



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

155 Corey Avenue
St. Pete Beach, FL 33706

Wednesday, May 27, 2026
2:00 PM

Call to Order
Pledge of Allegiance
Roll Call

REGULAR MEETING

1. Approval of the Agenda -

Action Request: Motion to approve the May 27, 2026 agenda.

2. Audience Comments -

If you wish to speak, please complete and submit a speaker's card to the City Clerk. When called, approach the podium and state your name and address for the record. Comments are limited to 3 minutes for both general and agenda items. Public comment on agenda items will be taken when that item is called.

3. Approval of Minutes

a. March 25, 2026 Meeting Minutes

4. Action Items -

a. Case No. 26039 - 2842 W Vina Del Mar Blvd.

Practical Difficulty Variance: Paul Huggins, Diggle Construction for Gary Patrick Olney Living Trust requests to allow existing elevated mechanical equipment to remain within the required side yard setback, where 7 feet is required and 3 feet is provided, resulting in an encroachment of approximately 4 feet (LDC Sec. 6.14 and 8.7(a)(3)).

b. Case No. 26043 - 2004 & 0 [Parcel # 18-32-16-68634-009-0280] Pass A Grille Way

Unnecessary and Undue Hardship Variance: 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. If this request is approved by the Board

of Adjustment it would authorize the applicant to request the vacation of the 15-foot alleyway located between Lots 28 and 29 of Block I of The Revised Map of Phillips Division of Pass-A-Grille City by the City Commission, pursuant to Section 1.03 of the City Charter.

5. Adjournment - Next meeting to be held June 29, 2026 -

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

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

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

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

Agenda Report

Agenda Title Name: March 25, 2026 Meeting Minutes

Action Request:

Strategic Objective:

Date: May 27, 2026

Prepared By:

Through:

Summary of Issue:

Funding:

Attachments: 1. BOA 3-25-26 DRAFT

DRAFT BOARD OF ADJUSTMENT MINUTES
March 25, 2026 – 2:00 P.M.
Commission Chambers

PRESENT: Denise Chase, Chair
Kathy Garchow, Vice Chair
Chris Core, Member
Jim Schmidt, Member
Dan Small, Member

STAFF PRESENT: Kristin Coman, Planning Manager; Brandon Berry, Senior Planner;
Nancy Stuparich, City Attorney; Ginny Keeter-Bodkin, Deputy City Clerk

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

1. Approval of the Agenda -

There were no changes to the agenda.

Motion: Vice Chair Garchow moved and the motion carried unanimously by a voice vote to approve the March 25, 2026 agenda as presented.

2. Audience Comments – No one came forward for comment.

3. Approval of Minutes – January 28, 2026 Meeting

Motion: Member Core moved, Vice Chair Garchow seconded, and the motion carried 5-0 to approve the January 28, 2026 meeting minutes as presented.

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

4. Action Items

a. Case No. 25146 – 3212 El Centro St.

Practical Difficulty Variance: Walter and Cassi Griffith requests to install a generator on an elevated engineered platform that will encroach approximately 3 feet 11 inches into the required 5-foot side yard setback where 1.07 feet is proposed (LDC Sec. 6.14. and 12.7.(a)(3)).

Planning Manager Kristin Coman presented the case for this variance which included an aerial photo, request detail, survey, zoning, posting information, and photographs. Her presentation is part of the meeting record. The applicant should address whether the proposed platform is the minimum required and if it can be reduced in depth to reduce the extent of the requested variance.

Staff found the request reasonable; the proposed north side yard placement seems the least visible and least impactful location. While the requested variance represents a substantial reduction in the required side yard setback, the proposed platform could be reduced to lessen the degree of encroachment into the required setback area. Staff recommended the following conditions:

1) The platform shall be used solely for the placement of the generator and shall not be expanded or utilized for any other purpose other than the proposed generator without additional variance

approval and 2) the applicant shall submit sealed As-Built Survey noting all setbacks and approved by Zoning prior to the issuance of the Certificate of Occupancy/Final Inspection.

Applicant Walt Griffith appeared and testified that the generator is up to structural codes and per OSHA guidelines, the platform cannot be any smaller. He provided details from his discussion with the manufacturer. He had no objections from his neighbors; no letters for or against the variance were received by staff. The generator will be above flood level.

Member Core made the ex-parte disclosure that he had visited the site.

The Chair closed public comment and opened board deliberation. With no opposition from the neighbors and due diligence by the applicant, some members viewed the application favorably. Member Core expressed concerns with a gas-powered generator being within a foot of the neighboring structure. Ms. Coman read the two staff recommended conditions into the record.

Motion: Member Small moved, and Member Schmidt seconded, to approve Variance Case 25146 at 3212 El Centro St. with the conditions that the platform be used solely for the placement of the generator and not expanded or utilized for any other purpose without additional variance approval, and the applicant shall submit a sealed As-Built Survey noting all setbacks and approved by Zoning prior to the issuance of the Certificate of Occupancy/Final Inspection. The motion carried 4-1 with Member Core voting no.

b. Case No. 26016 – 301 Gulf Way

Practical Difficulty Variance. Mark Jonnatti for Todd Herman requests to 1) elevate an existing residence to achieve floodplain compliance and retain a 1.5-foot northern side yard setback and 2.0-foot eastern rear yard setback where 3.0 feet is required for residences following elevation (LDC Sec. 3.10.(b)(3)a.ii.); and, 2) construct a patio that will encroach to the existing secondary front building corner along 3rd Avenue with a 4.1-foot setback where 10.0 feet is required, and a northern side yard setback of 3.75 feet where 4.25 feet is required (LDC Sec. 11.7.(a)).

Senior Planner Brandon Berry presented the case for this variance which included aerial photo, request detail, survey, zoning, posting information, elevations, and photographs of the site as it exists. His presentation is part of the meeting record. The home underwent design review at the March Historic Preservation Board meeting for a House-Small development, permitting a setback of three feet on the north side of the residence and five-foot secondary front setback. Residences must provide three-foot setbacks along all property lines following elevation based on the 2025 LDC update. The applicant is seeking to retain north side yard and rear setbacks of 1.5 and two feet, respectively, necessitating this variance.

Staff recommended that the applicant address whether the piled elevation surrounded by a frangible slab provides an opportunity to shift the home further west to comply with the three-foot setback requirement, and whether that would cause any adverse impacts. The applicant should acknowledge that retention of the existing side setback for the residence may limit or increase the cost of future development on the neighboring property due to fire separation requirements. The applicant should also consider use of a convex mirror or other aid to assist with visibility for vehicles backing out from the new driveways into the alleyway.

Staff found the request is reasonable and it preserves an existing home without significant additional impact to neighboring property. If the applicant can address staff questions and accept the potential fire and visibility issues, staff found that the request meets the criteria for issuance. The applicants should have a final as-built survey prepared, submitted, and approved prior to permit closeout.

No ex parte communication was declared.

Architect Mark Jonnatti testified on behalf of the applicants that the project primarily involves lifting the existing structure with minimal interior changes, limited to adding an elevator. The intent is to raise the building in place and even a slight relocation would significantly increase cost, complexity, and risk, including potential structural damage during the move. Regarding setbacks, shifting the building to comply would create other noncompliance issues, particularly impacting the adjacent public thoroughfare. Minor adjustments like trimming the building or shifting it west are technically possible, but not practical compared to lifting in place. He argued that the project already meets most setback conditions and that granting the requested variances would maintain alignment with the public interest.

Regarding fire safety, Mr. Jonnatti indicated there would be no issue if the building remains as proposed. He added that the adjacent property owner has no current development plans but expressed willingness to accept conditions if needed. He noted that the alley and garage configuration provide adequate space for maneuvering. He stated that modern vehicle safety features reduce the need for a convex mirror, though the applicant is willing to install one. He also pointed out that proposed design changes would improve visibility at the alley intersection. He also confirmed that no mechanical equipment would encroach into restricted areas and that all such elements are shown on the plans. He submitted letters of support from nearby property owners and noted that no opposition had been received. He displayed some renderings of the proposed dwelling.

Property owner Todd Herman testified that he owns the adjacent property and acknowledged the fire requirements should that property be developed in the future.

Public Comment - Jay Anderson of 202 Pass-A-Grille Way commented on the next two cases, in favor of raising historic homes for safety in the future.

Chair closed public comment and opened board discussion.

Motion: Vice Chair Garchow moved and Member Core seconded to approve Variance Case No. 26016 at 301 Gulf Way with the staff recommended condition to have a final as-built survey prepared, submitted, and approved prior to permit closeout; the motion carried 5-0.

c. Case No. 26019 – 102 4th Avenue

Practical Difficulty Variance: Lisa Wilson for Gilbert and Denine DiMola requests to construct access decks and stairs that encroach to 4.2 feet from the front property line where 10.0 feet is required, and a deck to align with the existing rear of the home that encroaches to 5.25 feet from the rear property line where 10.0 feet is required, in association with a project to elevate an existing residence to achieve floodplain compliance (LDC Sec. 20.10.).

Senior Planner Brandon Berry presented the case for this variance including an aerial photo, request detail, survey, zoning, posting information, existing and proposed renderings, and photographs. The

residence is proposed to be elevated in place, with access decks added along the side of the home extending to the existing rear. No new living space is proposed. Access stairs are being added to the front of the home in place of an existing porch, and an open deck is to be installed adjacent to it, along the front of the residence.

This property went before the Historic Preservation Board on March 5, 2026 for a Certificate of Appropriateness and Design Review; there were minimal concerns about the encroachments and more discussion regarding the design elements. The extent of elevation may preclude home from contributing status consideration under future historic surveys, which was discussed with and understood by owners.

The applicant should address if the rear deck extension provides any direct benefit, such as egress from the residence or another function and address whether the front deck is the minimum depth for comfortable use or serves any function other than for seating.

Staff found the request was not out of scale or produce any adverse effect, but it is not the minimum variance necessary to make use of the structure following elevation. The rear deck is not necessary to provide building access. The front deck provides a reasonably sized seating area to replace the covered porch that is being removed for stair access to the front door but is also not essential for access. Staff recommended conditions that 1) The deck railing below the balustrade should be of a material and design in keeping with the architecture of the building, such as vertical metal picket. Modern cabling and other similar non-contemporaneous elements shall not be used and 2) The applicant should have a final as-built survey prepared, submitted, and approved prior to permit closeout.

Member Core made the ex-parte disclosure that he had visited the site and spoke with the owner.

Gil and Denine DiMola testified to adding the front deck there because they are losing the bottom deck but are keeping it conservative. The side deck on alley side is to access the back entrance door and electrical panel. Mr. Berry confirmed these plans as the ones advertised; should roof plans change, the applicant would need to return with a change of scope for the roof. Mr. DiMola submitted eight letters of support into the record. No letters in opposition were received by staff.

There was no public comment; the Chair opened board discussion, which was favorable for the project; the deck makes sense for living space.

Motion: Member Core moved, and Member Small seconded, to approve Variance Case No. 26019 at 102 4th Avenue with staff recommendations that deck railing below the balustrade be of a material and design in keeping with the architecture of the building and modern cabling and other non-contemporaneous be used and that the applicant have a final as-built survey prepared, submitted, and approved prior to permit closeout. Any other design changes will trigger a return review; the motion carried 5-0.

d. Case No. 26022 – 104 4th Avenue

Practical Difficulty Variance. Lisa Wilson for Ronald and Margaret Schiff requests to construct an enclosed elevator that encroaches to 4.67 feet from the front property line where 10.0 feet is required, and concrete deck with stairs that encroach to 3.5 feet from the eastern side property line where 4.2 feet is required, in association with a project to elevate an existing residence to achieve floodplain compliance (LDC Sec. 11.7.(a)(3) & 20.10).

Senior Planner Brandon Berry presented the case for this variance including aerial photo, request detail, survey, zoning, posting information, existing and proposed renderings, and photographs.

The residence is proposed to be elevated in place with an enclosed elevator installed at the front of the residence in close alignment with the existing front of the building, as well as a deck with stairs added to the east side and stairs to the west. The front elevator will fall within the required setbacks. There is an accessory dwelling in the rear of the property. This item was reviewed by the Historic Preservation Board at their March 5, 2026 meeting. Comments were primarily regarding the new drive access from 4th Avenue. The extent of elevation will likely preclude home from contributing status consideration; this was discussed with and understood by owners. Staff found the subject additions to be reasonable in the scope of the improvements being made to the home. However, Staff requested that the owner or agent provide testimony as to whether it was considered for the elevator to be accommodated within the foyer.

Staff found both requests reasonable and offered minimum safe and continued access to the living level of the home. The existing division of units within the structure will be well served by the deck and elevator improvements, and accommodation of access by another means would result in a greater impact on a neighbor or would require significant modification to the home. Staff's recommended conditions were that 1) The elevator shaft roofline should be as shown on plans and constructed with shaft not to exceed the primary home gable's eave line and 2) the applicant shall have a final as-built survey prepared, submitted, and approved prior to permit closeout.

Andrew Schiff testified on behalf of his parents, the applicants. They considered putting elevator where the front door is but that interfered with the garage and front porch; they considered other options as well but want the elevator available for aging family members.

Mr. Schiff clarified that after final coordination with the elevator company, the elevator shaft design has been confirmed but would need to extend approximately two feet above the existing roofline. As a result, it cannot align exactly with the current eave height as originally shown in the plans. He provided a rendering and explained that the shaft would be architecturally treated (e.g., with faux window elements) to maintain visual compatibility with the building. Staff's roof alignment condition can no longer be met as written. This prompted discussion on whether it should be modified or removed. The shaft height would remain within allowable city limits and is not expected to exceed the main roof peak, though exact height figures were not immediately available. The applicant provided letters in support.

There being no public comment, the Chair opened board discussion.

Motion: Vice Chair Garchow moved, and Member Core seconded, to approve Variance Case No. 26022 at 104 4th Avenue with the staff recommended condition that the applicant have a final as-built survey prepared, submitted, and approved prior to permit closeout; the motion carried 5-0.

Ms. Coman noted for the record that pages 81-102 in the meeting packet were placed there in error and did not belong.

5. Adjournment - The next meeting is scheduled for April 29, 2026.

Chair Chase adjourned the meeting at 3:25 PM.

These minutes will be considered for approval at the April 29, 2026 Board of Adjustment meeting.

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

Agenda Report

Agenda Title Name: Case No. 26039 - 2842 W Vina Del Mar Blvd.

Action Request: Motion to [approve/approve with conditions/deny/continue to [specify date certain]] Variance Case No. 26039.

Strategic Objective:

Date: May 27, 2026

Prepared By: Kristin Coman, Planning Manager

Through: Laura Canary, Community Development Director

Summary of Issue: *Practical Difficulty Variance:* Paul Huggins, Diggle Construction for Gary Patrick Olney Living Trust requests to allow existing elevated mechanical equipment to remain within the required side yard setback, where 7 feet is required and 3 feet is provided, resulting in an encroachment of approximately 4 feet (LDC Sec. 6.14 and 8.7(a)(3)).

Funding: n/a

Attachments:

1. 26039 - Certificate of Completeness and Docs
2. 26039 - Staff Report



Memo To: Board of Adjustment
From: Kristin Coman, Planning Manager
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: 26039

Application Type: Practical Difficulty Variance

Applicant/Agent: Paul Huggins, Diggle Construction

Owner: Gary Patrick Olney Living Trust

Parcel Number: 18-32-16-94230-001-1540

Address: 2842 W. Vina Del Mar Blvd., St. Pete Beach, FL 33706

Zone: RU-1

Submittal Documents:

1. Completed Practical Difficulty Variance package with application form and documents, submitted 3/9/2026.
2. As-Built survey, completed by Geodata Services, signed by Dennis J. Eyre on 1/28/2026, last revised 1/22/2026 consisting of one sheet.
3. Sheet A-0.2, Site/Landscape/Drainage Plan completed by Tulio Zuloaga Architect, dated 4/17/2024, last revised 2/18/2026 consisting of one sheet.
4. Sheet A-2.1, Elevations completed by Tulio Zuloaga Architect, dated 4/17/2024, last revised 2/18/2026 consisting of one sheet.
5. Sheet A-2.2, Elevations completed by Tulio Zuloaga Architect, dated 4/17/2024, last revised 2/18/2026 consisting of one sheet.
6. Sheet A-1.1, Floor Plan completed by Tulio Zuloaga Architect, dated 4/17/2024, last revised 2/18/2026 consisting of one sheet
7. Sheet A-0.2, Site/Landscape/Drainage Plan completed by Tulio Zuloaga Architect, dated 4/14/2024, Last revised 3/25/2026 consisting of one sheet.
8. Photo set of six (6) photos provided by the applicant with no dates provided.

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

City/Board Professionals:

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

Board Members:

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



Cc: Paul Huggins, Diggle Construction, Applicant, via email (paul@digglecon.com)
Gary Patrick Olney, Owner, via email (olney8304@gmail.com)

26039

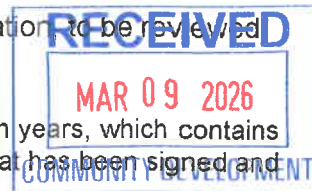
CASE #: Permit # 2401183

PARCEL #: 18-32-16-94230-001-1540

SUBMITTAL DATE: 3/9/2026 AMOUNT DUE: \$532.90 PAYMENT DATE: 3/9/2026

PRACTICAL DIFFICULTY VARIANCE APPLICATION

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



- Two (2) copies of the property survey, to scale, completed in the last ten years, which contains the legal description, land area, and existing improvements on the site that has been signed and sealed by a surveyor licensed in the State of Florida;
- Two (2) copies of a survey or site plan showing the request with dimensions, setbacks and other pertinent information, drawn to scale, of size a maximum of 36"x48" and minimum of 11"x17";
- Two (2) copies of scaled construction plans;
- Completed Impervious Surface Ratio (ISR) worksheet or equivalent;
- Emailed copy of the survey, plans and supplemental documents to planning@stpetebeach.org.
- The application fee and associated mailing fee, payable to the City of St. Pete Beach (non-refundable)

OWNER/AGENT INFORMATION:

Identification	Name	Mailing Address	Phone #
Owner	Gary Petrick Olney	2842 W Vine Del Mar Blvd St. Pete Beach, FL 33706	734-582-3757
Applicant/ Agent	Paul Huggins Diggle Construction	2058 Red cedar LN Clearwater, FL 33763	727-692-0774
Owner Email Address: olney8304@gmail.com		Applicant/Agent Email Address: paul@digglecon.com	

PROPERTY FOR PROPOSED VARIANCE:

Zoning Designation	Future Land Use Designation	Lot Area
RU-1	RU	8,403 sqft
Legal Description: <u>Vine-Del-Mar Sec 4 BLK 1, Lot 154</u>		
Address: <u>2842 W Vine Del Mar Blvd St. Pete Beach, FL 33706</u>		
Explanation of Request: <u>We are requesting a variance to allow mechanical equipment (HVAC condenser) to be placed in the side yard setback. It will cantilever on brackets off the exterior side wall of the home. The condenser measures 5'2ft up from the ground, 4ft from the wall into the side yard setback and is 3ft wide. The</u>		

wall mount brackets are made by Diversitech Corp with a FL Product Approval code 7L225291.

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

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

The variance requested is to allow the HVAC condenser to be placed in the side yard setback. The condenser cantilevers off the home with brackets. The measurements of the condenser are 5 1/2 feet up from the ground, 4 feet from the wall into the side yard setback and is 3 feet wide. * continued on additional sheet.

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


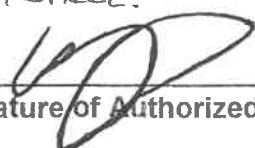
We do not believe there would be any negative effects on the character of the neighborhood by granting the variance. I have included pictures but the HVAC condenser is partially hidden by the 6ft vinyl privacy fence. This helps to conceal it from being visible from the road. * continued on additional sheet.

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

The original building plans were approved for the HVAC condenser to be put in a mechanical alcove on the side of the home near garage (pictures are included). During final electrical rough when our electricians were installing the Generac in the mechanical alcove * continued on additional sheet.

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

We feel it is very important for this variance to be granted. We realized very late in the project that the HVAC condenser wouldn't fit in the * continued on additional sheet.

	3/2/2026		3/2/2026
Signature of Applicant	Date	Signature of Authorized Agent	Date

- 1) Being that the condenser is raised in the air it doesn't require a concrete slab, therefore it does not add any impervious surface area. Being raised helps prevent any ground obstructions being caused in the setback.
- 2) Helping to keep the look of the new home and neighborhood visually pleasing. Also there are other homes within the same neighborhood that have the same circumstances. When driving through the neighborhood I noticed other homes with the HVAC condenser cantilevered off the home into the side yard setbacks. Some were hidden by a privacy fence while others were not. I have included photos of some examples with addresses for reference.
- 3) The electricians noticed there wasn't enough room to fit both the Generac and HVAC condenser. The Generac has very specific install requirements to maintain safety regulations which would not allow us to move it anywhere else on the property. So we had to find a new location for the HVAC condenser. We reached out to our HVAC sub-contractor as well as the architect and they both recommended the only viable option would be to cantilever it off the home in the side yard setback. This was due to the fact that the home was in the final/finishes stages of the build. So it couldn't be moved to the attic or roof due to engineering not being able to be changed this late in the build.

- 3) Also the rear patio wasn't an option either as the entire back of the home is all glass windows and sliding glass doors to allow for the water view. I have included pictures of the outside of the home from sides and back as well as the building floor plan and elevations of the home.
- 4) City approved mechanical alcove. As the build was in the final stages we really don't see another option of place for the HVAC condenser to be placed out of the side yard setback without causing major delays or significant costs to the homeowner. The need for AC in Florida is of course necessary. Also the homeowner feels that the Generac is of great importance as they have a child at home with medical needs and have to have access to power/AC at all times. As Florida is known for storms/hurricanes the only way for them to maintain power at all times is the security of having the Generac installed in the home. If the city has any suggestions for other locations for the HVAC condenser to be placed we are willing to move it. Or if the city feels there is a way to make it more aesthetically pleasing for the neighborhood we are willing to comply.



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.

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

PO 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.

PO 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.

PO 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.

PO 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.

PO 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.

B 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

3/2/2026

Date



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

I/We Gary Patrick Olney
(Property Owner(s) printed name)

hereby authorize Paul Huggins
(Agent's printed name)

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

[Signature]
Signature of Owner

Signature of Owner

Gary Patrick Olney
Owner's Printed Name

Owner's Printed Name

The foregoing instrument was acknowledged before me this 2nd day
of March 2026 by Gary Patrick Olney who
is personally known or produced _____ as
identification.

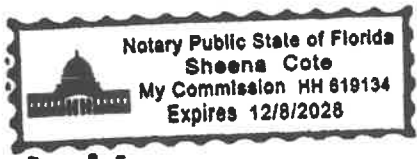
[Signature]

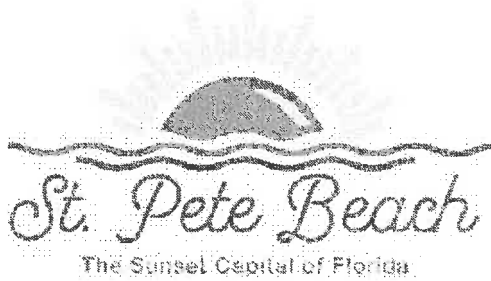
3/2/2026

(Notary Signature)

(Date)

My commission expires 12/8/2028





PUBLIC HEARING SIGN POSTING AFFIDAVIT

Applicant, Paul Huggins, agrees to maintain the posted the sign(s) in a conspicuous place, at the principal access to the property, in full view of the public, and not more than five (5) feet from the nearest street right of way or easement a minimum of seven (7) days in advance of the Public Hearing for unnecessary or undue hardship variances and practical difficulty variances, or seven (7) days in advance of the final administrative decision for administrative (de-minimis) variances, and remain in place until the requested action has been heard and decided. Multiple sign postings shall not be more than three hundred (300) feet apart. If the subject parcel(s) abut more than one (1) street, notices shall be posted along each street. When the subject parcel(s) does not front a public road, the sign shall be posted at the point on a public road by which the property is, or can be, reached.

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

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

Name(print): Paul Huggins

Address: 2842 W Vine Del Mar Blvd St. Pete Beach, FL 33706

Signature [Handwritten Signature] Date 3/2/2026

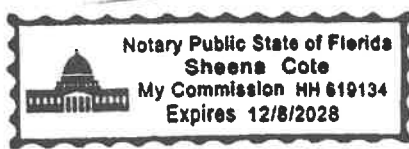
STATE OF FLORIDA)
) SS:
PINELLAS COUNTY)

The foregoing instrument was acknowledged before me this 2nd day of March, 2026 by: Paul Huggins who appeared before me, and is personally known to me, or has produced as identification, and did take an oath.

My commission Expires: 12/8/2028

NOTARY:
Print Name: Sheena Cote Notary

Public, State of Florida
(Notarial Seal) [Handwritten Signature]





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

Gary Patrick Olney
2842 W Vine Del Mar Blvd
St. Pete Beach, FL 33706

Phone 734-582-3757

Email olney8304@gmail.com

Property Address 2842 W Vine Del Mar Blvd

Total Lot Area (sq. ft.) 8,403

Contractor/Applicant Name & Address

Diggle Construction LLC/Paul Huggins
2058 Red Cader LN
Clearwater, FL 33763

Phone 727-692-0774

Email paul@digglecon.com

Required Calculations: * no changes are being made to impervious surfaces.

EXISTING IMPERVIOUS SURFACE:		
Building Footprint:	3422	sq. ft.
Parking and Driveway:	981	sq. ft.
Pool and/or Patio areas:	830	sq. ft.
Walkways:	26	sq. ft.
Other:		sq. ft.
TOTAL EXISTING IMPERVIOUS SURFACE:	5259	sq. ft.

PROPOSED IMPERVIOUS SURFACE:		
Building Footprint:	3422	sq. ft.
Parking and Driveway:	981	sq. ft.
Pool and/or Patio areas:	830	sq. ft.
Walkways:	26	sq. ft.
Other:		sq. ft.
TOTAL PROPOSED IMPERVIOUS SURFACE:	5,259	sq. ft.

5,259 sq. ft.	÷	8,403 sq. ft.	=	62.58%
Total Existing Impervious Surfaces		Lot Area		Existing Impervious Surface Ratio

5,259 sq. ft.	÷	8,403 sq. ft.	=	62.58%
Total Proposed Impervious Surfaces		Lot Area		Proposed Impervious Surface Ratio

Certification:

I, Paul Huggins 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: 3/2/2026

NOTE THAT THIS DRAWING MAY HAVE BEEN ALTERED IN SCALE BY REPRODUCTION

W.O. 7176

AS-BUILT SURVEY FINAL TIE-IN WITH ELEVATIONS

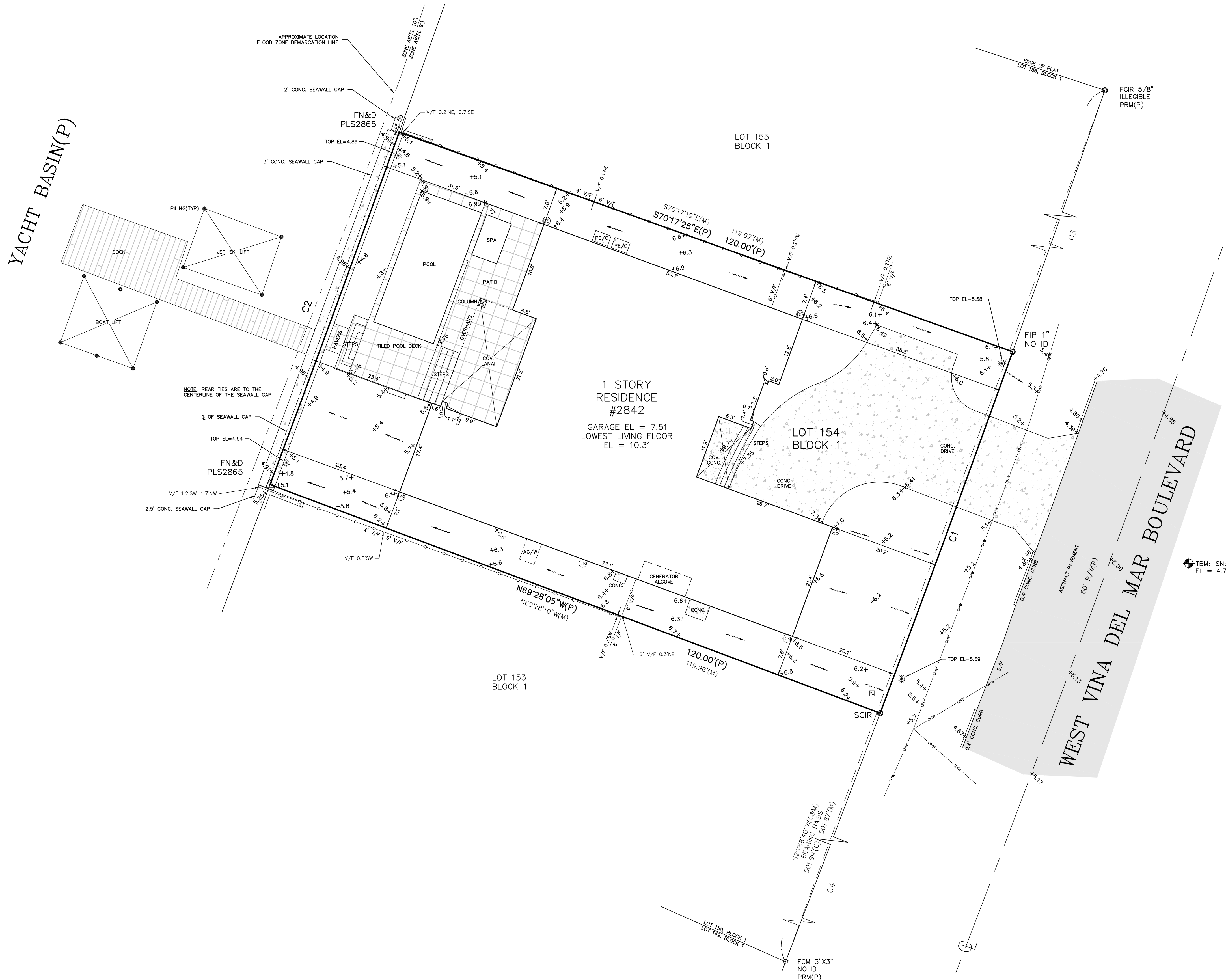
SECTION 18, TOWNSHIP 32 SOUTH, RANGE 16 EAST
PINELLAS COUNTY, FLORIDA

ADDRESS:
2842 WEST VINA DEL MAR BOULEVARD
ST. PETE BEACH, FLORIDA

LEGAL DESCRIPTION:
LOT 154, BLOCK 1, VINA DEL MAR SECTION FOUR,
ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED
IN PLAT BOOK 58, PAGE(S) 11, OF THE PUBLIC RECORDS OF
PINELLAS COUNTY, FLORIDA.

SURVEY NOTES:

- THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT, AND IS SUBJECT TO EASEMENTS, RIGHT-OF-WAY, AND OTHER MATTERS OF RECORD THAT A TITLE SEARCH MIGHT DISCLOSE.
- PLANIMETRIC FEATURES SHOWN HEREON WERE DETERMINED BY STANDARD FIELD SURVEYING METHODS.
- BEARING BASIS IS THE CHORD OF THE WESTERLY RIGHT-OF-WAY CURVE OF WEST VINA DEL MAR BOULEVARD BEING S20°58'40"W, CALCULATED PER PLAT.
- ALL HORIZONTAL AND VERTICAL MEASUREMENTS SHOWN ON THIS DRAWING ARE IN U.S. SURVEY FEET.
- ALL INSTRUMENTS SHOWN HEREON ARE OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, UNLESS OTHERWISE SPECIFIED.
- UNDERGROUND UTILITIES SHOWN HEREON ARE BASED ON SURFACE MARKINGS AND OR STRUCTURES. NO EXCAVATION WAS PERFORMED FOR THE LOCATION OF SUCH UTILITIES.
- ADDITIONS OR DELETIONS TO THIS SURVEY MAP AND/OR REPORT BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
- THIS PARCEL APPEARS TO BE IN FLOOD ZONE "AE (EL 9 FEET)". ACCORDING TO THE FLOOD INSURANCE RATE MAP, MAP NUMBER: 12103C0278H, MAP EFFECTIVE DATE: 08/24/2021, AS PROVIDED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.
THIS MAP'S NOTES STATE THAT THE BASE FLOOD ELEVATIONS SHOWN REPRESENT ROUNDED WHOLE-FOOT ELEVATIONS AND THEREFORE MAY NOT EXACTLY REFLECT THE FLOOD ELEVATION DATA PRESENTED IN THE FLOOD INSURANCE STUDY (FIS) REPORT. THE FIS REPORT WAS NOT CONSULTED FOR THIS SURVEY.
FLOOD ZONE LINES AND/OR LMWA LINE SHOWN HEREON WERE TRANSFERRED BY GRAPHIC METHODS FROM THE FLOOD ZONE MAP, AND ARE SUBJECT TO THE INHERENT INACCURACIES OF SUCH TRANSFERS. THIS FLOOD ZONE NOTE IS PROVIDED FOR INFORMATIONAL PURPOSES ONLY, AND ANY PROPOSED FINISHED FLOOR ELEVATIONS ARE TO BE DETERMINED BY THE PERMITTING AGENCY HAVING JURISDICTION.
- ELEVATION BASIS: NORTH AMERICAN VERTICAL DATUM 1988 (NAVD88). BENCHMARK UTILIZED: "NOAA F" PID AG0746, ELEVATION = 3.23 FEET, AS PUBLISHED BY NATIONAL GEODETIC SURVEY.



SYMBOL LEGEND

- ⊘ = Backflow Preventor
- ⊙ = Centerline
- ⊕ = Cleanout
- ⊖ = Downspout
- ⊗ = Drainage Manhole
- ⊘ = Electric Meter Pole
- ⊕ = Fire Hydrant
- ⊙ = Gas Fill
- ⊕ = Guy Anchor
- ⊖ = Irrigation Valve
- ⊗ = Light Pole
- ⊘ = Light Post
- ⊙ = Mailbox
- ⊕ = Power Box
- ⊖ = Reclaimed Water Meter
- ⊗ = Reclaimed Water Valve
- ⊘ = Sanitary Manhole
- ⊙ = Sign
- ⊕ = Spot Elevation
- ⊖ = Telecommunication Box
- ⊗ = Utility Pole
- ⊘ = Utility Box
- ⊙ = Water Meter
- ⊕ = Water Valve
- ⊖ = Yard Bubble

ABBREVIATION LEGEND

- (C) = Calculated Data
- (D) = Data per Description
- (F) = Field Determined
- (M) = Measured Data
- (P) = Data per Plat
- ± = Plus or Minus
- ACW = Air Conditioner on Concrete
- ACW = Air Conditioner, Wall Mounted
- BFE = Base Flood Elevation
- CIC = Covered Concrete
- CIS = Concrete Slab
- CISW = Concrete Sidewalk
- CLF = Chain Link Fence
- COV = Covered
- CLP = Concrete Light Pole
- CMP = Computerized Metal Pipe
- CONC. = Concrete
- DW = Driveway
- DMH = Drainage Manhole
- DWM = Detectable Warning Mat
- EP = Edge of Pavement
- EL = Elevation
- EW = Edge of Water
- FCIR = Found Iron Rod & Cap
- FCM = Found Concrete Monument
- FFE = Finished Floor Elevation
- FP = Found Iron Pipe
- FR = Found Iron Rod - No Cap
- FLA = Florida
- FN&D = Found Nail & Disk
- FPP = Found Pinched Pipe
- GFE = Garage Floor Elevation
- GI = Gate Inlet
- GV = Gate Valve
- HYD = Fire Hydrant
- ID = Identification
- I.E. = Invert Elevation
- LB = Corporate Certificate Number
- LP = Light Pole
- LFE = Lowest Floor Elevation
- MF = Metal Fence
- N&D = Nail & Disk
- NFNS = Not Found and Not Set
- OHV = Overhead Wire
- O.R. = Official Records Book
- P.B. = Plat Book
- PEC = Road Equipment on Concrete
- PO(s) = Page(s)
- PLS = Professional Land Surveyor
- PRM = Permanent Reference Monument
- RW = Right-of-Way
- RCP = Reinforced Concrete Pipe
- SCR = Set Iron Rod & Cap 5/8" PLS #2865
- SN&D = Set Nail & Disk PLS #2865
- SMH = Sanitary Manhole
- STM = Storm Pipe
- TBM = Temporary Benchmark
- TYP = Typical
- UB = Utility Box
- UP = Utility Pole
- V.F. = Vinyl Fence
- W = With
- WF = Wood Fence
- WM = Water Meter
- W.O. = Work Order
- WV = Water Valve

CURVE TABLE				
CURVE	RADIUS	ARC	CHORD	CHORD BEARING
C1(C)	5009.12'	70.89'	70.89'	S20°07'58"W
C1(M)	5009.12'	70.88'	70.88'	S20°06'02"W
C1(P)	4940.00'	70.89'	70.89'	S20°07'15"W
C2(C&M)	4643.82'	69.17'	69.17'	N20°07'59"E
C2(P)	4820.00'	69.17'	69.17'	N20°07'15"E
C3(C)	5009.12'	141.78'	141.78'	S18°54'59"W
C3(M)	5009.12'	141.72'	141.72'	S18°56'50"W
C3(P)	4970.00'	141.78'	141.78'	S18°53'15"W
C4(C)	5009.12'	289.53'	289.49'	S22°11'38"W
C4(M)	5009.12'	289.47'	289.43'	S22°11'12"W
C4(P)	4970.00'	289.53'	289.49'	S22°12'39"W

SURVEYOR'S CERTIFICATION:

I, DENNIS J. EYRE, THE SURVEYOR IN RESPONSIBLE CHARGE, HEREBY CERTIFY THAT THE SURVEY REPRESENTED HEREON AND THAT SAID ABOVE GROUND SURVEY AND SKETCH ARE ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. SURVEY NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, OR ELECTRONIC DIGITAL SIGNATURE IN ACCORDANCE WITH STATE OF FLORIDA ADMINISTRATIVE CODE RULE 5J-17.062.

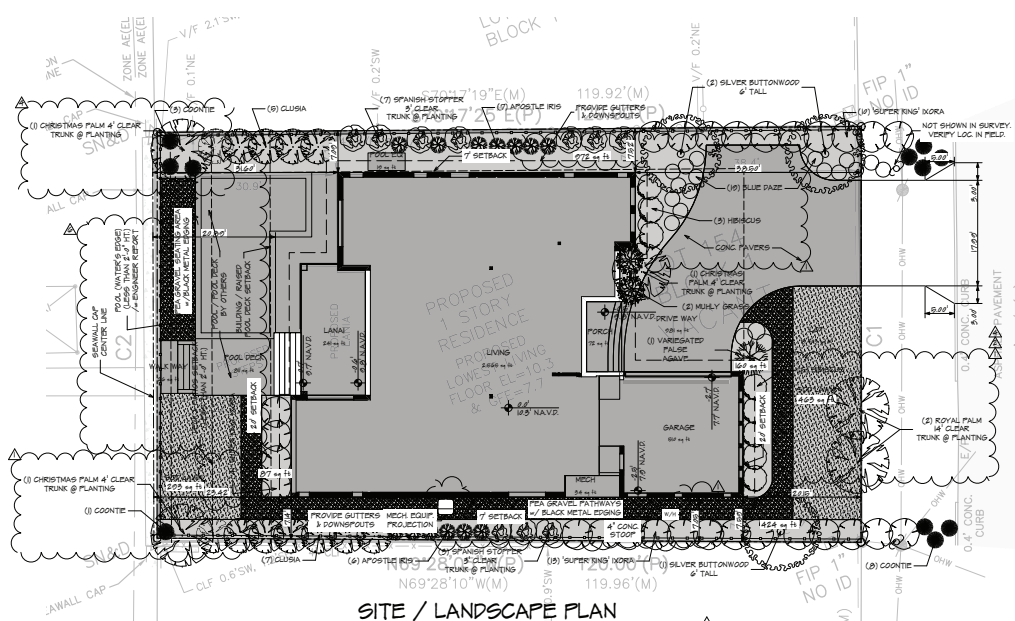
DENNIS J. EYRE, P.L.S. FLA. REG. No. 2865
DATE: JANUARY 28, 2026

AN UNSIGNED SURVEY DRAWING IS FOR INFORMATIONAL PURPOSES ONLY.

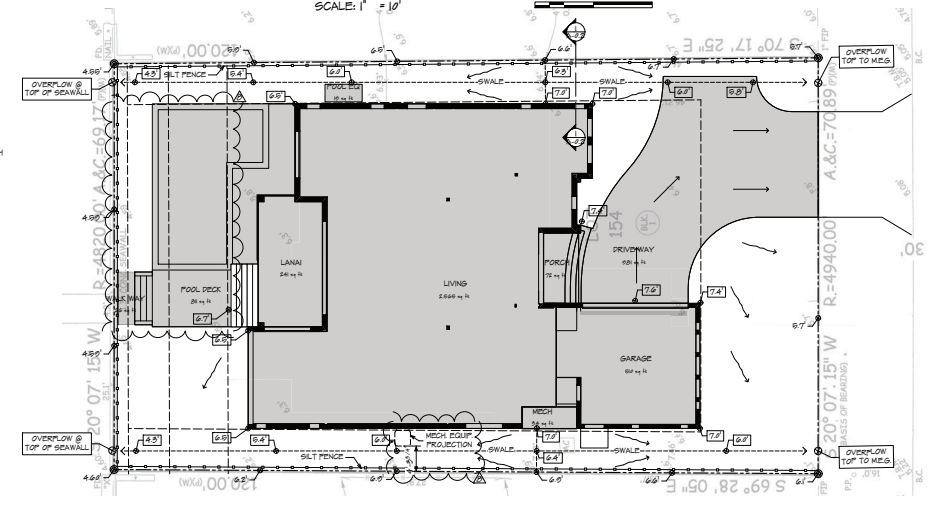
W.O. 7176	BOUNDARY FIELD DATE: 10/21/2024
DRAWN BY: HW	FOUNDATION TIE-IN FIELD DATE: 06/05/2025
CHECKED BY: D.J.E.	FINAL TIE-IN FIELD DATE: 01/22/2026
SCALE: 1"=40'	
FIELD BOOK / PAGE(S): 6-23/62, 2-25/77, 1-26/12-13	
SHEET 1 OF 1	

GEODATA SYSTEMS INC. D/B/A
GEODATA SERVICES
1166 KAPP DRIVE
CLEARWATER, FL 33765
PHONE: (727) 447-1763

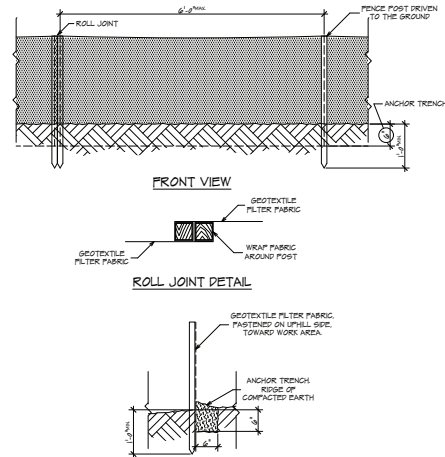
NOTE THAT THIS DRAWING MAY HAVE BEEN ALTERED IN SIZE BY REPRODUCTION.



SITE / LANDSCAPE PLAN
SCALE: 1" = 10'



DRAINAGE PLAN
SCALE: 1" = 10'



SILT FENCE DETAILS
SCALE: 3/4" = 1'-0"

LEGAL DESCRIPTION:
LOT 164, AS RECORDED IN PLAT BOOK 68, PAGE 11, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA. SEE SURVEY FOR COMPLETE DESCRIPTION.

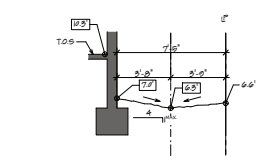
ZONING DESIGNATION: RU-1
PROPOSED USE: SINGLE FAMILY RESIDENCE
SETBACKS: FRONT 5' SIDE 2' REAR 7' MAX. MAX. HEIGHT: 9' FROM D.F.E. TO MEAN ROOF HEIGHT
MAX. IMPERVIOUS SURFACE: 40%
NOTE: FOUNDATION & FINAL SURVEYS ARE REQUIRED.

BUILDING AREAS		
NAME	LEVEL	AREA
LIVING	LIVING	2,569
		2,569 SF
OPEN COVERED		
PORCH		72
LANAI		241
MECH		94
		347 SF
GARAGE		
GARAGE		510
		510 SF
		3,422 SF

LOT COVERAGE		
BUILDING	NAME	AREA
BUILDING	LIVING	2,569
	PORCH	72
	GARAGE	510
	LANAI	241
	MECH	94
		3,422 SF
OTHERS		
	DRIVEWAY	294
	WALK WAY	22
		1,897 SF
POOL		
	POOL DECK	28
	POOL EQ.	19
		859 SF
		5,289 SF

SITE DATA	
LOT	AREA
LOT	9,405
BUILDING COVERAGE	3,422
IMPERVIOUS SURFACE	5,269
IMPERVIOUS SURFACE	40.7%
POD AREA	2,599
POD AREA	28.6%

LEGEND	
MARK	DESCRIPTION
---	EXISTING GRADE ELEVATION
---	PROPOSED GRADE ELEVATION
→	GROUND DRAINAGE PITCH



1 TYP. SWALE SECTION
SCALE: 1/4" = 1'-0"

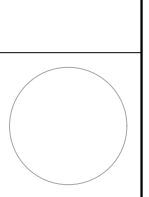


Digitally signed by TULIO J ZULOAGA
Date: 2026.03.05
16:08:19 -05'00'

THE ITEM HAS BEEN ELECTRONICALLY SIGNED AND SHOULD BE USED AS SUCH. A SHA-256 HASH AND THE DATE SHOWN UNDER A SHA256 HASH AUTHENTICATION CODE. PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF ALL OF THE STRUCTURE ENGINEERING INFORMATION ON THIS DRAWING HAS BEEN PREPARED IN ACCORDANCE WITH THE 2023 FLORIDA BUILDING CODE REQUIREMENTS AND ALL CITY ORDINANCES AND SUPPLEMENTS. ALL OTHER ELEMENTS, LISTING AND ASSEMBLY ARE THE RESPONSIBILITY OF OTHERS.

CONSULTANTS



A NEW RESIDENCE
PAT & SHIRLEY OLNEY
2042 W VINA DEL MAR BOULEVARD
51 FETTER BEACH
FLORIDA 33716

MARK	DATE	REVISION
△	12/16/24	PLAN REVIEW COMMENTS
△	12/16/24	FIELD COORDINATION
△	12/24/24	GENERAL UPDATES
△	12/16/24	POOL & TRUSSING COORD
△	11/22/24	PLAN REVIEW COMMENTS
△	11/13/24	PLAN REVIEW COMMENTS
△	10/27/24	PLAN REVIEW COMMENTS
△	10/23/24	PLAN REVIEW COMMENTS

DATE OF ISSUE: 04/17/2024
PROJECT No.: 23-071
DRAWN BY: DR./L.V.
CHECKED BY: T.J.Z.

SHEET TITLE

SITE / LANDSCAPE / DRAINAGE PLAN

A-0.2

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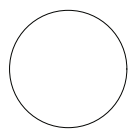


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TULIO J ZULOAGA
 Date: 2026.02.18
 17:05:46 -05'00'

THIS DRAWING HAS BEEN ELECTRONICALLY SIGNED BY TULIO J. ZULOAGA, R.A. ON THE DATE SHOWN USING A SIGNATURE AUTHENTICATION CODE. PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF ALL OF THE STRUCTURAL ENGINEERING SYSTEMS FOR THE STRUCTURE HAVE BEEN DESIGNED TO BE IN COMPLIANCE WITH THE 2023 FLORIDA BUILDING CODE AND ALL APPLICABLE SUPPLEMENTS. ALL OTHER ELEMENTS, LISTING AND ASSEMBLIES ARE THE RESPONSIBILITY OF OTHERS.

CONSULTANTS



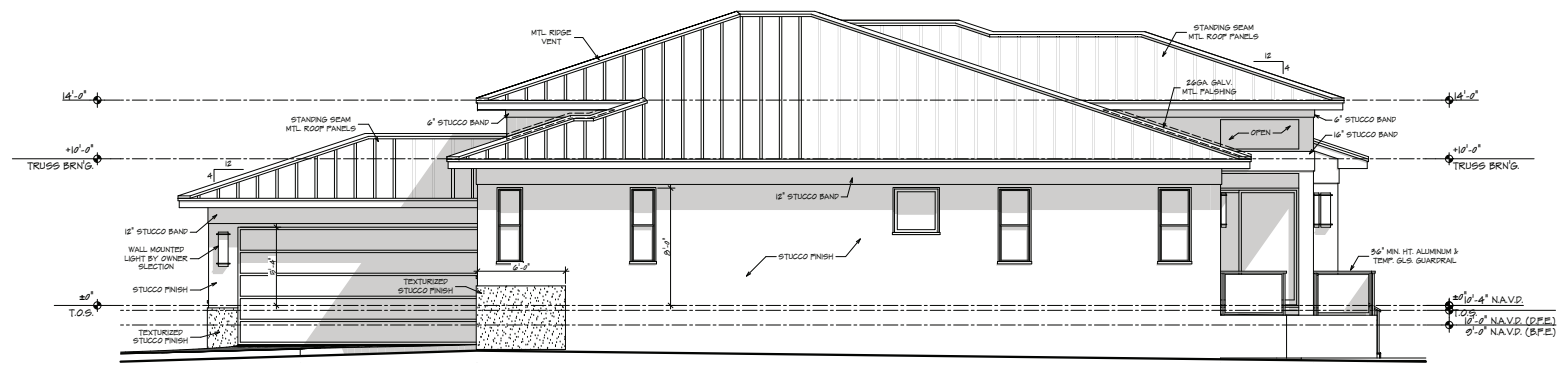
A NEW RESIDENCE
PAT & SHIRLEY OLNEY
 2042 W. VINA DEL MAR BOULEVARD
 FT. PIERCE BEACH
 FLORIDA 34976

12/10/24	PLAN REVIEW COMMENTS
12/14/24	FIELD COORDINATION
12/24/24	GENERAL UPDATES
12/1/25	POD 3 TRUSSES CORRD
1/22/24	PLAN REVIEW COMMENTS
1/19/24	PLAN REVIEW COMMENTS
10/27/24	PLAN REVIEW COMMENTS
10/23/24	PLAN REVIEW COMMENTS

MARK	DATE	REVISION
	04/11/2024	DATE OF ISSUE
	23-071	PROJECT No.
	DR./L.V.	DRAWN BY
	T.J.Z.	CHECKED BY

ELEVATIONS

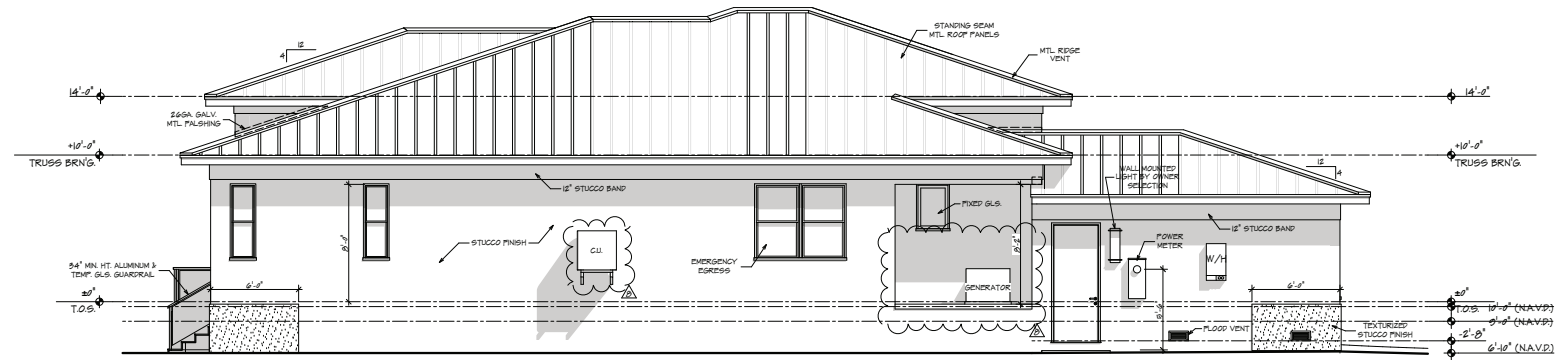
A-2.2



RIGHT SIDE ELEVATION

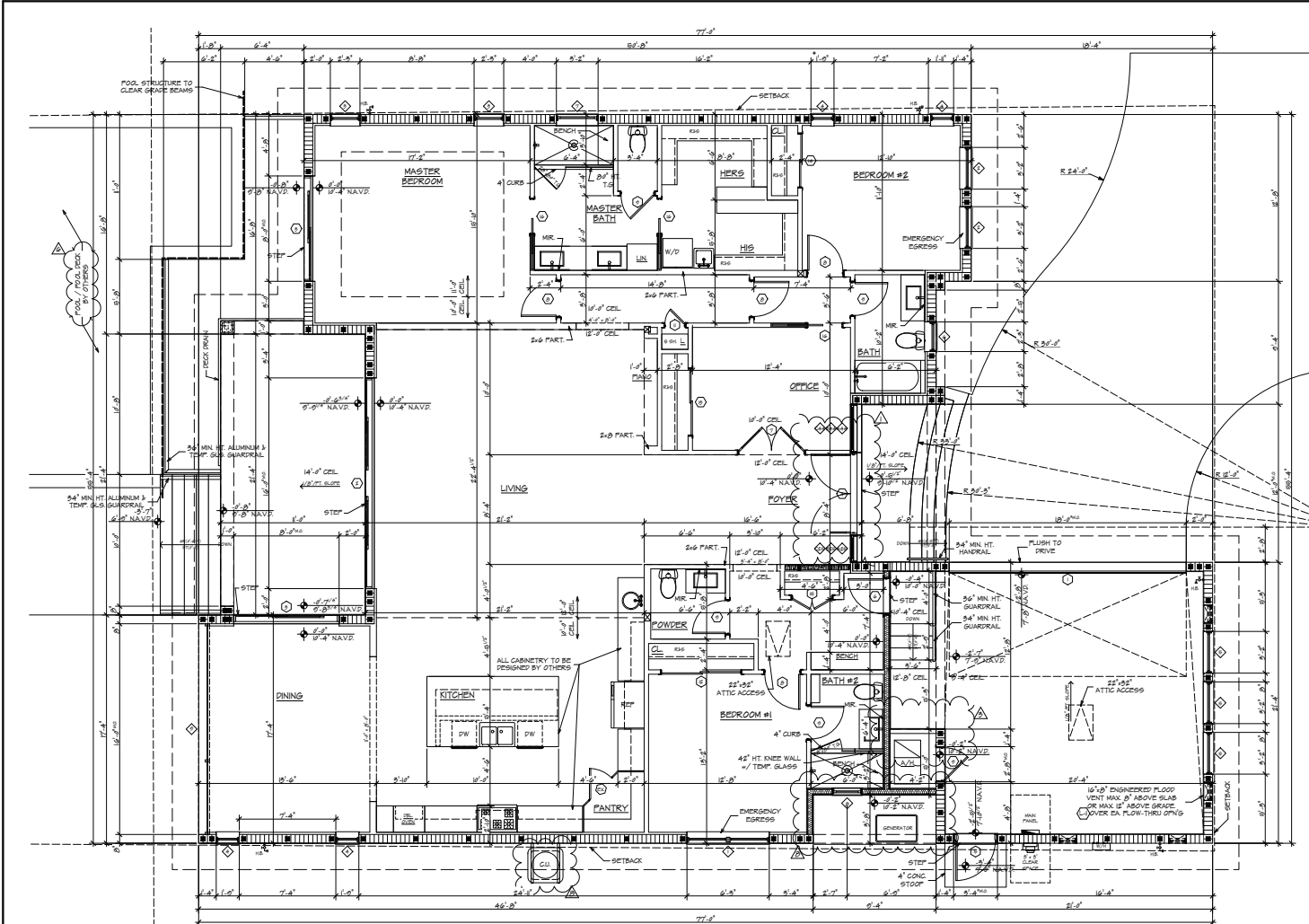
SCALE: 1/4" = 1'-0"

- STUCCO NOTES:**
- 1- STUCCO OVER MASONRY WALLS TO BE MIN 5/8" THICK. (2) COATS.
 - 2- STUCCO OVER WOOD FRAME WALLS TO BE MIN 7/8" THICK. (3) COATS, OVER FELT BACKED MTL LATH OVER TYVEK HOUSE WRAP.
 - 3- PROVIDE CONTROL JOINTS PER ASTM C-1063-03, 78.4.1 (AREAS WITH NO MORE THAN 144 SQ.FT. BETWEEN CONTROL JOINTS)



LEFT SIDE ELEVATION

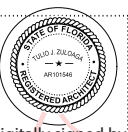
SCALE: 1/4" = 1'-0"



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

- LEGEND**
- ▬ 8" MASONRY WALL
 - ▬ 2x WD. STUDS @ 16" O.C. PARTITION
 - ▬ 2x WD. STUDS @ 16" O.C. LOAD BRNG. PART.
 - ▬ BATT INSULATION (R-19)

- NOTES:**
- 1- ANY EXTERIOR FRM WALLS TO BE 2x6 WD. STUDS UNO.
 - 2- ALL INTERIOR FRM WALLS TO BE 2x4 WD. STUDS UNO.
 - 3- FOR ALL WALLS & CEILING SHEATHING MATERIALS & FASTENING INSTRUCTIONS, SEE SHEET A-01. STRNGTH OF MATERIALS, SHEATHING DIAGRAM NOTES.
 - 4- ALL MATERIALS & INSTALLATION METHODS FOR FLOORING, INTERIOR & EXTERIOR WALLS, & WALL COVERINGS BELOW DESIGN FLOOD ELEVATION, SHALL BE FLOOD-DAMAGE RESISTANT THAT CONFORM TO THE PROVISIONS OF FEMA TB-2. INTERIOR PARTITIONS TO BE 2x P.T. PLATES & STUDS w/ 1/2" CEMENT BOARD. INTERIOR STAIR STRINGERS & SUB-TREDS TO BE 2x P.T.

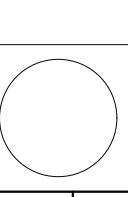


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TULIO J ZULOAGA
Date: 2026.02.18
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CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL OF THE STRUCTURE ENGINEERING DESIGN FOR THIS PROJECT HAS BEEN PREPARED TO BE IN COMPLIANCE WITH THE 2023 FLORIDA BUILDING CODE, BUILDING AND PLUMBING SUPPLEMENTS, ALL OTHER ELEMENTS, LISTINGS AND ASSEMBLIES ARE THE RESPONSIBILITY OF OTHERS.

CONSULTANTS



A NEW RESIDENCE
PAT & SHIRLEY OLNEY
2042 W VINA OLE MAR BOULEVARD
ST. PETERS BEACH
FLORIDA 33716

MARK	DATE	REVISION
▲	12/01/24	PLAN REVIEW COMMENTS
▲	11/14/24	FIELD CORRECTION
▲	10/21/24	GENERAL UPDATE
▲	10/10/24	POOL & TRUSSES COORD
▲	10/02/24	PLAN REVIEW COMMENTS
▲	09/19/24	PLAN REVIEW COMMENTS
▲	06/27/24	PLAN REVIEW COMMENTS
▲	06/25/24	PLAN REVIEW COMMENTS

DATE OF ISSUE: 04/17/2024
PROJECT No.: 23-071
DRAWN BY: DR./L.V.
CHECKED BY: T.J.Z.
SHEET TITLE:

FLOOR PLAN

A-11

26039

Street View →



↑ Location of existing
 HVAC condenser in
 side yard setback
 Rear view →
 all glass windows
 & sliding glass doors

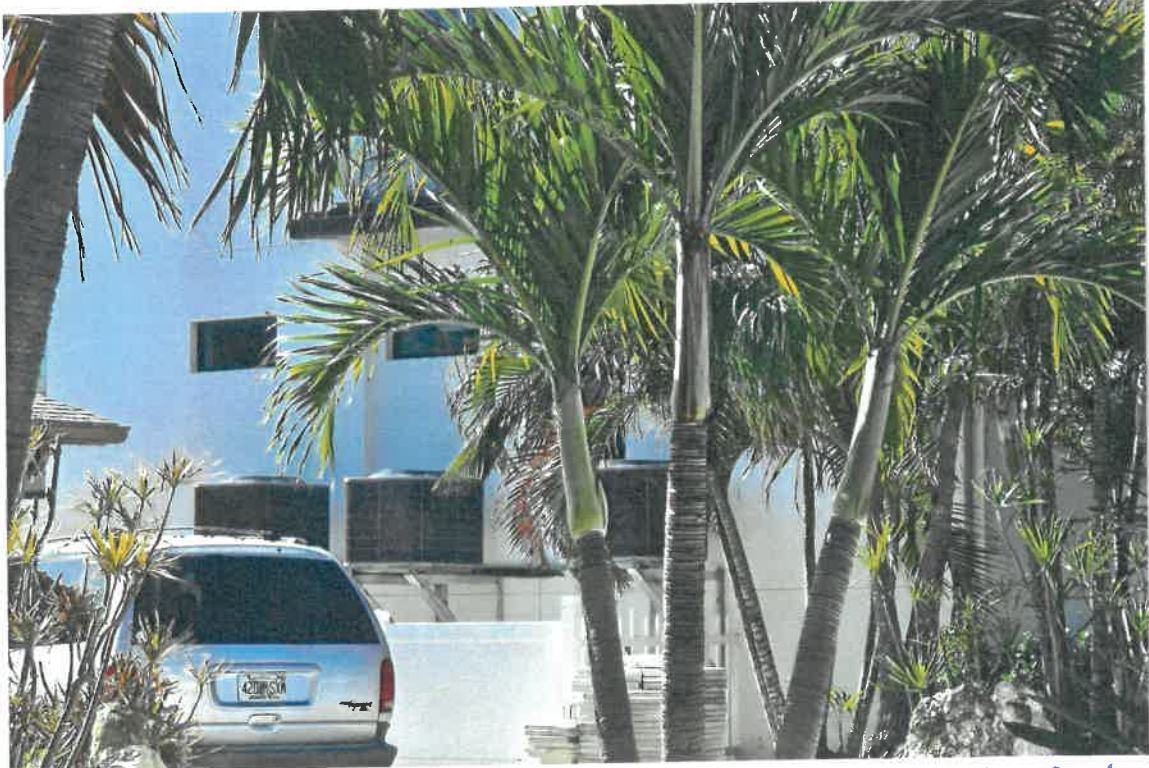




Privacy ↑
fence



Mechanical
Alcove



Example at 2511 E Vini Del Mar Blvd.



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

PLANNING DIVISION

Date: May 15, 2026
To: Board of Adjustment
Re: Staff Findings Report
Practical Difficulty Variance
Address: 2842 W. Vina Del Mar Blvd., St. Pete Beach, FL 33706
Parcel Number: 18-32-16-94230-001-1540
Paul Huggins, Diggle Construction for Gary Patrick Olney Living Trust
Variance Case No: 26039

Prepared by: Kristin Coman, Planning Manager

Hearing Date: May 29, 2026

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

1. Completed Practical Difficulty Variance package with application form and documents, submitted 3/9/2026.
2. As-Built survey, completed by Geodata Services, signed by Dennis J. Eyre on 1/28/2026, last revised 1/22/2026 consisting of one sheet.
3. Sheet A-0.2, Site/Landscape/Drainage Plan completed by Tulio Zuloaga Architect, dated 4/17/2024, last revised 2/18/2026 consisting of one sheet.
4. Sheet A-2.1, Elevations completed by Tulio Zuloaga Architect, dated 4/17/2024, last revised 2/18/2026 consisting of one sheet.
5. Sheet A-2.2, Elevations completed by Tulio Zuloaga Architect, dated 4/17/2024, last revised 2/18/2026 consisting of one sheet.
6. Sheet A-1.1, Floor Plan completed by Tulio Zuloaga Architect, dated 4/17/2024, last revised 2/18/2026 consisting of one sheet
7. Sheet A-0.2, Site/Landscape/Drainage Plan completed by Tulio Zuloaga Architect, dated 4/14/2024, Last revised 3/25/2026 consisting of one sheet.
8. Photo set of six (6) photos provided by the applicant with no dates provided.

Staff offers the following comments for Board's consideration:

Site Description/Surrounding Land Uses

The subject site is an approximately 8,403 sq. ft. (0.19 acre) parcel located at 2842 W. Vina Del Mar Blvd. known as parcel number 07-32-16-21852-001-0070, with a legal description of 18-32-16-94230-001-1540. The property is located in the RU-1, Residential District, with a future land use designation of RU,

Residential Urban and contains a new single-family residence currently under construction pursuant to open building permit no. 2401183.

The waterfront parcel is improved with a single-family dwelling, stamped concrete driveway, inground pool and spa, and a dock within the rear yard area. Surrounding land uses consist primarily of single-family residential properties to the north and south, with W. Vina Del Mar Blvd. and additional single family development to the east.

Figure 1: Aerial Photography



Source: Pinellas County Property Appraiser

Figure 2: Zoning Map



Source: City of St. Pete Beach Official Zoning Map Page 14 of 15, dated 7/20/2012

Current Request

The applicant requests to allow the existing installed elevated mechanical equipment that does not meet the 7 foot required side yard setback where 3 feet is provided (LDC Sec. 6.14. and 8.7.(a)(3)).

Analysis

1. New variance(s) required as a result of the installed elevated equipment:
 - a. **Required side yard setback:** where 7 feet is required and 3 feet is provided pursuant to LDC Sections 6.14 and 8.7(a)(3). The applicant is requesting to maintain an existing encroachment of approximately 4 feet into the required side yard setback for the existing equipment.

Figure 3: Zoning Table			
Detached, Single-Family Residential	2842 W. Vina Del Mar Blvd.		
	<u>RU-1 Required</u>	<u>Existing Dwelling</u>	<u>Existing with Elevated Equipment</u>
Side Yard Setback (Min.)	5 feet	7.1 feet (south)	3 feet (v)
*Denotes existing non-conformity (v) Variance required			

Figure 6: Site Visit Photos



Front of dwelling facing W Vina Del Mar Blvd.



Rear of Dwelling



Portion of side yard (south) elevation with installed elevated equipment and generator alcove



Installed equipment in side setback



View from front yard

Analysis (cont.)**Additional Comments**

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

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

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

The applicant is requesting variance relief to permit the elevated platform and mechanical equipment within the required side yard setback. The Land Development Code requires a minimum side yard setback of 7 feet. The applicant proposes a setback of approximately 3 feet, resulting in an encroachment of approximately 4 feet into the required setback. This represents a reduction of approximately 57% of the required side yard setback.

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

Staff find an adverse change in the neighborhood will not be produced from the granting of this variance. The existing mechanical equipment with platform is installed 5.5 feet above grade and located within the side yard of the property, consistent with typical residential mechanical equipment installations. In addition, the rear elevation of the structure does not appear to provide a practical location for elevated installation. The placement behind the existing 6 foot high fence also provides a degree of screening and concealment as illustrated in Figure 6.

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

The Land Development Code requires that elevated mechanical equipment comply with the minimum principal structure setback requirements. It appears in the new home permit submittal contemplated compliance through the inclusion of a mechanical alcove, however the ability to accommodate all the required equipment within that area does not appear to have been fully vetted during the process.

Under the existing configuration of the newly constructed residence and associated site improvements, feasible alternative locations for compliant placement appear limited. The rear of the structure does not appear to provide adequate space for elevated installation, and placement within the northern side yard would also fail to meet the required setbacks. As such, the proposed location appears to represent the most practical placement for the equipment given the existing site constraints, including proximity to the remaining mechanical equipment.

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

In 2024, with the issuance of Building Permit No. 2401183 for construction of a new single-family dwelling, it appears all mechanical equipment was intended to be housed within the

32-square-foot alcove located along the southern side of the structure. The applicant indicates that during the final electrical rough inspection it was determined that the area originally intended to accommodate the mechanical equipment was insufficient, and the contractor subsequently relocated the equipment into the side yard without submitting the revised location for City review.

Had the revised location been submitted for review, the applicant would have been advised that the required setback could not be met. It was only upon submittal of the final as-built survey that staff became aware the equipment had been installed without the benefit of review. As such, it is unknown whether there was a deliberate attempt to avoid compliance with the requirements of the Land Development Code.

Other Comments

- The applicant should provide testimony explaining how it was determined that the alcove, as originally designed and permitted, was insufficient to accommodate the required mechanical equipment, as well as why City staff was not contacted to discuss the issue prior to relocation and installation of the equipment within the side yard setback.

Summary

Staff find the request is reasonable. The proposed south side yard placement appears to represent the least visible and least impactful location available on the property.

If approved, Staff recommends the following condition (1):

1. The platform shall be used solely for the placement of the HVAC condenser and shall not be expanded or utilized for any other purpose other than the existing equipment without additional variance approval.

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

Respectfully submitted,



Kristin Coman
Planning Manager

Cc: Gary Patrick Olney Living Trust, Owner **via email** (olney8304@gmail.com)
Paul Huggins, Diggle Construction, Applicant **via email** (paul@diggle.com)

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

Agenda Report

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

Action Request: Motion to [approve/approve with conditions/deny/continue to [specify date certain]] Variance Case No. 26043.

Strategic Objective:

Date: May 27, 2026

Prepared By: Brandon Berry, Senior Planner

Through: Laura Canary, Community Development Director

Summary of Issue: Staff finds that the existing conditions are special conditions that do not apply generally to other properties in the neighborhood, and that the applicant is not undertaking this request to rectify a former action or substantially intensify development or increase their financial return. However, Staff finds there are viable alternatives to address the application narrative's issues, and is not the minimum variance necessary to make reasonable use of the abutting properties. Staff requests additional testimony from the applicant to support these two conditions prior to the Board of Adjustment taking action on this request.

Funding: n/a

Attachments:

1. Staff Report
2. Survey 2209 20R1 sealed
3. Application - Amended 05/06/2026
4. CC Bull Letter of No Objection - Amended 05/06/26
5. Collom Properties Letter of No Objection - Amended 05/06/26
6. Charter Communications Letter
7. Duke Energy Letter
8. Frontier Communications Letter
9. Pinellas County Email
10. TECO Letter

11. Letter #1
12. 26043 Staff Report



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

COMMUNITY DEVELOPMENT - PLANNING

Date: May 18, 2026

To: Board of Adjustment

Re: Staff Findings Report
Unnecessary and Undue Hardship Variance
Addresses: 0 & 2004 Pass A Grille Way
Parcel Numbers: 18-32-16-68634-009-0280 & 18-32-16-68634-009-0290
Jon Sipera and Kyle Bass for Helen Collom of CC BULL LLC & COLLOM PROPERTIES LLC
Variance Case No: 26043

Prepared by: Brandon Berry, Senior Planner

Hearing Date: May 27, 2026

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

1. Revised Unnecessary and Undue Hardship Variance package with associated forms and exhibits, submitted May 6, 2026, consisting of 26 sheets.
2. Revised letter of no objection to the vacation of the alleyway from Helen Collom of CC BULL LLC, submitted May 6, 2026, consisting of two sheets.
3. Revised letter of no objection to the vacation of the alleyway from Helen Collom of COLLOM PROPERTIES LLC, submitted May 6, 2026, consisting of two sheets.
4. Survey showing the 15-foot alleyway proposed for vacation, prepared by John O. Brendla, PSM, digitally signed on February 20, 2026.
5. Letters from Charter Communications, Frontier Communications, Pinellas County Utilities, TECO, and Duke Energy, responding to the request for vacation, consisting of a total of ten sheets.

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

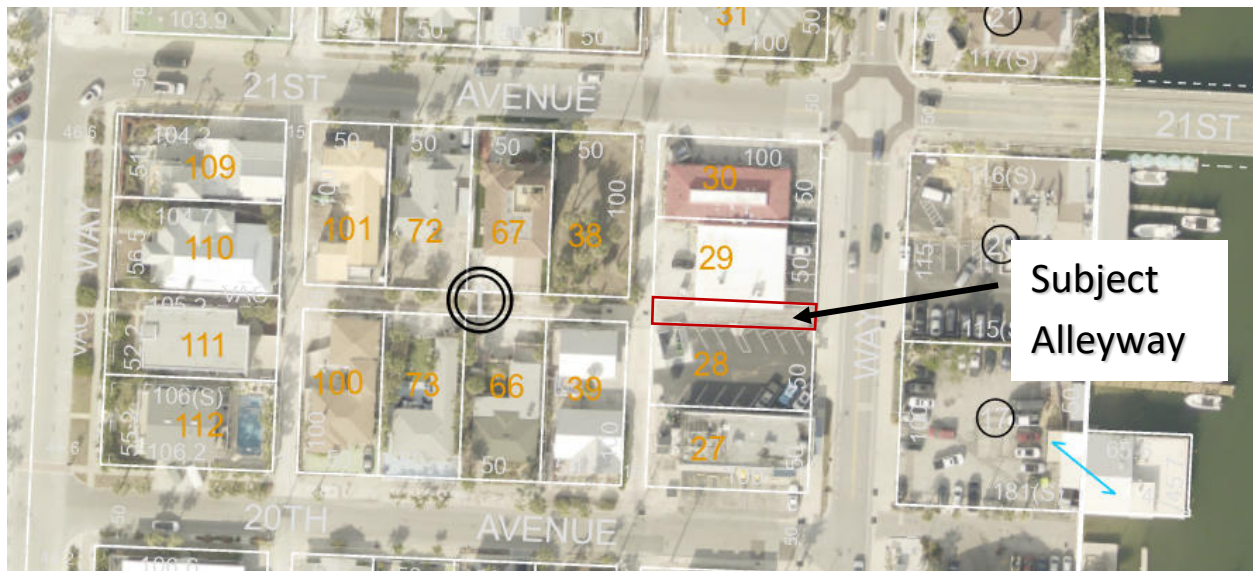
Site Description/Surrounding Land Uses

The alleyway proposed for vacation is a 15'x100' platted alley dedicated to the City under the 1913 Revised Map of Phillips Division of Pass-A-Grille City (Pinellas County Public Records Bk 3, Pg 38). It is abutted to the north by a commercial building most recently utilized as a restaurant and café, and to the south by a parking lot that services the Red, White and Booze restaurant at 2007 Pass A Grille Way. The

alleyway is an extension of a west-east alleyway that extends to the rear of the residential Gulf Way-facing properties of Block I, and is abutted by eight residential properties to the north and south of the alley's westerly extension.

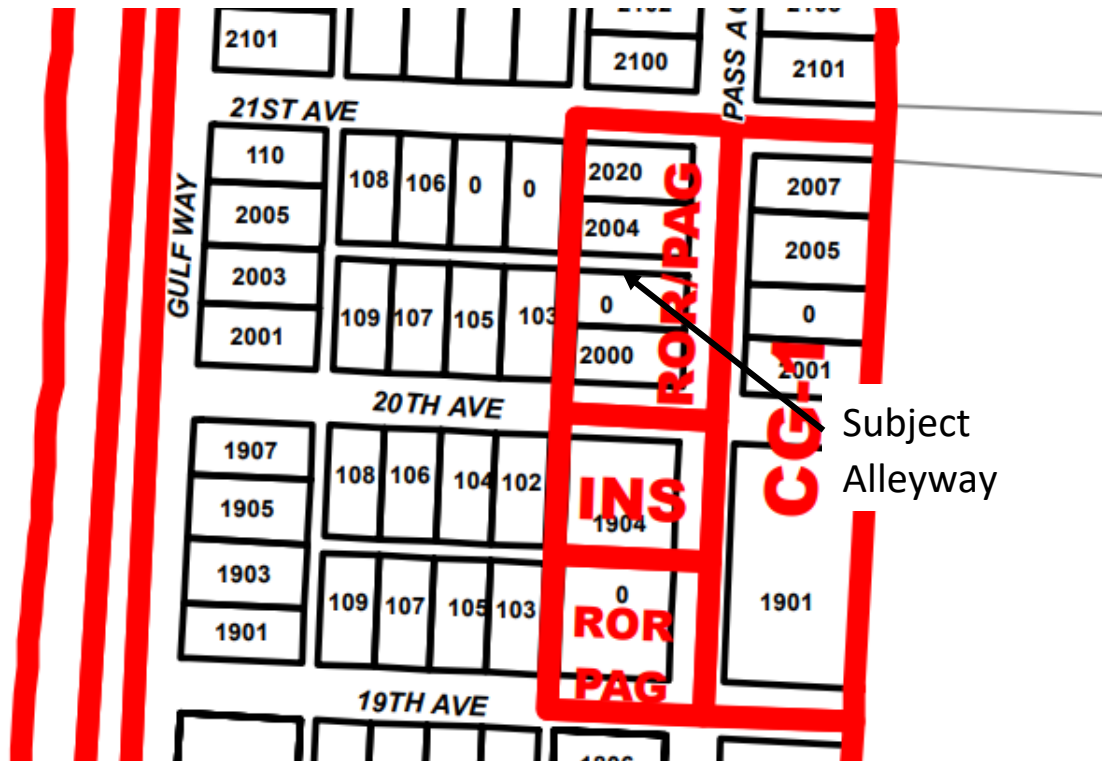
The subject alleyway is the last remaining west-east alleyway that provides access from the block interior to Pass A Grille Way within the Pass A Grille Overlay District, with a substantial number of the other alleyways vacated in the 1950s through Resolution 46, and later more piecemeal actions of the City Commission. All properties interior to the subject block remain serviced by the west-east alleyway interior to the 21st and 20th Avenue-facing properties, as well as north-south alleyways perpendicular to the subject alleyway as well as its western terminus.

Figure 1: Aerial Photography



Source: Pinellas County Property Appraiser

Figure 2: Zoning Map



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

Technical Review Committee

The Technical Review Committee met on April 1, 2026 to discuss the request. Comments were made pertaining to additional justification for the request, scheduling of the case hearing, status of now-received utility company letters addressing the request, and municipal need for easement through the existing alleyway if vacated. The agent for the case explained that the applicant planned to resurface the alleyway if the request is approved, but planned to leave the alleyway open. They also amended the narrative, which is published with the case file.

Request

The St. Pete Beach City Charter solely authorizes the St. Pete Beach City Commission with the ability to vacate alleyways that are dedicated to the public, at a supermajority vote. Typically, vacation requests are made directly to the City Commission. However, in 2017, the St. Pete Beach Land Development Code was significantly amended with new standards for the Pass A Grille Overlay District, including prohibition on the vacation of alleyways within the Pass A Grille Overlay District. As the abutting properties are zoned Recreation/Office/Retail (ROR) within the Pass A Grille Overlay District (PAG), the zoning of the properties runs to the centerline.

The request before the Board of Adjustment is to vary the requirements of Section 20.19., which prohibits reduction in the width and length of existing alleyways (Sec. 20.19.(b)), and prohibition on the closing or vacating of existing alleyways (Sec. 20.19.(d)). If approved, the applicants would be authorized to make the request to the City Commission pursuant to the City Charter, which is a legislative action instead of

the quasi-judicial process followed by the Board of Adjustment. The approval of this request would not authorize the immediate vacation of the alleyway, which is an action reserved to the City Commission.

Analysis

The vast majority of east-west reservations for alleyways that were planned to connect Pass A Grille Way or Gulf Way to the 'H'-shaped interior of the block under the 1913 plat that included this property were vacated in the middle of the 20th century, including for the properties now addressed as 2003 and 2005 Gulf Way, which each received the standard half of their interior 15-foot alleyway in 1959 (Resolution 33). It is unclear at this time why this is the sole remaining alleyway that provides such a connection, but may reflect the long-term commercial nature of the abutting properties, which have been zoned under a classification allowing for low and moderate-impact commercial uses dating back to the City's original zoning map in the late 1950s. As commercial uses typically have demands for off-street deliveries and other functions that substantially increase vehicular demand above that of residential uses, and with this being only one of two commercially-zoned block ends platted with intersecting alleys in Pass A Grille, the alleyway may have formerly or currently serves that function.

As Pass A Grille was largely platted in the late 19th and early 20th centuries, the alleyways are narrower than are commonly maintained for commercial-adjacent alleyways in neighboring jurisdictions, such as St. Petersburg along Central Avenue where widths of 20 feet are common. However, the 15-foot width of the subject alleyway is fairly standard for the jurisdiction, where the alleyways along Corey Avenue are largely also 15 feet in width, and alleyways in the neighborhood vary between 10 and 18 feet in width. While the example is applicable to a multiple-user alleyway, the National Association of City Transportation Officials uses a 20-foot alleyway as a standard that can support a variety of uses¹.

The alleyway surface is in degraded physical condition, and includes encroachment of overhead power lines and underground communication facilities. A municipal stormwater inlet exists to the immediate west of the alleyway area proposed for vacation but does not intersect the area that would be vacated, nor does it connect underneath the alleyway. In discussion with the City's public services director, there is no immediate need for easement through the area. However, both Duke Energy and Frontier Communications have made their approval conditional upon either relocation of facilities, or maintenance of the alleyway proposed for vacation as a utility easement upon any future action.

¹ National Association of City Transportation Officials. (n.d.). Urban Street Design Guide – Commercial Alley. Retrieved from <https://nacto.org/publication/urban-street-design-guide/streets/commercial-alley/>.

Additional Comments

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

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

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

The presence of a remaining east-west alleyway between the two commercial properties is a peculiar condition for the neighborhood generally, with the only comparably-zoned example the block immediately south that contains Fire Station 22 and a boat storage yard for the Pass A Grille Marina, whose equivalent alleyway was vacated to the abutting properties in the 1960s. All other east-west platted alleyways that were proposed to serve a similar function have been vacated over time, although from historic aerial review, several never actually served a vehicular access function. This is a unique circumstance that does not generally apply to other land in the same zoning district. Staff also recognizes that the use of the land is unique for the area, with only the two-block area immediately surrounding the subject alleyway, and the blocks north and south of Eighth Avenue, in current use as a non-lodging commercial strip.

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

The applicants did not create the platted conditions of the land, which were in place nearly 50 years prior to the incorporation of the City. The land contains uses that are permitted within the zoning district, and Staff does not find that the recent renovation of the commercial building is likely to substantially increase the off-street loading demand for use of the abutting alleyway compared with the prior use of a restaurant. Both uses likely have similar delivery demand requirements, which will exceed the off-street parking demand for most retail-based uses, and significantly exceed the demand for a residential 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;**

Staff finds that the literal interpretation of the Land Development Code deprives the applicants of rights enjoyed by other properties in the same zoning district under the terms of the Land Development Code. They are the sole property owners within the Pass A Grille Overlay District that have a remaining west-east public alleyway between properties along the western side of Pass A Grille Way, with all other similar alleyways having been vacated in the distant past.

However, Staff does not find that the applicants have advanced adequate justification at this time to demonstrate that this creates an unnecessary and undue hardship on their particular properties. The application advances difficulty with maintenance of the northern commercial building, which is

developed at just over a foot from the property line, deterioration of the alleyway surface, functional obsolescence, and traffic safety and visibility issues, as among the justifications for this response. For future maintenance requests, Staff finds that the applicants are eligible to apply for temporary closure of the alleyway, and that doing so maintains the City's interest in the alleyway as an access thoroughfare for residential properties to the west. A maintenance agreement could also be explored if the applicants have interest in maintaining the alleyway surface. While Staff finds that the alleyway is not the 20-foot width common of modern multi-use commercial alleyways, and that encroachments into the alleyway reduce its usable width by an additional two to three feet, it is still comfortably traversable by a standard passenger vehicle and can maintain its current access and utility-serving purposes. The building is compliant with the required side setbacks based on the City's most recent survey data for the northern property, as no setback is required from property lines for standalone commercial structures. Finally, the building significantly exceeds the required front setback and visibility intersection requirements based on the City's Land Development Code, and the current condition has existed for several decades. The only significant visual encroachment at the property frontage is a freestanding sign maintained for the southern parking lot.

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

The use of the northern commercial building property is consistent with the Land Development Code. While the southern off-premise parking lot would require a conditional use permit under the current Code if developed today, the requirement for additional approvals for the southern lot would only apply if the applicants seeks to redevelop or substantially modify the property.

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

Staff finds, with the requirements for utility easements to be maintained, the vacation of the alleyway is not likely to result in a scenario that adds significant additional development potential to the recipient properties. The properties already have a zero-foot setback requirement from the side property line, and if adequate easements are executed, the actual buildout potential for the alleyway is unlikely to change. The applicants have stated in conversations with Staff that they are only immediately seeking to repair the alleyway surface, and that the actual appearance of the space will not substantially change in the near future. While vacation would authorize the owners to physically close the alleyway pending utility authorization, such as through the addition of landscaping or fences, Staff does not find that constitutes intent to maximize financial return for the property. Development on properties in blocks to the north and south, in similar orientation, have been built within the easement subsequent to the vacation.

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

In terms of vacation of an alleyway that serves as access from Gulf or Pass A Grille Way to the block interior, of which there were once over ten platted or improved, this variance would provide similar treatment as to others in the same neighborhood. All other alleyways in the same orientation and block location have been vacated, several of which occurred under a 1950s resolution recognizing that

there was no “real need” for the alleys identified. While that recognition was not made for the subject alleyway, and could have been subject to changing conditions in the intervening years even if it had been, the City’s Public Services Director has not identified an immediate utility-based need for maintenance of the alleyway as a public thoroughfare at the present time.

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

Staff does not find the variance is the minimum necessary to make reasonable use of the land or existing building, for the reasons outlined in response 3. preceding. The applicants’ narrative for this question advances similar justification as provided in that response. Staff finds there are reasonable alternatives that still allow for safe maintenance of the building, such as authorizing a temporary alleyway closure when maintenance work along the side of the building is undertaken. Zero-foot lot line side setbacks are not uncommon in commercial areas, especially the small-scale walkable historic commercial areas that exist and are developmentally promoted in Pass A Grille, and building maintenance is still capable of being addressed in these locations. While recognizing the alleyway surface concerns, Staff finds there are alternatives to maintenance of that surface which do not require a permanent vacation of the alleyway.

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 Comprehensive Plan does not address alleyways specifically, but does promote revitalization of commercial areas, which the applicants advance that this variance would support. However, the City also promotes enhancement of safety by providing adequate off-street loading areas, and if this space is later used for seating or another non-structural purpose that does not allow for unloading to the business without either blocking a lane along Pass A Grille Way or the north-south alleyway immediately west of the business, that does not support the corresponding policy or the narrative that there are superior alternative routes.

Staff does not find the variance would be incompatible with the neighborhood given the mirrored conditions on several blocks to the north and south of the subject block, nor would it substantially diminish or impair property values. However, given the development potential for properties along the residential portion of the 15-foot alleyways, elimination of this alleyway portion could make it more challenging for moderately-sized delivery vehicles to comfortably exit the alleyway, given outside turning radius requirements. While Staff does not have evidence that large vehicles use the alleyway with any frequency, a pending Land Development Code amendment that would require driveways to be provided along alleyways under new construction, and existing design requirements that discourage large openings along primary streets, might make furniture and other large deliveries preferable from the alleyway. In this case, eliminating a straightaway for vehicles to traverse to access the residential portion of the alleyway could have a small detriment to the public welfare.

Other

Staff finds that the applicants have adequately addressed some of the hardship criteria, but has not yet demonstrated that denial of the hardship variance request would result in unnecessary and undue hardship on the applicants, or that its issuance is the minimum necessary to make reasonable use of the land or building. Given that the permit does not immediately affect development potential on the property, and is unlikely to result in an actual physical reduction in the width of the alleyway if adequate easements are retained through it, Staff finds that other issues advanced by the applicants can be addressed through other means that do not require the alleyway vacation.

If the applicants or agents wish to address Staff concerns with the narrative, Staff requests at least the following additional testimony:

- Why issuance of a temporary right-of-way agreement for maintenance of the building from the alleyway, and either a maintenance agreement for, or City rehabilitation of, the alleyway surface, would not resolve the primary hardships advanced in the narrative.
- Whether off-street deliveries will be made from the vacated alleyway, or from the north-south alley to the western rear of the structure, as the latter would eliminate one of the superior routes advanced by the application narrative.
- Any future improvements planned for the rear of the property, due to the limited outer radius maneuverability that future development conditions could create.

Summary

Staff requests the applicants or agents address the prior requests to provide additional support for their development request.

Should the applicants or agents provide additional information to satisfy the Board that substantial and competent evidence has been provided and look favorably on the application on the relief request, the Board may wish to consider any conditions it finds are necessary to protect the public interest, noting that legislative request that would proceed to City Commission may carry additional conditions and restrictions on the use of the space as required by public utilities and other entities with interest.

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

Respectfully submitted,

Brandon Berry
Senior Planner

Cc: Jon Sipera, Agent, via email (jsipera@ranmardevelopment.com)
Kyle Bass, Agent, via email (kyle.bass@webercrabb.com)
Helen Collom, Manager for CC BULL LLC and COLLOM PROPERTIES LLC, via email
(poshrealtor@gmail.com)



NORTH BASIS:
ASSUMED
SCALE: 1" = 20'

21st AVE.

CLARK ST (PER PLAT)

SECTION 18, TOWNSHIP 32S, RANGE 16E

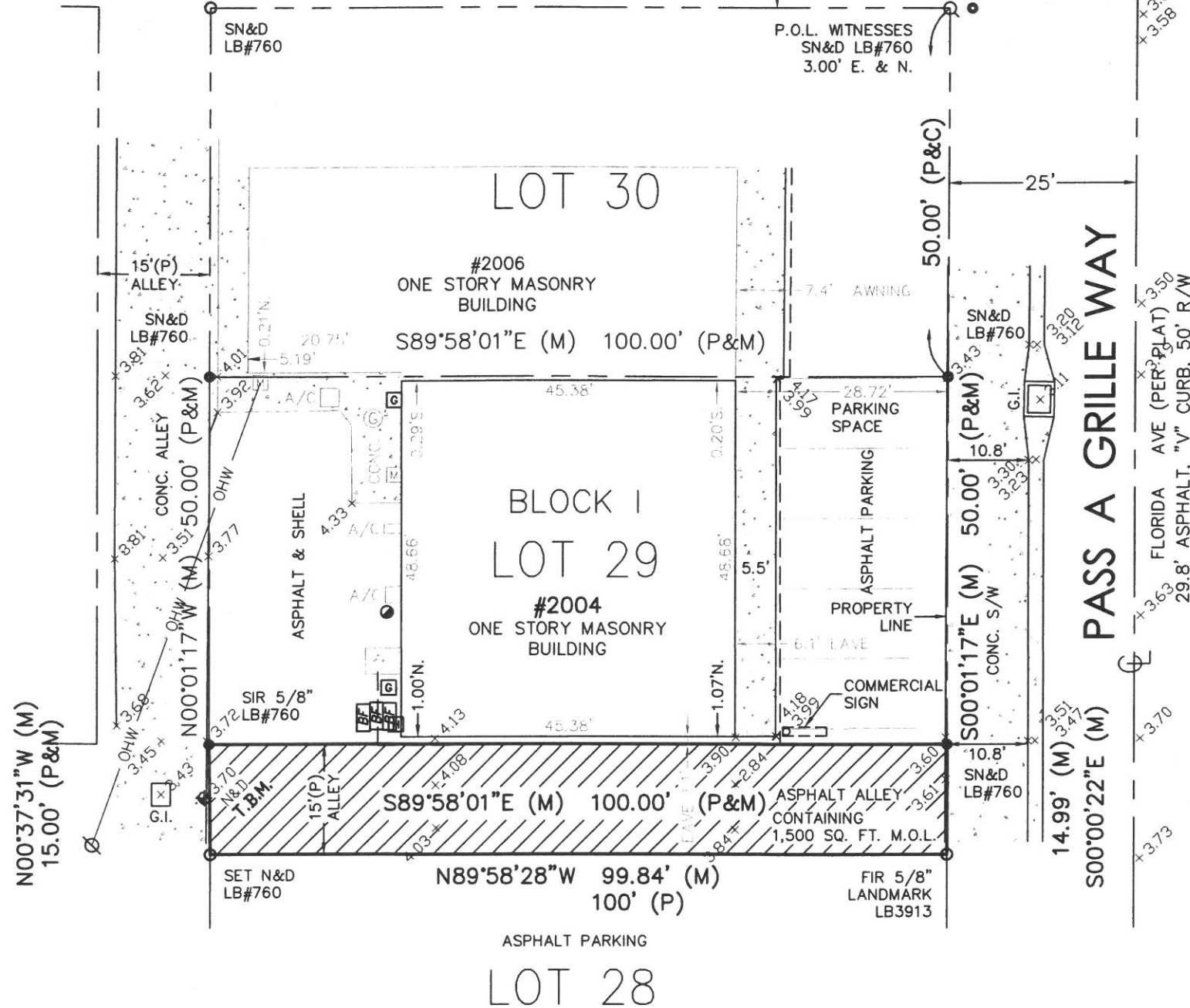
LEGEND:

- 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	Helen Collom Helen Collom	2381 E Vina Del Mar Blvd., St. Pete Bch, FL 33706 2381 E Vina Del Mar Blvd., St. Pete Bch, FL 33706	(941) 462-9260 (941) 462-9260
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: Poshrealtor@gmail.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 to 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;




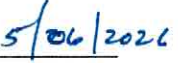
See attached Exhibit "A"

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"

			
Signature of Applicant	Date	Signature of Authorized Agent	Date

VARIANCE APPLICATION

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

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

HC 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.

HC 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.

HC 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.

HC 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.

HC 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.

HC 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.

J. Pollock
Signature of Applicant

5/6/26
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.)

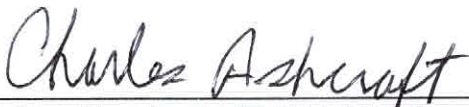

Signature of Owner

Signature of Owner

Helen Collom, Manager
Print Name of Owner

Print Name of Owner

The forgoing instrument was acknowledged before me this 6th day of
may 20 26 by Helen Collom or who is
personally known as Helen Collom produced _____ as
identification.


(Notary Signature) Charles Ashcraft

5/6/2026
(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.)


Signature of Owner

Signature of Owner

Helen Collom, Manager
Print Name of Owner

Print Name of Owner

The forgoing instrument was acknowledged before me this 6th day of
may 20 26 by Helen Collom or who is
personally known as Helen Collom produced _____ as
identification.


(Notary Signature) Charles Ashcraft

5/6/2026
(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.

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. **Documented Utility Approval:** As evidence of the ROW's redundancy, all major public utilities—including Pinellas County, Frontier, Duke Energy, Spectrum, and TECO Peoples Gas—have issued formal No-Objection letters for this vacation (provided to Staff under separate cover).

- g. **Direct Subdivision Precedent:** The subject property is located in Block 9 of Phillip's Subdivision. This subdivision has a long-standing history of Right-of-Way (ROW) vacations specifically for 15-foot East-West alleys. Resolution No. 46 (City of St. Petersburg Beach) identifies twelve (12) separate alleys within Phillip's Subdivision—the same subdivision as the subject property—that were vacated because they served 'no real need.' Granting this variance maintains consistency with the City's established pattern of relieving property owners in this specific subdivision from the burden of maintaining obsolete, narrow corridors (See attached Exhibit F and G).

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.

- e. **Continuity of Commercial Operations:** Deliveries for the northern building will utilize the superior alternate routes depicted in Exhibit E, proving that the 15-foot alleyway is unnecessary for modern commercial logistics.
 - f. **Traffic Safety and Intersection Proximity:** A literal interpretation requiring the preservation of this ROW ignores the safety hazards inherent in its geometry. Due to its extreme proximity to the [Insert Street Name] intersection, the ROW creates a "blind" conflict point for pedestrians and vehicles. This safety concern mirrors the logic used in prior City vacations, where the "best interests of the adjoining property owners, as well as the City" were served by closing narrow, redundant access points that terminate near busy thoroughfares. Denying this variance forces the applicant to maintain a vestigial, dangerous corridor that the City has already deemed unnecessary in 13 nearly identical instances.
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.

- e. **Preservation of Intent:** The Owners have no immediate plans for development within the vacated alleyway area.
- f. **Independent Property Management:** While a unified site plan exists for the Red, White & Booze property, there are no plans to combine the two abutting properties at this time. The northern property will remain a distinct entity, and the existing curb/apron configuration will remain unchanged.

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



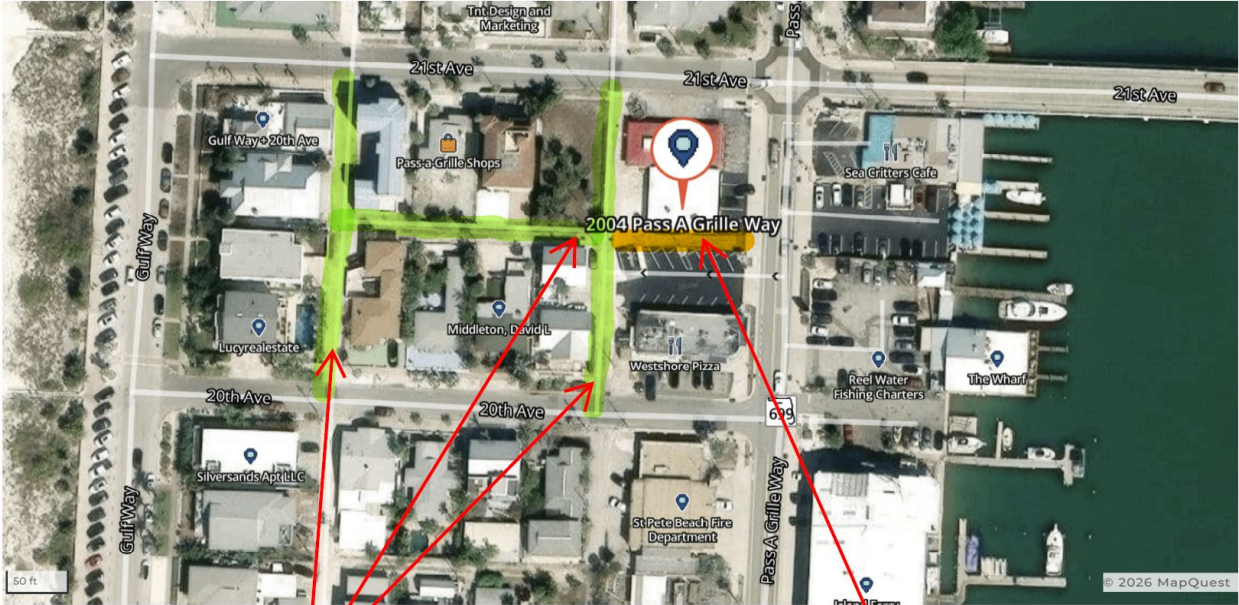
EXHIBIT "C"
ALLEYWAY - LOOKING WEST



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

EXHIBIT "F"

RESOLUTION NO. 46

CITY OF ST. PETERSBURG BEACH
PINELLAS COUNTY
FLORIDA

Re: Vacation of certain alleys in the Pass-a-Grille area in Warren Webster's Subdivision, Phillip's Subdivision, Morey Beach Subdivision and Sunset Park Subdivision.

The Board of Commissioners of the City of St. Petersburg Beach, Pinellas County, Florida, at a regular meeting duly assembled on Tuesday, December 1, 1959, resolves as follows:

WHEREAS, certain alleys were dedicated upon filing of the Plats of the respective subdivisions hereinafter set forth, and

WHEREAS, all of the lots adjacent to said alleys are served by other dedicated alleys in a North-South direction also immediately adjoining said lots, and

WHEREAS, after a thorough study of each of the areas involved, it appears that neither the residents of the respective areas nor the City has any real need of the East-West alleys hereinafter described, and it further appearing that the best interests of the adjoining property owners, as well as the City, would be served by a vacation of said alleys;

NOW, THEREFORE, BE IT RESOLVED:

1. That the City Commission of the City of St. Petersburg Beach, Florida, in accordance with the provisions of the Charter of the City and the applicable Statutes of the State of Florida, hereby vacate the following described alleys:

<u>Alley lying Between</u>	<u>Width of Alley</u>	<u>Length Vacated</u>
Lot 4, Blk. 2, Morey Beach Subn and Lot 1, Blk A, Warren Webster's Subn.	15'	100' E'ly from W. boundary of North-South alley.
Lots 134 and 135 Blk B Warren Webster's Subn.	15'	100.9' E'ly from the E. boundary of Gulf Way
Lots 130 and 131 Blk C Webster's Replat of Phillip's Subn.	15'	100.9' E'ly from E edge of Gulf Way
Lots 8 and 9 Blk C Warren Webster's Subn.	15'	100' W'ly from the W edge of P-A-G Way
Lots 126 and 127 Blk E Phillip's Subn.	15'	100' E'ly from the E boundary of Gulf Way
Lots 122 and 123 Blk F Phillip's Subn.	15'	100' E'ly from the E boundary of Gulf Way

<u>Alley lying Between</u>	<u>Width of Alley</u>	<u>Length Vacated</u>
Lots 16 and 17 Blk F Phillip's Subn.	15'	100' W'ly from the W boundary of P-A-G Way
Lots 20 and 21 Blk G Phillip's Subn.	15'	100' W'ly from W boundary of P-A-G Way
Lots 24 and 25 Blk H Phillip's Subn.	15'	100' W'ly from the W boundary of P-A-G Way
Lots 114 and 115 Blk H Phillip's Subn.	15'	100' E'ly from the E boundary of Gulf Way
Lots 106 and 107 Blk J Phillip's Subn.	15'	100' E'ly from the E boundary of Gulf Way
Lots 32 and 33 Blk J Phillip's Subn.	15'	100' W'ly of the W boundary of P-A-G Way
Lot 35 Blk K Phillip's Subn. and Lot 9 Blk E Sunset Park Subn.	10'	100' W'ly from the W boundary of P-A-G Way

2. That the appropriate officials of the City be, and they are hereby, authorized and empowered to execute quit claim deeds from the City of St. Petersburg Beach, Florida, to the respective owners of the above described properties, transferring to each of said owners their respective shares of the alleys hereby vacated, as evidence of the vacation of said alleys and vesting in said property owners the fee simple ownership thereof.

3. That the property composing the alleys hereby vacated shall be and become a part of the respective lots to which they are adjacent, and shall not be sold or resubdivided independent or apart from said adjoining lot.

Commissioner *Tracy* offered the foregoing Resolution and moved its adoption, which was seconded by Commissioner *Stambaugh*, and upon roll call the vote was:

Mayor Miller	<i>yes</i>
Commissioner Tracy	<i>yes</i>
Commissioner Criswell	<i>yes</i>
Commissioner Parker	<i>yes</i>
Commissioner Stambaugh	<i>yes</i>

RESOLVED AND DONE, this 1st day of December, 1959, by the Board of Commissioners of the City of St. Petersburg Beach, Pinellas County, Florida.

William A. Miller
Mayor-Commissioner

George C. Cuswell Jr.

Ray T. Tracy

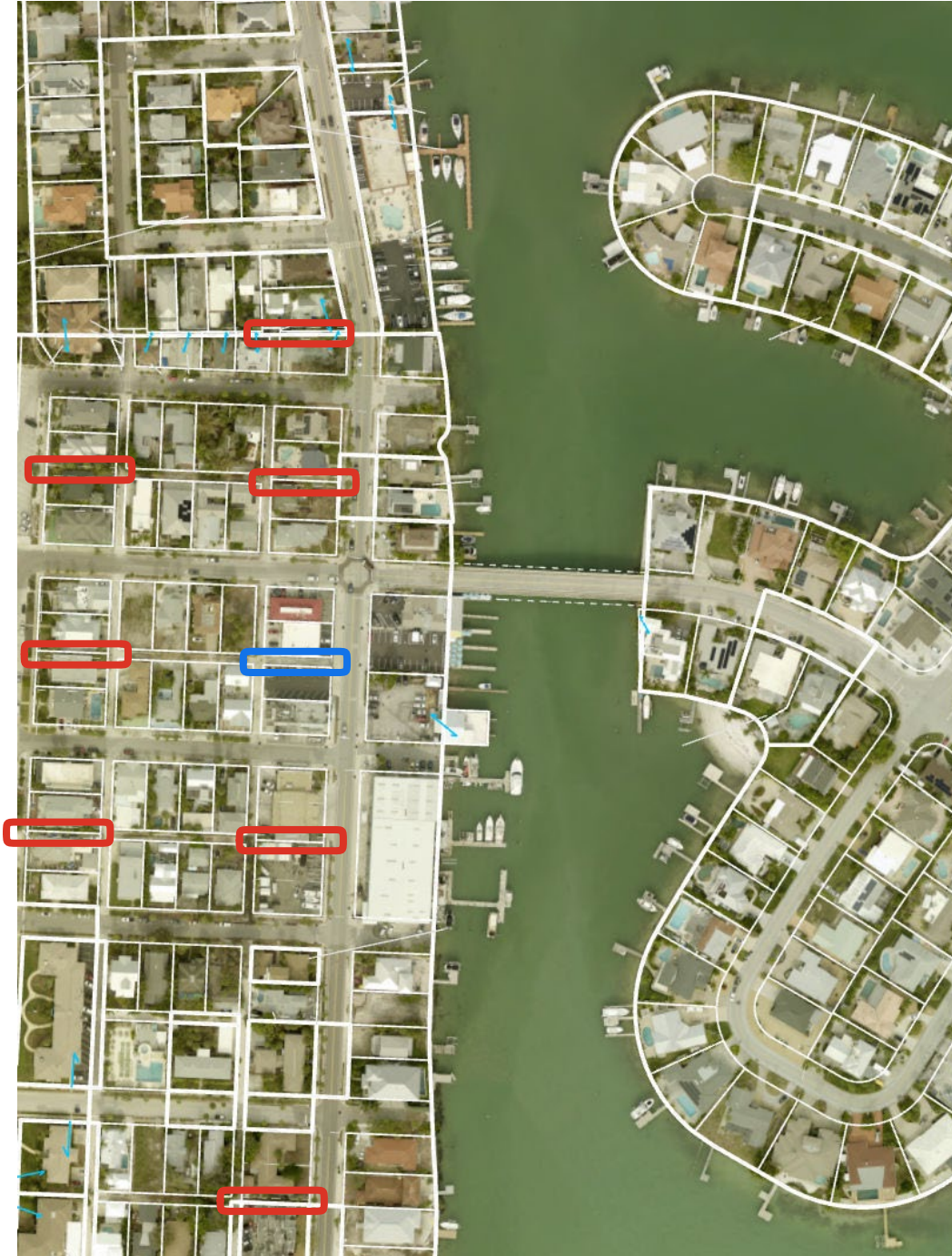
Wm. M. Parker

Ted Stambaugh
Commissioners

ATTEST:

BY Mary E. Daubek
City Clerk

EXHIBIT "G"
A FEW PAST APPROVED VACATION OF
PUBLIC RIGHT-OF-WAY (ALLEY'S)
IN PASS-A-GRILLE AREA



LEGEND

 PAST APPROVED VACATION OF ALLEYWAY

 PROPOSED VACATION OF ALLEYWAY

CC BULL, LLC

St. Pete Beach City Council
City of St. Pete Beach
155 Coren Avenue
St. Pete Beach, FL 33706

Re: Vacate Public Right of Way

Dear City Council,

I am the owner of the property located at 2004 Pass A Grill Way (Parcel ID #18-32-16-68634-009-290), which is immediately adjacent to public alleyway currently considered for vacation (described in attached Exhibit "A").

I am writing to formally state that **I do not object** to the city vacating its interest in this alleyway.

I understand that upon the finalization of this vacation, ownership of the portion of the alley abutting my property - typically to the centerline- will revert to me, subject to any existing utility easements or city requirements.

Thank you for your time and for including this statement in the official public record.

Sincerely,

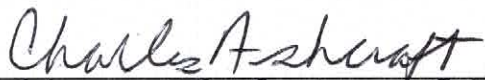


Helen Collom
Manager

State of Florida
County of Pinellas

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 6th day of May, 2026, by Helen Collom, Manager of CC Bull, LLC who is personally known to me, or who has produced _____ as identification.

[Seal]


CHARLES ASHCRAFT
Notary Public
Print Name: Chuck Ashcraft
My Commission Expires: 02/03/2030



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

2381 East Vina Del Mar Boulevard
St. Pete Beach, FL 33706
Phone: (941) 462-9260 E-mail: Poshrealtor@gmail.com

CC BULL, LLC

EXHIBIT "A"

LEGAL
PROPOSED 15 FOOT ALLEY TO BE VACATED

A 15 FOOT ALLEY ADJACENT TO AND BETWEEN LOTS 28 AND 29, BLOCK "T", 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, FL.

2381 East Vina Del Mar Boulevard
St. Pete Beach, FL 33706
Phone: (941) 462-9260 E-mail: Poshrealtor@gmail.com

Collom Properties, LLC

St. Pete Beach City Council
City of St. Pete Beach
155 Coren Avenue
St. Pete Beach, FL 33706

Re: Vacate Public Right of Way

Dear City Council,

I am the owner of the property located at 0000 Pass A Grill Way (Parcel ID #18-32-16-68634-009-280), which is immediately adjacent to public alleyway currently considered for vacation (described in attached Exhibit "A").

I am writing to formally state that **I do not object** to the city vacating its interest in this alleyway.

I understand that upon the finalization of this vacation, ownership of the portion of the alley abutting my property - typically to the centerline- will revert to me, subject to any existing utility easements or city requirements.

Thank you for your time and for including this statement in the official public record.

Sincerely,



Helen Collom
Manager

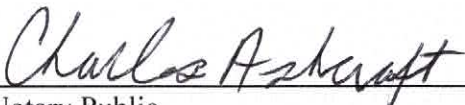
State of Florida
County of Pinellas

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 6th day of may, 2026, by Helen Collom, Manager of CC Bull, LLC who is personally known to me, or who has produced _____ as identification.

[Seal]



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



Notary Public
Print Name: Chuck Ashcraft
My Commission Expires: 02/03/2030

2381 East Vina Del Mar Boulevard
St. Pete Beach, FL 33706
Phone: (941) 462-9260 E-mail: Poshrealtor@gmail.com

Collom Properties, LLC

EXHIBIT "A"

LEGAL
PROPOSED 15 FOOT ALLEY TO BE VACATED

A 15 FOOT ALLEY ADJACENT TO AND BETWEEN LOTS 28 AND 29, BLOCK "T", 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, FL.

2381 East Vina Del Mar Boulevard
St. Pete Beach, FL 33706
Phone: (941) 462-9260 E-mail: Poshrealtor@gmail.com



Date: 1/27/26

Re: Letter of No Objection 2004 Pass a Grille Way, St Pete Beach, FL 33706

XXX Charter Communications has no objections provided easements for our facilities are Retained / granted

_____ Charter Communications has facilities that would need to be relocated and the applicant would be responsible for this expense. Payment in full would be required to proceed with vacation of the easement.

_____ In order to properly evaluate this request, Charter Communications will need detailed plans of facilities proposed for subject areas.

_____ Charter Communications has facilities within this area, which may conflict with subject project please call 811 to have locating. **SEE NOTES**

_____ Charter Communications requires 30 days written notice prior to construction start date to relocate their facilities.

NOTES:

Sincerely,

Derrick Snyder

Construction Supervisor
Charter Communications
Pinellas County
Phone Number 727-329-2041



Jan. 30, 2026

Via email: jsipera@ranmardevelopment.com

Mr. Jon Sipera
Ranmar Development, Inc.
Vice President
PO Box 1175
Oldsmar, FL 34677

**RE: Vacation of an Alley
2004 Pass A Grille Way, St. Pete Beach
Pinellas County, Florida**

Dear Mr. Sipera:

Please be advised that Duke Energy maintains facilities and hereby registers its objection to the proposed vacation and abandonment of the 15.00 foot alley adjacent to and between Lots 28 And 29, Block "I", 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, as recorded in Plat Book 4, Page 26, Public Records Of Pinellas County, Florida. being more particularly described on the accompanying Sketch of Description drawn by John C. Brendla & Associates, Inc., Dated December 19, 2025, Job # 2209-20, attached hereto and by this reference made a part hereof.

A No Objection letter will be provided upon either:

1. Removal/relocation of existing facilities (handled by a Duke Energy Engineering).
2. Granting of a Duke Energy Easement over the described property (If Right of Way is split, we would need an Easement from abutting owner as well).
3. City/County confirmation that this proposed area will retain a Public Utility Easement in the recorded Resolution.

Facilities that require relocation will be done at no cost to Duke Energy. If the facilities do not interfere with your plans, an easement will be prepared for your execution.

If I can be of further assistance, please do not hesitate to contact me.

Sincerely,

Irma Cuadra

Irma Cuadra
Senior Research Specialist

Attachment

From: [Jon Sipera](mailto:Jon.Sipera@ranmardevelopment.com)
To: "Fl.supportservices@duke-energy.com"
Cc: [Chuck Ashcraft \(Cashcraft@ranmardevelopment.com\)](mailto:Chuck.Ashcraft@ranmardevelopment.com)
Subject: Petition to Vacate Public ROW
Date: Friday, January 23, 2026 7:46:00 PM
Attachments: [Alley Sketch 2209 20SL.pdf](#)
[Duke-No Objection Letter.pdf](#)

To Whom It May Concern:

I am writing to formally request a Letter of No Objection regarding my petition to vacate a portion of the public right-of-way abutting the following properties, and described in the attached Sketch and Legal.

In accordance with Pinellas County Land Development Code Article V, Division 4, I am required to obtain statements from all utility providers indicating whether they have an objection to this vacation.

Details:

1. The 15-foot-wide alleyway adjacent to and between Lots 28 and 29, Block "T".
2. Location: Between Pinellas County Parcel ID #'s 18-32-16-68634-009-0280 and 18-32-16-68634-009-0290.
3. Legal Description of the specific area proposed for vacation is as follows:

A 15 FOOT ALLEY ADJACENT TO AND BETWEEN LOTS 28 AND 29, BLOCK "T", 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, FL.

Please provide your response on company letterhead and reference the property address listed above. If Duke Energy has existing facilities in this area that require a reserved easement, please specify those requirements in your response.

Per Pinellas County requirements, please return the **original signed letter** to me at the address below so I may include it in my formal application packet.

Thank you for your prompt attention to this matter.

Should you have any questions please feel free to email or call me.

Thank You,

Jon Sipera
Ranmar Development, Inc.
Vice President
PO Box 1175
Oldsmar, FL 34677
(B) [813.854.4486](tel:813.854.4486)
(C) [813.695.2886](tel:813.695.2886)
(F) [813.855.0236](tel:813.855.0236)
Jsipera@RanmarDevelopment.com

CONFIDENTIALITY NOTICE: This email message and any accompanying data are confidential, and intended only for the named recipient(s). If you are not the intended recipient(s), you are hereby notified that the dissemination, distribution, and or copying of this message is strictly prohibited. If you receive this message in error, or are not the named recipient(s), please notify the sender at the email address above, delete this email from your computer, and destroy any copies in any form immediately. Please consider the environment before printing this email.

SECTION 18, TOWNSHIP 32S, RANGE 16E

SKETCH AND LEGAL DESCRIPTION OF A 15 FOOT ALLEY TO BE VACATED:

A 15 FOOT ALLEY ADJACENT TO AND BETWEEN LOTS 28 AND 29, BLOCK "I", 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.

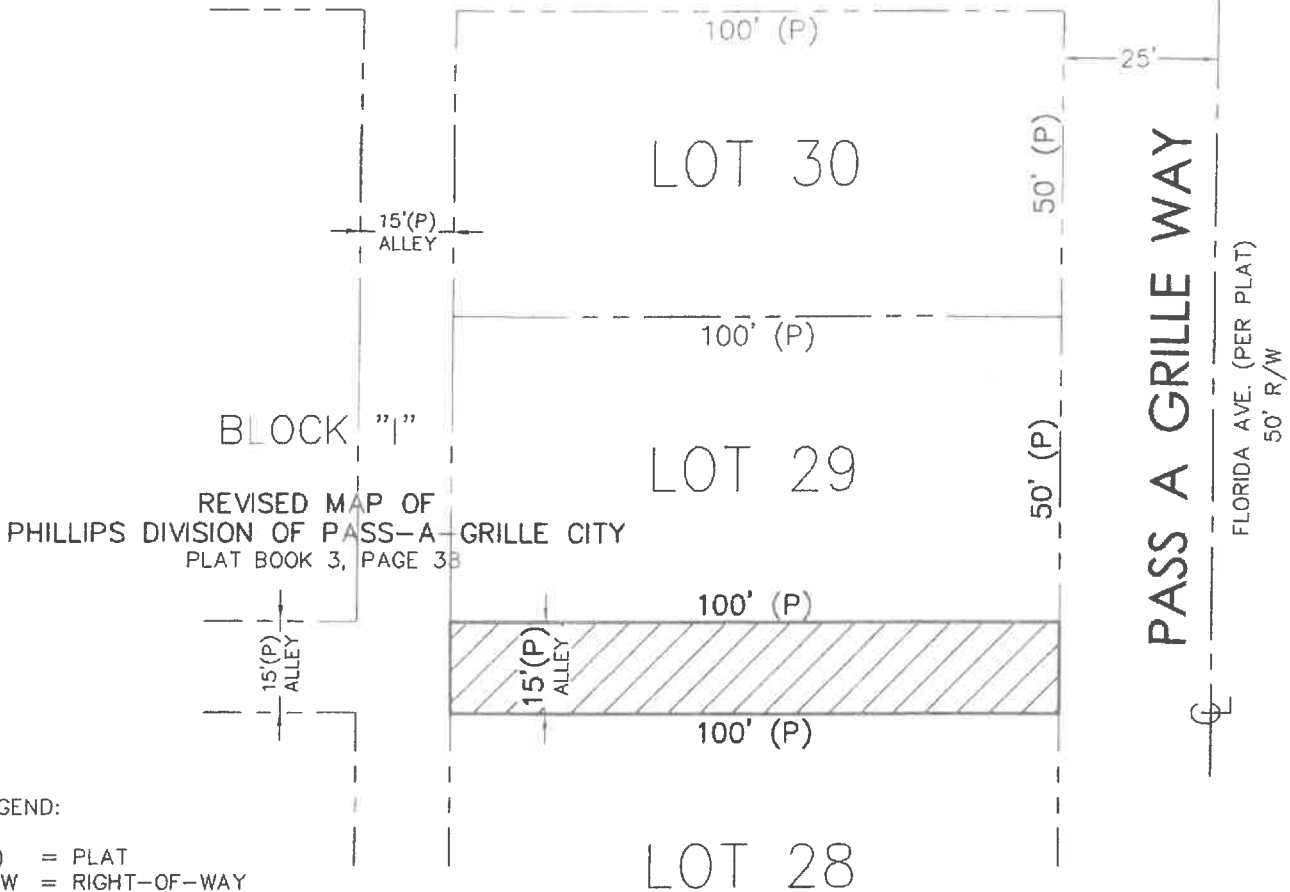


NORTH BASIS:
ASSUMED
SCALE: 1" = 30'

CONTAINING 1,500 SQUARE FEET, MORE OR LESS

21st AVE.

CLARK ST (PER PLAT)



LEGEND:

(P) = PLAT
R/W = RIGHT-OF-WAY

PREPARED: DECEMBER 19, 2025

THIS IS NOT A SURVEY

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

NOTE: Sketch and Legal Description not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper.

Job Number
2209-20
DWN JM

I hereby certify that the sketch and Legal Description represented hereby meet 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. LB 766
STATE OF FLORIDA

Prepared by:
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

SHEET 1 OF 1



FRONTIER

2185 Range Rd
Clearwater, FL 33765
(941) 266-9218
stephen.waidley@ftr.com

2/17/2026

Attn: Jon Sipera
Vice President
Ranmar Development, Inc.
PO Box 1175
Oldsmar, FL 34677

RE: Vacation of Right-of-Way – 2004 Pass A Grille Way, St Pete Beach, FL (between Lots 28 & 29)

Dear Mr. Sipera,

Our records do not indicate that there are Frontier facilities in the area of the Plat request as per the attachment provided.

Frontier has no objection to the above referenced request as per the attachment.

Frontier has facilities within the proposed vacate area. A recordable non-exclusive Easement in favor of Frontier will be required for Frontier facilities to remain in the proposed vacated R.O.W.

Frontier has facilities in the area, which may be in conflict with your proposed construction plans. Please contact Sunshine 811 by dialing 811, 2 full business days prior to the start of your work to have these facilities located for you. Please take all necessary precautions to protect and avoid damage of these facilities during your construction.

Frontier has facilities in the area, which may be in conflict with your proposed construction plans. Please send a set of construction plans and references to the Frontier Engineering Department with regards to the above project.

Frontier has facilities in the area of your proposed construction. Prepayment is required to markup a set of construction plans in order to confirm and accurately depict Frontier facilities. There will also be a reimbursement of all costs required for relocation/adjustments of Frontier facilities needed to accommodate the proposed construction project.

Please call me if you have any questions or need any additional information at (941) 266-9218.

Sincerely,

Stephen Waidley

Stephen Waidley
Frontier Florida LLC
Regional Rights of Way & Municipal Affairs Manager



January 26, 2026

Frontier Communications
Engineering / Right-of-Way Department
2185 Range Rd.
Clearwater, FL 33765

RE: Petition to Vacate Public Right-of-Way
2004 Pass A Grille Way, St. Pete Beach, FL 33706

To Whom It May Concern:

I am writing to formally request a Letter of No Objection regarding my petition to vacate a portion of the public right-of-way abutting the following properties, and described in the attached Sketch and Legal.

In accordance with St. Pete Beach Land Development Code Article V, I am required to obtain statements from all utility providers indicating whether they have an objection to this vacation.

Details:

1. The 15-foot-wide alleyway adjacent to and between Lots 28 and 29, Block "T".
2. Location: Between Pinellas County Parcel ID #'s 18-32-16-68634-009-0280 and 18-32-16-68634-009-0290.
3. Legal Description of the specific area proposed for vacation is as follows:

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Corporate offices: 12645 Race Track Road, Tampa, FL 33626
Mailing address: P.O. Box 1175, Oldsmar, FL 34677
Phone: 813.695-2886 E-mail: JSipera@RanmarDevelopment.com

Please provide your response on company letterhead and reference the property address listed above. If Frontier Communications has existing facilities in this area that require a reserved easement, please specify those requirements in your response.

Please return the original signed letter to me at the address below so I may include it in my formal application packet.

Thank you for your prompt attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jon Sipera', with a horizontal line extending to the left.

Jon Sipera
Vice President
(813) 695-2886
jsipera@ranmardevelopment.com

SECTION 18, TOWNSHIP 32S, RANGE 16E

SKETCH AND LEGAL DESCRIPTION OF A 15 FOOT ALLEY TO BE VACATED:

A 15 FOOT ALLEY ADJACENT TO AND BETWEEN LOTS 28 AND 29, BLOCK "I", 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.

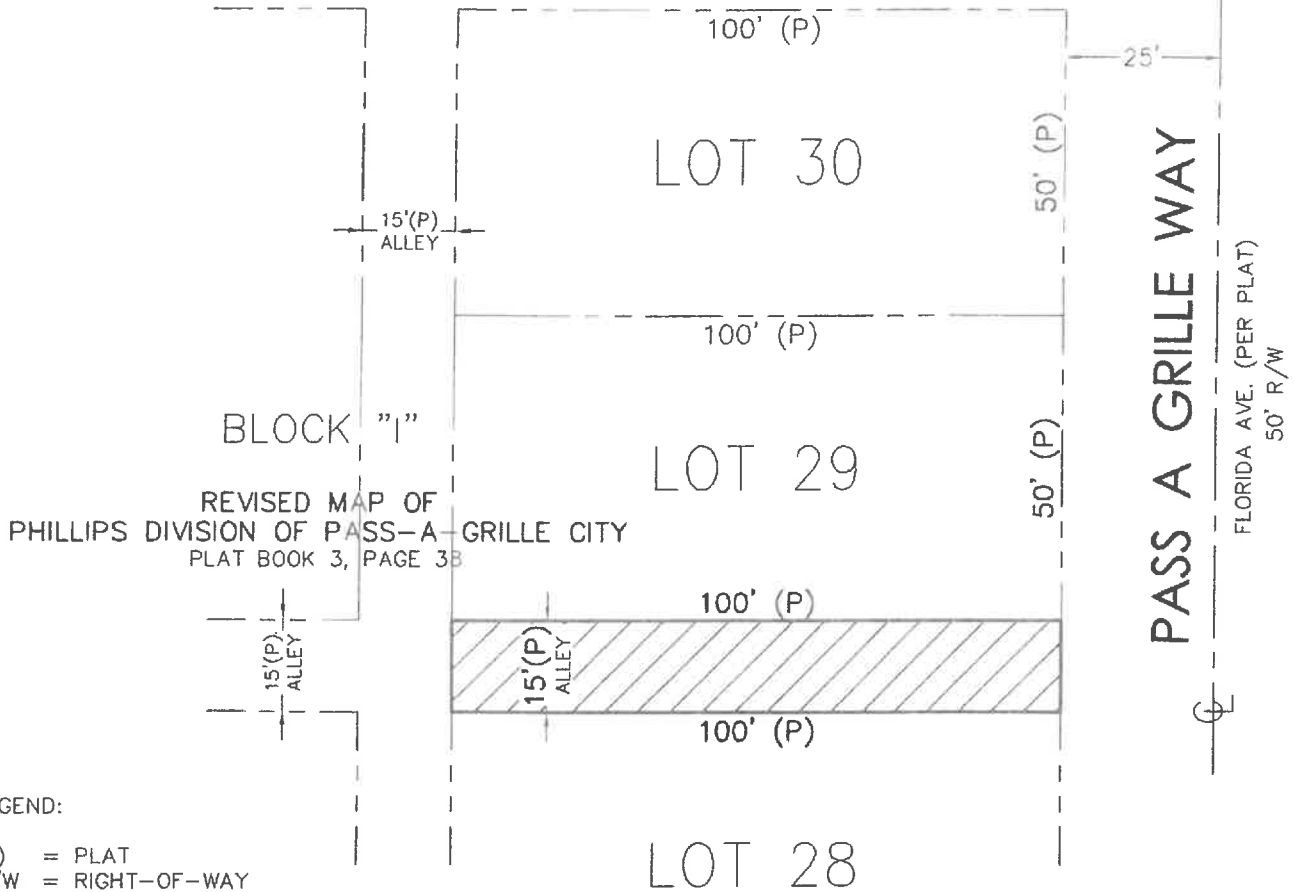


NORTH BASIS:
ASSUMED
SCALE: 1" = 30'

CONTAINING 1,500 SQUARE FEET, MORE OR LESS

21st AVE.

CLARK ST (PER PLAT)



LEGEND:

(P) = PLAT
R/W = RIGHT-OF-WAY

PREPARED: DECEMBER 19, 2025

THIS IS NOT A SURVEY

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

NOTE: Sketch and Legal Description not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper.

Job Number
2209-20
DWN
JM

I hereby certify that the sketch and Legal Description represented hereby meet 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. LB 766
STATE OF FLORIDA

Prepared by:
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

SHEET 1 OF 1



- [Accessibility Assistance](#)
- [Air Quality Complaint: Search | File](#)
- [Code Enforcement Complaint: File](#)
- [Consumer Protection Complaint: Search | File](#)
- [Drainage Complaint - Roads, Public Land: Report](#)
- [Drainage Complaint - Private Land: Search | File](#)
- [Habitat Complaint: Search | File](#)

Permits resulting from Hurricane damage are not exempt from Substantial Damage Substantial Improvement rules

- [Home](#)
- [Air Quality](#)
- [Build](#)
- [Code Enforce](#)
- [Consumer Protect](#)
- [Develop](#)
- [Emergency Mgmt](#)
- [Environment](#)
- [Fertilizer](#)
- [Human Services](#)
- [PCCLB](#)
- [more](#)

- [Create an Application](#)
- [Search Applications](#)
- [Schedule an Inspection](#)

Record PTV-26-00001:
Petition To Vacate
Record Status: Withdrawn

[Add to collection](#)

[Record Info](#)

[Payments](#)

I spoke with Pinellas County and they have withdrawn permit request for Vacation of ROW because they do not have an objection. I am still waiting on letter.

Work Location

*

Record Details

Applicant:

Jon Sipera
 Ranmar Development, Inc.
 PO Box 1175
 Oldsmar, FL, 34677
 Home Phone: 813695-2886
 Mobile Phone: 813695-2886
 Jsipera@ranmardevelopment.com

Project Description:

Letter of No Objection for a Petition to Vacate Public ROW

Owner:

COLLOM PROPERTIES LLC *
 2381 E VINA DEL MAR BLVD
 ST PETE BEACH FL 33706 283

▼ **More Details**

☐ **Application Information**

PETITION INFORMATION

Petition Type: Right of Way - Open and Used
Pending Contract for Sale: No

Is there a Homeowners Association?:	No
Corporation Involved as Owner or Buyer:	No
Reason(s) for requesting this release (check all that apply):	No
Need to release to clear Pool:	No
Need to release to clear Screened Pool and Deck:	No
Need to release to clear Other:	No
Need to release to clear title:	No
Want to release to allow for Building:	No
Want to release to allow for Pool:	No
Want to release to allow for Screened Pool and Deck:	No
Want to release to allow for Other:	No
Want to vacate to include the vacated right of way or alley into my property for increased property:	No
Want to vacate to include the vacated row/alley into property for prohibiting unwanted use of area:	Yes
Other reason for requesting this release:	See details in Application to St. Pete Beach to Vacate ROW
Board of Adjustment required:	No

CITIZEN DISCLOSURE

I have a current family relationship to an employee, or an elected official, of Pinellas County Government.:	No
I am not aware of any current family relationship to any employee, or Elected Official, of Pinellas County Government.:	Yes
I am an employee of Pinellas County Government.:	No

Parcel Information

Parcel Number:183216686340090280 *

Block:009

Lot:0280

Subdivision:68634



[PINELLAS COUNTY WEBSITE](#)

[ACCESSIBILITY ASSISTANCE](#)

[INSTRUCTIONS AND HELP](#)

[PRIVACY POLICY](#)

[DISCLAIMER](#)

[CONTACT US](#)



February 5, 2026

To: Jon Sipera
Ranmar Development, Inc.
Vice President
PO Box 1175
Oldsmar, FL 34677
B) 813.854.4486
(C) 813.695.2886
(F) 813.855.0236

Re: Vacate portion of right of way
Address: 2004 Pass a Grille Way, St Pete Beach, FL, 33706.

To Whom It May Concern,

Thank you for contacting Peoples Gas System, Inc. ("PGS") regarding the Vacate portion of right of way at the above referenced location. After reviewing the documents provided, PGS has NO objection to this request. PGS does not have any active facilities in this specified area.

If you have further questions, please do not hesitate to call.

Sincerely,

A handwritten signature in black ink, appearing to read "Briana".

Briana Velez
Peoples Gas Systems- Engineering
8416 Palm River Rd, Tampa Fl 33619
Office: (813)275-3700 ext:53700
Cell: (813)460-2040

104 21st Avenue
St. Pete Beach, FL 33706

May 18, 2026

City of St. Pete Beach
Board of Adjustments
155 Corey Avenue
St. Pete Beach, FL 33706

Re: Opposition to Case Number 26043

Dear Members of the Board:

I am writing to strongly oppose the application for variance in Case Number 26043 due to the absence of any unnecessary or undue hardship that would justify approval under the City's Land Development Code and applicable laws and ordinances. Vacating of this alleyway and eventual development would preclude access to our home's driveway.

First, the applicant has failed to demonstrate the legal standard required for granting a variance pursuant to Section 20.19 of the City's Land Development Code and other supporting laws and ordinances. Variances are intended only for exceptional circumstances involving unnecessary hardship unique to a property, and the applicant has not established such conditions in this matter.

Second, approval of this application would impose substantial hardship upon neighboring property owners. Vacating the alleyway would effectively prevent neighbors from using the alley to access their driveways once the applicant acquires and develops the alleyway. The alternative alleyways are unsuitable for vehicles larger than standard passenger cars because of extremely tight turning radiuses. This would eliminate practical access for construction vehicles, service trucks, utility vehicles, and emergency-related access needs, thereby negatively impacting multiple neighboring properties.

Third, the applicant's representations regarding its intentions for the alleyway are inconsistent with its subsequent actions. During the technical meeting, the applicant stated that there were no plans for development of the alleyway. However, within approximately two weeks after that meeting, the applicant constructed and developed the rear and side portions of its property utilizing zero setbacks. The applicant now cites those same zero setbacks as justification for the requested variance and alleged hardship. In effect, the applicant has created and exacerbated its own hardship through its own development decisions, which should not qualify as grounds for variance relief.

Fourth, the applicant asserts that vacating the alleyway is necessary to perform building maintenance and resurface the alleyway. This assertion is unsupported. Neither maintenance nor resurfacing activities require ownership or vacation of the alleyway. The applicant has already been using the alleyway for access and maintenance purposes for the past several years without issue (or permission) and can continue to do so without vacating the alleyway.

For these reasons, I respectfully request that the Board deny the application in Case Number 26043.

Thank you for your consideration of this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Kan". The signature is written in a cursive style with a large, stylized initial "M".

Michael Kan



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

COMMUNITY DEVELOPMENT - PLANNING

Date: May 18, 2026

To: Board of Adjustment

Re: Staff Findings Report
Unnecessary and Undue Hardship Variance
Addresses: 0 & 2004 Pass A Grille Way
Parcel Numbers: 18-32-16-68634-009-0280 & 18-32-16-68634-009-0290
Jon Sipera and Kyle Bass for Helen Collom of CC BULL LLC & COLLOM PROPERTIES LLC
Variance Case No: 26043

Prepared by: Brandon Berry, Senior Planner

Hearing Date: May 27, 2026

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

1. Revised Unnecessary and Undue Hardship Variance package with associated forms and exhibits, submitted May 6, 2026, consisting of 26 sheets.
2. Revised letter of no objection to the vacation of the alleyway from Helen Collom of CC BULL LLC, submitted May 6, 2026, consisting of two sheets.
3. Revised letter of no objection to the vacation of the alleyway from Helen Collom of COLLOM PROPERTIES LLC, submitted May 6, 2026, consisting of two sheets.
4. Survey showing the 15-foot alleyway proposed for vacation, prepared by John O. Brendla, PSM, digitally signed on February 20, 2026.
5. Letters from Charter Communications, Frontier Communications, Pinellas County Utilities, TECO, and Duke Energy, responding to the request for vacation, consisting of a total of ten sheets.

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

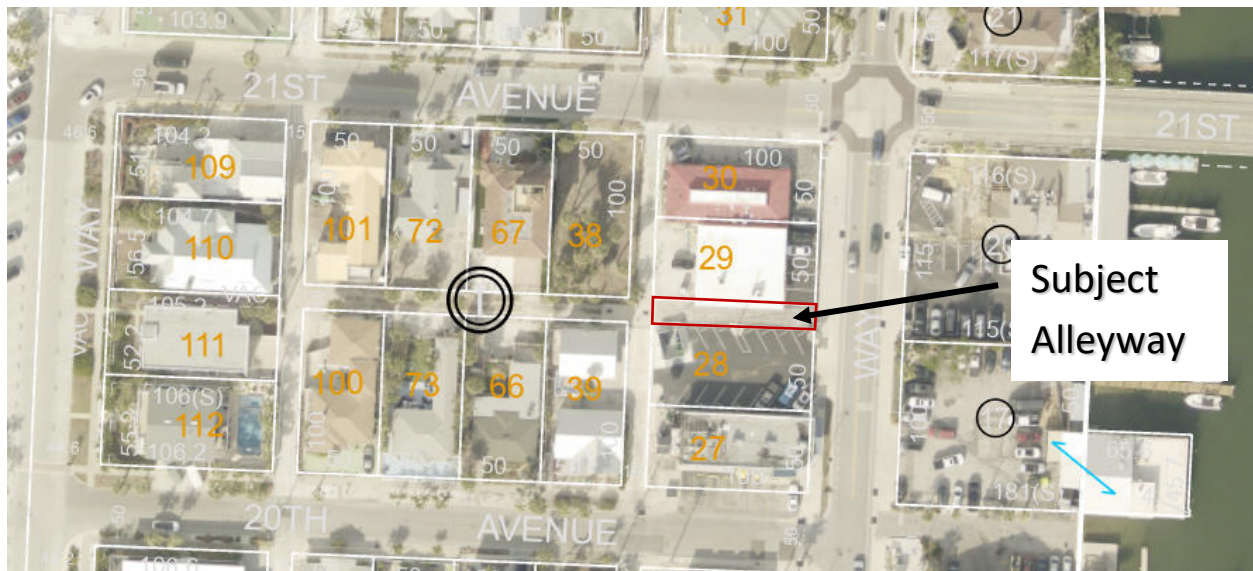
Site Description/Surrounding Land Uses

The alleyway proposed for vacation is a 15'x100' platted alley dedicated to the City under the 1913 Revised Map of Phillips Division of Pass-A-Grille City (Pinellas County Public Records Bk 3, Pg 38). It is abutted to the north by a commercial building most recently utilized as a restaurant and café, and to the south by a parking lot that services the Red, White and Booze restaurant at 2007 Pass A Grille Way. The

alleyway is an extension of a west-east alleyway that extends to the rear of the residential Gulf Way-facing properties of Block I, and is abutted by eight residential properties to the north and south of the alley's westerly extension.

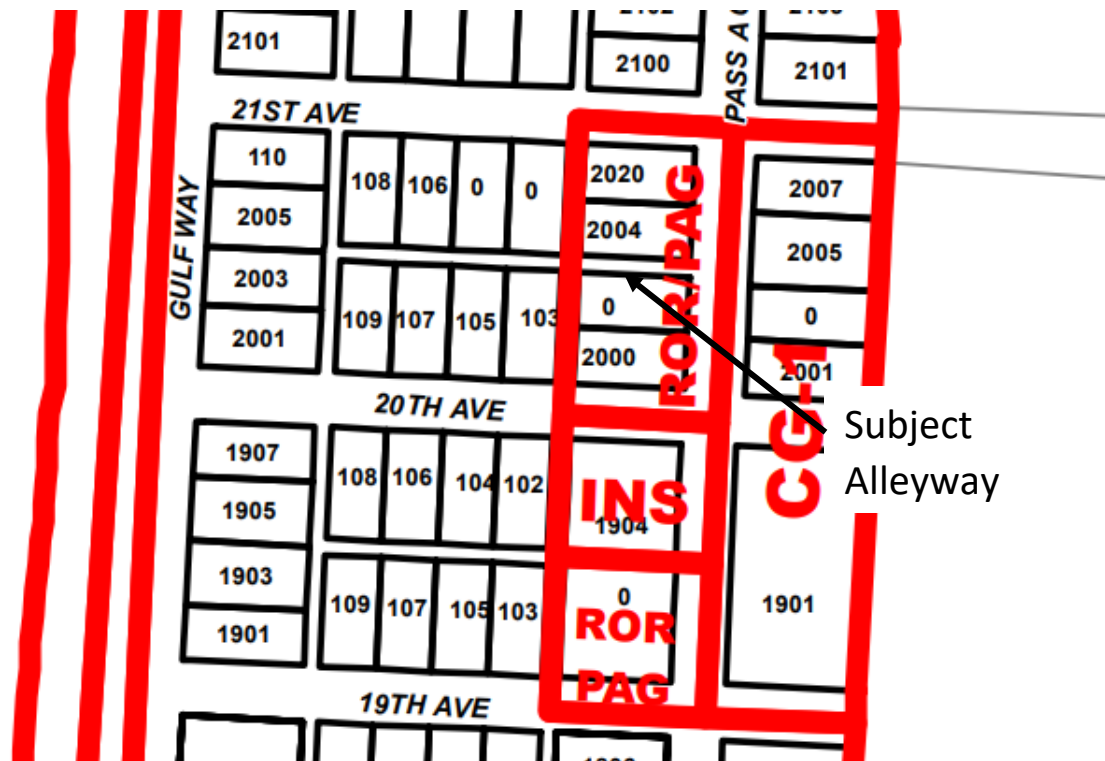
The subject alleyway is the last remaining west-east alleyway that provides access from the block interior to Pass A Grille Way within the Pass A Grille Overlay District, with a substantial number of the other alleyways vacated in the 1950s through Resolution 46, and other, more piecemeal, actions of the City Commission. All properties interior to the subject block remain serviced by the west-east alleyway interior to the 21st and 20th Avenue-facing properties, as well as north-south alleyways perpendicular to the subject alleyway as well as its western terminus.

Figure 1: Aerial Photography



Source: Pinellas County Property Appraiser

Figure 2: Zoning Map



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

Technical Review Committee

The Technical Review Committee met on April 1, 2026 to discuss the request. Comments were made pertaining to additional justification for the request, scheduling of the case hearing, status of now-received utility company letters addressing the request, and municipal need for easement through the existing alleyway if vacated. The agent for the case explained that the applicant planned to resurface the alleyway if the request is approved, but planned to leave the alleyway open. They also amended the narrative subsequent to the meeting, which is published with the case file.

Request

The St. Pete Beach City Charter solely authorizes the St. Pete Beach City Commission with the ability to vacate alleyways that are dedicated to the public, at a supermajority vote. Typically, vacation requests are made directly to the City Commission. However, in 2017, the St. Pete Beach Land Development Code was significantly amended with new standards for the Pass A Grille Overlay District, including prohibition on the vacation of alleyways within the Pass A Grille Overlay District. As the abutting properties are zoned Recreation/Office/Retail (ROR) within the Pass A Grille Overlay District (PAG), the zoning of the properties runs to the centerline of the alleyway.

The request before the Board of Adjustment is to vary the requirements of Land Development Code Section 20.19., which prohibits reduction in the width and length of existing alleyways (Sec. 20.19.(b)), and prohibits the closing or vacating of existing alleyways (Sec. 20.19.(d)). If approved, the applicants would be authorized to make the request to the City Commission pursuant to the City Charter, which is a

legislative action instead of the quasi-judicial process followed by the Board of Adjustment. The approval of this request would not authorize the immediate vacation of the alleyway, which is an action reserved to the City Commission.

Analysis

The vast majority of east-west reservations for alleyways that were planned to connect Pass A Grille Way or Gulf Way to the 'H'-shaped interior of the block under the 1913 plat that included this property were vacated in the middle of the 20th century, including for the properties now addressed as 2003 and 2005 Gulf Way opposite this alleyway, which each received the standard half of their interior 15-foot alleyway in 1959 (Resolution 33). It is unclear at this time why this is the sole remaining alleyway that provides such a connection, but may reflect the long-term commercial nature of the abutting properties, which have been zoned under a classification allowing for low and moderate-impact commercial uses dating back to the City's original zoning map in the late 1950s. As commercial uses typically have demands for off-street deliveries and other functions that substantially increase vehicular demand above that of residential uses, and with this being only one of two commercially-zoned block ends platted with intersecting alleys in Pass A Grille, the alleyway may have formerly or currently serves that function.

As Pass A Grille was largely platted in the late 19th and early 20th centuries, the alleyways are narrower than are commonly maintained for commercial-adjacent alleyways in neighboring jurisdictions, such as St. Petersburg along Central Avenue where widths of 20 feet are common. However, the 15-foot width of the subject alleyway is fairly standard for the jurisdiction, where the alleyways along Corey Avenue are largely also 15 feet in width, and alleyways in the Pass A Grille neighborhood vary between 10 and 18 feet in width. While the example is applicable to a multiple-user alleyway, the National Association of City Transportation Officials uses a 20-foot alleyway as a standard that can support a variety of uses¹.

The alleyway surface is in degraded physical condition, and includes encroachment of overhead power lines and underground communication facilities. A municipal stormwater inlet exists to the immediate west of the alleyway area proposed for vacation but does not intersect the area that would be vacated, nor does it connect underneath the alleyway. In discussion with the City's public services director, there is no immediate need for easement through the area. However, both Duke Energy and Frontier Communications have made their approval for the vacation conditional upon either relocation of facilities at the applicant's expense, or filing of a utility easement to maintain their facilities in the alleyway.

¹ National Association of City Transportation Officials. (n.d.). Urban Street Design Guide – Commercial Alley. Retrieved from <https://nacto.org/publication/urban-street-design-guide/streets/commercial-alley/>.

Additional Comments

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

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

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

The presence of a remaining east-west alleyway between the two commercial properties is a peculiar condition for the neighborhood generally, with the only comparably-zoned example found in the block immediately south that contains Fire Station 22 and a boat storage yard for the Pass A Grille Marina, whose equivalent alleyway was vacated to the abutting properties in the 1960s. All other east-west platted alleyways that were proposed to serve a similar function have been vacated over time, although from historic aerial review, several never actually served a vehicular access function. This is a unique circumstance that does not generally apply to other land in the same zoning district. Staff also recognizes that the use of the land is unique for the area, with only the two-block area immediately surrounding the subject alleyway, and the blocks north and south of Eighth Avenue, in current use as a non-lodging commercial strip.

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

The applicants did not create the platted conditions of the land, which were in place nearly 50 years prior to the incorporation of the City. The land contains uses that are permitted within the zoning district, and Staff does not find that the recent renovation of the commercial building is likely to substantially increase the off-street loading demand for use of the abutting alleyway compared with the prior use of a restaurant. Both uses likely have similar delivery demand requirements, which will exceed the off-street parking demand above many retail-based uses, and significantly exceed the demand for a residential 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;**

Staff finds that the literal interpretation of the Land Development Code deprives the applicants of rights enjoyed by other properties in the same zoning district under the terms of the Land Development Code. They are the sole property owners within the Pass A Grille Overlay District that have a remaining west-east public alleyway between properties along the western side of Pass A Grille Way, with all other similar alleyways having been vacated in the distant past.

However, Staff does not find that the applicants have advanced adequate justification at this time to demonstrate that this creates an unnecessary and undue hardship on their particular properties. The application advances difficulty with maintenance of the northern commercial building, which is

developed at just over a foot from the property line, deterioration of the alleyway surface, functional obsolescence, and traffic safety and visibility issues, as among the justifications for this response. For future maintenance requests, Staff finds that the applicants are eligible to apply for temporary closure of the alleyway, and that doing so maintains the City's interest in the alleyway as an access thoroughfare for residential properties to the west. A maintenance agreement could also be explored if the applicants have interest in maintaining the alleyway surface. While Staff finds that the alleyway is not the 20-foot width common of modern multi-use commercial alleyways, and that encroachments into the alleyway reduce its usable width by an additional two to three feet, it is still comfortably traversable by a standard passenger vehicle and can maintain its current access and utility-serving purposes. The building is compliant with the required side setbacks based on the City's most recent survey data for the northern property, as no setback is required from side property lines for standalone commercial structures in the Pass A Grille Overlay District. Finally, the building significantly exceeds the required front setback and visibility intersection requirements based on the City's Land Development Code, and the current condition has existed for several decades. The only significant visual encroachment at the property frontage is a freestanding sign maintained for the southern parking lot.

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

The use of the northern commercial building property is consistent with the Land Development Code. While the southern off-premise parking lot would require a conditional use permit under the current Code if developed today, the requirement for additional approvals for the southern lot would only apply if the applicants seeks to redevelop or substantially modify the property.

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

Staff finds, with the requirements for utility easements to be maintained, the vacation of the alleyway is not likely to result in a scenario that adds significant additional development potential to the recipient properties. The properties already have a zero-foot setback requirement from the side property line, and if adequate easements are executed, the actual buildout potential for the alleyway is unlikely to change. The applicants have stated in conversations with Staff that they are only immediately seeking to repair the alleyway surface, and that the actual appearance of the space will not substantially change in the near future. While vacation would authorize the owners to physically close the alleyway pending utility authorization, such as through the addition of landscaping or fences, Staff does not find that constitutes intent to maximize financial return for the property. Development on properties in blocks to the north and south, in similar orientation, have been built within the easement subsequent to the vacation.

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

In terms of vacation of an alleyway that serves as access from Gulf or Pass A Grille Way to the block interior, of which there were once over ten platted or improved, this variance would provide similar treatment as to others in the same neighborhood. All other alleyways in the same orientation and

block location have been vacated, several of which occurred under a 1950s resolution recognizing that there was no “real need” for the alleys identified. While that recognition was not made for the subject alleyway, and could have been subject to changing conditions in the intervening years even if it had been, the City’s Public Services Director has not identified an immediate utility-based need for remaining City maintenance of the alleyway at the present time.

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

Staff does not find the variance is the minimum necessary to make reasonable use of the land or existing building, for the reasons outlined in response 3. preceding. The applicants’ narrative for this question advances similar justification as provided in that response. Staff finds there are reasonable alternatives that still allow for safe maintenance of the building, such as authorizing a temporary alleyway closure when maintenance work along the side of the building is undertaken. Zero-foot lot line side setbacks are not uncommon in commercial areas, especially the small-scale walkable historic commercial areas that exist and are developmentally promoted in Pass A Grille, and building maintenance is still capable of being addressed in these locations. While recognizing the alleyway surface concerns, Staff finds there are alternatives to maintenance of that surface which do not require a permanent vacation of the alleyway.

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 Comprehensive Plan does not address alleyways specifically, but does promote revitalization of commercial areas, which the applicants advance that this variance would support. However, the City also promotes enhancement of safety by providing adequate off-street loading areas, and if this space is later used for seating or another non-structural purpose that does not allow for unloading to the business without either blocking a lane along Pass A Grille Way or the north-south alleyway immediately west of the business, that does not support the corresponding policy or the application narrative that there are superior alternative routes.

Staff does not find the variance would be incompatible with the neighborhood given the mirrored conditions on several blocks to the north and south of the subject block, nor would it substantially diminish or impair property values. However, given the development potential for properties along the residential portion of the 15-foot alleyways, elimination of this alleyway portion could make it more challenging for moderately-sized delivery vehicles to comfortably exit the alleyway, given outside turning radius requirements. While Staff does not have evidence that large vehicles use the alleyway with any frequency, a pending Land Development Code amendment that would prohibit residential driveway access from the street when a property abuts a 15-foot alleyway. Combined with existing design requirements that discourage large openings along primary streets, these two factors might make furniture and other large deliveries to the western residential properties preferable from the alleyway. In this case, eliminating a straightaway for vehicles to traverse to access the residential portion of the alleyway could have a small detriment to the public welfare.

Other

Staff finds that the applicants have adequately addressed some of the hardship criteria, but has not yet demonstrated that denial of the hardship variance request would result in unnecessary and undue hardship on the applicants, or that its issuance is the minimum necessary to make reasonable use of the land or building. Given that the permit does not immediately affect development potential on the property, and is unlikely to result in an actual physical reduction in the width of the alleyway if adequate easements are retained through it, Staff finds that other issues advanced by the applicants can be addressed through other means that do not require the alleyway vacation.

If the applicants or agents wish to address Staff concerns with the narrative, Staff requests at least the following additional testimony:

- Why issuance of a temporary right-of-way agreement in conjunction with a permit for maintenance of the building from the alleyway, and either a maintenance agreement for, or City rehabilitation of, the alleyway surface, would not resolve the primary hardships advanced in the narrative.
- Whether off-street deliveries will be made from the vacated alleyway, or from the north-south alley to the western rear of the structure, as the latter would eliminate one of the superior routes advanced by the application narrative.
- Any future improvements planned for the rear of the property, due to the limited outer radius maneuverability that future development conditions could create.

Summary

Staff requests the applicants or agents address the prior requests to provide additional support for their development request.

Should the applicants or agents provide additional information to satisfy the Board that substantial and competent evidence has been provided and look favorably on the application on the relief request, the Board may wish to consider any conditions it finds are necessary to protect the public interest, noting that legislative request that would proceed to City Commission may carry additional conditions and restrictions on the use of the space as required by public utilities and other entities with interest.

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

Respectfully submitted,

Brandon Berry

Senior Planner

Cc: Jon Sipera, Agent, via email (jsipera@ranmardevelopment.com)
Kyle Bass, Agent, via email (kyle.bass@webercrabb.com)
Helen Collom, Manager for CC BULL LLC and COLLOM PROPERTIES LLC, via email
(poshrealator@gmail.com)