



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

155 Corey Avenue  
St. Pete Beach, FL 33706

Monday, June 29, 2026  
2:00 PM

Call to Order  
Pledge of Allegiance  
Roll Call

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**REGULAR MEETING**

1. Approval of the Agenda -

**Action Request: Motion to approve the June 29, 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. May 27, 2026**

4. Action Items -

**a. Election of Officers 2026-27**

Sec. 22-39. - Election of officers; conduct of meetings.

(a) The board of adjustment shall annually, at the first meeting held following the appointment of members, organize by electing a chair and vice-chair and such other officers as may be necessary from among its members.

The Board may opt to maintain current appointments.

Current: Chair Denise Chase; Vice Chair Vacant

Requested Action:

Motion to APPOINT \_\_\_\_\_ as the Committee Chair for 2026-27.

Motion to APPOINT \_\_\_\_\_ as the Committee Vice Chair for 2026-27.

**b. Case No. 26059 - 2909 Sunset Way**

*Practical Difficulty Variance:* Brian J. Aungst, Jr. for Olin and Elise Lippincott requests an amendment to authorized variance case 24002 to allow to remain an elevated pool deck that was constructed with a southern side yard setback of one foot, where a setback of two feet was authorized under the variance and a setback of five feet is required by the Land Development Code (LDC Sec. 6.13.(c)(2)b.). RU-2/PAG zoning.

**c. Case No. 26071 – 2702 Pass A Grille Way**

*Practical Difficulty Variance:* Sharon & Gerard Iacangelo request to reconstruct an existing wood deck of approximately 16’x22’ that encroaches to the southern side property line where a setback of five feet is required (LDC Sec. 6.13.(c)(2)c.). RU-2/PAG zoning.

**d. Case No. 25147 – 3535 Belle Vista Dr. E**

*Unnecessary & Undue Hardship Variance:* Martha D. Bolton, Esq., for Mark and Lynn Broderick, Owners, request to allow an existing unpermitted roofed accessory structure, approximately 341 square feet in area, to remain and be reconfigured to include an enclosed storage area and an open outdoor living area with bar. The structure is proposed to remain with a rear yard setback of 11 feet where 20 feet is required and a side yard setback of 3 feet 3 inches where 6.7 feet is required (LDC Sec.8.7 (b) (3) and (4)). RU-1 zoning.

**e. Case No. 26086 – 8351 Blind Pass Rd.**

*Unnecessary & Undue Hardship Variance:* Trey Ware of Ware & Sliker Construction for Jonathan Rinkinen and Brittany Pierpont of 8351 Blind Pass LLC requests to repave and expand an existing concrete and turfblock parking lot with asphalt, resulting in a parking lot with a greater number of parking spaces than required by the Land Development Code, where such excess surface parking spaces are required to be constructed with turf block or as grass parking surface (LDC Sec. 23.5.(b)). ROR zoning.

**f. Case No. 26094 – 8350 Boca Ciega Dr.**

*Practical Difficulty Variance:* Meghan and Joseph Grant request to construct an unroofed, elevated deck that encroaches to 11.08 feet from the front property line where 20 feet is required for decks elevated more than two feet above grade (LDC Sec. 6.13.(c)(2)b.). RU-2 zoning.

5. Adjournment - Nex meeting to be held July 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](http://www.stpetebeach.org).**

**DRAFT BOARD OF ADJUSTMENT MINUTES**  
**May 27, 2026 – 2:00 P.M.**  
**Commission Chambers**

**PRESENT:** Denise Chase, Chair  
Jim Schmidt, Member  
Chris Core, Member  
Dan Small, Member

**STAFF PRESENT:** Kristin Coman, Planning Manager; Brandon Berry, Senior Planner;  
Nancy Stuparich, City Attorney; Renee Rose, City Clerk

Chair Chase called the meeting to order at 2:00 P.M. She paused and honored the life of Paul Skipper.

**1. Approval of the Agenda -**

**Motion: Member Core moved and the motion carried unanimously by a voice vote to approve the May 27, 2026 agenda as presented.**

The Clerk swore in all those who would be testifying.

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

**3. Approval of Minutes – March 25, 2026 Meeting**

**Motion: Member Core moved, Member Small seconded, and the motion carried 4-0 to approve the March 25, 2026 meeting minutes as presented.**

**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)). Case No. 25146 – 3212 El Centro St.

Planning Manager Kristin Coman presented the practical difficulty variance. Her presentation was made part of the meeting record. The applicant requested a practical difficulty variance to allow existing HVAC condenser to remain within the required side yard setback, where seven feet is required and approximately three feet is provided, resulting in an encroachment of approximately four feet. Ms. Coman presented the request, reviewed the applicable variance criteria under the Land Development Code, and summarized the site conditions, including that the equipment was relocated during construction after it was determined the originally designed mechanical alcove was not sufficient. She noted the revised location was installed without City review and discussed the limited feasible alternatives for relocation under the current site configuration. She said the installation was screened behind an existing fence and was not expected to affect the character of the neighborhood. She noted the staff recommended condition limiting the platform solely to the existing HVAC condenser equipment unless additional variance approval is obtained.

Board discussion included the house being currently vacant because a certificate of occupancy hasn't been issued. There was a question if the height of the fence blocks the view of the condenser. Ms. Coman said the fence partially screens the condenser but does not hide it entirely. Chair Chase noted the height is not the concern.

Paul Huggins with Diggle Construction, Clearwater, spoke on behalf of the owner. He explained the mechanical equipment was originally designed to fit within the approved alcove, but generator clearance requirements left insufficient space for the condenser unit. The applicant acknowledged the equipment was relocated into the side yard setback without seeking a variance first and stated he did not realize approval was required. In response to Board questions, Mr. Huggins explained the generator requires specific airflow clearances and could not be stacked above or placed closer to the structure without creating overheating and safety concerns. He said the homeowner's daughter has special medical needs requiring reliable backup power and air conditioning. Rooftop placement was discussed as an alternative, but the applicant noted concerns related to noise, vibration, and impacts to the neighboring property. The applicant further stated that if the variance were denied, rooftop installation would likely be the only remaining option.

Board discussion included whether the generator could be relocated further within the side yard to reduce the setback encroachment.

Sheena Cody with Diggle Construction explained the generator platform requires three feet of clearance on all sides to meet code requirements. Board members noted no neighboring property owners appeared in opposition and acknowledged testimony that the neighbor preferred the equipment remain in its current location rather than be relocated to the roof. Discussion included concerns with granting after-the-fact variances for new construction but also acknowledged the medical hardship presented and the applicant's efforts to work with the neighboring property owner.

If approved, Staff recommended the following condition: that 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.

**Motion: Member Small moved, and Member Schmidt seconded, to approve Variance Case 26039 at 2842 W. Vina del Mar Blvd. with the condition proposed by staff. The motion carried 4-0.**

- 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.

Senior Planner Brandon Berry presented the unnecessary and undue hardship variance. His presentation was made part of the meeting record. The request is seeking an unnecessary and undue hardship variance from Land Development Code Section 20.19 to allow the vacation of a 15-foot-wide alleyway within the Pass-a-Grille Overlay District. Mr. Berry explained the Board of

Adjustment's role was limited to determining whether a hardship existed to allow the request to proceed to the City Commission, which would ultimately decide any alley vacation request. He reviewed the history and configuration of the alleyway, noting it was dedicated by plat in 1913 and that similar alleyways in the area had been vacated in past decades. Mr. Berry reviewed the eight required variance criteria and stated most criteria were met or generally met due to the unique configuration of the property, the historic nature of the alleyway, and the lack of a current City utility need for the alley. He noted that other similarly situated alleyways in the area had previously been vacated and that the applicant had not created the existing conditions. He stated the request was not viewed as an attempt to increase density or maximize financial return. He requested additional testimony regarding criteria three and seven. Regarding criteria three, Mr. Berry acknowledged the applicant may experience some limitations compared to neighboring properties with previously vacated alleyways, but he did not find the submitted narrative demonstrated an unnecessary and undue hardship because maintenance access and alleyway improvements could potentially be addressed through right-of-way use permits, maintenance agreements, or City maintenance without vacating the alleyway. Regarding criteria seven, Mr. Berry stated the request may not represent the minimum variance necessary because the identified issues could potentially be resolved through less significant alternatives that would preserve the public alleyway. He also noted the existing building setbacks are permitted under current zoning regulations and that no immediate development plans for the alleyway area had been presented. He said utility providers maintain facilities within the alleyway and would require continued access if the alleyway were vacated. He stated the applicant indicated there were no immediate plans to develop the alleyway area and that the property owners anticipated largely maintaining the area in its current condition with possible resurfacing improvements. Mr. Berry concluded by outlining the Board's available action options and requesting additional applicant testimony addressing hardship criteria three and seven.

Attorney Kyle Bass, on behalf of the owner, explained the southern property serves as the required parking area for the Red, White, and Booze restaurant and stated the site is effectively locked into that use absent major redevelopment. He argued the subject property is unique because it is the only remaining property in the area with a one-foot setback abutting an active public alleyway, noting similar alleyways in the surrounding area have previously been vacated. He referenced supporting exhibits showing prior alley vacations within Pass-a-Grille. In response to staff comments regarding hardship criteria three and seven, Mr. Bass argued that temporary right-of-way permits for routine building maintenance would create an ongoing burden, requiring repeated applications and compliance with numerous permit conditions for activities such as window cleaning, painting, scaffolding, and other maintenance work that could impact the use of the alleyway. He further stated maintenance agreements would improperly require private property owners to assume responsibility and liability for maintaining public property without ownership or control of the land. He also expressed concerns regarding reliance on future City rehabilitation of the alleyway, citing the current condition of the alleyway and uncertainty regarding future public funding or improvements. Regarding criteria seven, the applicant stated the request was limited solely to the east-west alleyway segment directly abutting the owner's properties and would not impact the surrounding north-south alleyways. He also reminded the Board the request represented only the first step in the process, noting any alley vacation would still require approval by a four-fifths vote of the City Commission.

Member Core questioned Mr. Bass regarding the claimed hardship associated with obtaining temporary right-of-way permits for routine maintenance activities along the alleyway side of the

building. Discussion highlighted that construction and maintenance work had already occurred in the area without vacating the alleyway and members expressed difficulty finding that the request met the required hardship standard. Mr. Bass responded that repeated permitting requirements would create ongoing scheduling, administrative, and operational burdens for the property owners. Discussion also addressed traffic circulation and maneuverability within the alley system, with concerns raised regarding the impact a vacation could have on access through the surrounding north-south alleyways. Mr. Bass stated deliveries would continue from the north-south alleyway and confirmed no future development was planned for the vacated area beyond resurfacing and aesthetic improvements while maintaining the area's general appearance as an alleyway. Discussion noted prior alley vacations in the area and consistency with similarly situated properties related to one of the variance criteria did not establish a hardship. Mr. Bass clarified the request was intended to address equal treatment with similarly situated properties and not solely establish hardship on that basis. Additional discussion confirmed rear access to the affected properties would remain available from the existing north-south alleyway.

Ex-parte disclosures:

Member Small drove by for a site visit and received emails.

Chair Chase received emails.

Member Core discussed the case with the Chair of the Historic Preservation Board.

Member discussion included questions regarding how vacating the alleyway could affect vehicle access and maneuverability for nearby properties, including residents using the alley system for driveway access. Mr. Berry acknowledged the vacation could make turning movements more difficult in certain locations, particularly in light of pending code amendments encouraging alley access for future development but stated staff did not find the request would substantially diminish surrounding property values under the applicable hardship criteria. He noted broader public interest concerns related to traffic circulation and alley access would ultimately be considered by the City Commission if the request moved forward. Questions were raised about Mr. Bass' claims regarding maintenance hardships and permit requirements. Mr. Berry clarified that the right-of-way utilization permit process for routine maintenance activities is generally a simple one-page authorization and noted that building renovations had previously been permitted through standard permitting processes. He said more substantial permits referenced in the staff report related to larger construction activities rather than routine window cleaning or minor maintenance work. He also said informal maintenance agreements for minor upkeep activities could potentially be explored, though no specific agreement had been developed for this property.

Public comment:

Marilyn Rimar, 20<sup>th</sup> Ave, spoke in opposition of vacating the alleyway. Nearby residents use the alleyway to access parking at the rear of their properties.

Chair Chase reiterated that the Board's role is to determine whether the applicant demonstrated the required hardship criteria and not whether the alleyway should be vacated. There was consensus the Board did not find the hardship had been sufficiently demonstrated, particularly regarding the applicant's concerns about maintenance permits. Complying with standard City permitting processes did not constitute an unnecessary and undue hardship and staff's testimony that alternative permitting or maintenance agreements could address those concerns.

**Motion: Chair Chase moved and Member Core seconded to deny Variance Case No. 26043 at 2004 Pass-A-Grille Way finding applicant has not supported criteria 3 and 7 necessary to demonstrate unnecessary and undue hardship, particularly not seeing the hardship for being able to maintain the building is justified. The motion carried 4-0.**

Ms. Coman announced the next Board of Adjustment meeting would be held on Monday, June 29, and noted a new board member from District 3 would be joining following the swearing-in process. She also reminded Board members to forward any emails received directly regarding applications so they could be included in the official record. She stated the tentative June agenda currently includes three applications, consisting of two practical difficulty variances and one hardship variance, subject to change.

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

**Chair Chase adjourned the meeting at 2:59 PM.**

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

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

**Agenda Report**

**Agenda Title Name:** Election of Officers 2026-27

**Action Request:**

**Strategic Objective:**

**Date:** June 29, 2026

**Prepared By:**

**Through:**

**Summary of Issue:**

**Funding:**

**Attachments:**

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

**Agenda Report**

**Agenda Title Name:** Case No. 26059 - 2909 Sunset Way

**Action Request:** Motion to [approve/approve with conditions/deny/continue to [specify date certain]] variance case 26059 for 2909 Sunset Way.

**Strategic Objective:**

**Date:** June 29, 2026

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

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

**Summary of Issue:** Staff recognizes that the character of the area, platted with long, slender lots that were developed prior to and in the early days of City zoning, do result in homes with lesser setbacks than other, more modern developments. Additionally, the applicant has developed the deck system to be permeable, which mitigates the primary issue with large pool decks that could block drainage patterns on the site. However, Staff requests additional testimony pertaining to criteria 3) to demonstrate that the deck cannot be reasonably modified to meet the setback requirement.

If approved, Staff requests the relevant conditions of formerly-authorized variance case 24002 remain in effect, that the deck remain permeable for its lifetime, and a retaining wall along the southern side be maintained if the deck or home is to be redeveloped following any removal of the southern wall.

**Funding:** n/a

**Attachments:**

1. Staff Report
2. Certificate of Completeness with Submittal Documents
3. Draft Development Order - Case 26059



**Date:** June 16, 2026  
**To:** Board of Adjustment  
**Re:** Staff Findings Report  
Practical Difficulty Variance  
Address: 2909 Sunset Way  
Parcel Number: 18-32-16-17316-002-0030  
Olin & Elise Lippincott  
Variance Case No: 26059

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

**Hearing Date:** June 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, consisting of six sheets.
2. Boundary survey prepared by John O Brenda, RSM, last updated March 3, 2026, consisting of one sheet.

Staff offers the following comments for Board's consideration:

**Site Description/Surrounding Land Uses**

The subject site is a 50x130' property containing a residential home that comprises a full platted lot of Colonial Corp Replat Block 2. The site is surrounded by other residences to the north, south, and east. To the west is City-owned beach land.

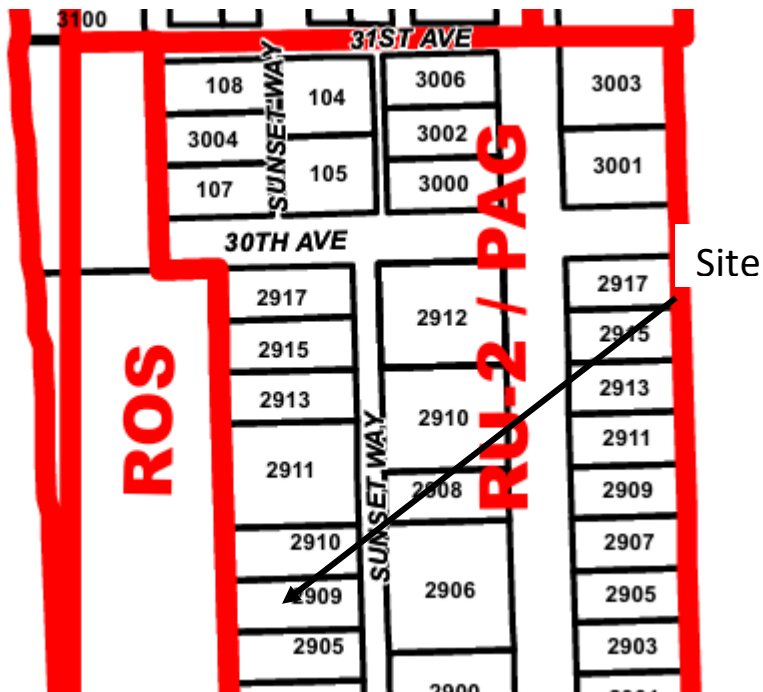
The residence was originally constructed in 1925 and has recently undergone significant renovation, including renovation and additions to spaces within the home, and addition of a rear pool and patio, which caused the subject request.

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

**Request**

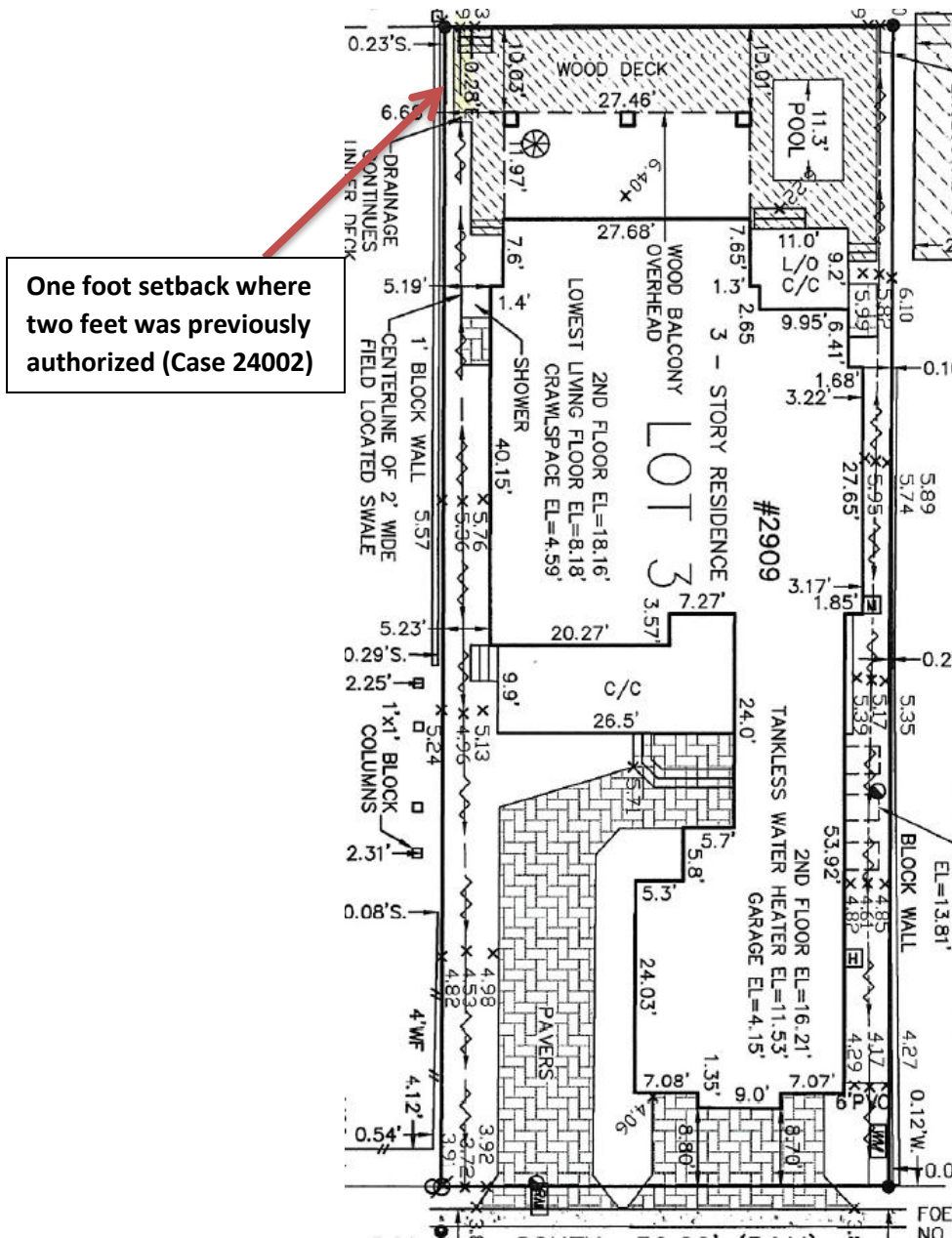
This request stems from a building permit associated with a variance issued in 2024 (Case 24002), which authorized the construction of an elevated pool deck, pool, and rear elevated walkout deck addition within the required yard setbacks. Other work was completed in line with the development authorized; however, the variance authorized a two-foot setback for the pool patio adjacent the southern property line, and the deck was constructed with a one-foot setback. Therefore, a subsequent variance is required to authorize the additional one-foot encroachment.

**Analysis**

- a. **Required side yard setback:** Where five feet (10% of the lot width) is required for pool patios elevated more than two feet above pursuant to Land Development Code Sec. 6.13.(c)(2)b. The applicant received a variance to reduce the elevated pool patio setback to two feet under authorized variance 24002. As the patio was constructed with a one-foot setback, an additional one-foot encroachment is required under the scope of this variance.

<b>2909 Sunset Way</b>			
<b>Elevated Pool Patio</b>	<b>Required</b>	<b>Approved Setback (Variance 24002)</b>	<b>Constructed Setback</b>
<b>Side Yard Setback (Min.)</b>	5 feet (10% of lot width)	2 feet	1 foot <b>(v)</b>
<b>*Denotes existing non-conformity (v) Variance required</b>			

Figure 4: Survey Showing Variance Request (N.T.S.)



## **Additional Comments**

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

The Board has standards of review for a 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 to allow the existing wood deck to remain with a one-foot setback where two feet was authorized under variance 24002, and five feet is the code-required setback. The one-foot setback represents a variance of 50% and 80% to the authorized and code-required standards, respectively.*

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

*Staff finds the granting of the variance will not cause an adverse change to the neighborhood provided that internal drainage and grading of land surrounding the patio does not cause runoff to neighboring property. Staff finds the intent of the two-foot required side setback for all patios, and five-foot setback for elevated patios, is to mitigate adverse impacts to neighboring properties that could be caused by inadvertent obstruction of what are typically side swales. In the subject instance, the applicant has developed the patio surrounding the pool as an open-slat decking system which allows water to percolate into the deck rather than pool or run off to the sides as is common for most paved patios.*

*While not a basis for continued encroachment, the applicant points out that the development of the area does show structures built closer to property lines than allowed by the development code, particularly the western property line which abuts public dune and drainage lands. The zoning of the western property likely precludes any future substantial development, and lessens the impacts of structural encroachments toward that property line.*

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

*The deck could have been constructed with the setback authorized under the former variance case, and the corresponding permit. From photos, staff speculates that an adjacent wall, which is located a short distance from the shared property line to the south, may have been used as the basis for the setback and therefore resulted in a patio with a lesser setback than authorized. However, Staff does not find that there is any obstruction within the patio area, or any required building code setback, that would prohibit the owners from modifying the patio to comply with the required setback other than cost. The applicant's narrative states that the additional foot is required, but does not explain how, and additional testimony should be provided at the hearing to justify the request.*

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

*The encroachment appears to be a mistake rather than a desire by the applicant to obtain additional patio area. The encroachment is used to access stairs from the rear off-property*

*sidewalk, and is only approximately ten feet in depth, which staff does not find provides significant benefit to the applicant's amenity area. Additionally, as noted previously, the patio is a semi-permeable system that is unlikely to cause substantial runoff to the adjacent neighboring property, as may have occurred if the owners had constructed a standard concrete patio. This mitigates the primary concern of staff with this request. However, the applicant should provide testimony justification as to the reason for the additional foot of encroachment, as the narrative appears to state the additional foot is required without justifying that claim.*

### **Other Comments**

- The applicant should explain if the additional foot of encroachment was required either due to the building code or some aspect of the site causing constraints, or if it occurred from a mistake during construction.

### **Summary**

If the applicant adequately justifies criteria 3 by providing a basis for why the additional foot encroachment is necessary, staff finds the applicant has adequately supported their case by engineering their deck to allow percolation into it from stormwater, and due to the presence of a solid wall on the southern side that mitigates deflection from swaled runoff toward the neighboring property. Staff recommends the following three conditions, excepting a typical requirement for a final as-built survey as that has already been prepared for the subject work scope:

1. Conditions 1, 2 and 3 of authorized variance 24002 remain in effect.
2. Any portion of the patio within the required five-foot southern side setback shall remain as open wood decking or another permeable system that directs all runoff away from the neighboring property.
3. Should the subject property or deck redevelop subsequent to the southern wall's removal, the owners shall grade or use other mechanisms such as retaining walls to ensure swaled stormwater is not deflected to the neighbor's property.

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

Respectfully submitted,

Brandon Berry  
Senior Planner

Cc: Brian J. Aungst, Jr., Agent, *via email* ([BJA@macfar.com](mailto:BJA@macfar.com))  
Olin & Elise Lippincott, Owners, *via email* ([eliselippincott@gmail.com](mailto:eliselippincott@gmail.com))  
Nancy Stuparich, Assistant City Attorney, *via email*



Memo To: Board of Adjustment  
From: Brandon Berry, Senior Planner  
Date: 5/22/2026  
Re: **CERTIFICATE OF COMPLETENESS**

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Please be advised that on this date, the following application has been deemed complete and will be scheduled for the Board of Adjustment and placed on the agenda for **June 29, 2026**.

**Variance Case Number:** 26059  
**Application Type:** Practical Difficulty Variance  
**Owner:** Olin & Elise Lippincott  
**Applicant/Agent:** Brian J. Aungst, Jr.  
**Parcel Number:** 18-32-16-17316-002-0030  
**Address:** 2909 Sunset Way  
**Zone:** RU-2/PAG

**Submittal Documents:**

1. Completed Practical Difficulty Variance package with application form, consisting of six sheets.
2. Boundary survey prepared by John O Brenda, RSM, last updated March 3, 2026, consisting of one sheet.

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

**City/Board Professionals:**

- Board of Adjustment Attorney *via email*  City Manager

**Board Members:**

- Denise Chase  Joe Kunzer  
 Chris Core  Dan Small  
 Jim Schmidt

Cc: Brian J. Aungst, Jr., Agent, *via email* ([BJA@macfar.com](mailto:BJA@macfar.com))  
Olin & Elise Lippincott, Owners, *via email* ([eliselippincott@gmail.com](mailto:eliselippincott@gmail.com))

CASE #: \_\_\_\_\_

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

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

AMOUNT DUE: \_\_\_\_\_

PAYMENT DATE: \_\_\_\_\_

### PRACTICAL DIFFICULTY VARIANCE APPLICATION

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

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

#### OWNER/AGENT INFORMATION:

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

#### PROPERTY FOR PROPOSED VARIANCE:

Zoning Designation RU-2/PAG Overlay District	Future Land Use Designation RU	Lot Area 6,500 square feet
Legal Description: COLONIAL CORP REPLAT BLK 2, LOT 3		
Address: 2909 Sunset Way, St. Pete Beach, FL 33706		
<p>Explanation of Request: <u>To allow for a reduction to the southern side setback from 2' to 1' where a minimum 5' setback is required pursuant to LDC Sec. 6.13(c)(1)(b) &amp; (c)(2)(b). The current side setback of 2' was previously approved in Case No. 24002 to allow for construction of an elevated pool deck/patio. The pool deck/patio was constructed but required an additional foot encroachment into the southern side setback.</u></p>		

**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 southern side setback was previously approved for a reduction from 5' to 2' in Case No. 24002. The proposed request would be a minor increase to the encroachment to allow for a southern side setback of 1' where 2' is currently approved.

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

The requested variance will have no adverse impact to the neighborhood character. There are numerous homesites (including both adjacent lots at 2905 & 2910 Sunset Way) in this block that have pools, pool decks, and patios that encroach the minimum setbacks. The requested deviation is common to the area and the proposed request does not go beyond what is reasonable and customary for an existing home in the neighborhood.

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

There is no other practical or feasible alternative to a variance in this situation. The requested variance is the minimal necessary to allow the Owner to enjoy the outdoor recreational space. As noted above, the southern side setback was previously approved for a reduction to construct the patio/pool deck. However, during construction it was determined that a minimum of 1' of additional encroachment into the southern side setback was necessary to complete the patio/pool deck.

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

The subject property is limited by existing construction which predates the Land Development Code. Approval of the requested variance allows the Owner to maintain the historical integrity of this 1925 home and its contribution to Pass-A-Grille, while also allowing the Owner to enjoy upgraded features as a result of the patio/pool deck addition.

Oliver Howard      3-30-26  
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.**

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

oaf 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.

oaf 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.

oaf 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.

oaf 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.

oaf 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.

oaf 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.**

Olin Howard Yip  
Signature of Applicant

3-30-26  
Date



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

I/We Olin & Elise Lippincott  
(Property Owner(s) printed name)

hereby authorize Brian J. Aungst, Jr., Esq.  
(Agent's printed name)

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

Olin Garwood Lippincott  
Signature of Owner

Olin Garwood Lippincott  
Owner's Printed Name

Elise Lippincott  
Signature of Owner

Elise Lippincott  
Owner's Printed Name

The foregoing instrument was acknowledged before me this 30<sup>th</sup> day  
of March 2026, by Olin Garwood Lippincott Elise Lippincott who  
is personally known X or produced \_\_\_\_\_ as  
identification.

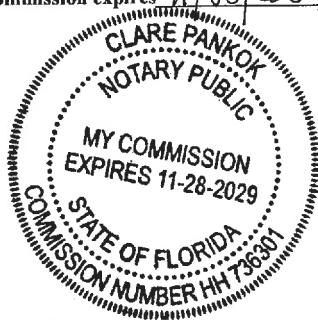
Clare Pankok

(Notary Signature)

3/30/2026

(Date)

My commission expires 11/28/2029





**PUBLIC HEARING SIGN POSTING AFFIDAVIT**

Applicant, Elise Lippincott, 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): Elise Lippincott

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

[Signature] 3-30-26  
Signature Date

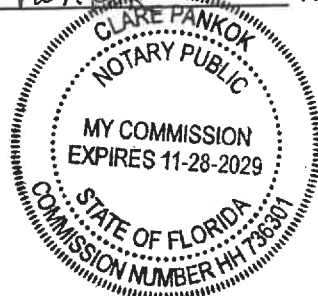
STATE OF FLORIDA )  
 ) SS:  
PINELLAS COUNTY )

The foregoing instrument was acknowledged before me this 30<sup>th</sup> day of March, 2026 by: Elise Lippincott who appeared before me, and is personally known to me, or has produced as identification, and did take an oath.

My commission Expires: 11/28/2029

NOTARY: Clare Pankok  
Print Name: Clare Pankok Notary

Public, State of Florida  
(Notarial Seal)





# Impervious Surface Ratio (ISR) Worksheet

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

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

**Owner Name & Address**

**Contractor/Applicant Name & Address**

Phone \_\_\_\_\_

Phone \_\_\_\_\_

Email \_\_\_\_\_

Email \_\_\_\_\_

Property Address \_\_\_\_\_

Total Lot Area (sq. ft.) \_\_\_\_\_

**Required Calculations:**

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

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

sq. ft.	$\div$	sq. ft.	$=$	
Total Existing Impervious Surfaces		Lot Area		Existing Impervious Surface Ratio

sq. ft.	$\div$	sq. ft.	$=$	
Total Proposed Impervious Surfaces		Lot Area		Proposed Impervious Surface Ratio

**Certification:**

I, \_\_\_\_\_ 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: \_\_\_\_\_

SECTION 18, TOWNSHIP 32S, RANGE 16E

CERTIFIED TO:  
 OLIN GARWOOD LIPPINCOTT  
 ELISE GRUMAN LIPPINCOTT

BEACH

LEGAL DESCRIPTION

LOT 3, BLOCK 2,  
 ACCORDING TO THE PLAT OF  
 COLONIAL CORPORATION'S REPLAT OF  
 BLOCKS 'E', 'F', 'G' AND 'H' OF SECTION 'A'  
 - NORTH PASS-A-GRILLE  
 AS RECORDED IN PLAT BOOK 9, PAGE 107  
 OF THE PUBLIC RECORDS OF  
 PINELLAS COUNTY, FLORIDA.

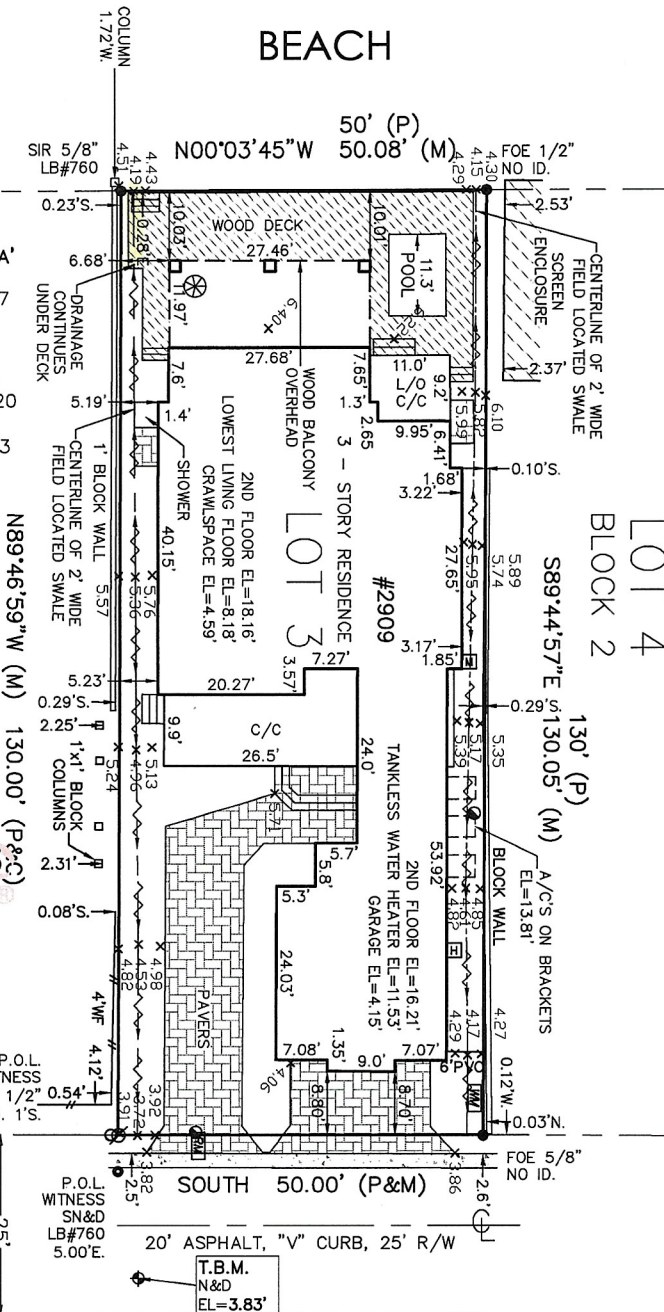
BOUNDARY SURVEY WITH IMPROVEMENTS  
 AND ELEVATION CERTIFICATE - 10/29/2020  
 REVISED FLOOD ZONE - 1/12/2023  
 UPDATE & ELEVATION CERT. - 12/5/2023  
 FINAL WITH GRADES - 12/18/2025  
 IMP/PER & ELEV. CERT - 1/29/2026  
 ADDED DRAINAGE DETAILS - 3/03/26

LEGEND:

- FND = FOU D
- N&D = NAIL & DISK
- FIR = FOU D IRON ROD
- FOE = FOU D OF ELEVATION
- (C) = CIRCULATED
- (M) = FIELD MEASUREMENT
- (P) = PLAT
- CONC = CONCRETE
- R/W = RIGHT OF WAY
- P.O.L. = POINT OF LOCATION
- SN&D = SURVEYOR'S NAME
- T.B.M. = TEMPORARY BENCHMARK
- C/C = COVERED CONC
- L/O = LIVING OVER
- PVC = VINYL FENCE
- CLF = CHAIN LINK FENCE
- WF = WOOD FENCE
- WM = WATER METER
- WRF = RECLAIMED WATER FENCE
- WHT = CLEANOUT
- PM = POWER METER
- WH = WATER HEATER
- PP = POWER POLE
- SPOT = SPOT ELEVATION

Digitally signed by  
 John O. Brenda  
 Date: 2026.03.03  
 16:27:03  
 29th AVE.  
 (PER PLAT)

TOTAL LOT AREA 6,506 SQ.FT.  
 IMPERVIOUS 63% 4,082 SQ.FT.  
 PERVIOUS 2,424 SQ.FT.



**SURVEYOR'S NOTE:**  
 IT IS MY OPINION THAT THIS  
 SITE WILL DRAIN SATISFACTORILY  
 DRAINAGE CONFORMS TO CITY  
 STANDARDS TYPE 'B' DRAINAGE DETAIL

Current FEMA Flood Zone Data  
 AE (EL. 9')  
 COMMUNITY PANEL #125149 12103C0278 H,  
 REVISED: 8/24/21  
 Assumed Basis of Bearings  
 EAST BOUNDARY  
 ASSUMED SOUTH  
 Reference Benchmark:  
 PINELLAS COUNTY #284 NOAA 1973  
 ELEV=7.566' NGVD, ADJUSTED TO  
 ELEV=6.82' NAVD, MSL=0.00'

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

2009-69.CR.D  
 2009-69B.CR.D 997  
 FIELD BOOK 964  
 9  
 PAGE 25-26

This Survey was prepared without the benefit of a title search and is  
 subject to all easements, Rights Of Way and other matters of record.

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

I hereby certify that the survey represented hereon meets the  
 requirements of Chapter 176 Florida Administrative Code.  
 JOHN C. BRENDA  
 Florida Surveyor Registration No. 4601  
 Certificate of Authorization No. LB 760

Prepared by:  
 JOHN C. BRENDA & ASSOCIATES, INC.  
 PROFESSIONAL LAND SURVEYORS AND MAPPERS  
 4015 82nd Avenue North  
 Pinellas Park, Florida 33781  
 phone (727) 576-7546 ~ Front@jcbrendla.com



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

**CITY OF ST PETE BEACH BOARD OF ADJUSTMENT  
VARIANCE CASE NO. 26059 (Practical Difficulty)  
DEVELOPMENT ORDER**

A public hearing was held before the St Pete Beach Board of Adjustment (“BOA”) on the 29<sup>th</sup> day of June 2026 for review of a variance to Section 6.13.(c)(2)b. of the City of St. Pete Beach Land Development Code (“LDC” or “Land Development Code”) to allow for a constructed, elevated pool deck to remain with a required side setback of one foot where two feet was authorized under approved variance 24002, and five feet is required. The property is located at 2909 Sunset Way, St. Pete Beach, Florida, and the subject variance is requested by Brian J. Aungst, Jr., (“Agent”) for Olin and Elise Lippincott (“Property Owners” or “Applicants”).

The Board of Adjustment reviewed the published agenda materials, information presented at the hearing and testimony from Brandon Berry and Kristin Coman for the City. The Board of Adjustment has accepted testimony from Brandon Berry and Kristin Coman as experts in the area of land use and zoning in the City of St. Pete Beach.

Based on the information and testimony the BOA makes the following findings of fact and conclusions of law:

- a. Olin and Elise Lippincott are the owners of the subject property at 2909 Sunset Way.
- b. Notice of the BOA hearing was provided to the Property Owner and owners of property within 300 feet as required by Section 3.4 of the LDC.
- c. The Subject Property is located within the RU Residential Urban Future Land Use category according to the City of St. Pete Beach Future Land Use Map, and the RU-2/PAG zoning district according to the zoning map. Elevated decks in this zoning district must meet the same required side setback as the primary structure, which is five feet. The subject deck was approved for a two-foot setback under variance case 24002, and constructed with a one-foot setback, necessitating this variance.
- d. In accordance with the requirements of Section 3.12 of the LDC, the BOA [approves or denies] the variance based on competent and substantial evidence in the record and presented at the public hearing for the variance request, finding the variance to be consistent with the Comprehensive Plan, and citing the following reasons for [approval or denial]:
  1. *How substantial the variance is in relation to the requirement sought to be varied*  
– The BOA finds this request to be a modest reduction of 50% of the authorized variance granted in 2024.

2. *Whether an adverse change will be produced in the character of the neighborhood*—The BOA finds that this criteria is met on the basis of the open nature of the constructed deck, which allows water to percolate into the deck rather than run off to adjacent property, and supported by the surrounding development patterns, which have similar setbacks and intensity of residential accessory spaces.

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

4. *Whether, in view of the manner in which the difficulty arose, the interest of justice will be served by allowing the variance.*—The BOA finds this criteria is met, as the setback request is very modest in total area, is not used as an active part of the deck, and appears to have resulted from an error in construction rather than intent to achieve more amenity space for the property.

e. [Add any ex-parte communication].

**IT IS HEREBY ORDERED:**

f. [The variance case is approved based upon testimony shared by the applicants at the June 29, 2026 hearing in support of criteria 3 [and/or requested others], with the Board of Adjustment finding...] or [The variance case is denied based on inadequate testimony shared by the applicants at the June 29, 2026 hearing to support criteria 3, as issuance of a practical difficulty variance requires the applicant provide adequate support for all four applicable criteria].

g. The variance is [approved] with the following three (3) conditions:

1. Conditions 1, 2 and 3 of authorized variance 24002 remain in effect.
2. Any portion of the patio within the required five-foot southern side setback shall remain as open wood decking or another permeable system that directs all runoff away from the neighboring property.
3. Should the subject property or deck redevelop subsequent to the southern wall's removal, the owners shall grade or use other mechanisms such as retaining walls to ensure swaled stormwater is not deflected to the neighbor's property.

h. The Applicant may record a certified copy of this Order in the Official Records of Pinellas County, Florida.

i. This action was made by a motion by \_\_\_\_\_ and seconded by \_\_\_\_\_ and upon being put to a vote, the result was as follows:

Denise Chase, Chair	_____
Chris Core, Member	_____
Jim Schmidt, Member	_____
Dan Small, Member	_____
Joe Kunzer, Member	_____

DULY PASSED AND ADOPTED THE 29<sup>TH</sup> DAY OF JUNE, 2026

St. Pete Beach Board of Adjustment

By: \_\_\_\_\_  
Denise Chase, Chair

STATE OF FLORIDA                    )  
COUNTY OF PINELLAS            )

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization this \_\_\_\_\_ day of \_\_\_\_\_, 2026, by Denise Chase, as Chair of the St Pete Beach Board of Adjustment,  who is personally known to me or  who has produced \_\_\_\_\_ as identification.

My commission expires:

\_\_\_\_\_  
NOTARY PUBLIC, State of Florida at Large

Print Name: \_\_\_\_\_

**ATTEST:**

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY**

\_\_\_\_\_  
\_\_\_\_\_, City Clerk

\_\_\_\_\_  
Vose Law Firm, City Attorney

This Development Order was filed in the Office of the City Clerk on this \_\_\_\_ day of \_\_\_\_\_, 2026. Any person aggrieved by this Order may appeal to the Circuit Court on or before thirty (30) days from the date of the Order as authorized in Section 3.14(b) of the St. Pete Beach Land Development Code.

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

**Agenda Report**

**Agenda Title Name:** Case No. 26071 – 2702 Pass A Grille Way

**Action Request:** Motion to [approve/approve with conditions/deny/continue to [specify date certain]] variance case 26071 for 2702 Pass A Grille Way.

**Strategic Objective:**

**Date:** June 29, 2026

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

**Through:**

**Summary of Issue:** Staff finds the application supports the request, which it is unlikely to cause an adverse change to the neighborhood or neighboring property if approved. The work is being undertaken to remediate storm damage.

Staff recommends conditions to ensure that duckboards are adequately spaced to allow rainwater through, that all runoff be oriented from the deck onto the subject property, and a final as-built survey be provided.

**Funding:** n/a

**Attachments:**

1. 26071 - Staff Report
2. 26071 - Certificate of Completeness with Submittal Documents
3. Draft Development Order - Case 26071
4. 26071 - Letter #1



**Date:** June 16, 2026  
**To:** Board of Adjustment  
**Re:** Staff Findings Report  
Practical Difficulty Variance  
Address: 2702 Pass A Grille Way  
Parcel Number: 18-32-16-61002-004-0100  
Gerard and Sharon Iacangelo  
Variance Case No: 26071

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

**Hearing Date:** June 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 and impervious surface ratio form, consisting of six sheets.
2. Boundary Survey, signed by John O. Brenda, RLS, dated April 20, 2026, consisting of one sheet.
3. Supplemental 2027 renovation plans, floor and site plan pages, consisting of three sheets.

Staff offers the following comments for Board's consideration:

**Site Description/Surrounding Land Uses**

The subject site is a 50x110' property containing a single-family home that comprises a full platted lot of the North Pass-A-Grille subdivision. The site is surrounded by other single-family properties to the west, south and east. To the north is a multifamily apartment residence.

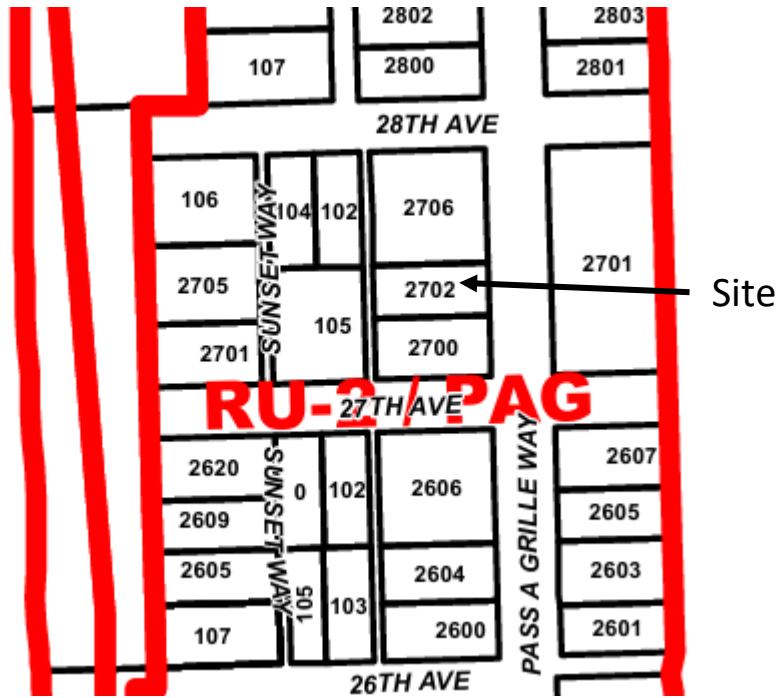
The subject residence was constructed in 1938 and is listed on the city's local historic registry as of 2025. The subject patio is considered an extra feature and is not considered a historic element of the structure.

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

**Request**

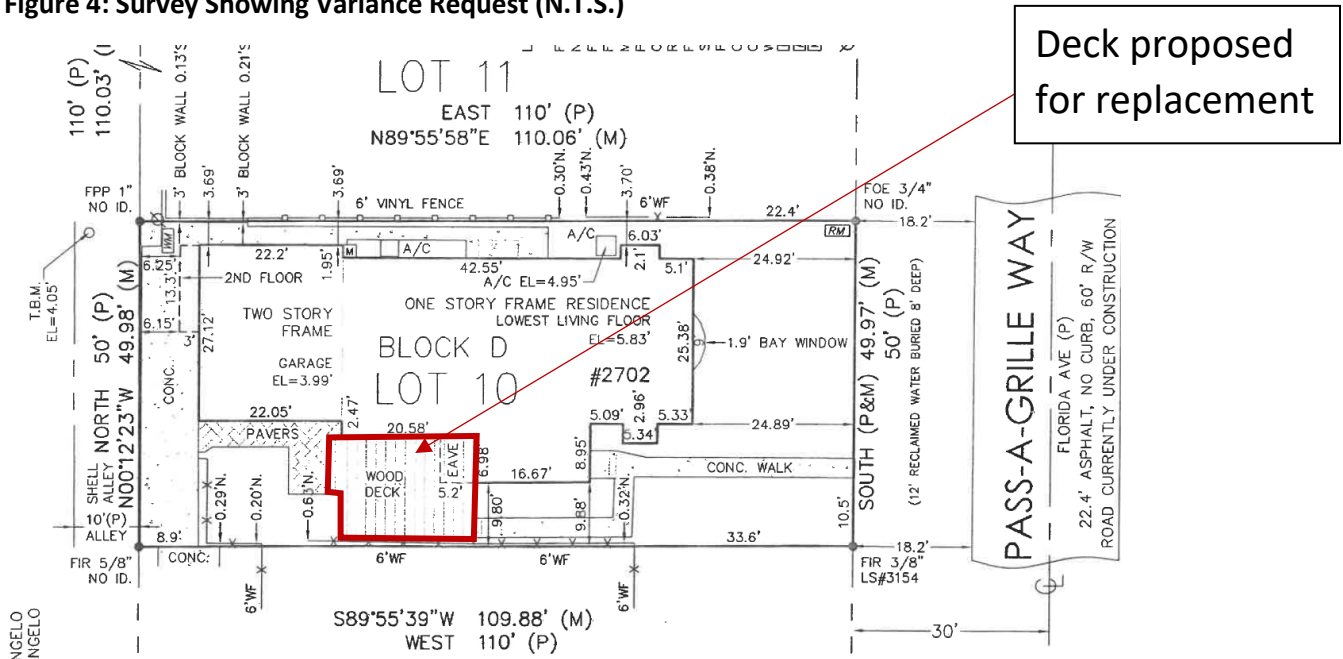
The applicant requests to reconstruct an existing wood deck elevated approximately 1.5 feet above the ground that adjoins the structure in its southern side yard. It was initially constructed in 1968 according to the Pinellas County Property Appraiser, with the applicant stating it underwent deck board replacement approximately 20 years ago. Due to subframe damage from Hurricane Helene, the applicant has determined that the deck is in need of full replacement, which requires compliance with the current Land Development Code setback requirement of five feet from the southern property line. The applicant has applied to replace the deck at the property line; the survey shows it with an approximate half-to-one-foot setback from the property line.

**Analysis**

- a. **Required side yard setback:** Where 10% of the lot width (five feet) is required for open decks located within the side yard of a residential property pursuant to Land Development Code Sec. 6.13.(c)(2)c. The applicant is requesting to reconstruct the existing deck in its same footprint.

Figure 3: Zoning Table			
Detached, Single-Family Residential	2702 Pass A Grille Way		
	RU-2/PAG Required	Existing Deck	Proposed – Deck
Side Yard Setback (Min.)	5 feet	0.5 feet (estimated)	0 feet (v) – initial request 0.5 feet (v) – staff measurement estimate
*Denotes existing non-conformity (v) Variance required			

**Figure 4: Survey Showing Variance Request (N.T.S.)**



## Additional Comments

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

The Board has standards of review for a 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 initially requested a setback of zero feet from the side property line, where five feet is required. This represents a variance of 100% to the standard. They clarified in communication with staff that they would be retaining the same footprint as the existing deck, which staff estimates would maintain and provide a 0.5-foot side yard setback.*

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

*Staff does not find the request will result in an adverse change to the neighborhood if the deck is reconstructed with sufficiently-spaced boards to maintain proper drainage and prevent runoff from affecting the neighbor's property. The deck has existed in its footprint for several decades and is a reasonably-sized accessory amenity for its location and the neighborhood in general. The access remaining from the southern side of the structure facing the property frontage moves activity on the deck away from the fenceline, which lessens neighbor impact. The deck is constructed low to the ground, at approximately 20 inches above grade at its highest point, so there is no significant visual impact to the historic integrity of the property when viewed from the street. Although the applicant is proposing composite materials instead of wood as were utilized in construction of the original deck, the material should appear similar given its distance from the road.*

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

*Due to the need to provide step access to the deck on account of its elevation, which matches and serves as a landing for an access door located in a jog in the southern center of the structure, staff finds requiring a five-foot setback for the replacement deck would significantly impact the usability of the deck and is not a reasonably viable option. Meeting the setback would require the stairs to be set interior to the deck in order for it to be accessible from the front yard, which given the depth requirements for stairs, would render approximately half of the deck's existing space unusable. Staff finds that requiring compliance would substantially degrade the use of this feature given that it is essentially a rebuild with more robust materials, as the choice to rebuild at this time resulted from the storm and not an elective choice of the owner.*

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

*Staff finds the interest of justice would be served provided the deck is replaced in its exact same footprint, and runoff is maintained on the subject property. While the applicant states that the 2024 storms accelerated the need for replacement rather than requiring it outright,*

*staff does agree that the deck is modest and requiring compliance with current code standards would significant degrade its utility.*

### **Other Comments**

- The applicant should address the composite material to be used and whether consideration has been given to thermal expansion resulting in temporary loss of deck gaps, especially during hot and rainy months.

### **Summary**

Staff finds the request is reasonable and meets the criteria for issuance of a practical difficulty variance. The applicant is seeking to remediate a hardship caused in part by storm damage, and replace an existing deck in its same footprint. The scale of the deck is modest and the decision to reconstruct is reasonable given the additional costs and potential for failure of wood deck given the risks associated.

Should this request be approved, Staff recommends the following conditions:

1. Deck boards shall be spaced to maintain at least a 1/8" gap when accounting for thermal expansion. Any outer trim boards used shall be oriented to direct rainwater inward to the deck or away from neighboring property. The surface below the deck shall be permeable or graded to allow water to percolate into the subject property.
2. The applicant shall submit a final as-built survey demonstrating the deck to be replaced in the same footprint as the survey submitted in association with this variance request.

Should the board look favorably on the application, the applicant should be advised that any variance granted hereunder shall expire one (1) year from the date of the development order providing such variance, unless a building permit for the construction 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: Gerard F. Iacangelo, Owner, *via email* ([jerry.i@gowebway.com](mailto:jerry.i@gowebway.com))  
Nancy Stuparich, Assistant City Attorney, *via email*



CASE #: 26071

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

SUBMITTAL DATE: 5/8/26

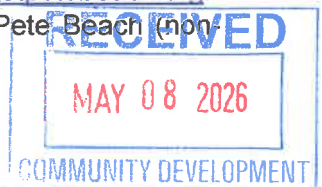
AMOUNT DUE: 544.10

PAYMENT DATE: 5/8/26

### PRACTICAL DIFFICULTY VARIANCE APPLICATION

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

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



#### OWNER/AGENT INFORMATION:

Identification	Name	Mailing Address	Phone #
Owner	Sharon K. Iacangelo Gerard F. Iacangelo	2702 Pass A Grille Way St. Pete Beach, FL 33706	(703) 963-2388
Applicant/ Agent			
Owner Email Address: jerry.i@gowebway.com		Applicant/Agent Email Address:	

#### PROPERTY FOR PROPOSED VARIANCE:

Zoning Designation	Future Land Use Designation	Lot Area
RU-2 / PAG	RU	5500 sq. ft.
Legal Description: NORTH PASS-A-GRILLE SEC A BLK D, LOT 10		
Address: 2702 Pass A Grille Way, St. Pete Beach, FL 33706		
Explanation of Request: _____ Replace the existing 40 year-old side deck that is less than 2 feet above ground level, where a 5 foot side setback is required but 0 feet is provided, with a new deck that is like for like except using composite deck boards instead of treated wood boards. _____ _____ _____		



**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 existing ground-level side deck butts up to the wood fence that is on the property line that provides 0' feet of setback to the specified 5 feet. The requested variance sought to maintain the same location and size of the replacement deck is therefore 100%.

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

No adverse change will be produced to the character of the neighborhood because the the replacement deck will be in the same location and match the same size, height and similar color based on color choices available from the selected composite deck board manufacturer. No impact to drainage is expected because the deck boards will be spaced to provide a gap for water to pass below as before.

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

The owner has maintained the deck over its existing 40-year age. The deck boards were replaced approximately 20 years ago and then epoxy seal-coated 7 years ago. The current subframe condition appears to have become further distressed by the flooding caused by Hurricane Helene in September 2024. The owner looked a repairing the deck versus replacing, but the deck is judged to require substantial subframe repair to warrant replacing. Furthermore, if the deck width were reduced by the side setback of 5 feet, then it would significantly diminish usage that has been provided all these years. Please refer to the attached photo to see what the current deck looks like as viewed from the alley walkway entrance.

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

Even with degradation over time, the deck has been well maintained. After 40 years, it's due to be replaced. The owner believes that by not allowing the requested variance, the diminished utility of the deck would be unreasonable.

Gerard F. Sacangelo 5/8/26  
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.**

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

  *Gerard F. Sacangelo*    
Signature of Applicant

  5/8/26    
Date



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

I/We \_\_\_\_\_  
(Property Owner(s) printed name)

hereby authorize \_\_\_\_\_  
(Agent's printed name)

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

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

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

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

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

**The foregoing instrument was acknowledged before me this \_\_\_\_\_ day  
of \_\_\_\_\_ 20 \_\_, by \_\_\_\_\_ who  
is personally known \_\_\_\_\_ or produced \_\_\_\_\_ as  
identification.**

\_\_\_\_\_  
(Notary Signature) (Date)

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



**PUBLIC HEARING SIGN POSTING AFFIDAVIT**

Applicant, Gerard F. Iacangelo, 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): Gerard F. Iacangelo  
Address: 2702 Pass A Grille Way, St. Pete Beach, FL 33706

Gerard F. Iacangelo 5/8/2026  
Signature Date

STATE OF FLORIDA )  
 ) SS:  
PINELLAS COUNTY )

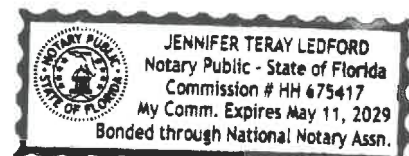
The foregoing instrument was acknowledged before me this 8 day of May, 2026 by: Gerard Iacangelo who appeared before me, and is personally known to me, or has produced as identification, and did take an oath.

My commission Expires:  
May 11, 2029

NOTARY: Jennifer Teray Ledford  
Print Name: Jennifer Teray Ledford Notary

Public, State of Florida

(Notarial Seal)





Permit/Case No. Number: \_\_\_\_\_

# 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**

Gerard F. Iacangelo  
2702 Pass A Grille Way  
St. Pete Beach, FL 33706

Phone 703-963-2388

Email jerry.i@gowebway.com

**Contractor/Applicant Name & Address**

Phone \_\_\_\_\_

Email \_\_\_\_\_

Property Address 2702 Pass A Grille Way, St. Pete Beach, FL 33706

Total Lot Area (sq. ft.) 5500

**Required Calculations:**

EXISTING IMPERVIOUS SURFACE:		
Building Footprint:	2171.6	sq. ft.
Parking and Driveway:	412.7	sq. ft.
Pool and/or Patio areas:	151.6	sq. ft.
Walkways:	404.9	sq. ft.
Other: Deck	345.3	sq. ft.
<b>TOTAL EXISTING IMPERVIOUS SURFACE:</b>	<b>3491.1</b>	<b>sq. ft.</b>

PROPOSED IMPERVIOUS SURFACE:		
Building Footprint:	2171.6	sq. ft.
Parking and Driveway:	412.7	sq. ft.
Pool and/or Patio areas:	151.6	sq. ft.
Walkways:	404.9	sq. ft.
Other: Deck	345.3	sq. ft.
<b>TOTAL PROPOSED IMPERVIOUS SURFACE:</b>	<b>3491.1</b>	<b>sq. ft.</b>

3491.1 sq. ft.	÷	5500 sq. ft.	=	0.635
Total Existing Impervious Surfaces		Lot Area		Existing Impervious Surface Ratio

3491.1 sq. ft.	÷	5500 sq. ft.	=	0.635
Total Proposed Impervious Surfaces		Lot Area		Proposed Impervious Surface Ratio

**Certification:**

I, Gerard F. Iacangelo 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: Gerard F. Iacangelo Date: 5/8/26

SECTION 18, TOWNSHIP 32S, RANGE 16E

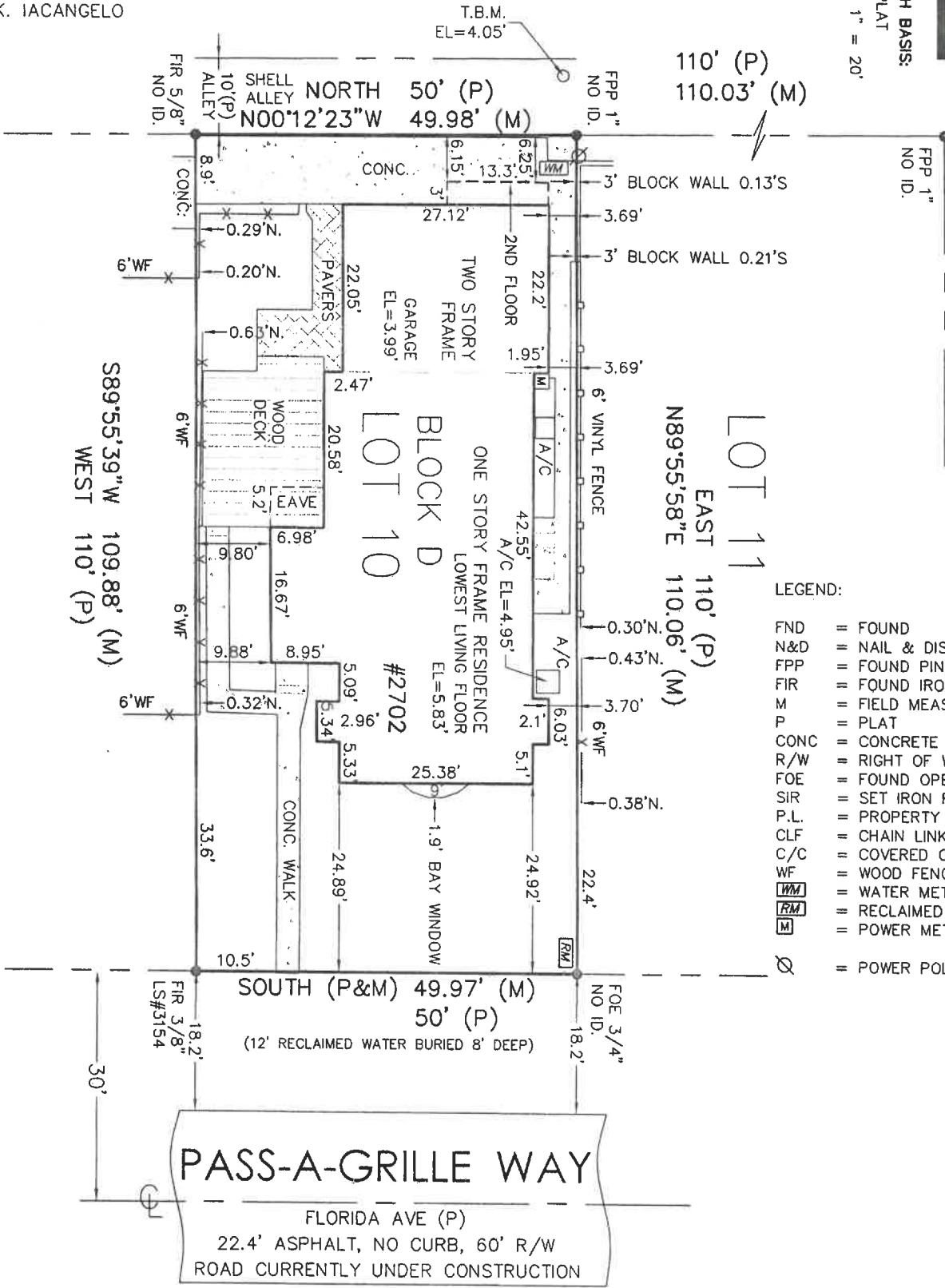
CERTIFIED TO:

GERARD F. IACANGELO  
SHARON K. IACANGELO

NORTH BASIS:  
PLAT  
SCALE: 1" = 20'



28th AVE. S.  
15th STREET (P)



LEGEND:

- FND = FOUND
- N&D = NAIL & DISK
- FPP = FOUND PINCHED PIPE
- FIR = FOUND IRON ROD
- M = FIELD MEASUREMENT
- P = PLAT
- CONC = CONCRETE
- R/W = RIGHT OF WAY
- FOE = FOUND OPEN END PIPE
- SIR = SET IRON ROD
- P.L. = PROPERTY LINE
- CLF = CHAIN LINK FENCE
- C/C = COVERED CONCRETE
- WF = WOOD FENCE
- WM = WATER METER
- RM = RECLAIMED WATER METER
- M = POWER METER
- ⊘ = POWER POLE

LEGAL DESCRIPTION

LOT 10, BLOCK D, ACCORDING TO THE PLAT OF SECTION "A" NORTH PASSAGRILLE AS RECORDED IN PLAT BOOK 5, PAGE 18 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

BOUNDARY SURVEY WITH IMPROVEMENTS AND ELEVATION CERTIFICATE- 8/25/16 UPDATE SURVEY - 4/20/26

Current FEMA Flood Zone  
ALL AE(9')  
DOES NOT LIE WITHIN COASTAL A ZONE  
COMMUNITY PANEL #125149 12103C0278 H,  
REVISED 8/24/21  
Assumed Basis of Bearing:  
EAST BOUNDARY  
BEING SOUTH (PER PLAT)  
Reference Benchmark:  
PINELLAS COUNTY #285 (NOAA #2 1973)  
ELEV=7.282' NGVD, ADJUSTED TO  
ELEV=6.54' NAVD, MSL=0.00'

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

1607-74.CRD  
FIELD BOOK 936 PAGE 16

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

I hereby certify that the survey represented hereon meets the requirements of Chapter 5J-17, Florida Administrative Code.  
  
JOHN O. BRENDLA  
Florida Surveyor's Registration No. 4601  
Certificate of Authorization No. 760

Prepared by:  
JOHN C. BRENDLA & ASSOCIATES, INC.  
PROFESSIONAL LAND SURVEYORS  
4015 82nd Avenue North  
Pinellas Park, Florida 33781  
phone (727) 576-7546 ~ Front@Jcbrendla.com

JOB# 1607-74  
Dwn: JM/@DS

Replace 1, 2, 6, 7 + 8

REVISION

INDEX OF DRAWINGS	
SHEET 1	Site Plan
SHEET 2	Existing Floor Plan
SHEET 3	Proposed Floor Plan
SHEET 4	Elevations
SHEET 5	Elevations
SHEET 6	Electrical Plan
SHEET 7	Notes
SHEET 8	Sections & Details

# LIMITED INTERIOR RENOVATION OF KITCHEN AND FAMILY ROOM

NO ADDITIONAL SQUARE FOOTAGE ADDED ON THIS PROPOSED PROJECT

SCOPE OF PROJECT:  
 LIMITED REMOVAL OF NON-BEARING WALLS  
 LIMITED ADDITION OF NON-BEARING WALLS TO SQUARE OFF FOOTPRINT OF KITCHEN AND ADD PANTRY  
 REMODEL EXISTING KITCHEN INTO "OPEN" FLOOR PLAN WITH LIVING AREAS  
 REMOVE AND REPLACE BOW WINDOWS ON FRONT OF HOME WITH HURRICANE RESISTANT WINDOWS, TYP.  
 REMOVE EXTERIOR DOOR AT KITCHEN AND REMOVE DECK AND STAIRS ON EXTERIOR OF THIS DOOR  
 NO ADDITIONAL PLUMBING, ELECTRICAL OR MECHANICAL WORK IN THIS PROJECT.

ADDRESS: 2702 PASS-A-GRILLE WAY, ST. PETE BEACH, FL 33706  
 PROPERTY USE: 0110  
 LAND USE: 01 (SINGLE FAMILY)  
 DISTRICT: (SP8) CITY OF ST. PETE BEACH  
 PARCEL #: 18-32-16-61002-004-0100  
 SUFFIX: C FLOOD ZONE: AE 11

LEGAL DESCRIPTION:  
 LOT(S) 10, BLOCK D, NORTH PASS-A-GRILLE SECTION A, AS PER PLAT THEREOF  
 RECORDED IN PLAT BOOK 5, PAGE(S) 18, INCLUSIVE, OF THE PUBLIC RECORDS  
 OF PINELLAS COUNTY, FLORIDA.

CONTRACTOR TO CONFIRM ALL DIMENSIONS IN THE FIELD AND TO REFER ANY QUESTIONS ON POSSIBLE DISCREPANCIES ON WORKING DRAWINGS TO AQ DRAW DESIGN BEFORE THE CONSTRUCTION BEGINS.  
 CONTRACTOR TO MATCH EXISTING TEXTURES, FASCIA ATTRIBUTES, TRUSS PITCH AND EXISTING COLOR UNLESS SPECIFICALLY INSTRUCTED OTHERWISE BY OWNER OR DESIGNER. ANY CONFLICT WITH DRAWINGS SHOULD BE RESOLVED WITH DESIGNER PRIOR TO BEGINNING WORK.

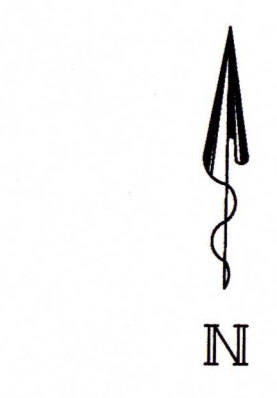
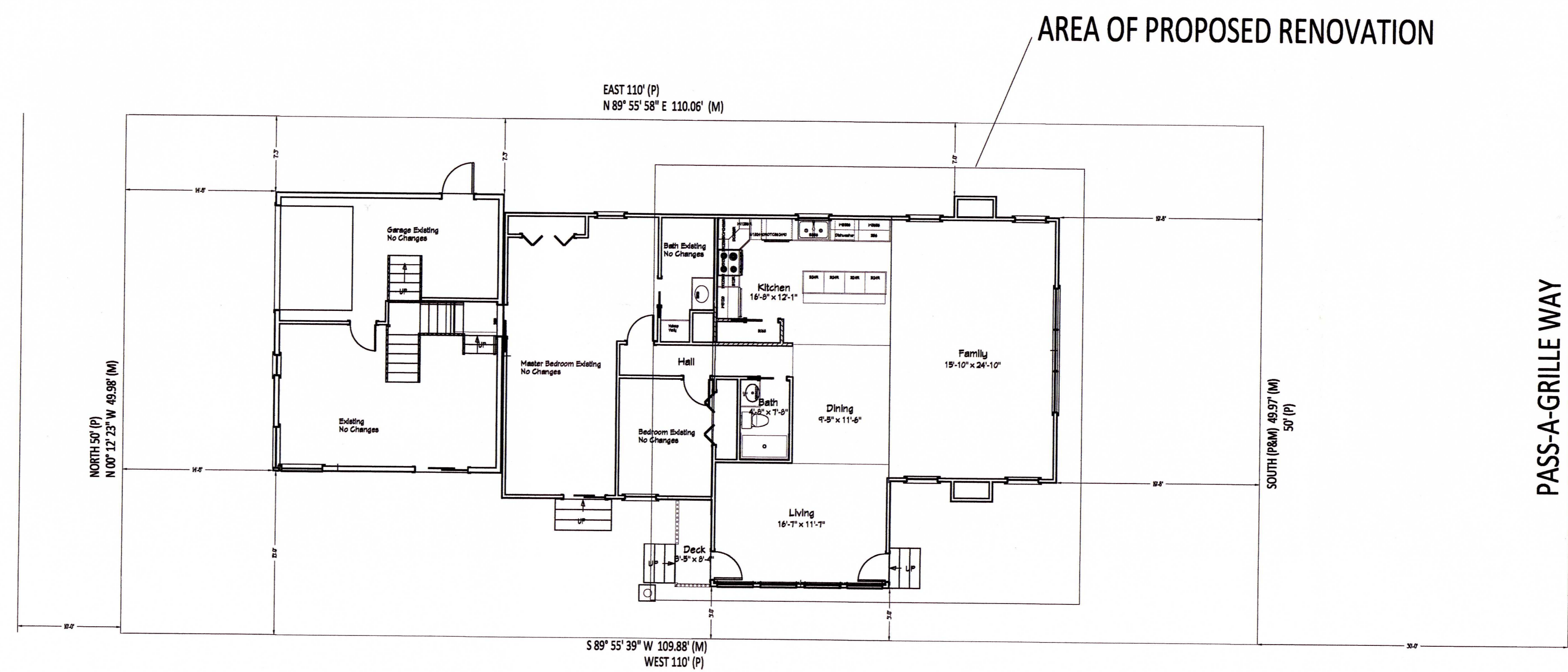
SQUARE FOOTAGE CALCULATIONS	
LOT	5500 SQ. FT.
EXISTING BUILDING	1607 SQ. FT.
DECKS, PATIOS, SIDEWALKS	117 SQ. FT.
% PERVIOUS/ IMPERVIOUS	68.7% PERVIOUS 31.3% IMPERVIOUS

WIND LOAD INFORMATION (ASCE 7-10)  
 1. - BASIC WIND SPEED: 145 MPH 3 SECOND GUST  
 2. - WIND IMPORTANCE FACTOR: 1  
 3. - WIND EXPOSURE: C CATEGORY II  
 4. Enclosed building - .18  
 5. -Design wind pressure for roof components and cladding equals:  
 ZONE 1: +11.1 -22.6  
 ZONE 2: +11.3 -35.3  
 ZONE 3: +11.1 -35.3  
 ZONE 4: +23.2 -25.5  
 ZONE 5: +23.2 -27.3

ABBREVIATIONS					
AT	FOUNDATION	FLR	FLOOR	REIN	REINFORCEMENT
ACC	ACCESS	FND	FOUNDATION	R.S.B.	ROD AND SHEET
A/C	AIR CONDITIONING	GL	GLASS	R.S.B.	RAISED STUCCO BAND
A/H	AIR HANDLER	HDR	HEADER	SH	SINGLE HUNG WINDOW
A.F.F.	ABOVE FINISHED FLOOR	INS	INSULATION	SHL	SHIELD
B.U.C.	BUILT UP COLUMN	K.O.	KNOCK OUT	S.G.D	SLIDING GLASS DOOR
C	CARPET	M.C.	MANUFACTURER	S.P.F.	SPRUCE PINE FIR
C.G.	CEILING	MANUF	MANUFACTURER	SQ	SQUARE
COMP	COMPACTED	MEN	MEN'S ROOM	T.C	TEMP
CONT	CONTINUOUS	M.F.H.	MILES PER HOUR	T.M.	TRADE MARK
DIAM	DIAMETER	M.D.	MASONRY OPENING	TYP	TYPICAL
DR	DOOR	M.T.	METAL	U.N.O.	UNLESS NOTED OTHERWISE
EA	EACH	O.D.	OVERHEAD DOOR	V	VERTICAL
ELEV	ELEVATION	OPT.	OPTIONAL	V.T.R.	VERTICALLY THROUGH ROOF
FR. DR.	FRENCH DOOR	P.T.	PRESSURE TREATED	WI	WIRE
		P.S.I.	POUNDS PER SQUARE INCH	WI	WIRED WIRE MESH
		P.S.F.	POUNDS PER SQUARE FOOT		

GENERAL NOTES  
 PLANS DESIGNED TO CONFORM WITH 2014 FLORIDA BUILDING CODE, 5th ED. W/ REVISIONS  
 1. ALL WORK SHALL COMPLY WITH ALL APPLICABLE CODES AND INDUSTRY WORKMANSHIP STANDARDS.  
 2. ARCHITECT AND/OR ENGINEER MUST APPROVE ALL WORKMANSHIP, PRODUCTS AND SUBSTITUTIONS.  
 3.

SITE PLAN INFORMATION OBTAINED FROM:  
 JOHN C BRENDLA & ASSOCIATES, INC.  
 4015 82ND AVE N.  
 PINELLAS PARK, FL 33781  
 TEL: 727-576-7546; FAX: 727-577-9932



RESIDENTIAL AND COMMERCIAL  
 CUSTOM PLANS  
 P: 727-755-4464  
 E: CONTACT@AQDRAW.COM

**AQ DRAW**  
 DESIGN  
 AQDRAWDESIGN.COM

STRUCTURAL AND SITE  
 ENGINEERING, LLC  
 CONSULTING ENGINEERS ARCHITECTS  
 PLANNERS COMMERCIAL RESIDENTIAL  
 1120 PINELLAS BAYWAY UNIT #210  
 TERRA VERDE, FL 33715 U.S.A.  
 TEL: 727-363-9995 FAX: 727-363-9997  
 samcoole@gmail.com  
 SSE JOB#17068 FL C of A #26218

SEAL  
 SAM COLE, P.E.  
 FL P.E. REG #49262  
 Aug. 18, 2017  
 DATE

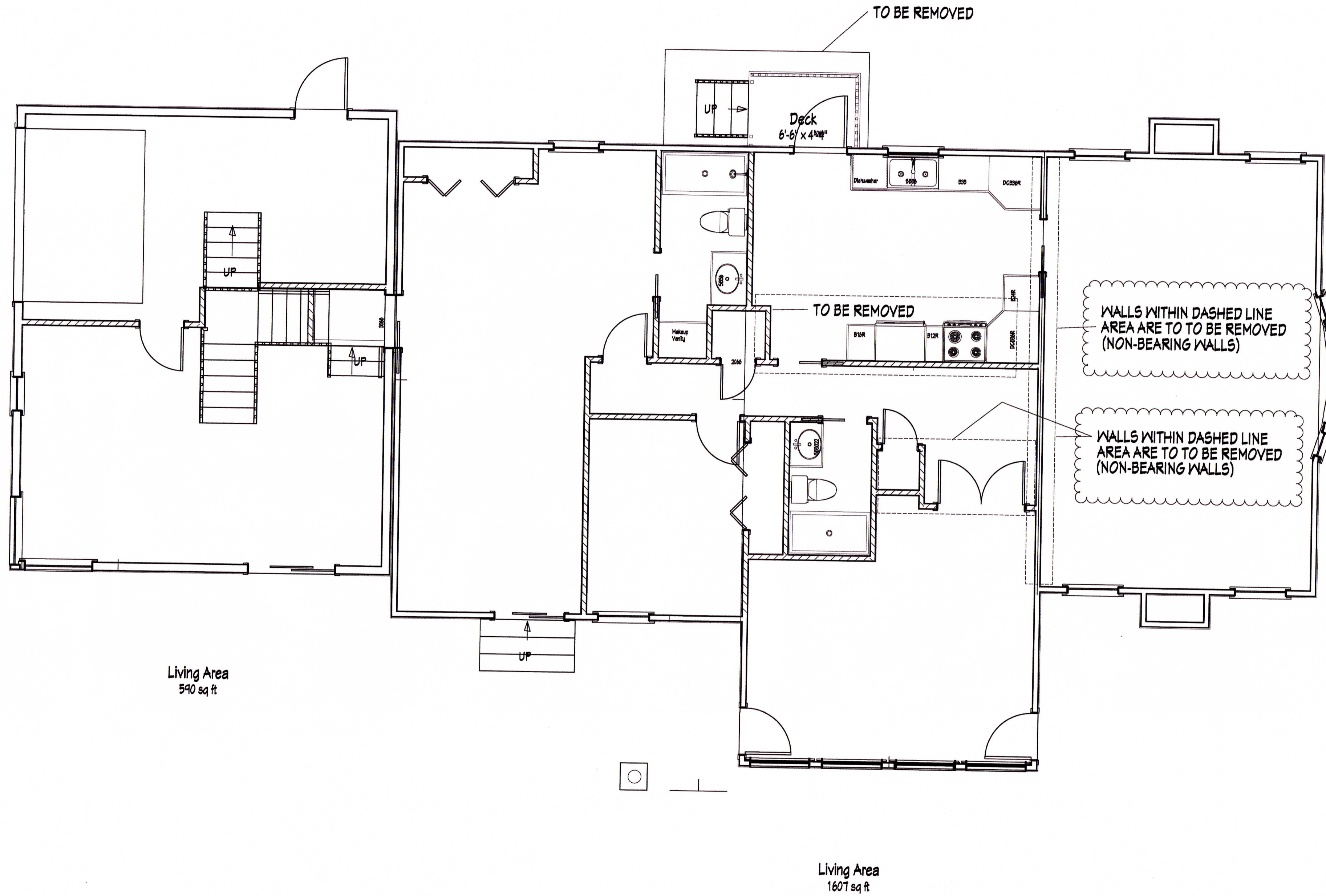
**IACANGELO Residence**  
 2702 Pass-A-Grille Way, St. Pete Beach, FL 33706  
 Contact #: 703-963-2388  
 COUNTY: PINELLAS  
 DATE: Aug. 18, 2017

Job#: 17-217  
 Designer: BKW  
 Drawn By: BKW  
 Scale: 1/4" = 1'-0"  
 Rev#: 17-217-1

SHEET  
**1**

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

SCOPE OF PROJECT:  
 LIMITED REMOVAL OF NON-BEARING WALLS  
 LIMITED ADDITION OF NON-BEARING WALLS TO SQUARE OFF FOOTPRINT OF KITCHEN AND ADD PANTRY  
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 NO ADDITIONAL PLUMBING, ELECTRICAL OR MECHANICAL WORK IN THIS PROJECT.



NOA'S AND PRODUCT APPROVALS  
 TO BE PROVIDED BY CONTRACTOR IN SEPARATE DOCUMENT(S)  
 SUBMITTED IN PERMIT PACKAGE.

# EXISTING FLOOR PLAN

RESIDENTIAL AND COMMERCIAL  
 CUSTOM PLANS  
 P: 727-755-4464  
 E: CONTACT@AQDRAW.COM

**AQDRAW**  
 DESIGN  
 AQDRAWDESIGN.COM

STRUCTURAL AND SITE  
 ENGINEERING, LLC  
 CONSULTANTS - ENGINEERS - EXPERT WITNESS  
 PLANNERS - ARCHITECTS - INDUSTRIAL - RESIDENTIAL  
 1120 PINELLAS BLVD, SUITE 100  
 TERRA VERDE, FL 33715 U.S.A.  
 TEL: 727-363-9595 - FAX: 727-363-9597  
 scottcolepe@gmail.com  
 SSE JOB#17068 FL C of A #25218

*Sam Cole*  
 SAM COLE, P.E.  
 FL P.E. REG. #49262  
 Aug. 18, 2017  
 DATE

**IACANGHLO Residence**  
 2702 Pass-A-Grille Way, St. Pete Beach, FL 33706  
 Contact #: 703-963-2388  
 COUNTY: PINELLAS  
 DATE: Aug. 18, 2017

Job#: 17-217  
 Designer: BKW  
 Drawn By: BKW  
 Scale: 1/4" = 1'-0"  
 Rev#: 17-217-0

SHEET

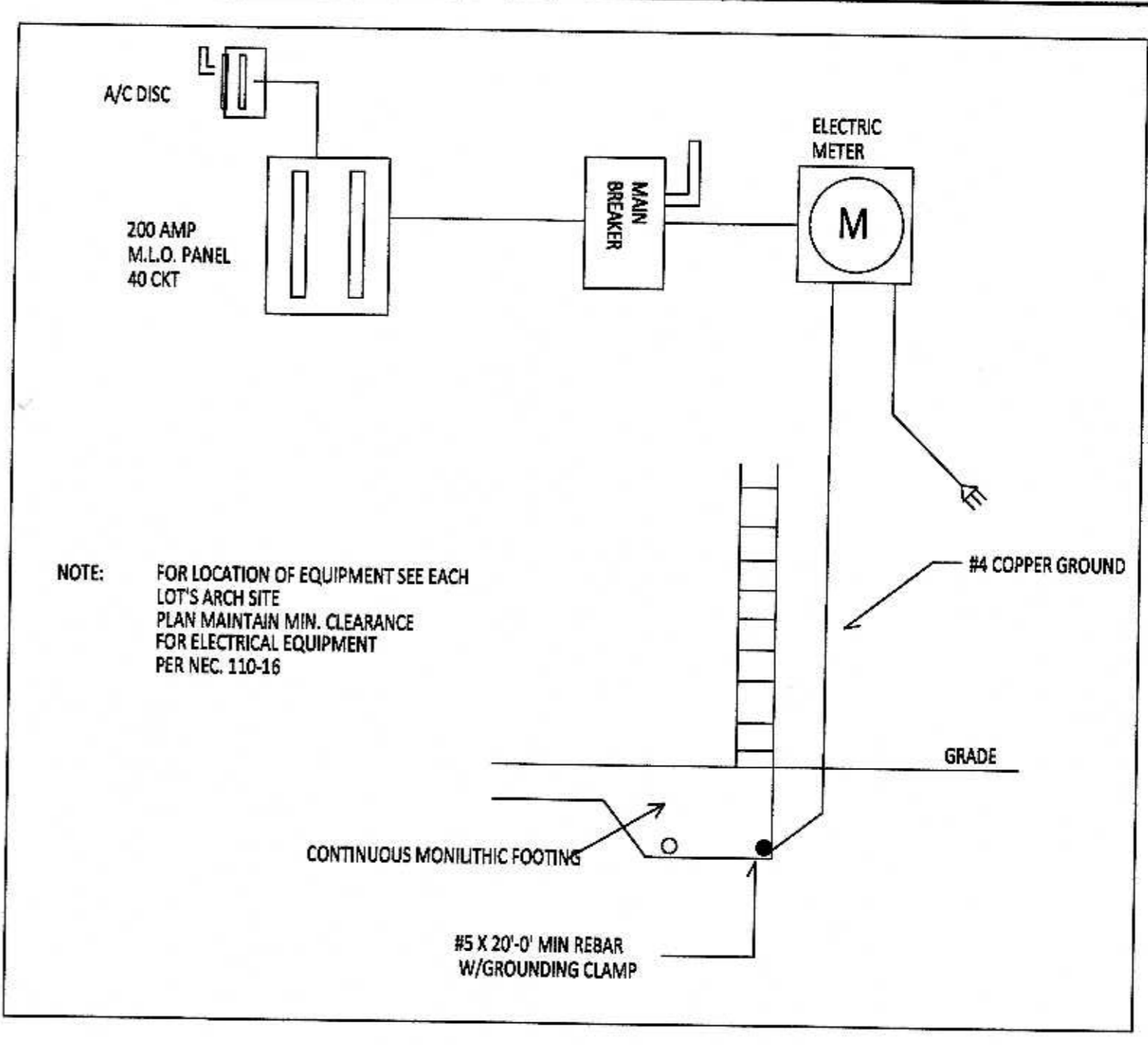
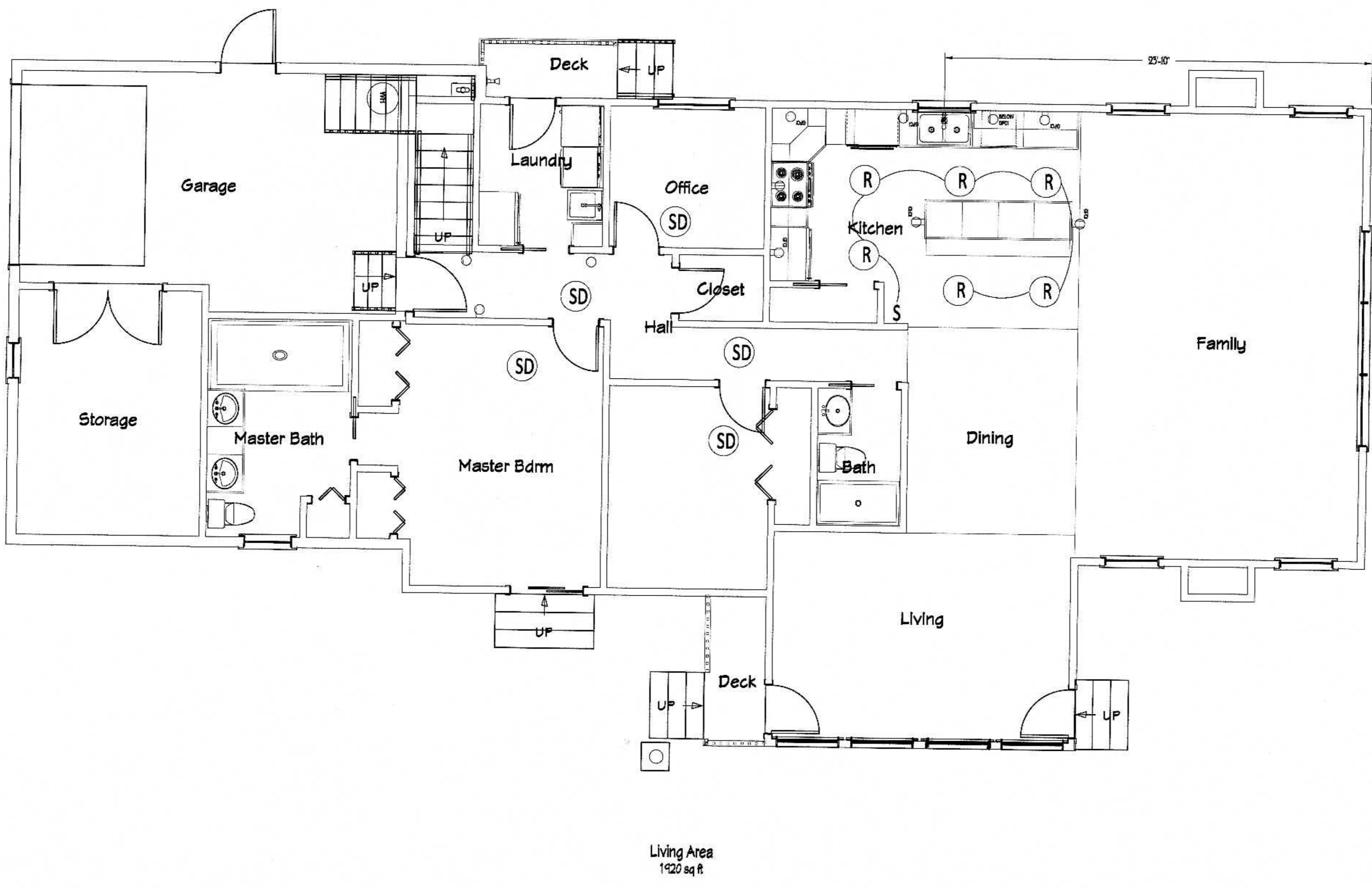
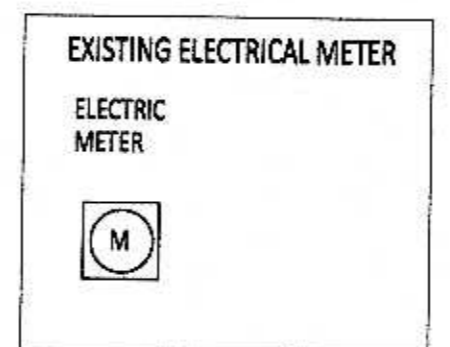
2

	220 VOLT OUTLET
	110 VOLT WALL OUTLET
	110 VOLT CEILING OUTLET
	GROUND FAULT CIRCUIT INTERRUPTER OUTLET
	ARCH FAULT OUTLET
	110 VOLT QUAD OUTLET
	SWITCH
	3-WAY SWITCH
	LIGHT
	4" RECESSED LIGHT
	RECESSED LIGHT
	CHANDELIER
	CEILING FAN W/ LIGHT SET
	VANITY LIGHT
	WALL MOUNT DECOR. LIGHT
	ROPE LIGHTING
	FLUORESCENT LIGHT
	FLOURECENT LIGHT FIXTURE
	EXTERIOR PORCH LIGHT
	MOTION SENSOR LIGHT
	FLOOD LIGHT
	SMOKE DETECTOR
	WALL SMOKE DETECTOR
	FOUR BOX
	THERMOSTAT
	TELEPHONE JACK
	CABLE JACK
	EXHAUST FAN
	EXIT SIGN

THE PRELIMINARY ELECTRICAL LAYOUT IS PROVIDED TO ASSIST THE LICENSED TRADE SPECIALTY CONTRACTOR WHO IS GRANTED FULL AUTHORITY TO MODIFY IF REQUIRED AND COMPLETE PERMIT REQUIREMENTS IN ACCORDANCE WITH THE PERMITTING AGENCY.

**ELECTRICAL INSTALLATION NOTES:**  
 1. ALL RECESSED CAN LIGHTS SHALL BE PROVIDED AND INSTALLED BY CONTRACTOR.  
 2. ALL SWITCHES AND OUTLETS SHALL BE PROVIDED AND INSTALLED BY CONTRACTOR.  
 3. OWNER SUPPLIED CONTRACTOR INSTALLED.

**ELECTRICAL NOTES:**  
 1. ALL BEDROOM OUTLETS TO BE ARC FAULT PROTECTED.  
 2. REMOVE ALL EXISTING UNUSED OUTLETS, LIGHTS, SWITCHES, ETC.  
 3. REUSE EXISTING OUTLETS AND LIGHT LOCATIONS AS PERMITTED BY CODE AND LOCATION. ENSURE PROPER OPERATION.  
 4. ALL SWITCHES TO BE @ 48" A.F.F.  
 5. ALL COMMON OUTLETS TO BE INSTALLED @ 16" A.F.F. (EXISTING OUTLETS TO MATCH NEW HEIGHT).  
 6. ALL ABOVE-COUNTER OUTLETS TO BE INSTALLED @ 8" ABOVE COUNTER TOP.  
 7. THIS PLAN COMPLIES WITH NEC 2011 AND FBC 2014, 5TH EDITION.



RESIDENTIAL AND COMMERCIAL  
**CUSTOM PLANS**  
 P: 727-755-4404  
 E: CONTACT@AQDRAW.COM

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STRUCTURAL AND SITE  
 ENGINEERING, LLC  
 CONSULTANTS - ENGINEERS - EXPERT WITNESS  
 1120 PINELLAS BAYWAY, SUITE #210  
 PINELLAS, FL 33715, U.S.A.  
 TEL: 727-963-9965 FAX: 727-963-9997  
 SSEE JOB#17088... FL C of A #26218

**IACANGLO Residence**  
 2702 Pass-A-Grille Way, St. Pete Beach, FL 33706  
 Contact #: 703-963-2388  
 COUNTY: PINELLAS  
 DATE: Aug 18, 2017  
 Job#: 17-917  
 Designer: BKW  
 Drawn By: BKW  
 Scale: 1/4" = 1'-0"  
 Rev#: 17-917-0

**SHEET**  
**6**

**ELECTRICAL PLAN**



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

**CITY OF ST PETE BEACH BOARD OF ADJUSTMENT  
VARIANCE CASE NO. 26071 (Practical Difficulty)  
DEVELOPMENT ORDER**

A public hearing was held before the St Pete Beach Board of Adjustment (“BOA”) on the 29<sup>th</sup> day of June 2026 for review of a variance to Section 6.13.(c)(2)c. of the City of St. Pete Beach Land Development Code (“LDC” or “Land Development Code”) to allow for the applicant to reconstruct a near-grade deck with a southern side setback of approximately 0.5 feet where five feet is required. The property is located at 2702 Pass A Grille Way, St. Pete Beach, Florida, and the subject variance is requested by Gerard Iacangelo (“Property Owner” or “Applicant”).

The Board of Adjustment reviewed the published agenda materials, information presented at the hearing and testimony from Brandon Berry and Kristin Coman for the City. The Board of Adjustment has accepted testimony from Brandon Berry and Kristin Coman as experts in the area of land use and zoning in the City of St. Pete Beach.

Based on the information and testimony the BOA makes the following findings of fact and conclusions of law:

- a. Sharon and Gerard Iacangelo are the owners of the subject property at 2702 Pass A Grille Way, and Gerard Iacangelo is also the applicant for the subject case.
- b. Notice of the BOA hearing was provided to the Property Owner and owners of property within 300 feet as required by Section 3.4 of the LDC.
- c. The Subject Property is located within the RU Residential Urban Future Land Use category according to the City of St. Pete Beach Future Land Use Map, and the RU-2/PAG zoning district according to the zoning map. Properties in this district are subject to a deck setback equal to 10% of the lot width from the side property line, which is five feet for this property.
- d. In accordance with the requirements of Section 3.12 of the LDC, the BOA approves the variance based on competent and substantial evidence in the record and presented at the public hearing for the variance request, finding the variance to be consistent with the Comprehensive Plan, and citing the following reasons for approval:
  1. *How substantial the variance is in relation to the requirement sought to be varied* – The BOA finds this request to be approximately a 90% variance to the required side setback standard, but does not represent any variance to the existing deck, which has existed since the 1980s according to the applicant.

2. *Whether an adverse change will be produced in the character of the neighborhood*—The BOA finds this criteria is met, as the replacement deck will remain open-slatted to allow water to run interior to the deck rather than onto adjacent property, and the deck is intended as an exact replacement of the one that has existed on the property for decades.

3. *Whether the difficulty can be obviated by some method feasible for the applicant to pursue other than by a variance;*—The BOA finds this criteria is met, as scaling back the deck would substantially affect its usability due to its modest scope, layout, and existing lot conditions, and the difficulty was accelerated by the 2024 hurricanes rather than some action of the applicant.

4. *Whether, in view of the manner in which the difficulty arose, the interest of justice will be served by allowing the variance.*—The BOA finds this criteria to be met, as requiring compliance with current zoning setbacks would substantially affect the deck’s utility, and the need for the variance was caused by actions outside of the applicant’s control.

e. [Add any ex-parte communication].

**IT IS HEREBY ORDERED:**

f. The variance case is approved based upon sufficient applicant support and testimony for all four practical difficulty variance criteria.

g. The variance is approved with the following two (2) conditions:

1. Deck boards shall be spaced to maintain at least a 1/8” gap when accounting for thermal expansion. Any outer trim boards used shall be oriented to direct rainwater inward to the deck or away from neighboring property. The surface below the deck shall be permeable or graded to allow water to percolate into the subject property.
2. The applicant shall submit a final as-built survey demonstrating the deck to be replaced in the same footprint as the survey submitted in association with this variance request.

h. The Applicant may record a certified copy of this Order in the Official Records of Pinellas County, Florida.

i. This action was made by a motion by \_\_\_\_\_ and seconded by \_\_\_\_\_ and upon being put to a vote, the result was as follows:

Denise Chase, Chair	_____
Chris Core, Member	_____
Jim Schmidt, Member	_____
Dan Small, Member	_____
Joe Kunzer, Member	_____

DULY PASSED AND ADOPTED THE 29<sup>TH</sup> DAY OF JUNE, 2026

St. Pete Beach Board of Adjustment

By: \_\_\_\_\_  
Denise Chase, Chair

STATE OF FLORIDA                    )  
COUNTY OF PINELLAS            )

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization this \_\_\_\_\_ day of \_\_\_\_\_, 2026, by Denise Chase, as Chair of the St Pete Beach Board of Adjustment,  who is personally known to me or  who has produced \_\_\_\_\_ as identification.

My commission expires:

\_\_\_\_\_  
NOTARY PUBLIC, State of Florida at Large  
Print Name: \_\_\_\_\_

**ATTEST:**

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY**

\_\_\_\_\_  
\_\_\_\_\_, City Clerk

\_\_\_\_\_  
Vose Law Firm, City Attorney

This Development Order was filed in the Office of the City Clerk on this \_\_\_\_ day of \_\_\_\_\_, 2026. Any person aggrieved by this Order may appeal to the Circuit Court on or before thirty (30) days from the date of the Order as authorized in Section 3.14(b) of the St. Pete Beach Land Development Code.

## Brandon Berry

---

**From:** triciacucchiara@gmail.com  
**Sent:** Tuesday, June 16, 2026 4:12 PM  
**To:** Brandon Berry  
**Subject:** Re: Notice of public hearing

CAUTION: This message has originated from Outside of the Organization. Do Not Click on links or open attachments unless you are expecting the correspondence from the sender and know the content is safe

Hi Brandon,

Thank you so much for your reply.

The case number is 26071

I support the request for a Practical Difficulty Variance for the reconstruction of an existing wood deck for the property at 2702 Pass A Grille Way.

Tricia Cucchiara  
2607 Pass A Grille Way

Please let me know if I need to do anything else or if this will suffice.

Tricia

> On Jun 15, 2026, at 4:02 PM, Brandon Berry <bberry@stpetebeach.org> wrote:

>

> Tricia,

>

> You are welcome to send an email or letter. If you provide me the case number or address, along with your comment, I will pass it to the Board.

>

> Thank you,

> Brandon

>

> -----Original Message-----

> From: triciacucchiara@gmail.com <triciacucchiara@gmail.com>

> Sent: Monday, June 15, 2026 3:57 PM

> To: Brandon Berry <bberry@stpetebeach.org>

> Subject: Notice of public hearing

>

> CAUTION: This message has originated from Outside of the Organization. Do Not Click on links or open attachments unless you are expecting the correspondence from the sender and know the content is safe

>

>

> I received a notice of public hearing and would like to show my support for the request.

>

> What is the best way to do that? I cannot attend the hearing.

>

> Tricia Cucchiara

> The city of St. Pete Beach uses SeeClickFix for residents to submit issues to the city. To report an issue, please click here.<[https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.stpetebeach.org%2fseeclickfix&c=E,1,y69IfvKr8H4yJ7jZBCZ3N6ITUzMf2yJd8Ovoqhd77\\_IP2Ve0JCpx1m24hxxg0nrsM7zJZEJhBUqzQ9d7U1zxwv1csNvESKnfi4Ij2P5NmwpfbGY,&typo=1](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.stpetebeach.org%2fseeclickfix&c=E,1,y69IfvKr8H4yJ7jZBCZ3N6ITUzMf2yJd8Ovoqhd77_IP2Ve0JCpx1m24hxxg0nrsM7zJZEJhBUqzQ9d7U1zxwv1csNvESKnfi4Ij2P5NmwpfbGY,&typo=1)>

>

> All government correspondence is subject to the public records laws.

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

**Agenda Report**

**Agenda Title Name:** Case No. 25147 – 3535 Belle Vista Dr. E

**Action Request:** Motion to [approve/approve with conditions/deny/continue to [specify date certain]] undue hardship variance case 25147 for 3535 Belle Vista Drive East.

**Strategic Objective:**

**Date:** June 29, 2026

**Prepared By:** Gilbert Martinez, Senior Planner

**Through:** Kristin Coman, Planning Manager  
Laura Canary, Community Development Director

**Summary of Issue:** The subject accessory storage structure and outdoor living area are integrated into the existing pool, retaining wall, and deck configuration, which limits practical relocation options within the rear yard. The applicant has removed the former bathroom and associated plumbing fixtures and proposes to use the enclosed portion solely for storage and the open portion as an outdoor living area, thereby reducing the intensity of the use from what previously existed. However, Staff requests additional testimony pertaining to Criteria 3 and 7 to demonstrate that the structure cannot be reasonably modified, reduced, or relocated in a manner that would comply with the required setback standards.

If approved, Staff requests that the enclosed area remain limited to non-habitable storage use, that no plumbing or bathroom facilities be installed within the structure, and that the open area be maintained as an outdoor living area consistent with the plans submitted as part of this application, as well as any additional conditions established in the final Development Order.

**Funding:** n/a

**Attachments:**

1. 25147 - Staff Report
2. 25147 - CERTIFICATE OF COMPLETENESS
3. 25147 - Revised Complete Application
4. 25147 - 3535 Belle Vista Drive East Survey REV
5. 25147 Requested Set Back Plans
6. 25147 - Email from Mark Broderick, Owner of Property
7. 25147 Proposed Floor Plan
8. 25147 - 2023 Previously Submitted BPA Plans
9. 25147 - DRAFT Development Order



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

## PLANNING DIVISION

**Date:** June 11, 2026  
**To:** Board of Adjustment  
**Re:** Staff Findings Report  
Unnecessary and Undue Hardship Variance  
Address: 3535 Belle Vista Drive E.  
Parcel Number: 07-32-16-07542-004-0250  
Martha D. Bolton, Esq., Coats Schmidt, P.A. for Mark & Lynn Broderick  
Variance Case No: 25147

**Prepared by:** Gil Martinez, Senior Planner

**Hearing Date:** June 29, 2026

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

1. Completed Unnecessary and Undue Hardship Variance application package.
2. Boundary and Topographic Survey prepared by Ireland & Associates Surveying, Inc. dated March 26, 2026.
3. Variance exhibit identifying setback encroachments.
4. Rendering of the existing accessory storage structure and open-air lanai.
5. Notice of Violation issued October 19, 2023.
6. Code Enforcement Special Magistrate Final Administrative Order entered January 13, 2026.

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

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

The subject property is an approximately 7,884 square foot residential parcel located at 3535 Belle Vista Drive E., legally described as Lot 25, Block 4, Belle Vista Shores. The property is zoned RU-1 Residential with a Future Land Use designation of RU Residential and is surrounded on all sides by similarly zoned single family residential properties. According to the Pinellas County Property Appraiser, the existing single-family residence was constructed in 1960. The parcel is located on the west side of Belle Vista Drive East and is irregular in shape with curved property lines consistent with other lots on the block. The property is developed with a single-family residence and associated improvements, including circular paver driveway, inground swimming

pool with pool deck, retaining wall, and an approximately 341 square foot detached unpermitted structure comprised of an enclosed storage room and a covered outdoor living area with a bar. The structure is situated adjacent to the pool near the rear and side property lines and extends into the required setback along the northern rear portion of the lot. City records indicate that the structure was constructed without the required building permits in 2023.

**Figure 1: Aerial Photography**



Source: Pinellas County Property Appraiser



Figure 3: Existing Boundary Survey

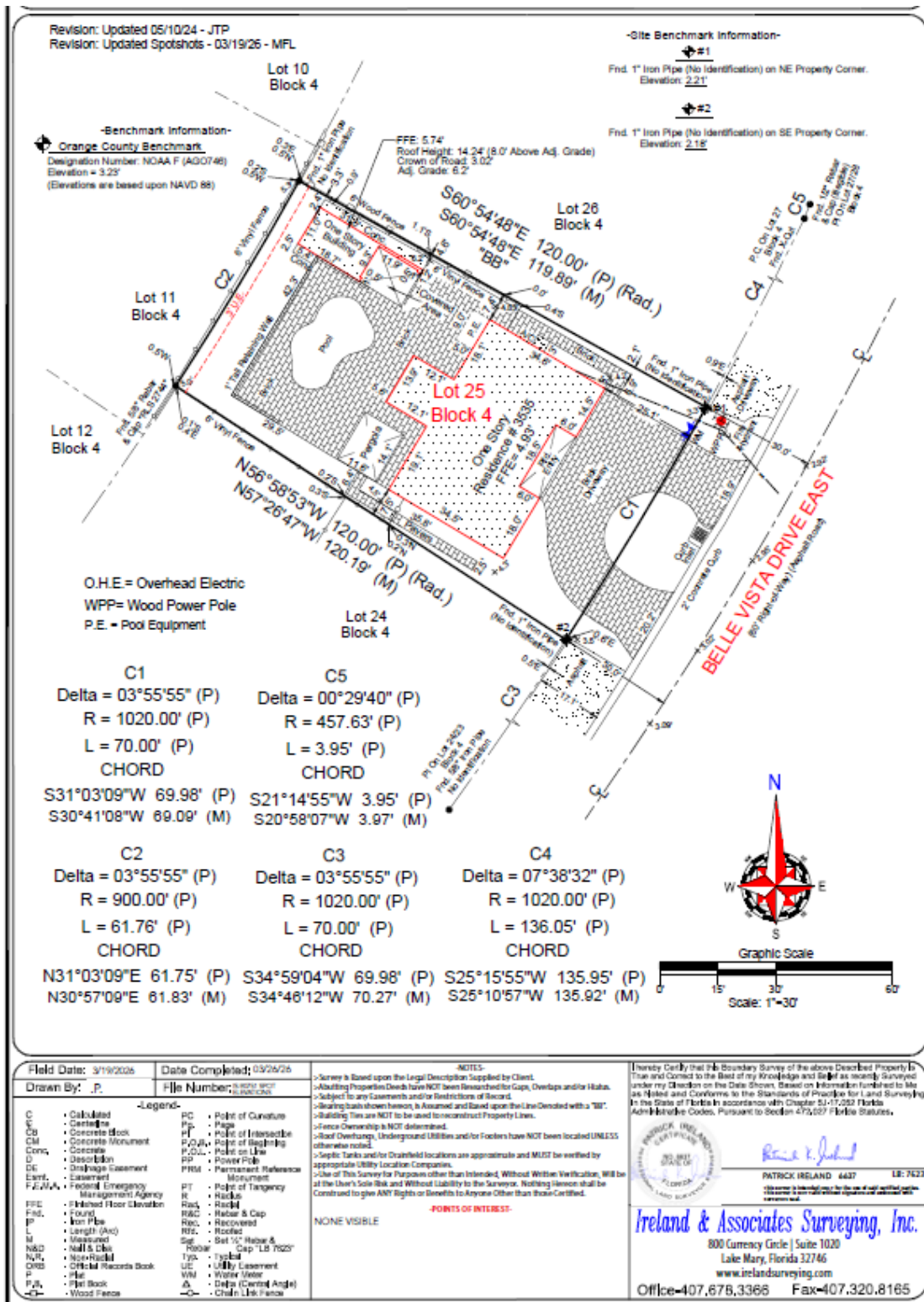


Figure 4. Variance exhibit identifying setback encroachments

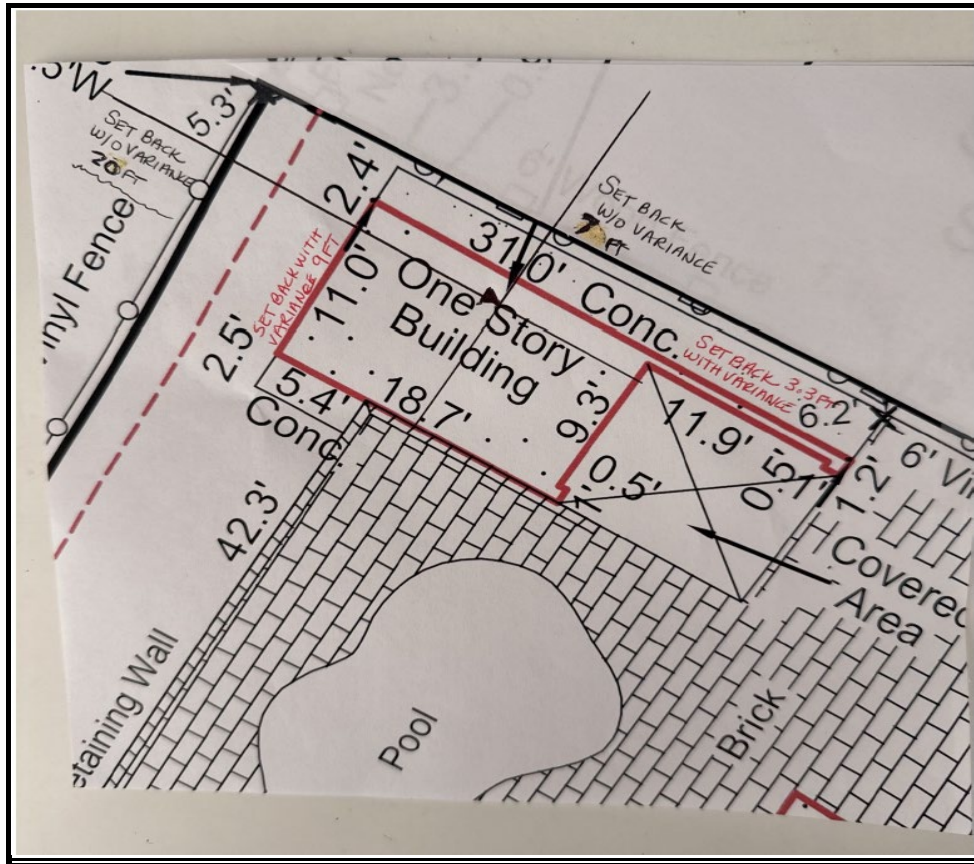


Figure 5. Proposed Floor Plan

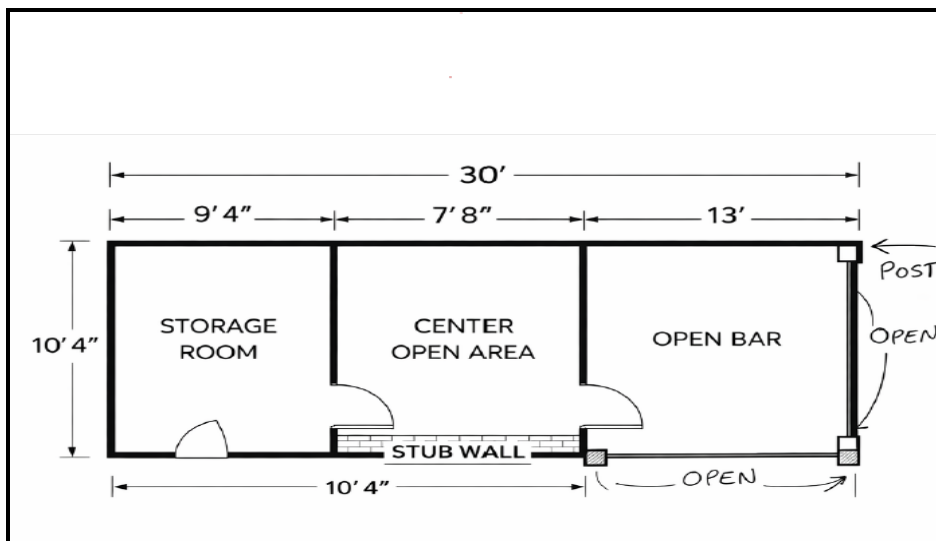


Figure 5: Aerial Imagery Prior to Accessory structure, Google Earth Pro, 2023

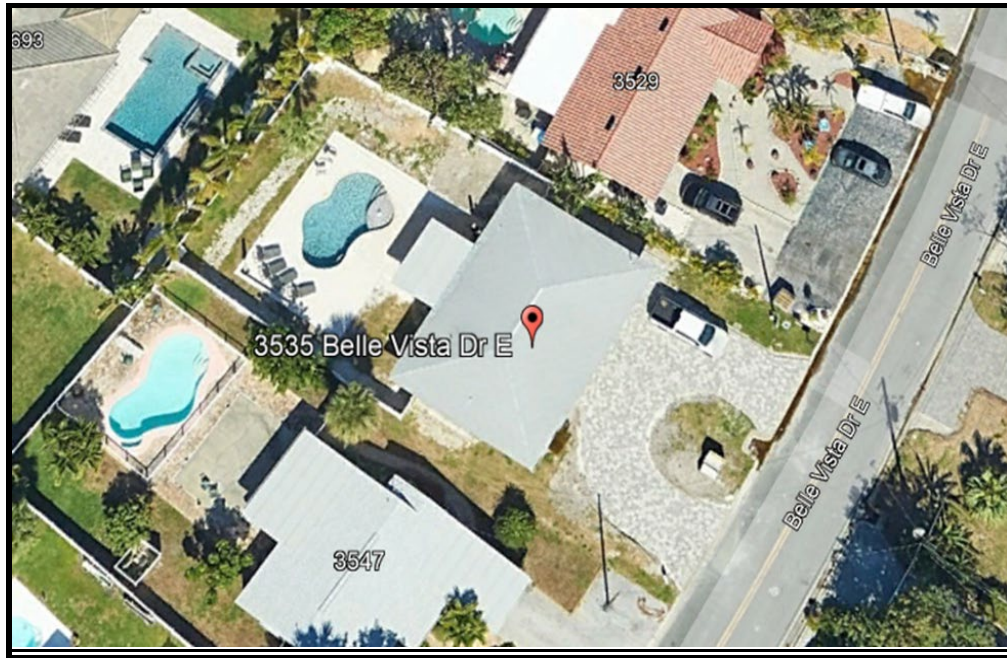


Figure 6: Rendering of Proposed Accessory Structure



**Code Enforcement and Permit History**

A review of City code enforcement records indicates that the property has been subject to ongoing code enforcement proceedings related to the construction of the accessory storage structure and open-air lanai located in the rear yard of the property.

On October 19, 2023, the City issued a Notice of Violation to the property owners, Mark B. Broderick and Lynn M. Broderick, under Case Number 20230606. The Notice advised that the erection of the auxiliary storage structure and open-air lanai in the rear yard required permits and that no permits were on record for the structure. The Notice cited violations of Sections 98-123.1 and 98-123.7 of the City Code relating to permits required within flood hazard areas and permit expiration provisions. The Notice directed the owners to obtain the necessary permits and establish compliance no later than November 2, 2023.

Section 98-123.1 requires that any applicant undertaking development activity within a flood hazard area obtain the required permits and approvals prior to commencement of development activity. Section 98-123.7 provides that permits become invalid if work is not commenced within 180 days or if work is suspended or abandoned for 180 days.

The Notice further advised that failure to correct the violations could result in presentation of the matter before the Special Magistrate and the imposition of fines of up to \$250 per day for continuing violations.

Subsequently, the matter proceeded before the Code Enforcement Special Magistrate under Case No. CE20230606. During the hearing held January 12, 2026, testimony was provided establishing that the accessory storage structure and open-air lanai had been erected without first obtaining the proper permits or after a permit had expired. The property owner, through counsel, represented that a variance application had been submitted to the City and that approval of the variance would be necessary to proceed with after-the-fact permitting.

In the Final Administrative Order entered January 13, 2026, the Special Magistrate found the Respondents to be in violation of the cited code sections. However, due to the pending variance application and uncertainty regarding the timing of review by the Board of Adjustment, no compliance deadline was established at that time. The Order scheduled a future status hearing and reserved jurisdiction regarding potential fines and administrative costs.

**Request**

The applicant is requesting a variance to Land Development Code LDC Sec. 8.7(b)(3)(4):

Minimum yard requirements LDC Sec. 8.7(b)(3)(4)	3535 Belle Vista Dr. East		
	<u>Permitted/Required</u>	<u>Existing Encroachment</u>	<u>Proposed to Remain</u>
Side Setback	6.7ft	3.3ft*	3.3ft (v)
Rear Setback	20 ft	9 ft*	11 ft (v)
*Denotes existing non-conformity (v) = Variance required			

**Analysis**

The subject accessory storage structure, open air living area and outdoor bar is located within the required rear and side setbacks for the property. The applicant states that the location of the existing pool, retaining wall, and associated hardscape improvements limits the ability to relocate the structure into a fully compliant location without substantial modification to the existing pool area.

The submitted survey indicates that the structure is setback approximately 11 feet from the rear property line where 20 feet is required and approximately 3 feet 3 inches from the side property line where 6.7 feet is required. The structure appears integrated into the existing pool deck and patio layout.

The structure is adjacent to the swimming pool with a roof height identified on the survey as approximately 14.24 feet. The survey further identifies the structure as an existing improvement and notes the adjacent pool deck, retaining wall, and fencing configuration.

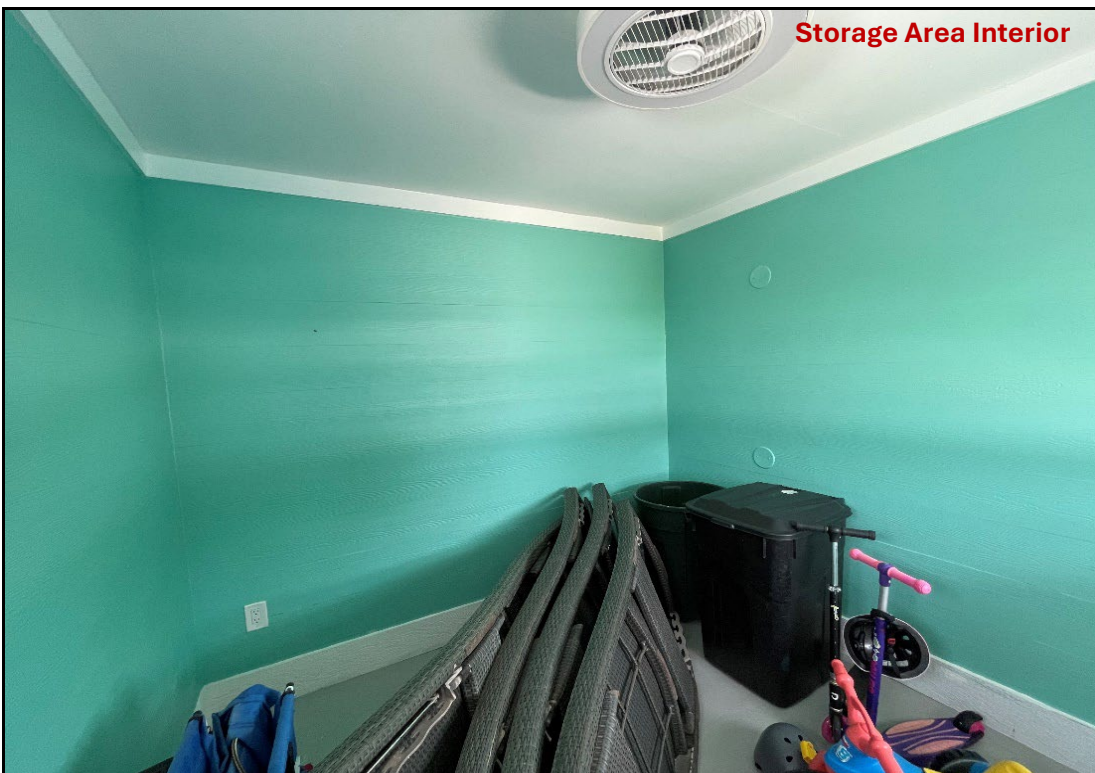
Staff note that the present variance request is directly related to the ongoing code enforcement matter and is necessary for the applicant to continue the after-the-fact permitting process associated with the existing unpermitted accessory structure.

**Staff Photos**





**Existing Unpermitted  
Accessory Structure**



**Storage Area Interior**



Storage Area Interior



Proposed Outdoor Living Area



## Variance Criteria Review

The Board has standards of review for a hardship variance and must make a positive finding regarding the provisions in Division 3 of the Land Development Code to grant the requested variance(s). The applicant should also be prepared to provide testimony addressing Items 1-8 below in addition to staff comments.

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

*The applicant indicates that the configuration of the existing swimming pool and retaining wall limits relocation opportunities. Staff acknowledges that the lot configuration and pool layout create some physical constraints; however, similar conditions exist elsewhere within the neighborhood.*

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

*Staff note that the structure was constructed without permits and subsequently became the subject of code enforcement proceedings. The placement of the structure within required setbacks appears to result from actions taken by the property owner or contractor rather than conditions inherent to the property itself.*

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

*The property presently contains a single-family residence, swimming pool, and outdoor recreational amenities consistent with surrounding residential development patterns. While removal or relocation of the structure may require modification to the pool area, the property would continue to maintain reasonable residential use.*

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

*The structure is an accessory residential use and does not increase density. However, the structure was erected without permits and within required setbacks.*

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

*The request does not appear motivated by financial return or increased development intensity.*

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

*The Board must evaluate each variance application on a case-by-case basis. A review of the surrounding neighborhood indicates that nearby residential properties contain a variety of accessory improvements associated with pool and outdoor living areas, including covered lanais, storage structures, and similar accessory features. However, staff are not presently aware of other properties in the immediate vicinity with the same specific configuration, setback relationship, and after-the-fact permitting circumstances associated with the subject accessory storage structure and open-air lanai.*

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

*The enclosed portion of the structure is intended for storage, while the open area will function as an outdoor living space with an outdoor bar. Given the existing location of the pool, retaining wall, and pool deck, relocation of the structure is not practical. Further reduction or relocation would compromise the functionality of these improvements and likely require alterations to the existing pool area.*

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

*Staff find the structure to be generally compatible with the surrounding residential neighborhood in terms of scale, appearance, and use. The structure appears integrated into the existing pool area and is not anticipated to substantially impair neighboring property values.*

**Impervious Surface Ratio (ISR)**

The submitted Impervious Surface Ratio (ISR) Worksheet indicates that the subject property contains a total lot area of approximately 7,884 square feet. The existing impervious surface area is identified as approximately 4,478 square feet, resulting in an existing ISR of 0.57. The proposed impervious surface area is identified as approximately 4,793 square feet, resulting in a proposed ISR of 0.61. The maximum permitted residential ISR within the RU-1 zoning district is 0.70; therefore, the proposed ISR complies with the requirements of the Land Development Code.

**Additional Comments**

- The applicant should provide testimony regarding why relocation or reduction of the structure is not feasible.

- The applicant should provide additional testimony regarding the original construction timeline and permitting history.
- The applicant should provide an update regarding the present status of the Code Enforcement proceedings and any remaining compliance actions.
- The applicant should provide an idea of the type of materials/equipment intended for storage area.
- The applicant should address the removal of plumbing bathroom fixtures, interior door and existing wall in the area planned as outdoor living area as depicted in the following floor plans and elevation.

Figure 12. Floor Plan, Building Permit 2302130 (December 2023)

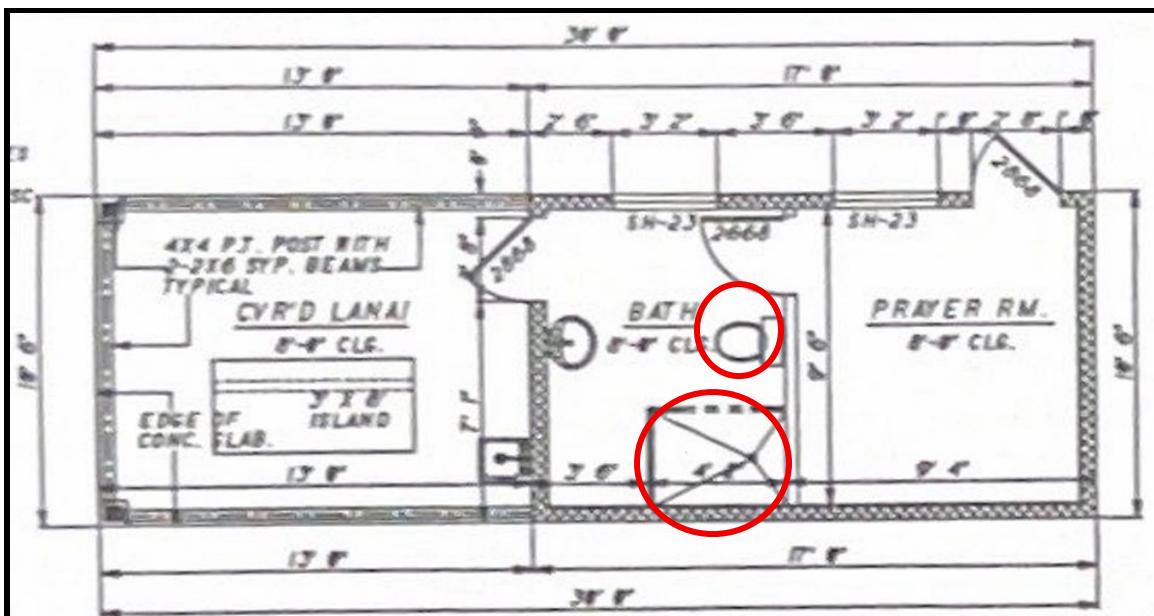
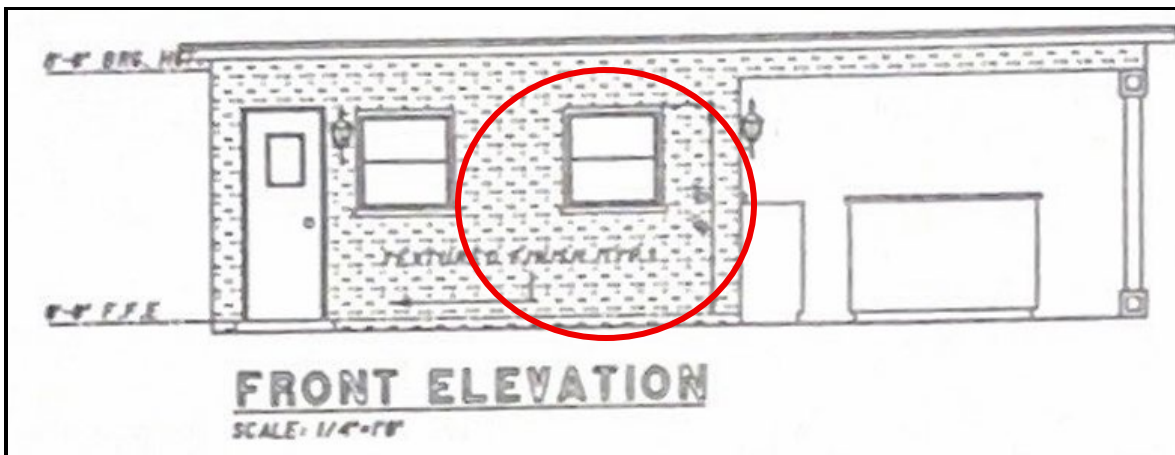


Figure 13. Building Elevation, Building Permit 2302130 (December 2023)



○ To be removed.

**Summary**

Staff finds the applicant has addressed certain variance criteria, including compatibility with the surrounding neighborhood and the accessory nature of the proposed structure. However, additional testimony and evidence may be necessary for the Board to make the required hardship findings under Division 3 of the Land Development Code.

The Board must determine whether the request represents the minimum relief necessary and whether the hardship criteria can be clearly supported by the record.

Should the Board of Adjustment choose to grant the subject variance requests, Staff recommends at least the following conditions:

1. The enclosed area shall be constructed and maintained as non-habitable storage space and shall not be converted to living area.
2. Air conditioning or other permanent climate control systems shall not be installed within the storage area.
3. The proposed wall enclosing the outdoor living area shall be modified to a knee wall consistent with the front elevation, as depicted in Figure 6 of the Staff Report.
4. The applicant shall obtain all required building permits consistent with the approved plans and conditions of approval.
5. Prior to issuance of a final inspection approval, Planning and Zoning staff shall conduct a site inspection to verify compliance with the approved plans and all conditions of approval.

If approved, the variance will expire one year from the date of the development order unless the required building permits are obtained and construction proceeds without interruption.

Respectfully submitted,



Gil Martinez,  
Senior Planner

Cc: Marck Broderick, Owner, **via email** ([mb070587@gmail.com](mailto:mb070587@gmail.com))  
Martha Bolton, Applicant/ Agent, **via email** ( [martha@coats-schmidt.com](mailto:martha@coats-schmidt.com))  
Board of Adjustment Attorney



COMMUNITY DEVELOPMENT DEPARTMENT – PLANNING DIVISION

Memo To: Board of Adjustment  
From: Gil Martinez, Senior Planner  
Date: 5/7/2026  
Re: **CERTIFICATE OF COMPLETENESS**

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Please be advised that on this date, the following application has been deemed complete and will be scheduled for the Board of Adjustment and placed on the agenda for **June 29 2026**.

**Variance Case Number:** 25147  
**Application Type:** Unnecessary and Undue Hardship Variance  
**Applicant/Agent:** Martha Bolton, Esq.  
**Owner:** 3535 Belle Vista Drive East  
**Parcel Number:** 07-32-16-07542-004-0250  
**Address:** 3535 Belle Vista Drive East., St. Pete Beach, FL 33706  
**Zone:** RU-1 Residential

**Submittal Documents:**

1. Completed Unnecessary and Undue Hardship Variance package with application form.
2. Boundary Survey prepared by Patrick Ireland, dated 3/19/2026 consisting of 1 sheet.
3. Portion of Site Plan depicting the requested variance demensions, consisting of 1 sheet.
4. Impervious Surface Ratio Worksheet, prepared by property owner, Mark Broderick dated 5/4/2026 consisting of 1 sheet.

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

**City/Board Professionals:**

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

**Board Members:**

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

Cc: Martha Bolton, *via email:* (martha@coats-schmidt.com)  
Mark Broderick, *via email:* (mb070587@gmail.com)

CASE #: 25147

PARCEL #: 073216075420040250

SUBMITTAL DATE: 04-27-2026

AMOUNT DUE: \$536.66 PAYMENT DATE: 04-27-2026

**AMENDED 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	Mark & Lynn Broderick	3535 Belle Vista Drive E. St. Pete Beach, FL 33706	513-706-0772
Applicant/ Agent	Martha D. Bolton, Esc.	Coats Schmidt, P.A 4055 Central Ave. St. Petersburg, FL 33713	727-456-4462
Owner Email Address: Mb070587@gmail.com		Applicant/Agent Email Address: Martha@Coats-Schmidt.com	

**PROPERTY FOR PROPOSED VARIANCE:**

Zoning Designation Residential RU-1	Future Land Use Designation No Change, RU Residential	Lot Area 7,884 Sq. Ft.
Legal Description: Belle Vista Shores, Blk 4, Lot 25		
Address: 3535 Belle Vista Drive E. St. Pete Beach, FL 33706		
Explanation of Request: Mr. Broderick requests a variance for an unpermitted structure built approximately three years ago		
The variance requested is as follows: 1) Side setback 6.7 feet - 3'3" requested 2) Back setback 20 feet - 11' requested Mr. Broderick is currently in the process of obtaining an after the fact permit and has presently removed the bathroom and all plumbing. Approximately 80 sq. ft. of the enclosed structure remains. Mr. Broderick intends to use the enclosed structure for storage and the open area as a covered lanai.		

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

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

The shed structure is adjacent to a swimming pool that has the required retaining wall. The shed structure is less than 20 feet from the rear of the property because if it were moved 20 feet from the rear of the property it would be in the pool itself. The side of the shed structure is, for the same reason, less than 6.6 feet from the side.

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

The Special conditions and circumstances result from the nature of the property having a required retaining wall around the swimming pool.

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

The literal interpretation of the Land Development Code would deprive the applicant of rights commonly enjoyed by properties in the same zoning district as it would require the destruction of the pool adjacent shed structure, and would result in an unnecessary and undue hardship on the applicant.

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

The hardship was not deliberately or knowingly created or suffered to establish a use or structure that was not consistent with the Comprehensive Plan or Land Development code, and it will not permit an increase in development density. The structure is an enhancement to the home and does not interfere with neighboring properties or vegetation between the properties.

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

This application for hardship is not made to achieve greater financial return or maximum financial return for the property.

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

The granting of this variance conveys the same treatment to the applicant as to the owner of other lands, buildings or structures in the same zoning district.

Granting this variance provides the applicant the same reasonable use of the property enjoyed by other similarly situated properties in the district, particularly those with pools and required retaining walls that limit buildable area.

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

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

The requested setbacks represent the minimum variance necessary due to the fixed location of the pool, required retaining wall, and limited remaining buildable area on the lot. Any further reduction in the structure size or relocation would render the structure unusable or require encroachment into the pool area.

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

The requested variance allows a very pleasant pool shed structure to remain next to a code compliant pool with its retaining wall, and enhances the neighborhood, is compatible with the neighborhood, will not negatively impact the property values in the neighborhood and is not detrimental to the public safety and welfare. The neighboring property has been vacant for over a year after complainant and his wife passed away. The other neighboring property is a rental property. The applicant property and its improvements enhance the neighborhood.

  
Signature of Applicant

4-17-26  
Date

  
Signature of Authorized Agent

4/17/26  
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.**

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

MP 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.

MP 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.

MP 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.

MP 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.

MP 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.

MP 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.**

Mark Burt  
Signature of Applicant

4-17-26  
Date

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.

**Owner's Authorization for Agent**

Community Development Department

City of St. Pete Beach, Florida

I/WE

Mark & Lynn Broderick

(print name of property owner)

hereby authorize

Martha D. Bolton, Esq.

(print name of agent)

to represent me/us in an application for

Variance

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

*Mark Broderick*

Signature of Owner

Signature of Owner

Mark Broderick

Print Name of Owner

Print Name of Owner

The forgoing instrument was acknowledged before me this 17<sup>th</sup> day of April 2026 by Mark Broderick or who is personally known as \_\_\_\_\_ produced OH Driver License as identification.

*Amanda L. Drummond*

(Notary Signature)

*Amanda L. Drummond*

4/17/24

(Date)

My Commission Expires

7/2/26



Amanda L. Drummond

Comm.: HH 261051

Expires: July 2, 2026

Notary Public - State of Florida



**PUBLIC HEARING SIGN POSTING AFFIDAVIT**

Applicant, Mark Brodrick, agrees to permit city staff to post the sign(s) in a place, at the principal access to the property, in full view of the public, and not more than five (5) feet from tree right of way or easement a minimum of seven (7) days in advance of the Public Hearing for or undue hardship variances and practical difficulty variances, or seven (7) days in advance of the final decision for administrative (de-minimis) variances, and remain in place until the requested action has been decided. Multiple sign postings shall not be more than three hundred (300) feet apart. If the subject parcel(s) abut e (1) street, notices shall be posted along each street. When the subject parcel(s) does not front a public road, 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 unreadable, the applicant or applicant's representative shall obtain a replacement sign. Any sign concordance with these requirements shall be removed from the property and disposed of by the applicant or agent not later than 24 hours following the final decision.

**Applicant/Agent (must fill out agent authorization**

**form):** Name(print): Mark Broderick

Address: 3535 Belle Vista Drive E. St. Pete Beach, FL 33706

Mark Brodrick Signature 4-17-26 Date

STATE OF FLORIDA )  
 ) SS:  
PINELLAS COUNTY )

The foregoing instrument was acknowledged before me this 17th day of April, 2026 by: Mark Broderick who appeared before me, and is personally known to me, or has produced OH Driver License as identification, and did take an oath.

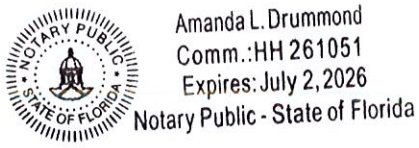
My commission Expires: 7/2/24

NOTARY: [Signature]

Print Name: Amanda L Drummond Notary

Public, State of Florida

(Notarial Seal)





# Impervious Surface Ratio (ISR) Worksheet

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

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

**Owner Name & Address**

Mark & Lynn Broderick  
3535 Belle Vista Drive E.  
St. Pete Beach, FL 33706

Phone 513-706-0772

Email mb070587@yahoo.com

**Contractor/Applicant Name & Address**

Same as owner

Phone \_\_\_\_\_

Email \_\_\_\_\_

**Property Address** 3535 Belle Vista Drive E. **NO CHANGES TO BE MADE TO IMPERVIOUS SURFACES**

**Total Lot Area (sq. ft.)** 7,884

**Required Calculations:**

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

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

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

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

**Certification:**

I, Mark Broderick 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: Mark Broderick Date: 4-17-26

**BOUNDARY & TOPOGRAPHIC SURVEY**

**LEGAL DESCRIPTION:**

LOT 25, BLOCK 4, BELLE VISTA SHORES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 31, PAGE 8, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

**FLOOD INFORMATION:**

BY PERFORMING A SEARCH WITH THE LOCAL GOVERNING MUNICIPALITY OR WWW.FEMA.GOV, THE PROPERTY APPEARS TO BE LOCATED IN ZONE AE. THIS PROPERTY WAS FOUND IN CITY OF ST. PETE BEACH, COMMUNITY NUMBER 125149, DATED 9/3/2003.

**CERTIFIED TO:**

LYNN AND MARK BRODERICK



3535 BELLE VISTA DRIVE EAST, ST. PETE BEACH, FLORIDA 33706

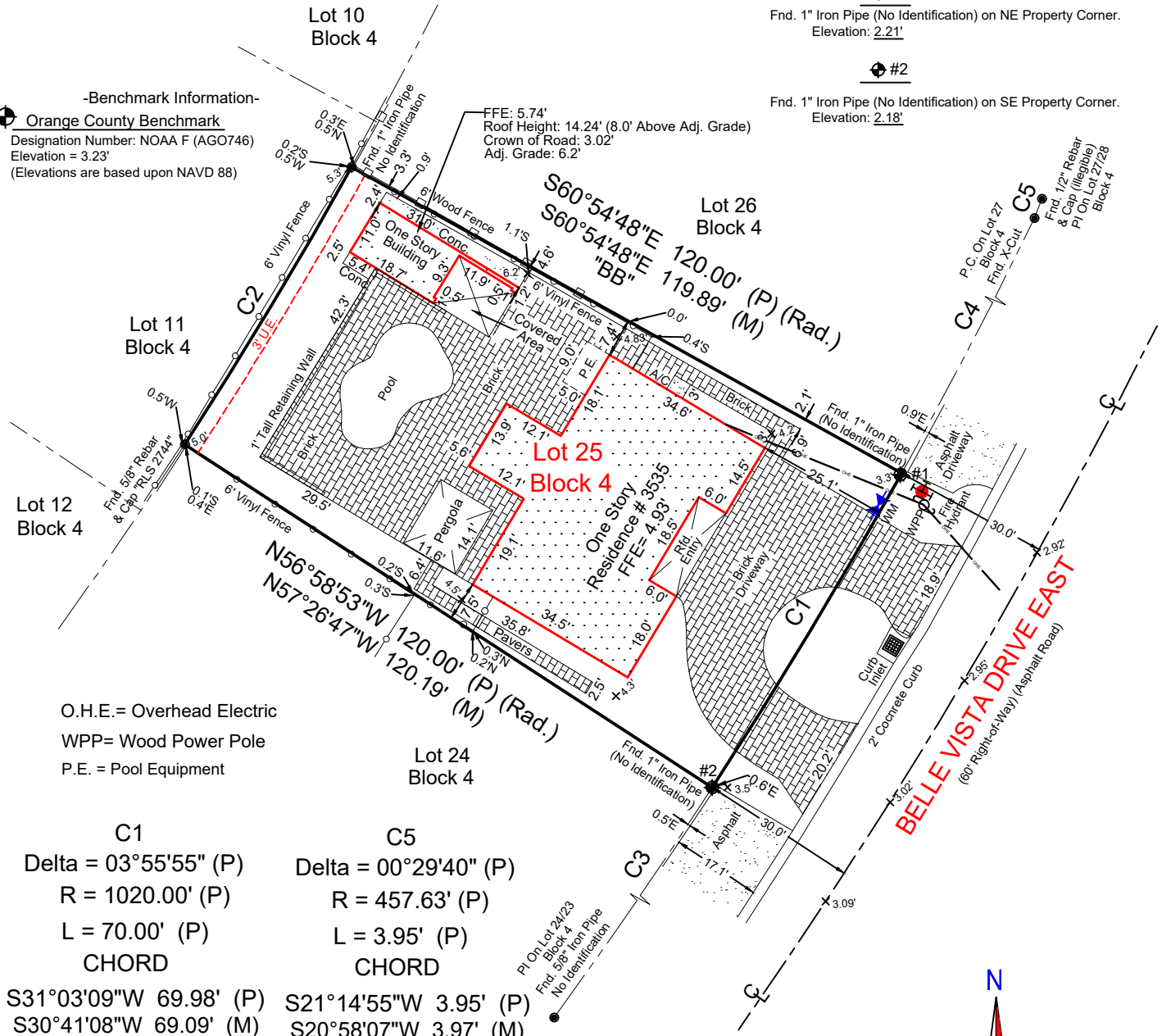
Revision: Updated 05/10/24 - JTP  
Revision: Updated Spotshots - 03/19/26 - MFL

**-Site Benchmark Information-**

#1  
Fnd. 1" Iron Pipe (No Identification) on NE Property Corner.  
Elevation: 2.21'

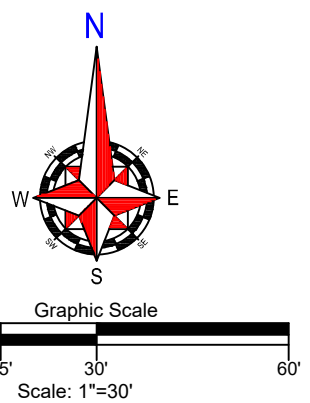
#2  
Fnd. 1" Iron Pipe (No Identification) on SE Property Corner.  
Elevation: 2.18'

**-Benchmark Information-**  
Orange County Benchmark  
Designation Number: NOAA F (AG0746)  
Elevation = 3.23'  
(Elevations are based upon NAVD 88)



O.H.E.= Overhead Electric  
WPP= Wood Power Pole  
P.E. = Pool Equipment

<b>C1</b> Delta = 03°55'55" (P) R = 1020.00' (P) L = 70.00' (P) <b>CHORD</b> S31°03'09"W 69.98' (P) S30°41'08"W 69.09' (M)	<b>C5</b> Delta = 00°29'40" (P) R = 457.63' (P) L = 3.95' (P) <b>CHORD</b> S21°14'55"W 3.95' (P) S20°58'07"W 3.97' (M)	<b>C2</b> Delta = 03°55'55" (P) R = 900.00' (P) L = 61.76' (P) <b>CHORD</b> N31°03'09"E 61.75' (P) N30°57'09"E 61.83' (M)	<b>C3</b> Delta = 03°55'55" (P) R = 1020.00' (P) L = 70.00' (P) <b>CHORD</b> S34°59'04"W 69.98' (P) S34°46'12"W 70.27' (M)	<b>C4</b> Delta = 07°38'32" (P) R = 1020.00' (P) L = 136.05' (P) <b>CHORD</b> S25°15'55"W 135.95' (P) S25°10'57"W 135.92' (M)
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Field Date: 3/19/2026	Date Completed: 03/26/26	<p><b>-NOTES-</b></p> <ul style="list-style-type: none"> <li>&gt;Survey is based upon the Legal Description Supplied by Client.</li> <li>&gt;Abutting Properties Deeds have NOT been Researched for Gaps, Overlaps and/or Hiatus.</li> <li>&gt;Subject to any Easements and/or Restrictions of Record.</li> <li>&gt;Bearing basis shown hereon, is Assumed and Based upon the Line Denoted with a "BB".</li> <li>&gt;Fence Ownership is NOT determined.</li> <li>&gt;Roof Overhangs, Underground Utilities and/or Footers have NOT been located UNLESS otherwise noted.</li> <li>&gt;Septic Tanks and/or Drainfield locations are approximate and MUST be verified by appropriate Utility Location Companies.</li> <li>&gt;Use of This Survey for Purposes other than Intended, Without Written Verification, Will be at the User's Sole Risk and Without Liability to the Surveyor. Nothing Hereon shall be Construed to give ANY Rights or Benefits to Anyone Other than those Certified.</li> </ul>	<p>I hereby Certify that this Boundary Survey of the above Described Property is True and Correct to the Best of my Knowledge and Belief as recently Surveyed under my Direction on the Date Shown, Based on Information furnished to Me as Noted and Conforms to the Standards of Practice for Land Surveying in the State of Florida in accordance with Chapter 6J-17.052 Florida Administrative Codes, Pursuant to Section 472.027 Florida Statutes.</p>																																																																															
Drawn By: .P	File Number: IS-20751 SPOT ELEVATIONS																																																																																	
<p><b>-Legend-</b></p> <table border="0"> <tr> <td>C</td><td>- Calculated</td> <td>PC</td><td>- Point of Curvature</td> </tr> <tr> <td>Cc</td><td>- Centrifine</td> <td>Pg</td><td>- Page</td> </tr> <tr> <td>CB</td><td>- Concrete Block</td> <td>PI</td><td>- Point of Intersection</td> </tr> <tr> <td>CM</td><td>- Concrete Monument</td> <td>P.O.B.</td><td>- Point of Beginning</td> </tr> <tr> <td>Conc.</td><td>- Concrete</td> <td>P.O.L.</td><td>- Point on Line</td> </tr> <tr> <td>D</td><td>- Description</td> <td>PP</td><td>- Power Pole</td> </tr> <tr> <td>DE</td><td>- Drainage Easement</td> <td>PRM</td><td>- Permanent Reference Monument</td> </tr> <tr> <td>Esmt.</td><td>- Easement</td> <td>PT</td><td>- Point of Tangency</td> </tr> <tr> <td>F.E.M.A.</td><td>- Federal Emergency Management Agency</td> <td>R</td><td>- Radius</td> </tr> <tr> <td>FFE</td><td>- Finished Floor Elevation</td> <td>Rad.</td><td>- Radial</td> </tr> <tr> <td>Fnd.</td><td>- Found</td> <td>R&amp;C</td><td>- Rebar &amp; Cap</td> </tr> <tr> <td>IP</td><td>- Iron Pipe</td> <td>Rec.</td><td>- Recovered</td> </tr> <tr> <td>L</td><td>- Length (Arc)</td> <td>Rfd.</td><td>- Roofed</td> </tr> <tr> <td>M</td><td>- Measured</td> <td>Set</td><td>- Set 1/2" Rebar &amp; Rebar Cap "LB 7623"</td> </tr> <tr> <td>N&amp;D</td><td>- Nail &amp; Disk</td> <td>Typ.</td><td>- Typical</td> </tr> <tr> <td>N.R.</td><td>- Non-Radial</td> <td>UE</td><td>- Utility Easement</td> </tr> <tr> <td>ORB</td><td>- Official Records Book</td> <td>WM</td><td>- Water Meter</td> </tr> <tr> <td>P</td><td>- Plat</td> <td>Δ</td><td>- Delta (Central Angle)</td> </tr> <tr> <td>P.B.</td><td>- Plat Book</td> <td>○</td><td>- Chain Link Fence</td> </tr> <tr> <td>□</td><td>- Wood Fence</td> <td></td><td></td> </tr> </table>		C	- Calculated	PC	- Point of Curvature	Cc	- Centrifine	Pg	- Page	CB	- Concrete Block	PI	- Point of Intersection	CM	- Concrete Monument	P.O.B.	- Point of Beginning	Conc.	- Concrete	P.O.L.	- Point on Line	D	- Description	PP	- Power Pole	DE	- Drainage Easement	PRM	- Permanent Reference Monument	Esmt.	- Easement	PT	- Point of Tangency	F.E.M.A.	- Federal Emergency Management Agency	R	- Radius	FFE	- Finished Floor Elevation	Rad.	- Radial	Fnd.	- Found	R&C	- Rebar & Cap	IP	- Iron Pipe	Rec.	- Recovered	L	- Length (Arc)	Rfd.	- Roofed	M	- Measured	Set	- Set 1/2" Rebar & Rebar Cap "LB 7623"	N&D	- Nail & Disk	Typ.	- Typical	N.R.	- Non-Radial	UE	- Utility Easement	ORB	- Official Records Book	WM	- Water Meter	P	- Plat	Δ	- Delta (Central Angle)	P.B.	- Plat Book	○	- Chain Link Fence	□	- Wood Fence			<p><b>-POINTS OF INTEREST-</b></p> <p>NONE VISIBLE</p>
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<p><b>PATRICK IRELAND</b> PROFESSIONAL LAND SURVEYOR &amp; MAPS STATE OF FLORIDA NO. 6637</p> <p><i>Patrick K. Ireland</i></p> <p><b>PATRICK IRELAND 6637</b>      <b>LB: 7623</b></p> <p><small>This survey is intended ONLY for the use of said certified parties. This survey is NOT valid without signature and embossed with Surveyors Seal.</small></p>		<p><b>Ireland &amp; Associates Surveying, Inc.</b> 800 Currency Circle   Suite 1020 Lake Mary, Florida 32746 www.irelandsurveying.com Office-407.678.3366      Fax-407.320.8165</p>																																																																																



Rendering Of 3535 Belle Vista Drive E.

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**CERTIFIED TO:**

LYNN AND MARK BRODERICK



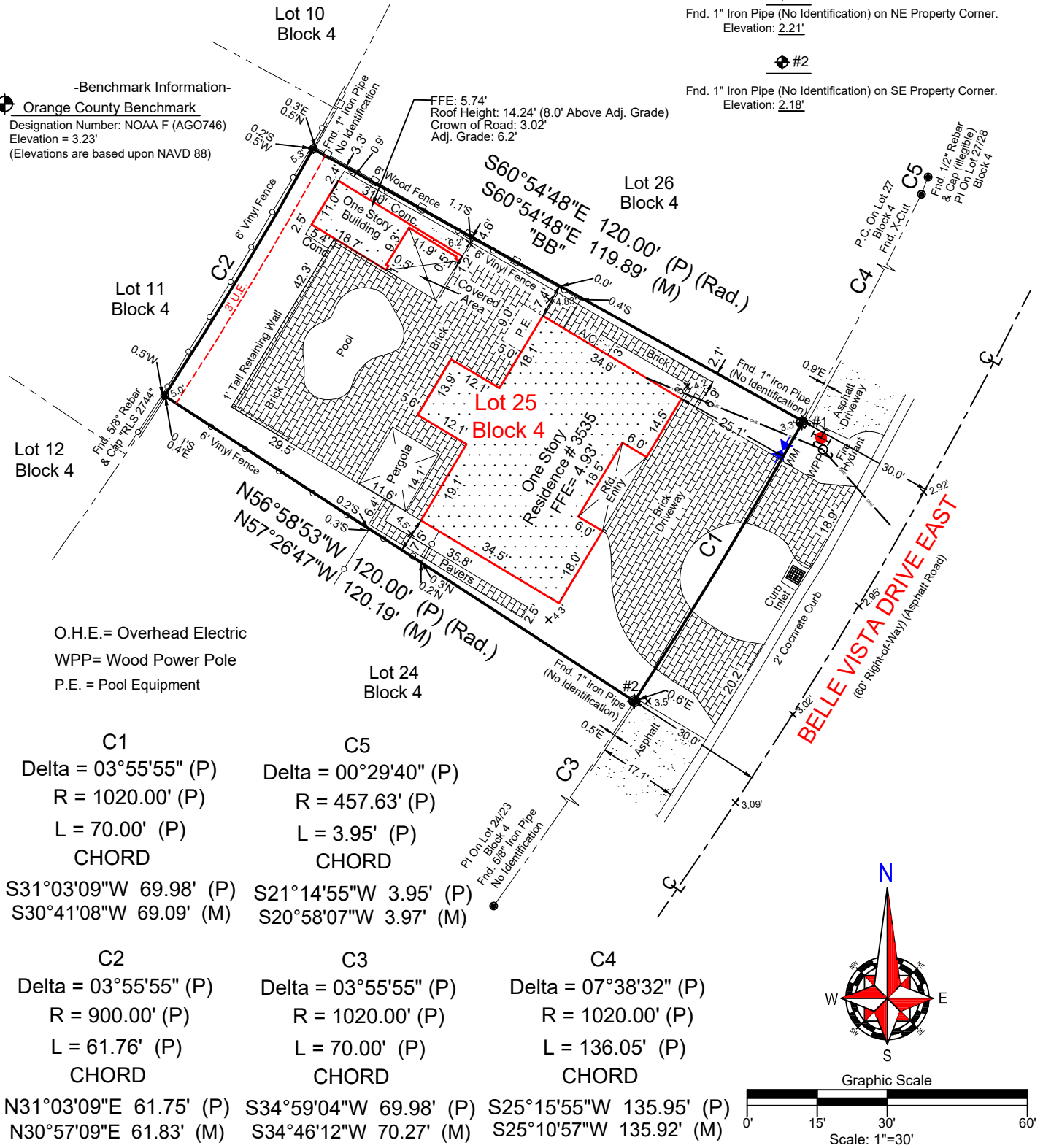
3535 BELLE VISTA DRIVE EAST, ST. PETE BEACH, FLORIDA 33706

Revision: Updated 05/10/24 - JTP  
Revision: Updated Spotshots - 03/19/26 - MFL

**-Site Benchmark Information-**

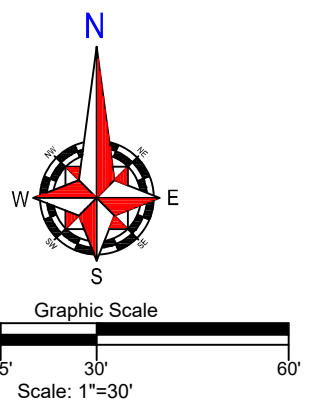
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Orange County Benchmark  
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Field Date: 3/19/2026 Drawn By: .P	Date Completed: 03/26/26 File Number: IS-20251 SPOT ELEVATIONS	<p align="center">-NOTES-</p> >Survey is based upon the Legal Description Supplied by Client. >Abutting Properties Deeds have NOT been Researched for Gaps, Overlaps and/or Hiatus. >Subject to any Easements and/or Restrictions of Record. >Bearing basis shown hereon, is Assumed and Based upon the Line Denoted with a "BB". >Fence Ownership is NOT determined. >Roof Overhangs, Underground Utilities and/or Footers have NOT been located UNLESS otherwise noted. >Septic Tanks and/or Drainfield locations are approximate and MUST be verified by appropriate Utility Location Companies. >Use of This Survey for Purposes other than Intended, Without Written Verification, Will be at the User's Sole Risk and Without Liability to the Surveyor. Nothing Hereon shall be Construed to give ANY Rights or Benefits to Anyone Other than those Certified.	I hereby Certify that this Boundary Survey of the above Described Property is True and Correct to the Best of my Knowledge and Belief as Recently Surveyed under my Direction on the Date Shown, Based on Information furnished to Me as Noted and Conforms to the Standards of Practice for Land Surveying in the State of Florida in accordance with Chapter 6J-17.052 Florida Administrative Codes, Pursuant to Section 472.027 Florida Statutes.																																							
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FFE - Finished Floor Elevation	Rad. - Radial																																									
Fnd. - Found	R&C - Rebar & Cap																																									
IP - Iron Pipe	Rec. - Recovered																																									
L - Length (Arc)	Rfd. - Roofed																																									
M - Measured	Set - Set 1/2" Rebar & Cap "LB 7623"																																									
N&D - Nail & Disk	Typ. - Typical																																									
N.R. - Non-Radial	UE - Utility Easement																																									
ORB - Official Records Book	WM - Water Meter																																									
P - Plat	Δ - Delta (Central Angle)																																									
P.B. - Plat Book	○ - Chain Link Fence																																									
□ - Wood Fence																																										
<p align="center">PATRICK K. IRELAND PROFESSIONAL LAND SURVEYOR &amp; MAPS NO. 6637 STATE OF FLORIDA</p> <p align="right">Patrick K. Ireland PATRICK IRELAND 6637 LB: 7623 This survey is intended ONLY for the use of said certified parties. This survey is NOT valid without signature and embossed with Surveyors Seal.</p>		<p align="center"><b>Ireland &amp; Associates Surveying, Inc.</b> 800 Currency Circle   Suite 1020 Lake Mary, Florida 32746 www.irelandsurveying.com Office-407.678.3366 Fax-407.320.8165</p>																																								



Re: 3535 Belle Vista Dr . E - Message (HTML)

File Message Help Tell me what you want to do

Ignore Junk Delete Archive Reply Reply All Forward All Apps Create New Move Assign Policy Mark Categorize Follow Up Read Aloud Immersive Reader Translate Zoom Reply with Scheduling Poll

Re: 3535 Belle Vista Dr . E

Mark Broderick <mb070587@gmail.com>  
To: Gilbert Martinez  
Cc: Martha Bolton, Lynn Broderick

Wed 6/3/2026 11:03 AM

updated\_floor\_plan.pdf 153 KB  
site\_plan.pdf 793 KB  
3535 Belle Vista Drive East Survey REV.pdf 2 MB

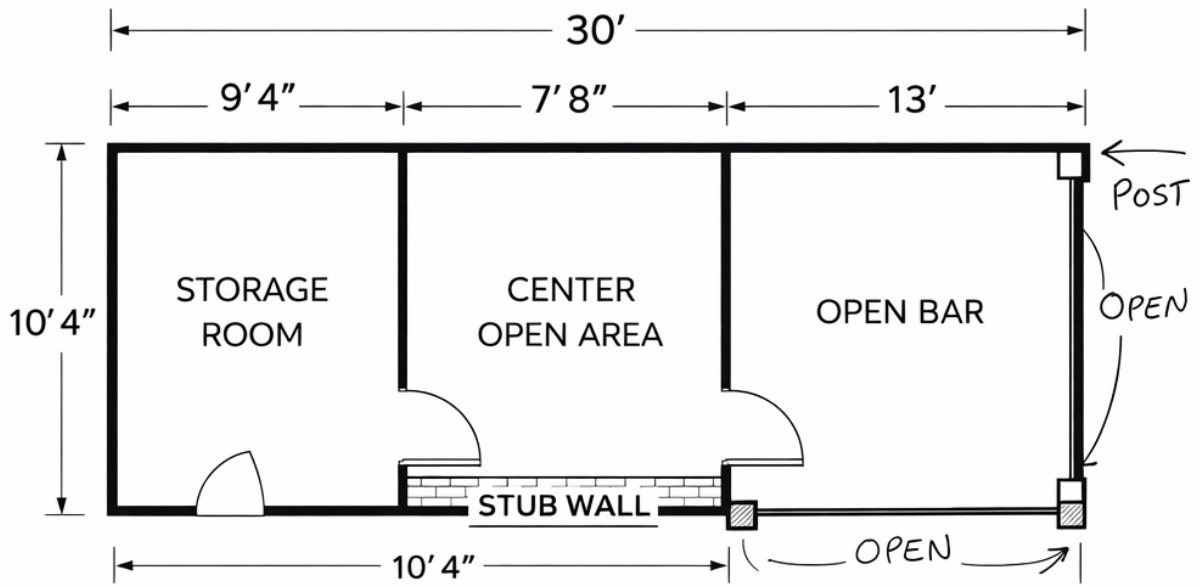
**CAUTION: This message has originated from Outside of the Organization. Do Not Click on links or open attachments unless you are expecting the correspondence from the sender and know the content is safe**

I think I can answer that. The attached floor plan lays it out. The storage area on the left measures 81 square feet inside dimension, the walls are all 2x6 treated, that's why the difference between inside and outside dimensions. I think Brandon said we could have 120 sq feet enclosed now ?but anyway that center area will be opened so the only fully enclosed area will be the 81 sq feet on the left. That's our proposal to open the center area By removing part of the wall facing the pool and that would leave the center area as an open lanai with a stub wall, it would look like a porch and that center area would be open. The bar area to the right is already open, it only has two walls and is supported by posts.

I hope this makes sense if you need anything else let me know.

Thanks

Mark  
5137060772









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

**CITY OF ST PETE BEACH BOARD OF ADJUSTMENT  
VARIANCE CASE NO. 25147 (Undue Hardship)  
DEVELOPMENT ORDER**

A public hearing was held before the St Pete Beach Board of Adjustment (“BOA”) on the 29<sup>th</sup> day of June, 2026 for review of a variance to Section 8.7 (b) (3) and (4), of the City of St. Pete Beach Land Development Code (“LDC” or “Land Development Code”) to allow an existing unpermitted roofed accessory structure, approximately 341 square feet in area, to remain and be reconfigured to include an enclosed storage area and an open outdoor living area with bar. The structure is proposed to remain with a rear yard setback of 11 feet where 20 feet is required and a side yard setback of 3 feet 3 inches where 6.7 feet is required (LDC Sec.8.7 (b) (3) and (4)) for real property located at 3535 Belle Vista Dr. E, St. Pete Beach, Florida (hereinafter "Subject Property") as requested by Mark and Lynn Broderick (“Property Owner”).

The Board of Adjustment (“BOA”) reviewed the published agenda materials, information presented at the hearing and testimony from [Brandon Berry, Gil Martinez and Kristin Coman] for the City, and Martha Bolton, Esquire and agent for the Applicants. The BOA has accepted testimony from [Brandon Berry, Gil Martinez and Kristin Coman] in the past as experts in the area of land use and zoning in the City of St. Pete Beach. The BOA accepted the agenda materials into the record at the hearing.

Based on the information and testimony, the BOA makes the following findings of fact and conclusions of law:

- a. Mark and Lynn Broderick, are the owners of the real property assigned Parcel Number 07-32-16-07542-004-0250.
- b. Notice of the BOA hearing was provided to the Property Owner and owners of property within 300 feet as required by Section 3.4 of the LDC.
- c. The Subject Property is located within the RU-Residential Future Land Use category according to the City of St. Pete Beach Comprehensive Plan and the RU-1 zoning district.
- d. In accordance with the requirements of Section 3.12 of the LDC, the BOA finds/does not find based on competent and substantial evidence in the record and presented at the public hearing that the variance [is/is not] consistent with the Comprehensive Plan and have [approved/denied] the variance request as shown on the attached Exhibits for the following reasons:

*1. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved, and which are not applicable to other lands,*

*structures, or buildings in the same zoning district*—The BOA finds the criteria is [met/not met] on the basis of

2. *The special conditions and circumstances do not result from the actions of the applicant or a prior owner of the property*—The BOA finds this criteria is met/not met on the basis

3. *Literal interpretation of the provisions of the Land Development Code deprives the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Land Development Code and results in unnecessary and undue hardship on the applicant*— The BOA finds the criteria is [met/not met] on the basis of

4. *The hardship has not been deliberately or knowingly created or suffered to establish a use or structure which is not otherwise consistent with the comprehensive plan or the Land Development Code, nor will it permit an increase in development density*— The BOA finds the criteria is [met/not met] on the basis of

5. *An applicant's desire or ability to achieve greater financial return or maximum financial return from his property does not constitute hardship*—. The BOA finds the criteria is [met/not met] on the basis of

6. *Granting the variance application conveys the same treatment similarly configured to the owner of other lands, buildings, or structures in the same zoning district*— The BOA finds the criteria is [met/not met] on the basis of

7. *The requested variance is the minimum variance that makes possible the reasonable use of the land, building, or structure*— The BOA finds the criteria is [met/not met] on the basis of

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 BOA finds the criteria is [met/not met] on the basis of

e. Members \_\_\_\_\_ stated they held ex-parte communication pertaining to the case [and had visited the Subject Property]. The applicant had an opportunity to review the ex parte disclosures and had/had no comments.

I WOULD REORDER. MAKE e d and d e.

**IT IS HEREBY ORDERED:**

- f. The variances requested in Case Number 25147 is [approved/approved with conditions/denied] [with/without prejudice] as the applicant [has/has not] submitted sufficient narrative justification or testimony to demonstrate that unnecessary and undue hardship variance criteria \_\_\_ and/through \_\_\_ [have/have not] been met, and issuance of such a variance requires substantial competent evidence demonstrating satisfaction of all eight criteria.
- g. The variance requested is approved with the following conditions (5):
  - 1. The enclosed area shall be constructed and maintained as non-habitable storage space and shall not be converted to living area.
  - 2. Air conditioning or other permanent climate control systems shall not be installed within the storage area.
  - 3. The proposed wall enclosing the outdoor living area shall be modified to a knee wall consistent with the front elevation, as depicted in Figure 7 of the Staff Report.
  - 4. The applicant shall obtain all required building permits consistent with the approved plans and conditions of approval.
  - 5. Prior to issuance of a final inspection approval, Planning and Zoning staff shall conduct a site inspection to verify compliance with the approved plans and all conditions of approval.
- h. The Applicant may record a certified copy of this Order in the Official Records of Pinellas County, Florida.
- i. This action was made by a motion by [Member/Chair/Vice Chair] and seconded by [Member/Chair/Vice Chair] and upon being put to a vote, the result was as follows:

Denise Chase, Chair	Yes/No
Chris Core, Member	Yes/No
Jim Schmidt, Member	Yes/No
Dan Small, Member	Yes/No
Vacant	N/A

DULY PASSED AND ADOPTED THE 29th day of June, 2026.

St. Pete Beach Board of Adjustment

By: \_\_\_\_\_  
Denise Chase, Chair

STATE OF FLORIDA )

COUNTY OF PINELLAS )

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization this \_\_\_\_\_ day of \_\_\_\_\_, 2026, by Denise Chase, as Chair of the St Pete Beach Board of Adjustment,  who is personally known to me or  who has produced \_\_\_\_\_ as identification.

My commission expires:

\_\_\_\_\_  
NOTARY PUBLIC, State of Florida at Large

Print Name: \_\_\_\_\_

**ATTEST:**

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY**

\_\_\_\_\_  
\_\_\_\_\_, City Clerk

\_\_\_\_\_  
Vose Law Firm, City Attorney

This Development Order was filed in the Office of the City Clerk on this 29th day of June, 2026. Any person aggrieved by this Order may appeal to the Circuit Court on or before thirty (30) days from the date of the Order as authorized in Section 3.14(b) of the St. Pete Beach Land Development Code.

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

**Agenda Report**

**Agenda Title Name:** Case No. 26086 – 8351 Blind Pass Rd.

**Action Request:** Motion to [approve/approve with conditions/deny/continue to [specify date certain]] variance case 26086 for 8351 Blind Pass Road.

**Strategic Objective:**

**Date:** June 29, 2026

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

**Through:**

**Summary of Issue:** Staff finds the lot is in a unique condition compared with others in the zoning district, as it both contains more parking than necessary and is already compliant with the turf block requirements, which does provide a unique challenge for the owners given the difficulties advanced in the narrative. However, staff requests additional testimony to demonstrate that there is a true hardship of the land, structure, or building, or that the issue cannot be remediated by leaving the parking spaces used by the building's other three tenants as turf block, which would reduce the scope of the request.

If the request is approved, staff asks for conditions requiring a final as-built survey, demonstration that impervious surface will not cause runoff to adjacent residential property, and reduction of width of interior parking spaces to the compact standard to allow for additional frontage landscape buffering.

**Funding:** n/a

**Attachments:**

1. Staff Report
2. Application - Updated
3. Site Plan
4. Additional Exhibits
5. Certificate of Completeness - without addendums
6. Draft Development Order - Case 26086
7. Letter #1





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## COMMUNITY DEVELOPMENT - PLANNING

**Date:** June 15, 2026

**To:** Board of Adjustment

**Re:** Staff Findings Report  
Unnecessary and Undue Hardship Variance  
Addresses: 8351 Blind Pass Rd  
Parcel Number: 25-31-15-78102-098-0020  
Trey Ware of Ware & Sliker Construction for Jonathan Rinkinen and Brittany Pierpont of 8351 Blind Pass LLC  
Variance Case No: 26086

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

**Hearing Date:** June 29, 2026

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

1. Completed Unnecessary & Undue Hardship Variance package with application form, consisting of seven sheets.
2. Boundary survey prepared by Edward D. Murphy, RLS, dated April 29, 2026, consisting of one sheet.
3. Impervious surface ratio worksheet, dated May 12, 2026, consisting of one sheet.
4. Site plan, appended to application on May 28, 2026, consisting of one sheet.
5. Supplemental exhibit package, containing proposed parking layout and impervious surface calculations, consisting of six sheets.

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

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

The subject property presently contains a 2900-square-foot office building and frontage parking facilities. It is zoned and has a future land use of ROR Residential/Office/Retail, a low-to-moderate intensity mixed use district that acts as a buffer from high-volume roadways to low-density residential areas, and as a transitional district from higher-intensity commercial to lower-intensity commercial, along Blind Pass Road and in Pass A Grille.

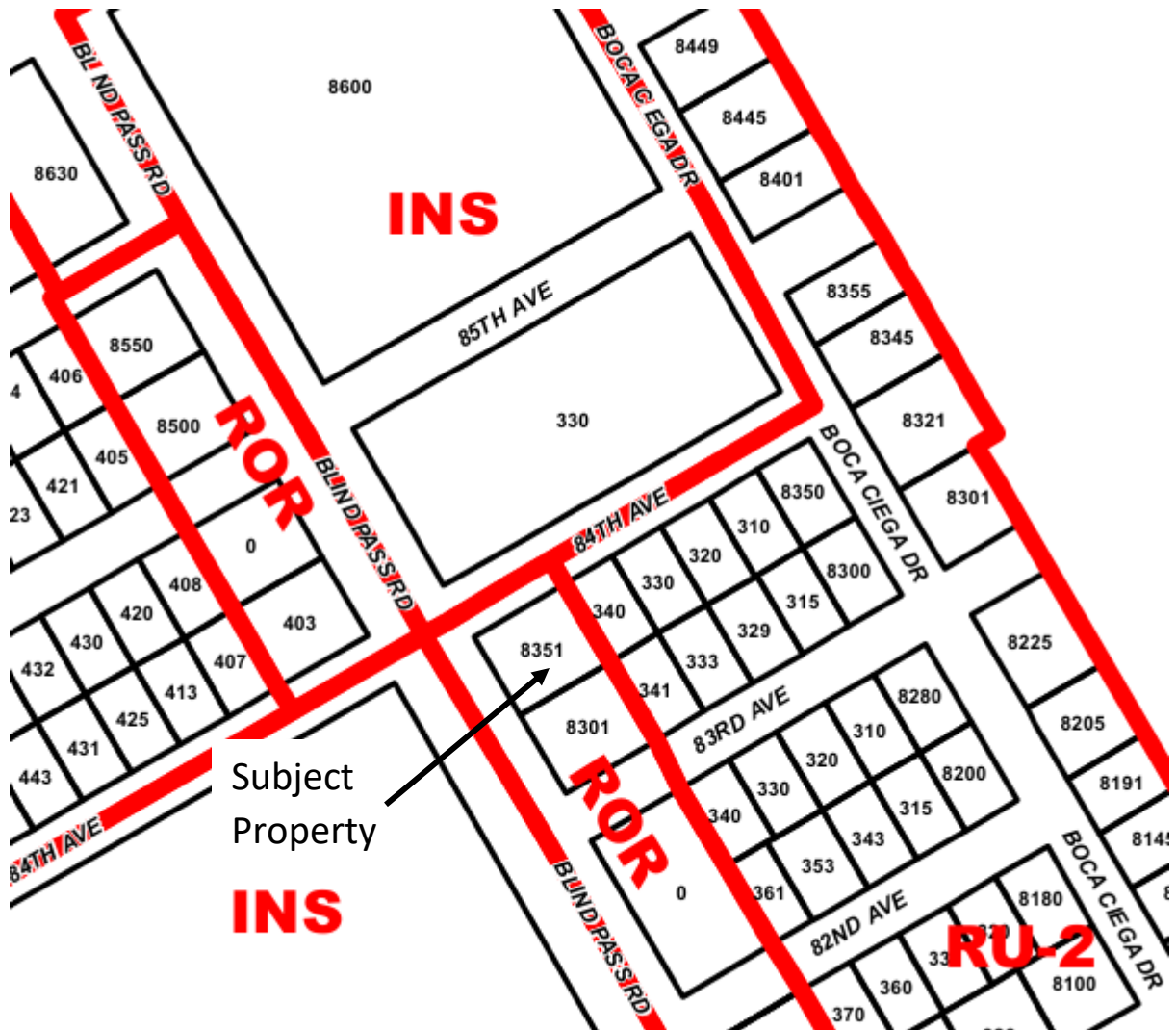
The subject parking lot proposed for variance appears to have been in existence in a similar configuration since at least the early 2000s, and has been turf block since at least the early 2010s. The building has been configured with multiple units and was renovated to contain a dentistry unit in 2002.

**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 June 4, 2026 to discuss the request. Comments were made pertaining to additional justification for the request, scheduling of the case hearing, drainage impacts, and parking lot layout alternatives. The Committee also determined that the modest parking lot surface expansion proposed does not trigger full-site stormwater evaluation, and the lot meets the impervious surface ratio limitations in its zoning district.

**Request**

Land Development Code Section 23.5.(b) requires all parking spaces that exceed the minimum number of spaces required for the use to be set with turf block, remain grass, or be located within a parking structure. The subject parking lot is currently set with turf block entirely on its eastern side, with turf block spaces and a concrete drive lane on the west side. The applicant is proposing to repave the entire parking lot area with asphalt, and slightly expand the eastern parking lot westerly into a separator median. With 13

proposed parking spaces, and 9 required for subject property, at least four of the parking spaces are required to remain turf block subject to the Land Development Code.

### **Analysis**

The Land Development Code distinguishes between more active medical office uses, like walk-in clinics and dentistry offices, and offices that are generally lower volume and intensity, such as accounting. However, in terms of parking requirements, the uses are equivalent. One parking space is required for every 300 square feet of the building area, or nine spaces for this development with enclosed heated square footage of just under 2,700 square feet. The applicant is proposing 13 asphalt parking spaces, which is four spaces or approximately 360-720 square feet of additional impervious area on the site compared with sod or turf block parking for a compliant property.

### **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 applicant advances a large lot size and lower-intensity use as conditions specific to this land that are not applicable to other land in the same zoning district. While these criteria align more with use than a physical constraint of the site, staff recognizes that the parking area is accessory and secondary to the building, and that additional parking cannot be reasonably accommodated elsewhere on the property without excessive paving for new access lanes and/or disturbance of a detention area on the western side of the property. Staff also recognizes that the use intensity in the building was established at the time of the building's renovation to accommodate a dentist office in 2002, which preceded implementation of the subject semi-permeable excess parking requirement. While not alone the grounds for finding of a special condition, the applicant also references surface inconsistencies on the parking lot in other responses, which could be found as the ground for a hardship of the land if current property grading with turf block spaces are not stable due to some irremediable condition of the land. However, the applicant has not advanced that those conditions exist at this time.*

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

*The applicant is choosing the repave an existing, materially-compliant, parking lot in asphalt. However, they are not seeking to expand the number of spaces existing on the property, and the somewhat-modest expansion of impervious material on the property appears to be undertaken to comply with the current parking space dimensional requirements applicable to the lot. As the use*

*preceded the implementation of the subject standard, and the applicant is seeking to comply with the requirement, Staff finds this criteria is generally met.*

**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;**

*Other property owners have the right to maintain their parking lots until the use is expanded or changed. To the extent that other lots are largely concrete or asphalt, with the applicant advancing that the turf block provides a safety concern for their customers, this does make maintenance of their lot somewhat of a greater challenge. Although no property owner has the right to pave excess parking spaces in asphalt, the applicant is seeking to maintain their lot in a similar configuration as it exists today, and bring the dimensional requirements of the parking area into compliance with the Land Development Code.*

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

*The uses in the building are existing, and this variance would not modify whether those uses would be permitted to remain.*

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

*Staff does not find greater financial return to be a basis for this request. The applicant has advanced care for elderly customers as a basis for the request, which is not financially-based.*

**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;**

*Staff has not identified another parking lot in the same zoning district that utilizes turf block for any significant portion of its lot surface. The applicant has the right to maintain their lot at the current space and aisle dimensions, even if substandard, as applies to all other property owners in the same zoning district. However, they do not have the right exchange more than nine parking spaces on their property from turf block to asphalt, as the surface material is currently compliant with the Land Development Code.*

**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 this would prevent reasonable use of the land or building, particularly as the applicant's narrative states that the excess number of parking spaces are more than compensated by other uses in the building, for which the parking requirements more than exceed the number of turf block spaces that would be required on the lot under a code-compliant asphaltting. However, should the dentist's office operate during times that the other tenants of the building do not, and that use generate demand which requires the full 13 spaces present, staff does find that would support the applicant's argument that it supports the demands of the business and its customers. If this is the case, the applicant should supply that testimony in support at the hearing.*

- 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 supports and outlays requirements for providing on-site stormwater facilities, and also supports reduction of surface parking. The lot contains a detention field on the west side, and the applicant is not seeking an increase in parking spaces, so staff finds there are no significant indirect adverse effects from this proposal. The paved area is expanding no closer to the eastern property boundary than existing, but would become impervious under this scenario if approved, so staff will request as condition that the applicant demonstrate they are creating no additional adverse runoff effects to the neighboring residential property. Staff also requests, as a condition of approval, that the applicant create compact-width spaces of eight feet rather than nine feet at the inside aisle of the parking area, which should contribute to a more code-compliant parking buffer on the interior and compensate for some of the additional asphalt and median landscaping proposed to be removed.*

*While staff does not agree with the applicant's argument that a mix of turf and asphalt would create unsightly conditions, or at least those unsightly enough to justify a variance, staff also does not find this request would be detrimental to the neighborhood, and could be supportive of the public safety and welfare if the applicant's statement that it provides a more stable surface for customers is accurate. Staff also does not find it would impair property values.*

### **Other**

Staff finds the applicants are at a disadvantage compared with those who own other uses in the same zoning district, which possess and are eligible to be maintained with concrete or asphalt parking lots. The subject parking lot appears to have been maintained as turf block since at least 2008, and is ineligible for conversion. Whereas other lots can be maintained with fewer parking spaces and more significant expanses of impervious surface, the same permission does not apply to the subject property despite parking layout and count compliance. Staff does not find the applicant has advanced an intrinsic hardship of the land, structure or building at this time that is not tied to the use, but also recognizes that the variance pertains to a secondary element of the property, and that assignment of conditions could mediate impacts from the variance or improve current conditions on the lot.

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

- Whether there is some condition of the land that creates the hardship advanced by the applicant through the narrative, such as grading changes in the parking area that are challenging to remediate.
- Whether the dentistry use operates at different times or on different days than the other office uses in the building, and requires more than its proportionate code-compliant parking demand of the lot's spaces.
- If the four excess parking spaces can be constructed as compact spaces of 8 feet by no less than 16 feet along the interior aisle of the parking lot, and additional landscaping provided at the frontage, to bring the site into greater compliance with the landscaping division and compensate for some of the impervious surface increases.

**Summary**

Staff requests the applicants or agents address the prior requests to provide additional support for their development request, particularly criteria 1) demonstrating a hardship of the land, structure, or building, and criteria 7) pertaining to demonstrating that this variance would provide the minimum mitigation required to resolve the hardship.

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, including the following:

1. The applicant shall submit and have approved a final as-built survey prior to closeout of the companion permit.
2. The applicant shall demonstrate prior to permit issuance that the asphalt will not create any adverse impacts on the eastern residential property.
3. Four of the parking spaces located within the center parking aisle shall be installed at eight feet in width. The remaining four feet shall be added to the buffer along the frontage within the property boundaries, and landscaping shall be installed to bring the space into greater compliance with LDC Sec. 22.7.

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: Trey Ware of Ware & Sliker Construction, Agent, *via email* ([trey@waresliker.com](mailto:trey@waresliker.com))  
Jonathan Rinkinen and Brittany Pierpont of 8351 Blind Pass LLC, Owners, *via email* ([8351blindpass@gmail.com](mailto:8351blindpass@gmail.com))  
Nancy Stuparich, Assistant City Attorney, *via email*

CASE #: \_\_\_\_\_

PARCEL #: 25-31-15-78102-098-0020

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	8351 Blind Pass LLC (Jonathan Rinkinen Brittany Pierpont)	8351 Blind Pass Rd St. Pete Beach, FL 33706	(248) 249-5595
Applicant/ Agent	Trey Ware (Ware & Sliker Construction)	5185 Lake Valencia Blvd. W. Palm Harbor, FL 34684	(407) 927-8056
Owner Email Address: 8351blindpass@gmail.com		Applicant/Agent Email Address: trey@waresliker.com	

#### PROPERTY FOR PROPOSED VARIANCE:

Zoning Designation ROR - Residential Office Retail	Future Land Use Designation Office	Lot Area 11,500 sf = 0.264 Ac
Legal Description: St Petersburg Beach Replat of Blk 98 Blk 98, Lot 2		
Address: 8351 Blind Pass Rd, St. Pete Beach, FL 33706		
Explanation of Request: _____ <b>The Owner and Applicant request a variance from LDC Section 23.5(b) to permit parking spaces in excess of the minimum required parking to be constructed of asphalt, while remaining fully compliant with the City's Impervious Surface Ratio (ISR) requirements.</b>		

**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;

Special conditions and circumstances exist that are unique to the subject property and are not generally applicable to other properties within the same zoning district. Specifically, the combination of:

- a) a relatively large lot size, and
- b) an approved lower-intensity use

creates a condition in which the property cannot reasonably utilize its available area for compliant parking improvements under LDC Section 23.5(b). While the property has sufficient area to accommodate additional parking within ISR limits, the Code restricts the material composition of such parking in a manner that disproportionately affects properties with lower parking demand relative to a lot size. This creates a unique limitation not commonly experienced by other properties in the same zoning district.

For example, the existing 2,900 sf building on the subject property has an approved Use of "Office." To increase the parking lot area to a capacity greater than the minimum parking requirements while maintaining ISR limits, LDC Sec 23.5(b) provides only two options for the Owner & Applicant, both of which are considered an undue and unnecessary hardship:

1. Parking structure - the existing building and lot are far too small to construct a parking garage. A parking garage is not a reasonable use of land on this property.
2. Split the construction of a new parking lot into a combination of impervious materials (asphalt paving) and pervious materials (grass, turf block, or crushed shell) - a downgrade in appearance, construction quality, and safety vs. a fully-paved asphalt parking surface.

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

The special conditions and circumstances of this variance request do not result from the actions of the applicant or a prior owner of the property. This request is simply for a variance in how existing code is applied to the subject property so that the Owner & Applicant can take advantage of the subject property's full development potential - just like all other properties within the City limits.

The hardship arises from the interaction between the City approved Use of the property and the specific requirements of LDC 23.5(b), as applied to the physical characteristics of the site.

Additionally, the patient population being served by the current dental practice has a significant number of aging individuals who have repeatedly commented to the doctor and staff about the difficulty they've had with the turf block due to the use of walkers and wheelchairs. Allowing the variance would mitigate the safety issues of the turf block and other semi-impervious materials.

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

A literal interpretation of LDC Section 23.5(b) deprives the Owner and Applicant of rights commonly enjoyed by other properties within the same zoning district and results in an unnecessary and undue hardship.

The combination of a relatively larger lot size for the Zoning District and an approved lower-intensity use creates a condition in which the property cannot construct a reasonably-sized parking for its business operations without having to mix materials used to construct the parking surface. Due to the subject property's approved use and resulting lower minimum parking requirement, any excess parking greater than the minimum required must comply with restrictive material requirements that do not apply in the same way to properties with approved higher intensity uses.

In addition to the dental office, the building houses three additional leased offices for other tenants. On an average day during the dental practice's busy months, there is a need for up to 14 parking spaces - (6) for the dental staff, (5) for patients, and (3) for tenants of the leased offices. This parking demand is supported by other medical (dental) office buildings in St. Pete Beach who currently have a similar number of parking spaces paved in asphalt and available for their patients.

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

The hardship was not created by any person. The hardship exists with the Owner & Applicant strictly because of how existing Land Development Code is applied to the subject property.

The requested variance:

1. Does not increase density or intensity of use,
2. Does not alter the approved use of the property, and
3. Simply allows reasonable site improvements within existing ISR limitations.

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

The request is not based on achieving greater financial return. In fact, the requested improvement (full asphalt paving) represents a higher-quality and more durable construction method, and is not the least-cost option available. The request is solely based on achieving a reasonable and functional site design consistent with surrounding development patterns.

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

Granting the variance will provide treatment consistent with that afforded to other properties within the same zoning district.

The variance would allow the subject property to utilize its allowable impervious surface area in a manner similar to other properties, rather than being subject to a disproportionate restriction due to its specific use classification and lot size.

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

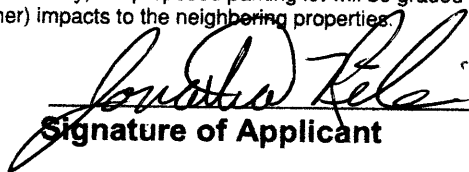
The requested variance is the minimum necessary to allow reasonable use of the property. This is a request for variance from only one subsection of the Land Development Code, 23.5(b). All other applicable regulations, including ISR limits, will remain fully in effect.

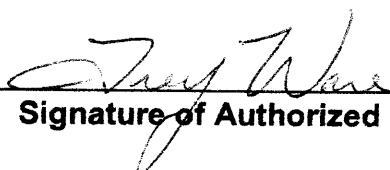
8. The requested variance is in harmony with the general intent and purpose of the Comprehensive Plan and the Land Development Code, is not injurious to the neighborhood or otherwise detrimental to the public safety and welfare, is compatible with the neighborhood, and will not substantially diminish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

The requested variance is consistent with the intent of the Comprehensive Plan and Land Development Code, and will not be detrimental to the public welfare.

On the other hand, a strict interpretation of LDC 23.5(b) WOULD NOT be in harmony with the general intent and purpose of the Comprehensive Plan and the Land Development Code, WOULD BE injurious to the neighborhood or otherwise detrimental to the public safety and welfare, WOULD NOT be compatible with the neighborhood, and WILL substantially diminish or impair property values within the neighborhood. A split parking lot of impervious and pervious construction materials per LDC 23.5(b) is aesthetically unpleasant, not compatible with the neighborhood, a lesser quality product that would impair property values within the neighborhood, and would be unsafe to the public as a result of the introduced trip hazards. The property owner operates a business within the existing building that serves a substantial client base of elderly individuals, many of whom are over the age of 70. As a result, a significant portion of clients rely on mobility aids such as walkers or wheelchairs. Changes in parking surface materials, from asphalt to crushed shell, grass, or turf block, creates inconsistent and less stable conditions that increase the risk for slips, trips, and falls.

Additionally, the proposed parking lot will be graded for proper drainage and have concrete curbs along the perimeter so that there are no stormwater (or any other) impacts to the neighboring properties.

 6/8/26  
Signature of Applicant                      Date

 06/08/2026  
Signature of Authorized Agent                      Date

## VARIANCE APPLICATION

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

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

JR 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.

JR 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.

JR 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.

JR 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.

JR 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.

JR I understand that I, as the applicant, or my authorized representative must be present at all scheduled public meetings on the application if applicable.

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

  
Signature of Applicant

6/8/26  
Date

**Owner's Authorization for Agent**

Community Development Department

City of St. Pete Beach, Florida

I/WE

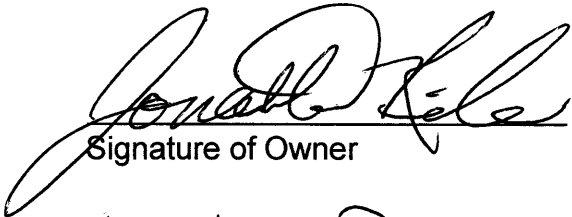
Jonathan Rinkinen  
(print name of property owner)

hereby authorize

Trey Ware (Ware & Sliker Construction)  
(print name of agent)

to represent me/us in an application for

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

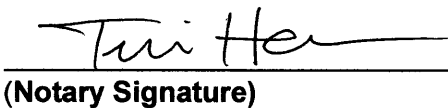
  
Signature of Owner

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

Jonathan Rinkinen  
Print Name of Owner

\_\_\_\_\_  
Print Name of Owner

The forgoing instrument was acknowledged before me this 8th day of June 2026 by Jonathan Rinkinen or who is personally known as \_\_\_\_\_ produced FL DL as identification.

  
(Notary Signature)

6/8/26  
(Date)

My Commission Expires 12/04/26



**Owner's Authorization for Agent**

Community Development Department

City of St. Pete Beach, Florida

I/WE Brittany Pierpont (8351 Blind Pass, LLC)  
(print name of property owner)

hereby authorize Trey Ware (Ware & Sliker Construction)  
(print name of agent)

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

*Brittany Pierpont*  
Signature of Owner

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

Brittany Pierpont  
Print Name of Owner

\_\_\_\_\_  
Print Name of Owner

The forgoing instrument was acknowledged before me this 8th day of  
June 20 26 by Brittany Pierpont or who is  
personally known as \_\_\_\_\_ produced FL DL as  
identification.

*Teri Harmon*  
(Notary Signature)

6/8/26  
(Date)

My Commission Expires 12/04/2026



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.

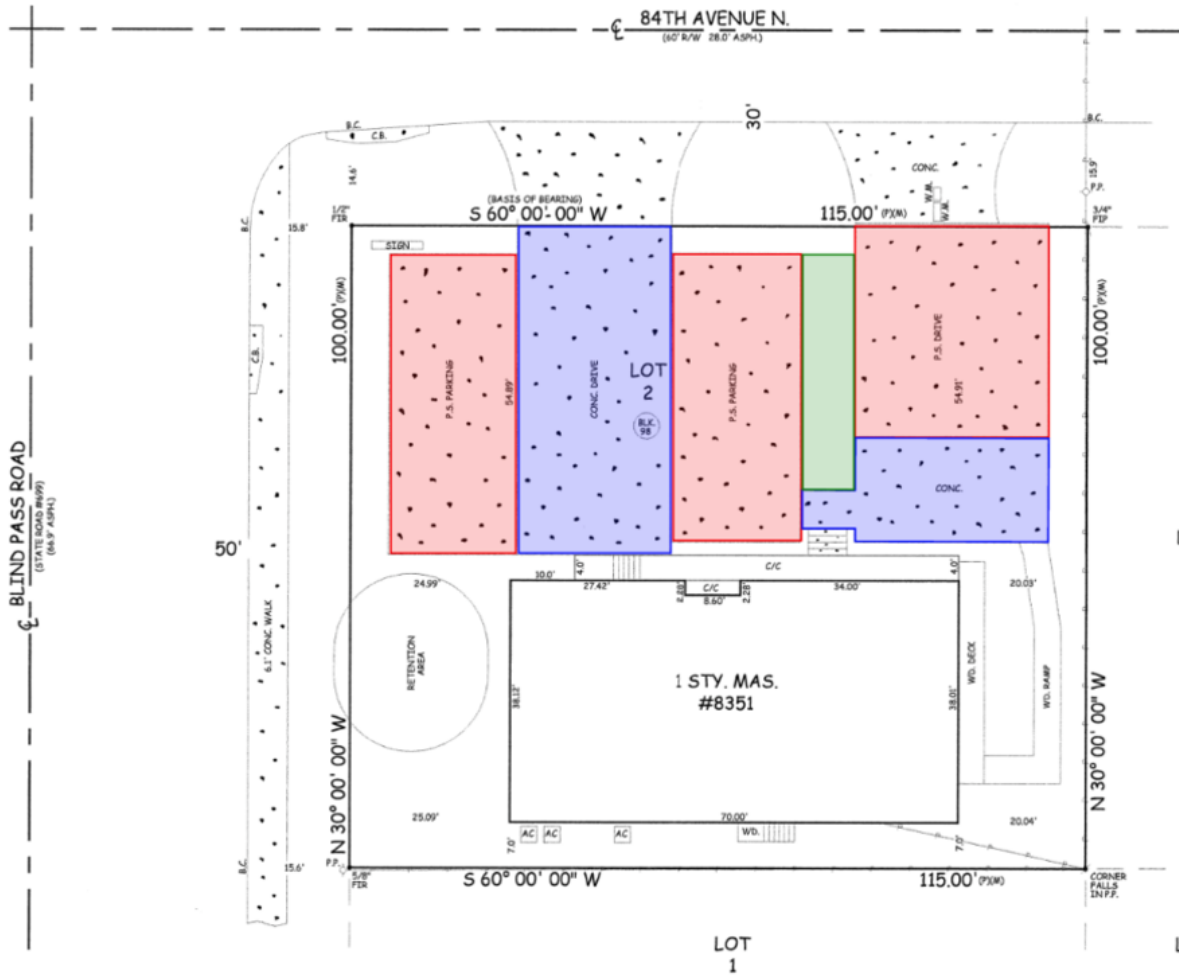
A Notary Public is available in City Hall; 155 Corey Avenue.



# 8351 Blind Pass Rd - Existing Materials to Asphalt Paving Exhibit

SCALE: 1" = 20'

SEC. 25 TWP. 31 S. RGE. 15 E.  
SEC. 36 TWP. 31 S. RGE. 15 E.



**KEY**

- Existing turf block to proposed asphalt paving
- Existing concrete to proposed asphalt paving
- Existing green space to proposed asphalt paving

A BOUNDARY SURVEY OF: Lot 2, Block 98, ST. PETERSBURG BEACH BLOCK 98 REPLAT, as recorded in Plat Book 26, Page 104 of the Public Records of Pinellas County, Florida.

CERTIFIED TO: 8351 Blind Pass LLC

JOB NO: 26-448	
DRAWN BY: MRB	CHECKED BY: EDM
DATE OF FIELD WORK: 4/29/2026	

**MURPHY'S LAND SURVEYING, INC.**  
PROFESSIONAL LAND SURVEYORS  
5760 11TH AVENUE NORTH  
ST. PETERSBURG, FLORIDA 33710  
WWW.MURPHYSLANDSURVEYING.COM

L.B. #7410  
PH. (727) 347-8740  
EMAIL:  
Murphyslandsurveying@gmail.com

According to the maps prepared by the U.S. Department of Homeland Security, this property appears to be located in:  
Flood zone: AE Comm. Panel No.: 125149 0194 H Map Date: 8/24/2021  
Base Flood Elev.: 10.0'

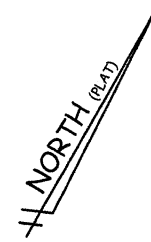
FOR THE EXCLUSIVE USE OF THE HEREIN PARTY(IES), I HEREBY CERTIFY TO ITS ACCURACY (EXCEPT SUCH EASEMENTS, IF ANY, THAT MAY BE LOCATED BELOW THE SURFACE OF THE LANDS, OR ON THE SURFACE OF THE LANDS AND NOT VISIBLE), AND THAT THE SURVEY REPRESENTED HEREON MEETS THE MINIMUM REQUIREMENTS OF CHAPTER 53-17, FLORIDA ADMINISTRATIVE CODE TO THE BEST OF MY KNOWLEDGE AND BELIEF. UNDERGROUND FOUNDATIONS AND/OR IMPROVEMENTS, IF ANY, ARE NOT SHOWN AND OTHER RESTRICTIONS AFFECTING THIS PROPERTY MAY EXIST IN THE PUBLIC RECORDS OF THIS COUNTY. THIS SURVEY HAS BEEN DONE WITHOUT THE BENEFIT OF REVIEWING A CURRENT TITLE SEARCH. SURVEY NOT VALID FOR MORE THAN ONE YEAR FROM DATE OF FIELD WORK AND NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL, OR AN EMBOSSED SURVEYOR'S SEAL AND SIGNATURE. BEARINGS SHOWN ARE BASED ON PLAT, UNLESS OTHERWISE NOTED.



Edward D. Murphy  
Digitally signed by Edward D. Murphy  
Date: 2026.05.05 10:05:02 -0400

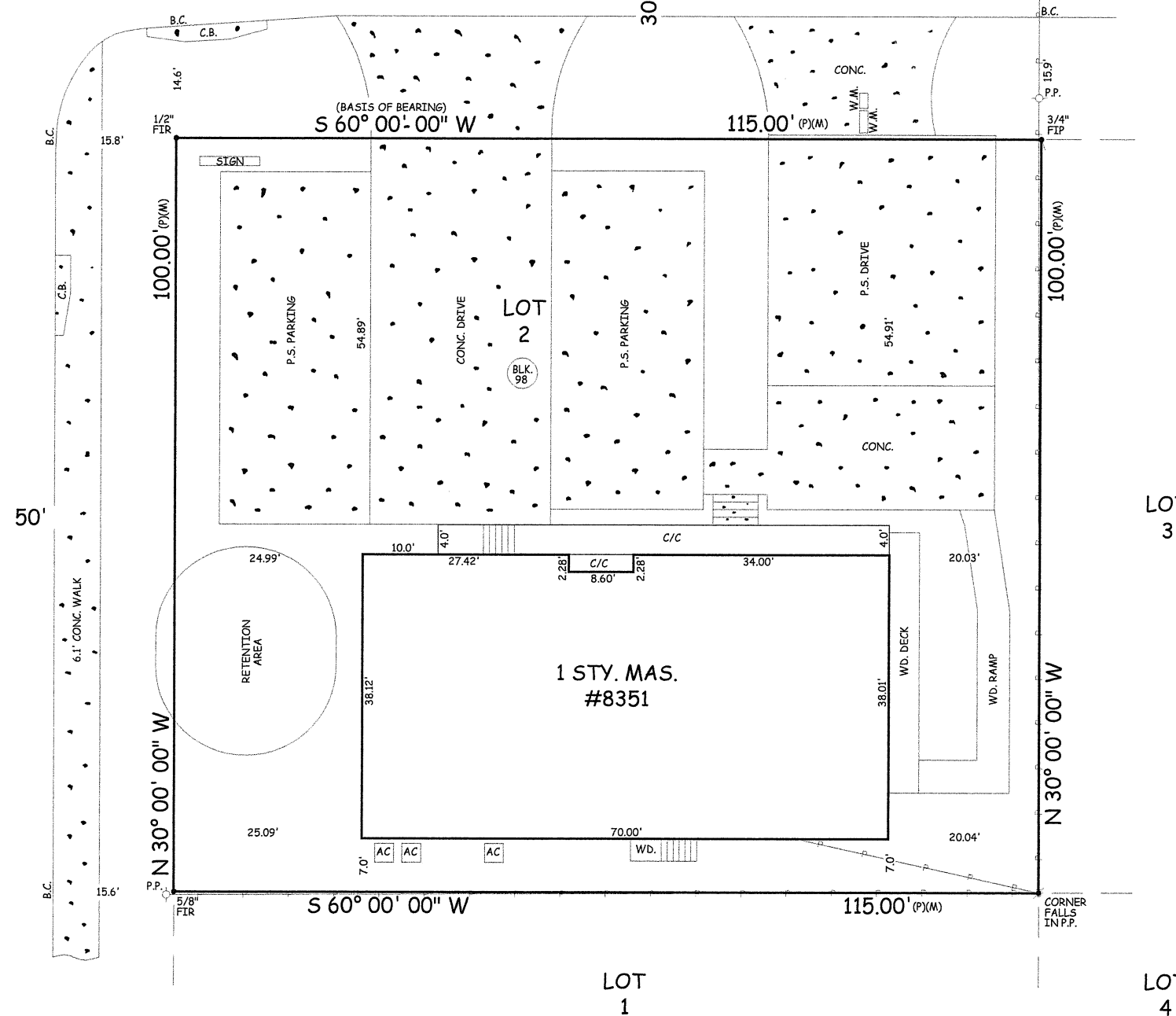
SCALE: 1" = 20'

SEC. 25 TWP. 31 S. RGE. 15 E.  
SEC. 36 TWP. 31 S. RGE. 15 E.



BLIND PASS ROAD  
(STATE ROAD #699)  
(66.9' ASPH.)

84TH AVENUE N.  
(60' R/W 28.0' ASPH.)



A BOUNDARY SURVEY OF: Lot 2, Block 98, ST. PETERSBURG BEACH BLOCK 98 REPLAT, as recorded in Plat Book 26, Page 104 of the Public Records of Pinellas County, Florida.

CERTIFIED TO: 8351 Blind Pass LLC

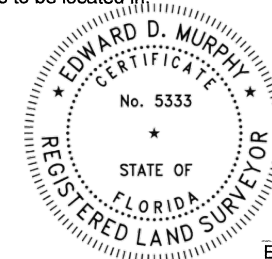
JOB NO: <b>26-448</b>	
DRAWN BY: <b>MRB</b>	CHECKED BY: <b>EDM</b>
DATE OF FIELD WORK: <b>4/29/2026</b>	

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According to the maps prepared by the U.S. Department of Homeland Security, this property appears to be located in:  
Flood zone: AE Comm. Panel No.: 125149 0194 H Map Date: 8/24/2021  
Base Flood Elev: 10.0'

FOR THE EXCLUSIVE USE OF THE HEREON PARTY(IES), I HEREBY CERTIFY TO ITS ACCURACY (EXCEPT SUCH EASEMENTS, IF ANY, THAT MAY BE LOCATED BELOW THE SURFACE OF THE LANDS, OR ON THE SURFACE OF THE LANDS AND NOT VISIBLE), AND THAT THE SURVEY REPRESENTED HEREON MEETS THE MINIMUM REQUIREMENTS OF CHAPTER 51-17, FLORIDA ADMINISTRATIVE CODE TO THE BEST OF MY KNOWLEDGE AND BELIEF. UNDERGROUND FOUNDATIONS AND/OR IMPROVEMENTS, IF ANY, ARE NOT SHOWN AND OTHER RESTRICTIONS AFFECTING THIS PROPERTY MAY EXIST IN THE PUBLIC RECORDS OF THIS COUNTY. THIS SURVEY HAS BEEN DONE WITHOUT THE BENEFIT OF REVIEWING A CURRENT TITLE SEARCH. SURVEY NOT VALID FOR MORE THAN ONE YEAR FROM DATE OF FIELD WORK AND NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL, OR AN EMBOSSED SURVEYOR'S SEAL AND SIGNATURE. BEARINGS SHOWN ARE BASED ON PLAT, UNLESS OTHERWISE NOTED.

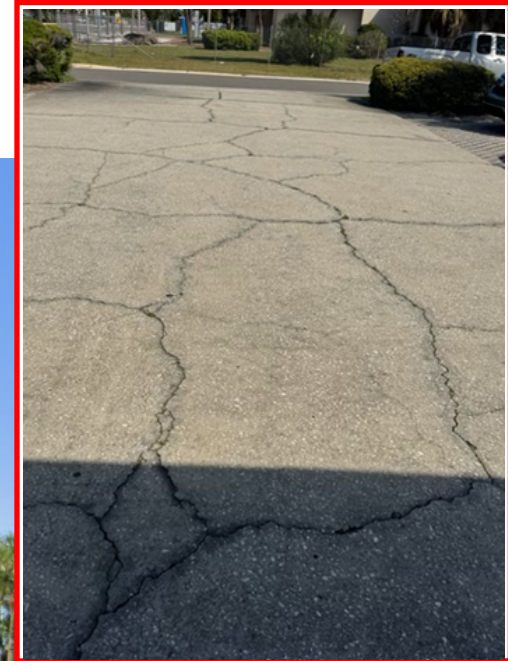


*Edward D. Murphy*  
EDWARD D. MURPHY REG. P.L.S. # 5333

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

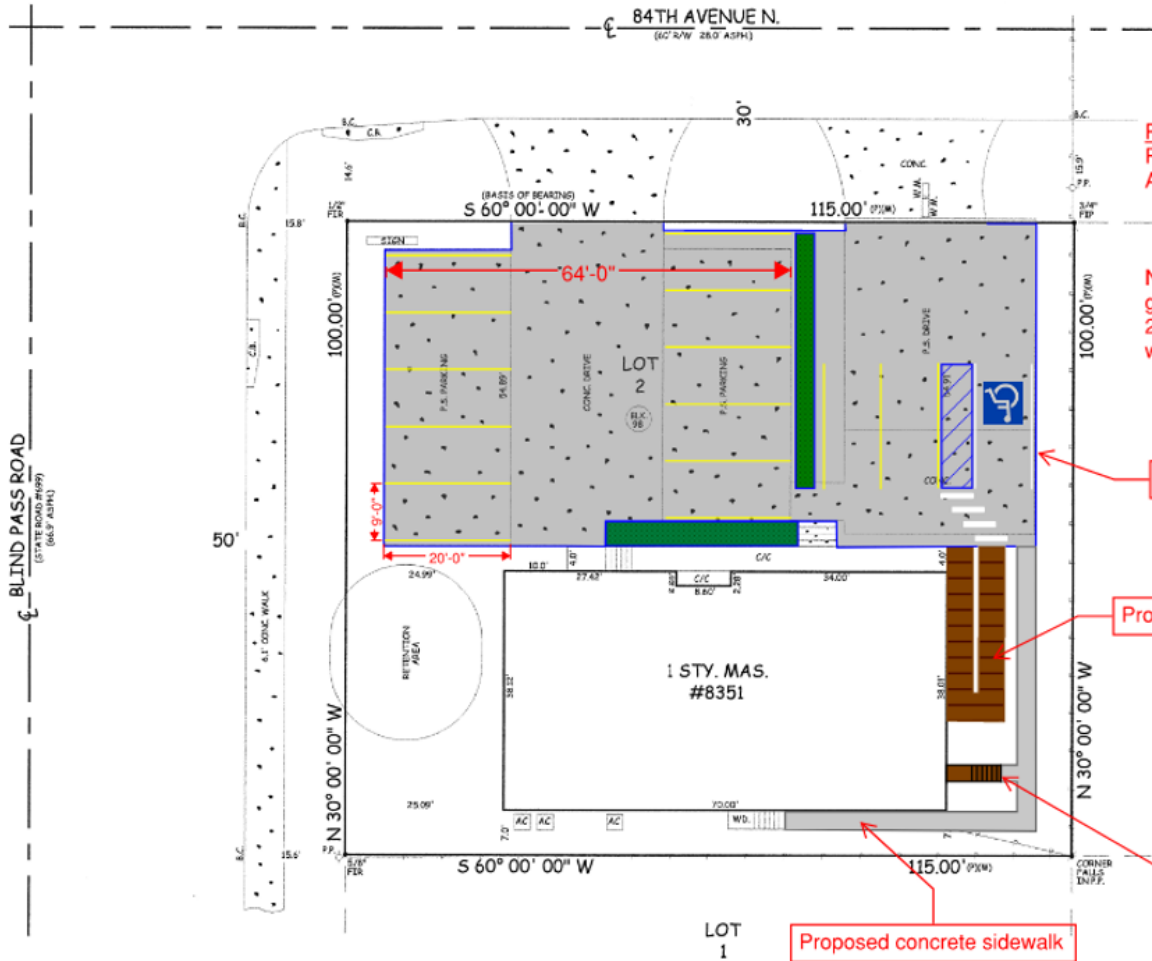
## 8351 Blind Pass Rd



# Proposed Parking Lot Improvements

SCALE: 1" = 20'

SEC. 25 TWP. 31 S. RGE. 15 E.  
SEC. 36 TWP. 31 S. RGE. 15 E.



**Proposed Parking Lot Improvements**  
Proposed Asphalt Parking Stalls = 13 or greater  
Allowed Asphalt Parking Stalls per LDC 23.5(b) = 9

Note: Diagram used only as a visual indication that greater than the minimum allowed parking per LDC 23.5 reasonably fits within the proposed parking lot area while conforming to the property's ISR requirement.

Proposed concrete curb

Proposed elevated wood ADA ramp

Proposed elevated wood stair

A BOUNDARY SURVEY OF: Lot 2, Block 98, ST. PETERSBURG BEACH BLOCK 98 REPLAT, as recorded in Plat Book 26, Page 104 of the Public Records of Pinellas County, Florida.

CERTIFIED TO: 8351 Blind Pass LLC

JOB NO.: 26-448		<b>MURPHY'S LAND SURVEYING, INC.</b> PROFESSIONAL LAND SURVEYORS 5760 11TH AVENUE NORTH ST. PETERSBURG, FLORIDA 33710 WWW.MURPHYSLANDSURVEYING.COM	L.B. #7410	According to the maps prepared by the U.S. Department of Homeland Security, this property appears to be located in: Flood zone: AE Comm. Panel No.: 125149 0194 H Map Date: 8/24/2021 Base Flood Elev.: 10.0'  FOR THE EXCLUSIVE USE OF THIS PERSON (PARTY/IES), I HEREBY CERTIFY TO ITS ACCURACY (EXCEPT SUCH EASEMENTS, IF ANY, THAT MAY BE LOCATED BELOW THE SURFACE OF THE LANDS, OR ON THE SURFACE OF THE LANDS AND NOT VISIBLE), AND THAT THE SURVEY REPRESENTED HEREON MEETS THE MINIMUM REQUIREMENTS OF CHAPTER 541, FLORIDA ADMINISTRATIVE CODE TO THE BEST OF MY KNOWLEDGE AND BELIEF. UNDERGROUND FOUNDATIONS AND/OR IMPROVEMENTS, IF ANY, ARE NOT SHOWN AND OTHER RESTRICTIONS AFFECTING THIS PROPERTY MAY EXIST IN THE PUBLIC RECORDS OF THIS COUNTY. THIS SURVEY HAS BEEN DONE WITHOUT THE BENEFIT OF REVIEWING A CURRENT TITLE SEARCH. SURVEY NOT VALID FOR MORE THAN ONE YEAR FROM DATE OF FIELD WORK AND NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL OR AN EMBOSSED SURVEYORS SEAL AND SIGNATURE. BEARINGS SHOWN ARE BASED ON PLAT, UNLESS OTHERWISE NOTED.	<p>Edward D. Murphy          Digitally signed by Edward D. Murphy          Date: 2026.05.05 10:05:02 -0400</p>
DRAWN BY: MRB	CHECKED BY: EDM		PH. (727) 347-8740		
DATE OF FIELD WORK: 4/29/2026			EMAIL: Murphyslandsurveying@gmail.com		

<b>LEGEND:</b> P.O.L. - POINT ON LINE P.O.C. - POINT OF COMMENCEMENT P.O.B. - POINT OF BEGINNING P.I. - POINT OF INTERSECTION P.C. - POINT OF CURVATURE	P.R.C. - POINT OF REVERSE CURVATURE P.C.C. - POINT OF COMPOUND CURVATURE P.R.M. - PERMANENT REFERENCE MONUMENT T.M. F.L.R. ELEV. - FINISHED FLOOR ELEVATION N.A.V.D. - NORTH AMERICAN VERTICAL DATUM OF 1988	F.O. - FOUND N.A.D. - NAIL AND DISK F.I.P. - FOUND IRON PIPE F.C.M. - FOUND CONCRETE MONUMENT F.I.R. - FOUND IRON ROD S.I.R. - SET IRON ROD	F.E. - FENCE A.D.I. - ADJACENT X-X-X - FENCE A-A-A - ADJACENT FENCE C.L.F. - CHAIN LINK FENCE M.L. - METAL	R. - RADIUS A. - ARC C. - CHORD S.B.T.A. - RIGHT OF WAY # - NUMBER	M.S. - MASONRY F.M. - FRAME S.T.Y. - STORY G.I. - GRATE INLET C.B. - CATCH BASIN F.H. - FIRE HYDRANT	M.S. - METAL SHEET A.L.L.N. - ALUMINUM W.H. - WATER HEATER P.S. - PATIO STORE C.P. - CARPORT P.L. - PLANTER	S.C. - BACK OF CURB E.P. - EDGE OF PAVEMENT E.R. - EDGE OF ROAD E.W. - EDGE OF WATER T.O.B. - TOP OF BANK TYP. - TYPICAL	O.H. - OVERHEAD W.W. - WING WALL C. - CENTERLINE R.W. - RIGHT-OF-WAY P.I. - PLAT (C) - CALCULATION	(E) - DEED (M) - MANHOLE N. - NORTH S. - SOUTH E. - EAST W. - WEST	EMBT. - EASEMENT M.H. - MANHOLE CONG. - CONCRETE C.B. - CULBARK C.C. - COLUMN W.D. - WOOD	G.A.R. - GARAGE A.O.P. - ABOVE GROUND POOL C.A.M. - COVERED WOOD C.P.S. - COVERED PATIO/STORE C.C. - COVERED CONCRETE C.A.R.E.A. - COVERED AREA	A.C. - AIR CONDITIONER S.P. - SCREENED POND P-P - OVERHEAD POWER LINES C-C - OVERHEAD CABLE LINES P.P. - POWER POLE L.P. - LIGHT POLE
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# Land Development Code (LDC) Section 23.5(b)

## Sec. 23.5. - Number of parking spaces required.



Regardless of any other requirement of these regulations, each and every separate or individual store, office, or other business shall be provided with at least one off-street parking space, excluding required handicap parking, unless specific provision to the contrary is made herein.

The following minimum off-street parking requirements are applicable to all districts except as otherwise provided herein:

[EXPAND](#)

Use	Parking Requirement (spaces)
Automobile Service Station	1 space per bay, plus 3 spaces
Residential Single-family and Two-family	2 spaces per unit
Residential, Multifamily	1 space per bedroom
Ballrooms, Assembly Halls, and Event Space	1 space per 300 SF floor area
Bar, Nightclub	1 space per 100 SF floor area
Bed and Breakfast	1 space per guest room plus 1 space for owner or operator
Grocery Store	1 space per 200 SF floor area
Theatre	1 space per 3 seats
Marina or Commercial Docks:	
Boat slips/live aboard	1 space per boat slip
High and dry slips	1 space per 4 boat slips or fraction thereof
Boat slips/non-live aboard	1 space per 4 boat slips or fraction thereof
Office	1 space per 300 SF floor area
Place of Worship	1 space per 3 seats in auditorium or chapel area
Restaurant	1 space per 100 SF floor area

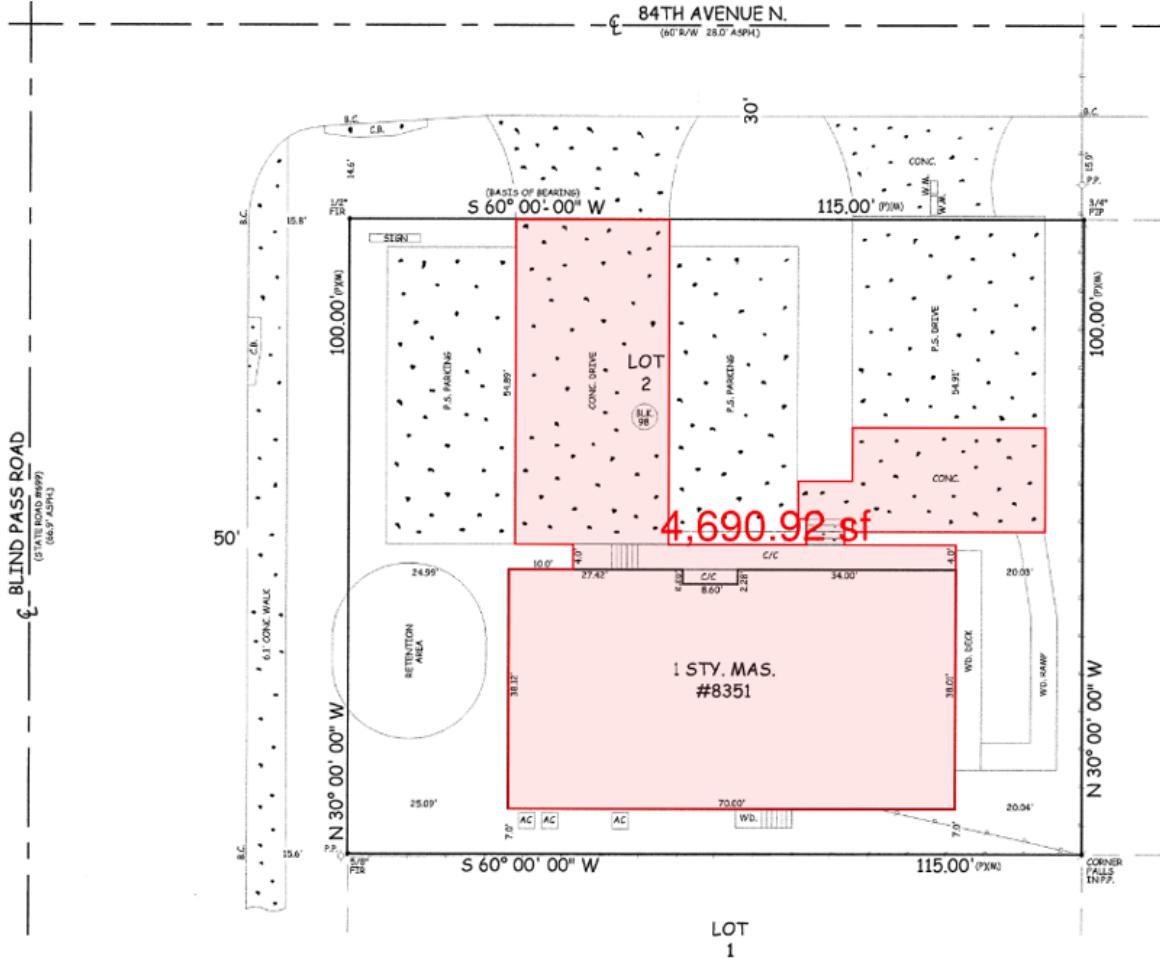
(a) In instances of new construction or facility expansion involving the establishment of outdoor seating areas or other accessory or supplemental uses, the number of required parking spaces shall be increased in accordance with the above table such that parking is adequate to accommodate the entire area of use, both internal and external to the structure; provided, however, outdoor dining or outdoor drinking areas shall not be required to provide additional parking when the outdoor dining or outdoor drinking area is less than 500 square feet or is located on a private sand beach affiliated with a temporary lodging establishment. Any portion of the outdoor dining or outdoor drinking area greater than 500 square feet not located on a private sand beach affiliated with a temporary lodging establishment shall be included as gross floor area for the purposes of calculating off-street parking requirements at the rate set forth in the above table or as otherwise provided by this Code.

(b) Parking spaces that are in excess of the number of spaces required by this division shall be constructed as grass parking, turf block or in a parking structure.

# Existing ISR Calculation

SCALE: 1" = 20'

SEC. 25 TWP. 31 S. RGE. 15 E.  
SEC. 36 TWP. 31 S. RGE. 15 E.



**Existing ISR Calculation**  
 Lot Area = 100' x 115' = 11,500 sf  
 Existing Impervious Surface Area = 4,690.92 sf  
 Existing ISR = 40.8%

**Allowable ISR Calculation**  
 Allowable ISR per ROR Zoning = 85%

**Note**  
 Property Owner is permitted to develop property up to **85% ISR**, or **9,775 sf** of impervious surface area

A BOUNDARY SURVEY OF: Lot 2, Block 98, ST. PETERSBURG BEACH BLOCK 98 REPLAT, as recorded in Plat Book 26, Page 104 of the Public Records of Pinellas County, Florida.

CERTIFIED TO: 8351 Blind Pass LLC

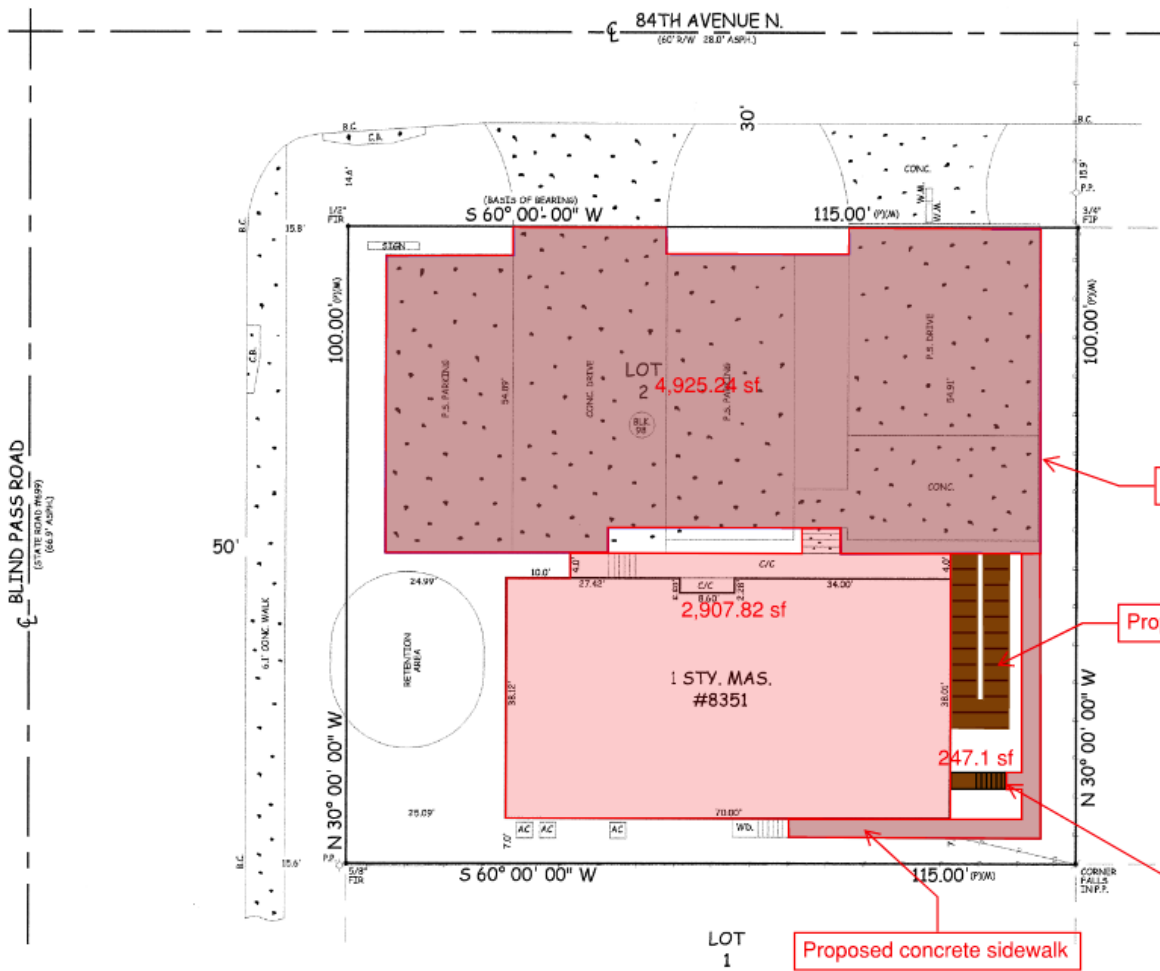
JOB NO: <b>26-448</b>		<b>MURPHY'S LAND SURVEYING, INC.</b> PROFESSIONAL LAND SURVEYORS 5760 11TH AVENUE NORTH ST. PETERSBURG, FLORIDA 33710 WWW.MURPHYSLANDSURVEYING.COM	L.B. #7410	According to the maps prepared by the U.S. Department of Homeland Security, this property appears to be located in: Flood zone: AE Comm. Panel No.: 125149 0194 H Map Date: 8/24/2021 Base Flood Elev.: 10.0'  FOR THE EXCLUSIVE USE OF THE HEREON PARTY(IES), I HEREBY CERTIFY TO ITS ACCURACY (EXCEPT SUCH EASEMENTS, IF ANY, THAT MAY BE LOCATED BELOW THE SURFACE OF THE LANDS, OR ON THE SURFACE OF THE LANDS AND NOT VISIBLE), AND THAT THE SURVEY REPRESENTED HEREON MEETS THE MINIMUM REQUIREMENTS OF CHAPTER 54-17, FLORIDA ADMINISTRATIVE CODE TO THE BEST OF MY KNOWLEDGE AND BELIEF. UNDERGROUND FOUNDATIONS AND/OR IMPROVEMENTS, IF ANY, ARE NOT SHOWN AND OTHER RESTRICTIONS AFFECTING THIS PROPERTY MAY EXIST IN THE PUBLIC RECORDS OF THIS COUNTY. THIS SURVEY HAS BEEN DONE WITHOUT THE BENEFIT OF REVIEWING A CURRENT TITLE SEARCH. SURVEY NOT VALID FOR MORE THAN ONE YEAR FROM DATE OF FIELD WORK AND NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL OR AN EMBOSSED SURVEYOR'S SEAL AND SIGNATURE. BEARINGS SHOWN ARE BASED ON PLAT, UNLESS OTHERWISE NOTED.	
DRAWN BY: MRB	CHECKED BY: EDM		PH. (727) 347-8740		
DATE OF FIELD WORK: 4/29/2026			EMAIL: Murphyslandsurveying@gmail.com		

<b>LEGEND:</b> P.O.L. - POINT ON LINE P.O.C. - POINT OF COMMENCEMENT P.O.B. - POINT OF BEGINNING P.I. - POINT OF INTERSECTION P.C. - POINT OF CURVATURE	P.R.C. - POINT OF REVERSE CURVATURE P.C.C. - POINT OF COMPOUND CURVATURE P.R.M. - PERMANENT REFERENCE MONUMENT F.N. - FINISHED FLOOR ELEVATION N.A.V.D. - NORTH AMERICAN VERTICAL DATUM OF 1985	FD - FOUND N.A.D. - NAIL AND DISK F.I.P. - FOUND IRON PIPE F.C.M. - FOUND CONCRETE MONUMENT F.I.R. - FOUND IRON ROD S.I.R. - SET IRON ROD	FE - FENCE ADJ. - ADJACENT X-X-X - FENCE A-A - ADJACENT FENCE C.L.F. - CHAIN LINK FENCE M.T.L. - METAL	R. - RADIUS A. - ARC C. - CHORD DELTA R.W. - RIGHT OF WAY # - NUMBER	MAS. - MASONRY FRM. - FRAME STY. - STORY C.I. - CONCRETE INLET C.B. - CATCH BASIN F.H. - FIRE HYDRANT	M.S. - METAL SHED ALUM. - ALUMINUM WH. - WATER HEATER P.S. - PATIO STONE C.P. - CARPORT P.L. - PLANTER	B.C. - BACK OF CURB E.P. - EDGE OF PAVEMENT E.R. - EDGE OF ROAD E.O.W. - EDGE OF WATER T.O.B. - TOP OF BANK TYP. - TYPICAL	C.H. - OVERHANG W.W. - WIND WALL C. - CENTERLINE R.W. - RIGHT OF WAY P. - PLAT (C) - CALCULATION	(D) - DEED (M) - MEASURED N. - NORTH S. - SOUTH E. - EAST W. - WEST	ESMT. - EASEMENT M.H. - MANHOLE CONC. - CONCRETE CLR. - CLEAR COL. - COLUMN WD. - WOOD	BLK. - BLOCK S.W. - SEAWALL ASPH. - ASPHALT UTL. - UTILITY DR. - DRAINAGE D.B. - DRAIN BASIN	GAR. - GARAGE A.G.P. - ABOVE GROUND POOL C.W. - COVERED WOOD C.P.S. - COVERED PATIO/STONE CAC. - COVERED CONCRETE CAREA - COVERED AREA	AC. - AIR CONDITIONER S.P. - SCREENED PORCH P.P. - OVERHEAD POWER LINES O.C. - OVERHEAD CABLE LINES P.P. - POWER POLE L.P. - LIGHT POLE
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# Proposed ISR Calculation

SCALE: 1" = 20'

SEC. 25 TWP. 31 S. RGE. 15 E.  
SEC. 36 TWP. 31 S. RGE. 15 E.



Allowable ISR Calculation  
Allowable ISR per ROR Zoning = 85%

Proposed ISR Calculation  
Total Impervious Surface Area = 8,080.16 sf  
Proposed ISR = 8,080.16 / 11,500 = 70.3%  
(15% less than maximum ISR requirement)

Proposed concrete curb

Proposed elevated wood ADA ramp

A BOUNDARY SURVEY OF: Lot 2, Block 98, ST. PETERSBURG BEACH BLOCK 98 REPLAT, as recorded in Plat Book 26, Page 104 of the Public Records of Pinellas County, Florida.

Proposed elevated wood stair

Proposed concrete sidewalk

CERTIFIED TO: 8351 Blind Pass LLC

JOB NO.: <b>26-448</b>		<b>MURPHY'S LAND SURVEYING, INC.</b> PROFESSIONAL LAND SURVEYORS 5760 11TH AVENUE NORTH ST. PETERSBURG, FLORIDA 33710 WWW.MURPHYSLANDSURVEYING.COM	L.B. #7410	According to the maps prepared by the U.S. Department of Homeland Security, this property appears to be located in: Floor zone: AE Comm. Panel No.: 125149 0194 H Map Date: 8/24/2021 Base Flood Elev.: 10.0'  FOR THE EXCLUSIVE USE OF THE HEREON PARTIES, I HEREBY CERTIFY TO ITS ACCURACY (EXCEPT SUCH EMBEZZLEMENTS, IF ANY, THAT MAY BE LOCATED BELOW THE SURFACE OF THE LANDS, OR ON THE SURFACE OF THE LANDS AND NOT VISIBLE), AND THAT THE SURVEY REPRESENTED HEREON MEETS THE MINIMUM REQUIREMENTS OF CHAPTER 33-17, FLORIDA ADMINISTRATIVE CODE TO THE BEST OF MY KNOWLEDGE AND BELIEF, UNDERGROUND FOUNDATIONS AND/OR IMPROVEMENTS, IF ANY, ARE NOT SHOWN AND OTHER RESTRICTIONS AFFECTING THIS PROPERTY MAY EXIST IN THE PUBLIC RECORDS OF THIS COUNTY. THIS SURVEY HAS BEEN DONE WITHOUT THE BENEFIT OF REVIEWING A CURRENT TITLE SEARCH. SURVEY NOT VALID FOR MORE THAN ONE YEAR FROM DATE OF FIELD WORK AND NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL, OR AN EMBOSSED SURVEYOR'S SEAL AND SIGNATURE. BEARINGS SHOWN ARE BASED ON PLAT, UNLESS OTHERWISE NOTED.	
DRAWN BY: MRB	CHECKED BY: EDM		PH. (727) 347-8740		Edward D. Murphy No. 5333 STATE OF FLORIDA REGISTERED LAND SURVEYOR
DATE OF FIELD WORK: 4/29/2026			EMAIL: Murphyslandsurveying@gmail.com		Edward D. Murphy Digitally signed by Edward D. Murphy Date: 2026.05.05 10:05:02-0400' EDWARD D. MURPHY REG. P.L.S. # 5333

<b>LEGEND:</b> P.O.L. - POINT ON LINE P.O.C. - POINT OF COMMENCEMENT P.O.B. - POINT OF BEGINNING P.I. - POINT OF INTERSECTION P.C. - POINT OF CURVATURE	P.R.C. - POINT OF REVERSE CURVATURE P.C.C. - POINT OF COMPOUND CURVATURE P.M.M. - PERMANENT REFERENCE MONUMENT FIN. FLR. ELEV. - FINISHED FLOOR ELEVATION N.A.V.D. - NORTH AMERICAN VERTICAL DATUM OF 1989	FD. - FOUND N.O.D. - NAIL AND DISK F.I.P. - FOUND IRON PIPE F.C.M. - FOUND CONCRETE MONUMENT F.I.R. - FOUND IRON ROD S.I.R. - SET IRON ROD	FE. - FENCE ADJ. - ADJACENT N.A.A. - FENCE N.A.A. - ADJACENT FENCE C.L.F. - CORNER LINE FENCE M.T.L. - METAL	R. - RADIALS A. - ARC C. - CHORD Δ - DELTA R.W. - RIGHT OF WAY # - NUMBER	M.S. - MASONRY F.M. - FRAME S.T.Y. - STORY G.I. - GATE INLET C.B. - CATCH BASIN F.H. - FIRE HYDRANT	M.S. - METAL SHED ALUM. - ALUMINUM W.H. - WATER HEATER P.S. - PATIO STORE C.S. - CARPORT P.L. - PLANTER	B.C. - BACK OF CURB E.P. - EDGE OF PAVEMENT E.O.R. - EDGE OF ROAD E.O.W. - EDGE OF WATER T.O.B. - TOP OF BANK TYP. - TYPICAL	O.H. - OVERHANG O.H. - OVERHANG N.W. - NORTH WEST S.W. - SOUTH WEST E.W. - EAST WEST P.L. - PLAT (C) - CALCULATION	(C) - CEED (M) - MEASURED N. - NORTH S. - SOUTH E. - EAST W. - WEST	ESMT. - BASEMENT M.H. - MANHOLE CONC. - CONCRETE CLR. - CLEAR DR. - DRAINAGE COLL. - COLLAR WD. - WOOD	BLK. - BLOCK S.W. - SEAWALL ASPH. - ASPHALT UTL. - UTILITY DR. - DRAINAGE D.B. - DRAIN BASIN	GAR. - GARAGE A.G.P. - ABOVE GROUND POOL C.W. - COVERED WOOD C.P.S. - COVERED PATIO/STONE C.C. - COVERED CONCRETE CAREA - COVERED AREA	A/C. - AIR CONDITIONER S.P. - SPOREDO RORCH S.P. - OVERHEAD POWER LINES O.C. - OVERHEAD CABLE LINES P.P. - POWER POLE L.P. - LIGHT POLE
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Memo To: Board of Adjustment  
From: Brandon Berry, Senior Planner  
Date: 5/22/2026  
Re: **CERTIFICATE OF COMPLETENESS**

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Please be advised that on this date, the following application has been deemed complete and will be scheduled for the Board of Adjustment and placed on the agenda for **June 29, 2026**.

**Variance Case Number:** 26086  
**Application Type:** Unnecessary & Undue Hardship Variance  
**Owner:** Jonathan Rinkinen and Brittany Pierpont of 8351 Blind Pass LLC  
**Applicant/Agent:** Trey Ware of Ware & Sliker Construction  
**Parcel Number:** 25-31-15-78102-098-0020  
**Address:** 8351 Blind Pass Rd  
**Zone:** ROR

**Submittal Documents:**

1. Completed Unnecessary & Undue Hardship Variance package with application form, consisting of seven sheets.
2. Boundary survey prepared by Edward D. Murphy, RLS, dated April 29, 2026, consisting of one sheet.
3. Impervious surface ratio worksheet, dated May 12, 2026, consisting of one sheet.
4. Site plan, appended to application on May 28, 2026, consisting of one sheet.

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

**City/Board Professionals:**

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

**Board Members:**

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

Cc: Trey Ware, Agent ([trey@waresliker.com](mailto:trey@waresliker.com))  
Jonathan Rinkinen & Brittany Pierpont, Owners ([8351blindpass@gmail.com](mailto:8351blindpass@gmail.com))

CASE #: \_\_\_\_\_

PARCEL #: 25-31-15-78102-098-0020

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	8351 Blind Pass LLC (Jonathan Rinkinen Brittany Pierpont)	8351 Blind Pass Rd St. Pete Beach, FL 33706	(248) 249-5595
Applicant/ Agent	Trey Ware (Ware & Sliker Construction)	5185 Lake Valencia Blvd. W. Palm Harbor, FL 34684	(407) 927-8056
Owner Email Address: 8351blindpass@gmail.com		Applicant/Agent Email Address: trey@waresliker.com	

#### PROPERTY FOR PROPOSED VARIANCE:

Zoning Designation ROR - Residential Office Retail	Future Land Use Designation Office	Lot Area 11,500 sf = 0.264 Ac
Legal Description: St Petersburg Beach Replat of Blk 98 Blk 98, Lot 2		
Address: 8351 Blind Pass Rd, St. Pete Beach, FL 33706		
Explanation of Request: _____ <u>The Owner and Applicant request a variance from LDC Section 23.5(b) to permit parking spaces</u> <u>in excess of the minimum required parking to be constructed of asphalt, while remaining fully</u> <u>compliant with the City's Impervious Surface Ratio (ISR) requirements.</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;

Special conditions and circumstances exist that are unique to the subject property and are not generally applicable to other properties within the same zoning district. Specifically, the combination of:

- a) a relatively large lot size, and
- b) an approved lower-intensity use

creates a condition in which the property cannot reasonably utilize its available area for compliant parking improvements under LDC Section 23.5(b). While the property has sufficient area to accommodate additional parking within ISR limits, the Code restricts the material composition of such parking in a manner that disproportionately affects properties with lower parking demand relative to a lot size. This creates a unique limitation not commonly experienced by other properties in the same zoning district.

For example, the existing 2,900 sf building on the subject property has an approved Use of "Office." To increase the parking lot area to a capacity greater than the minimum parking requirements while maintaining ISR limits, LDC Sec 23.5(b) provides only two options for the Owner & Applicant, both of which are considered an undue and unnecessary hardship:

1. Parking structure - the existing building and lot are far too small to construct a parking garage. A parking garage is not a reasonable use of land on this property.
2. Split the construction of a new parking lot into a combination of impervious materials (asphalt paving) and pervious materials (grass, turf block, or crushed shell) - a downgrade in appearance, construction quality, and safety vs. a fully-paved asphalt parking surface.

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

The special conditions and circumstances of this variance request do not result from the actions of the applicant or a prior owner of the property. This request is simply for a variance in how existing code is applied to the subject property so that the Owner & Applicant can take advantage of the subject property's full development potential - just like all other properties within the City limits.

The hardship arises from the interaction between the City approved Use of the property and the specific requirements of LDC 23.5(b), as applied to the physical characteristics of the site.

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

A literal interpretation of LDC Section 23.5(b) deprives the Owner and Applicant of rights commonly enjoyed by other properties within the same zoning district and results in an unnecessary and undue hardship.

Other properties are able to develop parking areas using asphalt paving up to the allowable ISR limits. However, due to the subject property's approved use and resulting lower minimum parking requirement, any additional parking must comply with restrictive material requirements that do not apply in the same way to properties with higher parking demands.

As a result, the subject property is effectively prevented from utilizing its allowable impervious area in a manner consistent with other similarly zoned properties.

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

The hardship was not created by any person. The hardship exists with the Owner & Applicant strictly because of how existing Land Development Code is applied to the subject property.

The requested variance:

1. Does not increase density or intensity of use,
2. Does not alter the approved use of the property, and
3. Simply allows reasonable site improvements within existing ISR limitations.

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

The request is not based on achieving greater financial return. In fact, the requested improvement (full asphalt paving) represents a higher-quality and more durable construction method, and is not the least-cost option available. The request is solely based on achieving a reasonable and functional site design consistent with surrounding development patterns.

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

Granting the variance will provide treatment consistent with that afforded to other properties within the same zoning district.

The variance would allow the subject property to utilize its allowable impervious surface area in a manner similar to other properties, rather than being subject to a disproportionate restriction due to its specific use classification and lot size.

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

The requested variance is the minimum necessary to allow reasonable use of the property. This is a request for variance from only one subsection of the Land Development Code, 23.5(b). All other applicable regulations, including ISR limits, will remain fully in effect.

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

The requested variance is consistent with the intent of the Comprehensive Plan and Land Development Code, and will not be detrimental to the public welfare.

On the other hand, a strict interpretation of LDC 23.5(b) WOULD NOT be in harmony with the general intent and purpose of the Comprehensive Plan and the Land Development Code, WOULD BE injurious to the neighborhood or otherwise detrimental to the public safety and welfare, WOULD NOT be compatible with the neighborhood, and WILL substantially diminish or impair property values within the neighborhood. A split parking lot of impervious and pervious construction materials per LDC 23.5(b) is aesthetically unpleasant, not compatible with the neighborhood, a lesser quality product that would impair property values within the neighborhood, and would be unsafe to the public as a result of the introduced trip hazards. The property owner operates a business within the existing building that serves a substantial client base of elderly individuals, many of whom are over the age of 70. As a result, a significant portion of clients rely on mobility aids such as walkers or wheelchairs. Changes in parking surface materials, from asphalt to crushed shell, grass, or turf block, creates inconsistent and less stable conditions that increase the risk for slips, trips, and falls.

Additionally, the proposed parking lot will be graded for proper drainage and have concrete curbs along the perimeter so that there are no stormwater (or any other) impacts to the neighboring properties.

 5/12/26  
Signature of Applicant Date

 05/12/2026  
Signature of Authorized Agent Date

## VARIANCE APPLICATION

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

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

  JR   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.

  JR   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.

  JR   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.

  JR   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.

  JR   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.

  JR   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

  5/12/26    
Date

**Owner's Authorization for Agent**

Community Development Department

City of St. Pete Beach, Florida

I/WE Jonathan Rinkinen & Brittany Pierpont (8351 Blind Pass, LLC)  
(print name of property owner)

hereby authorize Trey Ware (Ware & Sliker Construction)  
(print name of agent)

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

[Signature]  
Signature of Owner

[Signature]  
Signature of Owner

Brittany Pierpont  
Print Name of Owner

Jonathan Rinkinen  
Print Name of Owner

The forgoing instrument was acknowledged before me this 12 day of  
May 20 26 by Brittany Pierpont and or who is  
Jonathan Rinkinen  
personally known as \_\_\_\_\_ produced FL DL as  
identification.

[Signature]  
(Notary Signature)

5/12/26  
(Date)

My Commission Expires 12/04/2026



DEAR APPLICANT:

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

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

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



**PUBLIC HEARING SIGN POSTING AFFIDAVIT**

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

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

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

Name(print): Jonathan Rinkinen

Address: 8351 Blind Pass Rd, St. Pete Beach, FL 33706

Jonathan Rinkinen Signature 5/12/26 Date

STATE OF FLORIDA )  
 ) SS:  
PINELLAS COUNTY )

The foregoing instrument was acknowledged before me this 12 day of May, 2026 by: Jonathan Rinkinen who appeared before me, and is personally known to me, or has produced as identification, and did take an oath.

My commission Expires:

NOTARY: Teri Harmon

Print Name: Teri Harmon Notary

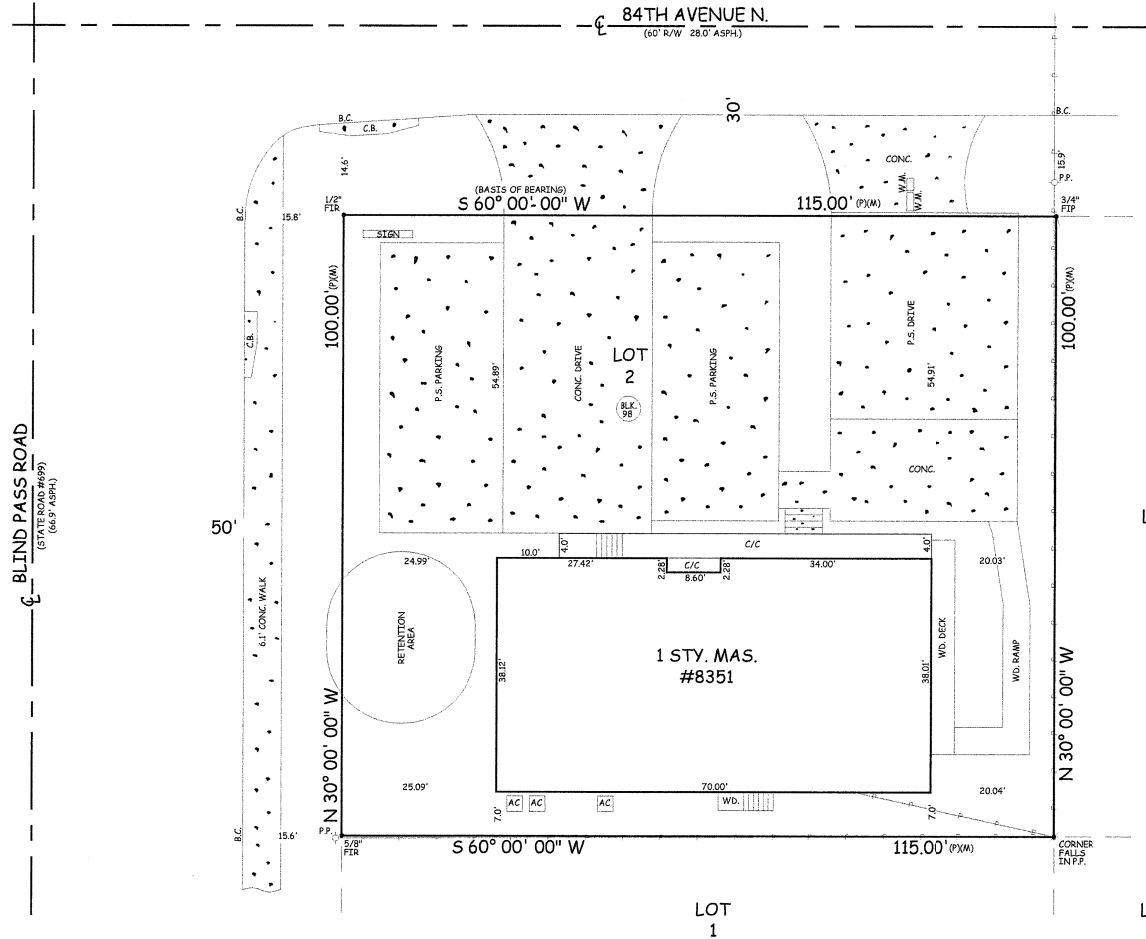
Public, State of Florida

(Notarial Seal)



SCALE: 1" = 20'

SEC. 25 TWP. 31 S. RGE. 15 E.  
SEC. 36 TWP. 31 S. RGE. 15 E.



A BOUNDARY SURVEY OF: Lot 2, Block 98, ST. PETERSBURG BEACH BLOCK 98 REPLAT, as recorded in Plat Book 26, Page 104 of the Public Records of Pinellas County, Florida.

CERTIFIED TO: 8351 Blind Pass LLC

JOB NO.:  
**26-448**

DRAWN BY: MRB  
CHECKED BY: EDM

DATE OF FIELD WORK:  
4/29/2026

**MURPHY'S LAND SURVEYING, INC.**  
PROFESSIONAL LAND SURVEYORS  
5760 11TH AVENUE NORTH  
ST. PETERSBURG, FLORIDA 33710  
WWW.MURPHYSLANDSURVEYING.COM

L.B. #7410  
PH. (727) 347-8740  
EMAIL:  
Murphyslandsurveying@gmail.com

According to the maps prepared by the U.S. Department of Homeland Security, this property appears to be located in:  
Flood zone: AE Comm. Panel No.: 125149 (194 H Map Date: 8/24/2021  
Base Flood Elev.: 10.0'

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

Edward D. Murphy  
No. 5333  
STATE OF FLORIDA  
REGISTERED LAND SURVEYOR

Edward D. Murphy  
Date: 2026.05.05  
10:05:02 -0000

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

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

Florida Limited Liability Company  
8351 BLIND PASS, LLC

### Filing Information

<b>Document Number</b>	L24000451213
<b>FEI/EIN Number</b>	33-1698687
<b>Date Filed</b>	10/23/2024
<b>Effective Date</b>	10/23/2024
<b>State</b>	FL
<b>Status</b>	ACTIVE

### Principal Address

8351 BLIND PASS ROAD  
ST. PETE BEACH, FL 33706

### Mailing Address

8351 BLIND PASS ROAD  
ST. PETE BEACH, FL 33706

### Registered Agent Name & Address

PIERPONT, BRITTANY  
8351 BLIND PASS ROAD  
ST. PETE BEACH, FL 33706

### Authorized Person(s) Detail

#### **Name & Address**

Title MGR

PIERPONT, BRITTANY  
8351 BLIND PASS ROAD  
ST. PETE BEACH, FL 33706

Title MGR

RINKINEN, JONATHAN  
8351 BLIND PASS ROAD  
ST. PETE BEACH, FL 33706

### Annual Reports

<b>Report Year</b>	<b>Filed Date</b>
--------------------	-------------------

2025	04/25/2025
2026	04/28/2026

**Document Images**

[04/28/2026 -- ANNUAL REPORT](#)

[View image in PDF format](#)

[04/25/2025 -- ANNUAL REPORT](#)

[View image in PDF format](#)

[10/23/2024 -- Florida Limited Liability](#)

[View image in PDF format](#)



# 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**

Jonathan Rinkinen  
8351 Blind Pass, LLC  
8351 Blind Pass Rd.  
St. Pete Beach, FL 33706

**Contractor/Applicant Name & Address**

Trey Ware  
Ware & Sliker Construction  
5185 Lake Valencia Blvd. W  
Palm Harbor, FL 34684

Phone 248-249-5595

Phone 407-927-8056

Email 407-927-8056

Email trey@waresliker.com

Property Address 8351 Blind Pass Rd. St. Pete Beach, FL 33706

Total Lot Area (sq. ft.) 11,500 sf

**Required Calculations:**

EXISTING IMPERVIOUS SURFACE:		
Building Footprint:	2,908	sq. ft.
Parking and Driveway:	1,783	sq. ft.
Pool and/or Patio areas:	Inc. in Bldg.	sq. ft.
Walkways:	0	sq. ft.
Other:	0	sq. ft.
<b>TOTAL EXISTING IMPERVIOUS SURFACE:</b>	<b>4,691</b>	sq. ft.

PROPOSED IMPERVIOUS SURFACE:		
Building Footprint:	2,908	sq. ft.
Parking and Driveway:	4,925	sq. ft.
Pool and/or Patio areas:	Inc. in Bldg.	sq. ft.
Walkways:	247	sq. ft.
Other:	0	sq. ft.
<b>TOTAL PROPOSED IMPERVIOUS SURFACE:</b>	<b>8,080</b>	sq. ft.

4,691 sq. ft.	÷	11,500 sq. ft.	=	40.8%
Total Existing Impervious Surfaces		Lot Area		Existing Impervious Surface Ratio

8,080 sq. ft.	÷	11,500 sq. ft.	=	70.3%
Total Proposed Impervious Surfaces		Lot Area		Proposed Impervious Surface Ratio

**Certification:**

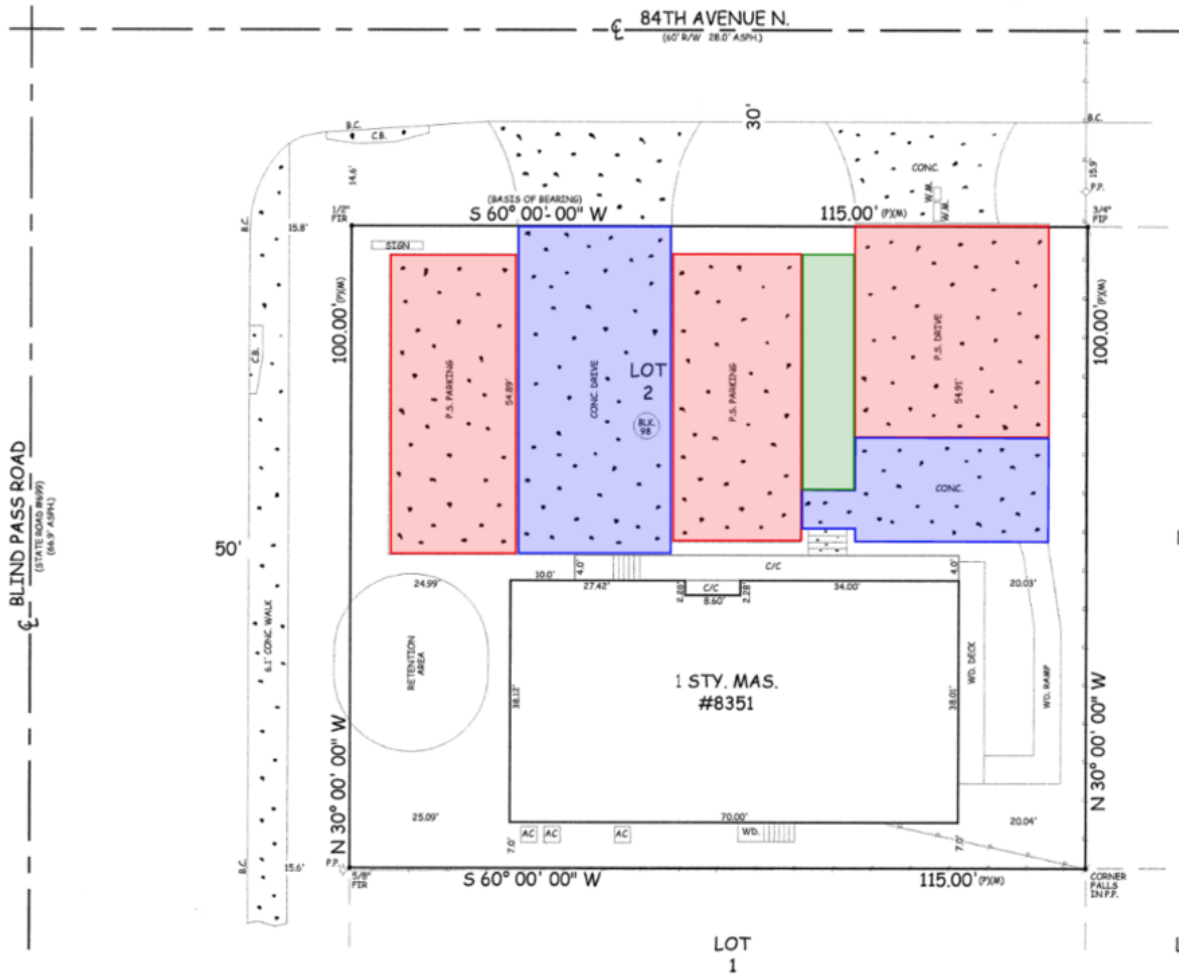
I, Jonathan Rinkinen certify that the calculations submitted above for the Impervious Surface Ratio are accurate and complete. The square footage of all existing structures and improvements are accounted for and the square footage of all proposed structures and improvements are included in the calculations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

Applicant Signature: *Jonathan Rinkinen* Date: 5/17/26

# 8351 Blind Pass Rd - Existing Materials to Asphalt Paving Exhibit

SCALE: 1" = 20'

SEC. 25 TWP. 31 S. RGE. 15 E.  
SEC. 36 TWP. 31 S. RGE. 15 E.



**KEY**

- Existing turf block to proposed asphalt paving
- Existing concrete to proposed asphalt paving
- Existing green space to proposed asphalt paving

A BOUNDARY SURVEY OF: Lot 2, Block 98, ST. PETERSBURG BEACH BLOCK 98 REPLAT, as recorded in Plat Book 26, Page 104 of the Public Records of Pinellas County, Florida.

CERTIFIED TO: 8351 Blind Pass LLC

JOB NO: 26-448	
DRAWN BY: MRB	CHECKED BY: EDM
DATE OF FIELD WORK: 4/29/2026	

**MURPHY'S LAND SURVEYING, INC.**  
PROFESSIONAL LAND SURVEYORS  
5760 11TH AVENUE NORTH  
ST. PETERSBURG, FLORIDA 33710  
WWW.MURPHYSLANDSURVEYING.COM

L.B. #7410  
PH. (727) 347-8740  
EMAIL:  
Murphyslandsurveying@gmail.com

According to the maps prepared by the U.S. Department of Homeland Security, this property appears to be located in:  
Flood zone: AE Comm. Panel No.: 125149 0194 H Map Date: 8/24/2021  
Base Flood Elev: 10.0'

FOR THE EXCLUSIVE USE OF THE HEREON PARTY(IES), I HEREBY CERTIFY TO ITS ACCURACY (EXCEPT SUCH EASEMENTS, IF ANY, THAT MAY BE LOCATED BELOW THE SURFACE OF THE LANDS, OR ON THE SURFACE OF THE LANDS AND NOT VISIBLE), AND THAT THE SURVEY REPRESENTED HEREON MEETS THE MINIMUM REQUIREMENTS OF CHAPTER 53-17, FLORIDA ADMINISTRATIVE CODE TO THE BEST OF MY KNOWLEDGE AND BELIEF. UNDERGROUND FOUNDATIONS AND/OR IMPROVEMENTS, IF ANY, ARE NOT SHOWN AND OTHER RESTRICTIONS AFFECTING THIS PROPERTY MAY EXIST IN THE PUBLIC RECORDS OF THIS COUNTY. THIS SURVEY HAS BEEN DONE WITHOUT THE BENEFIT OF REVIEWING A CURRENT TITLE SEARCH. SURVEY NOT VALID FOR MORE THAN ONE YEAR FROM DATE OF FIELD WORK AND NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL, OR AN EMBOSSED SURVEYOR'S SEAL AND SIGNATURE. BEARINGS SHOWN ARE BASED ON PLAT, UNLESS OTHERWISE NOTED.



Edward D. Murphy  
Digitally signed by Edward D. Murphy  
Date: 2026.05.05 10:05:02 -0400



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

**CITY OF ST PETE BEACH BOARD OF ADJUSTMENT  
VARIANCE CASE NO. 26086 (Undue Hardship)  
DEVELOPMENT ORDER**

A public hearing was held before the St Pete Beach Board of Adjustment (“BOA”) on the 29<sup>th</sup> day of June 2026 for review of a variance to Section 23.5.(b) of the City of St. Pete Beach Land Development Code (“LDC” or “Land Development Code”) to allow for the applicants to repave their parking lot, with contains excess parking spaces to those required by the Code, in asphalt, rather than with excess parking spaces finished as turf block or grass. The property is located at 8351 Blind Pass Road, St. Pete Beach, Florida, and the subject variance is requested by Trey Ware of Ware & Sliker Construction (Agent) for Jonathan Rinkinen and Brittany Pierpont of 8351 Blind Pass LLC (“Property Owners” or “Applicants”).

The Board of Adjustment reviewed the published agenda materials, information presented at the hearing and testimony from Brandon Berry and Kristin Coman for the City. The Board of Adjustment has accepted testimony from Brandon Berry and Kristin Coman as experts in the area of land use and zoning in the City of St. Pete Beach.

Based on the information and testimony the BOA makes the following findings of fact and conclusions of law:

- a. Jonathan Rinkinen and Brittany Pierpont are managers for 8351 Blind Pass LLC, the owner of the subject property.
- b. Notice of the BOA hearing was provided to the Property Owner and owners of property within 300 feet as required by Section 3.4 of the LDC.
- c. The Subject Property is located within the Residential/Office/Retail Future Land Use category according to the City of St. Pete Beach Future Land Use Map, and the same zoning district according to the zoning map. Properties in this division are subject to the parking requirements of Division 23 of the Land Development Code, which includes material requirements for parking surface.
- d. In accordance with the requirements of Section 3.12 of the LDC, the BOA finds based on competent and substantial evidence in the record and presented at the public hearing that the variance is consistent with the Comprehensive Plan and [approves or denies] the variance request as shown on the attached Exhibits for the following reasons:

*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—Subject to applicant testimony.*

2. *The special conditions and circumstances do not result from the actions of the applicant or a prior owner of the property*—The BOA finds this criteria is met, as the use of the property that demands the parking lot remain partially turf block was developed prior to the implementation of the subject standard.

3. *Literal interpretation of the provisions of the Land Development Code deprives the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Land Development Code and results in unnecessary and undue hardship on the applicant*—The BOA finds this criteria as being partially met, as this is the only property with both excess parking and a compliant surface material in the same district that is currently subject to this standard. Board testimony will be added to this response if a hardship is found based upon criteria 1, which would provide full support for this criteria.

4. *The hardship has not been deliberately or knowingly created or suffered to establish a use or structure which is not otherwise consistent with the comprehensive plan or the Land Development Code, nor will it permit an increase in development density*—The BOA finds this criteria is met, as this variance pertains to drive lane and parking space surface material and does not affect use, density or intensity.

5. *An applicant's desire or ability to achieve greater financial return or maximum financial return from his property does not constitute hardship*—The BOA finds this criteria is met, as the request is based on customer request for a more stable walking surface and what the applicant advances as a visual improvement, and would not produce a greater financial return to the owner.

6. *Granting the variance application conveys the same treatment similarly configured to the owner of other lands, buildings, or structures in the same zoning district*—The BOA finds this criteria is met, as the option to retain and repave existing asphalt or concrete parking lots until the use is expanded or changed is applicable to other property owners in the same zoning district who do not have compliantly-surfaced parking lots, and granting this variance would afford similar treatment under current conditions.

7. *The requested variance is the minimum variance that makes possible the reasonable use of the land, building, or structure*—Subject to applicant testimony.

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 BOA finds this criteria is generally met, as the applicant can make the improvements without significantly affecting lot drainage or retention, and adequate conditions can be applied to generally retain the

amount of landscaping on the property by narrowing the parking space dimensions to meet code minimums.

e. [Add any ex-parte communication].

**IT IS HEREBY ORDERED:**

f. [The variance case is approved based upon testimony shared by the applicants at the June 29, 2026 hearing in support of criteria 1 and 7 [and/or requested others], with the Board of Adjustment finding...] or [The variance case is denied based on inadequate testimony shared by the applicants at the June 29, 2026 hearing to support criteria 1 and 7, as issuance of an unnecessary and undue hardship variance requires the applicant provide adequate support for all eight applicable criteria].

g. The variance is [approved] with the following three (3) conditions:

1. The applicant shall submit and have approved a final as-built survey prior to closeout of the companion permit.
2. The applicant shall demonstrate prior to permit issuance that the asphalt will not create any adverse impacts on the eastern residential property.
3. Four of the parking spaces located within the center parking aisle shall be installed at eight feet in width. The remaining four feet shall be added to the buffer along the frontage within the property boundaries, and landscaping shall be installed to bring the space into greater compliance with LDC Sec. 22.7.

h. The Applicant may record a certified copy of this Order in the Official Records of Pinellas County, Florida.

i. This action was made by a motion by \_\_\_\_\_ and seconded by \_\_\_\_\_ and upon being put to a vote, the result was as follows:

Denise Chase, Chair	_____
Chris Core, Member	_____
Jim Schmidt, Member	_____
Dan Small, Member	_____
Joe Kunzer, Member	_____

DULY PASSED AND ADOPTED THE 29<sup>TH</sup> DAY OF JUNE, 2026

St. Pete Beach Board of Adjustment

By: \_\_\_\_\_  
Denise Chase, Chair

STATE OF FLORIDA )  
COUNTY OF PINELLAS )

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization this \_\_\_\_\_ day of \_\_\_\_\_, 2026, by Denise Chase, as Chair of the St Pete Beach Board of Adjustment,  who is personally known to me or  who has produced \_\_\_\_\_ as identification.

My commission expires:

\_\_\_\_\_  
NOTARY PUBLIC, State of Florida at Large

Print Name: \_\_\_\_\_

**ATTEST:**

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY**

\_\_\_\_\_  
\_\_\_\_\_, City Clerk

\_\_\_\_\_  
Vose Law Firm, City Attorney

This Development Order was filed in the Office of the City Clerk on this \_\_\_\_ day of \_\_\_\_\_, 2026. Any person aggrieved by this Order may appeal to the Circuit Court on or before thirty (30) days from the date of the Order as authorized in Section 3.14(b) of the St. Pete Beach Land Development Code.

## Brandon Berry

---

**From:** Brandon Zeman <bzeman01@gmail.com>  
**Sent:** Wednesday, June 17, 2026 3:28 PM  
**To:** Brandon Berry  
**Subject:** Notice of Public Hearing

**CAUTION:** This message has originated from **Outside of the Organization**. **Do Not Click** on links or open attachments unless you are expecting the correspondence from the sender and know the content is safe

Hi Brandon,

My house (320 83rd Ave) is within 300 ft of two upcoming hearings before the Board of Adjustment: Case No 26094 (8350 Boca Ciega Dr) and Case No 26086 (8351 Blind Pass Rd). I received the notice of public hearing in the mail for both.

Unfortunately, I am unable to attend as I'm out of town on that date.

I am fully-supportive of both proposals. Case 26086 would be an aesthetic upgrade and is a common sense solution to the current disjointed parking area. Case 26094 doesn't seem to be anything offensive - while I don't personally know the homeowners, their property has always been well kept and I'm confident this will be tastefully done. I love seeing folks in our community continually improving on what we have.

Thank you for everything you do for the city!

Brandon Zeman  
Homeowner at 320 83rd Ave

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

**Agenda Report**

**Agenda Title Name:** Case No. 26094 – 8350 Boca Ciega Dr.

**Action Request:** Motion to [approve/approve with conditions/deny/continue to [specify date certain]] variance case 26094 for 8350 Boca Ciega Drive.

**Strategic Objective:**

**Date:** June 29, 2026

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

**Through:**

**Summary of Issue:** Staff finds the request is not significantly out of character with the neighborhood, which has front yard building setbacks similar to those requested by the applicant for the open deck, and that care has been taken to move the active part of the deck away from neighboring property. However, Staff requests applicant testimony reasonably demonstrating that the deck could not be accommodated on the eastern side of the structure, where it would be compliant with required setbacks.

If this request is approved, Staff recommends conditions prohibiting future active use of the western side of the deck and enclosure of the deck, and requests a final survey.

**Funding:** N/A

**Attachments:**

1. Staff Report
2. Certificate of Completeness with Submittal Documents
3. Draft Development Order - Case 26094
4. Letter #1
5. Letter #2



**Date:** June 16, 2026  
**To:** Board of Adjustment  
**Re:** Staff Findings Report  
Practical Difficulty Variance  
Address: 8350 Boca Ciega Dr  
Parcel Number: 25-31-15-78102-098-0110  
Meghan and Joseph Grant  
Variance Case No: 26094

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

**Hearing Date:** June 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 and impervious surface ratio form, consisting of six sheets.
2. Boundary Survey, completed by Edward D. Murphy, RLS, dated April 20, 2026, consisting of one sheet.
3. Drafted site plan showing proposed deck setback, consisting of one sheet.
4. Deck plan, showing deck square footage and dimensions, consisting of one sheet.
5. Deck elevations, north and west, consisting of two sheets.

Staff offers the following comments for Board's consideration:

**Site Description/Surrounding Land Uses**

The subject site is a 67x100' property containing a single-family home that comprises a full platted lot of the St. Petersburg Replat of Block 98. The site is surrounded by other single-family residences to the west, south and east. To the north across 84<sup>th</sup> Avenue is St. Albans Episcopal Church, which is not actively operating following the 2024 hurricanes.

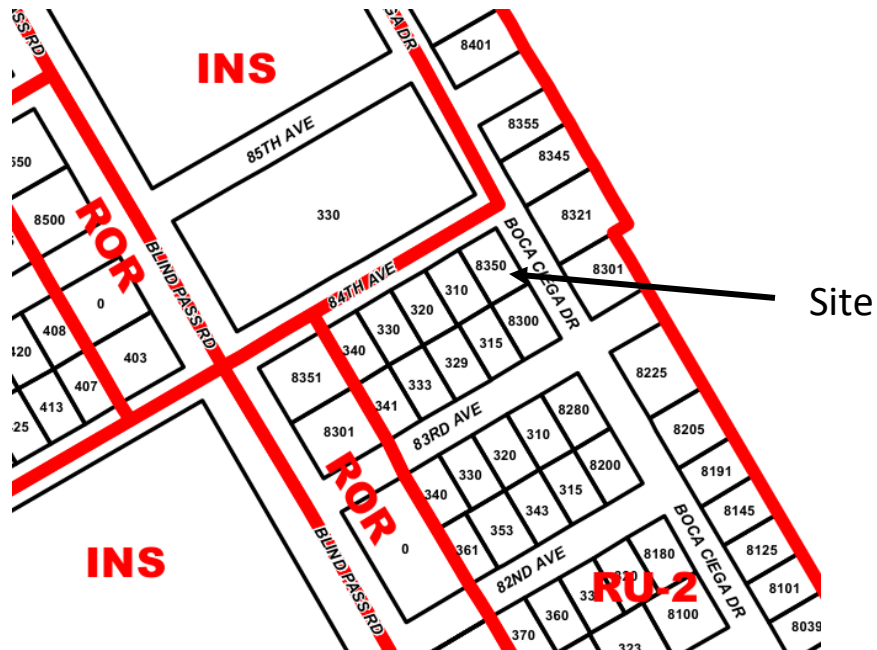
The subject residence was constructed in 1981 and is shown to meet the currently-applicable setbacks and lot coverage standards of the RU-2 zoning district. The owners recently added a pool to the southern rear of the property.

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

**Request**

The applicant requests to construct an elevated deck of 373 square feet that will wrap from the northern front yard of the property facing 84<sup>th</sup> Avenue to the western side of the structure. As the existing residence

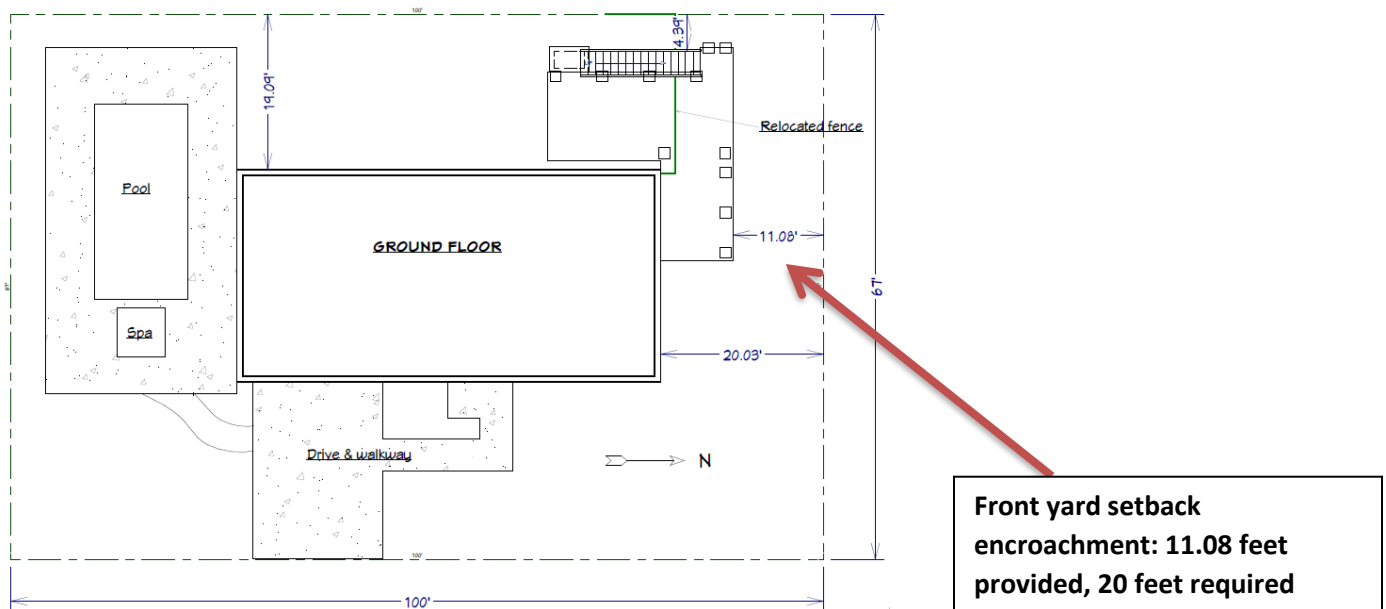
is constructed at the required twenty-foot front setback, any elevated deck located within the front of the structure requires a variance pursuant to Land Development Code Sec. 6.13.(c)(2)b. For the subject deck, the applicant is proposing an encroachment of approximately nine feet, leaving a front yard setback of approximately eleven feet to the deck. The deck's stairs and landing occupy the side yard setback encroachment, which is permitted at the proposed width of 4.39 feet where 6.7 feet is required, as open stairs and landings are permitted to encroach three feet into any required yard. Therefore, no side yard variance is required for the subject proposal.

**Analysis**

- a. **Required front yard setback:** Where 20 feet is required for open decks located within the front of a structure pursuant to Land Development Code Sec. 6.13.(c)(2)b. The applicant is requesting to construct a new open deck that will be elevated to the first living level of the home and encroach to 11.08 feet from the front property line.

Figure 3: Zoning Table			
Detached, Single-Family Residential	8350 Boca Ciega Dr		
	RU-2 Required	Existing Dwelling	Proposed – Elevated Deck
Front Yard Setback (Min.)	20 feet	20.03 feet	11.08 feet (v)
*Denotes existing non-conformity (v) Variance required			

Figure 4: Survey Showing Variance Request (N.T.S.)



## **Additional Comments**

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

The Board has standards of review for a 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 a variance of approximately 45% to the 20-foot standard front yard setback. While limited-scale cantilevered balconies are permitted to encroach into the required front yard, other elevated and open accessory structures are generally required to meet the same 20-foot standard as the primary residence.*

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

*Staff does not find an adverse change will be produced in the character of the neighborhood. While the subject request will produce a greater encroachment into the front yard than that maintained by other structures in the vicinity, other homes on the same block except the structure immediately to the west have existing legal-nonconforming front-yard setbacks to enclosed portions of the structure ranging between 14 to 15 feet. Elevated decks are rare in the vicinity, in part due to most homes being one story, but front at-grade patios are found on other neighboring structures. Staff does not find the deck is of a design, scale, or intensity that would be substantially out of place for the area or when assessed relative to the home's existing architecture. Furthermore, the applicant states that their neighbor to the direct west is supportive of the project. The neighbor's home is the only other residence on the block identified by staff as likely meeting the required front building setback, and their home is directly adjacent to the subject property. Due to these factors, staff finds the impact from approval of this request would likely be greatest on their property, and their support does lessen the risk of significant adverse change to the neighborhood resulting from the issuance of this variance.*

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

*While the deck would lose its front orientation, there is land on the lot on the western side of the structure to support an elevated deck without requiring a variance. The applicant states in their narrative that the abutting neighbor supports the variance because of the deck's orientation toward the front yard, which staff finds likely does mitigate noise and other potential impacts on their property compared with a deck that could be permitted by right in the western side yard.*

*As the Boca Ciega Dr.-facing yard of the structure has only a ten-foot setback requirement, with an existing 21-foot setback to the structure, the applicant could install a deck of the same depth on that side of the property without need for a variance. Staff anticipates this is less desirable to the owners due to the presence of a bay window on the east side of the structure, and construction on that side possibly resulting in a deck that is not logically laid out relative to the interior of the home. However, Staff finds that this could potentially address the*

*applicant's narrative concern about neighbor impacts. The applicant should address through testimony whether locating a deck on the eastern side was considered, and if so, why it was determined to not be a viable option.*

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

*Decks, other than ones that provide minimum code access or required egress, are generally considered accessory to the primary residential dwelling and are viewed as amenity features rather than an intrinsic and necessary part of residential development. Staff does not find the property to be significantly deficient in building square footage or outdoor amenity space compared with other properties in the vicinity, and a pool was recently installed on the property in a location which may have been more optimal for an elevated deck from a code and neighbor impact standpoint. However, the pool's permitting did take place before the current owners purchased the property.*

*Staff finds, to the extent the applicant adequately explains why the deck cannot be accommodated on the eastern side of the structure, it is a reasonable depth and size for use as an amenity feature. While a setback of approximately 15 feet to align with the front setback of other structures on the block would have been preferable from an impact standpoint, doing so would reduce the usable depth of the front deck area for guests and likely relegate the seating area of the deck to the western side, which would not resolve the issue advanced in the application narrative pertaining to adverse neighbor impacts.*

**Other Comments**

- The applicant should provide testimony on why the deck cannot be reasonably accommodated on the east side of the structure, where it could be constructed at the same depth without need for a variance.

**Summary**

If the applicant adequately supports why the deck cannot be accommodated on the eastern side of the structure, and the Board finds the applicant has adequately addressed all four criteria necessary to issue a practical difficulty variance, Staff recommends the following three conditions intended to protect the public welfare:

1. The western portion of the deck within the required side yard setback shall be developed and maintained with stairs and landing, and shall not in the future be renovated or redeveloped to maintain this space as solely a deck extension.
2. The deck shall not be roofed or enclosed.
3. A final as-built survey shall be submitted and approved prior to closeout of the associated building permit.

Should the board look favorably on the application, the applicant should be advised that any variance granted hereunder shall expire one (1) year from the date of the development order providing such variance, unless a building permit for the construction authorized by such variance is obtained within such

time and said building permit has not expired prior to the completion of construction in accordance therewith.

Respectfully submitted,

Brandon Berry  
Senior Planner

Cc: Meghan and Joseph Grant, Owners, *via email* ([mkeough04@gmail.com](mailto:mkeough04@gmail.com))  
Nancy Stuparich, Assistant City Attorney, *via email*



Memo To: Board of Adjustment  
From: Brandon Berry, Senior Planner  
Date: 5/29/2026  
Re: **CERTIFICATE OF COMPLETENESS**

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Please be advised that on this date, the following application has been deemed complete and will be scheduled for the Board of Adjustment and placed on the agenda for **June 29, 2026**.

**Variance Case Number:** 26094  
**Application Type:** Practical Difficulty Variance  
**Owner:** Meghan and Joseph Grant  
**Parcel Number:** 25-31-15-78102-098-0110  
**Address:** 8350 Boca Ciega Dr, St. Pete Beach, FL 33706  
**Zone:** RU-2

**Submittal Documents:**

1. Completed Practical Difficulty Variance package with application and impervious surface ratio form, consisting of six sheets.
2. Boundary Survey, completed by Edward D. Murphy, RLS, dated April 20, 2026, consisting of one sheet.
3. Drafted site plan showing proposed deck setback, consisting of one sheet.
4. Deck plan, showing deck square footage and dimensions, consisting of one sheet.
5. Deck elevations, north and west, consisting of two sheets.

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

**City/Board Professionals:**

- Board of Adjustment Attorney *via email*  City Manager

**Board Members:**

- Denise Chase  Vacant  
 Chris Core  Dan Small  
 Jim Schmidt

Cc: Meghan and Joseph Grant, Owners, *via email* ([mkeough04@gmail.com](mailto:mkeough04@gmail.com))

CASE #: \_\_\_\_\_

PARCEL #: 25-31-15-78102-098-0110

SUBMITTAL DATE: 5/4/26 AMOUNT DUE: \_\_\_\_\_ PAYMENT DATE: \_\_\_\_\_

**PRACTICAL DIFFICULTY VARIANCE APPLICATION**

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

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

**OWNER/AGENT INFORMATION:**

Identification	Name	Mailing Address	Phone #
Owner	Meghan + Joseph Grant	8350 Boca Ciega Dr. St Pete Beach, FL 33706	813-956-3859
Applicant/ Agent	Meghan + Joseph Grant	8350 Boca Ciega Dr. St Pete Beach, FL 33706	813-956-3859
Owner Email Address: mkeough04@gmail.com		Applicant/Agent Email Address:	

**PROPERTY FOR PROPOSED VARIANCE:**

Zoning Designation	Future Land Use Designation	Lot Area
RU 2		6700 sqft
Legal Description: ST PETERSBURG BEACH REPLAT OF BLK 98 BLK 98, LOT 11		
Address: 8350 Boca Ciega Dr. St Pete Beach, FL 33706		
<p>Explanation of Request: We are requesting a variance to Land Development Code Sec. 6.13.(c)(2)b. for the front yard setback. We would like to add an open, unroofed second-story deck on the northwest side of our corner-lot property. The deck will result in a 9ft encroachment into the North setback requirements. The proposed deck wraps the NW corner of our home (L-shaped) and totals 373sqft- the portion impacted by the current setbacks (and the reason for seeking the variance) is the 9ft X 26ft 6 15/16in section (incl staircase), totaling 239 sqft. The remaining portion of the deck measures 14x11ft (154sqft) Because this is a corner lot with greater setback limitations, this location is the most reasonable and compatible placement and allows for a functional deck while respecting</p>		

neighboring privacy and neighborhood character.

**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 limited to the north side of the property and relates to a proposed open, unroofed deck, not an enclosed living-space addition. The required setback is 20 feet, and we are requesting approval for an 11-foot setback, resulting in a 9-foot encroachment. The total proposed deck area is approximately 373 square feet, and the portion affected by the variance is the 9-foot by 26-foot 6 15/16 section, totaling 239 square feet.

While the variance is measurable, its impact is reduced by the fact that the structure is open and unroofed and therefore much less visually intensive than a roofed or enclosed addition. The request is also tied to the unique constraints of this property as a corner lot, which is subject to greater setback requirements than many interior lots in the neighborhood and leaves us with a significantly smaller practical building area for a customary residential improvement.

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

Granting this variance will not produce an adverse change in the character of the neighborhood. The proposed deck is open and unroofed, so it will maintain a light and compatible appearance rather than creating the visual mass of an enclosed addition. There is also a large oak tree within the 11-foot setback area on the north side that will help soften the appearance of the deck and integrate it into the overall streetscape.

In addition, there are multiple homes on our street that appear to extend beyond the 20-foot setback line, including at least two that appear to extend roughly 6 to 8 feet into that area. Although I do not have exact measurements for those homes, they demonstrate that our proposed deck will not look like an unusual protrusion or be out of scale with the surrounding neighborhood. Instead, it will be consistent with the existing pattern of development along the street.

Our neighbors are also supportive of the project, including our direct west neighbor, which further supports that the deck will not negatively affect the appearance or character of the area.

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

We have considered alternate layouts and locations for the deck, but due to the corner-lot configuration and resulting setback restrictions, there is no equally feasible alternative that would provide functional outdoor living space while maintaining good design and compatibility with adjacent properties.

Alternative placements would either result in an awkward design that does not fit the home well, or shift the deck toward a location that would be more intrusive to our west neighbor's private yard and pool area. In fact, our direct west neighbor supports this variance because the proposed layout places the deck's activity area in a location that is less intrusive to his property than a stricter code-compliant alternative could be.

For those reasons, the difficulty cannot reasonably be solved by another feasible method without creating an inferior design and a greater impact on neighboring privacy.

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

The difficulty arises from the unique physical and regulatory conditions of the property. Because this is a corner lot, the property is subject to more restrictive setback requirements than many similarly sized homes in the neighborhood. As a result, we have less flexibility to add a customary residential improvement such as an outdoor deck, even though our home is otherwise comparable in size and scale to nearby homes. Allowing the variance would serve the interest of justice because it would permit a reasonable, well-designed improvement that is compatible with the neighborhood, respectful of adjacent property owners, and less visually intensive than an enclosed addition. The deck is open and unroofed, softened by the presence of the existing oak tree, supported by neighbors, and placed in the location that best balances functionality, appearance, and privacy concerns.

Granting the variance would therefore allow fair and reasonable use of a constrained corner-lot property without harming the public interest.

*Meghan Gray*      5/4/26  
\_\_\_\_\_  
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.**

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

MG 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.

MG 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.

MG 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.

MG 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.

MG 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.

MG 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.**

mezhan grant      5/1/26  
Signature of Applicant      Date



**PUBLIC HEARING SIGN POSTING AFFIDAVIT**

Applicant, Meghan Grant, 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): Meghan Grant  
Address: 8350 Boca Ciega Dr St Pete Beach

mfgmt gmt 5/1/26  
Signature Date

STATE OF FLORIDA )  
 ) SS:  
PINELLAS COUNTY )

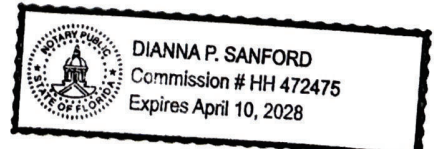
The foregoing instrument was acknowledged before me this 1 day of May, 2026 by: Meghan Grant who appeared before me, and is personally known to me, or has produced Drivers License as identification, and did take an oath.

My commission Expires: 4/10/28

NOTARY: Dianna P. Sanford  
Print Name: Dianna P. Sanford Notary

Public, State of Florida

(Notarial Seal)





N/A → OWNER SUBMITTING VARIANCE APPLICATION

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

I/We \_\_\_\_\_  
(Property Owner(s) printed name)

hereby authorize \_\_\_\_\_  
(Agent's printed name)

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

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

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

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

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

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day  
of \_\_\_\_\_ 20\_\_\_\_, by \_\_\_\_\_ who  
is personally known \_\_\_\_\_ or produced \_\_\_\_\_ as  
identification.

\_\_\_\_\_  
(Notary Signature) (Date)

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



# Impervious Surface Ratio (ISR) Worksheet

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

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

**Owner Name & Address**

JOSEPH & MEGHAN GRANT  
8350 BOCA CIEGA DR  
ST PETE BEACH FL

**Contractor/Applicant Name & Address**

Phone 813 956-3859

Phone \_\_\_\_\_

Email mkeough04@gmail.com

Email \_\_\_\_\_

Property Address 8350 BOCA CIEGA DR

Total Lot Area (sq. ft.) 6700

**Required Calculations:**

EXISTING IMPERVIOUS SURFACE:		
Building Footprint:	1357	sq. ft.
Parking and Driveway:	350	sq. ft.
Pool and/or Patio areas:	1032	sq. ft.
Walkways:	156	sq. ft.
Other:		sq. ft.
<b>TOTAL EXISTING IMPERVIOUS SURFACE:</b>	<b>2895</b>	sq. ft.

PROPOSED IMPERVIOUS SURFACE:		
Building Footprint:	1357	sq. ft.
Parking and Driveway:	350	sq. ft.
Pool and/or Patio areas:	1032	sq. ft.
Walkways:	156	sq. ft.
Other: <u>DECK/STAIR</u>	<u>373/48</u>	sq. ft.
<b>TOTAL PROPOSED IMPERVIOUS SURFACE:</b>	<b>3316</b>	sq. ft.

2895 sq. ft.	÷	6700 sq. ft.	=	48.2 %
Total Existing Impervious Surfaces		Lot Area		Existing Impervious Surface Ratio

3316 sq. ft.	÷	6700 sq. ft.	=	49.5 %
Total Proposed Impervious Surfaces		Lot Area		Proposed Impervious Surface Ratio

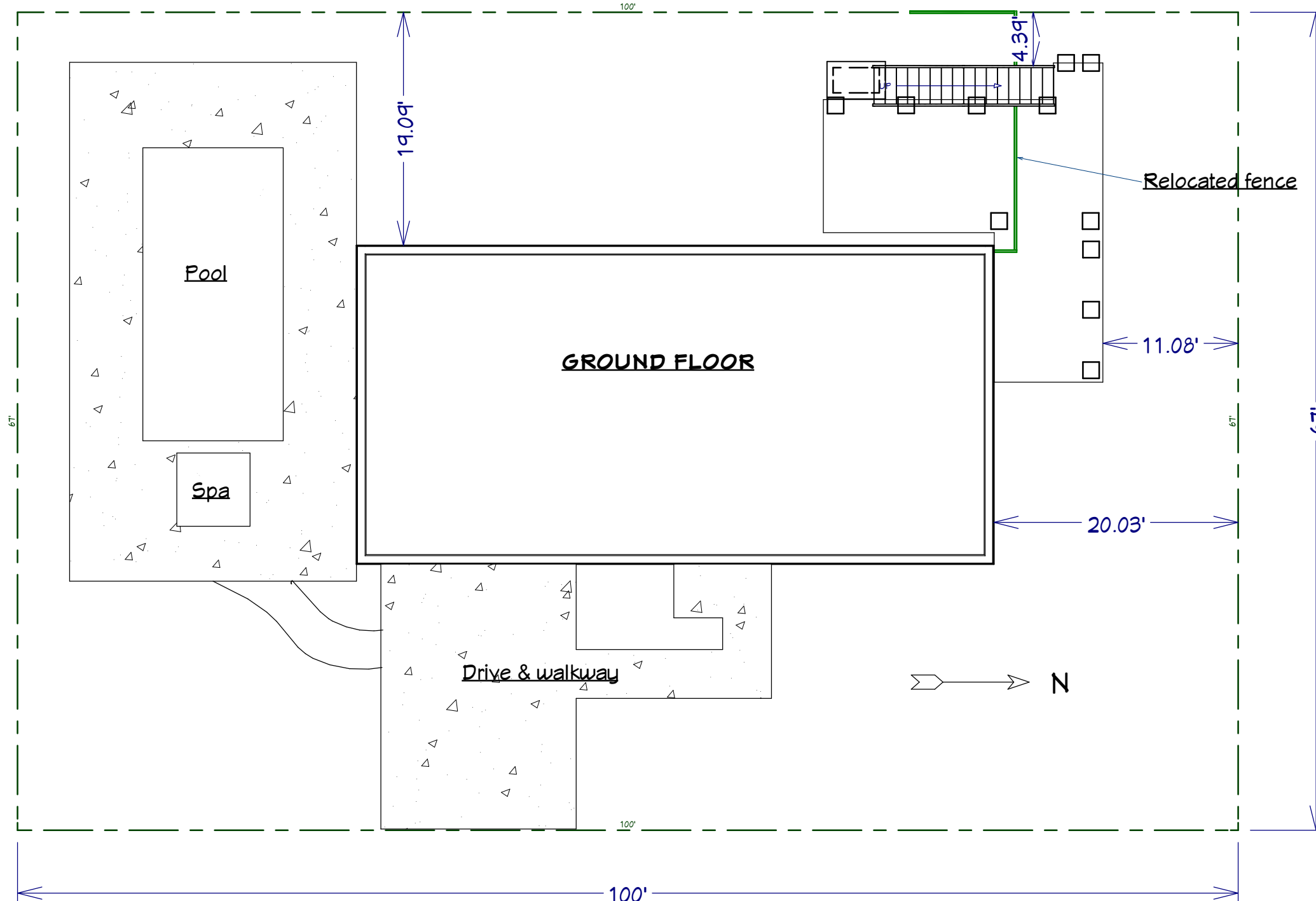
**Certification:**

I, Meghan Grant 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: Meghan Grant Date: 5/1/26



**SITE PLAN**  
**1" = 10'**



**JOSEPH & MEGHAN GRANT**  
**8350 BOCA CIEGA DR**  
**ST PETE BEACH, FL**

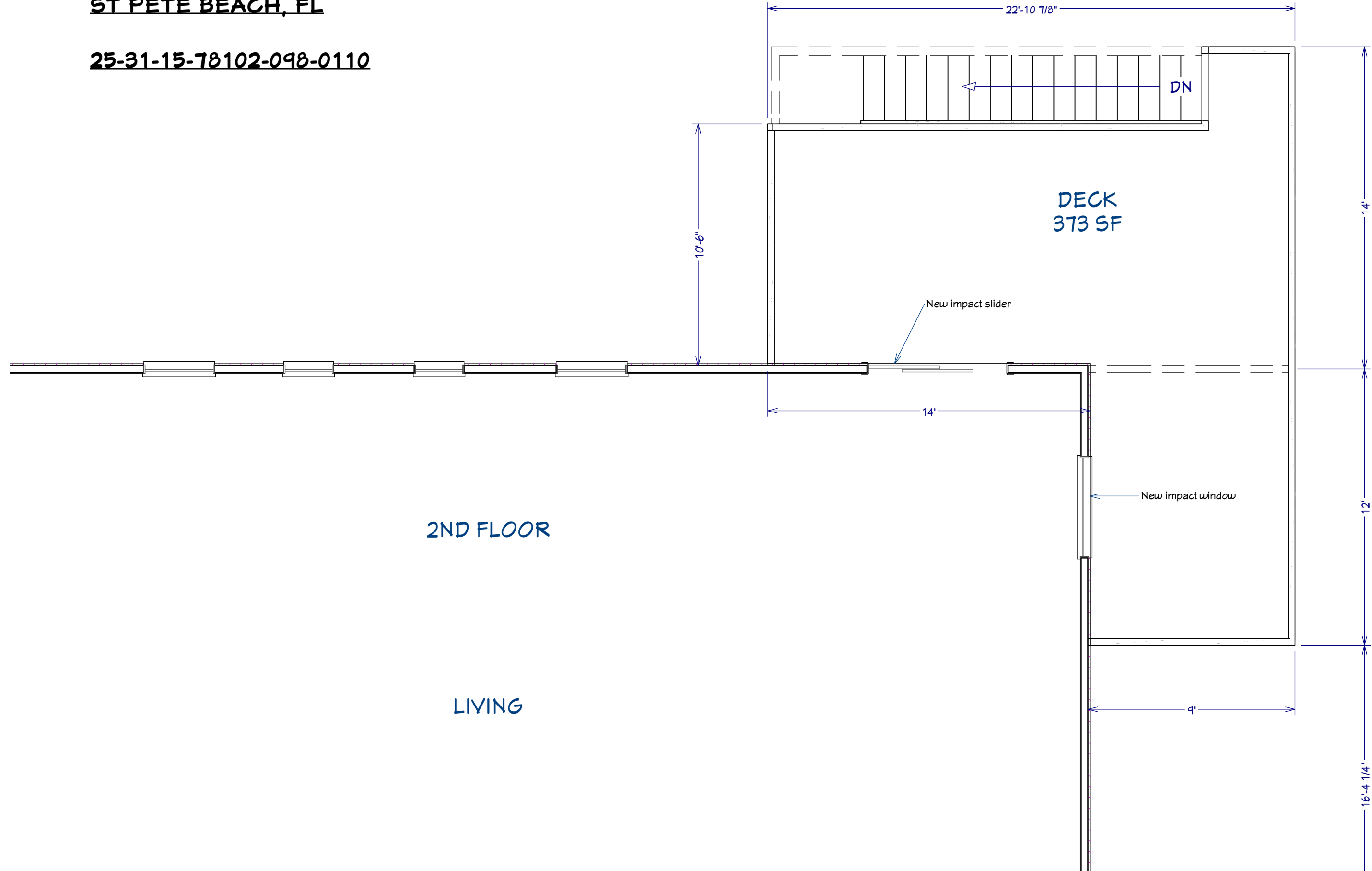
**25-31-15-78102-098-0110**

**JOSEPH & MEGHAN GRANT**  
**8350 BOCA CIEGA DR**  
**ST PETE BEACH, FL**

**25-31-15-78102-098-0110**

# **DECK PLAN**

**1/4" = 1'0"**





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

**CITY OF ST PETE BEACH BOARD OF ADJUSTMENT  
VARIANCE CASE NO. 26094 (Practical Difficulty)  
DEVELOPMENT ORDER**

A public hearing was held before the St Pete Beach Board of Adjustment (“BOA”) on the 29<sup>th</sup> day of June 2026 for review of a variance to Section 6.13.(c)(2)b. of the City of St. Pete Beach Land Development Code (“LDC” or “Land Development Code”) to allow for the applicants to construct an elevated deck at the front of their property facing 84<sup>th</sup> Avenue, with an 11.08-foot front setback proposed where 20 feet is required. The property is located at 8350 Boca Ciega Drive, St. Pete Beach, Florida, and the subject variance is requested by Meghan and Joseph Grant (“Property Owners” or “Applicants”).

The Board of Adjustment reviewed the published agenda materials, information presented at the hearing and testimony from Brandon Berry and Kristin Coman for the City. The Board of Adjustment has accepted testimony from Brandon Berry and Kristin Coman as experts in the area of land use and zoning in the City of St. Pete Beach.

Based on the information and testimony the BOA makes the following findings of fact and conclusions of law:

- a. Meghan and Joseph Grant are the owners of the subject property at 8350 Boca Ciega Drive, and the applicants for the subject case.
- b. Notice of the BOA hearing was provided to the Property Owner and owners of property within 300 feet as required by Section 3.4 of the LDC.
- c. The Subject Property is located within the RU Residential Urban Future Land Use category according to the City of St. Pete Beach Future Land Use Map, and the RU-2 Residential District according to the zoning map. Properties in this district are subject to a 20-foot setback requirement from the front property line, which is the property line abutting 84<sup>th</sup> Avenue for this property.
- d. In accordance with the requirements of Section 3.12 of the LDC, the BOA [approves or denies] the variance based on competent and substantial evidence in the record and presented at the public hearing for the variance request, finding the variance to be consistent with the Comprehensive Plan, and citing the following reasons for [approval or denial]:

1. *How substantial the variance is in relation to the requirement sought to be varied*  
– The BOA finds this request to be approximately 45 percent of the required standard, which is not significantly out of character for the area, with the majority of homes along the same block possessing a front setback of approximately 15 feet.

2. *Whether an adverse change will be produced in the character of the neighborhood*—The BOA finds this criteria is met, as the encroachment is generally in line with both the established setback on the block does not overpower the home’s architecture, and the most directly affected party has expressed support for the request.

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

4. *Whether, in view of the manner in which the difficulty arose, the interest of justice will be served by allowing the variance.*—The BOA finds this criteria to be generally met, based on supportive testimony for criteria 3. The requested variance provides for reasonable setback alignment and does not produce a larger deck than is reasonable to use it for its constructed purpose.

e. [Add any ex-parte communication].

**IT IS HEREBY ORDERED:**

f. [The variance case is approved based upon testimony shared by the applicants at the June 29, 2026 hearing in support of criteria 3 [and/or requested others], with the Board of Adjustment finding...] or [The variance case is denied based on inadequate testimony shared by the applicants at the June 29, 2026 hearing to support criteria 3, as issuance of a practical difficulty variance requires the applicant provide adequate support for all four applicable criteria].

g. The variance is [approved] with the following three (3) conditions:

1. The western portion of the deck within the required side yard setback shall be developed and maintained with stairs and landing, and shall not in the future be renovated or redeveloped to maintain this space as solely a deck extension.
2. The deck shall not be roofed or enclosed.
3. A final as-built survey shall be submitted and approved prior to closeout of the associated building permit.

h. The Applicant may record a certified copy of this Order in the Official Records of Pinellas County, Florida.

i. This action was made by a motion by \_\_\_\_\_ and seconded by \_\_\_\_\_ and upon being put to a vote, the result was as follows:

Denise Chase, Chair	_____
Chris Core, Member	_____
Jim Schmidt, Member	_____
Dan Small, Member	_____
Joe Kunzer, Member	_____

DULY PASSED AND ADOPTED THE 29<sup>TH</sup> DAY OF JUNE, 2026

St. Pete Beach Board of Adjustment

By: \_\_\_\_\_  
Denise Chase, Chair

STATE OF FLORIDA                    )  
COUNTY OF PINELLAS            )

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization this \_\_\_\_\_ day of \_\_\_\_\_, 2026, by Denise Chase, as Chair of the St Pete Beach Board of Adjustment,  who is personally known to me or  who has produced \_\_\_\_\_ as identification.

My commission expires:

\_\_\_\_\_  
NOTARY PUBLIC, State of Florida at Large

Print Name: \_\_\_\_\_

**ATTEST:**

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY**

\_\_\_\_\_  
\_\_\_\_\_, City Clerk

\_\_\_\_\_  
Vose Law Firm, City Attorney

This Development Order was filed in the Office of the City Clerk on this \_\_\_\_ day of \_\_\_\_\_, 2026. Any person aggrieved by this Order may appeal to the Circuit Court on or before thirty (30) days from the date of the Order as authorized in Section 3.14(b) of the St. Pete Beach Land Development Code.

## Brandon Berry

---

**From:** Jay Morrow <jaymorrow71@gmail.com>  
**Sent:** Monday, June 15, 2026 6:12 PM  
**To:** Brandon Berry  
**Subject:** CN26094 -8350 Boca Ciega Dr.

**CAUTION:** This message has originated from **Outside of the Organization. Do Not Click** on links or open attachments unless you are expecting the correspondence from the sender and know the content is safe

Good Afternoon

We are supportive of this variance, as it adds to the neighborhood.

Morrow Family  
8401 Boca Ciega

## Brandon Berry

---

**From:** Brandon Zeman <bzeman01@gmail.com>  
**Sent:** Wednesday, June 17, 2026 3:28 PM  
**To:** Brandon Berry  
**Subject:** Notice of Public Hearing

**CAUTION:** This message has originated from **Outside of the Organization**. **Do Not Click** on links or open attachments unless you are expecting the correspondence from the sender and know the content is safe

Hi Brandon,

My house (320 83rd Ave) is within 300 ft of two upcoming hearings before the Board of Adjustment: Case No 26094 (8350 Boca Ciega Dr) and Case No 26086 (8351 Blind Pass Rd). I received the notice of public hearing in the mail for both.

Unfortunately, I am unable to attend as I'm out of town on that date.

I am fully-supportive of both proposals. Case 26086 would be an aesthetic upgrade and is a common sense solution to the current disjointed parking area. Case 26094 doesn't seem to be anything offensive - while I don't personally know the homeowners, their property has always been well kept and I'm confident this will be tastefully done. I love seeing folks in our community continually improving on what we have.

Thank you for everything you do for the city!

Brandon Zeman  
Homeowner at 320 83rd Ave