



**TECHNICAL REVIEW COMMITTEE MEETING
CITY OF ST. PETE BEACH
COMMISSION CHAMBERS**

**Notice of Public Meeting
Technical Review Committee**

**Community Development Department TRC Room
155 Corey Avenue, City Hall, St. Pete Beach, FL 33706**

***** Amended 3/31/26 to correct a case number *****

**Wednesday, April 1, 2026
10:00 AM**

Regular Meeting Agenda

This is an informal meeting between City staff and the applicant(s). The public is invited to attend, however no public comment shall be permitted.

Discussion Items

1. Courtesy Review: Change of occupancy at 106 8th Avenue (rear building)

Mark Loeffler requests a courtesy review of a potential change in occupancy of a rear workshop building at 106 8th Avenue to a take-out/catering building which will be used in part to service events on the property. The building is part of the "Duffy Building" and Evander Preston site, which is a local historic resource (Designation #42, July 2012) and a contributing resource to the Pass A Grille Historic District.

2. Hardship Variance No. 26043: 2004 & 0 [Parcel # 18-32-16-68634-009-0280] Pass A Grille Way

Jon Sipera and Kyle Bass for Charles Collom of COLLOM PROPERTIES LLC and CC BULL LLC requests an unnecessary and undue hardship variance to Land Development Code Section 20.19., which prohibits vacation of alleyways within the Pass A Grille Overlay District, which if approved would authorize the vacation request to be made to the City Commission pursuant to Section 1.03 of the City Charter.

3. Hardship Variance No. 26049: 6405 Gulf Blvd

Matt Sylverain for McNatt Properties requests an unnecessary and undue hardship variance to permit the change in use of a former drycleaners to a coffee shop and retain an

existing five-foot sidewalk along the Gulf Boulevard frontage of the property where ten feet is required (Land Development Code Sec. 39.10.(a)).

4. Hardship Variance No. 26046: 9555 Blind Pass Rd (Blind Pass Marina)

Brian J Aungst, Jr and Clay Gilman of Marfarlane, Ferguson & McMullen, P.A., request an unnecessary and undue hardship variance to Land Development Code Sections 3.10.(b)(2) and 6.23.(e)(3)-(5), to allow for the redevelopment of a Class A and D marina dock at Blind Pass Marina that exceeds the allowable length and overall width for a redeveloped commercial dock, and are set closer to the riparian setback lines than permitted for a commercial dock that abuts a residential development. Associated with CUP #25127.

Next Meeting: April 22, 2026

**TECHNICAL REVIEW COMMITTEE MEETING
CITY OF ST. PETE BEACH
COMMISSION CHAMBERS**

Agenda Report

Agenda Title Name: Courtesy Review: Change of occupancy at 106 8th Avenue (rear building)

Action Request:

Strategic Objective:

Date: April 1, 2026

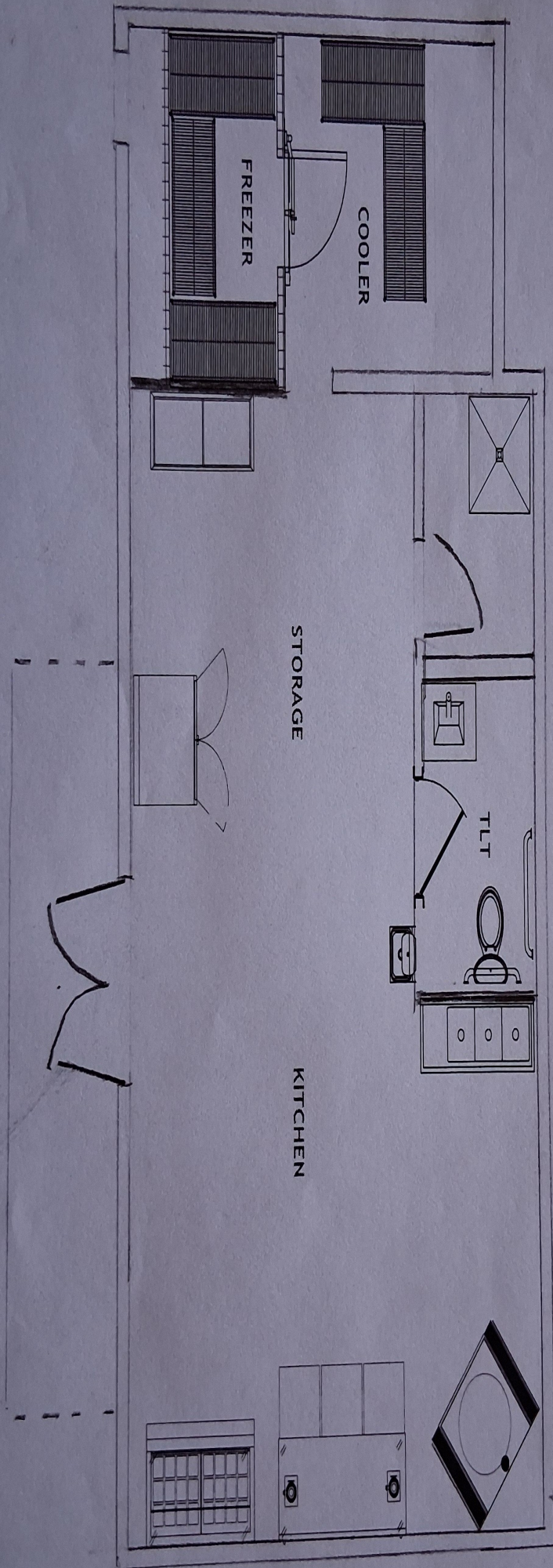
Prepared By: Brandon Berry, Senior Planner

Through: Laura Canary, Community Development Director

Summary of Issue: Mark Loeffler requests a courtesy review of a potential change in occupancy of a rear workshop building at 106 8th Avenue to a take-out/catering building which will be used in part to service events on the property. The building is part of the "Duffy Building" and Evander Preston site, which is a local historic resource (Designation #42, July 2012) and a contributing resource to the Pass A Grille Historic District.

Funding:

Attachments: 1. Floor Plan



**TECHNICAL REVIEW COMMITTEE MEETING
CITY OF ST. PETE BEACH
COMMISSION CHAMBERS**

Agenda Report

Agenda Title Name: Hardship Variance No. 26043: 2004 & 0 [Parcel # 18-32-16-68634-009-0280] Pass A Grille Way

Action Request:

Strategic Objective:

Date: April 1, 2026

Prepared By: Brandon Berry, Senior Planner

Through: Laura Canary, Community Development Director

Summary of Issue: The properties possess zoning of ROR/PAG and the alleyway was dedicated as part of the overall street and alleyway network under the 1913 revised plat of the Phillips Division, which runs from the southern properties of 13th Avenue to the northern properties of 22nd Avenue. It is the last known east-west alleyway in the Pass A Grille Overlay District that has a direct connection with Pass A Grille Way or Gulf Way, with several others having been vacated over the years.

Section 20.19 of the Land Development Code, adopted in 2017, prohibits vacation of alleyways in the Pass A Grille Overlay District. The applicant is requesting a variance to that standard on the basis of a claimed unnecessary and undue hardship. If this case is approved by the Board of Adjustment, the applicant will be required to apply to the City Commission for approval of the vacation, as they are the entity authorized under the City Charter to hear such cases.

Funding:

Attachments:

1. Certificate of Completeness
2. Survey
3. Application
4. Revised Map of Phillips Division - 1913



Memo To: Board of Adjustment
From: Brandon Berry, Senior Planner
Date: 3/18/2026
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 **April 29, 2026**.

Variance Case Number: 26043

Application Type: Unnecessary & Undue Hardship Variance

Owner: Charles Collom, Manager for CC BULL LLC & COLLOM PROPERTIES LLC

Applicant/Agent: John Sipera & Kyle Bass

Parcel Number: 18-32-16-68634-009-0280 & 18-32-16-68634-009-0290

Address: 2004 Pass A Grille Way & 0 Pass A Grille Way, St. Pete Beach, FL 33706

Zone: ROR/PAG

Submittal Documents:

1. Completed Unnecessary & Undue Hardship Variance package with application form, including Exhibit A (narrative), Exhibits B through D (alleyway condition photos), and Exhibit E (aerial showing alternate routes).
2. Alley Boundary Survey showing the 15-foot portion of alleyway for which the abutting property owners seek a vacation, signed by John O. Brendla, PSM, on February 20, 2026, consisting of one sheet.

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

City/Board Professionals:

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

Board Members:

- | | |
|---------------------------------------|--|
| <input type="checkbox"/> Denise Chase | <input type="checkbox"/> Kathy Garchow |
| <input type="checkbox"/> Chris Core | <input type="checkbox"/> Dan Small |
| <input type="checkbox"/> Jim Schmidt | |

Cc: Charles Collom, Manager for Owners (jrcmoo@aol.com)
Jon Sipera, Agent (jsipera@ranmardevelopment.com)
Kyle Bass, Agent (kyle.bass@webercrabb.com)



NORTH BASIS:
ASSUMED
SCALE: 1" = 20'

21st AVE.

CLARK ST (PER PLAT)

SECTION 18, TOWNSHIP 32S, RANGE 16E

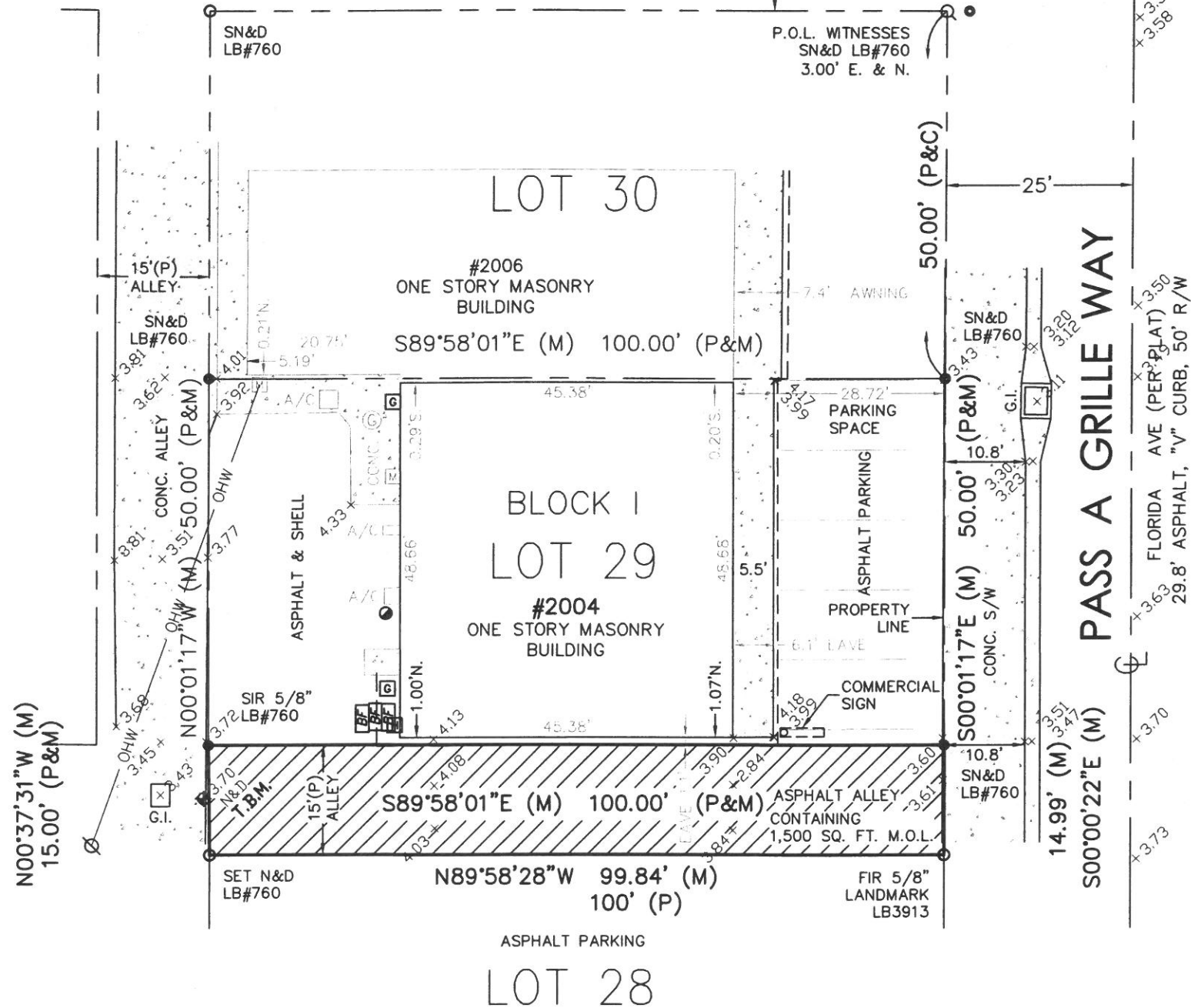
LEGEND:

- FND = FOUND
- N&D = NAIL & DISK
- FIR = FOUND IRON ROD
- SIR = SET IRON ROD
- OHW = OVERHEAD WIRE
- (C) = CALCULATED
- (D) = DEED
- (M) = FIELD MEASUREMENT
- (P) = PLAT
- CONC = CONCRETE
- R/W = RIGHT OF WAY
- P.O.L. = POINT ON LINE
- SN&D = SET NAIL AND DISK
- S/W = SIDEWALK
- T.B.M. = TEMPORARY BENCHMARK
- C/C = COVERED CONCRETE
- G.I. = GRATE INLET
- WF = WOOD FENCE
- WM = WATER METER
- BF = BACK FLOW PREVENTER AND WATER METER
- ☐ = CLEANOUT
- ⊕ = POWER METER
- ⊕ = GAS METER
- ⊕ = WATER HEATER
- ⊕ = FIRE HYDRANT
- ⊕ = TRAFFIC SIGN
- ⊕ = POWER POLE
- ⊙ = GREASE MANHOLE
- +0.00 = SPOT ELEVATION

CERTIFIED TO:

CC BULL LLC (LOT 29)

Flood Zone
AE (EL. 9')
COMMUNITY PANEL #125149 12103C0278 H,
EFFECTIVE 8/24/21
Basis of Bearings:
WEST BOUNDARY OF WATER LOTS
ASSUMED NORTH
Benchmark:
COUNTY #288 Y 135 P.C.
EL. = 4.053' N.G.V.D., ADJUSTED TO
EL. = 3.32' N.A.V.D. M.S.L. = 0.00'



LEGAL DESCRIPTION

A 15 FOOT ALLEY ADJACENT TO AND BETWEEN LOTS 28 AND 29, BLOCK "1", REVISED MAP OF PHILLIPS DIVISION OF PASS-A-GRILLE CITY, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 3, PAGE 38, BEING THE SAME PROPERTY SHOWN ON THE MAP OF PHILLIPS DIVISION OF PASS-A-GRILLE CITY, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 4, PAGE 26, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

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

John O. Brendla
JOHN O. BRENDLA
Florida Surveyor's Registration No. 4601
Certificate of Authorization No. 760
STATE OF FLORIDA
Professional Surveyor and Mapper
BOUNDARY SURVEY - 10/5/2022
ALLEY BOUNDARY SURVEY - 12/9/2025

This Survey was prepared without the benefit of a title search and is subject to all easements, Rights-of-way, and other matters of record. Survey not valid without the signature and original raised seal of a Florida licensed Surveyor and Mapper.

NOTE: This survey is made for the exclusive use of the current owners of the property and also those who purchase, mortgage or guarantee the title thereto within one (1) year from date hereof.

F.B.: 976 PG: 64, 65, 69

2209-21.CRD

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

Job Number
2209-20

DRW: JM

CASE #: _____

PARCEL #: _____

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

UNNECESSARY AND UNDUE HARDSHIP VARIANCE APPLICATION

The following Items are to be submitted, along with this application, 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 CC Bull, LLC Collom Properties, LLC	Charles Collom Charles Collom	2381 E Vina Del Mar Blvd., St. Pete Bch, FL 33706 2381 E Vina Del Mar Blvd., St. Pete Bch, FL 33706	(727) 418-1314 (727) 418-1314
Applicant/ Agent	Jon Sipera Kyle Bass	12645 Race Track Road, Tampa, FL 33626 5453 Central Ave, St. Pete, FL 33710	(813) 695-2886 (727) 828-9919
Owner Email Address: Jrcmoo@aol.com		Applicant/Agent Email Address: Jsipera@RanmarDevelopment.com Kyle.bass@webercrabb.com	

PROPERTY FOR PROPOSED VARIANCE:

Zoning Designation ROW	Future Land Use Designation If variance is granted the ROW would convert to ROR/PAG	Lot Area Approx. 1,498 SF
Legal Description: Alleyway between Lots 28 and 29 of Phillips Division Rev Map Block I.		
Address:		
Explanation of Request: <u>Request for hardship variance as it relates to the general restriction of vacating alleyways pursuant to Sec. 20.19.</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 attached Exhibit "A"

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

See attached Exhibit "A"

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

See attached Exhibit "A"

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

See attached Exhibit "A"

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

See attached Exhibit "A"

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

See attached Exhibit "A"

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

See attached Exhibit "A"

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

See attached Exhibit "A"

 02/23/2026
Signature of Applicant Date

 02/23/2026
Signature of Authorized Agent Date

VARIANCE APPLICATION

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

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

CC 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.

CC 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.

CC 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.

CC 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.

CC 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.

CC 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

02/23/2026
Date

Owner's Authorization for Agent
Community Development Department
City of St. Pete Beach, Florida

I/WE CC Bull, LLC
(print name of property owner)

hereby authorize Jon Sipera and Kyle Bass
(print name of agent)

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


Signature of Owner

Signature of Owner

Charles Collom, Member
Print Name of Owner

Print Name of Owner

The forgoing instrument was acknowledged before me this 23rd day of
February 20 26 by Charles Collom or who is
personally known as Charles Collom produced _____ as
identification.


(Notary Signature)

02/23/2026
(Date)

My Commission Expires 02/03/2030



CHARLES ASHCRAFT
Notary Public
State of Florida
Comm# HH729343
Expires 2/3/2030

Owner's Authorization for Agent

Community Development Department

City of St. Pete Beach, Florida

I/WE Collom Properties, LLC
(print name of property owner)

hereby authorize Jon Sipera and Kyle Bass
(print name of agent)

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

Charles Collom
Signature of Owner

Signature of Owner

Charles Collom, Member
Print Name of Owner

Print Name of Owner

The forgoing instrument was acknowledged before me this 23rd day of
February 20 26 by Charles Collom or who is
personally known as Charles Collom produced _____ as
identification.

Charles Ashcraft
(Notary Signature)

02/23/2026
(Date)

My Commission Expires 02/03/2030



CHARLES ASHCRAFT
Notary Public
State of Florida
Comm# HH729343
Expires 2/3/2030

DEAR APPLICANT:

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

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

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



PUBLIC HEARING SIGN POSTING AFFIDAVIT

Applicant, CC Bull, LLC, agrees to permit city staff 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): Jon Sipera

Address: 2381 E. Vina Del Mar Blvd., St. Pete Beach, FL 33706

[Handwritten Signature]
Signature

02/23/2026
Date

STATE OF FLORIDA)
) SS:
PINELLAS COUNTY)

The foregoing instrument was acknowledged before me this 23rd day of February, 2026 by: Jon Sipera, Agent for CC Bull, LLC who appeared before me, and is personally known to me, or has produced as identification, and did take an oath.

My commission Expires: 02/03/2030

NOTARY: Charles Ashcraft

Print Name: Charles Ashcraft Notary

Public, State of Florida

(Notarial Seal)



CHARLES ASHCRAFT
Notary Public
State of Florida
Comm# HH729343
Expires 2/3/2030



PUBLIC HEARING SIGN POSTING AFFIDAVIT

Applicant, Collom Properties, LLC, agrees to permit city staff 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): Jon Sipera

Address: 2381 E. Vina Del Mar Blvd., St. Pete Beach, FL 33706

[Signature] _____ 02/23/2026
Signature Date

STATE OF FLORIDA)
) SS:
PINELLAS COUNTY)

The foregoing instrument was acknowledged before me this 23rd day of February, 2026 by: Jon Sipera, Agent for Collom Properties, LLC who appeared before me, and is personally known to me, or has produced _____ as identification, and did take an oath.

My commission Expires: 02/03/2030

NOTARY: [Signature]

Print Name: Charles Ashcraft Notary

Public, State of Florida

(Notarial Seal)


 **CHARLES ASHCRAFT**
Notary Public
State of Florida
Comm# HH729343
Expires 2/3/2030

EXHIBIT "A"

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

Response:

The subject property is burdened by a unique confluence of historical platting, structural positioning, and failing infrastructure that is not representative of neighboring parcels within the district. Specifically:

- a. **Substandard ROW Geometry:** The adjacent Right-of-Way is only 15 feet wide, significantly narrower than standard municipal alleys or secondary access routes. This creates a 'pinched' corridor that is physically insufficient for modern utility or transportation standards.
- b. **Physical Deterioration and Lack of Maintenance:** The street surface within this ROW has reached a state of advanced deterioration, characterized by [cracking/pitting/unpaved sections]. This condition indicates a lack of municipal utility and suggests that the ROW is no longer maintained as a viable public thoroughfare, unlike the primary streets serving adjacent properties. See Pictures attached to the Application as Exhibits B, C, and D.
- c. **Extreme Structural Proximity:** A permanent, pre-existing building is situated approximately one foot (1') from the property line abutting this ROW. This creates a one-foot 'dead zone' that is unique to this specific site.
- d. **Physical Impossibility of Maintenance:** Unlike neighboring structures that enjoy standard setbacks, the 1-foot clearance on this parcel—compounded by the poor condition of the abutting street—makes it physically impossible to perform essential building maintenance (such as structural inspections, painting, or pest mitigation) without encroaching into the public ROW.
- e. **Functional Redundancy:** While other buildings in the district may rely on their adjacent alleys for primary access, this property is served by three (3) superior, alternative routes. The combination of the narrow 15-foot width and the deteriorating street surface renders this ROW a "paper street" with no essential public purpose, making the physical restriction on this specific building both peculiar and unnecessary. See arial attached to the application as Exhibit E.
- f. **Remediation of Non-Conforming Setbacks:** The current configuration creates an irregular setback pattern along the block. By vacating the ROW and incorporating that land, the proposal brings the north and south sides of the abutting properties into alignment with current setback requirements. This

creates a uniform building line that conforms to modern standards, a benefit that cannot be achieved under the current, archaic platting.

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

Response:

The peculiar conditions governing this request are entirely a result of historical platting, the original siting of the permanent structure, and the natural lifecycle of the municipal infrastructure—all of which pre-date the current Land Development Regulations and the applicant's acquisition of the property.

- a. **Pre-Existing Conditions:** The building was constructed in its current location decades ago, at a time when the 1-foot setback was either permitted or established before modern setbacks were codified. The applicant has made no structural changes or additions that decreased the distance between the building and the ROW.
- b. **Fixed Platting:** The 15-foot width of the ROW—which is significantly substandard compared to modern 20-foot alley requirements—is a permanent geographic feature established by the original city plat. The applicant had no role in determining the width or location of this public corridor.
- c. **External Infrastructure Decay:** The deteriorating state of the street surface within the ROW is a result of long-term environmental factors and municipal maintenance cycles. The applicant has no legal authority to pave, repair, or maintain the public ROW, and therefore the current hazardous or "decayed" condition of the access way is an external circumstance imposed upon the property.
- d. **Inherited Constraint:** The 'maintenance impossibility' and safety hazards created by the 1-foot clearance are the result of these two historical, fixed elements meeting at this specific point. The applicant is seeking relief from a physical configuration and a deteriorating public environment that were inherited, not created.
- e. **Reconciliation of Historical Inconsistencies:** The misalignment of the north and south abutting property lines with respect to the ROW is a legacy of antiquated surveying and platting. By seeking to vacate the ROW, the applicant is attempting to resolve an inconsistency that has existed for decades. This action brings the property into the current setback framework—a corrective measure that addresses a historical anomaly rather than a condition created by the applicant's recent actions or developments.

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

Response:

A strict, literal application of the standard setback and Right-of-Way (ROW) regulations to this specific parcel would result in a practical "denial of maintenance," a hardship not shared by neighboring properties. The intersection of the current code and the site's unique physical state creates the following inequities:

- a. **Deprivation of Basic Property Maintenance:** Standard code interpretations assume a property owner has sufficient space to maintain their own exterior. Because of the 1-foot proximity to the property line, a literal interpretation effectively forbids the applicant from performing routine upkeep (painting, sealing, structural repair) without technically violating ROW access rules. This places the applicant at a disadvantage compared to owners of modern-conforming lots who can maintain their structures entirely from within their own property lines.
- b. **Safety Hazards Compounded by Deterioration:** Forcing a literal adherence to the 15-foot ROW boundary—while the street surface itself is in a state of advanced deterioration—creates an undue safety risk. The crumbling infrastructure of the alleyway, combined with the lack of a functional "buffer zone," means that any attempt to access the side of the building for repairs is inherently more dangerous than on a well-maintained, standard-width street.
- c. **Inequity of Access Utility:** Most properties in this district benefit from their adjacent alleys as functional conduits for utilities or transport. In this case, the narrow 15-foot width and the decayed state of the pavement render the ROW functionally obsolete. A literal interpretation would force the applicant to honor a "protection zone" for a public thoroughfare that no longer provides a public benefit, while simultaneously preventing the applicant from protecting their own physical investment.
- d. **Obstruction of Regulatory Alignment:** Literal enforcement of the current boundaries prevents the normalization of the block's geometry. While other properties in the district benefit from aligned and predictable setbacks, a strict interpretation here forces the retention of a jagged and outdated ROW line. By granting the variance and vacating the ROW, the property can finally be brought into the current setback alignment shared by the north and south abutting properties. Denying this relief leaves the applicant stuck in a historical "dead zone" that the Land Development Code was intended to phase out, not preserve.

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

Response:

The relief sought is strictly remedial in nature and does not facilitate any expansion of use, density, or development intensity beyond what is currently permitted.

- a. **No Increase in Density:** This request does not seek to add additional square footage. The footprint of the existing structure remains unchanged; the goal is simply to resolve a physical conflict between the existing building and a substandard, deteriorating Right-of-Way.
- b. **Consistency with the Comprehensive Plan:** The St. Pete Beach Comprehensive Plan prioritizes public safety, neighborhood character, and the elimination of blight. By addressing a "maintenance-locked" area and a redundant, unmaintained ROW, this request aligns with the City's goals of ensuring structural integrity and improving neighborhood security.
- c. **External Nature of the Deterioration:** The advanced decay of the street surface is a condition the applicant has "suffered" as a passive neighbor, not one created to manufacture a hardship. This deterioration is the result of long-term municipal utility cycles and environmental wear, which the applicant has no legal standing to repair.
- d. **Good Faith Intent:** The applicant did not create this situation to "skirt" zoning rules. The building's location and the ROW's width are fixed historical facts established long before the applicant's ownership. The intent is not to establish a use that is inconsistent with the Land Development Code, but rather to bring the property into a state where it can be safely maintained and secured in accordance with the Code's underlying health and safety objectives.

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

Response:

The applicant's request is entirely unrelated to financial gain or the pursuit of a higher property valuation. The hardship cited is a physical and functional impediment, not an economic one.

- a. **Necessity, Not Profit:** This petition is driven by the physical impossibility of maintaining a permanent structure situated only 12 inches from a substandard public Right-of-Way. The relief requested provides no additional square footage,

no increase in rental potential, and no change in land use that would generate a greater financial return.

- b. **Mitigation of Maintenance Costs and Liability:** The decaying condition of the street surface within the ROW actually creates an economic *burden* on the property in the form of potential liability and increased maintenance costs (due to the difficulty of accessing the structure over uneven, crumbling ground). The applicant is seeking to resolve these safety hazards and the "maintenance-locked" condition, not to extract additional value from the land.
- c. **Resolution of a Public Liability:** While the vacation of the ROW would return the land to the tax rolls and relieve the City of the ongoing financial burden of a deteriorating asset that requires eventual repair, these are secondary public benefits. They do not constitute a financial "windfall" for the applicant, who is simply seeking the basic right to protect their existing investment from further decay.
- d. **Standard Enjoyment:** The applicant seeks only the same basic ability to maintain, repair, and secure their property that is enjoyed by every other owner in the district who possesses standard setbacks and well-maintained public access. The goal is the preservation of the existing structure against the elements, not the maximization of its commercial or financial potential.
- e. **Conformance through Alignment:** The request is inherently consistent with the Land Development Code because it seeks to rectify a geometric anomaly. By vacating the ROW, the south and north sides of the abutting properties will be brought into alignment with current setback standards. Far from being a "deliberate creation" of a non-conformity, this action uses the variance process to eliminate a historical misalignment, resulting in a property boundary that finally mirrors the standardized setbacks intended by the modern Code.

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

Response:

Approval of this request does not constitute the granting of a special privilege; rather, it restores to the applicant the same rights and functional use of property enjoyed by the vast majority of owners in this district.

- a. **Parity in Maintenance:** Most parcels in this zoning district are configured with standard setbacks that allow for routine building upkeep, ladder placement, and emergency access on all sides of a structure. Because of the peculiar 1-foot proximity to the substandard ROW, the applicant is currently denied this basic right. Granting the variance simply places the applicant on equal footing with their neighbors.

- b. **Consistency of Access:** Other property owners in the area utilize a well-defined grid of improved alleys and streets. By transitioning the maintenance of this redundant, substandard, and decaying 15-foot segment to the property owner while maintaining necessary utility easements, the City ensures this site is no longer at a disadvantage compared to properties served by fully functional municipal corridors.
- c. **Uniformity of Code Enforcement:** The Land Development Code intends for all buildings to be maintained in a safe and aesthetic condition. The current physical constraint, exacerbated by the decaying street surface, makes such compliance nearly impossible. By granting this request, the City enables the applicant to comply with those very codes—an opportunity already available to every other owner in the district whose building placement is not constrained by a deteriorating, substandard ROW.
- d. **Restoration of Dimensional Uniformity:** Granting this variance allows for the vacation of a redundant ROW that currently disrupts the logical flow of the block. This action brings the north and south sides of the abutting properties into the current setback alignment, ensuring the subject property mirrors the dimensional characteristics of neighboring lots. Rather than granting a special privilege, this approval corrects a geographic inconsistency, providing the applicant with a property configuration that is finally consistent and uniform with the surrounding properties in the district.

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

Response:

The relief requested represents the absolute minimum deviation necessary to allow for the safe, reasonable use and essential maintenance of the property, given the unique physical constraints of the site.

- a. **Necessity of Relief:** The request is narrowly tailored to address only the specific "pinched" area where the permanent structure sits 1 foot from the 15-foot substandard ROW. No additional land or setback reductions are being sought beyond what is required to remedy this specific physical impossibility.
- b. **Reasonable Use vs. Infrastructure Decay:** The "reasonable use" in question is the basic ability to maintain, repair, and protect a permanent building. Because the abutting street surface is in a state of advanced deterioration, accessing the exterior of the building for maintenance is currently hazardous. Granting this minimum relief allows the applicant to stabilize the area and perform necessary repairs without further impacting a public ROW that is already functionally compromised.

- c. **No Alternative Solution:** Because the building is a permanent structure and the ROW is a fixed legal boundary, there is no lesser administrative action that would resolve the conflict. Shifting the maintenance responsibility of this specific, decaying 15-foot segment to the property owner is the most efficient and minimal way to solve the "maintenance-locked" condition.
 - d. **Minimal Impact:** This request does not seek to relocate the building or expand its footprint. It merely seeks to reconcile the property line with the existing physical reality of the site. By maintaining all necessary utility easements, the public interest is preserved while the applicant is granted the bare minimum clearance required for ladders, scaffolding, and essential maintenance equipment.
 - e. **Least Intrusive Path to Compliance:** The request represents the minimum variance because it utilizes the existing physical boundaries to create a logical solution. By incorporating the vacated ROW, the property lines are simply adjusted to bring the north and south abutting sides into alignment with current setback standards. This is the most conservative approach possible, as it achieves regulatory conformity and solves the maintenance hardship without requiring any structural changes or creating new encroachments
8. **The requested variance is in harmony with the general intent and purpose of the Comprehensive Plan and the Land Development Code, is not injurious to the neighborhood or otherwise detrimental to the public safety and welfare, is compatible with the neighborhood, and will not substantially diminish or impair property values within the neighborhood.**

Response:

The requested relief is in complete harmony with the City's Comprehensive Plan and will serve to enhance, rather than detract from, the surrounding neighborhood and public welfare.

- a. **Public Safety and Welfare:** The current 1-foot "pinch point" between the structure and the substandard, 15-foot ROW creates a pocket for debris accumulation and a potential security "blind spot." Furthermore, the advanced deterioration of the street surface within this narrow corridor poses a tripping hazard and a drainage concern. By resolving this layout, the applicant can properly secure the perimeter, improve lighting, and stabilize a known maintenance hazard.
- b. **Neighborhood Compatibility:** The request does not alter the character of the neighborhood. The building footprint remains unchanged. Because the ROW is functionally redundant—supported by three superior alternative routes—and is currently in a state of infrastructure decay, its vacation or the granting of a

variance will have zero impact on the neighborhood's traffic circulation or connectivity.

- c. **Protection of Property Values:** This request will protect and likely enhance area property values by allowing for the proper upkeep and preservation of a permanent structure. A building that cannot be maintained (due to the current 1-foot clearance and crumbling access) eventually becomes a source of blight. This variance ensures the structure remains a well-maintained asset to the streetscape rather than a deteriorating eyesore.
- d. **Preservation of Public Interest:** To ensure no detriment to the public, the applicant has proposed a Perpetual Public Utility & Access Easement, at least while the utilizes are utilizing such easement. This ensures that while the burden of maintenance and liability for the decaying pavement shifts to the private owner, the City and utility providers retain all necessary rights to infrastructure. This arrangement provides a direct fiscal benefit to the City by returning land to the tax rolls and removing the municipal cost of eventually repairing a substandard, low-utility segment of the ROW.
- e. **Promotion of Orderly Development:** The variance is fundamentally in harmony with the Land Development Code's goal of creating a consistent and predictable urban environment. By vacating the ROW, the property lines on the north and south sides are brought into direct alignment with current setback standards. This eliminates a historical "jag" in the platting, resulting in a uniform building line that mirrors the surrounding neighborhood and fulfills the City's long-term planning objectives for the district.

EXHIBIT "B"
ALLEYWAY - LOOKING EAST



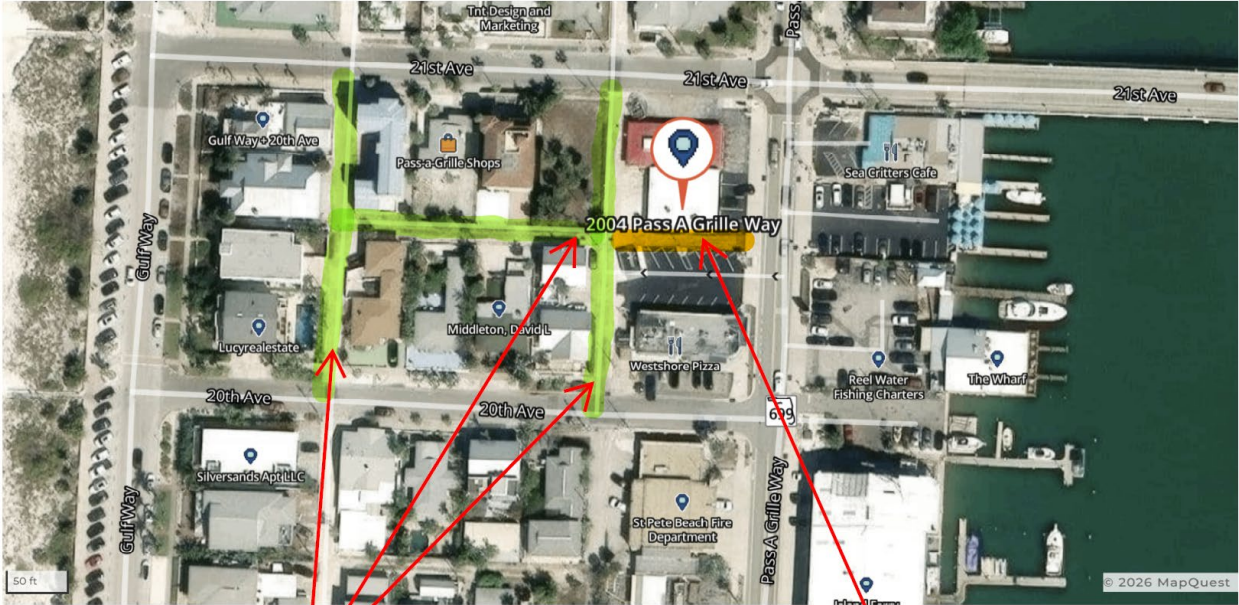
EXHIBIT "C"
ALLEYWAY - LOOKING WEST



EXHIBIT "D"
CLOSE UP SHOTS OF ALLEYWAY SHOWING DETERIORATION

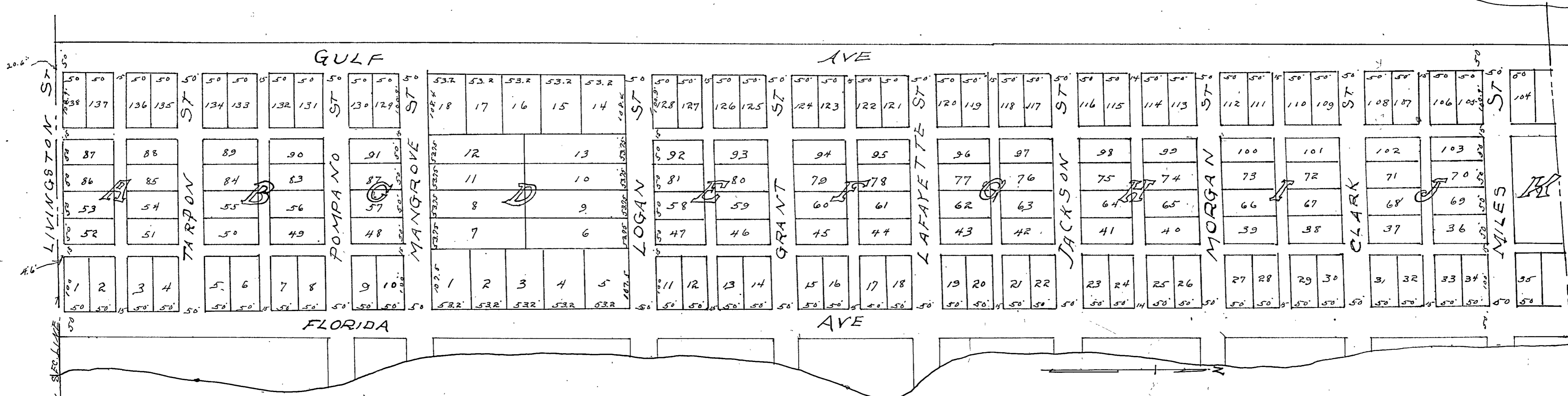


EXHIBIT "E"
AERIAL OF PROPOSED ALLEY AND
SUPERIOR ALTERATE ROUTES



SUPERIOR ALTERNATIVE ROUTES
HIGHLIGHTED IN GREEN

PROPOSED VACATION OF ALLEYWAY
HIGHLIGHTED IN YELLOW



KNOW ALL MEN BY THESE PRESENTS that whereas, on or about the 23rd day of May 1895, there was spread upon the records in the office of the Clerk of the Circuit Court of Hillsborough County, Florida, a purported map or plat of Government Lot Four (4) Section eighteen (18) Township thirty-two (32) South of Range sixteen (16) East, then in Hillsborough, now in Pinellas County, Florida, purporting in part to plat and subdivide the said Government Lot 4, into lots, blocks, streets, avenues and alleys, but which purported plat was without any specifications as to dimensions, or size of lots or blocks, or lengths or widths of the streets, avenues, and alleys, and without any dedication to the public use of any of the streets, avenues, or alleys, purporting to be delineated and designated by name upon the said purported plat:

AND WHEREAS, the undersigned, Edward V. Pechin, has acquired by sundry mesne conveyances from the State of Florida, the fee simple title to all unnumbered parcels of land, which includes streets, avenues, and alleys between Jackson Street and Livingston Street and all unnumbered blocks and riparian rights on the East side, beginning opposite the middle of Block G running southerly to Livingston Street; also all unnumbered water lots lying in front of or opposite Lot 21 Block G, Lots 23, 24, 25 and 26 in Block H, Lots 27, 28 and 30 in Block I, Lots 31, 32, 33 and 34 in Block J, Lot 35 in Block K, and also so much of water lot lying in front of Block G, as lies between the middle line of the alley between Lots 20 and 21 and the south line of Lot 21, both extended to the Bayou East of Pass-a-Grille Island, or Long Key; and all those parts or parcels of land, together with all the riparian rights on the Gulf coast west of Gulf Avenue, between the north and south boundary lines of Government Lot Four (4), all according to the said purported plat of the said Government Lot Four (4) Section Eighteen (18) Township Thirty-two (32) South, Range sixteen (16) East:

AND WHEREAS, an actual survey of the said Government Lot Four (4) Section Eighteen (18) Township thirty-two (32) South, of Range sixteen (16) East; has disclosed that the dimensions, measurements, widths and lengths of lots and blocks, streets, avenues, and alleys, as indicated and delineated by the above revised map or plat, harmonizes with,

and conforms to the delineation of the said map or plat of Phillips Division of Pass-A-Grille City, filed and recorded in Plat Book One (1) of page (88), in the office of the Clerk of the Circuit Court of Hillsborough County, Florida, on or about the 23rd day of May, 1895, as far as the delineations of the said plat are indicative, and that a record of this revised plat or map, will in no way tend to confuse or change the boundary lines of any of the lots, blocks, streets, avenues, or alleys purported to be indicated or delineated by the said former map or plat;

NOW, THEREFORE, I, the undersigned, Edward V. Pechin, do hereby make and execute for filing in the office of the Clerk of the Circuit Court of Pinellas County, Florida, the above map or plat of subdivision of Government Lot Four (4) of Section Eighteen (18) Township Thirty-two (32) South, of Range sixteen (16) East, of Pinellas County, Florida, to be known, described and designated as "THE REVISED MAP OF PHILLIPS DIVISION OF PASS-A-GRILLE CITY" and hereby, and by these presents dedicate to the use of the public forever, all of the streets, avenues, and alleys, as indicated, laid out, and delineated in and by the said above map or plat between Jackson Street and Livingston Street, but hereby expressly reserve to myself, my heirs and assigns all pieces and parcels of land and all riparian rights, contiguous, adjacent and fronting thereon, on the Gulf coast, being between the north and south boundary lines of Government Lot Four (4), and lying west of Gulf Avenue, and all unnumbered lots and blocks, pieces and parcels of land, and all riparian rights contiguous, adjacent to, and fronting thereon, on the East side of said Government Lot Four (4) from, and beginning opposite the middle of Block G, and running thence southerly to Livingston Street; also all unnumbered water lots lying in front of or opposite Lot 21 Block G, Lots 23, 24, 25 and 26 in Block H, Lots 27, 28 and 30 in Block I, Lots 31, 32, 33 and 34 in Block J, Lot 35 in Block K, and also so much of water lot lying in front of Block G as lies between the middle line of the alley between Lots 20 and 21 and the south line of Lot 21.

THE REVISED MAP OF
 PHILLIPS DIVISION OF
 PASS-A-GRILLE CITY
 AN ALLOTMENT OF GOV. LOT 4, SEC. 18, T. 32 S., R. 16 E.

Filed December 9th 1913.
 C. W. Hesterling
 Clerk Circuit Court.

both extended to the Bayou East of Pass-A-Grille or Long Key, all according to the above "THE REVISED MAP OF PHILLIPS DIVISION OF PASS-A-GRILLE CITY."

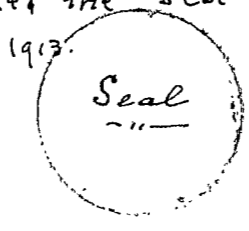
IN WITNESS WHEREOF I have hereunto set my hand and seal this the 28th day of November, A.D. 1913.

Edward V. Pechin (SEAL)

STATE OF Pennsylvania
 COUNTY OF Philadelphia
 CITY OF Philadelphia
 Before me, Theodorica Gray a Notary Public in and for City, County and State aforesaid.

personally appeared Edward V. Pechin, to me well known, and who acknowledged before me that he executed the foregoing instrument of dedication of "THE REVISED MAP OF PHILLIPS DIVISION OF PASS-A-GRILLE CITY" and that he executed the same freely and voluntarily for all the uses and purposes therein expressed and set forth.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the seal of my office this the 28th day of November, 1913.



Theodorica Gray
 NOTARY
 Commission

**TECHNICAL REVIEW COMMITTEE MEETING
CITY OF ST. PETE BEACH
COMMISSION CHAMBERS**

Agenda Report

Agenda Title Name: Hardship Variance No. 26049: 6405 Gulf Blvd

Action Request:

Strategic Objective:

Date: April 1, 2026

Prepared By: Brandon Berry, Senior Planner

Through: Brandon Berry, Senior Planner

Summary of Issue: Matt Sylverain for McNatt Properties requests an unnecessary and undue hardship variance to permit the change in use of a former drycleaners to a coffee shop and retain an existing five-foot sidewalk along the Gulf Boulevard frontage of the property where ten feet is required (Land Development Code Sec. 39.10.(a)).

Funding:

Attachments:

1. Application
2. Survey
3. Site Development Plan
4. ISR Worksheet
5. Owner's Authorization

CASE #: _____

PARCEL #: 36-31-15-34776-005-0090

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

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	McNatt Properties	6210 N. Florida Ave., Tampa, FL 33604	(813) 451-2884
Applicant/ Agent	Matt Sylverain	13825 Icot Blvd., Clearwater, FL 33760	(727) 524-1818
Owner Email Address: hmcnatt2.work71@verizon.net		Applicant/Agent Email Address: msylverain@gulfcoastconsultinginc.com	

PROPERTY FOR PROPOSED VARIANCE:

Zoning Designation CC-2 - Commercial Corridor Gulf Blvd.	Future Land Use Designation RM - Residential Medium	Lot Area 9,975 SF
Legal Description: Gulfwinds Sub Blk 5, Lot 9		
Address: 6405 Gulf Blvd., St. Pete Beach, FL 33604-6626		
Explanation of Request: <u>Request to waive Land Development Code Sec. 39.10(a), which requires a 10-ft wide sidewalk, and maintain existing 5-ft wide sidewalk.</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;

Please see attached responses to provisions 1-8.

2. The special conditions and circumstances do not result from the actions of the applicant or a prior owner of the property;
3. Literal interpretation of the provisions of the Land Development Code deprives the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Land Development Code and results in unnecessary and undue hardship on the applicant;
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;

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

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;

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

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.

Signature of Applicant	Date	Signature of Authorized Agent	Date
			3/17/26



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.

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

MS 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.

MS 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.

MS 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.

MS 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.

MS 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.

MS 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

3/13/26

Date

Unnecessary and Undue Hardship Variance Application

Provisions 1-8 Responses
Responses in “**BOLD**”

1. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved, and which are not applicable to other lands, structures, or buildings in the same zoning district;
The subject property contains an existing commercial structure developed under prior regulations with a 5-foot-wide sidewalk located within the public right-of-way. The proposed project consists of an interior renovation to convert an existing dry-cleaning establishment into a coffee shop. No expansion of the building footprint, parking areas, or other site redevelopment is proposed.

Additionally, the existing building location, finished floor elevation, planters, site layout, and right-of-way conditions were established prior to the current code requirements. The building elevation is several feet above the roadway; expanding the sidewalk would cause issues for the building access along Gulf Blvd., as well have an adverse impact on the existing landscape areas. Because the project does not include exterior redevelopment and does not intensify the physical site layout, these existing conditions create circumstances that are peculiar to the property and not generally applicable to other sites undergoing new construction or substantial redevelopment within the 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 reasons for this variance are not the result of actions by the applicant or any prior owner. The site was constructed in 1975 under prior development standards. The applicant is proposing only an interior renovation to convert the existing dry-cleaning business to a coffee shop and is not proposing expansion of the building footprint or significant modification of the site layout. The existing sidewalk and right-of-way configuration are an existing non-conformity, not caused by the applicant.

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

A literal interpretation of the Land Development Code requiring expansion of the sidewalk to 10 feet would result in a condition that is inconsistent with the surrounding development pattern. Sidewalks along this corridor are generally 5 feet in width and are typically located entirely within the public right-of-way adjacent to the property line.

Expanding the sidewalk to 10 feet would result in approximately 8 feet being located within the right-of-way and approximately 2 feet extending onto private property. This configuration is atypical for the area and would require removal of existing green space and planters intended to enhance the pedestrian streetscape. Requiring reconstruction of the sidewalk under these conditions would impose a hardship that is not experienced by surrounding properties that maintain existing sidewalk widths within the right-of-way.

Widening the sidewalk would entail work within the FDOT right-of-way, disrupting the flow of pedestrian and vehicular traffic and cause a major disruption. Additionally, work within right-of-way may cause more significant involvement from FDOT. They may require the site to be brought up to code with respect to drainage. The site currently has no stormwater system, with runoff sheet flowing to the right-of-way. If attenuation and treatment are required, this would be substantial change to the site. The project mainly consists of renovating the building, with no site work. If a pond or underground storage system is needed, that could potentially make this project cost prohibitive.

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 this request has not been deliberately or knowingly created by the applicant. The project involves the reuse of an existing commercial building with no expansion of the building footprint and no increase in development density. The proposed change of use from a dry cleaner to a coffee shop is consistent with the zoning district and the Comprehensive Plan. The variance request is solely related to the existing sidewalk condition and right-of-way configuration.

5. An applicant's desire or ability to achieve greater financial return or maximum financial return from his property does not constitute hardship;
The requested variance is not based on financial considerations, but rather on the physical constraints and configuration of the existing site. Expanding the sidewalk would require reconstruction that extends onto private property and removal of existing landscaped green space.

6. Granting the variance application conveys the same treatment to the applicant as to the owner of other lands, buildings, or structures in the same zoning district;
Granting the variance would provide treatment consistent with that of surrounding properties on Gulf Blvd. Adjacent properties along the corridor maintain sidewalks of similar width within the right-of-way. Allowing the subject property to maintain the existing 5-foot sidewalk would preserve continuity with the existing pedestrian environment and avoid creating an isolated section of widened sidewalk that differs from the surrounding development pattern.

7. The requested variance is the minimum variance that makes possible the reasonable use of the land, building, or structure; and
The requested variance represents the minimum relief necessary to allow reasonable use of the property. The applicant is not requesting any reduction in pedestrian access, but rather permission to maintain the existing 5-foot sidewalk condition rather than reconstructing the sidewalk to 10 feet. This avoids disruptive construction on a critical State Road (Gulf Blvd), encroachment onto private property, and the removal of existing landscaped green space while maintaining a functional pedestrian facility consistent with the surrounding area.

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

The requested variance is consistent with the general intent of the Comprehensive Plan and Land Development Code, which encourages reinvestment and adaptive reuse of existing commercial buildings. The project will improve the property through renovation of the existing structure and addition of planters and bollards that enhance the pedestrian environment.

Maintaining the existing sidewalk width will not adversely affect public safety or pedestrian access and will remain consistent with the sidewalk conditions present along the surrounding corridor. The project is compatible with the neighborhood and will not diminish or impair property values.

Additionally, the codes states that the sidewalk “will allow for safe, unobstructed and efficient pedestrian flow and potential for sidewalk cafes and outdoor eating areas”. The proposed outdoor café seating area, surrounding planters, and existing sidewalk will provide areas for safe and convenient pedestrian traffic, as well as an outdoor eating space, and thus adheres to the intention of the code.

JOB NO.: 251803
 DRAWN BY: MRB
 CHECKED BY: EDM
 DATE OF FIELD WORK: 12/19/2025

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

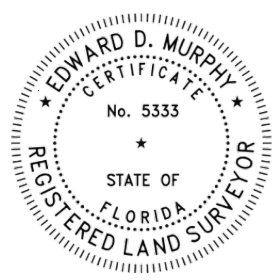
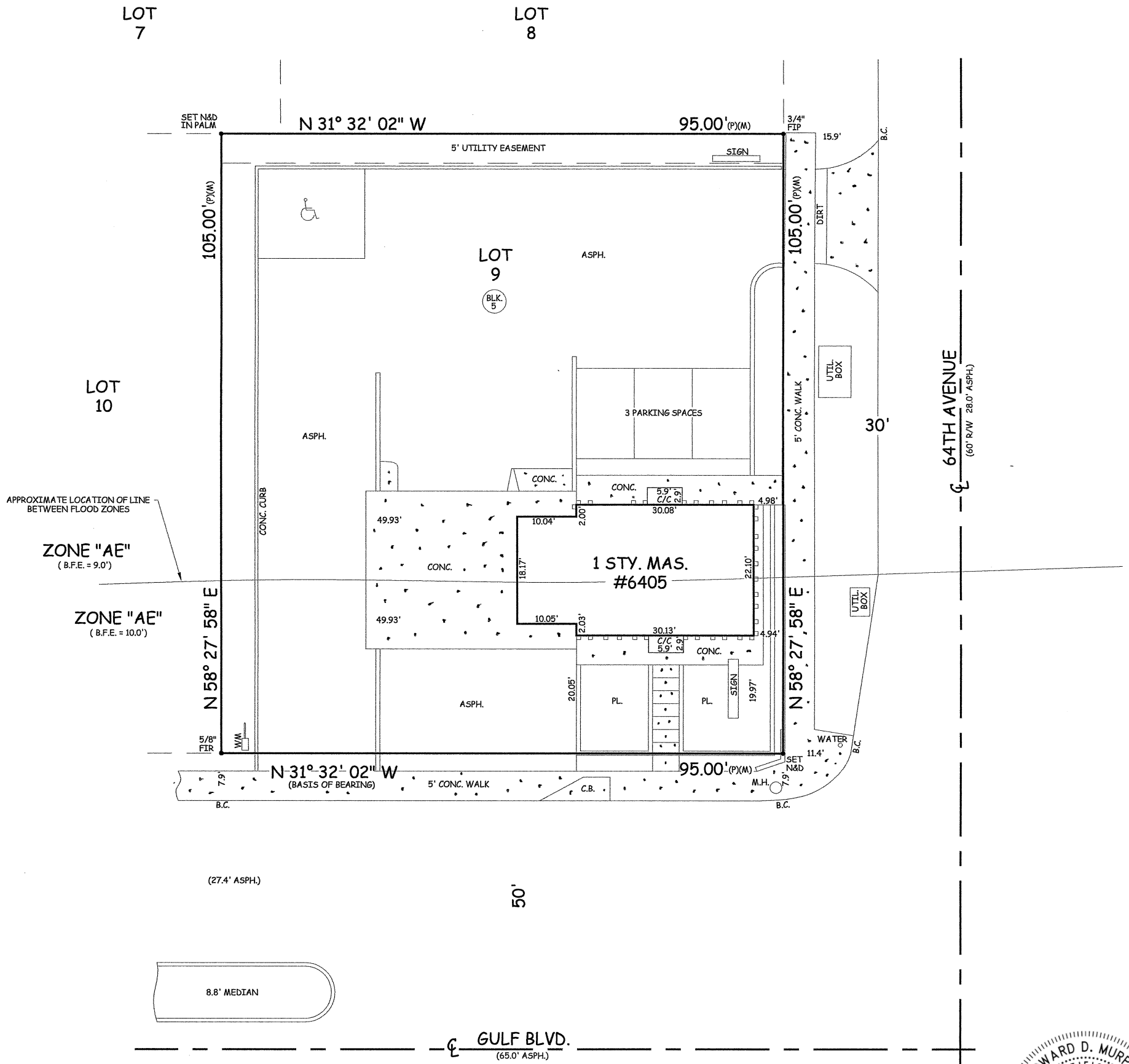
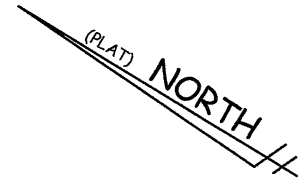
CERTIFIED TO: McNatt Properties

SCALE: 1" = 20'

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

SEC. 36 TWP. 31 S. RGE. 15 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 9, Block 5, GULF WINDS SUBDIVISION, as recorded in Plat Book 24, Pages 29-30 of the Public Records of Pinellas County, Florida.

According to the maps prepared by the U.S. Department of Homeland Security, this property appears to be located in
 Flood zone: AE Comm. Panel No. : 125149 0276 H Map Date : 8/24/2021 Base Flood Elev : 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
 EDWARD D. MURPHY REG. P.L.S. #5333

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

LEGAL DESCRIPTION

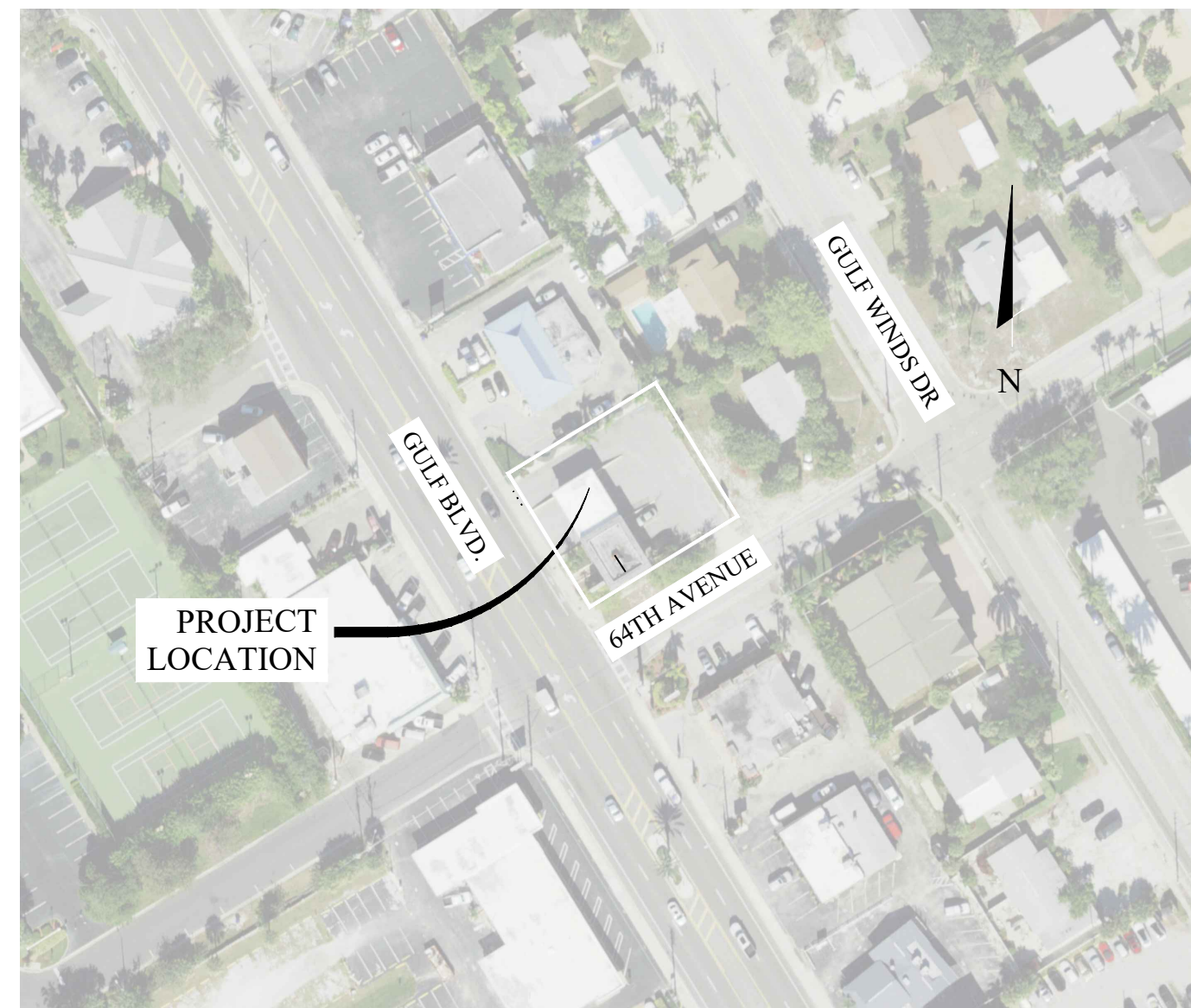
LEGAL DESCRIPTION: (AS SURVEYED)

A BOUNDARY SURVEY OF:

LOT 9, BLOCK 5, GULF WINDS SUBDIVISION, AS RECORDED IN PLAT BOOK 24, PAGES 29-30 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

SECTION 36, TOWNSHIP 31 S, RANGE 15 E
ST PETE BEACH, FLORIDA

LOCATION MAP



DRAWING INDEX

SHEET	TITLE
C1	COVER SHEET
C2	SITE DEVELOPMENT PLAN

SITE DATA TABLE

SITE ADDRESS:	6405 GULF BLVD, ST PETE BEACH, FL 33706		
PARCEL ID:	36-31-15-34776-005-0090		
EXISTING USE:	COMMERCIAL-STOREBUILDING		
PROPOSED USE:	COMMERCIAL-RESTAURANT/COFFEE SHOP		
FUTURE LAND USE MAP DESIGNATION:	COMMERCIAL GENERAL (CG)		
EXISTING ZONING:	COMMERCIAL CORRIDOR GULF BLVD (CC-2)		
TOTAL LAND AREA:	±9,975 SF (±0.23 AC)		
SITE DATA TOTALS	EXISTING	PROPOSED	MIN/MAX REQUIRED
BUILDING FOOTPRINT:	844.5 SF	844.5 SF	
PAVEMENT:	6,500.61 SF	5,446.43 SF	
IMPERVIOUS:	8,242.02 SF (82.63%)	7,880.66 SF (79.02%)	
OPEN SPACE:	1,732.98 SF (17.37%)	2,094.34 SF (20.98%)	
LOT AREA TOTAL:	±9,975 SF (±0.23 AC)	±9,975 SF (±0.23 AC)	
LOT WIDTH	±95 FT	±95 FT	
LOT DEPTH	±105 FT	±105 FT	
DENSITY / INTENSITY	N/A	N/A	
PARKING SPACES	4 SPACES (3 SPACES + 1 ADA SPACE)	4 SPACES (3 SPACES + 1 ADA SPACE)	1 PER 200 SF FLOOR AREA
BUILDING HEIGHT	14 FT - 18 FT	14 FT - 18 FT (EXISTING)	35 FT MAX.
BUILDING SETBACKS:			
FRONT (S)	19.97 FT	19.97 FT (EXISTING)	0 - 10 FT MIN
REAR (N)	62.9 FT	62.9 FT (EXISTING)	10 - 20 FT MIN
SIDE (W)	4.94 FT	4.94 FT (EXISTING)	0 - 10 FT MIN
SIDE (E)	49.93 FT	49.93 FT (EXISTING)	0 - 10 FT MIN
FLOOD ZONE:	SUBJECT PROPERTY APPEARS TO LIE IN FLOOD ZONE "AE" (EL 9) & ZONE AE (EL 10), ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAPS, COMMUNITY PANEL NUMBER 12103C0276H, DATED AUGUST 24, 2021.		

PROJECT DIRECTORY

OWNER: EZ LIVING LLC

560 CLEARWATER LARGO RD S,
LARGO, FL 33770

DEVELOPER: EZ LIVING LLC

560 CLEARWATER LARGO RD S,
LARGO, FL 33770

CIVIL ENGINEER: GULF COAST CONSULTING, INC

13825 ICOT BOULEVARD, SUITE 605
CLEARWATER, FL 33760
PHONE: 727-524-1818
ATTN: MATTHIAS D. SYLVERAIN, P.E. 91730

SURVEYOR: MURPHY'S LAND SURVEYING, INC.

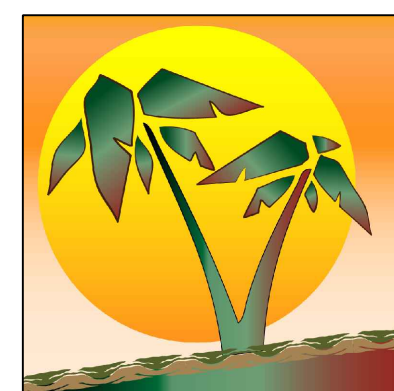
5760 11TH AVENUE NORTH
ST. PETERSBURG, FL 33710
PHONE: 727-347-8740



PREPARED FOR:

EZ LIVING

560 CLEARWATER LARGO RD S,
LARGO, FL 33770



Gulf Coast Consulting, Inc.

Land Development Consulting
ENGINEERING TRANSPORTATION PLANNING PERMITTING







13825 ICOT BLVD., SUITE 605
Clearwater, Florida 33760

Phone: (727) 524-1818 Fax: (727) 524-6090

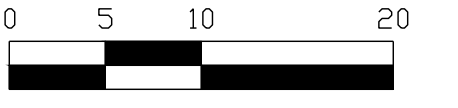
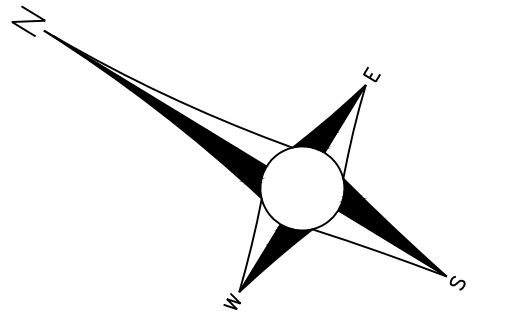
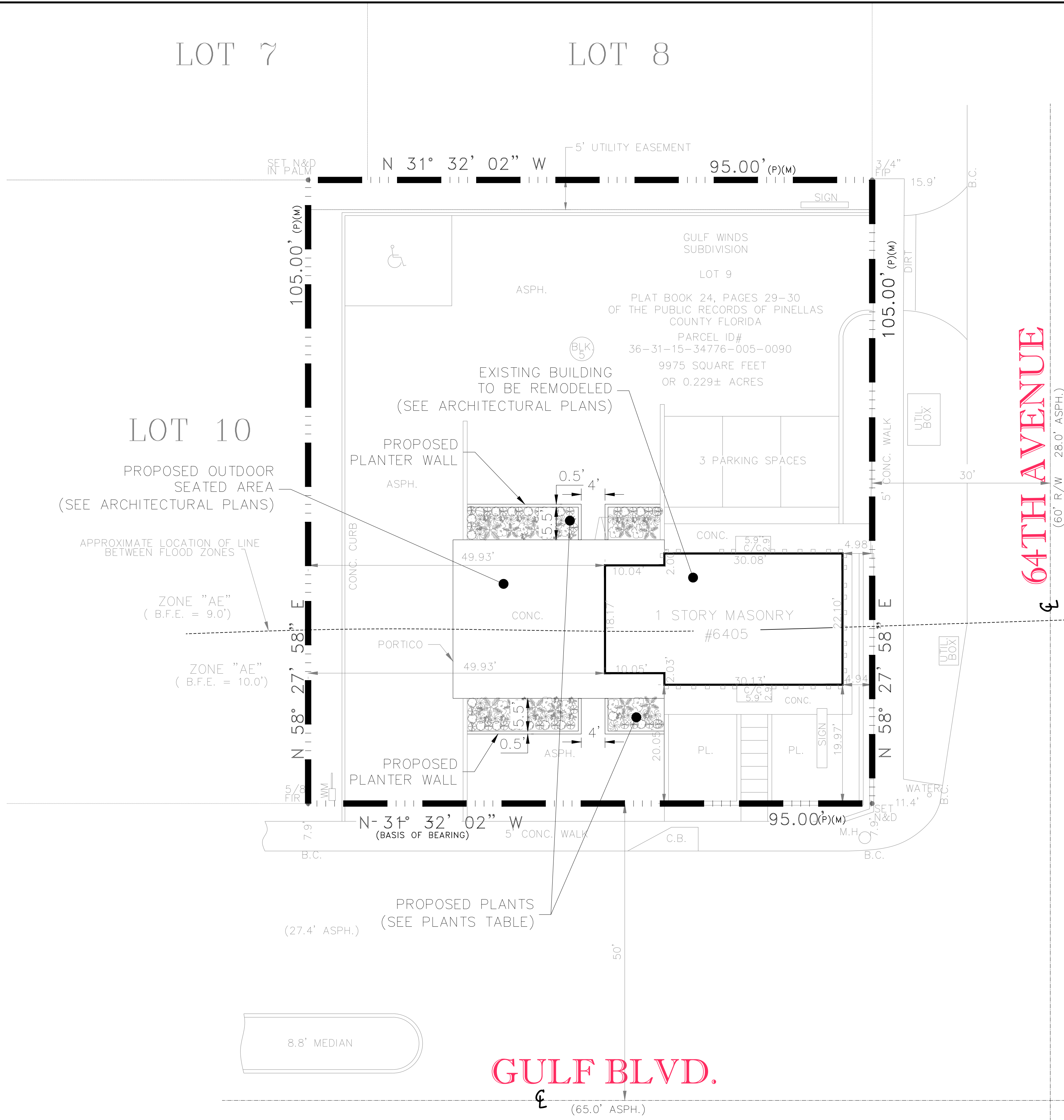
www.gulfcoastconsultinginc.com

MATTHIAS D. SYLVERAIN, STATE OF
FLORIDA, PROFESSIONAL ENGINEER,
LICENSE NO. 93330
THIS ITEM HAS BEEN DIGITALLY SIGNED
AND SEALED BY MATTHIAS D.
SYLVERAIN ON THE DATE INDICATED
HEREIN.
SIGNATURE MUST BE VERIFIED ON ANY
ELECTRONIC COPIES.

26-012
DATE: 03/11/2026
REVISED: 03/11/2026
KAHWA COFFEE

PLANTS TABLE			
SYMBOL	NAME	TYPICAL SPACING	QUANTITY
	Blue Daze (Evolvulus)	18"	45-50
	Society Garlic	18"-24"	24-28
	Beach Sunflower	18"	36-40
	Lantana enana	24"	20-24
	Dwarf Ixora	24"-30"	16-20
	Firebush enana	30"-36"	4-6

NOTE: THE PLANT LIST PROVIDED IS A SUGGESTED PALETTE. PLANT SPECIES AND QUANTITIES MAY BE MODIFIED BY THE PROJECT ARCHITECT OR LANDSCAPE ARCHITECT AS NEEDED TO MEET DESIGN INTENT, AVAILABILITY, OR SITE CONDITIONS



NOTE TO CONTRACTORS:
THE LOCATIONS OF ALL UTILITIES ARE APPROXIMATE AND HAVE NOT BEEN VERIFIED. BEFORE BEGINNING SITE WORK, THE CONTRACTOR IS REQUIRED TO FIELD VERIFY THE EXISTENCE, LOCATION & ELEVATION OF UNDERGROUND UTILITIES AND OTHER FEATURES, & CONTACT THE ENGINEER TO CONVEY ANY INFORMATION AND/OR DISCREPANCIES.

FLOOD ZONE NOTE:
ACCORDING TO CURRENT FLOOD INSURANCE MAPS ISSUED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, THE PROPERTY SHOWN APPEARS TO LIE WITHIN ZONE "AE" PANEL NO. 12103C0276H, DATED AUGUST 24, 2021. THE APPROXIMATE FLOOD ZONE TRANSITION, IF APPLICABLE, HAS BEEN OBTAINED AND PLOTTED FROM LARGE SCALE MAPS AND IS DEPICTED AS ACCURATELY AS POSSIBLE. THIS SURVEY BY NO MEANS REPRESENTS A DETERMINATION ON WHETHER PROPERTIES WILL OR WILL NOT FLOOD. LAND WITHIN THE BOUNDARIES OF THIS SURVEY MAY OR MAY NOT BE SUBJECT TO FLOODING; THE BUILDING DEPARTMENT OR OTHER CUSTODIAL AGENCY FOR FLOOD DETERMINATION WITHIN THIS MUNICIPALITY MAY HAVE ADDITIONAL INFORMATION REGARDING FLOODING AND RESTRICTIONS ON DEVELOPMENT.

DATUM NOTE:
ELEVATIONS SHOWN HEREON ARE BASED ON NATIONAL GEODETIC SURVEY BENCHMARK, "AG0066" HAVING A PUBLISHED ELEVATION OF 5.62 FEET NAVD88.

DESIGNED: MDS
 DRAWN: MR
 CHECKED: MDS
 BY: GC



Gulf Coast Consulting, Inc.
 Land Development Consulting
 ENGINEERING TRANSPORTATION PLANNING PERMITTING
 13825 ICOT BLVD., SUITE 605
 Clearwater, Florida 33760
 Phone: (727) 534-1818 Fax: (727) 524-6090
 WWW.GULFCOASTCONSULTINGINC.COM

PREPARED FOR:

EZ LIVING
 560 CLEARWATER LARGO RD S,
 LARGO, FL 33770

SHEET DESCRIPTION:

KAHWA COFFEE
 SITE DEVELOPMENT PLAN

NO.	DATE	REVISIONS	APP'D BY

MATTHIAS D. SYLVERAIN
 STATE OF FLORIDA
 PROFESSIONAL ENGINEER
 LICENSE NO. 91730

THIS ITEM HAS BEEN DIGITALLY SIGNED AND SEALED BY MATTHIAS D. SYLVERAIN ON THE DATE INDICATED HERE.

PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

THESE PLANS MAY NOT BE COPIED OR MODIFIED WITHOUT WRITTEN PERMISSION FROM GULF COAST CONSULTING, INC.

MATTHIAS D. SYLVERAIN, P.E. #91730
 NOT VALID UNLESS SIGNED & EMBOSSED BY A REGISTERED ENGINEER GULF COAST CONSULTING, INC. CERTIFICATE OF AUTHORIZATION No. 9774

DATE: 03/11/26

SHEET: C2



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

McNatt Properties
6210 N. Florida Av.
Tampa, FL 33604

Phone (813) 451-2884

Email hmcnatt2.work71@verizon.net

Contractor/Applicant Name & Address

Matt Sylverain
13825 Icot Blvd.
Clearwater, FL 33760

Phone (727) 524-1818

Email msylverain@gulfcoastconsultinginc.com

Property Address 6405 Gulf Blvd., St. Pete Beach, FL 33706

Total Lot Area (sq. ft.) 9,975

Required Calculations:

EXISTING IMPERVIOUS SURFACE:		
Building Footprint:	845	sq. ft.
Parking and Driveway:	5,953	sq. ft.
Pool and/or Patio areas:	769	sq. ft.
Walkways:	399	sq. ft.
Other:	276	sq. ft.
TOTAL EXISTING IMPERVIOUS SURFACE:	8,242	sq. ft.


PROPOSED IMPERVIOUS SURFACE:		
Building Footprint:	845	sq. ft.
Parking and Driveway:	5,647	sq. ft.
Pool and/or Patio areas:	769	sq. ft.
Walkways:	399	sq. ft.
Other:	276	sq. ft.
TOTAL PROPOSED IMPERVIOUS SURFACE:	7,936	sq. ft.

8,242 sq. ft.	÷	9,975 sq. ft.	=	0.826
Total Existing Impervious Surfaces		Lot Area		Existing Impervious Surface Ratio

7,936 sq. ft.	÷	9,975 sq. ft.	=	0.795
Total Proposed Impervious Surfaces		Lot Area		Proposed Impervious Surface Ratio

Certification:

I, Matt Sylverain 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: 3/17/26



Owner's Authorization For Agent Form

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

I/We H. McNATT
(Property Owner(s) printed name)

hereby authorize Matt Sylverain & Andrew Dobo of Gulf Coast Consulting
(Agent's printed name)

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

[Signature]
Signature of Owner

Signature of Owner

H. McNATT
Owner's Printed Name

Owner's Printed Name

The foregoing instrument was acknowledged before me this 19th day
of March 2026, by Henry McNatt who
is personally known or produced _____ as
identification.

[Signature]
(Notary Signature)

03/19/2026
(Date)

My commission expires 01/06/2029



KATHRYN LYNN HIGGINS
Notary Public
State of Florida
Comm# HH626200
Expires 1/6/2029

**TECHNICAL REVIEW COMMITTEE MEETING
CITY OF ST. PETE BEACH
COMMISSION CHAMBERS**

Agenda Report

Agenda Title Name: Hardship Variance No. 26046: 9555 Blind Pass Rd
(Blind Pass Marina)

Action Request:

Strategic Objective:

Date: April 1, 2026

Prepared By: Brandon Berry, Senior Planner

Through: Laura Canary, Community Development Director

Summary of Issue: The associated conditional use permit for this request was reviewed by the Technical Review Committee in 2025. This item pertains only to the variances associated with the commercial dock reconstruction, which exceeds the overall length and width, and encroaches closer to the side riparian lines, than permitted by the Land Development Code. The existing dock facilities proposed for reconstruction were initially constructed in the 1980s and 1990s, prior to the City's implementation of local conditional use permits for commercial docks. As this project constitutes a full reconstruction, any variation from the currently-enforced setbacks and overall width of facilities requires a variance in conjunction with the conditional use permit for the use itself.

Funding:

Attachments:

1. Application
2. Property Survey
3. Site Plan Proposal
4. Letter of Authorization
5. Affidavit

CASE #: _____

PARCEL #: _____

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

UNNECESSARY AND UNDUE HARDSHIP VARIANCE APPLICATION

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

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

OWNER/AGENT INFORMATION:

Identification	Name	Address	Phone #
Owner	PING PONG PARTNERS LLC	701 S Howard Avenue, Suite 106-322 Tampa, FL 33606-2473	(727) 432-3547
Applicant/ Agent	Brian J. Aungst, Jr.; Clay Gilman; Macfarlane, Ferguson & McMullen, P.A.	625 Court Street, Suite 200 Clearwater, FL 33756	(727) 441-8966
Owner Email Address: steve@giancocompanies.com		Applicant/Agent Email Address: bj@macfar.com	

PROPERTY FOR PROPOSED VARIANCE:

Zoning Designation	Future Land Use Designation	Lot Area
CG-1	CG	~4.31 acres
Legal Description: <u>SEE ATTACHED.</u>		
Address: 9555 Blind Pass Road, St. Pete Beach, FL 33706		
Explanation of Request: (1) Requesting variance to Code Section 3.10(b)(2) to allow for reconstruction of a nonconforming dock structure in the existing footprint without bringing the entire dock structure into compliance with all requirements of the Code.		

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

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

The dock structures were developed sometime between March 1990 and March 1994 (see historical aerial imagery attached) prior to the implementation of the Land Development Code on June 1, 2003 and have existed in the current footprint since. Following the damage caused by the storms of 2024, repairs to and reconstruction of the dock structures is necessary, but the current Code prevents reconstruction of the dock structures in the current footprint due to Code provisions which were enacted years after the dock was already in existence. Specifically, Section 3.10(b)(2) states that "Any nonconforming structure which suffers substantial damage, as defined in this Code, shall only be repaired, restored or reconstructed in a manner which brings the entire structure into compliance with all requirements of this Code and other applicable codes of the city...." Several of the requirements of the Code cannot be met in the current footprint of the dock structures, including Section 6.23(e)(3) which provides that "Commercial docking facilities constructed in the waters of the county shall be constructed so that the width of such facilities shall not exceed 75 percent of the width of the property at the waterfront and shall be further constructed so that the length of the facility shall not extend from the mean high water line or seawall of the property further than 75 percent of the width of the property at the waterfront" and Section 6.23(e)(4) which provides that "All docking facilities must be so located that no portion of the proposed facility is closer to either adjacent extended property line than ten percent of the property width at the waterfront."

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 are not a result of any action by the applicant or a prior owner. The destruction caused by the storms and the Code restrictions have created the hardship on the applicant. The dock structures have been legally existing since the mid-1990s and this variance will allow the dock structures to be repaired and reconstructed in the footprint that has existed for over three decades.

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;

Literal interpretation of the Code would only allow the applicant to rebuild the dock structures in compliance with current Code provisions which would deprive the Applicant from use of one-third of the existing slips. Without the proposed variance, the entire dock facilities will have to be reconfigured and a significant number of existing slips will have to be removed resulting 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 an increase in development density;

The applicant did not create the hardship as it was created due to the dock structures being developed prior to the Code and the current Code restrictions on reconstruction of the nonconformity having to meet current Code standards. This request allows the Applicant to repair and reconstruct the dock facilities in their current footprint.

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

The applicant is not seeking to increase the number of boat slips or expand the marina, but simply repair and reconstruct the dock structures in their current footprint.

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 of this variance allows the Applicant to be treated similarly to other property owners in the same zoning district by permitting the continued use of the dock structures in their current footprint following repair/reconstruction. This variance will allow the Applicant to ensure the dock structures are brought up to current safety standards without requiring the removal of one-third of the boat slips. The Applicant is not requesting to increase the footprint or have any benefit conveyed to the use, but simply to ensure the continued safe operation of the dock facilities which requires repair/reconstruction due to the storms.

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

The requested variance is the minimum necessary to make the project feasible, as it allows for the existing dock footprint to be repaired/reconstructed. This variance does not seek to increase the footprint of the dock but is necessary to make repairs and reconstruct the dock facilities in order to safely continue the use thereof. Without this variance, the project would be infeasible, as it would not be possible to reconstruct the dock facilities in a manner that maintains its original function while meeting modern Code requirements.

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 allows the developer to keep the property's design in character with the adjacent properties which has existed for over three decades in this location. By approving this variance, the Applicant will be able to repair/reconstruct the dock facilities in the existing footprint and safely utilize the dock structures into the future. Applicant is not seeking to increase the dock facilities but to keep them in the same footprint that exists, thus there will not be an impact on the property values within the neighborhood as no change is proposed.

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.

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

SS 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.

SS 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.

SS 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.

SS 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.

SS 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.

SS 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.

SS
Signature of Applicant

3/11/26
Date



Owner's Authorization for Agent

I/WE PING PONG PARTNERS, LLC
(print name of property owner)
hereby authorize Brian J. Aungst, JR
(print name of agent)
to represent me/us in an application for Conditional Use / Variance
(type of application: variance, conditional use, zoning, etc.)

[Signature]
Signature of Owner

Signature of Owner

Steven Gianfilippo
Print Name of Owner

Print Name of Owner

The forgoing instrument was acknowledged before me this 14th day of July 2025, by Steve Gianfilippo who is personally known or produced as identification.

[Signature]
(Notary Signature)

7/14/2025

My Commission Expires 01/12/2029



CITY OF ST. PETE BEACH, Community Development Department
155 Corey Avenue, St. Pete. Beach, Florida 33706, 727-367-2735 www.stpetebeach.org



PUBLIC HEARING SIGN POSTING AFFIDAVIT

Applicant, Ping Pong Partners, LLC, 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 and remain in place until the requested action has been heard and decided. Multiple sign postings shall not be more than three hundred (300) feet apart. If the subject parcel(s) abut more than one (1) street, notices shall be posted along each street. When the subject parcel(s) does not front a public road, the sign shall be posted at the point on a public road by which the property is, or can be, reached.

The sign shall be maintained in good readable condition by the applicant. If the said sign is destroyed, lost, or becomes unreadable, the applicant or applicant's representative shall obtain a replacement sign. Any sign posted in accordance with these requirements shall be removed from the property and disposed of by the applicant or applicant's agent not later than 24 hours following the final decision.

Applicant/Agent (must fill out agent authorization form):

Name(print): Steve Gianfilippo, authorized representative of Ping Pong Partners, LLC

Address: 9555 Blind Pass Road, St. Pete Beach, FL 33706

[Signature] _____ Date 7/14/25

STATE OF FLORIDA)
PINELLAS COUNTY) SS:

The foregoing instrument was acknowledged before me this 14th day of July 2025 by Steve Gianfilippo, who appeared before me, and is personally known to me, or has produced _____ as identification, and did take an oath.

My commission expires: 01/12/2029

NOTARY:
Print Name: Ryan Entsminger
Notary Public, State of Florida
(Notarial Seal)



CITY OF ST. PETE BEACH, Community Development Department
155 Corey Avenue, St. Pete. Beach, Florida 33706, 727-367-2735 www.stpetebeach.org

DEAR APPLICANT:

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

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

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

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

CITY OF ST. PETE BEACH, Community Development Department
155 Corey Avenue, St. Pete. Beach, Florida 33706, 727-367-2735 www.stpetebeach.org

https://stpetebeach-my.sharepoint.com/personal/itd_stpetebeach_org/Documents/Network-Shares/Q-CommunityDevelopment/Admin Docs/Application Forms/Conditional Use/Conditional_Use App 2025.doc 14

March 16, 2026

City of St. Pete Beach
Attn: Planning & Zoning Department
155 Corey Avenue
St. Pete Beach, FL 33706

RE: Authority of Steve Gianfilippo to act as Owner's Agent on behalf of Ping Pong Partners, LLC

To whom it may concern,

Please accept this letter from Ping Pong Partners, LLC (hereinafter, the "Company"), authorizing Steve Gianfilippo to act as the Owner's Agent for the Company in relation to the project known as "Blind Pass Marina Conditional Use/Variance" located at 9555 Blind Pass Road, St. Pete Beach, FL 33706 (the "Project"). Specifically, the Company authorizes Steve Gianfilippo to serve as the Owner's Agent for execution of all documents required by the City of St. Pete Beach related to the Project. If you have any further questions or concerns regarding the applications or this letter of authorization, please contact Steve Gianfilippo directly via his e-mail steve@giancocompanies.com.

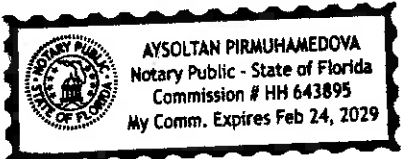
Sincerely,

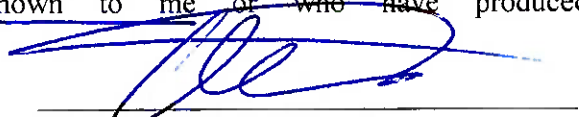


Print: Charles Brech
Title: Manager

STATE OF Florida
COUNTY OF Hillsborough

Sworn and subscribed before me this 17th day of March, 2026, by Charles Brech, as Manager of Dovetail Property Management LLC, a Florida limited liability company, Manager of Ping Pong Partners, LLC, a South Dakota limited liability company, who is personally known to me or who have produced as identification.




(Signature of Notary Public)
Aysoltan Pirmuhamedova
(Printed Notary Name)
My Commission Expires Feb 24, 2029

LIMITED LIABILITY COMPANY AFFIDAVIT

STATE OF FLOIRDA

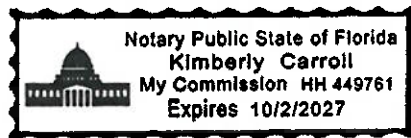
COUNTY OF HILLSBOROUGH

Before me, the undersigned authority, personally appeared Charles Bruck (the "Affiant"), who after being duly sworn, deposes and says as follows:

1. That Charles Bruck is the Manager of Dovetail Property Management LLC, the Manager of Ping Pong Partners, LLC, a foreign limited liability company.
2. The Company is currently in existence under valid Articles of Organization and Operating Agreement regulations and has not been terminated or dissolved.
3. That Charles Bruck, as the Manager of Dovetail Property Management LLC, the Manager of Ping Pong Partners, LLC, a foreign limited liability company, is authorized to take all lawful actions to bind the Company and to buy, sell, convey, and encumber property on behalf of the Company.
4. Neither the Company nor any of the members/Manager are currently debtors in any bankruptcy proceedings, and this conveyance or mortgage is in the ordinary course of business.
5. Affiant further states that he is familiar with the nature of an oath and with the penalties as provided by the laws for falsely swearing to statements made in an instrument of this nature. Affiant further certify that he has full read this affidavit and understands it contents.

Charles Bruck
Manager of Dovetail Property Management LLC,
the Manager of Ping Pong Partners, LLC

Sworn to and subscribed before me this 25 day of February by
2025



Notary:
Print Name: Kimberly Carroll
Notary Public, State of Florida
My Commission expires: 10/2/2027

Personally Known or Produced Identification
Type of Identification Produced