UNLESS OTHERWISE NOTED.
- CONSTRUCTION CATEGORY #2
- RISK FACTOR #2
- WIND EXPOSURE: "B" HEIGHT & EXPOSURE COEFFICIENT = 1.00
- WIND IMPORTANCE FACTOR:  $I_w = 1.00$
- INTERNAL PRESSURE COEFFICIENT PER ASCE 7-10  $G_{CPI} = +/- 0.18$  (ENCLOSED)

## CODES:

- THE FLORIDA BUILDING CODE 2023 8th EDITION
- BUILDING CODE REQUIREMENTS FOR REINFORCED CONCRETE (ACI 318-14)
- AMERICAN SOCIETY OF CIVIL ENGINEERS MIN. DESIGN LOADS FOR BUILDINGS & OTHER STRUCTURES (ASCE 7-16)
- SPECIFICATION FOR THE DESIGN, FABRICATION & ERECTION OF STRUCTURAL STEEL FOR BUILDINGS (AISC 15th EDITION)
- DESIGN SPECIFICATION FOR LIGHT METAL PLATE CONNECTED WOOD TRUSSES BY THE TRUSS PLATE INSTITUTE (TFI) 2014 EDITION
- NFPA NATIONAL ELECTRICAL CODE (NEC)

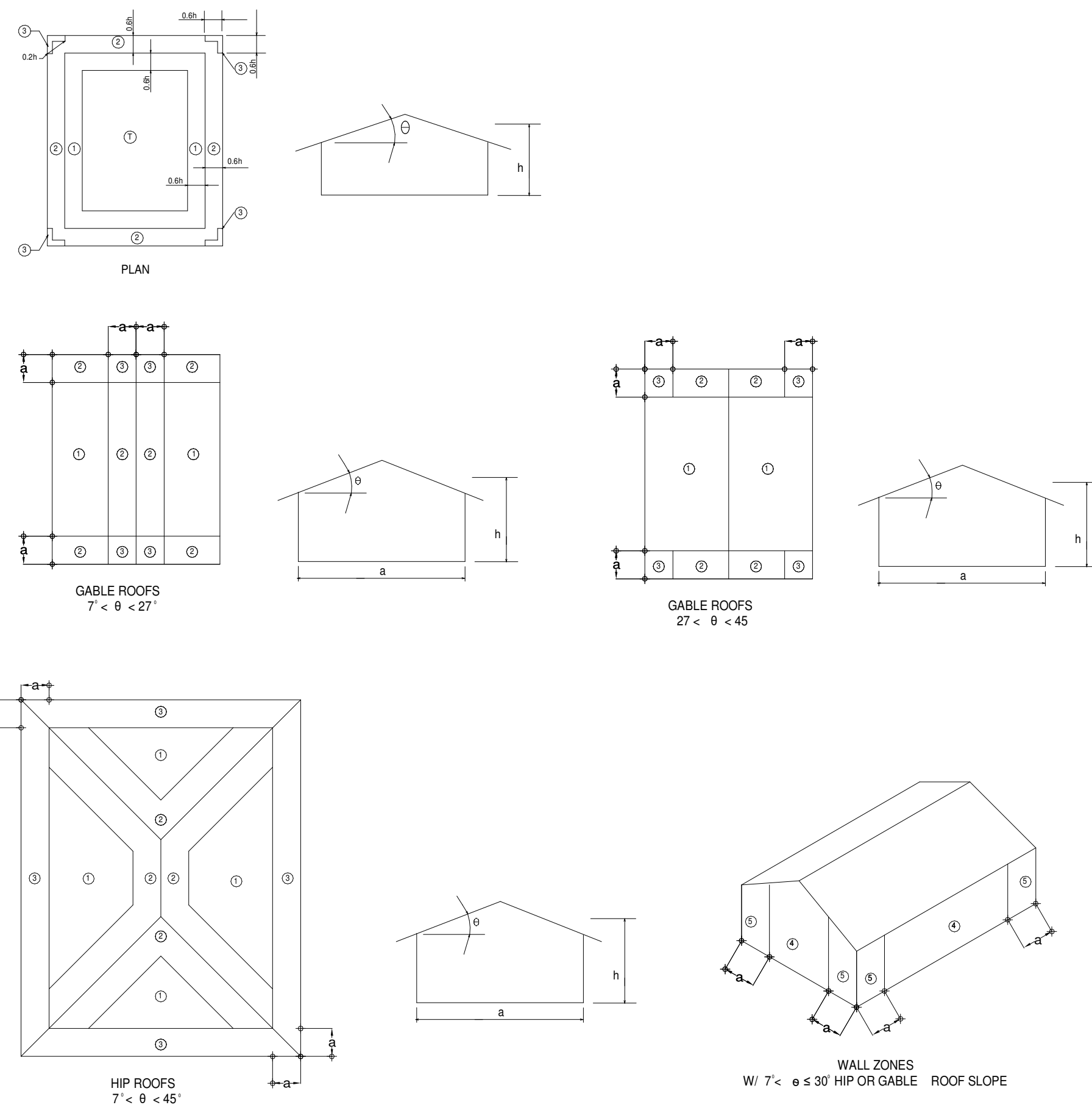
## TRUSSES:

- ALL CONNECTIONS SPECIFIED ARE PER SIMPSON CATALOG. CONTACT SOUTHERN DESIGN HOMES, Inc. FOR CONNECTOR SUBSTITUTIONS.
- PRE-ENGINEERED TRUSSES TO BE SPACED @ 24" O.C. UNLESS OTHERWISE NOTED.
- IF THE TRUSS INFORMATION PROVIDED IN THESE CONSTRUCTION DOCUMENTS IS REVISED BY ANY OTHER PARTY OTHER THAN SOUTHERN DESIGN HOMES, Inc. FOR REVIEW, THE CLIENT IS RESPONSIBLE FOR ANY CONSTRUCTION COST RESULTING FROM TRUSS PACKAGE REVISIONS DEVELOPED BY OTHERS.
- ALL TRUSSES TO BE DESIGNED PER ACCEPTABLE PROVISIONS OF THE FLORIDA BUILDING CODE AND APPLICABLE TIMBER CODES:  
TOP CHORD LL.....20 psf  
TOP CHORD DL.....10 psf  
BOTTOM CHORD LL.....5 psf  
BOTTOM CHORD DL.....10 psf  
TRUSSES TO BE #2 SOUTHERN PINE OR BETTER  
WIND.....SEE DESIGN LOADING ON THIS SHEET
- PRE-ENGINEERED WOOD TRUSS ERECTOR IS REQUIRED TO HANDLE AND INSTALL TRUSSES PER MANUFACTURER'S INSTRUCTION, AS A MINIMUM, INSTALL BRACING IN ACCORDANCE WITH BC91-103, AND LEAVE PERMANENTLY IN PLACE MOVE TO OPPOSITE SIDE OF CHORD IF NECESSARY DUE TO INTERFERENCE WITH SHEATHING OR CEILING MATERIALS. TOP AND BOTTOM CHORD MEMBERS OF THE PRE-ENGINEERED TRUSS SYSTEM FOR THE COMPLETE STRUCTURE ARE TO BE CONTINUOUSLY BRACED BY SHEATHING AND CEILING FINISHES. THE ROOF TRUSS SYSTEM IS NOT COMPLETED UNTIL ALL BRACING, SHEATHING AND FINISHES ARE PERMANENTLY ATTACHED.

## TERMITE SOIL TREATMENT NOTE:

- ALL WORK RELATED TO TERMITE PREVENTION TO BE PERFORMED ACCORDING w/ THE 2023 FLORIDA BUILDING CODE, SECTION 1016.1 AND R310.1 ALONG WITH SUBSECTIONS AND UPDATES.
- A WEATHER RESISTANT JOBSITE TREATMENT BOARD SHALL BE PROVIDED TO RECEIVE DUPLICATE TREATMENT CERTIFICATES, AS EACH REQUIRED PROTECTIVE TREATMENT IS COMPLETED, PROVIDING A COPY FOR THE OWNER AND FOR THE BUILDING PERMIT FILES. THE TREATMENT CERTIFICATE SHALL PROVIDE THE PRODUCT USED, IDENTITY OF THE APPLICATOR, TIME AND DATE OF THE TREATMENT, SITE LOCATION, AREA TREATED, CHEMICAL USED, PERCENT CONCENTRATION AND NUMBER OF GALLONS USED, TO ESTABLISH A VERIFIABLE RECORD OF PROTECTIVE TREATMENT. IF THE CHEMICAL BARRIER METHOD FOR TERMITE PREVENTION IS USED, FINAL EXTERIOR TREATMENT SHALL BE COMPLETED PRIOR TO FINAL BUILDING APPROVAL.
- A PERMANENT SIGN WHICH IDENTIFIES THE TERMITE TREATMENT PROVIDER AND NEED FOR RE-INSPECTION AND TREATMENT CONTRACT RENEWAL SHALL BE PROVIDED. THE SIGN SHALL BE POSTED NEAR THE WATER HEATER OR ELECTRIC PANEL.

FIGURE R301.2(1)  
COMPONENT AND CLADDING LOADING PRESSURE ZONES



## WOOD:

- WOOD FRAMING STRUCTURAL MEMBERS, #2 SYP (UNLESS OTHERWISE NOTED) WITH AN ALLOWABLE BENDING STRESS ( $F_b$ ) = 1250 PSI AND A MODULUS OF ELASTICITY = 1,600,000 PSI (DOES NOT INCLUDE INTERIOR NON-LOAD BEARING STUD WALLS).
- DESIGN, FABRICATE AND ERECT WOOD TRUSSES IN ACCORDANCE WITH THE "DESIGN SPECIFICATION FOR LIGHT METAL PLATE CONNECTED WOOD TRUSSES" BY THE TRUSS PLATE INSTITUTE, 1995 ED. AND HB 91 (IF APPLICABLE).
- ALL EXPOSED WOOD OR WOOD IN CONTACT WITH EARTH OR CONCRETE SHALL BE PRESSURE TREATED.
- ROOF SHEATHING, 1/2" C.D GRADE PLYWOOD (OR 1/8" OSB), WHEN USING FIBERGLASS/ASPHALT SHINGLES OVER FELT.
- UNTREATED WOOD SHALL NOT BE IN DIRECT CONTACT WITH CONCRETE. SEAT PLATES SHALL BE PROVIDED AT BEARING LOCATIONS WITHOUT WOODEN TOP PLATES.
- WALL SHEATHINGS:  
JUST FOR WALL INFILL. COORDINATE NAILING PATTERN WITH NOTE ON SHEET A-2.
- FOLLOW ALL REQUIREMENTS OF THE 2023 FLORIDA BUILDING CODE AND CURRENT UPDATES, FOR ALL WOOD FRAMING INCLUDING BUT NOT LIMITED TO CONNECTIONS, BRACING, BRIDGING AND NAILING.

## CONCRETE:

- CONCRETE SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 3,000 PSI (UNLESS NOTED OTHERWISE) @ 28 DAYS.
- REINFORCING BARS - ASTM A615 (GRADE 60)
- WELDED WIRE FABRIC (WUF) - ASTM A185
- DETAIL: REINFORCEMENT IN ACCORDANCE WITH ACI 315, WHERE APPLICABLE
- CONCRETE COVERAGE OF REINFORCEMENT - FOOTING 3, BOTTOM & SIDES
- EARTH SUPPORTING SLABS - (INCLUDING EXTERIOR WALK & DRIVE SLABS) 4" THICK
- CONCRETING OPERATIONS SHALL COMPLY WITH ACI STANDARDS
- LAP SPICE SHALL BE AS FOLLOWS - #5 REBAR 25", #4 REBAR 20", #3 REBAR 15"

## MASONRY:

- DESIGN & CONSTRUCTION SHALL CONFORM TO THE SPECIFICATION OF THE NATIONAL CONCRETE MASONRY ASSOC. & ACI 530
- MORTAR SHALL BE TYPE S or M
- ALL BLOCK CELLS & CAVITIES BELOW GRADE SHALL BE FILLED WITH NON-SHRINKING CONCRETE
- FILL CELLS w/ (1) #5 REBAR SHALL BE LOCATED PER PLAN (6'-0" O.C.) AT EACH CORNER AND EACH SIDE OF OPENING GREATER THAN OR EQUAL TO 6'-0". FILL CELLS w/ (2) #5 VERT. SHALL BE LOCATED AT EACH SIDE OF OPENING 10'-0" AND GREATER, AT ALL GIRDER BEARING, INCLUDING HIP-SET GIRDER.

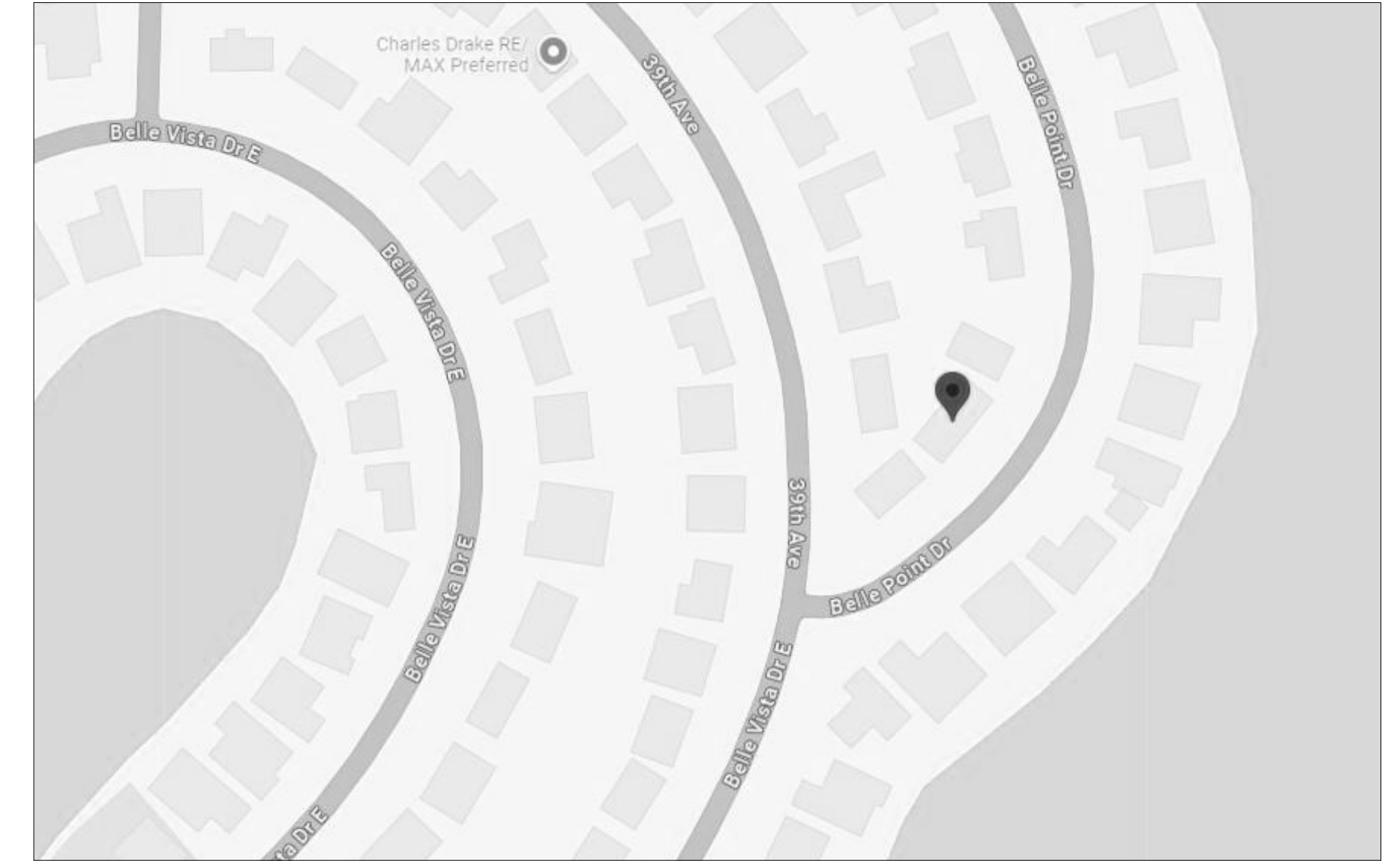
## STEEL:

- INSTALLATION OF ALL STEEL TO BE PREFORMED BY A QUALIFIED, LICENSED STEEL ERECTOR.
- FABRICATE AND ERECT ALL STRUCTURAL STEEL IN ACCORDANCE WITH AISC SPECIFICATIONS FOR THE DESIGN, FABRICATION AND ERECTION OF STRUCTURAL STEEL FOR BUILDING.
- STRUCTURAL STEEL TO BE ASTM A36 UNLESS OTHERWISE NOTED.
- STEEL TUBING SHALL BE ASTM A500, GRADE "B".
- WELDED CONNECTION, E70XX ELECTRODES MIN. FILLET WELDS 3/16", AWS CERTIFIED WELDER.
- WHERE STEEL BEAMS ARE CONTINUOUS OVER COLUMNS, PROVIDE WEB STIFFENER PLATES ON EACH SIDE OF THE WEB, OF A THICKNESS EQUAL TO BEAM FLANGE THICKNESS, LOCATED AT THE CENTER LINE OF THE TUBE COLUMN.
- THE STEEL FRAME IS "NON-Self SUPPORTING". ADEQUATE TEMPORARY SUPPORT SHALL BE PROVIDED BY THE CONTRACTOR UNTIL REQUIRED CONNECTIONS OR ELEMENTS ARE IN PLACE.

ULTIMATE WIND SPEED: 145 MPH  
NOMINAL WIND SPEED: 112 MPH  
RISK CATEGORY: II  
WIND EXPOSURE: B  
ROOF GEOMETRY: HIP  
ROOF PITCH: 5/12 (22.6 DEGREES)  
MEAN ROOF HEIGHT: 14 FT.

COMPONENT & CLADDING - TABLE R301.2(2)

	Positive Pressure	Positive Pressure
Roof Zone 1	+5.16 psf, max.	-12.44 psf, min.
Zone 2	+5.16 psf, max.	-26.66 psf, min.
Zone 3	+5.16 psf, max.	-35.14 psf, min.
Wall Zone 4	+11.84 psf, max.	-12.88 psf, min.
Zone 5	+11.84 psf, max.	-15.46 psf, min.



## LOCATION MAP

## SHEET INDEX

SHEET 1	COVER SHEET
SHEET 2.1	SITE PLANS
SHEET 2.2	PROPOSED SITE PLAN
Author 3.1	EXISTING FLOORPLAN
SHEET 3.2	PROPOSED FLOORPLAN
SHEET 4.1	EXISTING ELEVATION
SHEET 4.2	PROPOSED ELEVATION

## SCOPE:

CONSTRUCT A SINGLE FAMILY HOME  
AND ACCESSORY DWELLING UNIT

REVISIONS

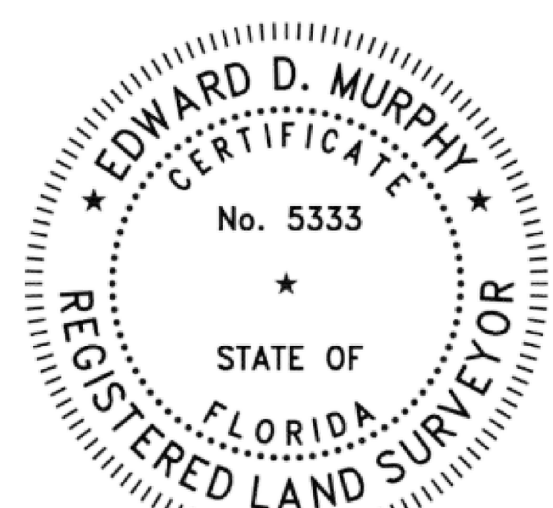
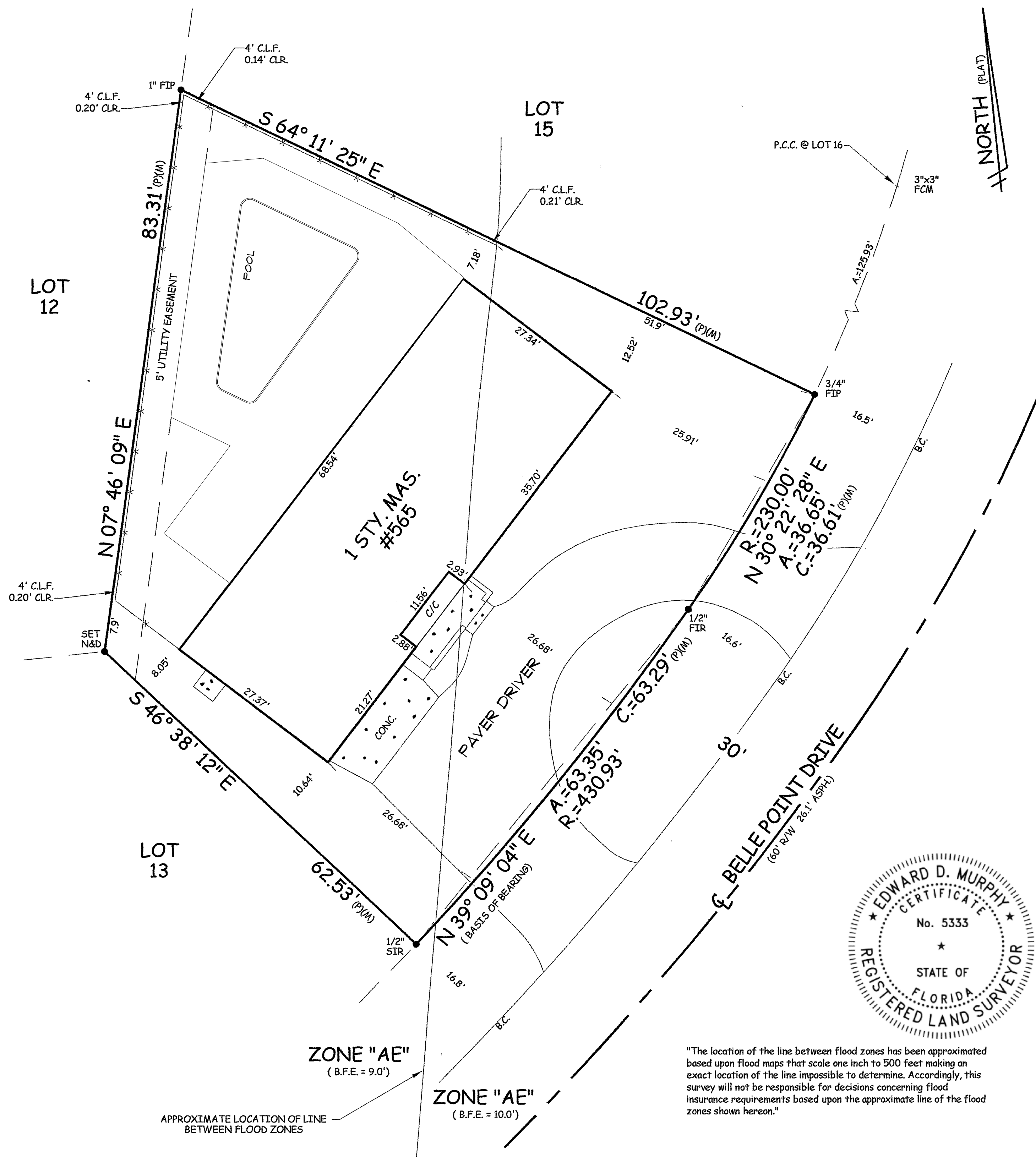
ENGINEERING SERVICES PROVIDED BY  
LAN ENGINEERING, LLC, CA#2690  
4801 48TH AVE, N, ST. PETERSBURG, FL 33714  
LANANH1662266@GMAIL.COM  
727-666-5632

COVER SHEET

565 BELLE POINT DR  
ST PETE BEACH, FL 33706

DATE 12/30/24

DRAWN LN  
CHECKED LN  
JOB NO. 1



"The location of the line between flood zones has been approximated based upon flood maps that scale one inch to 500 feet making an exact location of the line impossible to determine. Accordingly, this survey will not be responsible for decisions concerning flood insurance requirements based upon the approximate line of the flood zones shown hereon."

A BOUNDARY SURVEY OF: Lot 14, Block E, BELLE VISTA POINT FIRST ADDITION, as recorded in Plat Book 39, Page 62 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 0278 H      Map Date : 8/24/2021      Base Flood Elev : 9.0' - 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

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

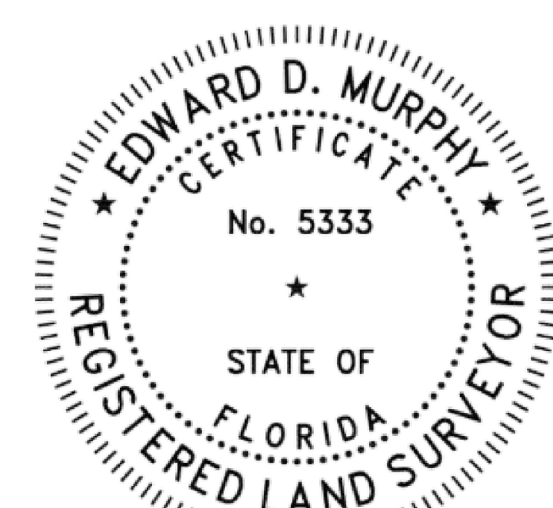
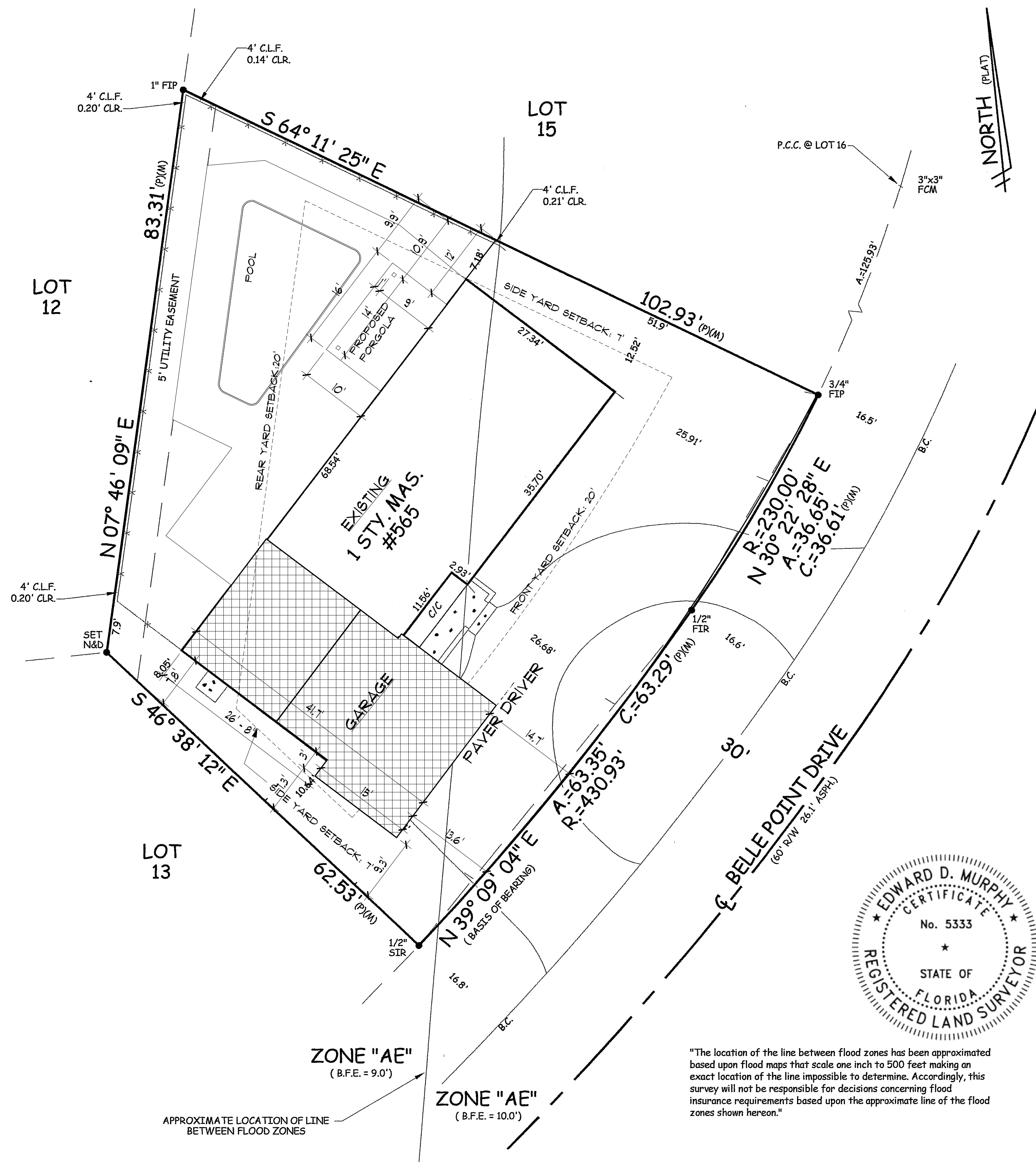
**EXISTING SITE PLANS**

SCALE: 1" = 10'-0"

DATE	12/30/24	REVISIONS	
SHEET	2.1	ENGINEERING SERVICES PROVIDED BY	LAN ENGINEERING, LLC, CA#2690
DRAWN	LN	4801 48TH AVE, N. ST. PETERSBURG, FL 33714	
CHECKED	LN	LANANH166226@GMAIL.COM	
		727-886-5632	

565 BELLE POINT DR  
 ST PETE BEACH, FL 33706

**SITE PLANS**



"The location of the line between flood zones has been approximated based upon flood maps that scale one inch to 500 feet making an exact location of the line impossible to determine. Accordingly, this survey will not be responsible for decisions concerning flood insurance requirements based upon the approximate line of the flood zones shown herein."

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 Flood zone: AE Comm. Panel No. : 125149 0278 H Map Date : 8/24/2021 Base Flood Elev : 9.0' - 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 SJ-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.

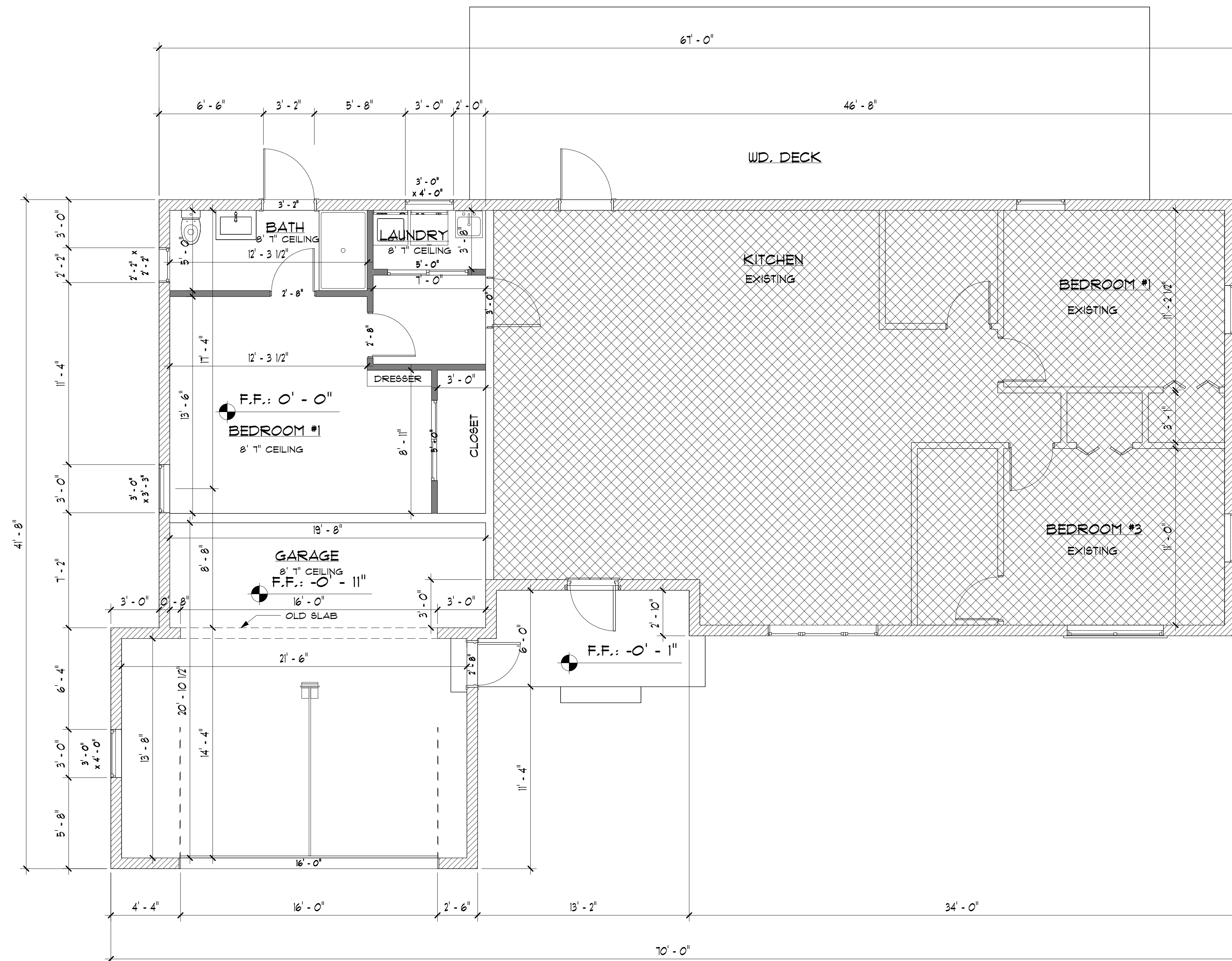
EDWARD D. MURPHY REG. P.L.S. # 5333

<b>LEGEND:</b>					
F.I.P. - FOUND IRON PIPE	FD. - FOUND	R. - RADIUS	ALUM. - ALUMINUM	ESMT. - EASEMENT	O.H. - OVERHANG
F.C.M. - FOUND CONCRETE MONUMENT	P.O.L. - POINT ON LINE	A. - ARC	W.H. - WATER HEATER	M.H. - MANHOLE	GAR. - GARAGE
F.I.R. - FOUND IRON ROD	P.C. - POINT OF CURVATURE	C. - CHORD	P.S. - PATIO STONE	CONC. - CONCRETE	C/WD. - COVERED WOOD
S.I.R. - SET IRON ROD 1/2" LB #7410	P.T. - POINT OF TANGENCY		C.P. - CARPORT	CLR. - CLEAR	C/P.S. - COVERED PATIO STONE
P.R.C. - POINT OF REVERSE CURVATURE	P.I. - POINT OF INTERSECTION	R/W - RIGHT OF WAY	PL. - PLANTER	COL. - COLUMN	C/C. - COVERED CONCRETE
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FIN. FLR. - FINISHED FLOOR ELEVATION	-// - ADJACENT FENCE	MAS. - MASONRY	E.P. - EDGE OF PAVEMENT	BLK. - BLOCK	S.P. - SCREENED PORCH
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N.A.V.D. - NORTH AMERICAN VERTICAL DATUM OF 1988	FE. - FENCE	G.I. - GRATE INLET	E.O.W. - EDGE OF WATER	UTL. - UTILITY	-T-T. - OVERHEAD TELEPHONE LINES
	ADJ. - ADJACENT	C.B. - CATCH BASIN	T.O.B. - TOP OF BANK	P.P. - POWER POLE	L.P. - LIGHT POLE

**PROPOSED SITE PLAN**  
 SCALE: 1" = 10'-0"

DATE	12/30/24	REVISIONS	
SHEET	2.2	ENGINEERING SERVICES PROVIDED BY	LAN ENGINEERING, LLC, CA#2690
DRAWN	LN		4801 48TH AVE, N. ST. PETERSBURG, FL 33714
CHECKED	LN		LANANH166226@GMAIL.COM
			727-886-5632
		<b>PROPOSED SITE PLAN</b>	
		565 BELLE POINT DR ST PETE BEACH, FL 33706	





**PROPOSED FLOORPLAN**

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

FL APPROVED PRODUCTS	
EGRESS WINDOW	FL # 14911.5
SLIDER DOOR	FL # 20101.1
GARAGE DOOR	FL # 0248.9
ENTRY DOOR	FL # 22363.6
RIDGE VENT	FL # 0207.1
SHINGLES ROOF	FL # 10124.2
UNDERLAYMENT	FL # 10626.2
VINYL SOFFIT	FL # 15510.1

\* ALL DOORS AND WINDOWS ARE IMPACT RATING

- NEW 8" BLOCK WALL
- NEW 4" FRAMED WALL
- SOUND & INSULATION WALL

**NOTES:**

OPENING BETWEEN THE GARAGE AND RESIDENCE SHALL BE EQUIPED WITH SOLID WOOD DOORS NOT LESS THAN 1 3/8" IN THICKNESS, SOLID OR HONEYCOMB-CORE STEEL DOORS NOT LESS THAN 1 3/8" THICK, OR 20-MINUTE FIRE-RATED DOORS, FBC R302.5.1. INSULATION BETWEEN GARAGE & RESIDENCE TO BE R-13 OR BETTER.

ALL NON-IMPACT EXTERIOR WINDOW AND DOOR OPENINGS SHALL HAVE IMPACT RESISTANT FABRIC SHUTTER FL 15208.1 OR EQUAL

GARAGE - 495 SF  
 ADU - 422 SF  
 TOTAL UNDER ROOF = 917 SF

MAIN LIVING : 8" CEILING

WALL LEGEND	
	EXISTING WALL TO BE REMOVED
	EXISTING WALL TO REMAIN
	PROPOSED NEW WALL

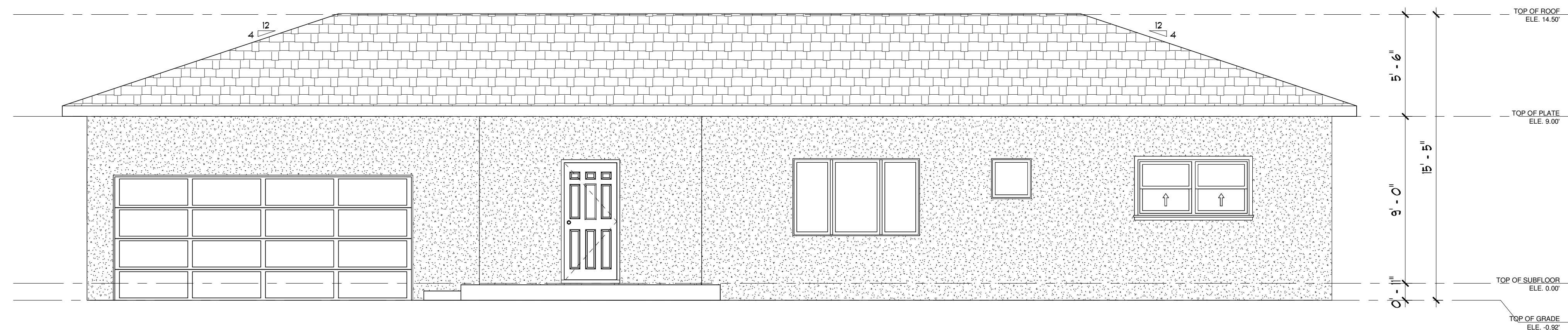
REVISIONS

ENGINEERING SERVICES PROVIDED BY  
 LAN ENGINEERING, LLC, CA#2690  
 4801 48TH AVE, N. ST. PETERSBURG, FL 33714  
 LANANH166226@GMAIL.COM  
 727-866-5632

PROPOSED FLOORPLAN

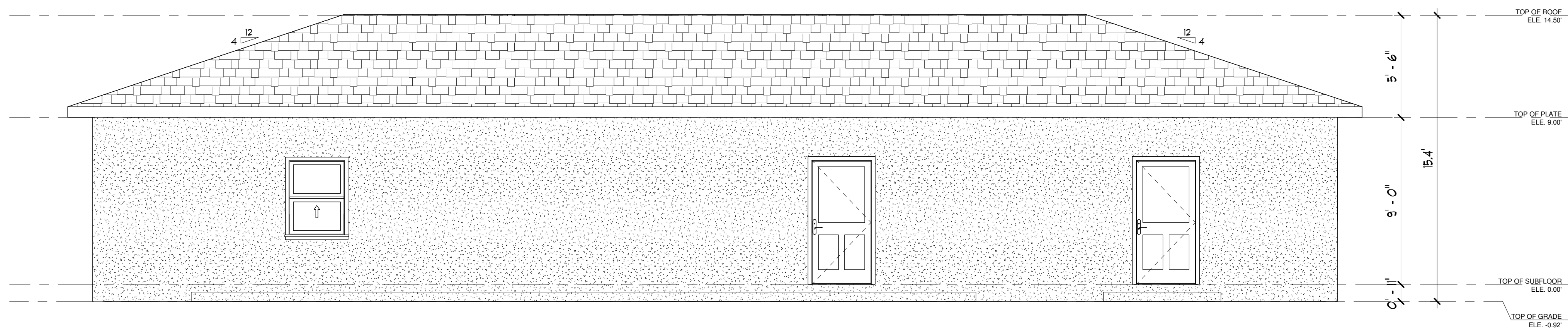
565 BELLE POINT DR  
 ST PETE BEACH, FL 33706

DATE	12/30/24
SHEET	3.2
DRAWN	LN
CHECKED	LN
JOB NO.	



**(EXISTING) FRONT ELEVATION**

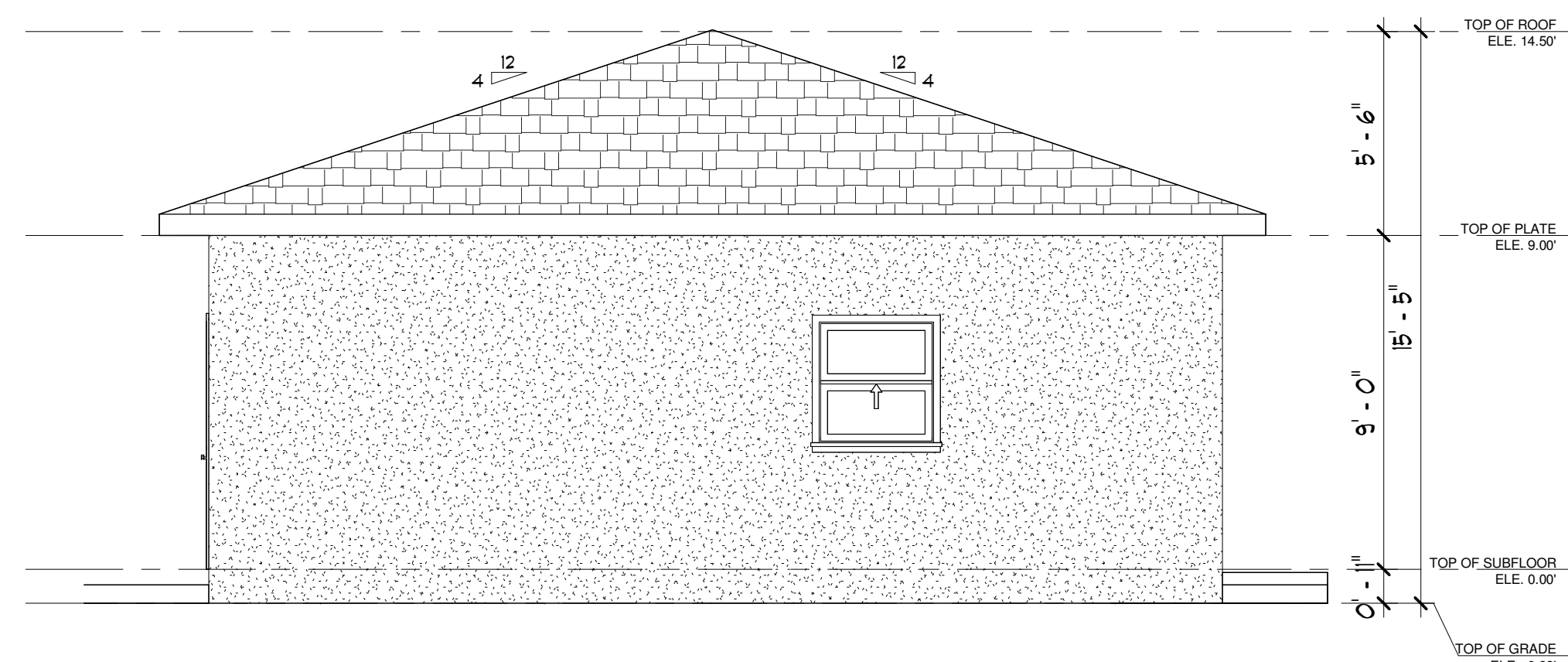
SCALE: 1/4" = 1'-0"



**(EXISTING) ELEVATION**

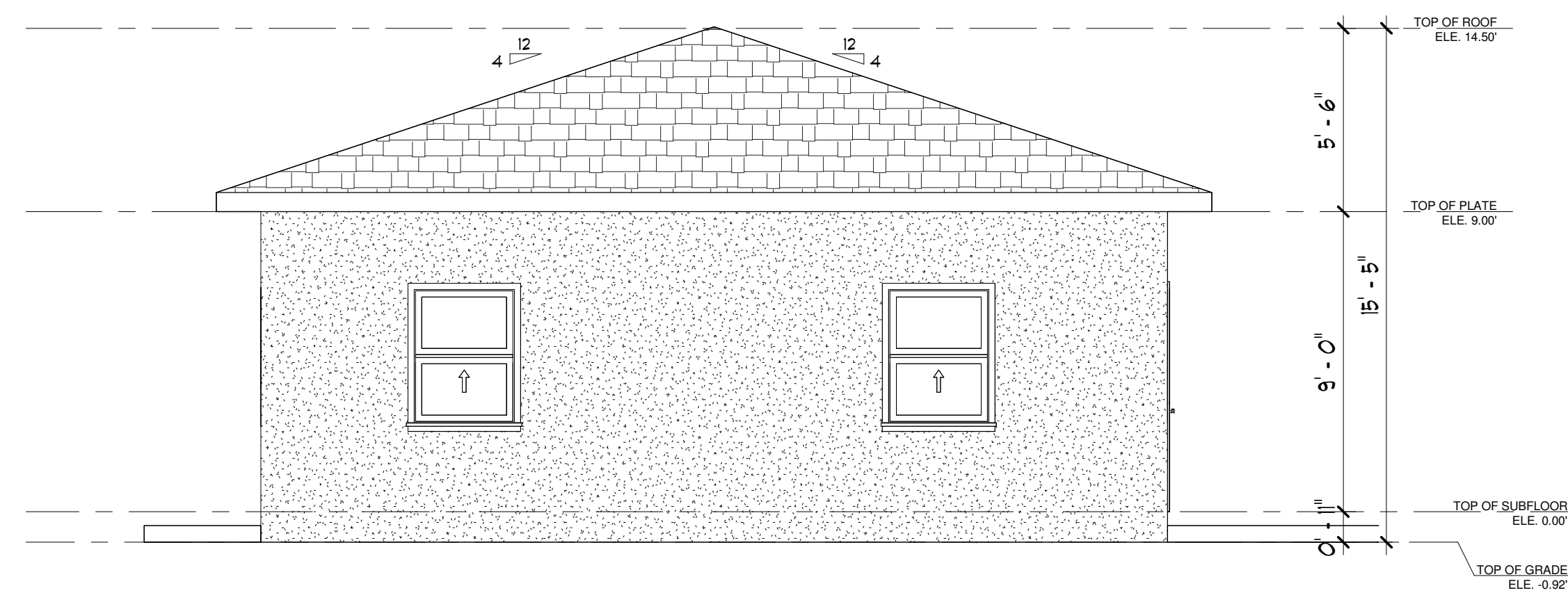
SCALE: 1/4" = 1'-0"

**NOTE:**  
ALL EXTERIOR FINISHING  
TO BE 1/2" MIN. STUCCO



**(EXISTING) LEFT ELEVATION**

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



**(EXISTING) RIGHT ELEVATION**

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

REVISIONS

ENGINEERING SERVICES PROVIDED BY  
LAN ENGINEERING, LLC, CA#2690  
4801 48TH AVE, N. ST. PETERSBURG, FL 33714  
LANANH166226@GMAIL.COM  
727-886-5632

EXISTING ELEVATION

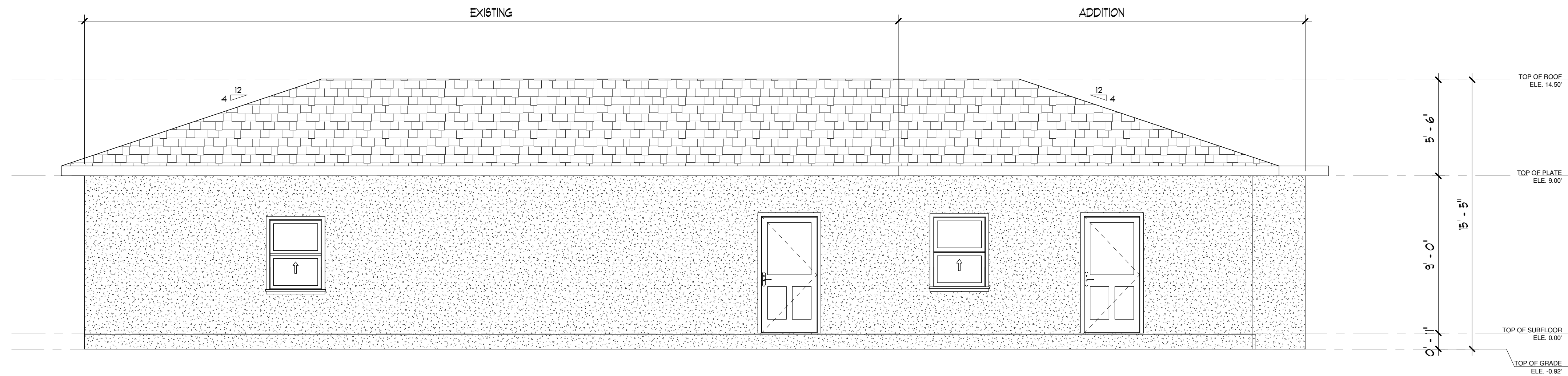
565 BELLE POINT DR  
ST PETE BEACH, FL 33706

DATE 12/30/24

DRAWN LN  
CHECKED LN  
JOB NO. 4.1

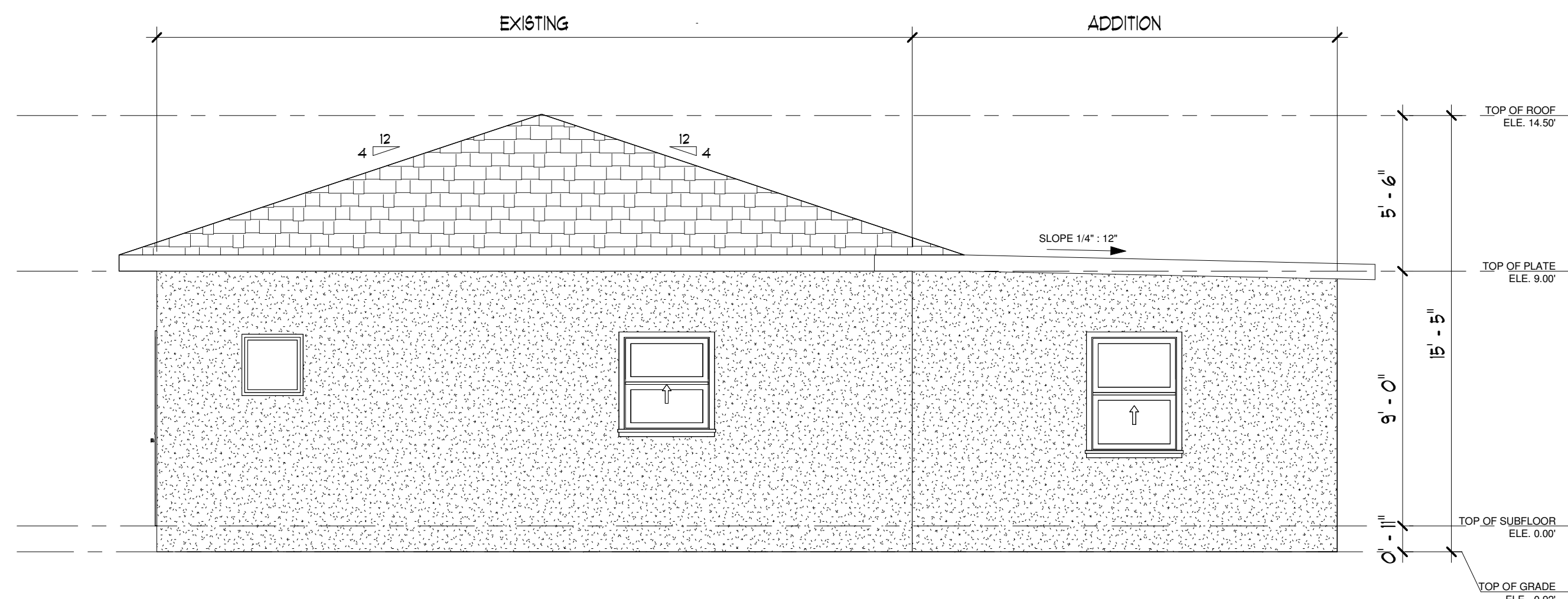


**FRONT ELEVATION**  
SCALE: 1/4" = 1'-0"

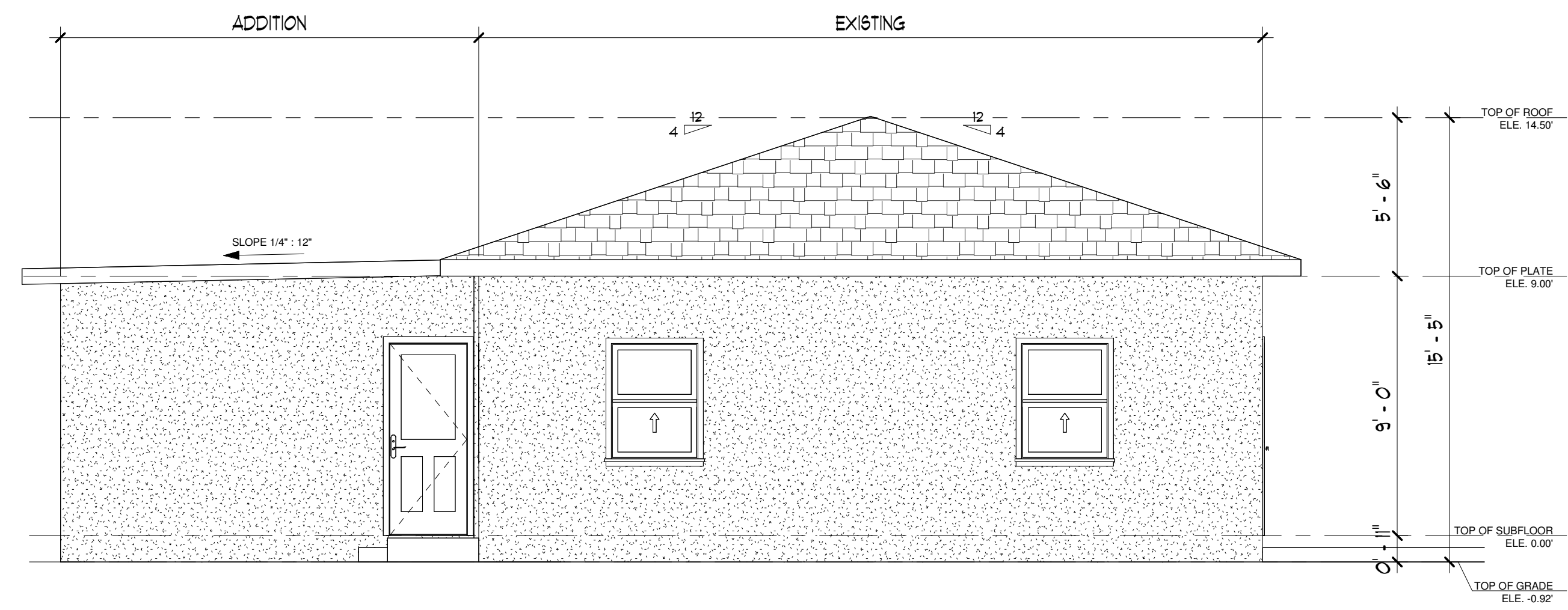


**REAR ELEVATION**  
SCALE: 1/4" = 1'-0"

**NOTE:**  
ALL EXTERIOR FINISHING  
TO BE 1/2" MIN. STUCCO



**LEFT ELEVATION**  
SCALE: 1/4" = 1'-0"



**RIGHT ELEVATION**  
SCALE: 1/4" = 1'-0"

REVISIONS

ENGINEERING SERVICES PROVIDED BY  
LAN ENGINEERING, LLC, CAF#2690  
4801 48TH AVE, N. ST. PETERSBURG, FL 33714  
LANANH166226@GMAIL.COM  
727-866-5632

PROPOSED ELEVATION

565 BELLE POINT DR  
ST PETE BEACH, FL 33706

DATE	12/30/24
DRAWN	LN
CHECKED	LN
SHEET	4.2
JOB NO.	

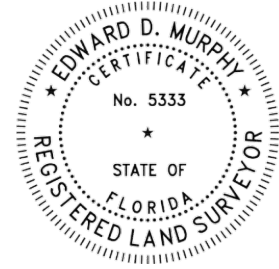
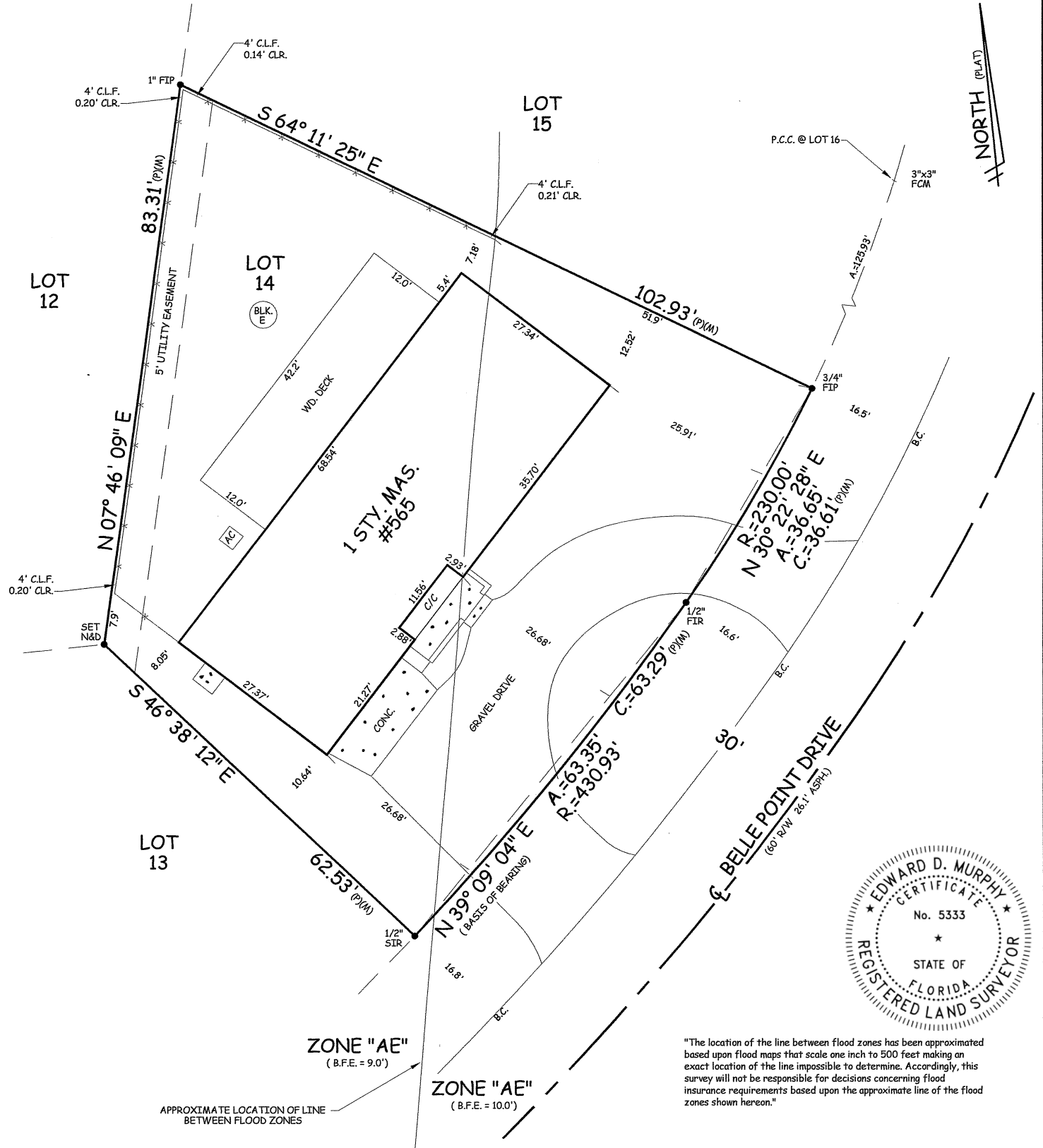
JOB NO.: 211845  
 DRAWN BY: MRB  
 CHECKED BY: EDM  
 DATE OF FIELD WORK: 11/08/2021

**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: James Kearney

SCALE: 1" = 20' Survey not valid for more than one (1) year from date of field work. SEC. 07 TWP. 32 S. RGE. 16 E.



"The location of the line between flood zones has been approximated based upon flood maps that scale one inch to 500 feet making an exact location of the line impossible to determine. Accordingly, this survey will not be responsible for decisions concerning flood insurance requirements based upon the approximate line of the flood zones shown hereon."

A BOUNDARY SURVEY OF: Lot 14, Block E, BELLE VISTA POINT FIRST ADDITION, as recorded in Plat Book 39, Page 62 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 0278 H Map Date : 8/24/2021 Base Flood Elev : 9.0' - 10.0'

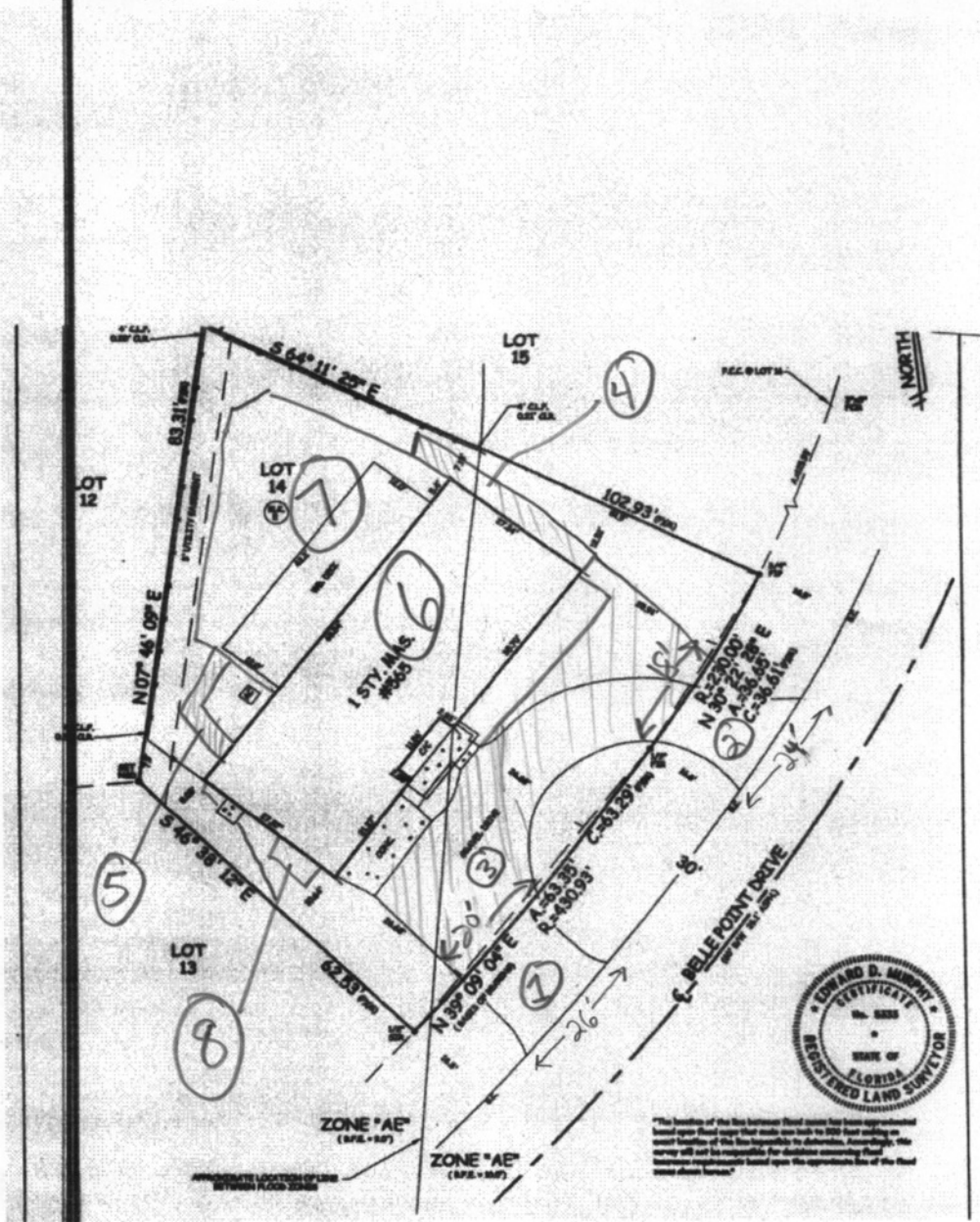
FOR THE EXCLUSIVE USE OF THE HEREON PARTY(IES), I HEREBY CERTIFY TO ITS ACCURACY (EXCEPT SUCH EASEMENTS, IF ANY, THAT MAY BE LOCATED BELOW THE SURFACE OF THE LANDS, OR ON THE SURFACE OF THE LANDS AND NOT VISIBLE), AND THAT THE SURVEY REPRESENTED HEREON MEETS THE MINIMUM REQUIREMENTS OF CHAPTER 5J-17, 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

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

Impervious ratio sheet

1	driveway approach left concrete 26' w at street x 17' d x 20' w at property line		
2	driveway approach right concrete 24' w at street x 17' d x 18' w at property line		
3	pavers front circle driveway	1348 sq feet	
4	pavers sidewalk right side of house 3'3" x 37'	120.25sq	
5	pavers back from garage door 3'3" x 22'	71.5sq ft	
6	building area	1878 sq feet	
7	pool and deck	1185 sq ft	
8	utility slab	58.50sq ft	
	total impervious		4661.25
	total site area		7636
	total lot coverage	61.04%	



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

**Agenda Report**

**Agenda Title Name:** Case No. 25084 - 3314 E. Maritana Dr.

**Action Request:** As directed by the Board of Adjustment

**Options:**

- Motion to approve Case No. 25084 with staff recommended or board-imposed conditions, including:

1. The applicant shall obtain a building permit as required for the accessory structure and include details of any proposed measures to comply with LDC Sec. 6.13(b)(3) related to stormwater runoff.

OR

- Motion to approve Case No. 25084 as proposed

OR

- Motion to deny Case No. 25084

**Strategic Objective:**

**Date:** July 30, 2025

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

**Through:** Laura Canary, Community Development Director

**Summary of Issue:** *Unnecessary and Undue Hardship Variance:* Joshua Trosclair for Charlotte and Allen Schmitt requests to retain the existing residential storage building of 99 sq. ft. that exceeds the maximum of 80 sq. ft. permitted (LDC Sec. 6.13(b)(5)).

**Funding:** n/a

**Attachments:**

1. 25084 - Staff Report
2. 25084 - Certificate of Completeness and

- Submittal
3. 25084 - Variance Submittal Incomplete Letter



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

## PLANNING DEPARTMENT

**Date:** July 14, 2025  
**To:** Board of Adjustment  
**Re:** Staff Findings Report  
Unnecessary and Undue Hardship Variance  
Address: 3314 E. Maritana Dr.  
Parcel Number: 07-32-16-21852-023-0130  
Charlotte and Allen Schmitt  
Variance Case No: 25084

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

**Hearing Date:** 7/30/2025

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 package with application form.
2. Boundary, Topography & Tree Survey prepared by Lauster Land Survey LLC, dated 1.23.25 consisting of 1 sheet
3. C-1 - Site Plan showing existing and proposed improvements in connection with proposed elevation of the existing dwelling prepared by DMD & Company Structural Engineers dated 4/11/25, last revised 7/3/25.
4. Set of 9 photos of exterior and interior of the existing residential storage structure

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

### Site Description/Surrounding Land Uses

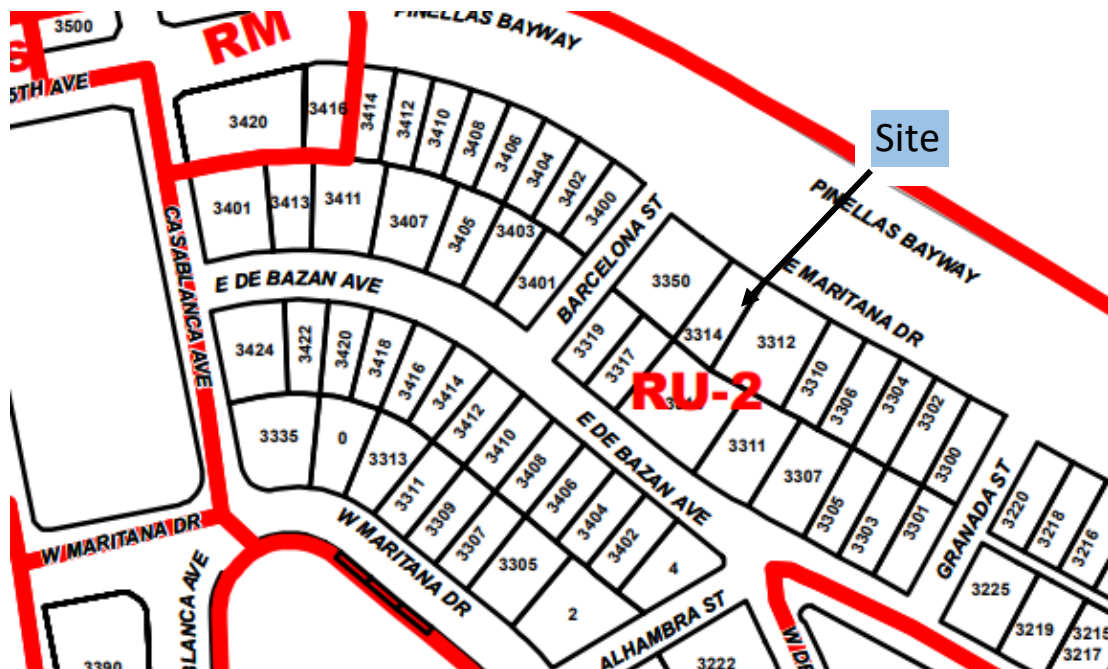
The subject site is a 6,952 sq. ft. (approx. 0.15 acre) parcel located at 3314 E Maritana Dr. known as parcel number 07-32-16-21852-017-0130 and legal description of DON CE-SAR PLACE BLK 17, LOT 13. The property is located in the RU-2, Residential zone; RU on the future land map and contains a single-family residence constructed in 1948 according to the Pinellas County Property Appraiser. Adjacent uses include single-family uses to the south and east, residential duplex to the west and the Pinellas Bayway to the north. Currently, the interior parcel is improved with a one-story dwelling with an attached carport with concrete ribbon driveway, rear deck with inground pool and patio, and a 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 11 of 15, dated 7/20/2012

**Request**

The applicant requests to retain existing residential storage building of 99 sq. ft. that exceeds the maximum of 80 sq. ft. permitted (LDC Sec. 6.13(b)(5)).

**Analysis**

1. Variance required:
  - a. **Residential Accessory Structure, maximum size permitted:** where existing 99 sq. ft building exceeds the 80 sq. ft. maximum size permitted

Residential Accessory Structure-Residential Storage Building (LDC Sec. 6.13(b)(5))	3314 E Maritana Dr		
	Permitted	Existing	Proposed
Size (Max.)	80 sq. ft.	99 sq. ft.(v)	n/a
*Denotes existing non-conformity (v) = Variance required			

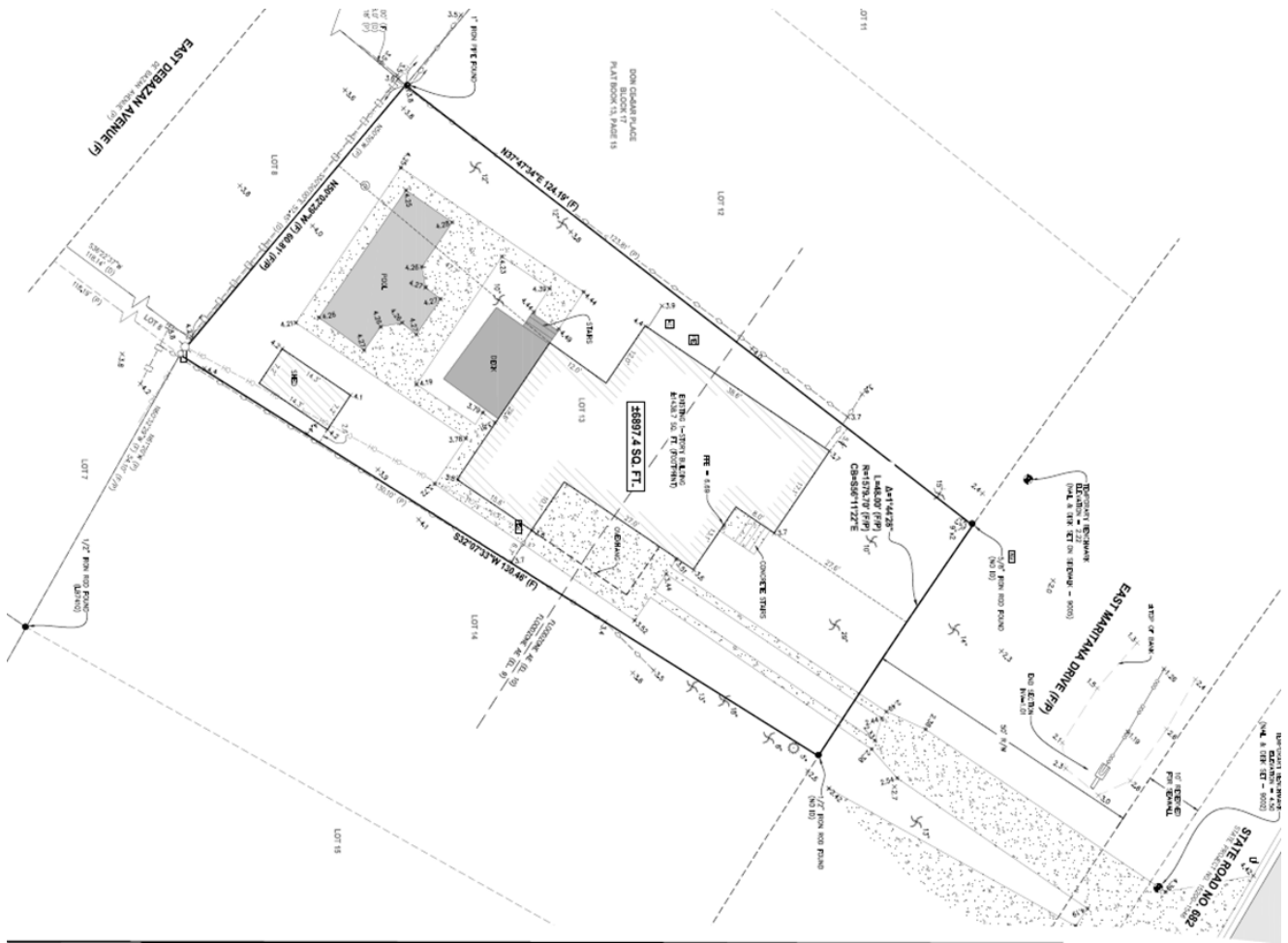
It should be noted that a nonconforming structure currently exists on the property, with no record of any prior variance or formal approval having been obtained. The applicant submitted a building permit application to elevate the existing dwelling, and during the zoning review, it was identified that the existing shed exceeds the currently allowed maximum size of 80 square feet.

Per LDC Sec. 3.10(e), nonconforming accessory structures must be brought into compliance with current regulations when the primary structure undergoes substantial improvement. As such, the shed must either be reduced to 80 square feet, removed entirely, or a variance must be obtained to retain it. The applicant has chosen to pursue a variance.

**Figure 3: Enlarged Portion of Survey and Photo of Existing Structure (N.T.S.)**



Figure 4: Portion of Survey with Existing Residential Storage Structure (N.T.S.)



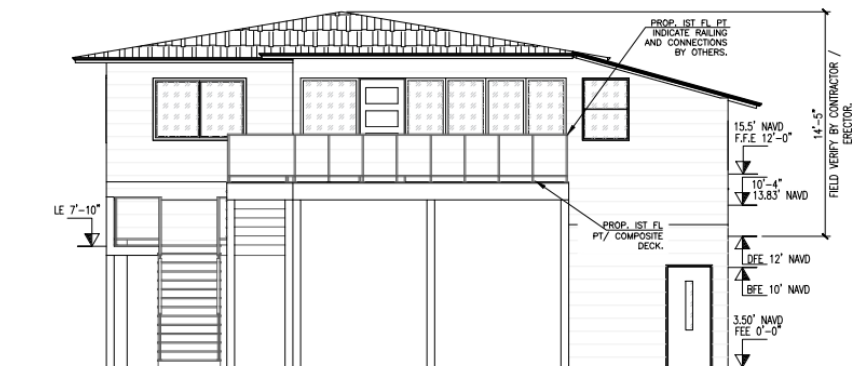
**Additional Comments**

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

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

1. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved, and which are not applicable to other lands, structures, or building in the same zoning district;
  - o *The subject shed was constructed by the current owners without a permit and appears to be currently utilized as household storage. However, no known peculiarities of the land or structure exist. The shed appears to be of a conventional design.*
2. The special conditions and circumstances do not result from the actions of the applicant or a prior owner of the property;
  - o *The shed was installed by the current owner of the property without the benefit of a permit.*

3. Literal interpretation of the provisions of the Land Development Code deprives the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Land Development Code and results in unnecessary and undue hardship on the applicant;
  - *Staff find that a literal interpretation of the provisions of the Land Development Code will not deprive the applicant of rights commonly enjoyed by other properties in the same zoning district and will not result in unnecessary and undue hardship on the applicant.*
4. The hardship has not been deliberately or knowingly created or suffered to establish a use or structure which is not otherwise consistent with the comprehensive plan or the Land Development Code, nor will it permit and increase in development density;
  - *Staff find that this request will not establish a use not permitted in the district. This is a single-family residence that is located within a single-family zoning district. There will be no increase in density.*
5. An applicant’s desire or ability to achieve greater financial return or maximum financial return from his property does not constitute hardship;
  - *Staff does not find that a desire to achieve greater financial return forms the basis of the hardship for this request.*
6. Granting the variance application conveys the same treatment to the applicant as to the owner of other lands, building, or structures in the same zoning district;
  - *The Board must consider variances on a case-by-case basis. Even within the same zoning district, each variance request has a different set of circumstances and variables. Therefore, the granting of one variance does not confer such allowances on another property.*
7. The requested variance is the minimum variance that makes possible the reasonable use of the land, building, or structure; and
  - *Given the proposed elevation of the existing dwelling, there may be an opportunity to relocate the currently stored materials beneath the raised structure, allowing for the complete removal of the shed.*



NORTH ELEVATION  
3/16" = 1'-0"

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 find that while this request is not in harmony with the purpose and intent of the Comprehensive Plan and Land Development Regulations, it is also not anticipated to cause injury to the neighborhood, public safety, or welfare, and is generally compatible with the neighborhood.*

**Other:**

- The applicant should provide testimony as to the materials to be stored on or within building.
- 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).
- The applicant should provide testimony regarding any potential alternatives if the variance is not approved.

**Summary**

Staff find that the applicant has addressed the criteria but does request additional testimony be provided as noted above to demonstrate that substantial and competent evidence has been provided. Should the board look favorably on the application and the relief request, the Board may wish to consider the following condition(s) and any additional conditions it deems necessary:

1. Applicant shall obtain a building permit as required for the accessory structure and include details of any proposed measures to comply with LDC Sec. 6.13(b)(3) related to stormwater runoff.

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

Respectfully submitted,



Kristin Coman  
Senior Planner

Cc: Charlotte and Allen Schmitt, Owner **via email** (arschmitt@yahoo.com)  
Joshua Trosclair, Applicant **via email** (permits@jasengineer.com)  
Board of Adjustment Attorney



Memo To: Board of Adjustment  
From: Kristin Coman, Senior Planner  
Date: 7/9/2025  
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 **July 30, 2025**.

**Variance Case Number:** 25084  
**Application Type:** Unnecessary and Undue Hardship Variance  
**Owner:** Charlotte and Allen Schmitt  
**Applicant/Agent:** Joshua Trosclair  
**Parcel Number:** 07-32-16-21741-017-0130  
**Address:** 3314 E Maritana Dr., St. Pete Beach, FL 33706  
**Zone:** RU-2

**Submittal Documents:**

1. Completed Unnecessary and Undue Hardship Variance package with application form.
2. Boundary, Topography & Tree Survey prepared by Lauster Land Survey LLC, dated 1.23.25 consisting of 1 sheet
3. C-1 - Site Plan showing existing and proposed improvements in connection with proposed elevation of the existing dwelling prepared by DMD & Company Structural Engineers dated 4/11/25, last revised 7/3/25.
4. Set of 9 photos of exterior and interior of the existing residential storage structure.

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

**City/Board Professionals:**

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

**Board Members:**

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Denise Chase, Chair | <input checked="" type="checkbox"/> Kathy Garchow, Vice Chair |
| <input checked="" type="checkbox"/> Chris Core          | <input checked="" type="checkbox"/> Dan Small                 |
| <input checked="" type="checkbox"/> Al Causey           |   |

Cc: Charlotte and Allen Schmitt, Owner ***via email*** ([arschmitt@yahoo.com](mailto:arschmitt@yahoo.com))  
Joshua Trosclair, Applicant ***via email*** ([permits@jasengineer.com](mailto:permits@jasengineer.com))

CASE #: 25084

PARCEL #: 07-32-16-21852-017-0130

SUBMITTAL DATE: 5/29/25 AMOUNT DUE: 535.26 PAYMENT DATE: 6/26/25

**UNNECESSARY AND UNDUE HARDSHIP VARIANCE APPLICATION**

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

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

**OWNER/AGENT INFORMATION:**

Identification	Name	Address	Phone #
Owner	Charlotte A Schmitt	3314 E Maritana Dr	630-846-0393
	Allen R Schmitt	St. Pete Beach, FL 33706	
Applicant/ Agent	Joshua Trosclair	5920 Carrier St N St Petersburg, FL 33714	866-235-7415
Owner Email Address: arschmitt@yahoo.com		Applicant/Agent Email Address: permits@jasengineer.com	

**PROPERTY FOR PROPOSED VARIANCE:**

Zoning Designation RU-2	Future Land Use Designation RU:ResidentialUrban	Lot Area 6897.4 sq ft
Legal Description: DON CE-SAR PLACE BLK 17, LOT 13		
Address: 3314 E Maritana Dr St. Pete Beach, FL 33706		
Explanation of Request: I've been advise that the shed on my property exceeds the 80 sq foot maximum as noted on LDC Sec. 3.10.(e), the shed is 99 sq ft and we would like to request a variance to be able to keep it as is.		

**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;

Most other properties in the neighborhood are equipped with garages that provide adequate storage for items such as bicycles, lawnmowers, pool equipment, and tools. In contrast, this property had only a carport and a small metal garden shed, which had deteriorated over time due to its composition and repeated flooding in recent years. As a result, a larger and more resilient structure was necessary to securely store essential equipment that could not be accommodated within the home.

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

The current owner unknowingly constructed the shed under the mistaken belief that a permit was not required for structures under 100 square feet, based on information from the City of St. Petersburg and Pinellas County. The owner was unaware that the City of St. Pete Beach imposes an 80 square foot threshold for shed construction requiring a permit.

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;

In constructing the shed, the homeowner's intent was to enhance the overall aesthetic and character of the property, not to detract from it. The shed was thoughtfully designed to reflect and complement the architectural style of the existing 1940s beach house located on the property. To require the owner to replace this shed would cause extra expense for the demolition as well as to reconstruct something that would be within code.

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;

As previously noted, the owner did not intend to circumvent the regulations of the City of St. Pete Beach. The confusion arose from a good-faith mistake: the owner consulted the shed construction guidelines provided by the City of St. Petersburg, and Pinellas County which allow for structures up to 100 square feet. Based on this information, the owner proceeded with the intent to build a shed that maximized allowable storage space.

The structure currently under review replaced a deteriorating metal garden shed, which was demolished prior to construction of the new building. The new shed was designed to be more visually appealing and architecturally consistent with the existing home and surrounding property.

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

The applicant's goal in constructing the shed was to architecturally enhance the backyard pool area by creating a structure that harmonizes with the existing home. The shed was thoughtfully designed to reflect the 1940s-style architecture of the residence, ensuring it blends seamlessly into the character of the property. Its purpose is to provide adequate storage space to reduce visual clutter and improve the overall functionality of the outdoor living area. The structure was not built with the intention of increasing the property's market value. The owner has no plans to sell the property in the foreseeable future, as it is intended to serve as their winter retirement residence for many years to come.

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

The applicant respectfully requests that this variance be approved in a manner consistent with similar approvals granted to other properties in the area, thereby ensuring equitable treatment and the fair, consistent application of zoning regulations.

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

The applicant is only asking for a small exception (an extra 20 square feet) needed to make fair use of the property, without going beyond what's reasonable or allowed in similar situations.

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

The requested variance stays true to the overall goals of the Comprehensive Plan and the Land Development Code. The shed won't harm the neighborhood or create any safety or health issues. It fits in with the look and feel of the surrounding homes and will not hurt property values in the area.

*Allen P. Schmidt* 5/29/25

Signature of Applicant

Date

*Ashua Moschen*

Signature of Authorized Agent

5/29/25

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.**

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

aw 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.

aw 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.

aw 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.

aw 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.

aw 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.

aw 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.**

Allen R. Smith  
Signature of Applicant

5/29/25  
Date

**Owner's Authorization for Agent**

Community Development Department  
City of St. Pete Beach, Florida

I/WE Charlotte A Schmitt & Allen R Schmitt  
(print name of property owner)

hereby authorize JAS Builders- Joshua Joseph Trosclair  
(print name of agent)

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

*Charlotte Schmitt*  
Signature of Owner

*Allen R Schmitt*  
Signature of Owner

Charlotte A Schmitt  
Print Name of Owner

Allen R Schmitt  
Print Name of Owner

The forgoing instrument was acknowledged before me this 29th day of  
May <sup>5</sup> ~~2021~~ by Charlotte A Schmitt & Allen R Schmitt or who is  
personally known \_\_\_\_\_ produced  
Driver's License \_\_\_\_\_ as identification.

*[Handwritten Signature]*  
(Notary Signature)

5/29/25  
(Date)

My Commission Expires 8/19/2025





**PUBLIC HEARING SIGN POSTING AFFIDAVIT**

Applicant, Joshua Joseph Trosclair, 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): Joshua Joseph Trosclair

Address: 5920 Carrier St N St Petersburg, FL 33714

Joshua Trosclair  
Signature

5/29/2025  
Date

STATE OF FLORIDA )  
                                  ) SS:  
PINELLAS COUNTY )

The foregoing instrument was acknowledged before me this 29th day of May, 202~~4~~<sup>5</sup> by: Joshua Joseph Trosclair who appeared before me, and is personally known to me, or has produced as identification, and did take an oath.

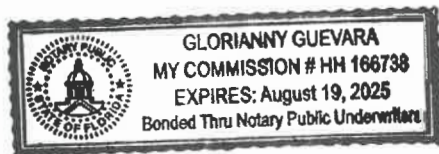
My commission Expires: 8/19/2025

NOTARY:

Print Name: Glorianny Guevara Notary

Public, State of Florida

(Notarial Seal)





**LEGEND**

<b>UTILITIES</b>	<b>LINE TYPE</b>
CLEAN OUT	BOUNDARY LINE
AIR CONDITIONER	RIGHT-OF-WAY LINE
POOL EQUIPMENT	MISCELLANEOUS OVERHEAD UTILITY LINE
ELECTRIC METER	FLOW LINE
UTILITY POLE	VINYL FENCE
LIGHT POLE	WOOD FENCE
WATER METER	
UTILITY BOX	
<b>TREES &amp; BRUSH</b>	<b>ABBREVIATIONS</b>
OAK TREE	Δ DELTA (CENTRAL ANGLE)
PALM TREE	R RADIUS
UNKNOWN TREE	L ARC LENGTH
	CB CHORD BEARING
	R/W RIGHT-OF-WAY
	INV INVERT
	(P) PLAT DATA
	(D) DEED DATA
	(F) FIELD DATA
	NAD NORTH AMERICAN DATUM
	NAVD NORTH AMERICAN VERTICAL DATUM
	NGVD NATIONAL GEODETIC VERTICAL DATUM
	LB LICENSED BUSINESS
	PSM PROFESSIONAL SURVEYOR & MAPPER
	LS LICENSED SURVEYOR
	SQ. FT. SQUARE FEET
	± MORE OR LESS
	FFE FINISH FLOOR ELEVATION
<b>MISCELLANEOUS</b>	<b>MONUMENTS</b>
GUY WIRE	○ 5/8" IRON ROD SET (LB 8466)
MAILBOX	
<b>HATCHING</b>	
CONCRETE	
ASPHALT	
BUILDING	

**DESCRIPTION:**

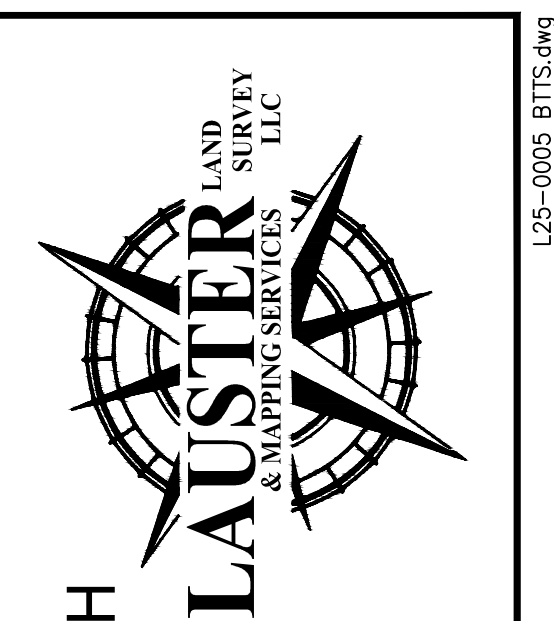
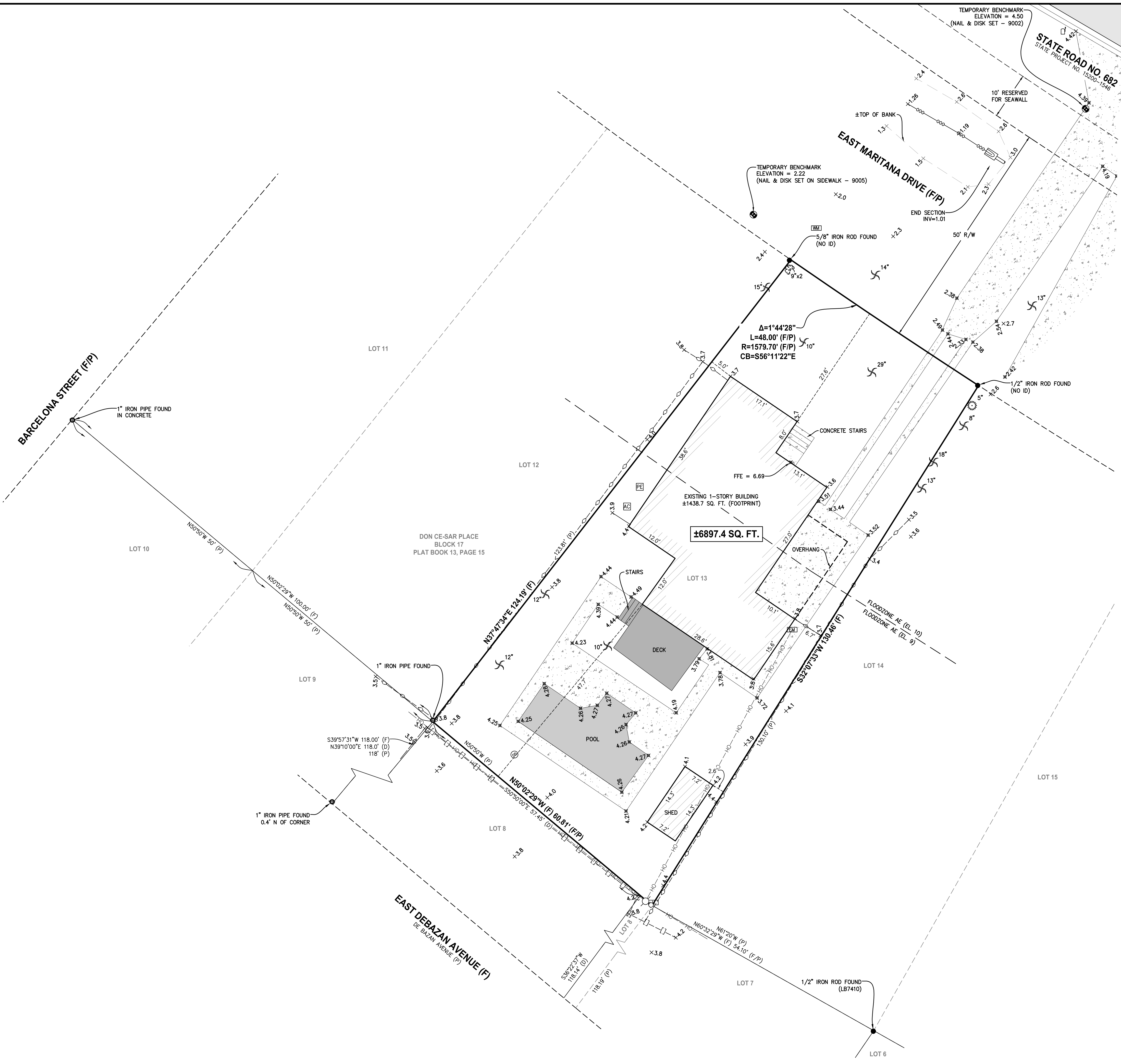
LOT 13, BLOCK 17, DON CESAR PLACE, ACCORDING TO PLAT THEREOF AS RECORDED IN PLAT BOOK 13, PAGE 15, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

**NOTES:**

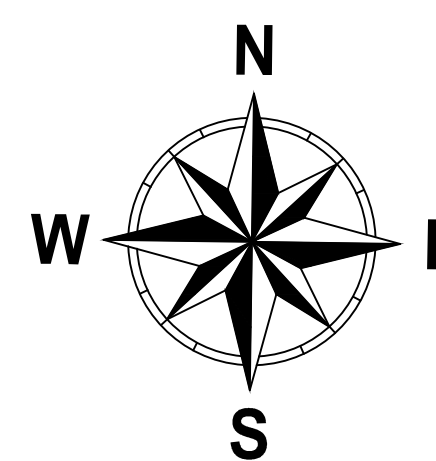
- BEARINGS ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM [WEST ZONE] NAD 83/2011 - EPOCH 2010.0000 AND ARE DERIVED FROM THE NORTHWESTERLY LINE OF THE SUBJECT PROPERTY (LOT 13) HAVING A BEARING OF N37°47'34"E.
- THE PROPERTY LIES WITHIN FLOOD ZONE "AE" AS SHOWN ON FLOOD INSURANCE RATE MAP PANEL No. 12103C0278H REVISED 8/24/2021. BASE FLOOD ELEVATION = 9 & 10 FEET
- THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT OR ABSTRACT AND THEREFORE DOES NOT NECESSARILY INDICATE ALL THE ENCUMBRANCES ON THE PROPERTY.
- BEARINGS AND DISTANCES ARE FIELD MEASUREMENTS UNLESS NOTED OTHERWISE.
- THIS SURVEY IS FOR THE EXCLUSIVE USE AND CERTIFIED TO JAS ENGINEERING. RE-USE OF THIS SURVEY FOR PURPOSES OTHER THAN INTENDED, WITHOUT WRITTEN VERIFICATION WILL BE AT THE RE-USERS SOLE RISK AND WITHOUT LIABILITY TO THE SURVEYOR. NOTHING HEREIN SHALL BE CONSTRUED TO GIVE ANY RIGHTS OR BENEFITS TO ANYONE OTHER THAN THOSE CERTIFIED TO ON THIS SURVEY.
- PORTIONS OF THIS SURVEY WERE UNDERTAKEN USING A TRIMBLE R12 GPS SYSTEM IN REAL TIME KINEMATIC MODE BASED ON THE FLORIDA PERMANENT REFERENCE NETWORK.
- IMPROVEMENTS SUCH AS, BUT NOT LIMITED TO, FOUNDATIONS, SUBSURFACE IMPROVEMENTS AND LANDSCAPE FEATURES, ETC., HAVE NOT BEEN LOCATED EXCEPT AS SHOWN THERE MAY BE SOME AREAS NOT PHYSICALLY LOCATED OR SHOWN THAT LIE WITHIN THE BOUNDS OF THIS SURVEY THAT MAY BE TERMED JURISDICTIONAL BY VARIOUS GOVERNMENT AGENCIES.
- TREES 4 INCHES IN DIAMETER OR LESS WERE NOT LOCATED.
- UTILITIES SHOWN ARE ABOVE GROUND EVIDENCE ONLY. NO EXCAVATION OR UTILITY LOCATING SERVICES WERE PERFORMED TO VERIFY THE LOCATION OF UTILITIES.
- OWNERSHIP OF FENCING WAS NOT DETERMINED.
- SITE ELEVATION IS NAVD 1988. ELEVATIONS ARE BASED ON NGS BENCHMARK "196" (PID #AG0101) HAVING AN ELEVATION OF 3.24 FEET NAVD 1988 AND ELEVATION OF 4.17 FEET NGVD 1929. THE DIFFERENCE WAS COMPUTED UTILIZING VERTCON (NORTH AMERICAN VERTICAL DATUM CONVERSION) WHICH IS A GEODETIC TOOL PROVIDED BY NGS, THAT COMPUTES THE MODELED DIFFERENCES IN ORTHOMETRIC HEIGHT BETWEEN NAVD 1988 AND NGVD 1929.
- ADDRESS: 3314 EAST MARITANA DRIVE, SAINT PETE BEACH, FL 33706
- THIS SURVEY IS NOT VALID IF PRINTED, OR WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

FLORIDA CERTIFICATE No. LS 7219  
 DATE OF CERTIFICATION 01-23-2025  
 DATE OF FIELD SURVEY 01-22-2025

BY: BRANDON LAUSTER, P.S.M.



ADDRESS: 2464 20TH AVENUE NORTH  
 SAINT PETERSBURG, FL 33713  
 PHONE: 727-685-6045  
 EMAIL: brlauster@llsurvey.org  
 LB8466



SCALE: 1:10

NAD 83/2011

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**BOUNDARY, TOPOGRAPHY, & TREE SURVEY**

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

REVISION	BY	DATE

CONSULTANT

PROJECT

3314 E MARITANA  
 DR. ST. PETE  
 BEACH FL 33706

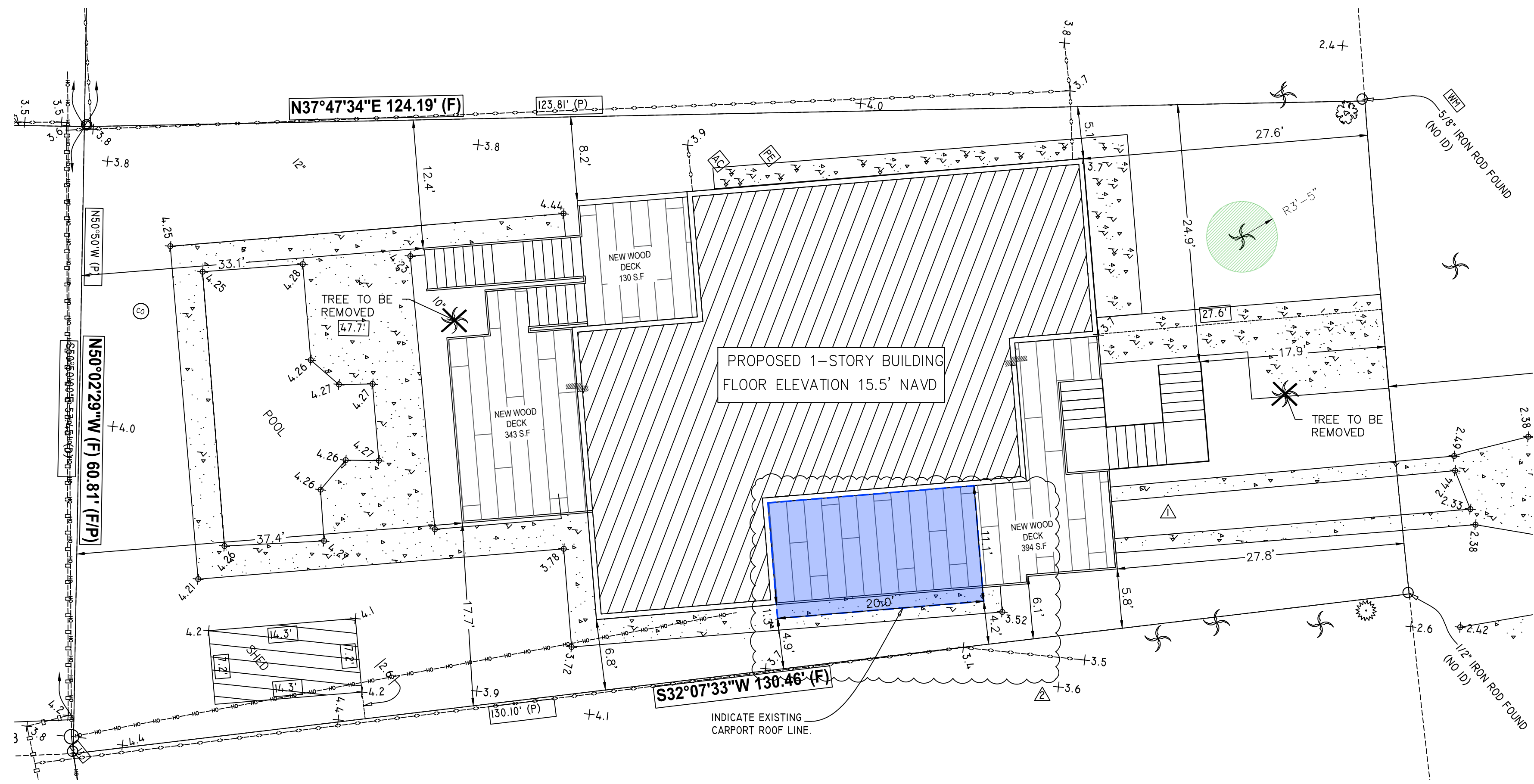
MARK	DATE	DESCRIP.
CD	04/11/25	PERMIT
△	5/16/25	REV 1.
△	07/03/25	REV 2.

SHEET MANAGEMENT	
PROJECT NO:	2025036

SHEET TITLE  
 SITE PLAN

SHEET NUMBER

**C-1**



**SITE PLAN**  
 SCALE 1/8" = 1'-0"

**LEGAL DESCRIPTION:**

**PROPERTY ADDRESS:**  
 3314 E MARITANA DR, ST. PETE BEACH  
 FLORIDA 33706

**DESCRIPTION:**  
 LOT 13, BLOCK 17, DON CESAR PLACE, ACCORDING TO PLAT THEREOF AS RECORDED IN PLAT BOOK 13, PAGE 15, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

**FLOOD ZONE INFORMATION:**  
 THE PROPERTY LIES WITHIN FLOOD ZONE "AE" AS SHOWN ON FLOOD INSURANCE RATE MAP PANEL No. 12103C0278H REVISED 8/24/2021.  
 BASE FLOOD ELEVATION = 9 & 10 FEET

**AREA:**

LOT:	6868 S.F.
BUILDING FOOTPRINT:	2418 S.F.
PARKING AND DRIVEWAY:	287 S.F.
POOL AND/OR PATIO AREA:	956 S.F.
WALKWAYS:	353 S.F.
OTHER:	102 S.F.
TOTAL IMPERVIOUS =	4116 S.F.
% IMPERVIOUS=TOTAL IMPERVIOUS/LOT	
% IMPERVIOUS=4116/6868=	60 %
GREEN AREA =	40 %

**GENERAL NOTES**

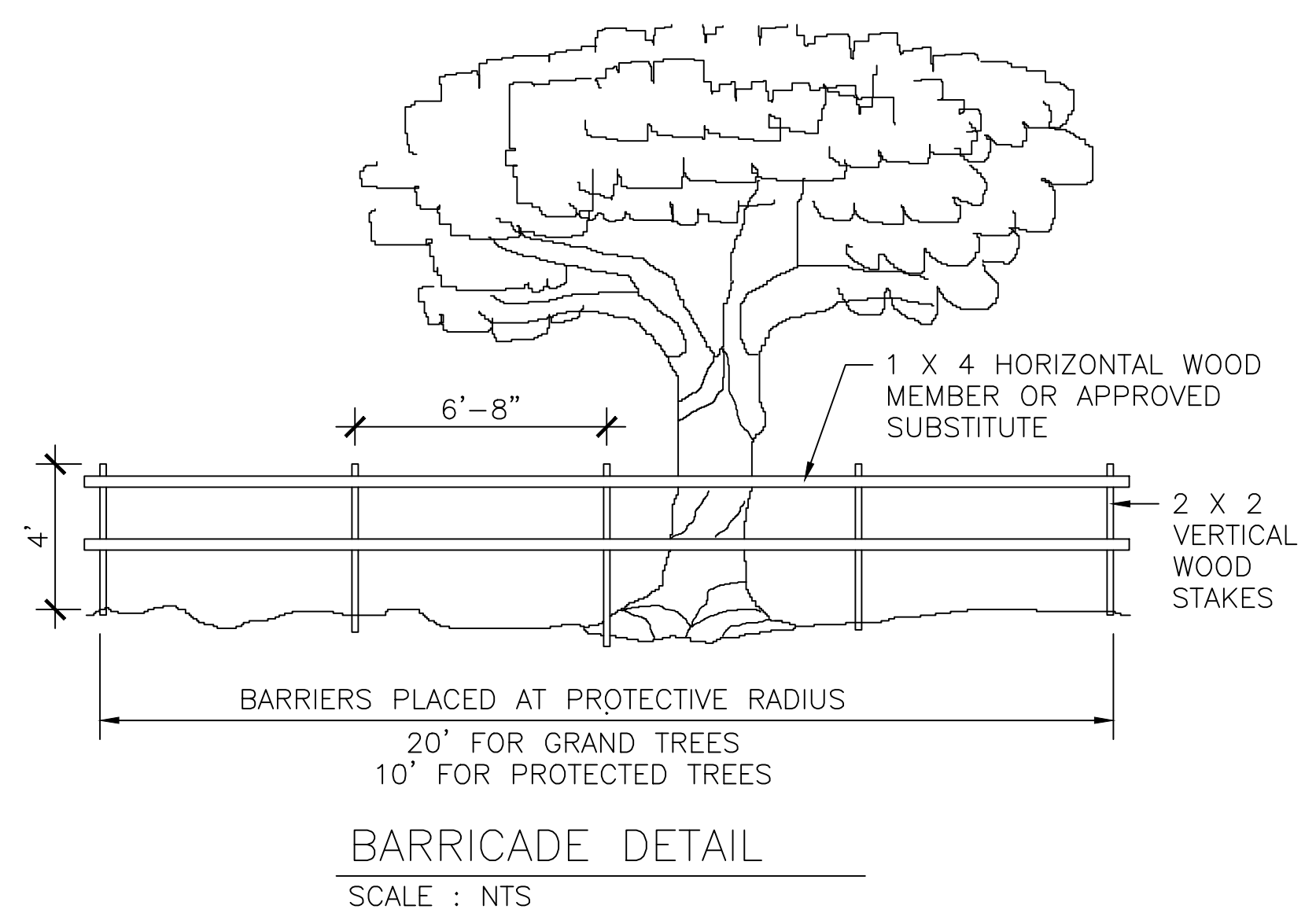
- THE PROJECT CONSISTS OF RAISING THE EXISTING WOOD-FRAMED RESIDENCE ON MASONRY PILASTERS AND STEEL BEAMS, BUILDING TWO WOOD-FRAMED STAIRCASES FOR MAIN AND SECONDARY ACCESS, AND INCLUDING DECKS AS NECESSARY FOR ACCESSIBILITY.
- ALL NEW WORK IS TO COMPLY WITH THE FLORIDA RESIDENTIAL BUILDING CODE 2023, 8TH EDITION AND WITH ALL APPLICABLE CODES AND LOCAL ORDINANCES.
- INFORMATION ON SITE PLAN AND LEGAL DESCRIPTION HAVE BEEN PROVIDED BY THE OWNER / CONTRACTOR AND ASSUMED TO BE CORRECT.
- FOUNDATION SHALL BEAR ON FIRM STABLE COMPACTED SOIL. IF POOR SOIL CONDITIONS ARE FOUND, CONTACT THE OWNER BEFORE PROCEEDING.
- ALL REINFORCING SHALL BE HELD SECURELY IN PLACE WITH STANDARD ACCESSORIES DURING PLACING OF CONCRETE. IF REQUIRED, ADDITIONAL BARS OR STIRRUPS SHALL BE PROVIDED BY THE CONTRACTOR TO FURNISH ADEQUATE SUPPORT.
- THE CONTRACTOR SHALL COORDINATE THE SIZE NUMBER & LOCATION OF ALL ANCHOR BOLTS INSERTS, WELD PLATES AND OTHER ITEMS TO BE EMBEDDED IN THE CONCRETE AS REQUIRED BY ALL TRADES. THE ACTUAL LENGTH OF THE ANCHOR BOLT REQUIRED SHALL TAKE INTO ACCOUNT THE THICKNESS OF THE ATTACHED PART, THE NUT THICKNESS, ETC.
- THE CONTRACTOR SHALL PROVIDE ALL SHORING AND BRACING NECESSARY TO MAINTAIN THE STRUCTURAL INTEGRITY OF THE STRUCTURE PERMANENTLY AND / OR DURING THE CONSTRUCTION PROCESS AS MAY BE REQUIRED.
- ALL CONDITIONS SHALL BE FIELD VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. ALL DIMENSIONS AND ELEVATIONS SHALL BE CHECKED BY THE GENERAL CONTRACTOR PRIOR TO CONSTRUCTION, DO NOT SCALE THE DRAWINGS. ANY ADJUSTMENTS AND / OR CORRECTIONS SHALL BE MARKED AND BROUGHT TO THE ATTENTIONS OF THE OWNER.
- THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR COMPLYING WITH SAFETY PROCEDURES, METHODS AND MEANS OF CONSTRUCTION AND ALL REQUIREMENTS BY APPLICABLE FEDERAL, STATE AND LOCAL LAWS, REGULATIONS AND CODES.
- ALL WOOD EXPOSED TO WEATHER SHALL BE SMOOTH, CLEAR & FREE OF DEFECTS, CHECKING, ETC.
- DOOR HARDWARE IS TO BE FIRST GRADE RESIDENTIAL AS SELECTED OR APPROVED BY OWNER.
- PAINT INTERIOR AND EXTERIOR EXPOSED SURFACES THAT DO NOT RECEIVE PRE-FINISHED MATERIAL. ( 3 COATS ) COLOR SELECTED BY OWNER.
- ALL CONNECTORS TO BE SIMPSON UNLESS NOTED OTHERWISE. WITH NEC.

**SITE PREPARATION**

THE RESIDENCE AREA SHOULD BE STRIPPED OF TOPSOIL AND ORGANICS. THEN THE STRIPPED BUILDING SUBGRADE SHOULD BE PROOF-ROLLED WITH A HEAVY DRUM-TYPE VIBRATORY COMPACTOR HAVING A MINIMUM STATIC WEIGHT OF 20,000 POUNDS. PROOF-ROLLING OF THE BUILDING AREA, TO 7 FEET BEYOND CONSTRUCTION LINES, SHOULD CONSIST OF AT LEAST 10 COMPLETE COVERAGES BY THE COMPACTION EQUIPMENT. COMPACTION SHOULD CONTINUE UNTIL THE SOIL 1 FOOT BELOW THE COMPACTION SURFACE ATTAINS A DENSITY OF AT LEAST 98 PERCENT OF THE MAXIMUM DRY DENSITY AS INDICATED BY THE MODIFIED PROCTOR COMPACTION TEST (ASTM METHOD D 1557)

**EROSION / SEDIMENTATION CONTROL**

CONTRACTOR IS TO PROVIDE EROSION CONTROL / SEDIMENTATION BARRIER (HAY BALES OR SILTATION CURTAIN) TO PREVENT SILTATION OF ADJACENT PROPERTY, STREETS, STORM SEWERS AND WATERWAYS. IN ADDITION, CONTRACTOR SHALL PLACE STRAW, MULCH OR OTHER SUITABLE MATERIAL ON GROUND IN AREAS WHERE CONSTRUCTION RELATED TRAFFIC IS TO ENTER AND EXIST SITE. IF, IN THE OPINION OF THE ENGINEER AND / OR LOCAL AUTHORITIES, EXCESSIVE QUANTITIES OF EARTH ARE TRANSPORTED OFF-SITE EITHER BY NATURAL DRAINAGE OR BY VEHICULAR TRAFFIC, THE CONTRACTOR IS TO REMOVE AND CLEAN SAID EARTH TO THE SATISFACTION OF THE ENGINEER / AND / OR AUTHORITIES.



**BARRICADE DETAIL**  
 SCALE : NTS



















+1 (630) 846-0393 >



I also included some photos of the back side of the house to demonstrate the effort to match the architectural style of the shed to the house

I don't know if it will come up or not, but there is electrical wiring in the shed but it is NOT hooked up to any power (test the outlets or switches) That would be a future effort if I felt it was needed and I know that would require an electrical permit.

I have the ability to run an extension cord to the building but that is rarely used.



iMessage





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

## COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING

June 24, 2025

Charlotte and Allen Schmitt  
3314 E Maritana Dr.  
St. Pete Beach, FL 33706

Joshua Trosclair  
5920 Carrier St. N  
St. Petersburg, FL 33714

**VIA EMAIL: [arschmitt@yahoo.com](mailto:arschmitt@yahoo.com), [permits@jasengineer.com](mailto:permits@jasengineer.com)**

**RE: Board of Adjustment Case No. 25084  
Parcel Number: 07-32-16-21852-017-0130  
Address: 3314 E Maritana Dr.  
Unnecessary and Undue Hardship Variance Application Submittal Review**

City staff is in receipt of a variance submittal in connection with the proposed location for relief to permit an existing 99 sq. ft. residential accessory storage structure to remain which was installed without the benefit of a permit and exceeds the permitted 80 square feet. Staff have reviewed the application pursuant to Section 4.2 of the City's Land Development Code (LDC) for the purpose of determining the completeness of the submittal. Staff have identified items that must be submitted and/or addressed prior to further review. ***Please note that your application cannot be deemed complete or a hearing date provided until the following items are addressed.***

Review of the application package including the survey submitted resulted in the following comments:

### **Boundary Survey:**

- The survey supplied is not for the property located at 3314 E. Maritana Dr., but for a property located on North Shore Rd. in Longboat Key, FL.

### **Practical Difficulty Application, Page 1 and 2:**

- In reviewing the 5/8/2025 zoning review denial comments, it appears that an additional variance for the proposed side yard setback of 5.1 feet for the elevated front deck where 5.45 feet is required was not included in the explanation of request. This additional variance should be added to the request and detail provided for each of the criteria questions on page 2 in connection with the side yard setback relief. If the plans are revised to eliminate the encroachment, please provide the updated

information.

**Other:**

- Required fees: \$500.00 variance fee + \$35.26 mailing fee = \$535.26 total due.  
Check #1219 in the amount of \$1,000.00 was submitted, with \$500.00 applied to this case. However, the mailing fee was not included, leaving an outstanding balance of **\$35.26**.

You can find information about the variance process and application materials on the City's website at <https://www.stpetebeach.org/585/Variance>. In addition to the required documents, we encourage you to include any photos, additional elevations, or detail sheets you may have to support your application.

Once the listed items are received, the submittal will undergo a completeness review. If you have any questions or would like to meet with staff to discuss the application, please feel free to contact me at [kcoman@stpetebeach.org](mailto:kcoman@stpetebeach.org) or 727-363-9265.

We look forward to working with you on this project.

Best,



Kristin Coman  
Senior Planner

Cc: Board of Adjustment Attorney *via email*