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

155 Corey Avenue
St. Pete Beach, FL 33706

Wednesday, July 29, 2026
2:00 PM

Call to Order
Pledge of Allegiance
Roll Call

REGULAR MEETING

1. Approval of the Agenda -

Action Request: Motion to approve the July 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. June 29, 2026 Meeting

4. Action Items -
   a. Case No. 26112 - 199 21st Ave.
   Practical Difficulty Variance: Generator Supercenter of Tampa Bay for Matthew Lombardi requests to install an elevated generator in the western required side yard setback of a property containing a single-family residence, with a setback of four feet proposed where seven feet is required (LDC Sec. 6.14.(b)).

   b. Case No. 26104 -2941 E Vina Del Mar Blvd.
   Practical Difficulty Variance: David Iverson of Pinellas Generator and Electric for William R Zalla requests to install an elevated generator in the southern required side yard setback of a property containing a single-family residence, with a setback of three feet proposed where seven feet is required (LDC Sec. 6.14.(b)).

c. Case No. 26100 - 2511 E Vina Del Mar Blvd.
Practical Difficulty Variance: Kevin Murphy requests to install an elevated generator in the southern required side yard setback of a property containing a single-family residence, with a setback of four feet six inches proposed where seven feet is required (LDC Sec. 6.14.(b)).

d. Case No. 26099 - 2851 E Vina Del Mar Blvd.
Unnecessary & Undue Hardship Variance: Micah Thompson of Gulf & Bay Dock Works, LLC for CARLSON, ROBERT A REV TRUST and HEINTZ, DENISE TRE requests to reconstruct and expand an existing dock head to 24 feet width and 15 feet length, at a distance between 77 and 92 feet from the seawall, where all expansions located further than 50% of the waterfront property width from the seawall (37.5 feet) require authorization from both abutting waterfront property owners (LDC Sec. 6.23.(d)(3)).

e. Case No. 26111 - 3400 Gulf Blvd.
Unnecessary & Undue Hardship Variance: Jeffrey S. Connell of designONE Studio Architect for Michael E. Lentz, VP of Don CeSar TRS LLC requests to construct an elevated outdoor seating and access deck over a newly-redeveloped drainage area with a northern side yard setback of zero feet where 48.7 feet is required, where the former deck had a setback of approximately 21 feet (LDC Sec.14.7.(b)(3)).

f. Case No. 24003 Amendment - 3700 Gulf Blvd.
Unnecessary & Undue Hardship Variance: Pursuant to conditions one and two of authorized variance case 24003, Staff requests Board of Adjustment review of the eight unnecessary and undue hardship variance criteria in the context of presented design changes to the façade of the proposed multifamily building for amendment of the active variance authorization. This is the second request for amendment, following previous authorization for façade changes that were authorized in October 2024.

5. Adjournment - Next meeting to be held on August 26, 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.

DRAFT BOARD OF ADJUSTMENT MINUTES
June 29, 2026 – 2:00 P.M.
Commission Chambers

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

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

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

1. Approval of the Agenda -

Motion: Member Small moved, Member Schmidt seconded and the motion carried unanimously by voice vote to approve the June 29, 2026 agenda as presented.

Chair Chase welcomed new Board member Dr. Joe Kunzer and thanked him for serving. The Clerk swore in all those who would be testifying.

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

3. Approval of Minutes – May 27, 2026 Meeting

Motion: Member Core moved, Member Small seconded, and the motion carried unanimously to approve the May 27, 2026 meeting minutes as presented.

4. Action Items

a. Election of Board Officers 2026-27

Motion: Member Core moved, Member Small seconded and the motion carried 5-0 to reappoint Denise Chase as Board Chair for 2026-27.

Motion: Member Core moved, Member Small seconded and the motion carried 5-0 to appoint Chris Core as Board 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.

Senior Planner Brandon Berry presented the case for this variance request, which is part of the meeting record. The presentation included an aerial photo, detailed statement of request, surveys, and photos. Staff recommended three conditions 1) the original conditions 1, 2 and 3 of authorized

Variance #24002 remain in effect (any elevated deck railing used for the rooftop seating area shall be open in design to the extent possible under the Florida Building Code, the 3rd floor terrace and lower patio levels shall not be enclosed or roofed by any means to be construed as living space, fencing to secure the pool cannot exceed a height of 4'), 2) Any portion of the patio within the required five-foot southern side setback must remain as open wood decking or another permeable system that directs all runoff away from the neighboring property, and 3) Should the subject property or deck redevelop subsequent to the southern wall's removal, the owners must grade or use other mechanisms such as retaining walls to ensure swaled stormwater is not deflected to the neighbor's property. A letter of support was received from the neighbor to the south.

Ex-parte disclosures: Vice Chair Core had made a site visit.

Attorney Brian Aungst of 624 Court St., Clearwater appeared on behalf of the applicants and testified that the additional foot of encroachment was necessary to accommodate an existing stairwell and planter system; the new stairwell is in the same footprint, and the encroachment has always been there at just that portion of the setback. The neighbors have no setback for their deck due to the platting of the lots in the 1920s. Permeability, percolation and irrigation have been maintained to address staff concerns. His presentation is part of the meeting record.

Chair Chase commented that it is best practice to come to the City for the variance before rather than after the fact. There was no public comment. Board discussion was opened. The members expressed satisfaction that the property restraints and reason for the variance were adequately demonstrated, staff requirements were met, and there was no opposition from the neighbor.

Motion: Member Kunzer moved and Member Schmidt seconded to approve Variance Case 26059 with the three staff recommended conditions and found that the applicant adequately justified criteria 3 of the variance standards at 2909 Sunset Way. The motion carried 5-0.

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.

Mr. Berry presented the case for this variance request; his presentation is part of the meeting record and included details, survey, photographs and variance standards. Staff recommended the following conditions: 1) Deck boards should be spaced to maintain at least a 1/8" gap when accounting for thermal expansion and outer trim boards oriented to direct rainwater inward or away from the neighboring property. The surface below the deck should be permeable or graded to allow water to percolate into the subject property. 2) The applicant should submit a final as-built survey demonstrating the deck to be replaced in the same footprint as the survey submitted for this variance request. One letter of support was received and no comments in opposition.

Ex parte disclosures: Vice Chair Core site visit, Chair Chase drove by the property.

Sharon & Gerard Iacangelo appeared and testified to their need to only replace what was there prior to the hurricanes. The only condition they questioned was the need for (and expense of) another survey when they are replacing the deck as it was with no changes. Staff explained that an as-built

survey is required to confirm that construction matches the approved plans and noted that, because a recent survey already exists, the surveyor may only need to verify the setbacks rather than complete a new survey. Only a licensed surveyor can formally certify compliance.

There was no public comment, and the Chair opened board discussion, which was in favor of the variance as a straight replacement of what was lost in the hurricanes and the applicants were accepting of the recommended conditions.

Motion: Vice Chair Core moved and Member Small seconded to approve Variance Case 26071 at 2702 Pass-A-Grille Way with the two staff recommended conditions. The motion carried unanimously.

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.

Senior Planner Gil Martinez presented the case for this request. The presentation included request details, photographs of the current and proposed structure. Staff noted that the 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. No letters were received for or against the variance. Staff recommended at least the following conditions: 1) The enclosed area should be constructed and maintained as non-habitable storage space and not converted to living area. 2) Air conditioning or other permanent climate control systems cannot be installed within the storage area. 3) The proposed wall enclosing the outdoor living area should be modified to a knee wall consistent with the front elevation, as depicted in Figure 6 of the Staff Report. 4) The applicant should obtain all required building permits consistent with the approved plans and conditions. 5) Prior to issuance of a final inspection approval, Planning and Zoning staff will conduct a site inspection.

Ex parte disclosures: Member Small drove by the property.

Attorney Martha Bolton of 4055 Central Ave., St. Petersburg, testified on behalf of the Brodericks. The home is small and storge is at a premium. Regarding the Code Enforcement matter, her client ceased construction upon receiving the stop-work order and made ongoing efforts to obtain the necessary permits, which were delayed by the 2024 hurricanes and subsequent repairs to the property. The requested setbacks represent the minimum variance necessary due to the existing pool and retaining wall. Attorney Bolton noted the applicant's agreement with all staff-recommended conditions and presented neighboring property owners' letters of support in favor of approving the variance.

Public comment: John Wilson of 351 Belle Vista Drive E. spoke in support of the variance.

The Board discussed the unique circumstances surrounding the unpermitted structure, acknowledging the applicant's hardships while emphasizing that each variance request must be

evaluated on its own merits. Members concluded that the requested setbacks met the hardship criteria, expressed support for the variance subject to the staff-recommended conditions, and clarified that the applicant must obtain all required after-the-fact permits within one year. The Board also agreed that final decisions regarding plumbing, electrical, and other code compliance should be addressed through the permitting and inspection process rather than by the Board.

Motion: Member Small moved to approve Variance Case No. 25147 for 3535 Belle Vista Drive East, based on the competent, substantial evidence and testimony presented, subject to the five staff-recommended conditions, as amended to require that all necessary permits be obtained within one year. Member Schmidt seconded and the motion carried 5-0.

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.

Mr. Berry presented the case for this request including a survey, photo of existing conditions, plans, impervious surface ratio, and explanation of the hardship. The ROR zoning district Code effectively renders a substantial portion of the otherwise permitted impervious area (44%) unusable for any practical site development), and a review of the aspects of the request that are aligned with the intent & purpose of the LDC. The applicants are requesting to asphalt all 13 parking spaces. The Board must make positive findings on all eight variance criteria to justify granting of a variance. Some additional applicant testimony was requested. The Board could consider any conditions it finds are necessary to protect the public interest, including the following: 1) The applicant should submit and have approved a final as-built survey prior to close out of the companion permit. 2) The applicant should 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 should be installed at eight feet in width and the remaining four feet added to the buffer along the frontage within the property boundaries, with landscaping installed to be in greater compliance with LDC Sec. 22.7. One letter of support from the 84th Avenue side was received.

Ex parte disclosures: Member Small visited the site and Vice Chair Core drove by the property

Tray Ware of Ware & Sliker Construction testified as agent for Jonathan Rinkinen and Brittany Pierpont that the applicants are not seeking additional impervious area or developmental rights, only modifying the surface area for parking already permitted to them as part of the ROR zoning district. His presentation showed the current a mix of paving materials including cracked pavement and turfblock, which can be a challenge for some individuals. The request complies with ISRs for the lot. He testified that the paving would be more visually appealing; safer from trip hazards, better for storm control with curbs, and property value retention. Applicant Brittany Pierpont, owner of Pure Dental, explained that the request was driven primarily by patient safety; many of her elderly patients use wheelchairs and walkers and have difficulty navigating the existing surface. She cited a recent incident in which a patient fell, reinforcing the need for improved accessibility. Additional parking was needed to accommodate her staff and tenants while limiting each leased office to one

parking space. The applicant expressed no objection to the staff recommendation to designate four of the new parking spaces as compact to allow for additional landscaping.

There was no public comment, and the Chair opened board discussion, which found that the applicant had demonstrated the required hardship criteria based on the safety concerns for elderly and mobility-impaired patients and the operational need for additional parking. Members discussed stormwater management, agreeing that standard parking lot curbs should be included to direct runoff away from neighboring properties. The applicant's testimony, regarding accessibility and patient safety, addressed their initial concerns and led them to support the request. They felt the eight criteria necessary to demonstrate an unnecessary and undue hardship had been met, including criteria 1 and 7.

Motion: Member Schmidt moved and Member Kunzer seconded to approve Variance Case 26086 at 8351 Blind Pass Rd. with staff recommended conditions and reliable testimony satisfying the variance criteria. The motion carried 5-0.

Chair called recess at 3:42 PM and reconvened at 3:48 PM.

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.

Mr. Berry presented the case for this variance request. The presentation included photographs and is part of the meeting record. Staff requested testimony as to why the deck cannot be accommodated on the east side of the structure, where it could be constructed at the same depth without need for a variance. Staff recommended the following three conditions intended to protect the public welfare: 1) The western portion of the deck within the required side yard setback should be developed and maintained with stairs and landing and not be renovated or redeveloped to maintain this space as solely a deck extension in the future. 2) The deck cannot be roofed or enclosed. 3) A final as-built survey shall be submitted and approved prior to close out of the associated building permit. Two letters of support were received.

Applicants Meghan and Joseph Grant of 8350 Boca Ciega Drive testified that the request was due to the configuration of their corner lot. Building the deck on the east side would place it along a busy street and school traffic area, making it less suitable for family use and access to the backyard. The west-side location provided better circulation from the home to the yard and was chosen after discussing options with neighboring property owners. Placing the deck directly to the rear could affect a neighbor’s pool area, and they wanted to be compatible with surrounding properties. They submitted an additional letter of support from the adjacent west-side neighbor and confirmed that the deck would be constructed with composite decking material.

There were no ex-parte disclosures.

There was no public comment, and the Chair opened board discussion. The members agreed that the request represented a typical hardship associated with a corner lot, where the property is subject to two front-yard setbacks that do not align well with the home's layout. Members found the applicant's explanation for the proposed deck location reasonable, noted the effort to minimize

impacts on neighboring properties, and observed that similar deck placements were common in the neighborhood. The Board also recognized the neighboring property owners' support for the request.

Motion: Member Kunzer moved, Member Schmidt seconded and the motion carried 5-0 to approve Variance Case 26094 at 8350 Boca Ciega Dr. with the staff recommended conditions.

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

Chair Chase adjourned the meeting at 4:00 PM.

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

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

Agenda Report

Agenda Title Name: **Case No. 26112 - 199 21st Ave.**

Action Request: Motion to [approve with two recommended staff conditions/approve/deny/continue to [specify date certain]] practical difficulty variance 26112 for 199 21st Avenue.

Strategic Objective:

Date: July 29, 2026

Prepared By: Brandon Berry, Senior Planner

Through: Laura Canary, Community Development Director

Summary of Issue: Staff finds the applicant has adequately supported the four variance criteria. The location proposed for the generator is the most logical from screening, existing layout, and adjacent development standpoints. The device will operate only during outages and its decibel rating during weekly exercises is relatively aligned with the City's noise limitation ordinance.

Staff recommends the device retain a similar decibel level if replaced in the future, and a final as-built survey be submitted to verify its location and setback.

Funding: N/A

Attachments:

1. 26112 - Staff Report
2. 26112 - Development Order Draft
3. 26112 - Certificate of Completeness with submittal documents
4. 26112 - Revised Survey showing generator location

Date: **July 3, 2026**

To: **Board of Adjustment**

Re: **Staff Findings Report**
Practical Difficulty Variance
Address: 199 21st Avenue
Parcel Number: 18-32-16-94140-001-0030
Generator Supercenter of Tampa Bay for Matthew and Kimberly Lombardi
Variance Case No: 26112

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

Hearing Date: **July 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 application, consisting of five sheets.
2. Supplemental response email, dated June 21, 2026, consisting of three sheets.
3. Boundary survey with physical raised seal, prepared by David G Cutler, P.S.M., completed July 31, 2025, consisting of two sheets.
4. Site plan showing generator location overlaid on survey, consisting of one sheet.

Staff offers the following comments for Board's consideration:

Site Description/Surrounding Land Uses

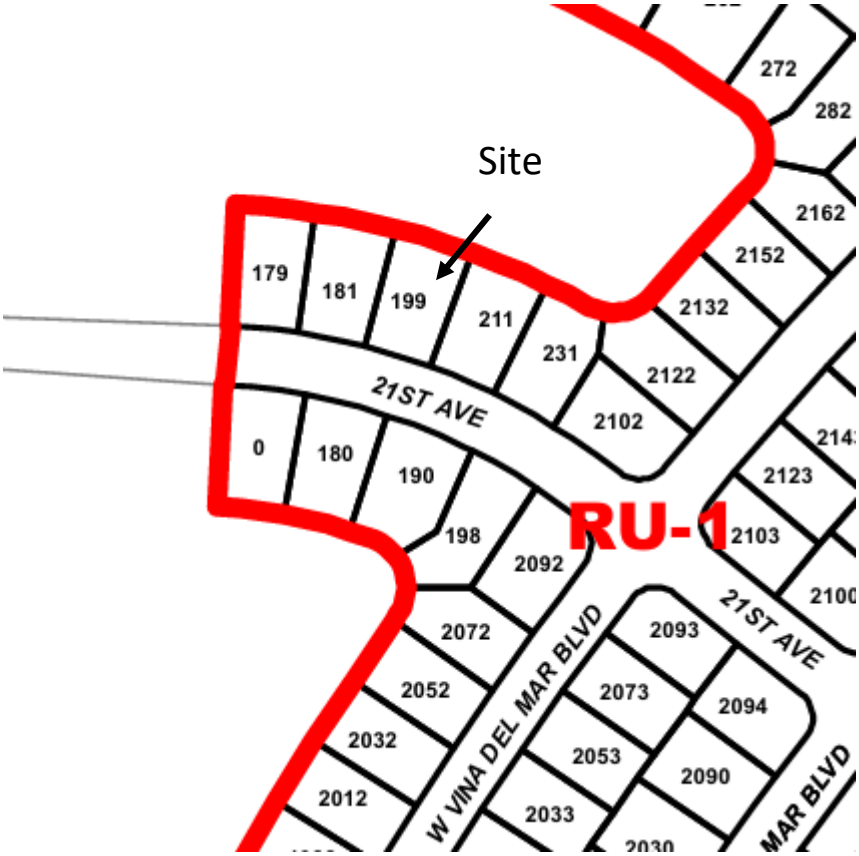
The subject site is a 74'x120' property containing a single-family home that comprises a full platted lot of the Vina Del Mar Section 1 subdivision. The property is adjacent a vacant lot zoned for detached single-family to the west, and a developed property containing a single-family residence to the east. The properties to its south, adjacent 21st Avenue, are also developed and in use as single-family residential.

The subject property was separated from Lot 2 to its immediate west when it was sold in mid-2025. Both lots are legally sized to contain a single-family residence. The lots are somewhat unique for the City in general as they are among the only properties with substantial portions located within a 500-year rather than 100-year floodplain, removing large areas of the lot from the legal floodplain management requirements that apply to virtually all other properties in the City. The subject home was however built in 2007, under the former flood maps that required the residence to be elevated.

Figure 1: Aerial Photography

Source: Pinellas County Property Appraiser

Figure 2: Zoning Map



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

Request

The applicant is requesting to newly-install an elevated generator along the western side of the home, with a side setback of four feet requested where seven feet is required for equipment elevated more than two feet above grade in the RU-1 zoning district. The generator will overhang the subject property's walkway between the front driveway area and rear pool deck, and adjoins a wall and heavily-vegetated area of the newly-separated property to its west.

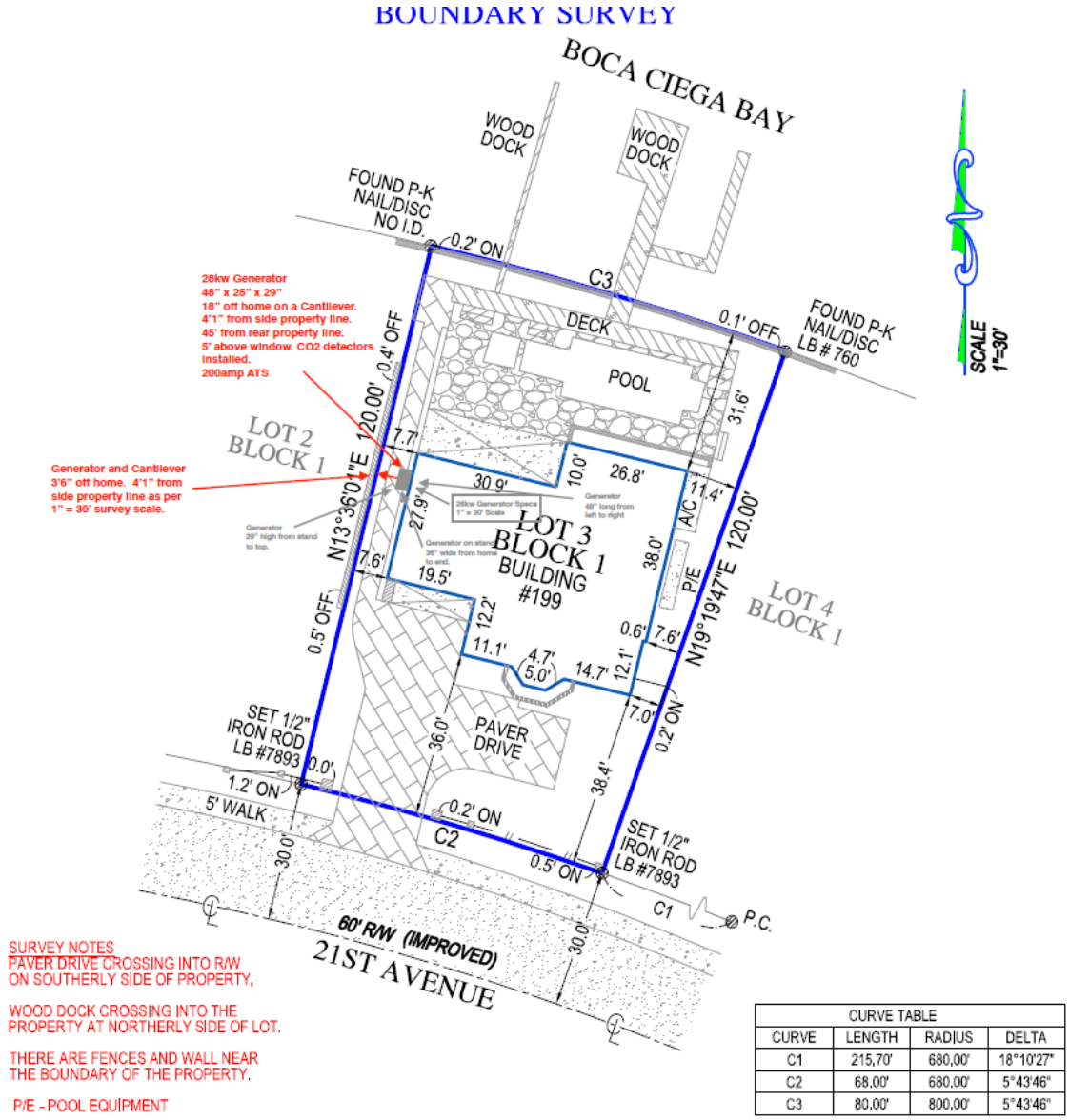
Analysis

a. **Required side yard setback:** Where seven feet is required for equipment elevated more than two feet within the RU-1 District, pursuant to Land Development Code Section 6.14.(b). The applicant is requesting to install a new generator with a setback of four feet.

b.

Figure 3: Zoning Table			
Equipment elevated more than two feet from grade	**199 21st Avenue**		
	RU-1 Required	**Existing Setback**	**Proposed Setback**
Side Yard Setback (Min.)	7 feet	7.6 feet	4 feet **(v)**
***Denotes existing non-conformity** **(v) Variance required**			

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



Additional Comments

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

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 side setback of four feet where seven feet is required, representing a variance of approximately 43% to the required setback standard. The variance is required solely as the equipment is proposed to be elevated – if the owner chose to elevate the equipment no more than two feet above grade, the equipment could be located in the subject side yard. The decision to elevate the equipment five feet above the home's windows in the side yard necessitates the variance.

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

   Staff finds no adverse change would be produced in the character of the neighborhood by issuance of this variance. Staff finds the basis for the stricter setback criteria for elevated equipment is to avoid visual overcrowding of adjacent development, and for generators specifically, to limit nuisance noise impacts to abutting developed property. In the subject case, the equipment is substantially recessed from the property frontage, at approximately a 70-foot setback from the front property line, and set partially below extended side eaves. The area is also heavily vegetated, but that vegetation is maintained by the neighbor and may be removed in the future. All of these conditions contribute to mitigating visual impacts of the elevated generator.

   The generator specifications submitted with the permit provide for a 67 decibel sound level at a distance of 23 feet when operating at full load, and 55 decibels at 23 feet when operating in low-speed exercise mode. At free field estimates, this would result in an expected decibel level of 62 decibels during test mode at the location of a newly-developed home to the west set at the minimum required side setback, and around 74 decibels when operating under full load. According to manufacturer specifications, the test occurs once per week for approximately 5-15 minutes depending on model. The higher decibel level would only generally occur during emergencies, when the City provides some suspension of its noise limitations. While the conditions present along the western side of the home will not truly be free field once a home is developed, due to the potential closeness of the structures, it does provide the ability for coordination of equipment location to limit impact to both neighbors.

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 home being located out of a flood zone, and based on the best available data provided by the applicant through submittal of a pre-map change elevation certificate, it appears the equipment could be placed at or near grade. This would allow the owner to install the equipment in a side yard without need to obtain a variance. However, the home's other

living level-associated equipment is elevated, and staff finds it is reasonable for an owner to want to elevate equipment from low-level flooding that could occur due to a substantial future event, particularly as it may be the only means by which the residence maintains power during the storm. Lack of air conditioning was frequently cited by property owners as a basis for inability to reinhabit and the basis for interior deterioration following the 2024 hurricanes.
Staff does not find it would be reasonable to locate the generator in another area of the property. Placing it in the rear yard would place it adjacent a pool. Placing it in the front yard would either limit use of the driveway or would require the proposed elevated equipment to be standing on a pad in the front yard, which would look out of place for the neighborhood. While the equipment could be located on the eastern side, above existing pool equipment, it is still likely to encroach into a required yard. This would also require the applicant to reroute gas and electric to the other side of the house, which they state would come at significant cost. Staff finds that, from a feasibility perspective, that exceeds the bounds of a practical difficulty variance.

4. **Whether, in view of the manner in which the difficulty arose, the** *with* **interest of justice will be served by allowing the variance.**
   Staff finds the interest of justice is generally supported by a finding of infeasible alternatives when the request pertains to installation of a generator, as they serve a direct life/safety purpose tied with the City's strategic goal of expediting recovery following storm events, and their potential nuisance impact outside of emergency periods is minimal. In that sense, given the inability to reasonably accommodate the generator in the property's other yards, the screening provided for the generator based on its location, and the selection of a generator that is unlikely to have nuisance noise impacts outside of emergency events, staff finds the interest of justice would be fulfilled through issuance of this variance.

Other Comments

- The applicant or agent should confirm that the generator for which product information has been provided is the generator that is confirmed for installation.

Summary

Staff finds the request is reasonable and meets the criteria for issuance of a practical difficulty variance. The applicant has reasonably justified the need for the generator and the inability to accommodate it in another yard. Generators are one of the most cost-effective upgrades that can occur to residential property to assist with recovery following storm events, and their impact is modest outside of those periods. Staff finds the applicant has justified why the western side yard is the most feasible location for the equipment.

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

1. Any exchange of the generator shall be with a device that, while exercising, shall not exceed 65 decibels measured at ten feet from the device when measured using the inverse square calculation.

2. The applicant shall submit and have approved a final survey confirming the generator's location and setback 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

Brandon Berry
Senior Planner

Cc: Matthew Lombardi, Owner, via email (dr.mglombari@gmail.com)
Generator Supercenter of Tampa Bay, Agent, via email (permits@gsctampa.com)

CITY OF ST PETE BEACH BOARD OF ADJUSTMENT
VARIANCE CASE NO. 26112 (Practical Difficulty)
DEVELOPMENT ORDER

A public hearing was held before the St Pete Beach Board of Adjustment ("BOA") on the 29th day of July 2026 for review of a variance to Section 6.14.(b) of the City of St. Pete Beach Land Development Code ("LDC" or "Land Development Code") to allow for the applicant to install an elevated generator at four feet from the required side property line where a setback of seven feet is required. The property is located at 199 21st Avenue, St. Pete Beach, Florida, and the subject variance is requested by Generator Supercenter of Tampa Bay ("Agent" for Matthew and Kimberly Lombardi ("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. Matthew and Kimberly Lombardi are the owners of the subject property at 199 21st Avenue, and the initial 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-1 zoning district according to the zoning map. Properties in this district are subject to an elevated side equipment setback of 10% of the lot width or seven feet, whichever is less, which for this property requires a setback of seven feet.

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 the subject request represents a variance of approximately 43% to the required standard, which is not substantial given the existing building location and conditions.

2. *Whether an adverse change will be produced in the character of the neighborhood*—The BOA finds this criteria is met, as the generator is recessed from the frontage and expected to have no significant visual impact when viewed from the street, and the generator proposed for installation is not expected to cause significant noise nuisance impacts to the abutting neighbor due to its moderate operating decibel level during weekly exercising. While the device will be a higher decibel level during outages, the City's noise ordinance accounts and excepts emergency conditions from application of decibel standards.

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 placing it within another yard area outside of a required setback may significantly impact existing site features, such as the driveway or the rear pool. While the subject property appears to be located out of a required flood zone in the location where the equipment is proposed, the Board also finds it appropriate to allow for elevated equipment when considered in light of other evidence provided, to ensure that the home can be remain supplied with power during any future major event to support neighborhood reoccupancy and associated resiliency benefits.

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 the generator serves a direct life/safety purpose associated with reoccupancy of the primary dwelling following a storm event rather than use of an accessory amenity, and the applicant has reasonably supported the inability to support the generator in another required yard in a manner that is logical.

e. [Space for ex-parte communication]

IT IS HEREBY ORDERED:

f. The variance case is approved based upon the narrative and associated case documents provided by the applicants in support of all four variance criteria, as stated in the staff report.

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

1. Any exchange of the generator shall be with a device that, while exercising, shall not exceed 65 decibels measured at ten feet from the device when measured using the inverse square calculation.
2. The applicant shall submit and have approved a final survey confirming the generator's location and setback 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 [member] and seconded by [member] and upon being put to a vote, the result was as follows:

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

DULY PASSED AND ADOPTED THE 29TH DAY OF JULY, 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:

_____
_____, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

_____
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.

Memo To: Board of Adjustment
From: Brandon Berry, Senior Planner
Date: 7/2/2026
Re: **CERTIFICATE OF COMPLETENESS**

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

Variance Case Number: 26112
Application Type: Practical Difficulty Variance
Owner: Matthew Lombardi
Applicant/Agent: Generator Supercenter of Tampa
Parcel Number: 18-32-16-94140-001-0030
Address: 199 21st Ave
Zone: RU-1

Submittal Documents:

1. Completed practical difficulty variance application, consisting of five sheets.
2. Supplemental response email, dated June 21, 2026, consisting of three sheets.
3. Boundary survey with physical raised seal, prepared by David G Cutler, P.S.M., completed July 31, 2025, consisting of two sheets.
4. Site plan showing generator location overlaid on survey, 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
- ☐ Chris Core
- ☐ Jim Schmidt
- ☐ Joe Kunzer
- ☐ Dan Small

Cc: Matthew Lombardi, Owner, via email (dr.mglombari@gmail.com)
Generator Supercenter of Tampa Bay, Agent, via email (permits@gsctampa.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.
- 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	Matthew Lombardi	199 21st Ave, St. Pete Beach, FL, 33706	401-257-8255
Applicant/ Agent	Matthew Lombardi	199 21st Ave, St. Pete Beach FL, 33706	401-257-8255
Owner Email Address: dr.mglombardi@gmail.com		Applicant/Agent Email Address: dr.mglombardi@gmail.com	

PROPERTY FOR PROPOSED VARIANCE:

Zoning Designation	Future Land Use Designation	Lot Area
RV1	RV	0.25 acres

Legal Description: Personal Residence

Address: 199 21st Ave, St. Pete Beach, FL 33706

Explanation of Request: Installing a generator elevated to 11ft within the left/west sideyard set back of four feet where seven feet is required, requiring a variance from Land Development Code Section 6.14.(b).

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 would be within the allowable limits in other places within Pinellas County such as St. Petersburg. Generators on a raised cantilever attached to the house have a setback requirement of 4 ft in other parts of Pinellas County therefore the variance is not substantial compared to the requirement of St. Pete Beach at 7 ft.

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

Many homes that are spaced close together on the water in St. Pete Beach have generators already on the sides of their homes. This generator will be like many others in the neighborhood. The generator (Ney Generation 28kw Generac) operates at 67 dB(A) which is the same as a air conditioner. The generator will only run 1 hour a week for maintenance or in an emergency.

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

The only other potential place to put the generator on the property, which would also probably be within the 7 ft requirement, would be on the other side of the house above the AC units however would require exposed conduit to be run on outside of the house, then digging up driveway to place conduit to get electrical to other side. Also a new trench would need to be dug for gas. The cost of this would be so large and damage to the property would make this unfeasible and would essentially prevent me from having a generator at all.

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

By allowing the generator in the proposed location by the variance, this helps safeguard my primary residence and family including young children in a disaster/emergency situation if we were to lose power.

Signature of Applicant	Date	Signature of Authorized Agent	Date
Dr. Matthew Lombardi	6/17/26		

St. Pete Beach
The Sunset Capital of Florida

VARIANCE APPLICATION

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

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

_____ I understand that a non-conforming use or structure in a particular zoning district does not, in any way, provide justification for the granting of a variance. Furthermore, the existence of a permitted use or structure in adjacent districts does not constitute grounds for a variance.

_____ On all variances except for administrative (de-minimis) variances, a majority vote is required. Action on this application by the BOA/City Commission may be continued to a later meeting.

_____ I understand that if a variance is approved by the BOA, City Commission or City Manager, the applicant is required to obtain the appropriate building permits within 1 year from the date of the decision. If no permit is obtained within 1 year, the approval becomes voided.

_____ I understand that if any application filed under the provisions of this Code is denied, no subsequent application seeking substantially the same or similar approval shall be filed within six months of the final decision on the original application.

_____ I understand that any person aggrieved by the final decision of the Board of Adjustment or City Commission has the right to file a petition in the Pinellas County Circuit Court within 30 calendar days after the decision. Appeals of decisions made by the City Manager for administrative variances are to a hearing officer designated by the City Commission and must be made within 30 days from the date of the final administrative decision. Permits for construction may be granted prior to the expiration of this 30-day period, but an appeal will be grounds for revocation of the permit.

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

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

Dr. Matthew Gaylord — 6/17/26

Signature of Applicant — Date

St. Pete Beach
The Sunset Capital of Florida

Owner's Authorization For Agent Form

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

I/We Dr. Matthew Lombardi
(Property Owner(s) printed name)

hereby authorize Generator Supercenter of Tampa Representative
(Agent's printed name)

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

D. Matthew Lombardi
Signature of Owner

Matthew Lombardi
Owner's Printed Name

Signature of Owner

Owner's Printed Name

The foregoing instrument was acknowledged before me this 10 **day of** June **20**24 **by** Matthew Lombardi **who is personally known** _____ **or produced** FLDL **as identification.**

Jennifer Teray Ledford 6/10/24

(Notary Signature) **(Date)**

My commission expires May 11, 2029

JENNIFER TERAY LEDFORD
Notary Public - State of Florida
Commission # HH 675417
My Comm. Expires May 11, 2029
Bonded through National Notary Assn.

St. Pete Beach
The Sunset Capital of Florida

PUBLIC HEARING SIGN POSTING AFFIDAVIT

Applicant, Matthew Lombardi, 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): Matthew Lombardi

Address: 199 21st Avenue, St. Pete Beach, FL 33706

D. Matthew Lombardi — 06/17/2026

Signature *Date*

STATE OF FLORIDA)
) SS:
PINELLAS COUNTY)

The foregoing instrument was acknowledged before me this 10 day of June, 2024 by: Matthew Lombardi who appeared before me, and is personally known to me, or has produced FL DL 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)

JENNIFER TERAY LEDFORD
Notary Public - State of Florida
Commission # HH 675417
My Comm. Expires May 11, 2029
Bonded through National Notary Assn.

LEGAL DESCRIPTION AND CERTIFICATION

LOT 3, BLOCK 1, VINA DEL MAR SECTION ONE, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 34, PAGE 53, OF THE PUBLIC RECORDS IF PINELLAS COUNTY, FLORIDA.

Community Number: 125149 Panel: 0278 Suffix: H F.I.R.M. Date: Flood Zone: X/AE Field Work: 7/31/2025

Certified To:
MATTHEW LOMBARDI AND KIMBERLY LOMBARDI; SEA STAR TITLE COMPANY, LLC; OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY; MPIRE FINANCIAL GROUP LLC

Property Address:
199 21ST AVENUE
ST PETE BEACH, FL 33706

Survey Number: 703222

Client File Number: 159526

ABBREVIATION DESCRIPTION:

A.E.	ANCHOR EASEMENT	F.F. EL.	FINISH FLOOR ELEVATION
A/C	AIR CONDITIONER	F.I.P.	FOUND IRON PIPE
B.M.	BENCH MARK	F.I.R.	FOUND IRON ROD
B.R.	BEARING REFERENCE	F.P.K.	FOUND PARKER-KALON NAIL
(C)	CALCULATED	(L)	LENGTH
?	CENTRAL / DELTA ANGLE	L.A.E.	LIMITED ACCESS EASEMENT
CH	CHORD	L.M.E.	LAKE MAINTENANCE EASEMENT
(D)	DEED / DESCRIPTION	(M)	MEASURED / FIELD VERIFIED
D.E.	DRAINAGE EASEMENT	M.H.	MANHOLE
D.H.	DRILL HOLE	N&D	NAIL & DISK
D/W	DRIVEWAY	N.R.	NOT RADIAL
E.O.W.	EDGE OF WATER	N.T.S.	NOT TO SCALE
F.C.M.	FOUND CONCRETE MONUMENT	O.H.L.	OVERHEAD UTILITY LINES
O.R.B.	OFFICIAL RECORDS BOOK		
(P)	PLAT		
P.B.	PLAT BOOK		
P.C.	POINT OF CURVATURE		
P.C.C.	POINT OF COMPOUND CURVE		
P.O.B.	POINT OF BEGINNING		
P.O.C.	POINT OF COMMENCEMENT		
P.R.C.	POINT OF REVERSE CURVE		
P.T.	POINT OF TANGENCY		
R/W	RIGHT-OF-WAY		
(R)	RADIAL / RADIUS		
S.I.R.	SET IRON ROD		
T.O.B.	TOP OF BANK		
U.E.	UTILITY EASEMENT		

SYMBOL DESCRIPTIONS:

= CATCH BASIN
= CENTERLINE ROAD
= COVERED AREA
+ X.XX = EXISTING ELEVATION
= HYDRANT
= MANHOLE
= METAL FENCE
= MISC. FENCE
= PROPERTY CORNER
U.B. = UTILITY BOX
U.P. = UTILITY POLE
WM = WATER METER
= WELL
= WOOD FENCE

DAVID G CUTLER CERTIFICATE NO. 5593 STATE OF FLORIDA PROFESSIONAL SURVEYOR & MAPPER

DAVID G CUTLER Digitally signed by DAVID G CUTLER Date: 2025.08.01 17:01:15 -04'00'

SURVEYORS CERTIFICATE

I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY PREPARED UNDER MY DIRECTION. NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL, OR A RAISED EMBOSSED SEAL AND SIGNATURE.

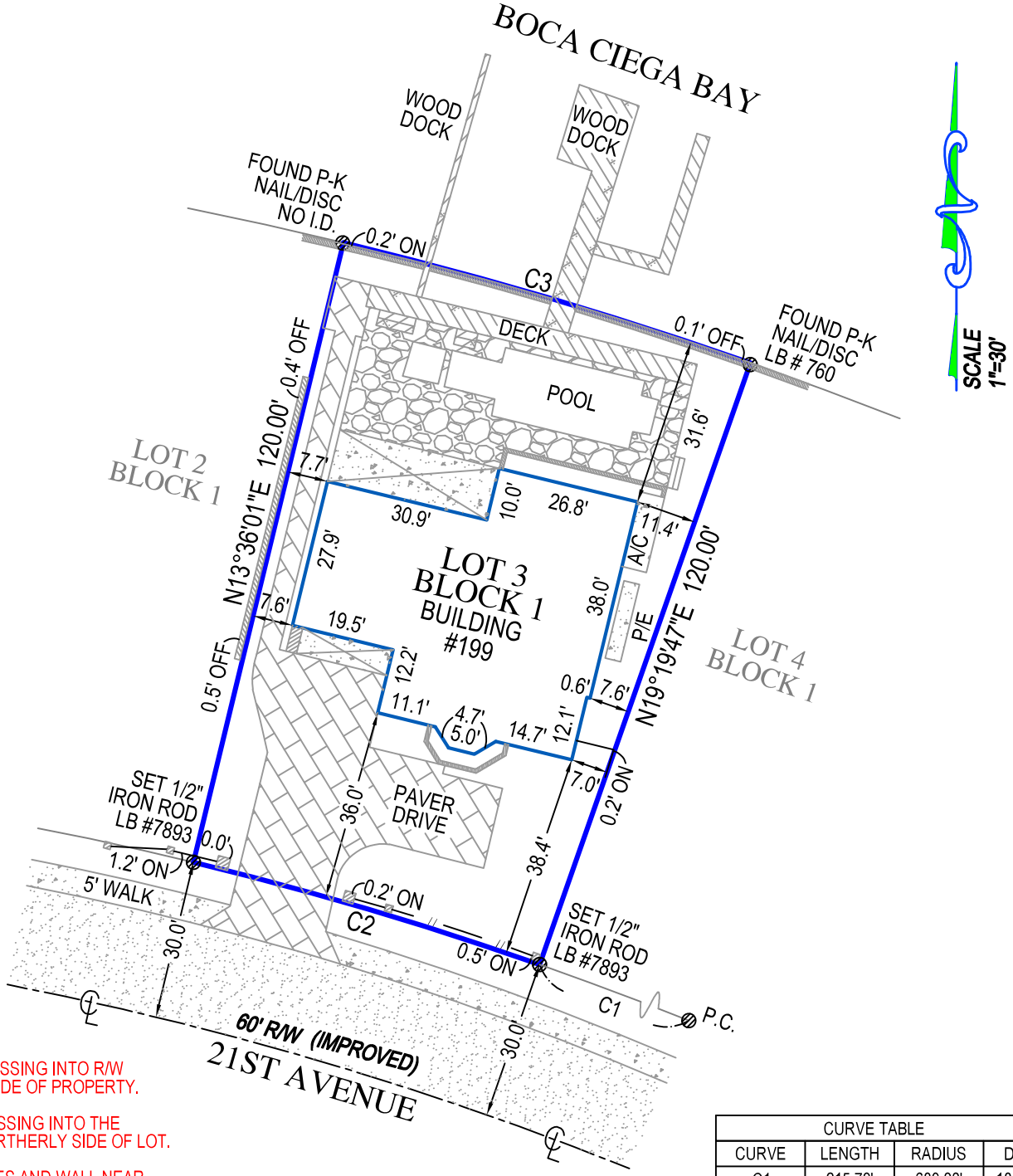
(SIGNED)
DAVID G CUTLER
PROFESSIONAL SURVEYOR AND MAPPER #5593

PRINTING INSTRUCTIONS:
WHEN PRINTING BE SURE TO SELECT "ACTUAL SIZE" TO ENSURE PROPER SCALING. DO NOT USE "FIT"

PAGE 1 OF 2 PAGES
(NOT COMPLETE WITHOUT PAGE 2)

TARGET SURVEYING, LLC
LB #7893
SERVING FLORIDA
6250 N. MILITARY TRAIL, SUITE 102
WEST PALM BEACH, FL 33407
PHONE (561) 640-4800
STATEWIDE PHONE (800) 226-4807
STATEWIDE FACSIMILE (800) 741-0576
WEBSITE: http://targetsurveying.net

BOUNDARY SURVEY



SURVEY NOTES
PAVER DRIVE CROSSING INTO R/W
ON SOUTHERLY SIDE OF PROPERTY.

WOOD DOCK CROSSING INTO THE
PROPERTY AT NORTHERLY SIDE OF LOT.

THERE ARE FENCES AND WALL NEAR
THE BOUNDARY OF THE PROPERTY.

P/E - POOL EQUIPMENT

CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C1	215.70'	680.00'	18°10'27"
C2	68.00'	680.00'	5°43'46"
C3	80.00'	800.00'	5°43'46"

SURVEY NUMBER:
703222

GENERAL NOTES:

1) LEGAL DESCRIPTION PROVIDED BY OTHERS
2) THE LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS OR OTHER RECORDED ENCUMBRANCES NOT SHOWN ON THE PLAT.
3) UNDERGROUND PORTIONS OF FOOTINGS, FOUNDATIONS OR OTHER IMPROVEMENTS WERE NOT LOCATED.
4) WALL TIES ARE TO THE FACE OF THE WALL AND ARE NOT TO BE USED TO RECONSTRUCT BOUNDARY LINES.
5) ONLY VISIBLE ENCROACHMENTS LOCATED.
6) DIMENSIONS SHOWN ARE PLAT AND MEASURED UNLESS OTHERWISE SHOWN.
7) FENCE OWNERSHIP NOT DETERMINED.
8) ELEVATIONS INDICATED HEREON ARE IN FEET AND DECIMALS REFRENCED TO N.A.V.D. 1988
9) THIS SURVEY HAS BEEN COMPLETED FOR A MORTGAGE TRANSACTION, ITS SCOPE IS LIMITED TO THE DETERMINATION OF TITLE DEFICIENCIES. NO DESIGN OR CONSTRUCTION SHALL BE BASED UPON THIS SURVEY WITHOUT APPROVAL FROM TARGET SURVEYING PRIOR TO SUCH USE. TARGET SURVEYING ASSUMES NO RESPONSIBILITIES FOR ERRORS RESULTING FROM FAILURE TO ADHERE TO THIS CLAUSE.
10) IN SOME INSTANCES, GRAPHIC REPRESENTATIONS HAVE BEEN EXAGGERATED TO MORE CLEARLY ILLUSTRATE RELATIONSHIPS BETWEEN PHYSICAL IMPROVEMENTS AND/OR LOT LINES. IN ALL CASES, DIMENSIONS SHALL CONTROL THE LOCATION OF THE IMPROVEMENTS OVER SCALED POSITIONS.

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STATEWIDE FACSIMILE (800) 741-0576
WEBSITE: http://targetsurveying.net

Brandon Berry

From: Matthew Lombardi <dr.mglombardi@gmail.com>
Sent: Sunday, June 21, 2026 10:40 PM
To: Brandon Berry
Subject: Re: Application for generator variance

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,

I wanted to sent you the email so you could add on to the variance application answers.

In regards to placing the generator in the front of the yard, the only place that would be within the limits of 20 feet setback from the road and 7 feet side setback would be in the middle of the driveway.

Since the location proposed is the only feasible place to put the generator, if the variance isn't granted then this would mean there can be no house generator at all on the property.

As it pertains to social justice, this safety feature to my house means a whole lot to me and my family. During natural disasters such as a hurricane, the hospital where I work at as an emergency physician requires me to show up before a storm is predicated and stay up to days at a time in the emergency department until the natural disaster is over. If the house loses power and I'm at the hospital unable to help my wife and children evacuate, then it becomes a dangerous situation for them. Having a generator is truly a necessity to keep my family safe.

Thank you for the help Brandon.

Sincerely,
Dr. Matthew Lombardi, DO

401-257-8255
dr.mglombardi@gmail.com

> On Jun 17, 2026, at 1:26 PM, Matthew Lombardi <dr.mglombardi@gmail.com> wrote:
>
> Hi Brandon,
>
> Please find attached the completed application and 2 page survey. The only thing I didn't complete was notary signatures for the last two pages.
>
> Thank you,

Dr. Matthew Lombardi, DO
401-257-8255
dr.mglombardi@gmail.com

<survey Lombardi.pdf>

<Variance application .pdf>

On Jun 17, 2026, at 12:03 PM, Brandon Berry <bberry@stpetebeach.org> wrote:

Dr. Lombardi,

Please find attached the application and information packet for this request. Your request is being made pursuant to Land Development Code Section 6.14.(b). Please make sure to reference this in the explanation of request.

Your request should be similar to the following:

“Installing a generator elevated to _____ feet within the [specify inter/cardinal direction] side yard setback of _____ feet where seven feet is required, requiring a variance from Land Development Code Section 6.14.(b).”

Note that today is the deadline for the July meeting. If you send over a completed application today I will do my best to look it over, but I cannot guarantee that it will make it on to the July meeting.

Please reply to this email at your convenience with a copy of the two-page survey.

Thank you,
Brandon

IMPORTANT: St. Pete Beach Planning & Zoning does not currently accept wire payments for zoning or planning applications. If you received a request to wire payment for an application, that request is fraudulent and should be deleted. Contact the Community Development Department if you have any questions about the legitimacy of a request for payment.

<image001.png>

Brandon Berry
Senior Planner
City of St. Pete Beach

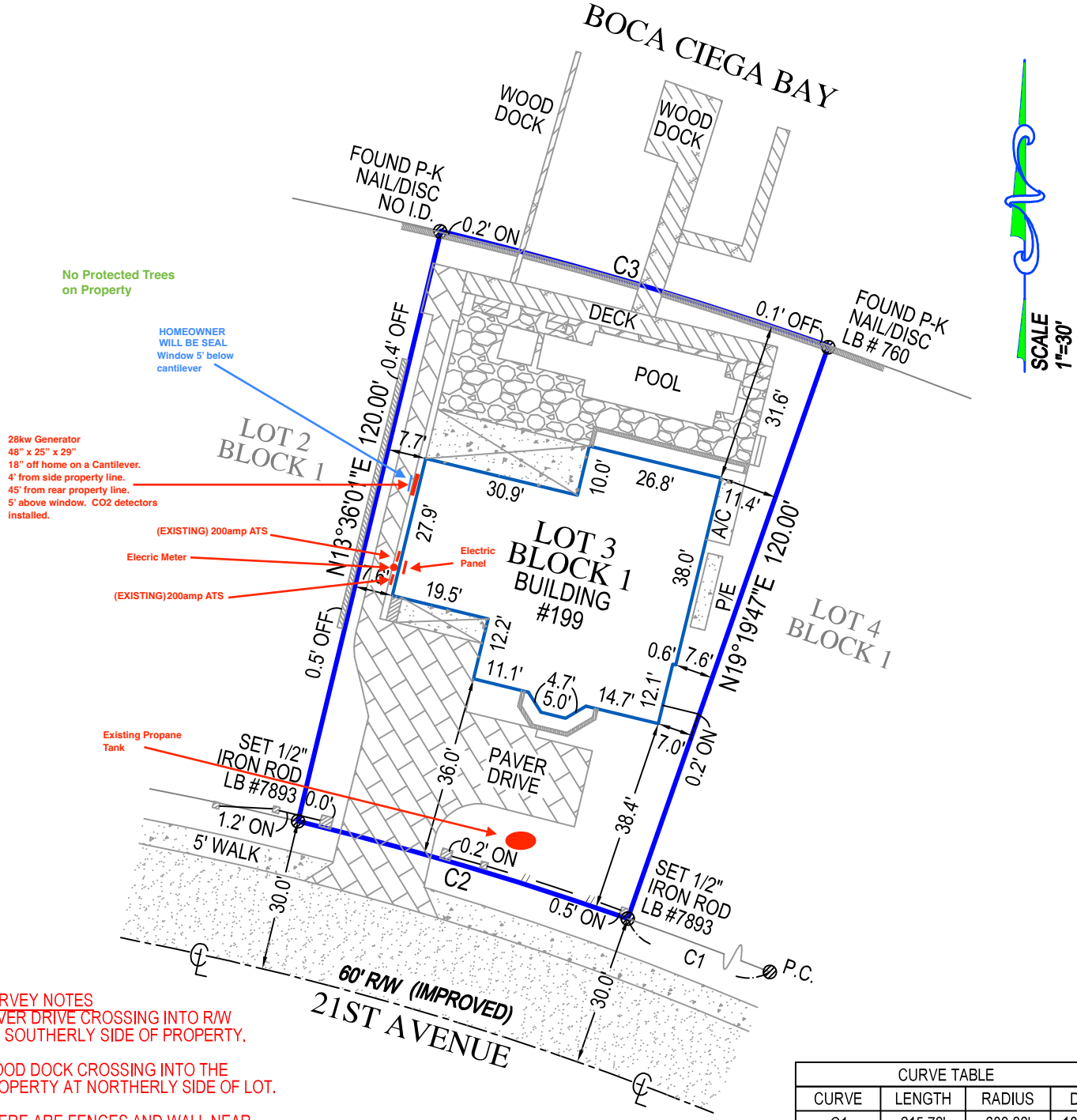
<image002.png>727-363-9229
<image003.png>bberry@stpetebeach.org <image010.png>
<image004.png>www.stpetebeach.org
<image005.png>155 Corey Avenue, St.
Pete Beach FL 33706
<image006.png><image007.png><image008.png>

The city of St. Pete Beach uses SeeClickFix for residents to submit issues to the city. To report an issue, please click here.

All government correspondence is subject to the public records laws.

<2026 BOA Variance Application Information.pdf>
<Practical Difficulty Variance Application 2026_202512021150492248.pdf>

BOUNDARY SURVEY



SURVEY NOTES
PAVER DRIVE CROSSING INTO R/W ON SOUTHERLY SIDE OF PROPERTY.

WOOD DOCK CROSSING INTO THE PROPERTY AT NORTHERLY SIDE OF LOT.

THERE ARE FENCES AND WALL NEAR THE BOUNDARY OF THE PROPERTY.

P/E - POOL EQUIPMENT

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LEGAL DESCRIPTION AND CERTIFICATION

LOT 3, BLOCK 1, VINA DEL MAR SECTION ONE, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 34, PAGE 53, OF THE PUBLIC RECORDS IF PINELLAS COUNTY, FLORIDA.

Community Number: 125149 Panel: 0278 Suffix: H F.I.R.M. Date: Flood Zone: X/AE Field Work: 7/31/2025

Certified To:
MATTHEW LOMBARDI AND KIMBERLY LOMBARDI; SEA STAR TITLE COMPANY, LLC; OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY; MPIRE FINANCIAL GROUP LLC

Property Address:
199 21ST AVENUE
ST PETE BEACH, FL 33706

Survey Number: 703222

Client File Number: 159526

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?	CENTRAL / DELTA ANGLE	L.A.E.	LIMITED ACCESS EASEMENT
CH	CHORD	L.M.E.	LAKE MAINTENANCE EASEMENT
(D)	DEED / DESCRIPTION	(M)	MEASURED / FIELD VERIFIED
D.E.	DRAINAGE EASEMENT	M.H.	MANHOLE
D.H.	DRILL HOLE	N&D	NAIL & DISK
D/W	DRIVEWAY	N.R.	NOT RADIAL
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P.O.B.	POINT OF BEGINNING		
P.O.C.	POINT OF COMMENCEMENT		
P.R.C.	POINT OF REVERSE CURVE		
P.T.	POINT OF TANGENCY		
R/W	RIGHT-OF-WAY		
(R)	RADIAL / RADIUS		
S.I.R.	SET IRON ROD		
T.O.B.	TOP OF BANK		
U.E.	UTILITY EASEMENT		

SYMBOL DESCRIPTIONS:

= CATCH BASIN
= CENTERLINE ROAD
= COVERED AREA
+ X.XX = EXISTING ELEVATION
= HYDRANT
= MANHOLE
= METAL FENCE
= MISC. FENCE
= PROPERTY CORNER
U.B. = UTILITY BOX
U.P. = UTILITY POLE
WM = WATER METER
= WELL
= WOOD FENCE

DAVID G CUTLER CERTIFICATE NO. 5593 STATE OF FLORIDA PROFESSIONAL SURVEYOR & MAPPER
DAVID G CUTLER Digitally signed by DAVID G CUTLER Date: 2025.08.01 17:01:15 -04'00'

SURVEYORS CERTIFICATE
I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY PREPARED UNDER MY DIRECTION. NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL, OR A RAISED EMBOSSED SEAL AND SIGNATURE.

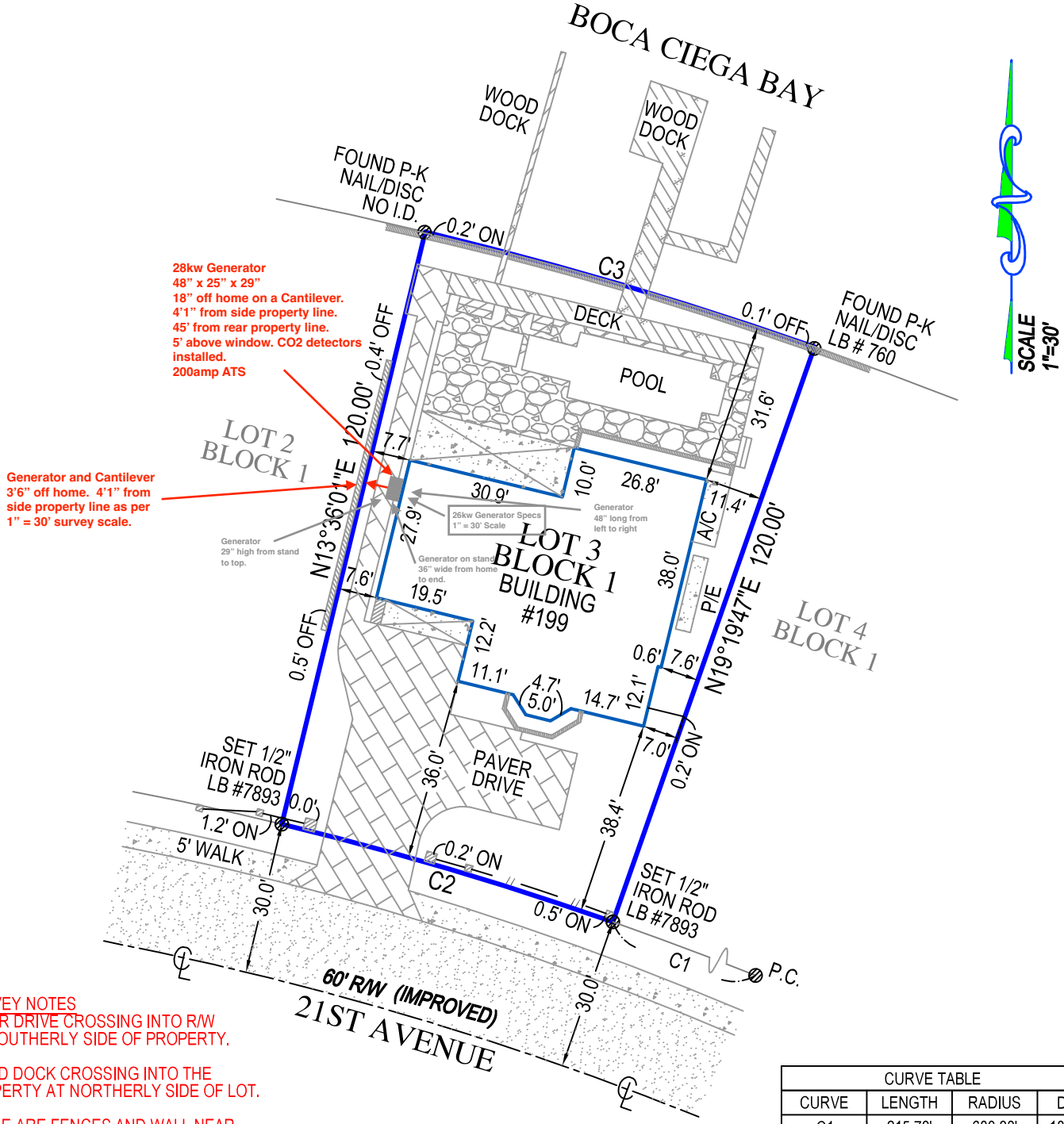
(SIGNED)
DAVID G CUTLER

PRINTING INSTRUCTIONS:
WHEN PRINTING BE SURE TO SELECT "ACTUAL SIZE" TO ENSURE PROPER SCALING. DO NOT USE "FIT"

PAGE 1 OF 2 PAGES

TARGET SURVEYING, LLC
LB #7893
SERVING FLORIDA
6250 N. MILITARY TRAIL, SUITE 102
WEST PALM BEACH, FL 33407
PHONE (561) 640-4800
STATEWIDE PHONE (800) 226-4807
STATEWIDE FACSIMILE (800) 741-0576

BOUNDARY SURVEY



SURVEY NOTES
PAVER DRIVE CROSSING INTO R/W ON SOUTHERLY SIDE OF PROPERTY.

WOOD DOCK CROSSING INTO THE PROPERTY AT NORTHERLY SIDE OF LOT.

THERE ARE FENCES AND WALL NEAR THE BOUNDARY OF THE PROPERTY.

P/E - POOL EQUIPMENT

CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C1	215.70'	680.00'	18°10'27"
C2	68.00'	680.00'	5°43'46"
C3	80.00'	800.00'	5°43'46"

SURVEY NUMBER:
703222

GENERAL NOTES:

1) LEGAL DESCRIPTION PROVIDED BY OTHERS
2) THE LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS OR OTHER RECORDED ENCUMBRANCES NOT SHOWN ON THE PLAT.
3) UNDERGROUND PORTIONS OF FOOTINGS, FOUNDATIONS OR OTHER IMPROVEMENTS WERE NOT LOCATED.
4) WALL TIES ARE TO THE FACE OF THE WALL AND ARE NOT TO BE USED TO RECONSTRUCT BOUNDARY LINES.
5) ONLY VISIBLE ENCROACHMENTS LOCATED.
6) DIMENSIONS SHOWN ARE PLAT AND MEASURED UNLESS OTHERWISE SHOWN.
7) FENCE OWNERSHIP NOT DETERMINED.
8) ELEVATIONS INDICATED HEREON ARE IN FEET AND DECIMALS REFRENCED TO N.A.V.D. 1988
9) THIS SURVEY HAS BEEN COMPLETED FOR A MORTGAGE TRANSACTION, ITS SCOPE IS LIMITED TO THE DETERMINATION OF TITLE DEFICIENCIES. NO DESIGN OR CONSTRUCTION SHALL BE BASED UPON THIS SURVEY WITHOUT APPROVAL FROM TARGET SURVEYING PRIOR TO SUCH USE. TARGET SURVEYING ASSUMES NO RESPONSIBILITIES FOR ERRORS RESULTING FROM FAILURE TO ADHERE TO THIS CLAUSE.

TARGET SURVEYING, LLC
LB #7893
SERVING FLORIDA
6250 N. MILITARY TRAIL, SUITE 102
WEST PALM BEACH, FL 33407
PHONE (561) 640-4800
STATEWIDE PHONE (800) 226-4807

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

Agenda Report

Agenda Title Name: **Case No. 26104 -2941 E Vina Del Mar Blvd.**

Action Request: Motion to [approve with two recommended staff conditions/approve/deny/continue to [specify date certain]] practical difficulty variance 26104 for 2941 E Vina Del Mar Blvd.

Strategic Objective:

Date: July 29, 2026

Prepared By: Brandon Berry, Senior Planner

Through: Laura Canary, Community Development Director

Summary of Issue: Staff asks the applicant to state why the northern side yard was not chosen for the generator, which would have required a lesser variance than in the selected yard location, but finds the proposed location to be beneficial as it directly abuts the neighboring residence's garage and provides some screening due to the presence of a side entry yard wall. There is no other reasonable location at the front or rear of the structure where the generator could be mounted, and the equipment has a direct connection with life and safety considerations, which Staff finds provides direct support for the primary residence rather than an accessory feature or function of the property.

Staff recommends that the applicant obtain a final as-built survey to verify the generator's location if the subject variance is approved.

Funding: N/A

Attachments:

1. 26104 - Staff Report
2. 26104 - Draft Development Order
3. 26104 - Certificate of Completeness with Submittal Documents

Date: **July 3, 2026**

To: **Board of Adjustment**

Re: **Staff Findings Report**
Practical Difficulty Variance
Address: 2941 E Vina Del Mar Blvd
Parcel Number: 08-32-16-61542-001-0010
Pinellas Generator and Electric for William R & Carol J Zalla
Variance Case No: 26104

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

Hearing Date: **July 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 application, including survey and photos of existing conditions, consisting of 18 sheets.
2. Physical survey with raised seal and generator location depicted, stamped by Edward D. Murphy, R.L.S., dated July 10, 2024, consisting of one sheet.

Staff offers the following comments for Board's consideration:

Site Description/Surrounding Land Uses

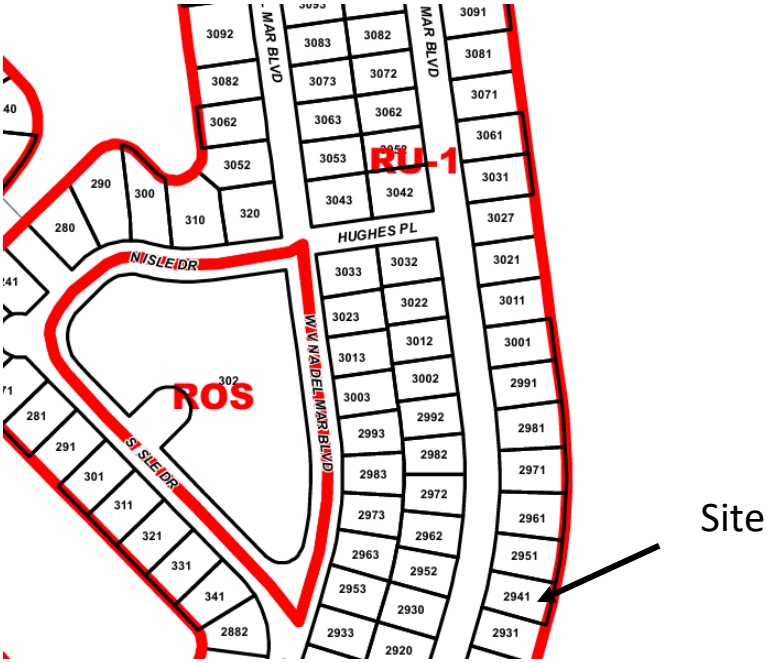
The subject site is an approximately 71'x120 property containing a 1990-built single-family home that comprises a full platted lot of the Vina Del Mar Section 1 subdivision. The properties to its north, south, and west adjacent E Vina Del Mar Blvd, are in single-family use.

At an unknown date prior to January of 2026, a generator was mounted to the side of the residence in the existing location. A permit for the work was submitted in September 2025, and has remained in pending status subject to the issuance of the subject variance.

Figure 1: Aerial Photography

Source: Pinellas County Property Appraiser

Figure 2: Zoning Map



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

Request

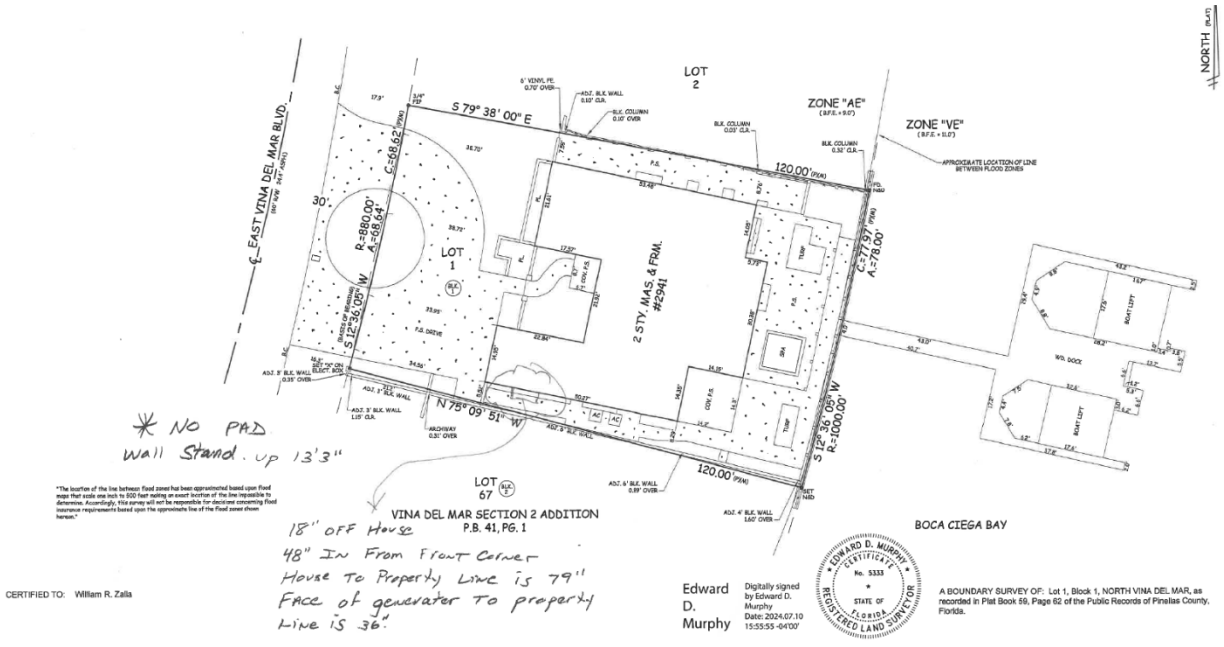
The applicant is requesting to install a new generator along the front of the structure's southern side yard, located approximately four feet above the floor of the structure's living level and set in four feet from the front corner of the residence. The residence has an existing, nonconforming side setback of approximately six feet at this location, and the applicant is requesting a setback of three feet to the outside of the equipment.

Analysis

a. **Required side yard setback:** Where seven feet is required for equipment elevated more than two feet within the RU-1 District, pursuant to Land Development Code Section 6.14.(b). The applicant is requesting to install a new generator with a setback of three feet.

Figure 3: Zoning Table			
Equipment elevated more than two feet from grade	**2941 E Vina Del Mar Blvd**		
	RU-1 Required	**Existing Setback**	**Proposed Setback**
Side Yard Setback (Min.)	7 feet	~6 feet*	3 feet **(v)**
***Denotes existing non-conformity** **(v) Variance required**			

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



Additional Comments

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

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 side setback of three feet where seven feet is required and approximately six feet is existing at the location of the generator. This represents a variance of 50 percent to the existing setback, and approximately 57 percent to the seven-foot setback requirement.

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. The generator is small in size and, while mounted toward the front of the home and visible from the frontage, is located between other properties with side yard-mounted generators. The home to the immediate south toward which the generator will encroach has an existing generator with a setback of 5'-6" where 7 feet is required. The subject generator will be installed approximately ten feet closer to the front property line than the neighbor's generator, which staff finds to be more favorable as it faces the ground-floor garage area of the residence to its southern rather than directly abutting a bedroom or other space potentially more susceptible to noise from operation.
   The applicant has not supplied the exact model number or decibel information for the device installed, which staff requests the applicant provide as testimony. Although most residential generators are programmed to run only for a few minutes every week, a higher-decibel generator could have greater noise impacts on surrounding properties during an event.

3. **Whether the difficulty can be obviated by some method feasible for the applicant to pursue other than by a variance; and**
   Staff does not find the difficulty can be obviated through another feasible method, other than not installing the generator. The rear façade of the residence is almost entirely comprised of windows, and windows are present at the front as well, which would make cantilevering the unit from either face of the residence difficult or impossible. While it appears the generator could be installed in the northern side yard with a lesser encroachment than proposed under this variance scope, it would still encroach into the side yard setback. However, the applicant should address why this side of the home was selected.

4. **Whether, in view of the manner in which the difficulty arose, the interest of justice will be served by allowing the variance.**
   Staff reasonably finds the interest of justice would be served through issuance of this variance. The generator cannot feasibly be located on the building without encroaching toward an adjacent property. While the northern side yard would be somewhat preferable purely from the perspective of lessening the request scope, the generator would still encroach into the

required setback, and may be less optimally located to be directly adjacent to a garage. As generators serve a direct life/safety purpose that is directly tied to habitation of the residence, and recovery after storms, Staff generally finds that a demonstration that there is no other, feasible means of accommodating the generator on the property is sufficient to find adequate support for associated variances.

Other Comments

- The applicant or agent should provide decibel details for the generator that is mounted on the side of the property.
- The applicant or agent should address why the generator is not proposed to be installed in the northern side yard, where the variance requested would be lessened.

Summary

Staff finds the request is reasonable and meets the criteria for issuance of a practical difficulty variance. Existing lot conditions, and the applicant's narrative, have supported why the proposed location is preferable to installation in either the front or rear yards. While staff does ask for testimony as to why the northern side yard was not chosen for installation, as it provides a greater distance from the abutting property line, staff finds that the chosen location may be superior as it abuts a non-habitable area of the adjacent home. As generators are directly tied to life/safety concerns, and can be one of the most cost-effective means of preventing mold growth and delayed reinhabitation of neighborhoods after a storm, staff finds that the rare noise impacts of their exercising outside of emergency event timeframes to be a reasonable tradeoff with the potential benefits they provide.

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

1. The applicant shall submit and have approved a final survey confirming the generator's location and setback 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: Pinellas Generator and Electric, Agent, via email (office.pgelectric@gmail.com)
William Zalla, Owner, via email (billzalla@gmail.com)

CITY OF ST PETE BEACH BOARD OF ADJUSTMENT
VARIANCE CASE NO. 26104 (Practical Difficulty)
DEVELOPMENT ORDER

A public hearing was held before the St Pete Beach Board of Adjustment ("BOA") on the 29th day of July 2026 for review of a variance to Section 6.14.(b) of the City of St. Pete Beach Land Development Code ("LDC" or "Land Development Code") to allow for the applicant to install an elevated generator at three feet from the required side property line where a setback of seven feet is required. The property is located at 2941 E Vina Del Mar Blvd, St. Pete Beach, Florida ("subject property"), and the subject variance is requested by Pinellas Generator and Electric ("Agent") for William R & Carol J Zalla ("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. William R & Carol J Zalla are the owners of the subject property at 2941 E Vina Del Mar Blvd, 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-1 zoning district according to the zoning map. Properties in this district are subject to an elevated side equipment setback of 10% of the lot width or seven feet, whichever is less, which for this property requires a setback of seven feet.

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 the subject request represents a variance of approximately 58% to the required standard. While the impact of the generator could be lessened if installed in the northern yard, the Board of Adjustment

finds that the generator could not be reasonably installed in any other required yard and cantilevered from the residence without encroachment into a required yard.

2. *Whether an adverse change will be produced in the character of the neighborhood*—The BOA finds this criteria is met, as the generator is recessed from the frontage behind a solid wall and directly abuts the garage of the southern residence, rather than a portion of the southern residence used directly for living space, whereas installation in the northern yard in a manner that visually obscures the equipment would place it adjacent to living space. Placement in the southern yard also places it in the vicinity of a generator that services the southern property, where noise impacts are already expected on the subject residence.

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 the rear of the residence is almost entirely comprised of windows and the equipment is unlikely to meet opening requirements in that location, and the front of the structure also appears to have few logical locations for the generator. The generator could be set on a separate platform in the front yard, but this would cause a disproportionate impact on the appearance of the residence and be substantially out of character with the general neighborhood.

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 the generator serves a direct life/safety purpose associated with reoccupancy of the primary dwelling following a storm event rather than use of an accessory amenity, and the applicant has reasonably supported the inability to support the generator in another required yard in a manner that does not cause additional adverse impacts on abutting neighbors..

e. [Space for ex-parte communication]

IT IS HEREBY ORDERED:

f. The variance case is approved based upon the narrative and associated case documents provided by the applicants in support of all four variance criteria, as stated in the staff report.

g. The variance is approved with the following one (1) condition:

1. The applicant shall submit and have approved a final survey confirming the generator's location and setback 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 [member] and seconded by [member] and upon being put to a vote, the result was as follows:

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

DULY PASSED AND ADOPTED THE 29TH DAY OF JULY, 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:

_____
_____, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

_____
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.

Memo To: Board of Adjustment
From: Brandon Berry, Senior Planner
Date: 7/2/2026
Re: **CERTIFICATE OF COMPLETENESS**

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

Variance Case Number: 26104
Application Type: Practical Difficulty Variance
Owner: William R & Carol J Zalla
Applicant/Agent: Pinellas Generator and Electric
Parcel Number: 08-32-16-61542-001-0010
Address: 2941 E Vina Del Mar Blvd
Zone: RU-1

Submittal Documents:

1. Completed practical difficulty variance application, including survey and photos of existing conditions, consisting of 18 sheets.
2. Physical survey with raised seal and generator location depicted, stamped by Edward D. Murphy, R.L.S., dated July 10, 2024, 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
- ☐ Chris Core
- ☐ Jim Schmidt
- ☐ Joe Kunzer
- ☐ Dan Small

Cc: Pinellas Generator and Electric, Agent, via email (office.pgelectric@gmail.com)
William Zalla, Owner, via email (billzalla@gmail.com)

Owner's Authorization For Agent Form

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

I/We William Zalla
(Property Owner(s) printed name)

hereby authorize David Iverson - Pinellas Generator and Electric
(Agent's printed name)

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

Wm R Zalla
Signature of Owner

Signature of Owner

WILLIAM R. ZALLA
Owner's Printed Name

Owner's Printed Name

The foregoing instrument was acknowledged before me this 7th **day of** May **20**26**, by** WILLIAM R. ZALLA **who is personally known** ✓ **or produced** ← **as identification.**

5/7/26

(Notary Signature) **(Date)**

My commission expires

CLARENCE E. JOHNSON
MY COMMISSION # HH 470354
EXPIRES: February 11, 2028

St. Pete Beach
The Sunset Capital of Florida

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.

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

DI 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.

DI 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.

DI 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.

DI 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.

DI 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.

DI 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

5/5/26
Date

St. Pete Beach
The Sunset Capital of Florida

PUBLIC HEARING SIGN POSTING AFFIDAVIT

Applicant, David Iverson , 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): David Iverson - Pinellas Generator and Electric

Address: 2941 E Vina del Mar Blvd. St. Pete Beach, FL 33706

Signature 5/5/26
Date

STATE OF FLORIDA)
) SS:
PINELLAS COUNTY)

The foregoing instrument was acknowledged before me this 5th day of May, 2026 by: David Iverson who appeared before me, and is personally known to me, or has produced _____ as identification, and did take an oath.

My commission Expires: 5/16/27

NOTARY: Stacie Schonfeld

Print Name: Stacie Schonfeld Notary Public, State of Florida

(Notarial Seal)

STACIE D. SCHONFELD
Notary Public - State of Florida
Commission # HH 399190
My Comm. Expires May 16, 2027
Bonded through National Notary Assn.

CASE #: _____ PARCEL #: 08-32-16-61542-001-0010

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.
- 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	William Zalla	2941 E Vina del Mar Blvd. St. Pete Beach, FL 33706	727-647-3500
Applicant/ Agent	Pinellas Generator and Electric	6272 147th Ave. N. Ste. B Clearwater, FL 33760	727-335-3988

Owner Email Address:	Applicant/Agent Email Address:
billzalla@gmail.com	office.pgelectric@gmail.com

PROPERTY FOR PROPOSED VARIANCE:

Zoning Designation	Future Land Use Designation	Lot Area
RU-1	RU	8,729 sf

Legal Description: NORTH VINA DELMAR BLK 1, LOT 1

Address: 2941 E Vina del Mar Blvd. St. Pete Beach, FL 33706

Explanation of Request: Installing Generater would not meet setback per LDC Section 6.14b. and c. Propose setback be allowed at 36" OFF property line where 7.5' is required. Generator has been mounted in proposed location but generator is not connected.

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 BEING REQUESTED IS MINIMAL AS THE GENERATOR WILL BE MOUNTED 13'3" ABOVE THE GROUND, TO THE BOTTOM OF THE GENERATOR AND CLEAR OF ANY EASEMENTS, THE FRONT OF THE GENERATOR WILL REMAIN 36" FROM SIDE PROPERTY LINE.

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

This a wall mount Aluminum Stand. There are other generators that will look the same. The House to the Left and Right have the exact unit we are preposing to install for the client. THERE WILL BE NO ADVERSE CHANGES TO THE AREA AS IT WILL PROVIDE POWER IN EMERGENCY SITUATIONS.

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

THIS WOULD BE THE ONLY FEASIBLE OPTION FOR A GENERATOR WHICH IS USED FOR EMERGENCY MEDICAL EQUIPMENT. CLEARANCES AROUND THE HOME DO NOT ALLOW FOR AN INSTALLATION THAT MEETS NATIONAL CODES.

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

This Client would be able to have breathing machine work if power was LOST. IMMEDIATE NEIGHBORS HAVE THE SAME GENERATORS WITH LESS THAN THE 7'6" SETBACK BEING REQUESTED. IT WOULD BE UN JUST TO NOT ALLOW THIS VARIANCE.

Signature of Applicant	Date	Signature of Authorized Agent	Date
			5/5/26

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
William Zalla
2941 E Vina del Mar Blvd.
St. Pete Beach, FL

Phone 727-647-3500

Email billzalla@gmail.com

Contractor/Applicant Name & Address
David Iverson - Pinellas Generator and Electric
6272 147th Ave. N. Ste. B.
Clearwater, FL 33760

Phone 727-335-3988

Email office.pgelectric@gmail.com

Property Address 2941 E Vina del Mar Blvd.

Total Lot Area (sq. ft.) 8,729

Required Calculations:

EXISTING IMPERVIOUS SURFACE:		
Building Footprint:	2416	sq. ft.
Parking and Driveway:	420	sq. ft.
Pool and/or Patio areas:	716	sq. ft.
Walkways:	24	sq. ft.
Other:	0	sq. ft.
TOTAL **EXISTING** IMPERVIOUS SURFACE:	3576	sq. ft.

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

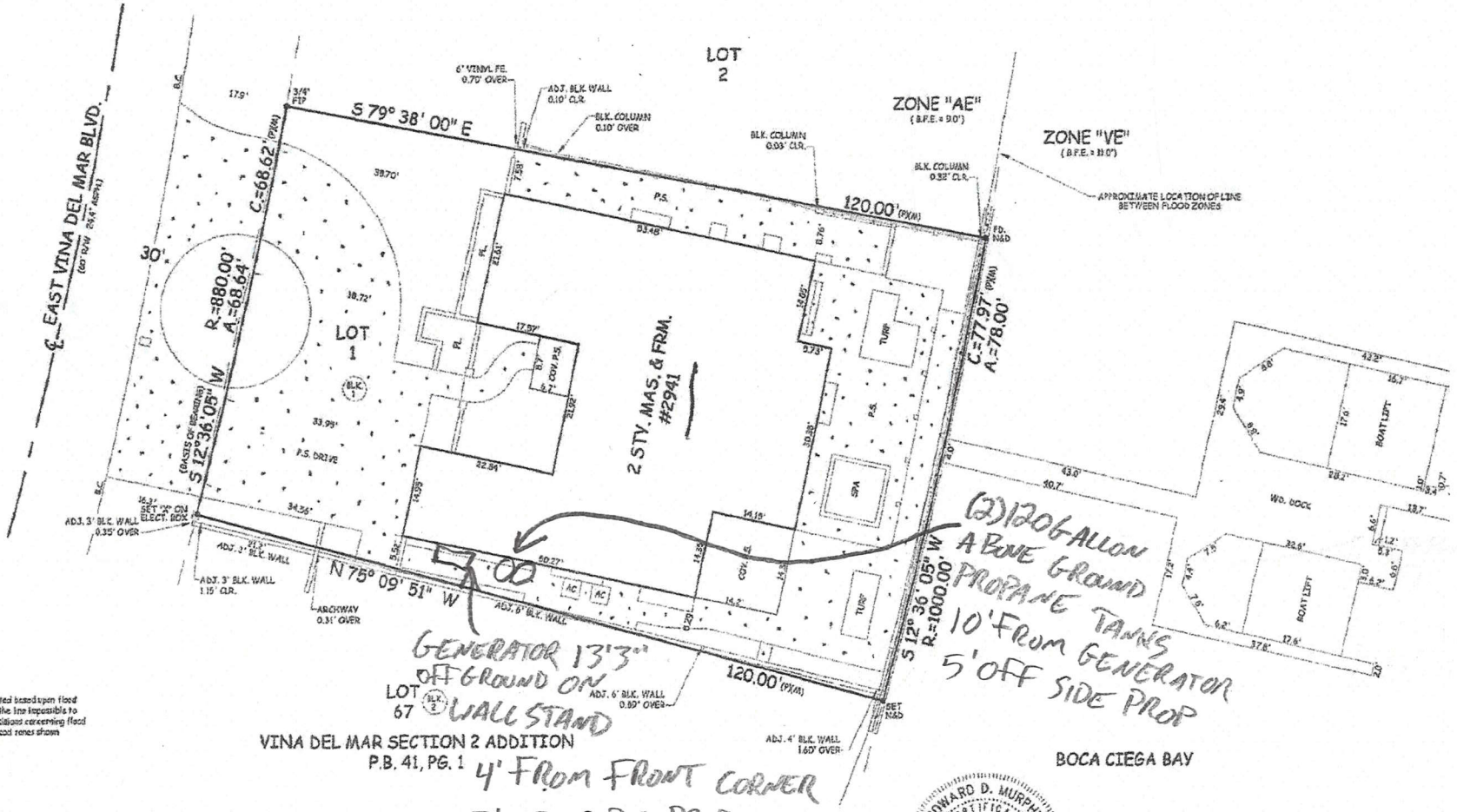
3576 sq. ft.	÷	8729 sq. ft.	=	.41
Total Existing Impervious Surfaces		Lot Area		Existing Impervious Surface Ratio

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

Certification:

I, David Iverson, 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: 5-6-26



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

2941

ERTIFIED TO: William R. Zalla

Edward D. Murphy — Digitally signed by Edward D. Murphy Date: 2024.07.19 15:55:55 -04'00'

EDWARD D. MURPHY CERTIFICATE No. 5333 STATE OF FLORIDA REGISTERED LAND SURVEYOR

A BOUNDARY SURVEY OF: Lot 1, Block 1, NORTH VINA DEL M recorded in Plat Book 59, Page 62 of the Public Records of Pinella Florida.

O. 240750 | N BY: MRB | CHECKED BY: EDM | OF FIELD WORK: 8/27/2024

MURPHY'S LAND SURVEYING, INC.
PROFESSIONAL LAND SURVEYORS
5760 11TH AVENUE NORTH
ST. PETERSBURG, FLORIDA 33710
WWW.MURPHYSLANDSURVEYING.COM
L.B. #7410
PH. (727) 347-8740
FAX (727) 344-4640

According to the maps prepared by the U.S. Department of Homeland Security, this property appears to be located in Flood zone: AE - VE Comm. Panel No. : 125149 0278 H Map Date : 8/24/2021 Base Flood Elev : 9.0' -11.0'

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 AND NOT VISIBLE) AND THAT THIS SURVEY REPRESENTS THE LEGAL DESCRIPTION(S) AS PROVIDED BY THE CLIENT OR HIS AGENT(S) OR AS SHOWN ON THE RECORD PLAT(S) AND DEED(S). UNDERGROUND FOUNDATIONS AND/OR IMPROVEMENTS, IF ANY, ARE NOT SHOWN AND OTHER RESTRICTIONS AFFECTING THIS PROPERTY MAY EXIST WHICH ARE PUBLIC RECORDS OF THIS COUNTY. IF THIS SURVEY HAS BEEN DONE WITHOUT THE BENEFIT OF REVIEWING A CURRENT TITLE SEARCH, SURVEY IS NOT VALID FOR MORE THAN ONE YEAR FROM DATE OF FIELD WORK AND IS NOT VALID UNLESS EMBOSSED WITH SURVEYOR'S SEAL. BEARINGS SHOWN ARE BASED ON PLAT, UNLESS OTHERWISE NOTED.

Edward D Murphy

LEGEND:

- FOUND IRON PIPE
- FOUND CONCRETE MONUMENT
- FOUND IRON ROD
- SET IRON ROD 1/2" LB 7410
- POINT OF REVERSE CURVATURE

FD. - FOUND
N&D. - NAIL AND DISK
P.O.L. - POINT ON LINE
P.C. - POINT OF CURVATURE
P.T. - POINT OF TANGENCY
P.I. - POINT OF INTERSECTION

R. - RADIUS
A. - ARC
C. - CHORD
Δ - DELTA
R/W - RIGHT OF WAY
- NUMBER

MTS - METAL SHED
ALUM. - ALUMINUM
W.H. - WATER HEATER
P.S. - PATIO STONE
C.P. - CARPORT
PL. - PLANTER

WW - WING WALL
℄ - CENTERLINE
R/W - RIGHT OF WAY
(P) - PLAT
(C) - CALCULATION
(D) - DEED

EASMT. - EASEMENT
M.H. - MANHOLE
CONC. - CONCRETE
CLR. - CLEAR
COL. - COLUMN
WD. - WOOD

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

-X-X-X- FENCE
FE. - FENCE
C.L.F. - CHAIN LINK FENCE
-I/A- ADJACENT FENCE
ADJ. - ADJACENT

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(M) - MEASURED
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S. - SOUTH
E. - EAST
W. - WEST

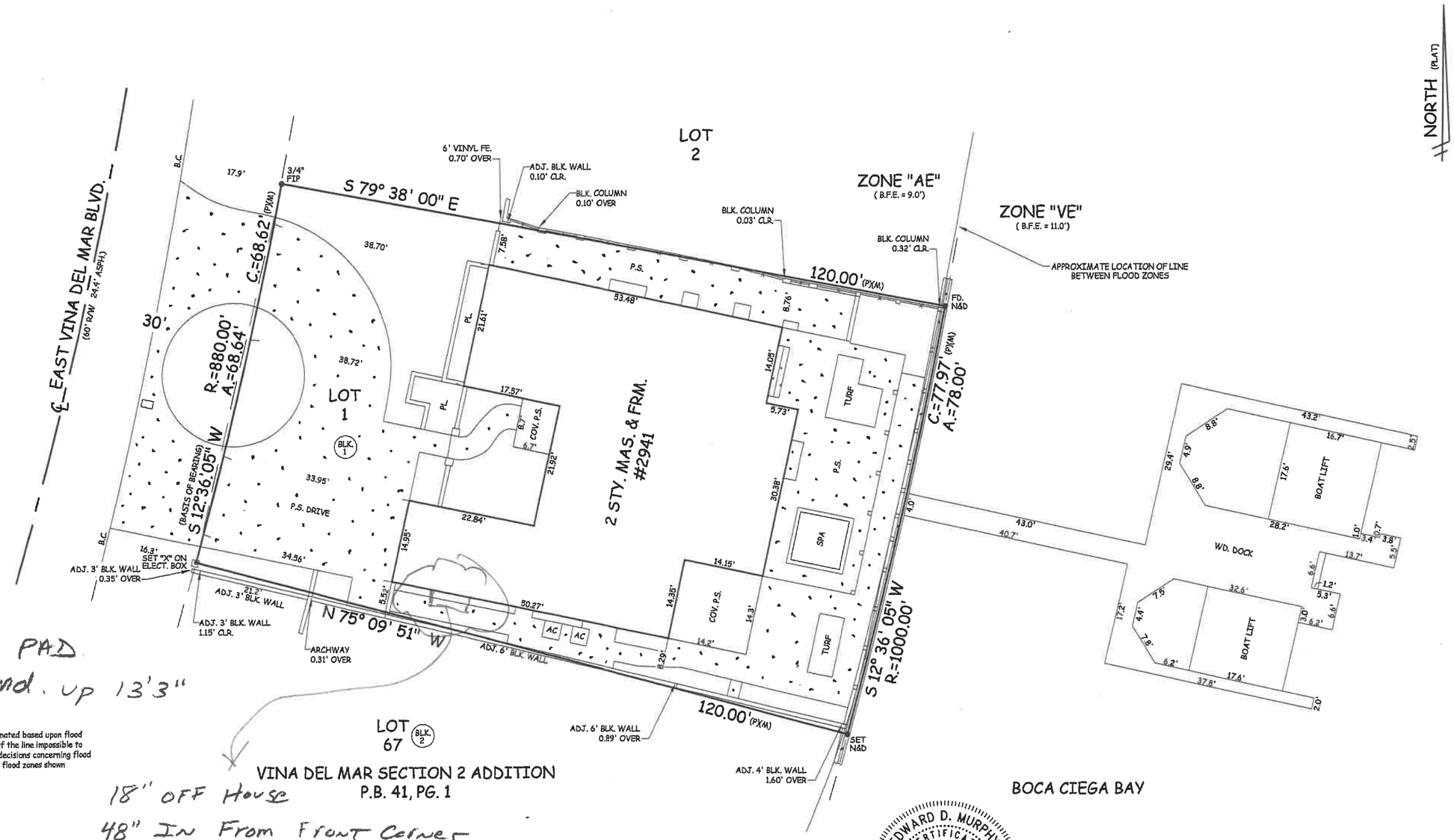
BLK. - BLOCK
SAW - SEAWALL
ASPH. - ASPHALT
UTIL. - UTILITY
DR. - DRAINAGE

S.P. - SCREENED PORCH
-P-P- OVERHEAD POWER
-T-T- OVERHEAD TELEPH
P.P. - POWER POLE
L.P. - LIGHT POLE

SCALE: 1" = 20'

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

SEC. 17 TWP. 32 S. RGE. 16 E.



* NO PAD
Wall Stand. up 13'3"

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

18" OFF House
48" IN From Front Corner
House to Property Line is 79"
Face of generater to property Line is 36".

CERTIFIED TO: William R. Zalla

Edward D. Murphy
Digitally signed by Edward D. Murphy
Date: 2024.07.10 15:55:55 -04'00'

EDWARD D. MURPHY CERTIFICATE No. 5333 STATE OF FLORIDA REGISTERED LAND SURVEYOR

A BOUNDARY SURVEY OF: Lot 1, Block 1, NORTH VINA DEL MAR, as recorded in Plat Book 59, Page 62 of the Public Records of Pinellas County, Florida.

JOB NO.: 240750	
DRAWN BY: MRB	CHECKED BY: EDM
DATE OF FIELD WORK: 6/27/2024	

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PROFESSIONAL LAND SURVEYORS
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Flood zone: AE - VE Comm. Panel No. : 125149 0278 H Map Date : 8/24/2021 Base Flood Elev : 9.0' -11.0'

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

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P.P. - POWER POLE
L.P. - LIGHT POLE

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

Agenda Report

Agenda Title Name: **Case No. 26100 - 2511 E Vina Del Mar Blvd.**

Action Request: Motion to [approve/approve with conditions/deny/continue to [specify date certain]] practical difficulty variance case no. 26100 for 2511 E. Vina Del Mar Blvd.

Strategic Objective:

Date: July 29, 2026

Prepared By: Gilbert Martinez, Senior Planner

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

Summary of Issue: Staff finds the application presents a reasonable basis for Board consideration. The applicant identifies building code clearances, existing site conditions, and floodplain requirements as the basis for the proposed generator location. Additional testimony may assist the Board in determining whether the proposed location represents the most practical alternative and whether the requested variance constitutes the minimum relief necessary to accommodate the generator.

Funding: N/A

Attachments:

1. 26100 - Staff Report, AMENDED 07.22.26
2. 26100 - Staff Report
3. 26100 - Draft Development Order
4. 26100 Certificate of Completeness
5. 26100 - Amended Application
6. 26100 - Survey
7. 26100 -Generator survey
8. 26100 - Applicant Pictures
9. 26100 - Photo of Notice of Hearing attached to R. Bear email
10. 26100 - Email in support from R. Bear

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

COMMUNITY DEVELOPMENT - PLANNING DIVISION

Date: **Amended - July 22, 2026**

To: **Board of Adjustment**

Re: **Staff Findings Report**
Practical Difficulty Variance
Address: 2511 E. Vina Del Mar Boulevard
Parcel Number: 18-32-16-94176-002-0430
Kevin and Mary Murphy
Variance Case No: 26100

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

Hearing Date: **July 29, 2026**

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

1. Completed Practical Dificulty Variance package with application form.
2. Boundary Survey prepared by Murphy's Land Surveying, Inc., August 31, 2022 consisting of 1 sheet.
3. Boundary Survey prepared by Murphy's Land Surveying, Inc., dated August 31, 2022, with proposed generator location and setback information.
4. Six applicant-provided photographs; date taken unknown.

Staff offers the following comments for Board's consideration:

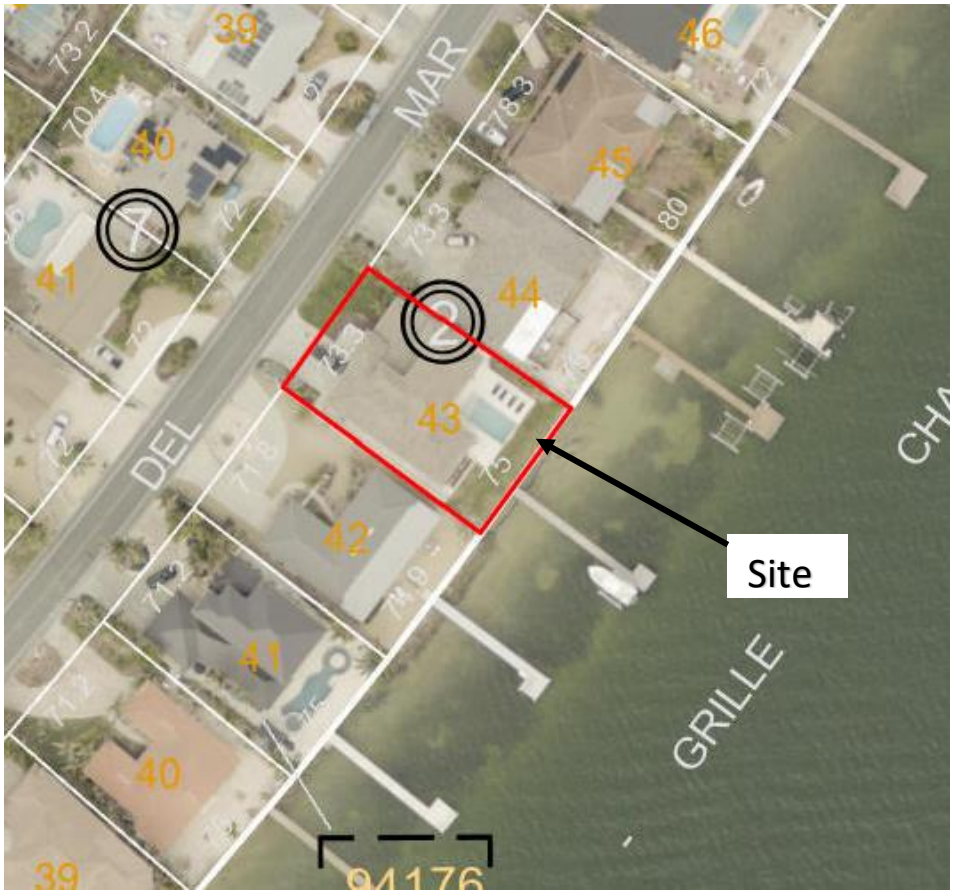
Site Description/Surrounding Land Uses

The subject site is a 73.4-foot by 120-foot waterfront property containing a recently constructed elevated single-family residence on VINA-DEL-MAR SEC 2 ADD BLK 2, LOT 43**.** The property is located at 2511 E. Vina Del Mar Boulevard and is zoned RU-1 Residential with a Residential Future Land Use designation. The site is bordered by other detached single-family residences to the north, south, and west, while the eastern property line fronts Boca Ciega Bay**.**

The subject property is improved with a single-family residence constructed in 2022 and designed in compliance with current floodplain and building code requirements. The residence conforms to the applicable development standards of the RU-1 zoning district, including required setbacks, maximum height, and impervious surface limitations. The property also includes a private dock, driveway, and swimming pool.

The applicant proposes to install a standby generator approximately ~~2.5 feet~~ 4.5 feet from the southern side property line, requiring a ~~4.5 foot~~ 2.5-foot variance from the required 7-foot side yard setback. To comply with FEMA flood elevation requirements, the generator will be elevated approximately seven feet above grade while maintaining the required clearances from doors, windows, and other building openings.

Figure 1: Aerial Photography



Source: Pinellas County Property Appraiser

Figure 2: Boundary Survey

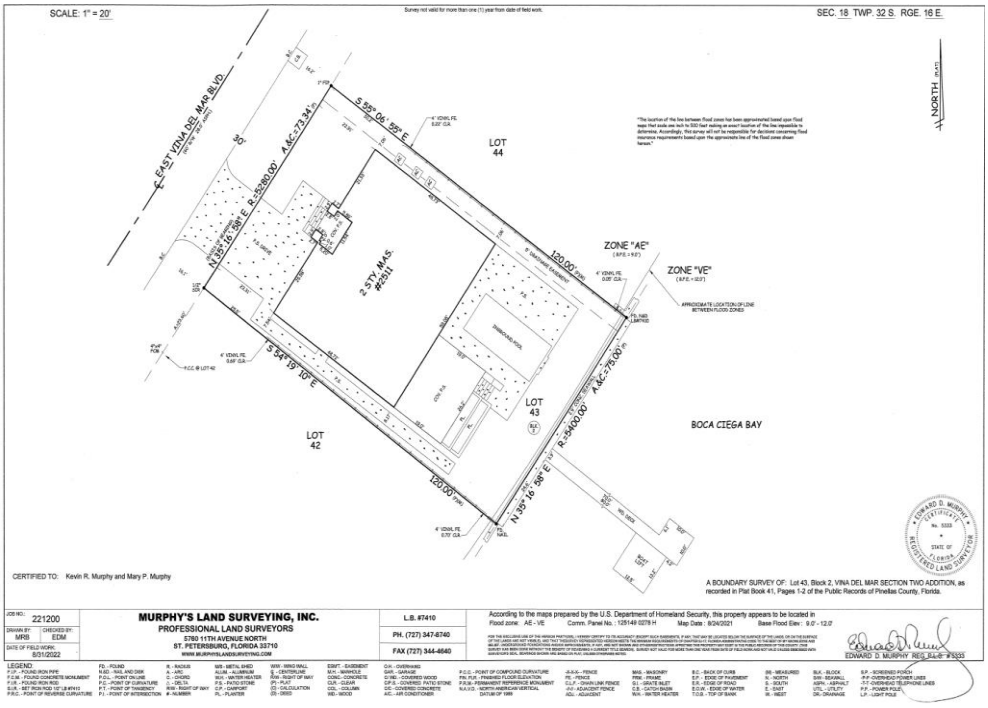


Figure 3: RU-1 Zoning Map

Source: City of St. Pete Beach Official Zoning Map

Current Request

The applicant requests to install an elevated generator in the southern required side yard setback of a property containing a single-family residence with a setback ~~off our~~ four feet six inches proposed where seven feet is required (LDC Sec. 6.14 (b).

Request

The applicant requests to install an elevated generator within the required side yard of an existing single-family residence. Pursuant to Land Development Code Section 6.14(b)**;** *residential ancillary equipment installed more than two feet above grade must comply with the yard setback requirements of the underlying zoning district.*

The subject property is zoned RU-1 Residential**,** where Section 8.7(a)(3) requires a seven-foot side yard setback**.** The applicant proposes to install the generator approximately ~~2.5 feet~~ 4.5 feet from the southern side property line, requiring a ~~4.5-foot~~ 2.5-foot practical difficulty variance.

According to the application materials, the generator will be mounted approximately seven feet above grade to comply with current floodplain requirements. The applicant states that alternative locations are constrained by required building code clearances from doors, windows, and other building openings, the location of existing mechanical equipment, and the configuration of the residence. The proposed generator is located approximately seventy feet behind the front property line and is screened from public view by existing fencing and a six-foot gate.

Minimum yard requirements LDC Sec. 8.7(a)(3)	**2511 E. Vina Del Mar Boulevard**		
	Required Setback	**Proposed Encroachment**	**Variance Requested**
Side Setback	7 ft	~~2.5 ft~~ 4.5ft	~~4.5 ft~~ 2.5ft (v)
(v) = Variance Requested			

Analysis

a. **Required side yard setback:** Pursuant to Land Development Code Section 8.7(a)(3), detached single-family dwellings within the RU-1 Residential District are required to maintain a minimum side yard setback equal to the lesser of ten percent of the lot width or 7 feet. For the subject property, the required minimum side yard setback is seven feet. The applicant proposes to install an elevated generator approximately ~~2.5 feet~~ 4.5 feet from the southern side property line, requiring a ~~4.5-foot~~ 2.5-foot practical difficulty variance from the required setback.

According to the application materials, the proposed generator will be mounted approximately seven feet above grade to comply with current FEMA flood elevation requirements. The applicant indicates

the proposed location was selected because it provides the required building code clearances from doors, windows, and other building openings while minimizing the visual impact of the equipment. The applicant further indicates that alternative locations are constrained by the configuration of the residence, existing mechanical equipment, and applicable building and floodplain requirements. The proposed installation is located approximately 70 feet behind the front property line, is screened from public view by an existing six-foot gate and fencing, and does not increase the footprint, density, or intensity of the existing residential use.

Figure 4: Survey Showing Proposed Generator Location and Side Yard Encroachment

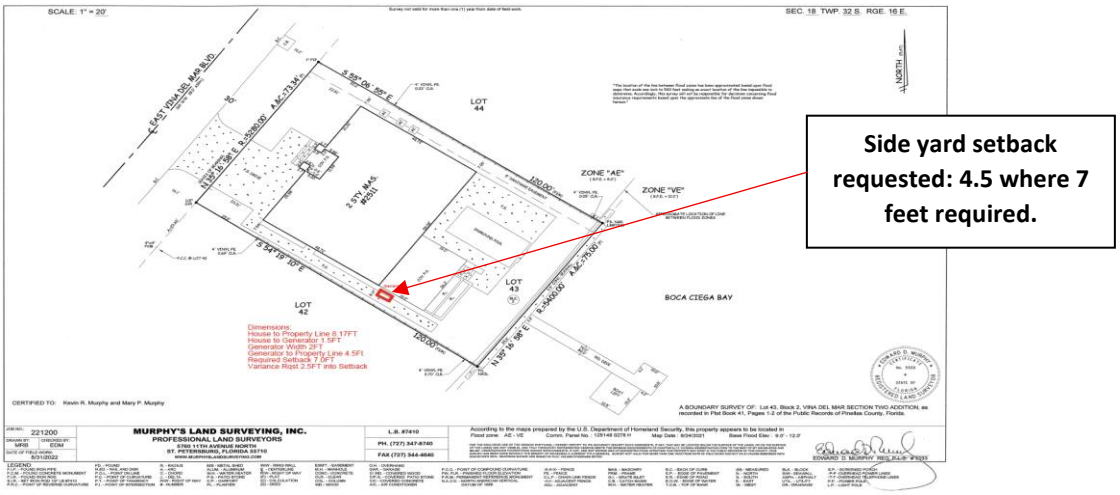


Figure 5: Front Elevation

Figure 6: Rear Elevation

Figure 7: Proposed location of generator (South Side)

Figure 8: 6FT Gate partially blocks view of Generator from Front of Home

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 1-4 below in addition to staff comments.

1. How substantial the variance is in relation to the requirement sought to be varied; *The applicant is requesting a ~~4.5-foo~~t 2.5-foot variance from the required seven-foot side yard setback to allow installation of an elevated generator. The proposed generator would maintain a ~~2.5-foot~~ 4.5 foot ~~-~~setback from the southern side property line. Although the requested relief is substantial, the variance applies only to an accessory mechanical unit and does not affect the size or use of the principal residence.*

2. Whether an adverse change will be produced in the character of the neighborhood; *Staff does not find the request will produce an adverse change in the character of the neighborhood. The subject property is located within an established single-family neighborhood where many homes have been elevated or*

rebuilt in recent years to meet current floodplain standards. As a result, elevated mechanical equipment, including whole-house generators, has become increasingly common throughout the area.

The proposed generator will be located on the south side of the residence approximately 70 feet behind the front property line and will be partially screened from public view by an existing six-foot gate and fencing. Staff does not find the proposed installation to be out of scale with surrounding residential development or that it will noticeably change the appearance of the property or neighborhood.

3. Whether the difficulty can be obviated by some method feasible for the applicant to pursue other than by a variance; *The applicant states the proposed location was selected because it provides the required clearances from doors, windows, vents, and other building openings while meeting current floodplain requirements. The application materials also indicate that locating the generator on the front of the home would create a greater visual impact, while other locations are limited by the layout of the residence and existing mechanical equipment.*

While other locations may exist on the property, Staff recognizes there are practical limitations associated with installing a generator on an elevated home while maintaining required building code clearances. The applicant should provide testimony describing the alternative locations that were considered and why the proposed location was determined to be the most practical option.

4**. Whether, in view of the manner in which the difficulty arose, the interest of justice will be served by allowing the variance;** *Whole-house generators have become increasingly common in coastal communities following recent hurricanes and extended power outages*, *particularly in neighborhoods where homes have been elevated to meet current floodplain standards. The proposed generator is intended to provide emergency backup power for the residence and will be elevated to comply with current floodplain requirements.*

Staff finds the requested relief limited to the placement of an accessory mechanical unit and does not alter the residential use of the property or increase the intensity of development. If the applicant demonstrates that the proposed location is the most practical location available while meeting applicable building and floodplain requirements, Staff finds the interest of justice would be served by allowing the variance.

Additional Comments

The Board has standards of review for a practical difficulty variance and must make a positive finding regarding the provisions contained in Division 3 of the Land Development Code in order to grant the requested variance. The applicant should be prepared to provide testimony addressing the four criteria above, as well as the following items:

- Why was the proposed location selected over other potential locations on the property.
- Whether the proposed location represents the minimum variance necessary to accommodate the generator while meeting applicable building and floodplain requirements.
- Whether the proposed installation will comply with all applicable building, electrical, mechanical, floodplain, and noise regulations.
- Whether installation of a standby generator was contemplated during the design and construction of the residence, and if not, why the need for the generator arose after completion of the home.

Summary

Staff finds the application presents a reasonable basis for Board consideration. The applicant identifies building code clearances, existing site conditions, and floodplain requirements as the basis for the proposed generator location. Additional testimony may assist the Board in determining whether the proposed location represents the most practical alternative and whether the requested variance constitutes the minimum relief necessary to accommodate the generator.

The Board must determine whether the applicant has adequately addressed the four practical difficulty criteria in Division 3 of the Land Development Code and whether the request is supported by competent and substantial evidence.

Should the Board of Adjustment approve the requested variance, staff recommends the following conditions:

1. The generator shall be installed in substantial compliance with the survey and plans submitted as part of this application.
2. The approved variance shall apply only to the generator location shown on the approved survey. The variance shall not be expanded, nor shall additional equipment be installed within the approved setback area without further review and approval by the City. Any relocation of the generator that further reduces the required side yard setback shall require additional Board approval.
3. Prior to final inspection approval, the applicant shall submit an as-built survey demonstrating that the generator has been installed in substantial compliance with the approved survey, plans, and conditions of approval.

If approved, the variance shall expire one (1) year from the date of the Development Order unless the required building permit is obtained within that time and remains valid through completion of construction.

Respectfully submitted,

Gilbert Martinez

Gil Martinez
Senior Planner

Cc: *Kevin and Mary Murphy, Owners, via email (kevinmurphy@bellsouth.net)*
Nancy Stuparich, Assistant City Attorney, via email

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

COMMUNITY DEVELOPMENT - PLANNING DIVISION

Date: **July 15, 2026**

To: **Board of Adjustment**

Re: **Staff Findings Report**
Practical Difficulty Variance
Address: 2511 E. Vina Del Mar Boulevard
Parcel Number: 18-32-16-94176-002-0430
Kevin and Mary Murphy
Variance Case No: 26100

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

Hearing Date: **July 29, 2026**

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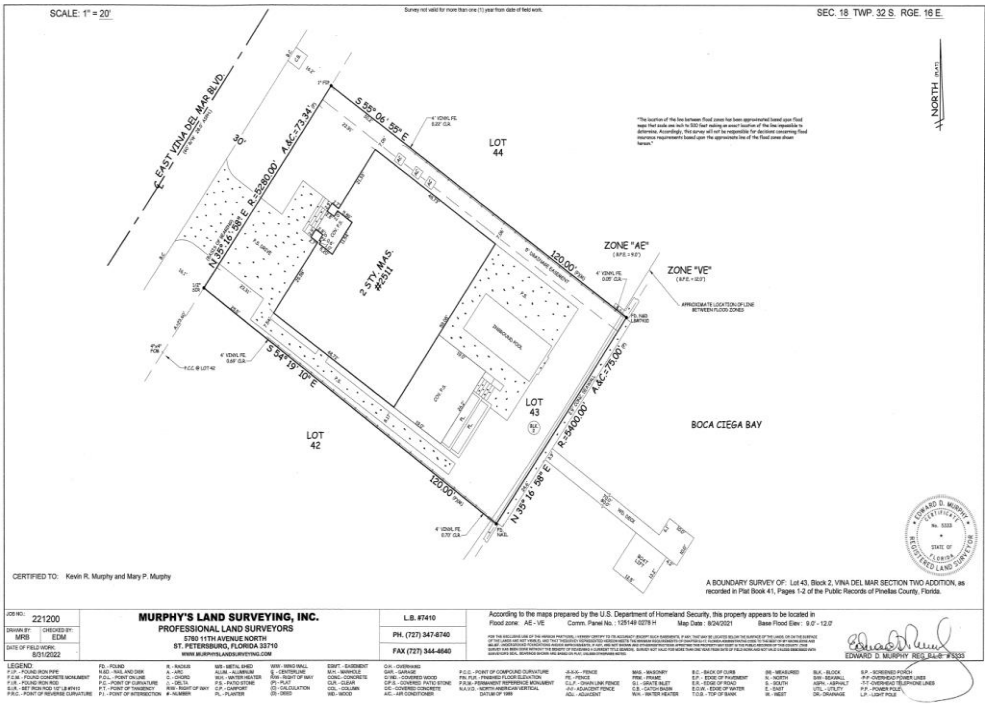
The subject property is improved with a single-family residence constructed in 2022 and designed in compliance with current floodplain and building code requirements. The residence conforms to the applicable development standards of the RU-1 zoning district, including required setbacks, maximum height, and impervious surface limitations. The property also includes a private dock, driveway, and swimming pool.

The applicant proposes to install a standby generator approximately 2.5 feet from the southern side property line, requiring a 4.5-foot variance from the required 7-foot side yard setback. To comply with FEMA flood elevation requirements, the generator will be elevated approximately seven feet above grade while maintaining the required clearances from doors, windows, and other building openings.

Figure 1: Aerial Photography

Source: Pinellas County Property Appraiser

Figure 2: Boundary Survey



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Minimum yard requirements LDC Sec. 8.7(a)(3)	**2511 E. Vina Del Mar Boulevard**		
	Required Setback	**Proposed Setback**	**Variance Requested**
Side Setback	7 ft	2.5ft	4.5 **ft(v)**
(v) = Variance Requested			

Analysis

a. **Required side yard setback:** Pursuant to Land Development Code Section 8.7(a)(3), detached single-family dwellings within the RU-1 Residential District are required to maintain a minimum side yard setback equal to the lesser of ten percent of the lot width or 7 feet. For the subject property, the required minimum side yard setback is seven feet. The applicant proposes to install an elevated generator approximately 2.5 feet from the southern side property line, requiring a 4.5-foot practical difficulty variance from the required setback.

According to the application materials, the proposed generator will be mounted approximately seven feet above grade to comply with current FEMA flood elevation requirements. The applicant indicates

the proposed location was selected because it provides the required building code clearances from doors, windows, and other building openings while minimizing the visual impact of the equipment. The applicant further indicates that alternative locations are constrained by the configuration of the residence, existing mechanical equipment, and applicable building and floodplain requirements. The proposed installation is located approximately 70 feet behind the front property line, is screened from public view by an existing six-foot gate and fencing, and does not increase the footprint, density, or intensity of the existing residential use.

Figure 4: Survey Showing Proposed Generator Location and Side Yard Encroachment

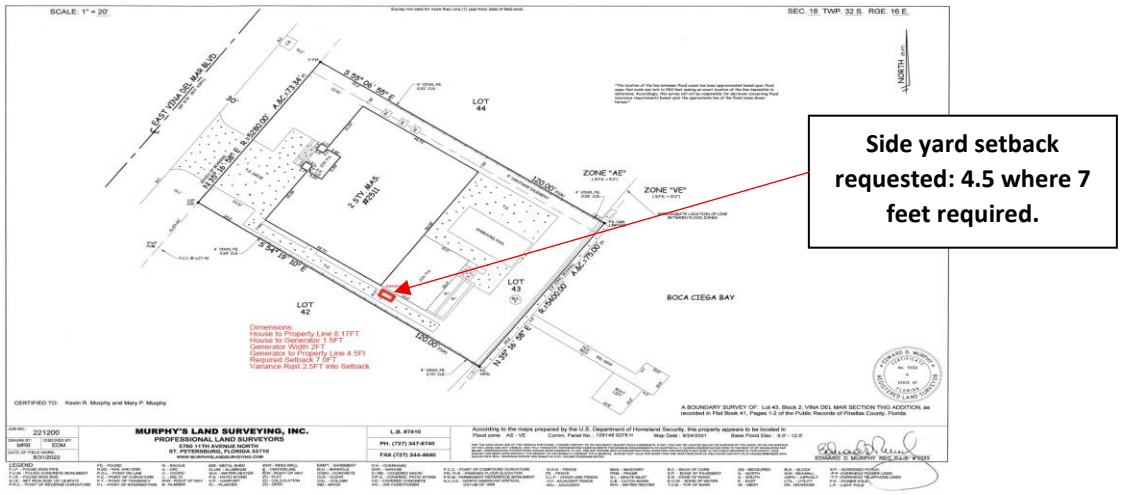


Figure 5: Front Elevation

Figure 6: Rear Elevation

Figure 7: Proposed location of generator (South Side)

Figure 8: 6FT Gate partially blocks view of Generator from Front of Home

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 1-4 below in addition to staff comments.

1. How substantial the variance is in relation to the requirement sought to be varied; *The applicant is requesting a 4.5-foot variance from the required seven-foot side yard setback to allow installation of an elevated generator. The proposed generator would maintain a 2.5-foot setback from the southern side property line. Although the requested relief is substantial, the variance applies only to an accessory mechanical unit and does not affect the size or use of the principal residence.*

2. Whether an adverse change will be produced in the character of the neighborhood; *Staff does not find the request will produce an adverse change in the character of the neighborhood. The subject property is located within an established single-family neighborhood where many homes have been elevated or*

rebuilt in recent years to meet current floodplain standards. As a result, elevated mechanical equipment, including whole-house generators, has become increasingly common throughout the area.

The proposed generator will be located on the south side of the residence approximately 70 feet behind the front property line and will be partially screened from public view by an existing six-foot gate and fencing. Staff does not find the proposed installation to be out of scale with surrounding residential development or that it will noticeably change the appearance of the property or neighborhood.

3. Whether the difficulty can be obviated by some method feasible for the applicant to pursue other than by a variance; *The applicant states the proposed location was selected because it provides the required clearances from doors, windows, vents, and other building openings while meeting current floodplain requirements. The application materials also indicate that locating the generator on the front of the home would create a greater visual impact, while other locations are limited by the layout of the residence and existing mechanical equipment.*

While other locations may exist on the property, Staff recognizes there are practical limitations associated with installing a generator on an elevated home while maintaining required building code clearances. The applicant should provide testimony describing the alternative locations that were considered and why the proposed location was determined to be the most practical option.

4**. Whether, in view of the manner in which the difficulty arose, the interest of justice will be served by allowing the variance;** *Whole-house generators have become increasingly common in coastal communities following recent hurricanes and extended power outages*, *particularly in neighborhoods where homes have been elevated to meet current floodplain standards. The proposed generator is intended to provide emergency backup power for the residence and will be elevated to comply with current floodplain requirements.*

Staff finds the requested relief limited to the placement of an accessory mechanical unit and does not alter the residential use of the property or increase the intensity of development. If the applicant demonstrates that the proposed location is the most practical location available while meeting applicable building and floodplain requirements, Staff finds the interest of justice would be served by allowing the variance.

Additional Comments

The Board has standards of review for a practical difficulty variance and must make a positive finding regarding the provisions contained in Division 3 of the Land Development Code in order to grant the requested variance. The applicant should be prepared to provide testimony addressing the four criteria above, as well as the following items:

- Why was the proposed location selected over other potential locations on the property.
- Whether the proposed location represents the minimum variance necessary to accommodate the generator while meeting applicable building and floodplain requirements.
- Whether the proposed installation will comply with all applicable building, electrical, mechanical, floodplain, and noise regulations.
- Whether installation of a standby generator was contemplated during the design and construction of the residence, and if not, why the need for the generator arose after completion of the home.

Summary

Staff finds the application presents a reasonable basis for Board consideration. The applicant identifies building code clearances, existing site conditions, and floodplain requirements as the basis for the proposed generator location. Additional testimony may assist the Board in determining whether the proposed location represents the most practical alternative and whether the requested variance constitutes the minimum relief necessary to accommodate the generator.

The Board must determine whether the applicant has adequately addressed the four practical difficulty criteria in Division 3 of the Land Development Code and whether the request is supported by competent and substantial evidence.

Should the Board of Adjustment approve the requested variance, staff recommends the following conditions:

1. The generator shall be installed in substantial compliance with the survey and plans submitted as part of this application.
2. The approved variance shall apply only to the generator location shown on the approved survey. The variance shall not be expanded, nor shall additional equipment be installed within the approved setback area without further review and approval by the City. Any relocation of the generator that further reduces the required side yard setback shall require additional Board approval.
3. Prior to final inspection approval, the applicant shall submit an as-built survey demonstrating that the generator has been installed in substantial compliance with the approved survey, plans, and conditions of approval.

If approved, the variance shall expire one (1) year from the date of the Development Order unless the required building permit is obtained within that time and remains valid through completion of construction.

Respectfully submitted,

Gilbert Martinez

Gil Martinez
Senior Planner

Cc: *Kevin and Mary Murphy, Owners, via email (kevinmurphy@bellsouth.net)*
Nancy Stuparich, Assistant City Attorney, via email

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

COMMUNITY DEVELOPMENT - PLANNING DIVISION

ST PETE BEACH BOARD OF ADJUSTMENT
VARIANCE (PRACTICAL DIFFICULTY)
CASE NO. _____

A public hearing was held before the St Pete Beach Board of Adjustment ("BOA") on the 29th day of July, 2026 for review of a variance to Section 6.14(b), of the St. Pete Beach Land Development Code ("Code") to allow a 4.5 foot side yard setback where the Code requires7 feet, for real property located at 2511 E. Vina Del Mar Blvd. Pete Beach, Florida (hereinafter "Subject Property") as requested by Kevin and Mary Murphy ("Property Owner").

The Board of Adjustment reviewed the published agenda materials, information presented at the hearing and testimony from Gil Martinez and Kristin Coman. The Board of Adjustment has accepted testimony from Gil Martinez and Kristen 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:

1. Kevin and Mary Murphy are the owners of the Subject Property, which is assigned Folio Number: _ 18-32-16-94176-002-0430. Notice of the BOA hearing was provided to the Property Owner as required by Section 3.4 of the St. Pete Beach Land Development Code.

2. The Subject Property is within the RU – Residential Future Land Use category according to the City of St. Pete Beach Comprehensive Plan and the RU-1 Residential zoning district. The zoning district requires a seven-foot side yard setback. Where four feet six inches is requested.

3. 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/not consistent with the Comprehensive Plan and approved/approved with conditions/denied as shown on the attached Exhibits for the following reasons establishing a practical difficulty:

1.How substantial the variance is in relation to the requirement sought to be varied—The BOA found _____;

2.Whether an adverse change will be produced in the character of the neighborhood—The BOA found _____;

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

DRAFT

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 found _____.

5. Approval of this variance does not give the Applicant a vested right to permit approval. Development or redevelopment of the Property must comply with all applicable requirements of the St Pete Beach Comprehensive Plan and LDC in effect at the time of permit approval, except as specifically modified herein.

6. This Order shall constitute final agency action, subject to appeal by writ of certiorari in accordance by a motion by _____and seconded by _____ and upon being put to a vote, the result was as follows:

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

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

DULY PASSED AND ADOPTED THIS 29 day of July, 2026.

St. Pete Beach Board of Adjustment

By: _____
_____Chair

ATTEST:

_____
_____, City Clerk

DRAFT

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

_____
Vose Law Firm, Town Attorney

This Resolution was filed in the Office of the City Clerk on this ___ day of ____, 2026.

EXHIBITS
Exhibit A: As-Built Survey
Exhibit B: Site Plan approved with building permit #250898

DRAFT

COMMUNITY DEVELOPMENT DEPARTMENT – PLANNING DIVISION

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

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

Variance Case Number: 26100
Application Type: Practical Difficulty Variance
Applicant/Agent: Kevin Murphy, Owner
Owner: Kevin Murphy
Parcel Number: 18-32-16-94176-002-0430
Address: 2511 E. Vina Del Mar Blvd., St. Pete Beach, FL 33706
Zone: RU-1 Residential

Submittal Documents:

1. Completed Practical Dificulty Variance package with application form.
2. Boundary Survey prepared by Murphy's Land Surveying, Inc., dated 8/31/2022 consisting of 1 sheet.
3. Boundary Survey prepared by Murphy's Land Surveying, Inc., dated 8/31/2022 consisting of 1 sheet showing location of proposed generator with setback information.
4. Six applicant-provided photographs; date taken unknown.

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***
- ☐ Code Enforcement Manager ***via email***
- ☐ TRC Committee ***via email***
- ☐ City Manager

Board Members:

- ☐ Denise Chase, Chair
- ☐ Chris Core, Vice Chair
- ☐ Joe Kunzer
- ☐ Jim Schmidt
- ☐ Dan Small

Cc: Kevin Murphy *via email* (kevinmurphy@bellsouth.net)

CASE #: _____ **PARCEL #:** _18-32-16-94176-002-0430____

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.
- 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	Kevin Murphy	2511 E Vina Del Mar Blvd, St Pete Beach 33706	404-353-0826
Applicant/ Agent	N/A		

Owner Email Address:	Applicant/Agent Email Address:
KevinMurphy@Bellsouth.Net	N/A

PROPERTY FOR PROPOSED VARIANCE:

Zoning Designation	Future Land Use Designation	Lot Area
RU1	RU	8812 sq ft

Legal Description: Vina-Del-Mar SEC 2 ADD BLK 2, Lot 43

Address: 2511 E Vina Del Mar Blvd, St Pete Beach, 33706

Explanation of Request: _____*Request to install whole house Generator mounted on side of house which will encroach 2.5 feet into the 7.0 foot setback requirement. The Generator will be 7 feet off the ground making it easy to maneuver around and FEMA complaint.*

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;
   Per the property survey, the generator will extend 2.5ft (or 36%) into the 7ft side set back. The generator will be placed well down the side of the house more than 70 feet from the front property line. The side of the house walkway is obscured by a 6ft metal gate. The generator will be mounted on the wall at a height of 7ft for FEMA compliance and to walk under without obstruction. Pictures and detailed diagrams with measurements and the proposed location of the generator have been included.

2. Whether an adverse change will be produced in the character of the neighborhood;
   Many neighbors on Vina Del Mar have generators mounted on side walls near the back of the home within the 7ft side set back. Mounting the Generator on the front, rear, of rooftop would produce an adverse change. A picture of a FEMA compliant home on Vina Del Mar with a generator mounted in the same manner is included.

3. Whether the difficulty can be obviated by some method feasible for the applicant to pursue other than by a variance; and
   The Generator cannot be mounted on the front wall of the house without creating an eyesore. Mounting the generator on the rear of the house is not an option due to the Building Code requirement that a generator cannot be installed within 5ft of a home opening (door, window, or vent). Pictures of the front, rear, an sides of the house are included.

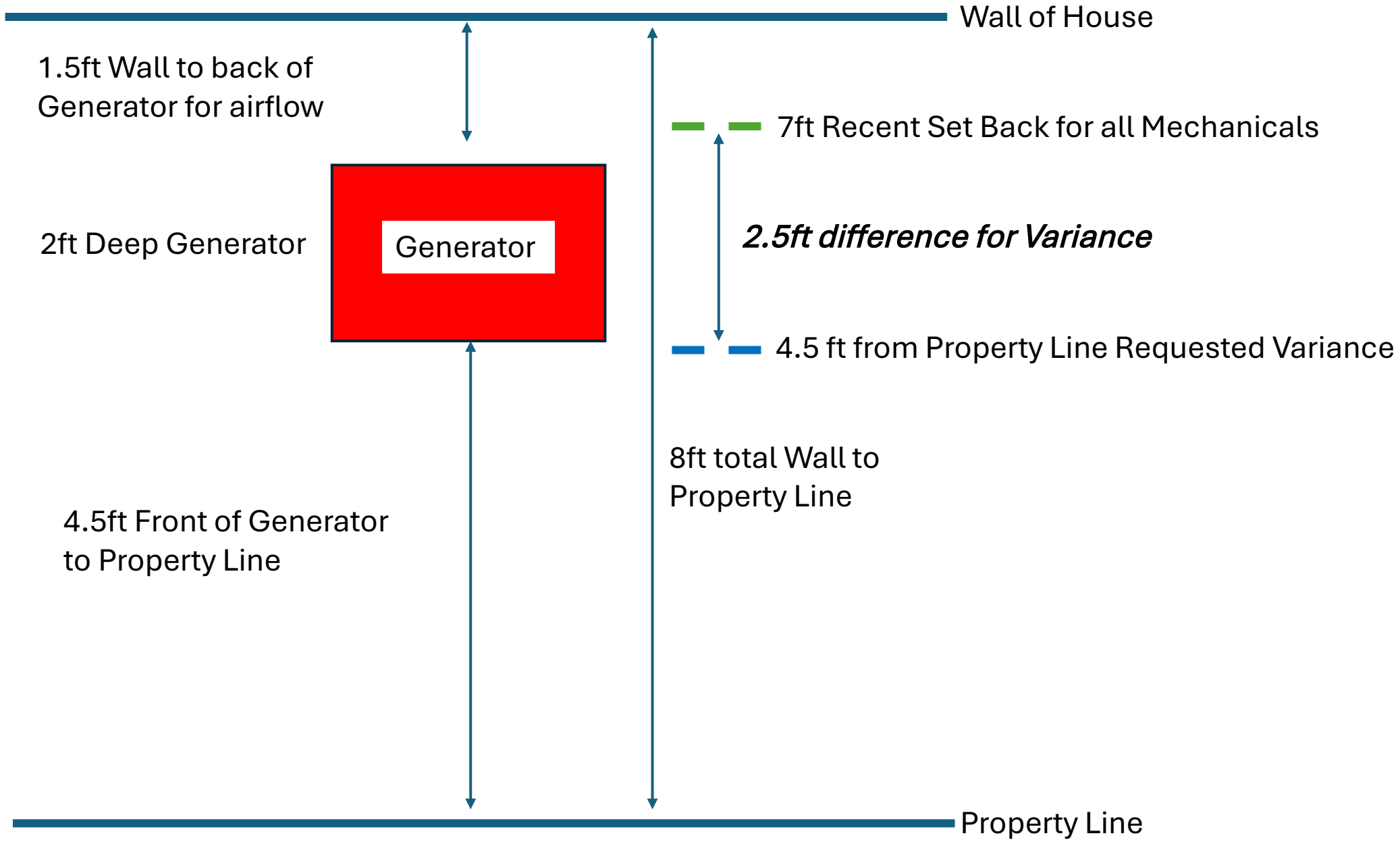
4. Whether, in view of the manner in which the difficulty arose, the interest of justice will be served by allowing the variance.

   In the interest of justice and fairness, I would like to be able to install a whole house generator to protect my family and property from storm and wind related power outages. While doing so in a manner that is consistent with common neighborhood practice and that causes no adverse impact to my neighbors.

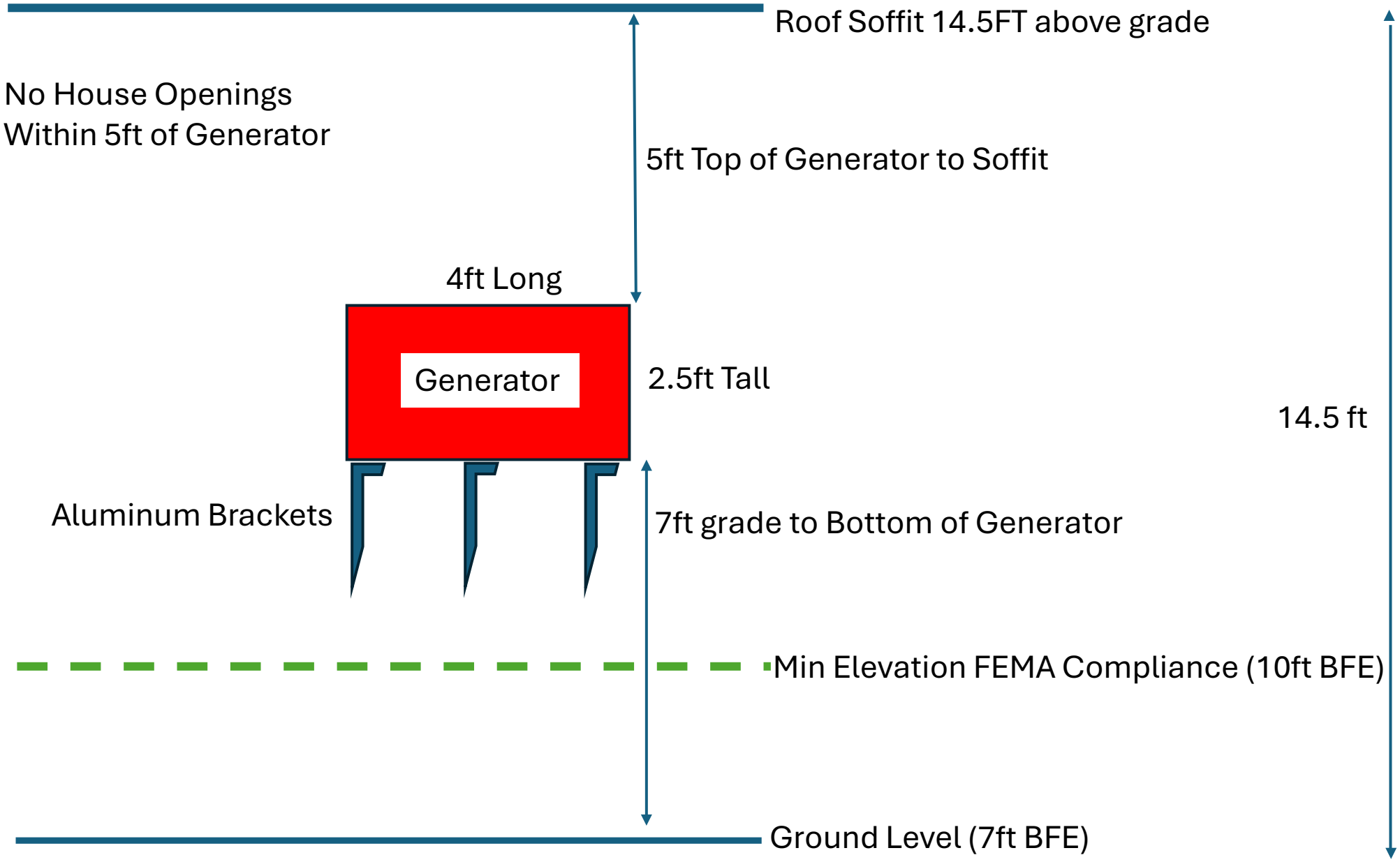
Kevin Murphy _____ 5/21/2026 _____

Signature of Applicant **Date** **Signature of Authorized Agent** **Date**

Generator Plan (Top Down) View



Generator Elevation (Side) View



#1 New House in Vina Del Mar with Generator on side of house

Proposed location
of Generator

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.

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

KM 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.

KM 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.

KM 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.

KM 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.

KM 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.

KM 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.

Kevin Murphy — Signature of Applicant

5/21/2026 — Date

N/A - No Agent Involved

Owner's Authorization For Agent Form

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

I/We _____

Agent_____
hereby authorize _____(Property Owner(s) printed name)_____
(Agent's printed name)

to represent me in an application for _____
(Type of application: Variance, Condtional 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_____

St. Pete Beach
The Sunset Capital of Florida

PUBLIC HEARING SIGN POSTING AFFIDAVIT

Applicant, Kevin Murphy, 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): Kevin Murphy

Address: 2511 E Vina Del Mar Blvd, St Pete Beach, Fl. 33706

K Murphy — 5/22/2026

Signature *Date*

STATE OF FLORIDA)
) SS:
PINELLAS COUNTY)

The foregoing instrument was acknowledged before me this 22nd day of May, 2026 by: Kevin Murphy who appeared before me, and is personally known to me, or has produced FL Drivers License as identification, and did take an oath.

My commission Expires:

NOTARY: Christopher HD Cooper Jr

Print Name: Christopher HD Cooper, Jr. Notary Public, State of Florida

(Notarial Seal)

CHRISTOPHER HD COOPER JR.
Notary Public - State of Florida
Commission # HH 700490
My Comm. Expires Jul 21, 2029

N/A - No Impervious Surface Impact in Variance Request

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

Phone _____

Email _____

Contractor/Applicant Name & Address

Phone _____

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.
TOTAL **EXISTING** IMPERVIOUS SURFACE:		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.
TOTAL **PROPOSED** IMPERVIOUS SURFACE:		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:

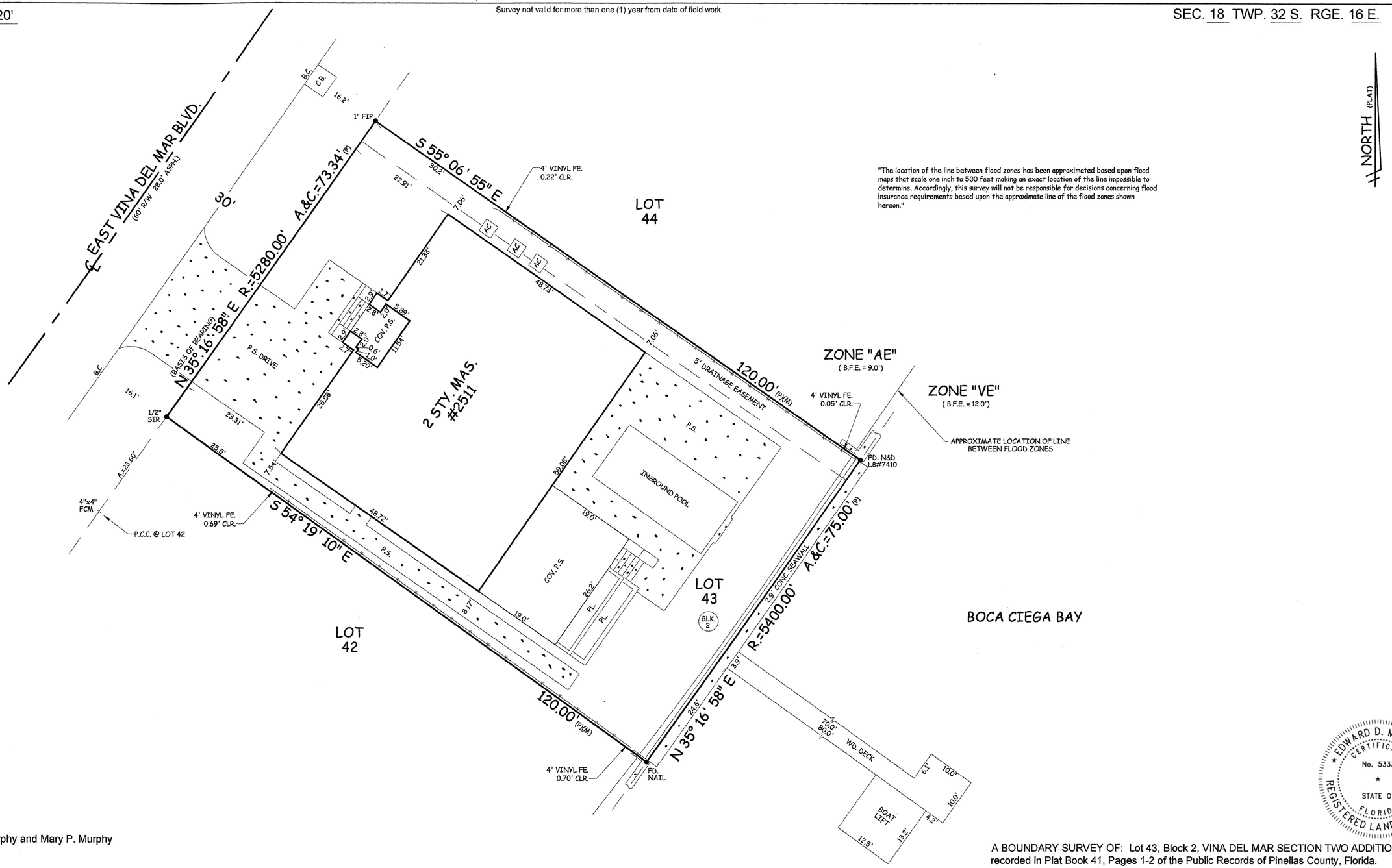
I, _____ certify that the calculations submitted above for the Impervious Surface Ratio are accurate and complete. The square footage of all existing structures and improvements are accounted for and the square footage of all proposed structures and improvements are included in the calculations below.

Applicant Signature: _____ Date: _____

SCALE: 1" = 20'

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

SEC. 18 TWP. 32 S. RGE. 16 E.



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

EDWARD D. MURPHY CERTIFICATE No. 5333 STATE OF FLORIDA REGISTERED LAND SURVEYOR

CERTIFIED TO: Kevin R. Murphy and Mary P. Murphy

A BOUNDARY SURVEY OF: Lot 43, Block 2, VINA DEL MAR SECTION TWO ADDITION, as recorded in Plat Book 41, Pages 1-2 of the Public Records of Pinellas County, Florida.

JOB NO.: 221200	**MURPHY'S LAND SURVEYING, INC.**	L.B. #7410
DRAWN BY: MRB / CHECKED BY: EDM	PROFESSIONAL LAND SURVEYORS	PH. (727) 347-8740
DATE OF FIELD WORK: 8/31/2022	5760 11TH AVENUE NORTH ST. PETERSBURG, FLORIDA 33710 WWW.MURPHYSLANDSURVEYING.COM	FAX (727) 344-4640

According to the maps prepared by the U.S. Department of Homeland Security, this property appears to be located in
Flood zone: AE - VE Comm. Panel No. : 125149 0278 H Map Date : 8/24/2021 Base Flood Elev : 9.0' - 12.0'

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 THESURVEY REPRESENTED HEREON MEETS THE MINIMUM REQUIREMENTS OF CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE TO THE BEST OF MY KNOWLEDGE AND BELIEF. UNDERGROUND FOUNDATIONS AND/OR IMPROVEMENTS, IF ANY, ARE NOT SHOWN AND OTHERRESTRICTIONS AFFECTING THIS PROPERTY MAY EXIST IN THE PUBLIC RECORDS OF THIS COUNTY. (THIS SURVEY HAS BEEN DONE WITHOUT THE BENEFIT OF REVIEWING A CURRENT TITLE SEARCH). SURVEY NOT VALID FOR MORE THAN ONE YEAR FROM DATE OF FIELD WORK AND NOT VALID UNLESS EMBOSSED WITH SURVEYOR'S SEAL. BEARINGS SHOWN ARE BASED ON PLAT, UNLESS OTHERWISE NOTED.

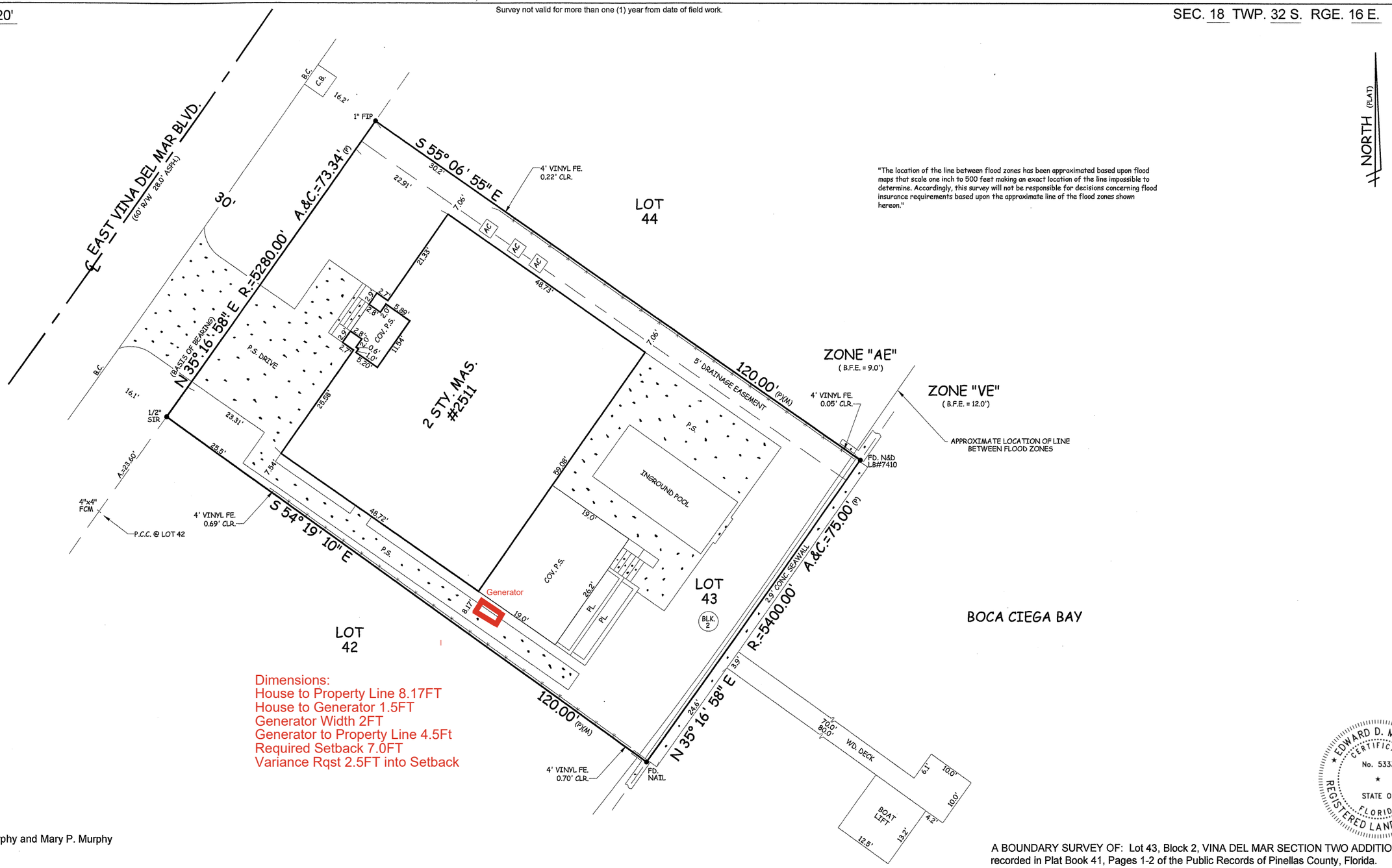
EDWARD D. MURPHY REG. P.L.S. # 5333

LEGEND:
F.I.P. - FOUND IRON PIPE
F.C.M. - FOUND CONCRETE MONUMENT
F.I.R. - FOUND IRON ROD
S.I.R. - SET IRON ROD 1/2" LB #7410
P.R.C. - POINT OF REVERSE CURVATURE
FD. - FOUND
N.&D. - NAIL AND DISK
P.O.L. - POINT ON LINE
P.C. - POINT OF CURVATURE
P.T. - POINT OF TANGENCY
P.I. - POINT OF INTERSECTION
R. - RADIUS
A. - ARC
C. - CHORD
△ - DELTA
R/W - RIGHT OF WAY
- NUMBER
M/S - METAL SHED
ALUM. - ALUMINUM
W.H. - WATER HEATER
P.S. - PATIO STONE
C.P. - CARPORT
PL. - PLANTER
W/W - WING WALL
℄ - CENTERLINE
R/W - RIGHT OF WAY
(P) - PLAT
(C) - CALCULATION
(D) - DEED
ESM'T. - EASEMENT
M.H. - MANHOLE
CONC.- CONCRETE
CLR. - CLEAR
COL. - COLUMN
WD.- WOOD
O.H. - OVERHANG
GAR. - GARAGE
C/ WD. - COVERED WOOD
C/P.S. - COVERED PATIO STONE
C/C - COVERED CONCRETE
A/C. - AIR CONDITIONER
P.C.C. - POINT OF COMPOUND CURVATURE
FIN. FLR. - FINISHED FLOOR ELEVATION
P.R.M.- PERMANENT REFERENCE MONUMENT
N.A.V.D. - NORTH ANERICAN VERTICAL DATUM OF 1988
-X-X-X- - FENCE
FE. - FENCE
C.L.F. - CHAIN LINK FENCE
-//-// - ADJACENT FENCE
ADJ. - ADJACENT
MAS. - MASONRY
FRM. - FRAME
G.I. - GRATE INLET
C.B. - CATCH BASIN
W.H. - WATER HEATER
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
(M) - MEASURED
N. - NORTH
S. - SOUTH
E. - EAST
W. - WEST
BLK. - BLOCK
S/W - SEAWALL
ASPH. - ASPHALT
UTIL. - UTILITY
DR.- DRAINAGE
S.P. - SCREENED PORCH
-P-P -OVERHEAD POWER LINES
-T-T -OVERHEAD TELEPHONE LINES
P.P. - POWER POLE
L.P. - LIGHT POLE

SCALE: 1" = 20'

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

SEC. 18 TWP. 32 S. RGE. 16 E.



Dimensions:
House to Property Line 8.17FT
House to Generator 1.5FT
Generator Width 2FT
Generator to Property Line 4.5Ft
Required Setback 7.0FT
Variance Rqst 2.5FT into Setback

CERTIFIED TO: Kevin R. Murphy and Mary P. Murphy

EDWARD D. MURPHY CERTIFICATE No. 5333 STATE OF FLORIDA REGISTERED LAND SURVEYOR

A BOUNDARY SURVEY OF: Lot 43, Block 2, VINA DEL MAR SECTION TWO ADDITION, as recorded in Plat Book 41, Pages 1-2 of the Public Records of Pinellas County, Florida.

JOB NO.: 221200	**MURPHY'S LAND SURVEYING, INC.**	L.B. #7410
DRAWN BY: MRB / CHECKED BY: EDM	PROFESSIONAL LAND SURVEYORS	PH. (727) 347-8740
DATE OF FIELD WORK: 8/31/2022	5760 11TH AVENUE NORTH ST. PETERSBURG, FLORIDA 33710 WWW.MURPHYSLANDSURVEYING.COM	FAX (727) 344-4640

According to the maps prepared by the U.S. Department of Homeland Security, this property appears to be located in Flood zone: AE - VE Comm. Panel No. : 125149 0278 H Map Date : 8/24/2021 Base Flood Elev : 9.0' - 12.0'

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 THESURVEY REPRESENTED HEREON MEETS THE MINIMUM REQUIREMENTS OF CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE TO THE BEST OF MY KNOWLEDGE AND BELIEF. UNDERGROUND FOUNDATIONS AND/OR IMPROVEMENTS, IF ANY, ARE NOT SHOWN AND OTHERRESTRICTIONS AFFECTING THIS PROPERTY MAY EXIST IN THE PUBLIC RECORDS OF THIS COUNTY. (THIS SURVEY HAS BEEN DONE WITHOUT THE BENEFIT OF REVIEWING A CURRENT TITLE SEARCH). SURVEY NOT VALID FOR MORE THAN ONE YEAR FROM DATE OF FIELD WORK AND NOT VALID UNLESS EMBOSSED WITH SURVEYOR'S SEAL. BEARINGS SHOWN ARE BASED ON PLAT, UNLESS OTHERWISE NOTED.

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

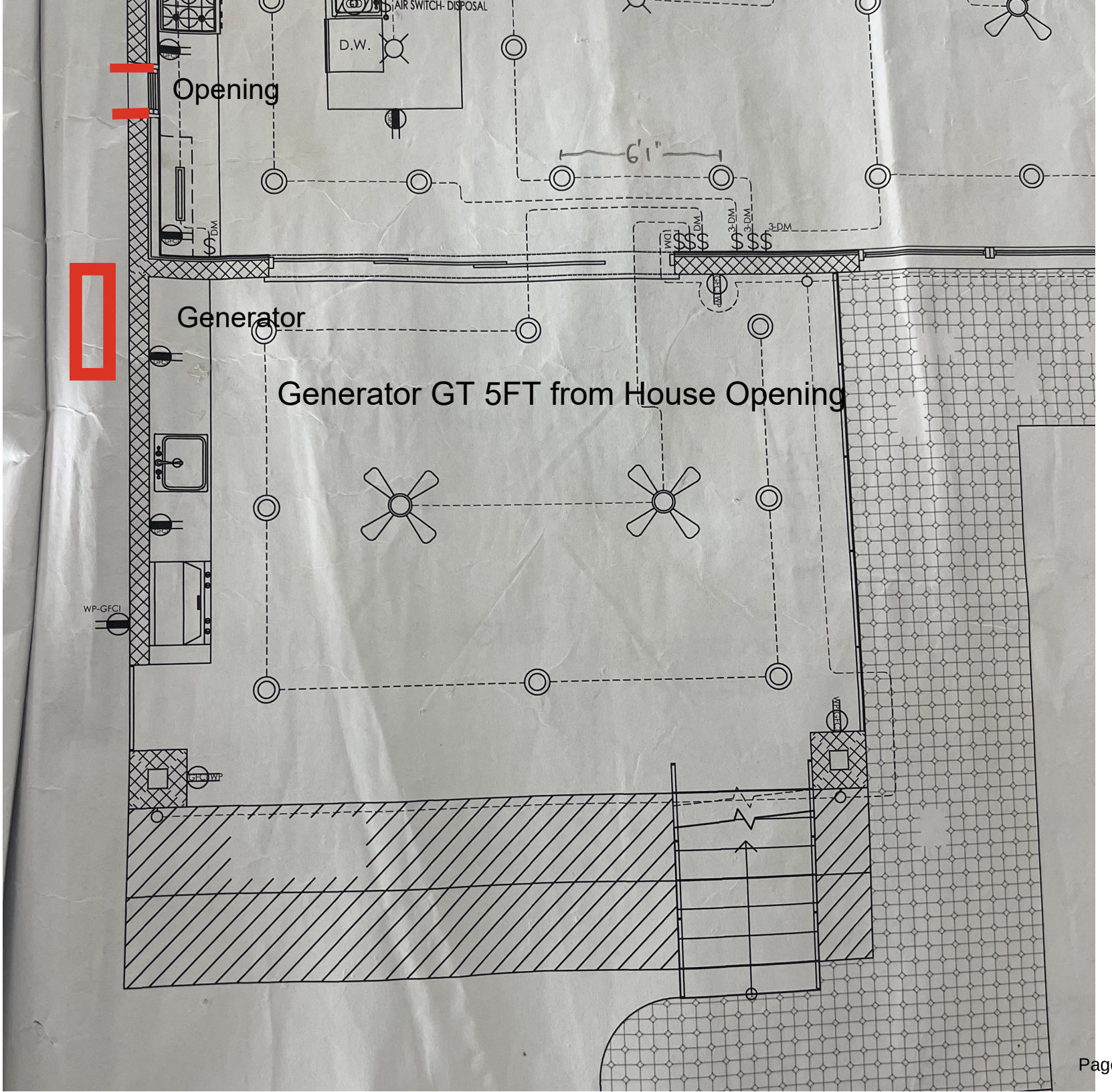
LEGEND:
F.I.P. - FOUND IRON PIPE
F.C.M. - FOUND CONCRETE MONUMENT
F.I.R. - FOUND IRON ROD
S.I.R. - SET IRON ROD 1/2" LB #7410
P.R.C. - POINT OF REVERSE CURVATURE
FD. - FOUND
N.&D. - NAIL AND DISK
P.O.L. - POINT ON LINE
P.C. - POINT OF CURVATURE
P.T. - POINT OF TANGENCY
P.I. - POINT OF INTERSECTION
R. - RADIUS
A. - ARC
C. - CHORD
△ - DELTA
R/W - RIGHT OF WAY
- NUMBER
M/S - METAL SHED
ALUM. - ALUMINUM
W.H. - WATER HEATER
P.S. - PATIO STONE
C.P. - CARPORT
PL. - PLANTER
W/W - WING WALL
℄ - CENTERLINE
R/W - RIGHT OF WAY
(P) - PLAT
(C) - CALCULATION
(D) - DEED
ESM'T. - EASEMENT
M.H. - MANHOLE
CONC. - CONCRETE
CLR. - CLEAR
COL. - COLUMN
WD. - WOOD
O.H. - OVERHANG
GAR. - GARAGE
C/ WD. - COVERED WOOD
C/P.S. - COVERED PATIO STONE
C/C - COVERED CONCRETE
A/C. - AIR CONDITIONER
P.C.C. - POINT OF COMPOUND CURVATURE
FIN. FLR. - FINISHED FLOOR ELEVATION
P.R.M. - PERMANENT REFERENCE MONUMENT
N.A.V.D. - NORTH AMERICAN VERTICAL DATUM OF 1988
-X-X-X- - FENCE
FE. - FENCE
C.L.F. - CHAIN LINK FENCE
-//-// - ADJACENT FENCE
ADJ. - ADJACENT
MAS. - MASONRY
FRM. - FRAME
G.I. - GRATE INLET
C.B. - CATCH BASIN
W.H. - WATER HEATER
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
(M) - MEASURED
N. - NORTH
S. - SOUTH
E. - EAST
W. - WEST
BLK. - BLOCK
S/W - SEAWALL
ASPH. - ASPHALT
UTIL. - UTILITY
DR. - DRAINAGE
S.P. - SCREENED PORCH
-P-P -OVERHEAD POWER LINES
-T-T -OVERHEAD TELEPHONE LINES
P.P. - POWER POLE
L.P. - LIGHT POLE

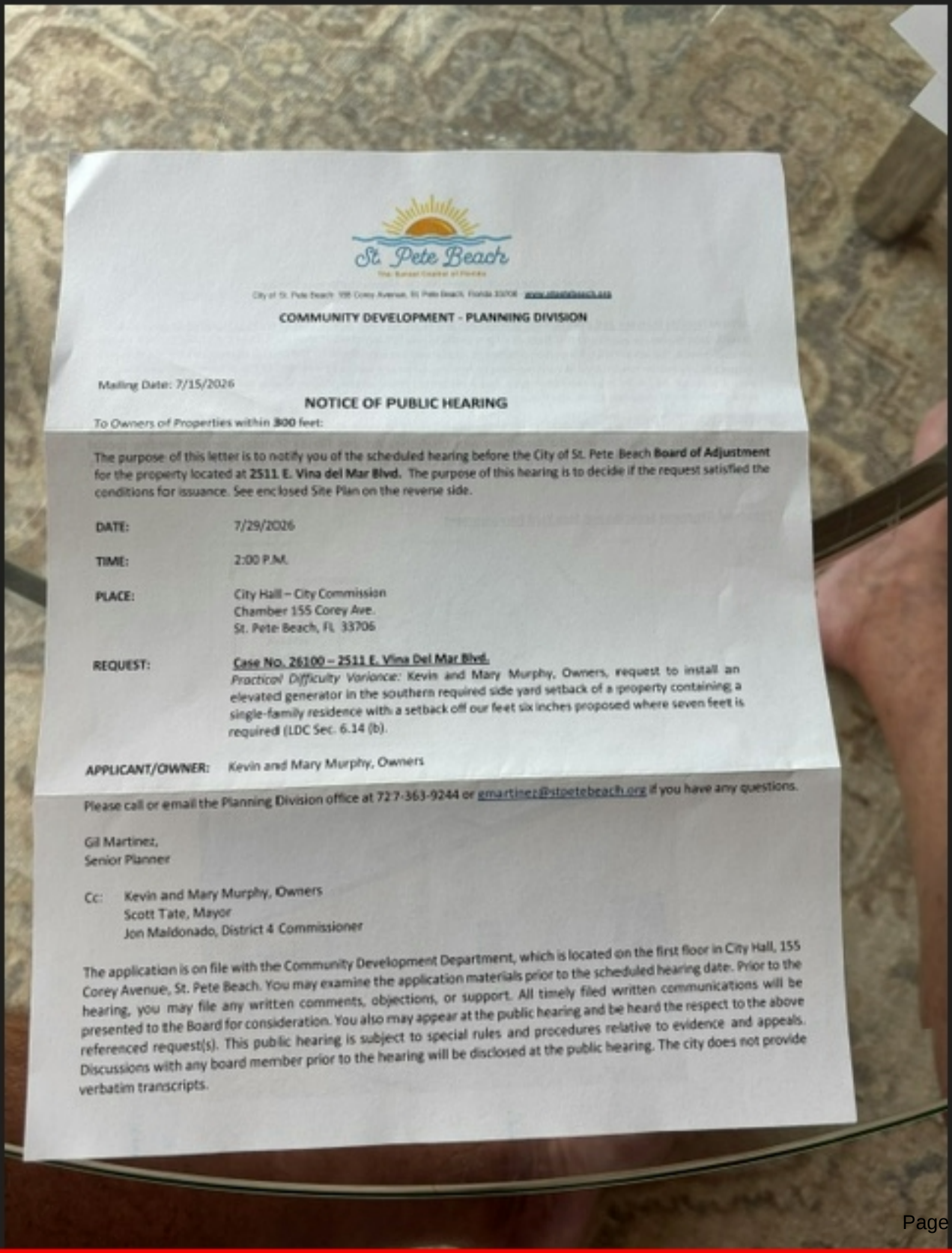
2511

Generator

6FT Gate blocks view of Generator from Front of house

No room for Generator this side


Opening
Generator
Generator GT 5FT from House Opening
D.W.
AIR SWITCH- DISPOSAL
6'1"
3-DM
WP-GFCI
GFCI/WP



St. Pete Beach

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

COMMUNITY DEVELOPMENT - PLANNING DIVISION

Mailing Date: 7/15/2026

NOTICE OF PUBLIC HEARING

To Owners of Properties within **300** feet:

The purpose of this letter is to notify you of the scheduled hearing before the City of St. Pete Beach **Board of Adjustment** for the property located at **2511 E. Vina del Mar Blvd.** The purpose of this hearing is to decide if the request satisfied the conditions for issuance. See enclosed Site Plan on the reverse side.

DATE: 7/29/2026

TIME: 2:00 P.M.

PLACE: City Hall – City Commission
Chamber 155 Corey Ave.
St. Pete Beach, Fl. 33706

REQUEST: **Case No. 26100 – 2511 E. Vina Del Mar Blvd.**
Practical Difficulty Variance: Kevin and Mary Murphy, Owners, request to install an elevated generator in the southern required side yard setback of a property containing a single-family residence with a setback off our feet six inches proposed where seven feet is required (LDC Sec. 6.14 (b).

APPLICANT/OWNER: Kevin and Mary Murphy, Owners

Please call or email the Planning Division office at 727-363-9244 or gmartinez@stpetebeach.org if you have any questions.

Gil Martinez,
Senior Planner

Cc: Kevin and Mary Murphy, Owners
Scott Tate, Mayor
Jon Maldonado, District 4 Commissioner

The application is on file with the Community Development Department, which is located on the first floor in City Hall, 155 Corey Avenue, St. Pete Beach. You may examine the application materials prior to the scheduled hearing date. Prior to the hearing, you may file any written comments, objections, or support. All timely filed written communications will be presented to the Board for consideration. You also may appear at the public hearing and be heard the respect to the above referenced request(s). This public hearing is subject to special rules and procedures relative to evidence and appeals. Discussions with any board member prior to the hearing will be disclosed at the public hearing. The city does not provide verbatim transcripts.

FW: Board of adjustment

Kristin Coman <kcoman@stpetebeach.org>
To Gilbert Martinez; Ginny Bodkin; Ralf Brookes
Cc pcichon@voselaw.com

IMG_7168.jpeg
142 KB

Reply | Reply All

Kristin Coman
Planning Manager
Community Development | City of St. Pete Beach
727.363.9265
kcoman@stpetebeach.org
155 Corey Ave. St. Pete Beach, FL 33706

From: Denise Chase <denise.e.chase@gmail.com>
Sent: Friday, July 17, 2026 3:38 PM
To: Kristin Coman <kcoman@stpetebeach.org>
Subject: Fwd: Board of adjustment

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 Kristin,
Just passing along this email correspondance that was directed to me from a neighbor of the applicant.

- Denise

---------- Forwarded message ---------
From: **Roger** <rogerdavidbear@gmail.com>
Date: Fri, Jul 17, 2026, 4:17 PM
Subject: Board of adjustment
To: Denise Chase <denise.e.chase@gmail.com>

Got this today. No issue for us.

Roger Bear
Cell: 321-439-9398

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

Agenda Report

Agenda Title Name: **Case No. 26099 - 2851 E Vina Del Mar Blvd.**

Action Request: Motion to [approve/approve with conditions/deny/continue to [specify date certain]] unnecessary and undue variance 26099 for 2851 E Vina Del Mar Blvd.

Strategic Objective:

Date: July 29, 2026

Prepared By: Brandon Berry, Senior Planner

Through: Laura Canary, Community Development Director

Summary of Issue: Staff recognizes the substantial challenges with developing docking facilities at waterfronts in the immediate vicinity of the subject property, including at the subject property, due to significant accretion near the seawall. As the applicant is not further encroaching into either littoral setback, or extending the length of the dock with head beyond where it currently exists, staff also does not find that it will be a detriment to visibility or navigability. However, staff requests additional testimony from the applicant pertaining to conditions 1, 3, 6, and 7, particularly related to additional support for a hardship of the land or structure rather than a user-based hardship.

Funding: N/A

Attachments:

1. 26099 - Staff Report
2. 26099 - Development Order Draft
3. 26099 Certificate of Completion with submittal documents

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

COMMUNITY DEVELOPMENT - PLANNING

Date: **July 3, 2026**

To: **Board of Adjustment**

Re: **Staff Findings Report**
Unnecessary and Undue Hardship Variance
Addresses: 2851 E Vina Del Mar Blvd
Parcel Number: 18-32-16-94176-002-0610
Micah Thompson of Gulf & Bay Dock Works, LLC for CARLSON, ROBERT A REV TRUST and HEINTZ, DENISE TRE
Variance Case No: 26099

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

Hearing Date: **July 29, 2026**

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

1. Completed unnecessary and undue hardship variance application, consisting of 11 sheets.
2. Site plan, undated, depicting the subject request.
3. Boundary survey, digitally signed by Kevin E. Randolph, P.S.M., dated April 30, 2026.

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

Site Description/Surrounding Land Uses

The subject dock was originally constructed with a 92'-6" total length, of which 12'x14'-6" functioned as a walkout with portion for lower landing, in 2002. A former owner was approved in 2004 to install a boat lift on the south side of the dock with catwalk extension around, but from aerial review the catwalk was never constructed. The boat lift was removed in 2016 or 2017, and a permit was issued in 2020 to install a boat lift along the northern side of the dock head. The boat lift was approved via permit to be replaced in 2021, and a boarding platform installed on the northern side, but the platform was never knowingly installed.

Properties along E Vina Del Mar Blvd, particularly toward its center and most noticeably in the vicinity of the subject property, face significant sediment accretion adjacent the seawall, which from recent aerial review can be emersed at a distance of 50 feet or greater from the seawall depending on tide. This has historically resulted in substantially longer docks than others in other residential neighborhoods, even

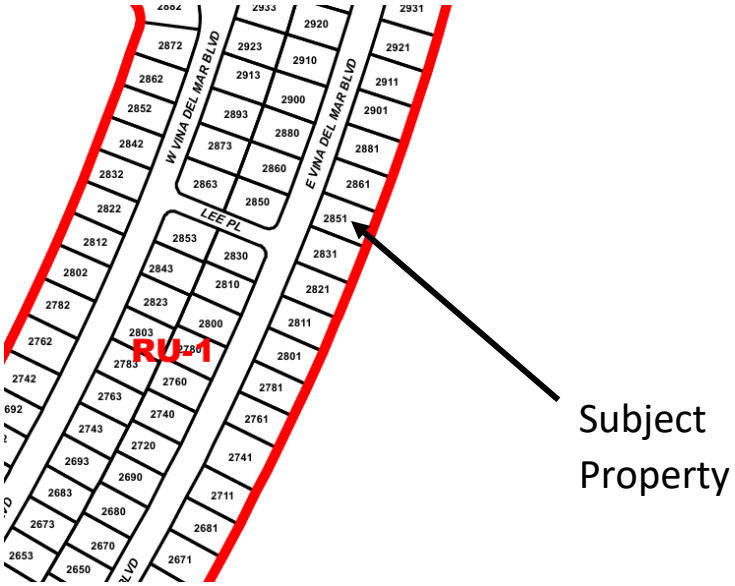
when only accounting for those residences on open water. The majority of the docks in the vicinity of the subject dock are 80 feet or longer, with many 90 or more feet in length.

The upland associated property contains a detached single-family residence, as do those to the south and north. Vina Del Mar is zoned solely for single-family and accessory uses, including docks.

Figure 1: Aerial Photography

Source: Pinellas County Property Appraiser

Figure 2: Zoning Map



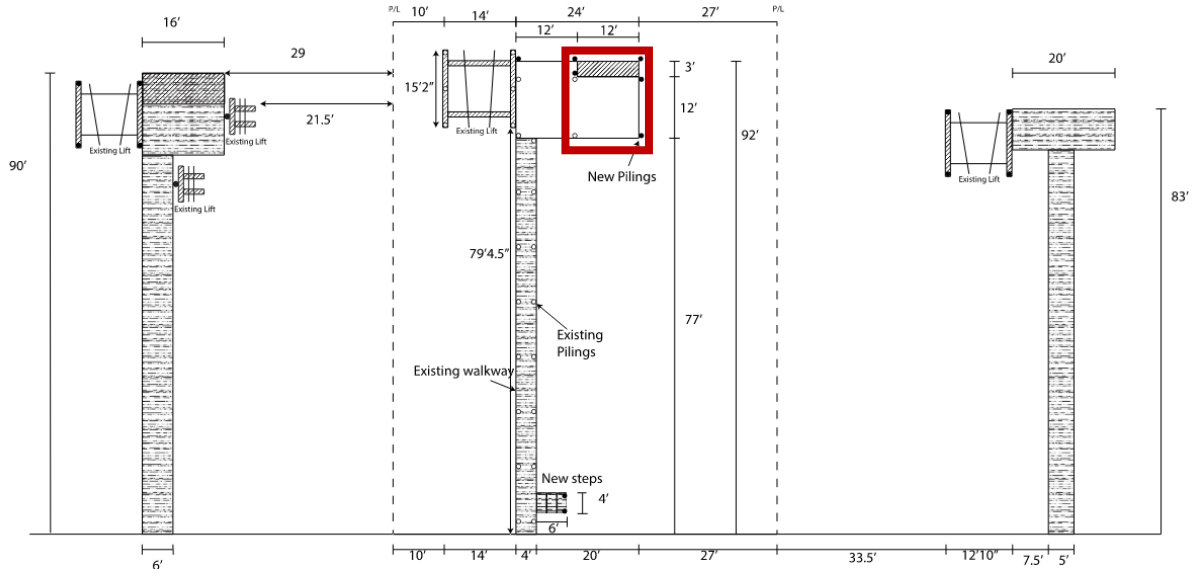
Source: City of St. Pete Beach Official Zoning Map, dated 7/20/2012

Request

The applicant is seeking, under the subject request, to extend the dock head to its southern side 12 feet to allow for an additional 12 foot in depth and outer three-foot lower landing, for a total extension of 12 feet in width and 15 feet in depth. As the dock, along with its neighbors, substantially exceeds the allowable distance from the seawall that is permitted for additions to be constructed administratively, the owner requires the signature of both neighbors to construct any extensions of the dock's facilities located more than approximately 37.5 feet from the seawall. That applies even in the subject case, in which the dock is not becoming longer or further encroaching into either of the riparian quadrants adjacent the neighbor's waterfronts.

Figure 3: Zoning Table			
Residential Docks	**2851 E Vina Del Mar Blvd**		
	Residential Dock Required	**Existing**	**Proposed**
Length limitations	Not to exceed 50% of the waterfront width (37.5') from the seawall without neighbor approval	92.5'*	92.5', with 12' x 15' addition **(v)**
Side setback limitation	25% of the waterfront width (18.75')	10'* (N) 38' (S)	10' (N) 27' (S)
***Denotes existing non-conformity** **(v) Variance required**			

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



Analysis

The subject dock is slightly longer than the ones that abut it, at 92' in length compared with docks of 90' to the north and 83' to the south. Other docks in the vicinity are generally 80-90 feet in length. The NOAA Office of Coast Survey shows the water up to the land possessing a depth of five feet, although that does not reflect the lowest tide levels in which areas adjacent the seawall cannot be used to launch. The applicant advances in their narrative that this improvement is being undertaken with the goal of safe maneuverability on the dock head, rather than additional mooring slips or to accommodate a larger vessel or additional vessels.

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 unique condition of significant sediment accretion near the seawall is applicable to other properties' waterfronts in the immediate vicinity of the subject property, but is a somewhat uncommon condition city-wide. However, that condition pertains more to the overall extension of the dock to create a condition to wharf out, which is already provided and is not stated by the applicant to be deficient or the basis of this request. The applicant is requesting the subject variance to allow for additional mobility for the property owner, which is applicable to the upland owner and littoral user rather than to the land, structure, or building specifically.

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

   The owner did not cause the accretion which partially accounts for the basis for this request. If deep water extended to the seawall, and allowed for reasonable access to navigable waters from much closer to the seawall, the applicant may not need to ask neighbor permission for the subject request. While the subject proposed dock head is unusually wide compared with others in the immediate vicinity, there are other docks of similar width, and overall head area, as proposed here in other areas of Vina Del Mar and adjacent other RU-1-zoned neighborhoods that are constructed without need for abutting neighbor signature due to the lack of accretion near the seawall.

   The owner is undertaking the work to provide additional mobility for their use of the dock, as stated in the narrative. This is particular to the user rather than some unique aspect of the land 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;**

Due to the unique littoral conditions of the E Vina Del Mar waterfront, property owners are largely reliant on one another to permit any new construction, other than simple replacement or restoration, located further than 35 to 40 feet from their seawalls. The property owner to the south was authorized in 2021 to rebuild their dock, which is permitted administratively in its equivalent footprint, and relocate their boat lift, which required authorization from both abutting neighbors and was provided. The property owner to the north was authorized in 2025 to extend a lower landing to 95 feet in total length, which was authorized by both abutting owners but appears to remain in pending status with Pinellas County. If approved, this will create an overall dock head of 336 square feet, which is 24 square feet lesser than that requested by the subject property owner.

Staff does not find that the overall dock size requested by the applicant is commonly enjoyed by other properties in the same zoning district, but finds the length is a reasonable size given the accretion substantially limiting use closer to the seawall, and that the subject request stems in part from this land-based challenge. The applicant has advanced mobility issues as the basis for this request, which is a hardship of the user and pertains to a hardship of the land on the basis of the accretion requiring a longer dock that necessitates neighbor authorization for any expansion. Staff finds this criteria to only be partially supported by the narrative, and requests the applicant estimate the total length of submerged land measured from the seawall that has inadequate draft for a standard recreational vessel if they wish to base this request on a usability of the structure argument.

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;**

Residential dock uses are permitted and customary throughout the zoning district.

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

Staff does not find greater financial return to be the basis for this request. The applicant has advanced mobility issues as basis for requesting the variance, and cited the de-facto requirement for agreement from both neighbors as a challenge when there is not common agreement.

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 requests the applicant address how much of the length of the dock, measured from the seawall, is along submerged land that provides inadequate draft for a standard recreational vessel. If the usable portion of the dock is of similar dimensions to what would be authorized without the waterfront's accretion, staff finds this request could be partially supported, particularly as this request maintains more than its required littoral quadrant setback from the neighbor's property. However, absent that support, staff finds the dock will be of a greater head size than that of most other docks in the vicinity, and that the hardship has a reasonable user basis but not necessarily one supported by the land, structure, or building.

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

The dock can still be reasonably used without the subject variance, based on the narrative provided. The dock has existed with its existing head size for 24 years, and the applicant has not advanced a condition of the waterfront or other emerging littoral issue as a basis for the request.

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

Staff does not find the request to be adverse to the Land Development Code or Comprehensive Plan from a general purpose or intent perspective, as the request is not to create a structure that substantially deviates from the surrounding common form or use of a residential dock, or create one that staff expects will disrupt the neighborhood's residential character. Staff also does not find the request to be injurious to the neighborhood, and does not expect the request to be detrimental to the welfare of surrounding property owners, who appear can still reasonably access navigable waters from their existing docking facilities, and for which the head extension will not provide an unreasonable visual blockage. The head is larger than others in the immediate vicinity, although the northern property owner was recently authorized for a head that will be close in square footage compared with the one requested by the subject property owner. Staff does not expect the request, if approved, will substantially diminish or impair property values.

Other

Staff finds that the applicants have adequately addressed some of the hardship criteria, but has not yet demonstrated that denial of the hardship variance request would result in unnecessary and undue hardship based on some challenge of the land, structure or building, nor have they demonstrated that the subject request is the minimum necessary to make reasonable use of the dock structure. The request itself is reasonable and understood by staff, but requires additional support to meet the strict criteria of a hardship variance.

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

- How much of the depth of the submerged land behind the subject property is unable to be used, and the frequency of that deficiency to meet draft requirements for a standard recreational vessel.
- Whether they expect any navigability issues for any adjacent property owner should this request be approved.
- If there are any submerged land conditions immediately adjacent the existing dock head that require making the proposed dock head larger than may be necessary to address the owner's request.

Summary

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

Should the applicants or agents provide additional information to satisfy the Board that substantial and competent evidence has been provided and look favorably on the application on the relief request, the Board may wish to consider any conditions it finds are necessary to protect the public interest.

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

Brandon Berry
Senior Planner

Cc: Micah Thompson, Agent, via email (permitting@gulfandbaydockworks.com)
Robert Carlson, Owner, via email (bobcarlson911@gmail.com)

ST PETE BEACH BOARD OF ADJUSTMENT
VARIANCE (UNDUE HARDSHIP)
CASE NO. 26099

A public hearing was held before the St Pete Beach Board of Adjustment ("BOA") on the 29th day of July, 2026 for review of a variance to Section 6.23.(d)(3) of the St. Pete Beach Land Development Code ("LDC" or "Land Development Code") to allow for the applicants to extend a dock head 12 feet in width and 15 feet in depth between 77 and 92 feet from the seawall where any extension further than 37.5 feet from the seawall requires approval from both neighbors, in the waterfront of real property located at 2851 E Vina Del Mar Blvd ("subject property"). The request is made by Micah Thompson of Gulf & Bay Dock Works, LLC ("Agent") for CARLSON, ROBERT A REV TRUST and HEINTZ, DENISE TRE ("Applicant" or "Owner").

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. CARLSON, ROBERT A REV TRUST and HEINTZ, DENISE TRE are the owners of 2851 E Vina Del Mar Blvd and 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 and RU-1 Residential zoning districts according to the Future Land Use and zoning maps. Docks located adjacent to properties in this zoning district are limited to 50% of the waterfront width in length, which is 37.5 feet for the subject dock, without neighbor authorization. In the subject case, the applicant has not received approval from either neighbor as the drafting of this development order, and has pursued the variance due to inability to obtain authorization from the southern neighbor.

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 [approved/approved with conditions/denied] 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 partially met, on the basis of significant accretion near the seawall which is uncommon in other areas throughout the RU-1 zoning district. [Space for additional support, if provided].

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 owner did not create the conditions that caused the accretion, and the request stems from what is stated to be a mobility issue, rather than solely a preference for greater intensity or a greater number of features on an accessory amenity.

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 is partially met, as the dock head size proposed is somewhat unusual for others in the immediate vicinity, but the length is not unusual due to the significant accretion near the seawall.

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 residential docks are permitted as accessory amenities in the upland residence's zoning district, and the applicant is not requesting a dock of an intensity or footprint that would cause it to be classified as a different, more intensive, commercial docking facility.

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 applicant has advanced mobility rather than additional amenity space as a basis for the request.

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*—[Subject to additional applicant testimony].

7. *The requested variance is the minimum variance that makes possible the reasonable use of the land, building, or structure*—[Subject to additional 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 met, as the extension is not encroaching a greater distance into either of the side littoral quadrants, does not involve above-deck features that Staff finds are likely to substantially impact views of the surrounding properties, and will not knowingly affect access to the channel for surrounding dock users, and therefore is unlikely to have detriment to the public safety or welfare, or substantially diminish property values.

e. [Space for ex-parte communication]

IT IS HEREBY ORDERED:

f. [Space for outcome following applicant testimony for condition #1, 3, 6, and 7]

g. [If approved] The variance is approved with [list conditions]

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] and seconded by [member] and upon being put to a vote, the result was as follows:

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

DULY PASSED AND ADOPTED THE 29TH DAY OF JULY, 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:

_____
_____, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

_____
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.

Memo To: Board of Adjustment
From: Brandon Berry, Senior Planner
Date: 7/2/2026
Re: **CERTIFICATE OF COMPLETENESS**

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

Variance Case Number: 26099
Application Type: Unnecessary & Undue Hardship Variance
Owner: CARLSON, ROBERT A REV TRUST and HEINTZ, DENISE TRE
Applicant/Agent: Micah Thompson of Gulf & Bay Dock Works, LLC
Parcel Number: 18-32-16-94176-002-0610
Address: 2851 E Vina Del Mar Blvd
Zone: RU-1

Submittal Documents:

1. Completed unnecessary and undue hardship variance application, consisting of 11 sheets.
2. Site plan, undated, depicting the subject request.
3. Boundary survey, digitally signed by Kevin E. Randolph, P.S.M., dated April 30, 2026, consisting of one sheet.
4. Site Plan, revised with scale, received July 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
- ☐ Chris Core
- ☐ Jim Schmidt
- ☐ Joe Kunzer
- ☐ Dan Small

Cc: Micah Thompson, Agent, via email (permitting@gulfandbaydockworks.com)
Robert Carlson, Owner, via email (bobcarlson911@gmail.com)

CASE #: _____ **PARCEL #:** _____

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

UNNECESSARY AND UNDUE HARDSHIP VARIANCE APPLICATION

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

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

OWNER/AGENT INFORMATION:

Identification	Name	Address	Phone #
Owner	CARLSON, ROBERT A REV TRUST HEINTZ, DENISE TRE	C/O CARLSON PROPERTIES 3194 S CAMPBELL SPRINGFIELD, MO 65807	(417) 830-8800
Applicant/ Agent	Micah Thompson | Gulf & Bay Dock Works, LLC	1510 51st St. S Gulfport, FL 33707	727-252-9915

Owner Email Address:	Applicant/Agent Email Address:
bobcarlson911@gmail.com	permitting@gulfandbaydockworks.com

PROPERTY FOR PROPOSED VARIANCE:

Zoning Designation	Future Land Use Designation	Lot Area
RU-1, Residential District		3,606

Legal Description: VINA-DEL-MAR SEC 2 ADD BLK 2, LOT 61

Address: 2851 E VINA DEL MAR BLVD ST PETE BEACH, FL 33706

Explanation of Request: A variance is being requested for the length limit that requires BOTH neighbors to sign the letter of no objection section of the permit. The owner would like to expand the size of the dockhead to the right in order to have more room to navigate the dockhead on his wheelchair. In order to change the configuration of the dockhead both neighbors signatures are needed on the letter of no objection. The left neighbor is willing to sign but the right neighbor is not.

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

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

   See attachement.

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

   See attachement.

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

   See attachement.

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

   See attachement.

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

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

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

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

X _____ 12/15/25 _____

Signature of Applicant **Date** **Signature of Authorized Agent** **Date**

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

See attachement.

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

See attachement.

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

See attachement.

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

See attachement.

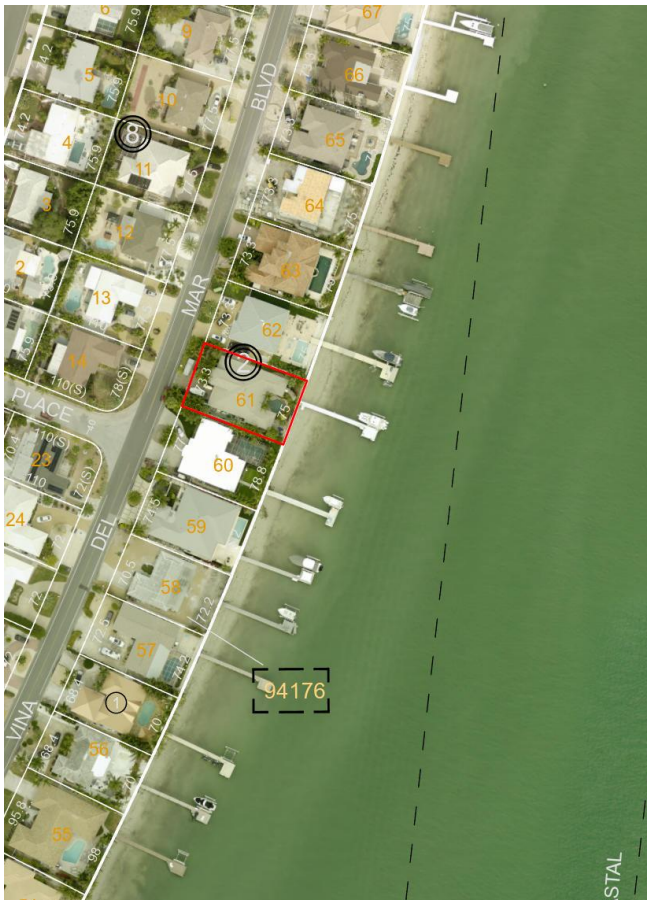
	12/15/25		12-17-25
Signature of Applicant	**Date**	**Signature of Authorized Agent**	**Date**

1. **Special conditions and circumstances exist which are peculiar to the land, structure, or building involved, and which are not applicable to other lands, structures, or buildings in the same zoning district;**
    - Due to the shallow nature of the water in front of this property, docks all up and down this street need to extend out past the distance where both neighbors need to sign off on the permit letter of no objection page. That distance is equal to 50% of the waterfront width which means that for this property any changes to the dock configuration past 37.5 feet will need both neighbors' approval. Due to the need to go out 37.5 feet to reach proper depth in this area for a boat it is inevitable that both neighbors will need to sign a letter of no objection page to build or reconfigure the dock at this location. This condition is peculiar to this area and not all homes in this zoning district.
2. **The special conditions and circumstances do not result from the actions of the applicant or a prior owner of the property;**
    - The special condition and circumstance that results in the need for a variance at this property is not the result of the owner or any prior owner of this property.
3. **Literal interpretation of the provisions of the Land Development Code deprives the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Land Development Code and results in unnecessary and undue hardship on the applicant;**
    - A literal interpretation of the provisions of the Land Development Code does deprive this applicant of rights commonly enjoyed by other properties in the same zoning district. The owner of this property would like to expand his existing dock head to have more room to navigate his wheelchair around. The current dock is 92.5 feet long and the proposed dock will be 92 feet in overall length. No increase in the overall length of the dock is planned. But since he is changing the configuration of the Dockhead and is out past one-half of the width of the waterfront (37.5 feet), he needs both his right and left neighbor to sign the letter of no objection page on the permit application. The left neighbor is willing to sign this letter of no objection, but the right neighbor is unwilling. The widened dock will still be 27 feet from the right neighbor's property line where the city requires a minimum of 18.75 feet of distance but since the dock is past one-half of the waterfront width, his signature is needed. Other docks in the area all extend past 50% of their waterfront width, and as a result mean both neighbors' signature. A literal interpretation

of this code would deprive this applicant of rights commonly enjoyed by other 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;**
    - This hardship has not been deliberately or knowingly created to establish a structure that would not otherwise be consistent with the development code for the area.
5. **An applicant's desire or ability to achieve greater financial return or maximum financial return from his property does not constitute hardship;**
    - The applicant's desire is not to achieve greater financial return but to be able to safely navigate his wheelchair around his dock head in order to view the waterfront and to board his boat

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;**
    - Pictured below are other docks along the same stretch of waterfront. They all extend past 50% of the waterfront width, which would require both neighbor's signatures of approval. Granting this variance to reconfigure his dock head within the same length as currently permitted will ensure that this applicant can utilize his waterfront in the same manner as all others along this same stretch of waterfront. No special treatment would be given as a result as the length of the dock remains the same, and it is still outside of the setback zone.



7. **The requested variance is the minimum variance that makes possible the reasonable use of the land, building, or structure; and**
    - After consulting with the applicant about the area needed to navigate his wheelchair around the dock head we believe that this is the minimum variance requested to make his request possible to make reasonable use of his waterfront.

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 would be in harmony with the code for the area. It would not be harmful to the neighborhood or to public safety as the dock will still be in line with other docks to his left and right and will still be outside the right hand setback zone for this property.

St. Pete Beach

Owner's Authorization For Agent Form

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

I/We Bob Carlson
(Property Owner(s) printed name)

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

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

Signature of Owner

Bob Carlson
Owner's Printed Name

X
Signature of Owner

Bob Carlson
Owner's Printed Name

The foregoing instrument was acknowledged before me this 15 day of December 2025, by Bob Carlson who is personally known _____ or produced Drivers License as identification.

Stacey Baker 12/15/25

(Notary Signature) **(Date)**

My commission expires 11/19/2028

STACEY BAKER
MY COMMISSION # HH 573831
EXPIRES: November 19, 2028

St. Pete Beach
The Sunset Capital of Florida

PUBLIC HEARING SIGN POSTING AFFIDAVIT

Applicant, Bob Carlson, 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): Bob Carlson

Address: 2851 East Vina Del Mar Blvd

X _____ 12/15/25
Signature Date

STATE OF FLORIDA)
) SS:
PINELLAS COUNTY)

The foregoing instrument was acknowledged before me this 15 day of December, 20 25 by:
Bob Carlson 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:
November 19, 2028

NOTARY: _____

Print Name: Stacey Baker Notary

Public, State of Florida

(Notarial Seal)

STACEY BAKER
MY COMMISSION # HH 573831
EXPIRES: November 19, 2028

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

CARLSON, ROBERT A REV TRUST HEINTZ, DENISE TRE
3194 S CAMPBELL
SPRINGFIELD, MO 65807

Phone (417) 830-8800

Email bobcarlson911@gmail.com

Contractor/Applicant Name & Address

Micah Thompson | Gulf & Bay Dock Works, LLC
1510 51st St. S
Gulfport, FL 33707

Phone 727-252-9915

Email permitting@gulfandbaydockworks.com

Property Address 2851 E VINA DEL MAR BLVD ST PETE BEACH, FL 33706

Total Lot Area (sq. ft.) 3606

Required Calculations:

EXISTING IMPERVIOUS SURFACE:		
Building Footprint:	N/A	sq. ft.
Parking and Driveway:	N/A	sq. ft.
Pool and/or Patio areas:	N/A	sq. ft.
Walkways:	N/A	sq. ft.
Other:	620	sq. ft.
TOTAL **EXISTING** IMPERVIOUS SURFACE:	620	sq. ft.

PROPOSED IMPERVIOUS SURFACE:		
Building Footprint:	N/A	sq. ft.
Parking and Driveway:	N/A	sq. ft.
Pool and/or Patio areas:	N/A	sq. ft.
Walkways:	N/A	sq. ft.
Other:	698	sq. ft.
TOTAL **PROPOSED** IMPERVIOUS SURFACE:	698	sq. ft.

620 sq. ft.		3,606 sq. ft.	=	0.1719
Total Existing Impervious Surfaces	÷	Lot Area	=	Existing Impervious Surface Ratio

698 sq. ft.		3,606 sq. ft.	=	0.1935
Total Proposed Impervious Surfaces	÷	Lot Area	=	Proposed Impervious Surface Ratio

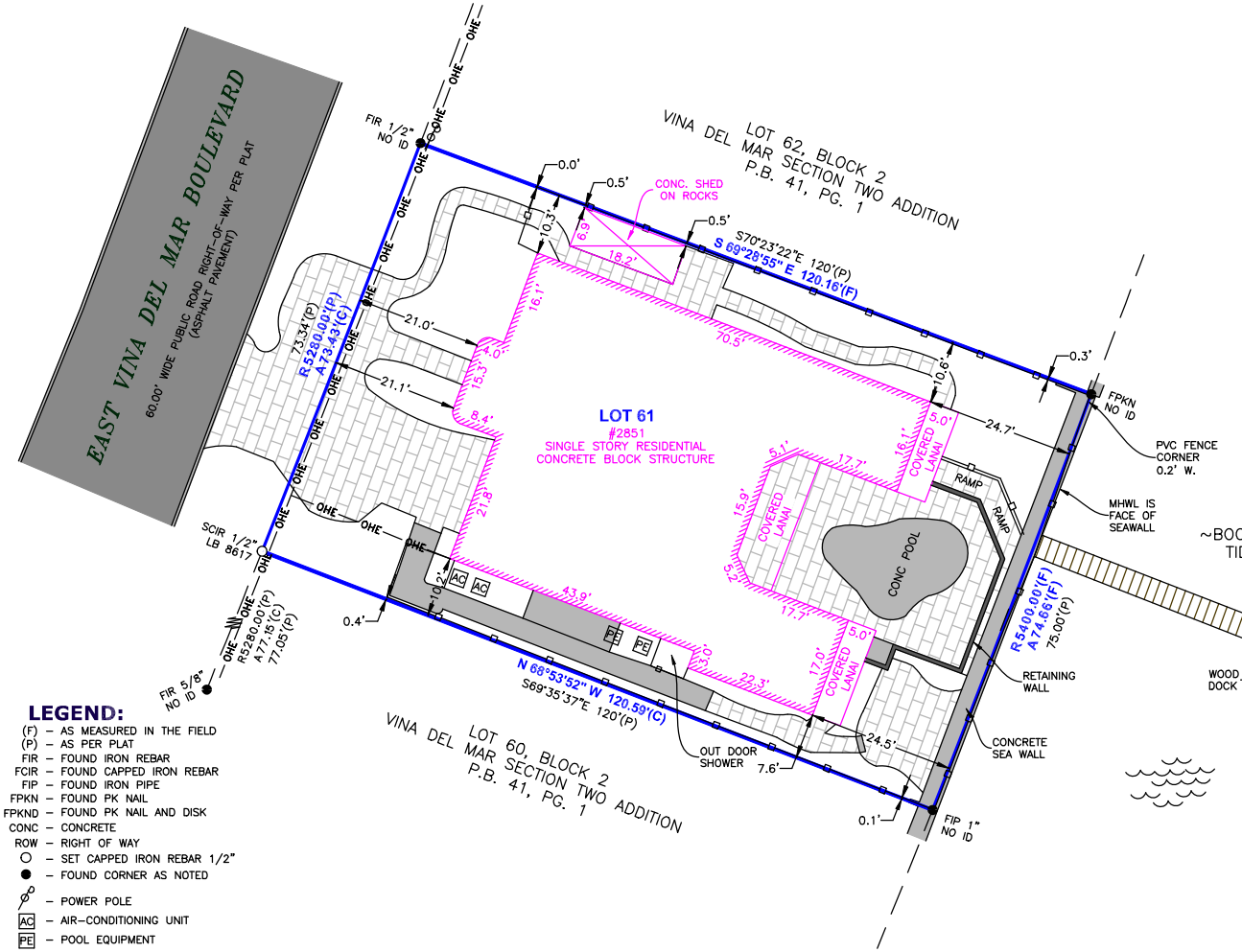
Certification:

I, Bob Carlson 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.

X Applicant Signature: _____ Date: 12/15/25

BOUNDARY SURVEY

LOCATED IN VINA DEL MAR SECTION TWO ADDITION, PINELLAS COUNTY, FLORIDA



SURVEYORS NOTES:

1.) NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
2.) THE BEARING STRUCTURE FOR THIS SURVEY IS BASED ON A NAD 1983 FLORIDA STATE PLANE WEST, BEARING OF S69°28'55"E FOR THE NORTHEASTERLY LINE OF THE SUBJECT PROPERTY.
3.) THE HORIZONTAL DATUM UTILIZED FOR THIS PROJECT IS NAD 1983 FLORIDA WEST ZONE, 2011 ADJUSTMENT, U.S. SURVEY FEET. SAID DATUM WAS ESTABLISHED BY UTILIZING THE FLORIDA PERMANENT REFERENCE NETWORK (FPRN).
4.) ALL UTILITIES DEPICTED HEREON ARE FROM VISIBLE EVIDENCE ONLY. SURVEYOR DID NOT CONTACT SUBSURFACE UTILITY LOCATOR SERVICE. THERE MAYBE HANDHOLES THAT WERE NOT LOCATED AS PART OF THIS SURVEY.
5.) NO UNDERGROUND FOUNDATIONS OR FOOTERS WERE EXCAVATED OR LOCATED FOR THIS SURVEY.
6.) THIS SURVEY DOES NOT REPRESENT A DETERMINATION OF WHETHER THIS LAND WILL OR WILL NOT FLOOD OR BE SUBJECT TO FLOODING.
7.) ALL FENCES SHOWN HEREON ARE A GENERAL ILLUSTRATION AS TO THE LOCATION OF THE FENCE AND DO NOT TAKE INTO AFFECT ANY MEANDERING IN OR ALONG THE BOUNDARY LINES. FENCE TIES SHOWN HEREON ARE TO THE CENTERLINE OF THE FENCE AT ITS PARTICULAR LOCATION AS DRAWN.
8.) THIS SURVEY HAS BEEN PERFORMED WITHOUT BENEFIT OF TITLE POLICY OR ABSTRACT. THEREFORE SURVEYOR CAN MAKE NO GUARANTEES TO OWNERSHIP OR ENCUMBRANCES. THERE MAY BE ADDITIONAL DEDICATIONS, EASEMENTS AND RESTRICTIONS THAT CAN BE FOUND WITHIN THE PUBLIC RECORDS OF PINELLAS COUNTY. TO DETERMINE SETBACK REQUIREMENTS, INQUIRIES NEED TO BE MADE BY THE CERTIFICATE HOLDERS TO THE COUNTY OR CITY ZONING DEPARTMENT.

LEGAL DESCRIPTION:

LOT 61, BLOCK 2, VINA DEL MAR SECTION TWO ADDITION, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN PLAT BOOK 41, PAGE(S) 1 AND 2, OF THE OFFICIAL RECORDS OF PINELLAS COUNTY, FLORIDA.

LEGEND:

(F) – AS MEASURED IN THE FIELD
(P) – AS PER PLAT
FIR – FOUND IRON REBAR
FCIR – FOUND CAPPED IRON REBAR
FIP – FOUND IRON PIPE
FPKN – FOUND PK NAIL
FPKND – FOUND PK NAIL AND DISK
CONC – CONCRETE
ROW – RIGHT OF WAY
○ – SET CAPPED IRON REBAR 1/2"
● – FOUND CORNER AS NOTED
– POWER POLE
AC – AIR–CONDITIONING UNIT
PE – POOL EQUIPMENT
– DISTANCE NOT TO SCALE
OHE – OVERHEAD ELECTRIC
– 4FT & 6FT PVC FENCE
– ASPHALT
– CONCRETE
– RETAINING WALL
– BRICK PAVERS
– WOOD DECKING

FLOOD ZONE NOTES:

SAID DESCRIBED PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION "ZONE AE & VE" BY THE NATIONAL FLOOD INSURANCE PROGRAM (NFIP), ON FLOOD INSURANCE RATE MAP NO. 12103C0278H, WITH AN EFFECTIVE DATE OF AUGUST 24, 2021, FOR COMMUNITY NUMBER 125140, IN PINELLAS COUNTY, STATE OF FLORIDA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PROPERTY IS SITUATED. BASE FLOOD ELEVATION IS 9 & 12 FEET.

NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS ZONE AND AN ELEVATION CERTIFICATE MAY BE NEEDED TO VERIFY THIS DETERMINATION OR APPLY FOR A VARIANCE FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

SURVEYORS CERTIFICATION:

I HEREBY CERTIFY THAT THIS SURVEYING DOCUMENT WAS PREPARED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION, IT MEETS THE MINIMUM TECHNICAL STANDARD REQUIREMENTS OF CHAPTER 5J–17 OF THE FLORIDA ADMINISTRATIVE CODE, AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF FLORIDA.

THIS SURVEY HAS BEEN ELECTRONICALLY SIGNED AND SEALED BY KEVIN E RANDOLPH USING A DIGITAL SIGNATURE. PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

KEVIN E. RANDOLPH License Number 7128 STATE OF FLORIDA Professional Surveyor and Mapper

Digitally signed by KEVIN E RANDOLPH
Date: 2026.04.30 08:17:23 -04'00'

KEVIN E RANDOLPH PSM 7128

FRANKLIN
LB # 8617
843 SYMPHONY ISLES BLVD
APOLLO BEACH, FLORIDA
813-344-7111
website–www.fr4nklin.com
email–dustin@fr4nklin.com

NO.	DATE	REVISION	BY

#2851 EAST VINA DEL MAR BLVD
ST. PETE BEACH FL

CARLSON, ROBERT A REV TRUST
HEINTZ DENISE TRE

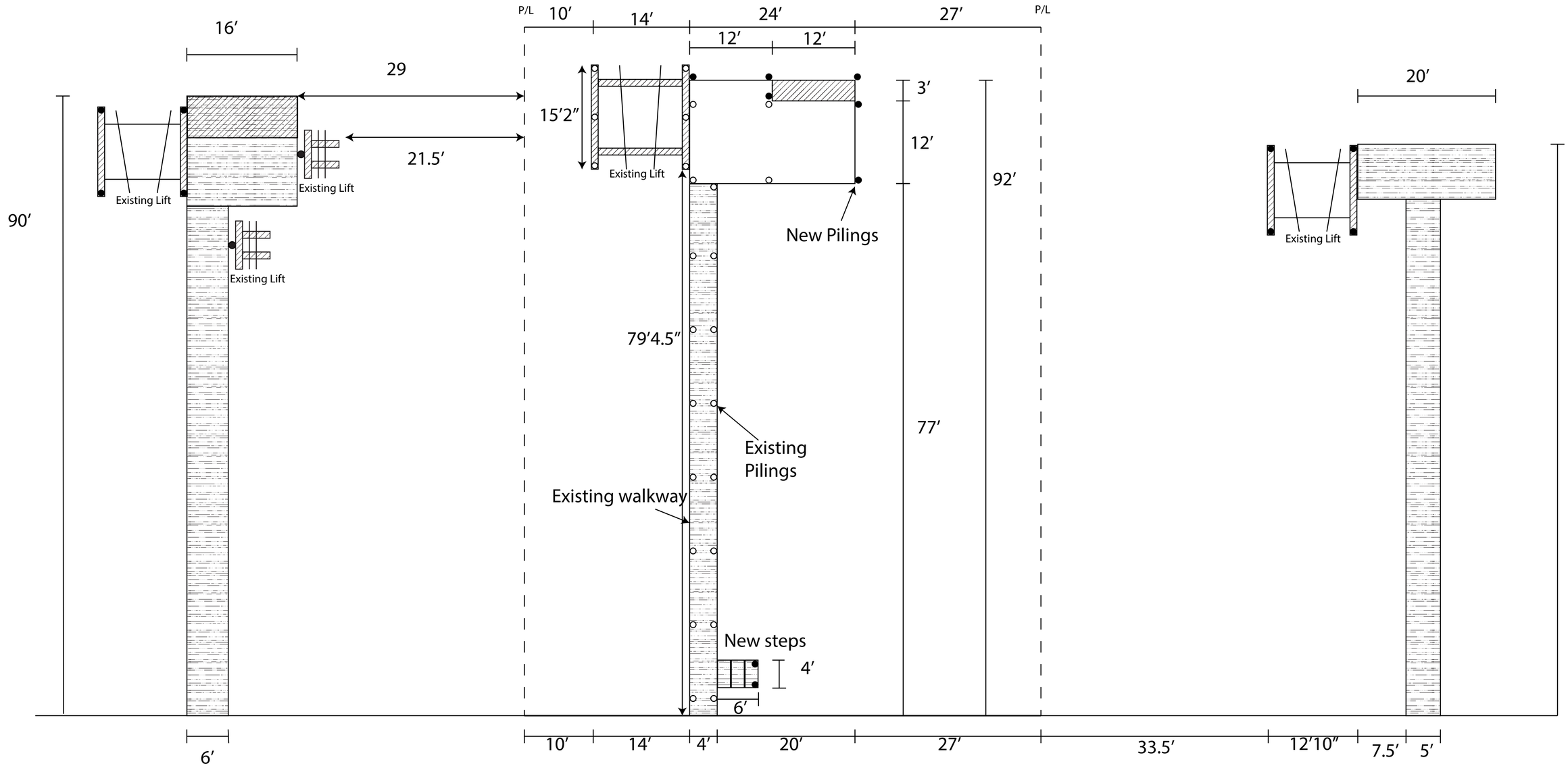
BOUNDARY SURVEY

4

JOB NO:	2026–1040
FIELD:	04–20–2026
OFFICE:	04–29–2026
SCALE:	1"=20'
PAPER SIZE:	11X17

SCALE

0′ 3′ 6′ 9′ 12′



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

Agenda Report

Agenda Title Name: **Case No. 26111 - 3400 Gulf Blvd.**

Action Request: Motion to [approve with four recommended staff conditions/approve/deny/continue to [specify date certain]] unnecessary and undue hardship variance 26111 for 3400 Gulf Blvd.

Strategic Objective:

Date: July 29, 2026

Prepared By: Brandon Berry, Senior Planner

Through: Laura Canary, Community Development Director

Summary of Issue: Staff finds the applicant has adequately supported most criteria, with the unique platted conditions of the northern portion of this property presenting significant setbacks not applicable to other lands in the same zoning district, and the extension taking place to protect a retrofitted stormwater facility rather than solely to extend customer seating area. Staff requests applicant testimony in support of criteria 5, to demonstrate that the extension represents more a rearrangement of customer seating area than an expansion. If approved, staff recommends conditions prohibiting future enclosure of the deck, allowing drainage, providing for adequate parking for the additional customer seating area, and requiring the filing of a final as-built survey.

Funding: N/A

Attachments:

1. 26111 - Staff Report
2. 26111 - Development Order Draft
3. 26111 - Certificate of Completeness with submittal documents

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

COMMUNITY DEVELOPMENT - PLANNING

Date: **July 11, 2026**

To: **Board of Adjustment**

Re: **Staff Findings Report**
Unnecessary and Undue Hardship Variance
Addresses: 3400 Gulf Blvd
Parcel Number: 07-32-16-21857-000-0010
Jeffrey S. Connell, designONE studio Architect for Michael E. Lentz, VP for Don CeSar TRS LLC
Variance Case No: 26111

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

Hearing Date: **July 29, 2026**

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

1. Completed unnecessary and undue hardship application, consisting of six sheets.
2. ALTA/NSPS Boundary Survey, signed by Trevor J Hatch, P.S.M., dated June 25, 2025, consisting of two sheets.
3. Site and construction plans showing subject requested scope of work, consisting of five sheets.

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

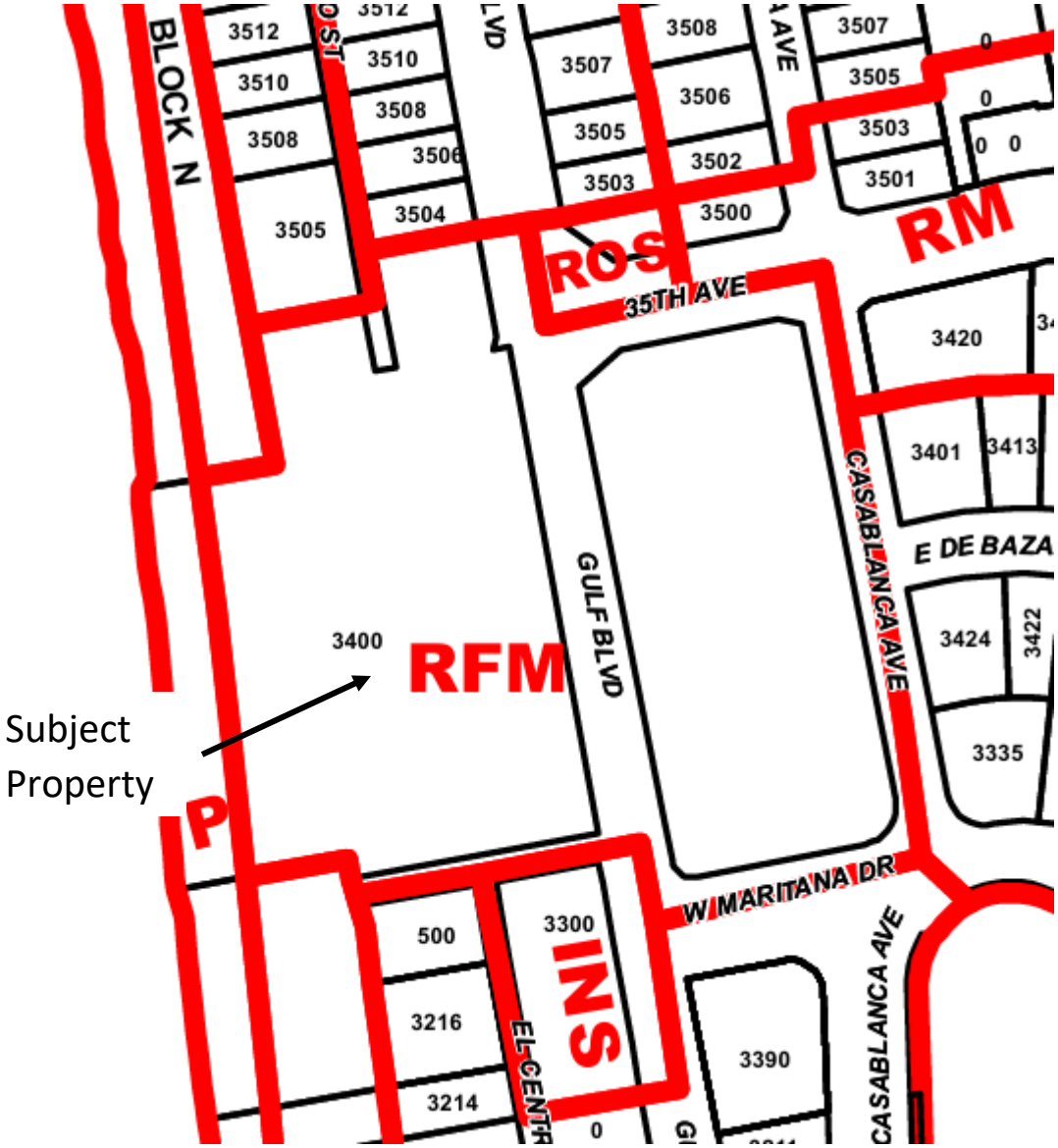
Site Description/Surrounding Land Uses

The subject property is a 6.33-acre total site containing the Don CeSar Hotel, a lodging facility with accessory buildings and amenities. The property is currently nearing completion of an elevated ballroom extension on its north side, and the owner is undertaking stormwater improvements site-wide that were triggered by the expansion. One area where on-site retention is being provided is underneath and directly north of The Rowe Bar, a detached bar facility at the northwestern portion of the site located to the north of the existing pool area, which is also the location at which the subject variance is requested.

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 July 8, 2026 to discuss the request. Comments were made pertaining to parking requirements, timeline for completion of the stormwater improvements, and the square footage of the requested extended bar area.

Request

The Resort Facilities Medium district has a required side yard setback of 10% of the lot width, without an upper limit. As the Don CeSar Hotel site is unusual and has frontages on several public thoroughfares and adjacent private properties, the typical application of side setback requirements makes the northern portion of the site minimally buildable, with the applicant receiving variances in early 2022 to construct

the ballroom and an associated stairwell in its presently-approved location. In the subject case, The Rowe Bar adjoins a property line of "Block N" zoned Recreation/Open Space that is owned by the Don CeSar Property Owners Corporation, and is subject to the side setback requirements from this parcel. The existing bar deck extends to approximately 22 feet from that property line, and the applicant is requesting to extend the deck to the line in order to completely cover a retention area newly-developed beneath it. The space above will be used for access and additional customer seating.

Analysis

Unlike the ballroom addition, which directly abuts residential to its north and northeast, the subject bar extension projects toward land that was dedicated under the plat for the Don Ce-Sar Place subdivision in 1925 as dedicated for beach and bathing purposes, and is restricted from the construction of any structure. The abutting land is presently open sand, with dunes immediately adjacent to the north. A walkway at the northernmost side of the parcel adjacent to the residence where the ballroom is being constructed has a walkway that extends behind the residences located east of Block N, but it does not directly connect to the area of the property where the bar extension is requested.

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 requirement to fully retrofit the Don CeSar Hotel property to accommodate modern stormwater systems is an unusual circumstance that is not applicable to other lands in the same zoning district or in the vicinity. The Hotel property was developed in the 1920s, although the northern ballroom extension and accessory Rowe Bar facility are much more contemporary. Modern lodging facility projects are typically supplied with stormwater treatment facilities underneath the buildings, which was not viable on the subject property and required extensive surface improvements in the parking lot and along the northern side of the site. Furthermore, the existence of an undevelopable parcel of land adjacent to the subject requested improvement area is an additional unique condition not applicable to most other lands. One of the primary applications of setback standards is to prevent the overcrowding of land, particularly for development that abuts a different zone or land use. While this relationship still exists at the subject location, the land to the immediate north will not be constructed upon with new structures in the future due to deed restrictions.

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

   The ballroom addition that triggered the sitewide stormwater improvement was an elective decision made by the property owner, although staff recognizes that there were significant constraints on

where the stormwater facilities could be located that may have presented a hardship relative to other, newly-redeveloped, lands. The decision to locate the facilities in the vicinity of the bar was a logical decision that reduced impact on adjacent lands in active use. However, staff finds that based upon the strictest application of the Land Development Code, there are other means of securing the area that do not require a deck extension, such as installing a fence. This could create a less secure condition for the stormwater facility, but is a viable option. The applicant requests the deck extension in lieu of the fence as they state the fence could allow for easier unauthorized access by guests or the public, and would produce a less aesthetic condition.

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

The applicant could design the deck as an unusable architectural feature space or other feature that provides for security of the pond below without also providing for additional customer seating space, which is a benefit of the deck extension. Staff estimates that the extension provides for a potential additional 1,100 square feet of customer space compared with both former and existing, by-right conditions. However, staff does recognize the application of the setback standard is unusual in this location and may present a partial hardship due to the layout of the site and the variation in side and rear setback relationships that make development at the property's northern side much more challenging than intended based on the typical, neighbor-adjacent setback requirements. The setback requirements are intended to protect land in current or potential future use from encroachment of structures or uses that are of incongruous intensity, such as setback of the ballroom from the residences to the north. In the subject case, staff finds the application of the setback requirement at this particular location does pose a partial hardship, although it could be counterbalanced through a manner less beneficial to the applicant.

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

The bar is allowed as an accessory amenity on the subject property. At completion of the ballroom's ground-level parking improvements, the property will have adequate parking site-wide to accommodate the hotel and its amenity facilities, including the bar extension. Based on information provided at the Technical Review Committee meeting for this case, the applicant expects for the parking improvements to be completed prior to completion of the deck extension.

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

The applicant will be able to provide for additional customer seating as a result of this request. The security of the retention area could be accommodated through the extension of an unusable portion of decking, or one that does not provide for additional seating. While staff does not find that this request is an intent to maximize financial return, it may indirectly provide greater financial return to the applicant.

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 property in the same zoning district that faces the restrictions of the subject property. The vast majority of properties formerly zoned RFM, which now have zoning of Large Resort or Boutique Hotel/Condo and are located further north along the western side of Gulf Boulevard, have a typical front, two-neighbor side, and rear Coastal Construction Control Line relationship that is much more logical to the application of the typical setback standards. In the subject case, the unusualness of the northern part of the property was created out of a voluntary replatting effort in the late 1990s, and creates a much more challenging situation for the developer at the interior sides of the property rather than the absolute outer sides that actually have a direct relationship with a developed neighbor in residential use. In light of this, staff finds the variance would treat the applicant the same as others in the same zoning district.

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

Staff finds the footprint request is the minimum reasonably necessary to secure the stormwater facility. While the area could be fenced, doing so would not provide for reasonable security of the area. Granting of this request would provide reasonably the same treatment as to other properties, whose owners do not have to contend with the variation in side property relationships to the same extent as the subject property. However, staff finds that the feature could be designed to not function as an extension of customer space and still provide the security reasonably necessary for the facility it is protecting.

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

Staff finds the request is in harmony with the general intent and purpose of the comprehensive plan and Land Development Code, which support modernization of stormwater management facilities and redevelopment of commercial facilities that do not create nuisance impacts on nearby lands. The applicant has worked with state and local agencies to permit the stormwater improvements and staff finds the request to secure the retention area is both reasonable and preferable to securing the space via a fence. Staff finds, given the status of the adjacent land, it will not be injurious to the neighborhood, is compatible from a scale and massing perspective with adjacent lands, and it will not substantially diminish or impair property values. While the extension of customer space is not necessary to construct a cover for the stormwater area, it is not a substantial intensification of the existing use of this area nor does it create a direct impact on a developable piece of land in separate ownership.

Other

Staff finds the application of standard setback requirements at this particular location, given the stormwater improvements under construction that retrofit a site constructed prior to any local stormwater management regulations and the numerous variations in property lines at the northern side

of the property specifically, create hardship conditions that are not a direct result of the owner's decision to construct a ballroom and impose stricter conditions than on owners of other lands in the same zoning. Given the improvement is a protective element for a necessary facility and the facility was placed in the most logical area of the site, staff finds the ability to construct a near-grade cover to be reasonable and meet the variance criteria. The only additional support requested from the applicant pertains for the need for the additional customer seating area on top of that facility.

Staff requests the following testimony:

- Whether the deck extension will substantially increase the number of seats on The Rowe Bar's deck, or is simply a rearrangement to make use of the additional space.

Summary

Staff requests the applicants or agents address criteria 5. While the setback encroachment of the cover itself has been supported through the narrative and discussion with staff at the Technical Review Committee meeting, the applicant must also demonstrate that the use of the facility as a customer deck extension is not creating greater financial return as a primary basis.

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 deck shall not now or in the future be covered or enclosed by any means within the required side yard setback.
2. The deck surface shall remain of a material and with adequate openings to ensure that the retention area continues to function for the purposes it was approved under site plan 25041.
3. Prior to final inspection approval for the associated deck extension permit, the applicant shall demonstrate that there is adequate parking available for use on the subject property to accommodate the additional spaces necessitated by the work.
4. The applicant shall provide a final as-built survey demonstrating that the deck is of the size depicted on the site plan, and does not cross the property boundary.

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

Brandon Berry
Senior Planner

Cc: Jeffrey S. Connell, Agent, *via email* (jeff@designone-studio.com)
Michael Lentz, VP of H H R ST PETE BEACH LLC, Owner, *via email* (mikelenthz@hosthotels.com)
Ralf Brookes, City Attorney, *via email*

ST PETE BEACH BOARD OF ADJUSTMENT
VARIANCE (UNDUE HARDSHIP)
CASE NO. 26111

A public hearing was held before the St Pete Beach Board of Adjustment ("BOA") on the 29th day of July, 2026 for review of a variance to Section 14.7.(b)(3) of the St. Pete Beach Land Development Code ("LDC" or "Land Development Code") to allow for the applicants to extend an access and seating deck from a setback of approximately 22 feet to a setback of zero feet within the required side yard setback where 48.7 feet is required, for real property located at 3400 Gulf Blvd ("subject property"). The request is made by Jeffrey S. Connell of designONE Studio Architect ("Agent) for Michael E. Lentz, VP of Don CeSar TRS LLC ("Applicant" or "Owner").

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. Michael E. Lentz is a Vice President and representative for Don CeSar TRS LLC, the owner of 3400 Gulf Blvd and 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 RFM Resort Facilities Medium Future Land Use and Zoning Districts according to the Future Land Use and zoning maps. Properties in this district are subject to a minimum side setback of 10% of the lot width. The subject deck formerly existed within the required side yard setback, with a setback of 22 feet where 48.7 feet is required.

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 [approved/approved with conditions/denied] 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 on the basis of peculiar circumstances of the land and building, as the

subject property is being actively retrofitted to achieve sitewide stormwater compliance, and the age and layout of the development precludes under-building stormwater vaults and other improvements that are accommodated in most modern development scenarios. The deck extension is primarily intended as a cover for the stormwater retention facility located beneath it.

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 applicant contends with existing development restrictions that would be less applicable under a holistically-considered site redevelopment, and the retention facility location reduces impact on surrounding lands as it abuts Block N, a parcel that is restricted by deed from future structural development and is largely currently in use as a vegetated dune area.

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 is partially met, as the space could be secured by a fence in a manner that does not require a variance, but finds that the deck provides reasonable additional security for the feature and its extension is not contrary or is supportive for to the general purposes of setbacks in the Land Development Code, which are to prevent the overcrowding of land and mitigate adverse impacts from structural encroachments toward abutting lands. In the subject case the deck abuts land that will not be developed with a structure in the future.

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 the deck has existed for over two decades and the applicant appears to be primarily undertaking its extension to provide reasonable security for a stormwater feature and improve aesthetic conditions at the rear of the site, rather than solely to acquire additional space for customer seating.

5. *An applicant's desire or ability to achieve greater financial return or maximum financial return from his property does not constitute hardship*—[Subject to additional testimony]

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 BOA finds this criteria is met, as this is the last remaining west-

east alleyway remaining in a similar configuration within this subdivision, and the block to the south possessed the same zoning as the subject block when its similarly-configured alleyway was vacated in the 1960s.

7. *The requested variance is the minimum variance that makes possible the reasonable use of the land, building, or structure*—The BOA finds this criteria is met, as the deck extension is the minimum reasonably necessary to secure the entire retention area, which extends to the side property line at the subject location. The property also experiences significant, forked variation in property lines along the northern portion of the property which makes substantial areas unbuildable, and staff finds the subject request for relief is reasonable in that regard.

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 met, as the extension arises from retrofitting the site to meet modern stormwater retention requirements, the status of the land and design of the deck is unlikely to cause significant adverse impacts to abutting property and does not extend a customer space against lands in frequent use as lower-intensity residential use, and places the customer seating area on the deck away from direct adjacent from the property line, reducing potential negative operational impacts.

e. [Space for ex-parte communication]

IT IS HEREBY ORDERED:

f. [Space for outcome following applicant testimony for condition #5]

g. [If approved] The variance is approved with the following four (4) conditions:

1. The deck shall not now or in the future be further covered or enclosed by any means within the required side yard setback.

2. The deck surface shall remain of a material and with adequate openings to ensure that the retention area continues to function for the purposes it was approved under site plan 25041.

3. Prior to final inspection approval for the associated deck extension permit, the applicant shall demonstrate that there is adequate parking available for use on the subject property to accommodate the additional spaces necessitated by the work.

4. The applicant shall provide a final as-built survey demonstrating that the deck is of the size depicted on the site plan, and does not cross the property boundary.

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] and seconded by [member] and upon being put to a vote, the result was as follows:

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

DULY PASSED AND ADOPTED THE 29TH DAY OF JULY, 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:

_____
_____, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

_____
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.

Memo To: Board of Adjustment
From: Brandon Berry, Senior Planner
Date: 7/2/2026
Re: **CERTIFICATE OF COMPLETENESS**

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

Variance Case Number: 26111
Application Type: Unnecessary & Undue Hardship Variance
Owner: Michael E. Lentz, VP for Don CeSar TRS LLC
Applicant/Agent: Jeffrey S. Connell, designONE studio Architect
Parcel Number: 07-32-16-21857-000-0010
Address: 3400 Gulf Blvd
Zone: RFM

Submittal Documents:

1. Completed unnecessary and undue hardship application, consisting of six sheets.
2. ALTA/NSPS Boundary Survey, signed by Trevor J Hatch, P.S.M., dated June 25, 2025, consisting of two sheets.
3. Site and construction plans showing subject requested scope of work, consisting of five 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***
- ☐ TRC Committee ***via email***
- ☐ City Manager

Board Members:

- ☐ Denise Chase
- ☐ Chris Core
- ☐ Jim Schmidt
- ☐ Joe Kunzer
- ☐ Dan Small

Cc: Jeffrey S. Connell, designONE studio Architect, Agent, via email (jeff@designone-studio.com)
Michael E. Lentz, VP for Don CeSar TRS LLC, via email (Mike.Lentz@hosthotels.com)

CASE #: _____ **PARCEL #:** _____

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

UNNECESSARY AND UNDUE HARDSHIP VARIANCE APPLICATION

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

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

OWNER/AGENT INFORMATION:

Identification	Name	Address	Phone #
Owner	Don CeSar TRS LLC Michael E. Lentz, VP	4747 Bethesda Ave, Suite 1300 Bethesda, MD 20814	240-744-5265
Applicant/ Agent	Jeffrey S. Connell designONE studio Architect	358 Roswell Street, Suite 1250 Marietta, GA 30060	404-277-0228

Owner Email Address:	Applicant/Agent Email Address:
Mike.Lentz@hosthotels.com	jeff@designone-studio.com

PROPERTY FOR PROPOSED VARIANCE:

Zoning Designation	Future Land Use Designation	Lot Area
Resort Facilities Medium (RFM) District	Resort Facilities Medium (RFM) District	275,764 SF 6.31 acres

Legal Description: Lot 1 and Lot 2 of Don CeSar Place Hotel Replat, according to the plat thereof, as recorded in plat book 120 at page 69 of the public records of Pinellas County, FL.

Address: 3400 Gulf Boulevard, St. Pete Beach, FL 33706

Explanation of Request: The Rowe Bar deck to the west at The Don CeSar hotel is adjacent to The Don CeSar Property Owner's Corporation (DCPOC) Neighborhood beach dune area. The Owner is in the process of installing new storm water retention and treatment throughout the hotel site. As a result, the previous pond that was concealed under the Rowe Bar deck is expanding to the north and east to meet city/state requirements. Per LDC Section 14.7 (b), the side yard setback is 10% of the lot width. The Owner is respectfully requesting a variance to expand the deck to the north property line into the setback to fully conceal the new retention pond and prevent accidental access by a guest, public, or staff. The deck remains within the property line and is the same height as the existing deck that is being replaced.

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 property in question directly abuts the DCPOC (Don CeSar Property Owners Corporation), which is a zoned recreational use, requiring a setback of 10% of total property width. Additionally, the hotel is zoned for Resort Facilities Medium, which is not typically directly adjacent to recreational use zoning areas. The adjacent property in question, although owned by the DCPOC, is an "uninhabitable" space that is part of the beach dunes and occasionally used for emergency vehicle beach access.

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

   The request for expanding the deck footprint is a result of the city/state required and approved storm water retention pond. The deck is being utilized to cover and protect/shield access to the pond so guests, the public, and staff cannot accidentally walk into the pond. A fence was discussed with the team but is not desirable due to the aesthetic concerns of having an open retention pond with sheet piles exposed to the Rowe Bar deck, the hotel ballroom, and to the public beach. Additionally, there was a concern of unauthorized access by climbing over the fence by guests or public. A complete coverage of the pond by this deck prevents this unauthorized access and screens it from public and guest view.

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;

   As mentioned in item 1 above, the RFM zoning designation for The Don CeSar is unique from many other resort properties due to the direct adjacency to the single family residential lots.

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 request to expand the deck will not allow for an increase in density and the Owner is not requesting any additional conditioned area for The Don CeSar Hotel. The Rowe Bar Deck was previously in this location and is being replaced due to hurricane damage and the expansion of the retention pond below the deck. This request is only for the expansion of the exterior deck footprint to conceal the pond below.

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

The Owner acknowledges this statement. The increase in deck coverage does not enable the hotel to increase financial return on the parcel or property. Most of the increased area is for a ramp to access the upper portion of the deck and for access to a sidewalk to the east for access/egress.

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

Granting this variance will satisfy the requirement from the Florida Department of Environmental Protection (FDEP) to conceal and protect the pond from pedestrian access. Other Owners or parcels, were they to have a new retention pond, would also be required to conceal/protect the pond if it is accessible to pedestrians.

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

This request is the minimum expansion of the deck to fully conceal the new FDEP and City approved retention pond. The deck does not extend further than the limits of the sheet piles forming the edge of the pond.

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.

We feel this request for additional deck is not injurious to the adjacent DCPOC neighborhood and directly adjacent parcels. As referenced in number 1 above, the portion of the DCPOC property that this deck is adjacent to is not a parcel that contains any structures, houses, or personal property. It is a dune area that is not able to be developed in the future, therefore there is not a concern for encroachment in the setback area. The deck is not causing any additional storm runoff to adjacent parcels as well because any standing water on the deck will permeate through the gaps in the deck boards and into the new retention pond below. Additionally, we feel concealing the expanded pond is a benefit to the neighboring properties as it will shield the view of a retention pond from pedestrians accessing the beach.

	6/3/2026		6/9/26
Signature of Applicant	**Date**	**Signature of Authorized Agent**	**Date**

St. Pete Beach
The Sunset Capital of Florida

PUBLIC HEARING SIGN POSTING AFFIDAVIT

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

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

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

Name(print): Jeffrey S. Connell

Address: 358 Roswell Street, Suite 1250, Marietta, GA 30060

J. Connell — 6/9/2026

Signature *Date*

STATE OF FLORIDA)
) SS:
PINELLAS COUNTY)

The foregoing instrument was acknowledged before me this 9 day of June, 20 26 by: Jeffrey S. Connell who appeared before me, and is personally known to me, or has produced Georgia Drivers License as identification, and did take an oath.

My commission Expires: September 12 2027 NOTARY: Arturo Antunez

Print Name: Arturo Antunez Notary

Public, State of Florida

(Notarial Seal)

ARTURO ANTUNEZ NOTARY PUBLIC COBB COUNTY, GEORGIA MY COMMISSION EXPIRES SEPTEMBER 12, 2027

Owner's Authorization For Agent Form

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

I/We Michael E. Lentz, Vice President of Don CeSar TRS LLC
(Property Owner(s) printed name)

hereby authorize Jeffrey S. Connell
(Agent's printed name)

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

Signature of Owner

Michael E. Lentz
Owner's Printed Name

Signature of Owner

Owner's Printed Name

The foregoing instrument was acknowledged before me this 3rd **day of** June **2026, by** Michael E. Lentz **who is personally known** ✓ **or produced** _____ **as identification.**

Sondra Sumichrast 6/3/2026

(Notary Signature) **(Date)**

My commission expires 3.22.2027

SONDRA SUMICHRAST
Notary Public - State of Maryland
Montgomery County
My Commission Expires Mar 22, 2027

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.

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

JSC 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.

JSC 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.

JSC 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.

JSC 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.

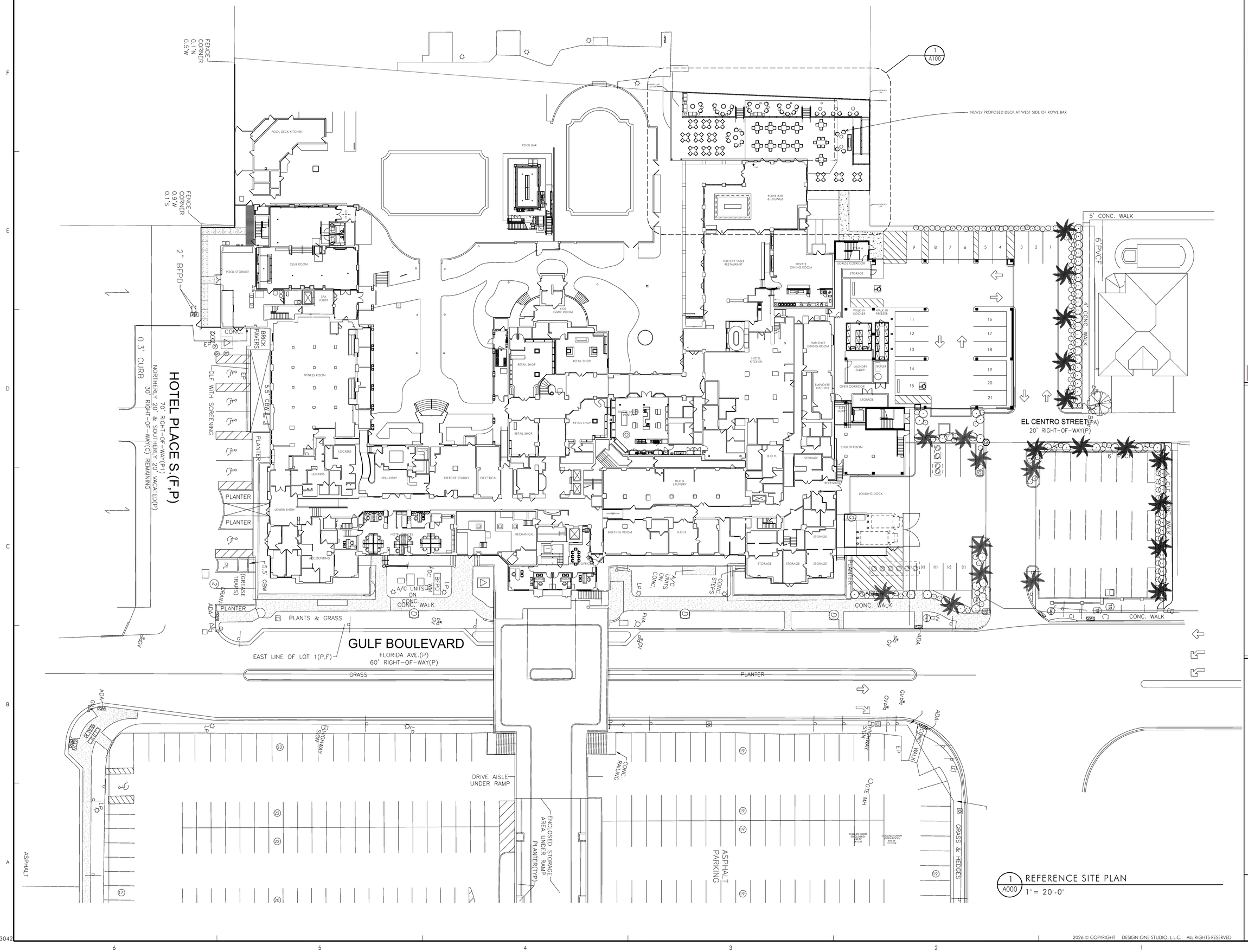
JSC I understand that any person aggrieved by the final decision of the Board of Adjustment or City Commission has the right to file a petition in the Pinellas County Circuit Court within 30 calendar days after the decision. Appeals of decisions made by the City Manager for administrative variances are 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.

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

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

J. C. [signature] — Signature of Applicant

06/01/2026 — Date



1 A000 REFERENCE SITE PLAN
1" = 20'-0"

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HOST HOTELS & RESORTS®

THE DON CESAR HOTEL
ROWE BAR DECK RECONSTRUCTION

3400 GULF BLVD, ST. PETE BEACH, FL 33706

THE DON CESAR

DESIGNONE STUDIO
358 ROSWELL STREET · SUITE 1250
MARIETTA, GEORGIA 30060
p: 404·266·9604
www.designone-studio.com

STATE OF FLORIDA FRANCISCO TRUJILLO AR96550 REGISTERED ARCHITECT

ISSUE
VARIANCE SUBMITTAL 06.16.26

REFERENCE SITE PLAN

SHEET TITLE

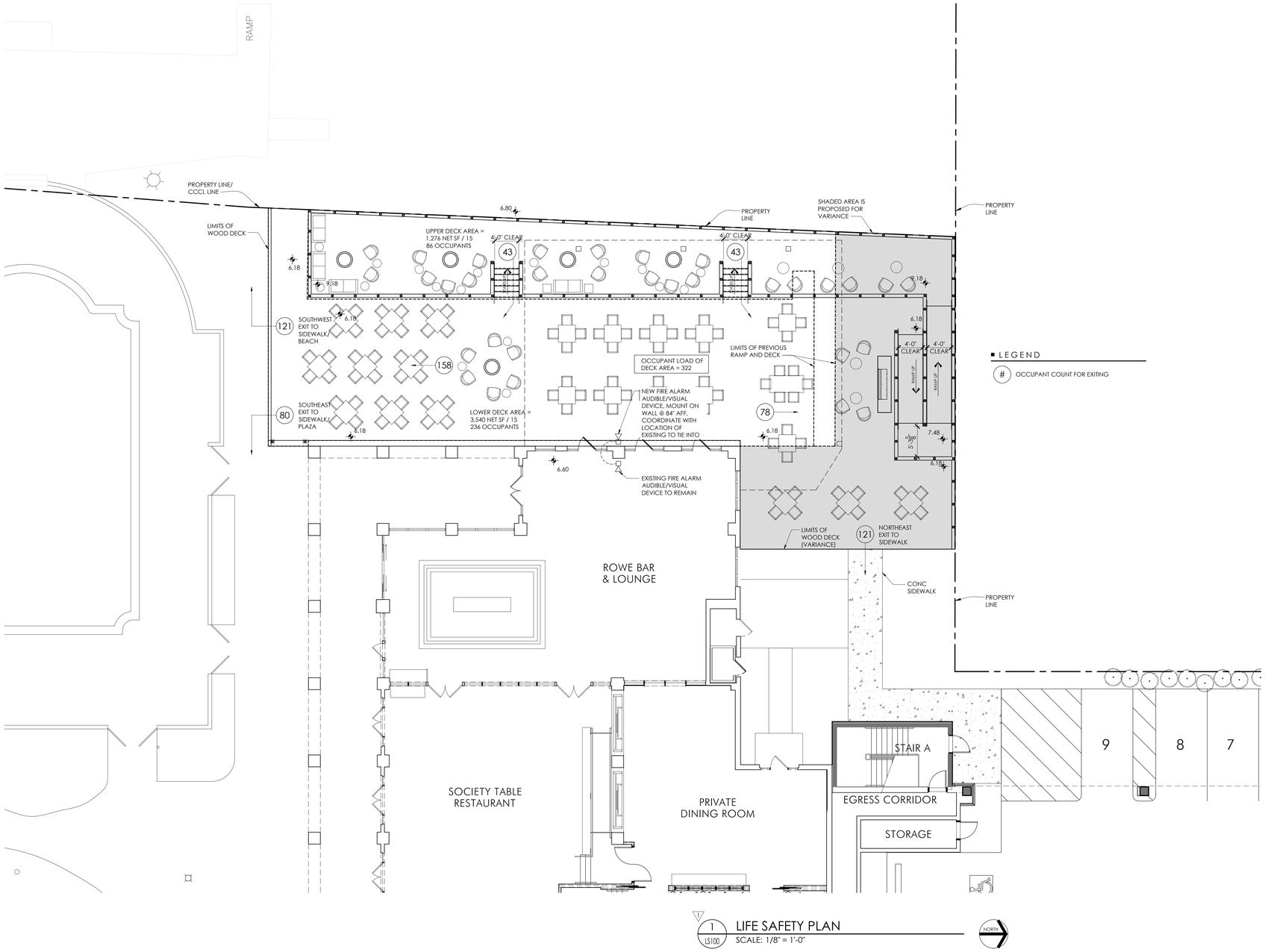
This drawing is the property of Design ONE Studio, LLC and is not to be reproduced or copied in whole or in part. It is only to be used for the project and site specifically identified herein and is not to be used on any other project. It is to be returned upon request. Scales as stated hereon are valid on the original drawing, the dimensions of which are 30 x 42 inches.

DATE

A000
SHEET

2234.12
PROJECT NUMBER

RELEASED FOR CONSTRUCTION 03/06/26 DATE



■ LEGEND

(#) OCCUPANT COUNT FOR EXITING

1 / LS100 LIFE SAFETY PLAN

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

NORTH

HOST HOTELS & RESORTS®

THE DON CESAR HOTEL
ROWE BAR DECK RECONSTRUCTION

3400 GULF BLVD, ST. PETE BEACH, FL 33706

THE DON CESAR

DESIGNONE STUDIO

358 ROSWELL STREET · SUITE 1250
MARIETTA, GEORGIA 30060
p: 404·266·9604
www.designone-studio.com

STATE OF FLORIDA · FRANCISCO TRUJILLO · AR96550 · REGISTERED ARCHITECT

ISSUE

VARIANCE SUBMITTAL 06.16.26

LIFE SAFETY PLAN

SHEET TITLE

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DATE

LS100

SHEET

2234.12

PROJECT NUMBER

RELEASED FOR CONSTRUCTION 03/06/26 DATE

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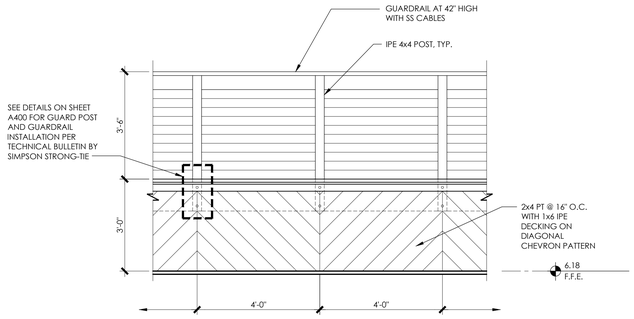
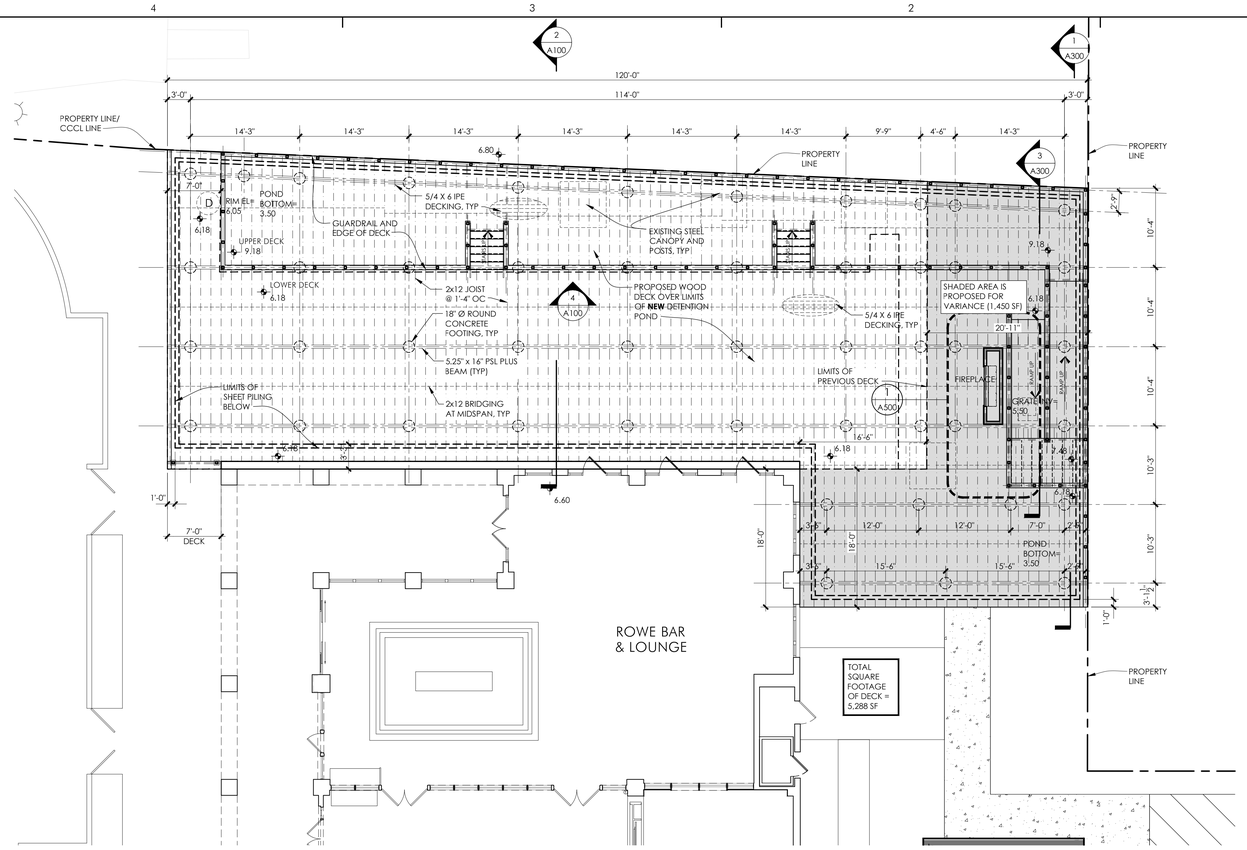
3042

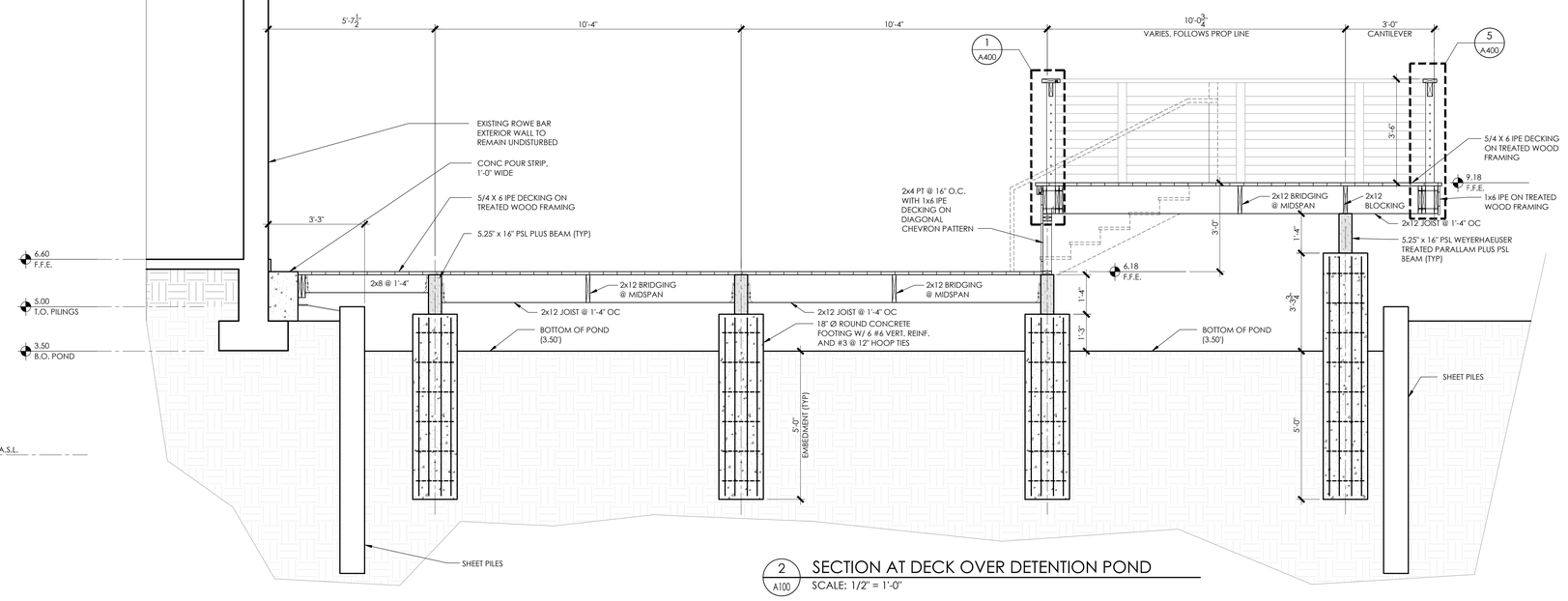


4 A100 ELEVATION AT RAISED DECK FACADE
SCALE: 1/2" = 1'-0"

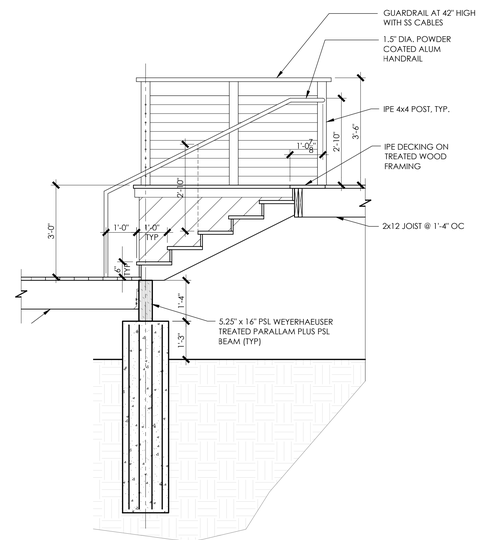


1 A100 SITE PLAN/ DECK FLOOR PLAN
SCALE: 1/8" = 1'-0"

NORTH



2 A100 SECTION AT DECK OVER DETENTION POND
SCALE: 1/2" = 1'-0"



STAIR SECTION
SCALE: 1/2" = 1'-0"

HOST HOTELS & RESORTS®

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SITE PLAN/ FLOOR PLAN, SECTIONS AND PARTIAL ELEVATION

SHEET TITLE

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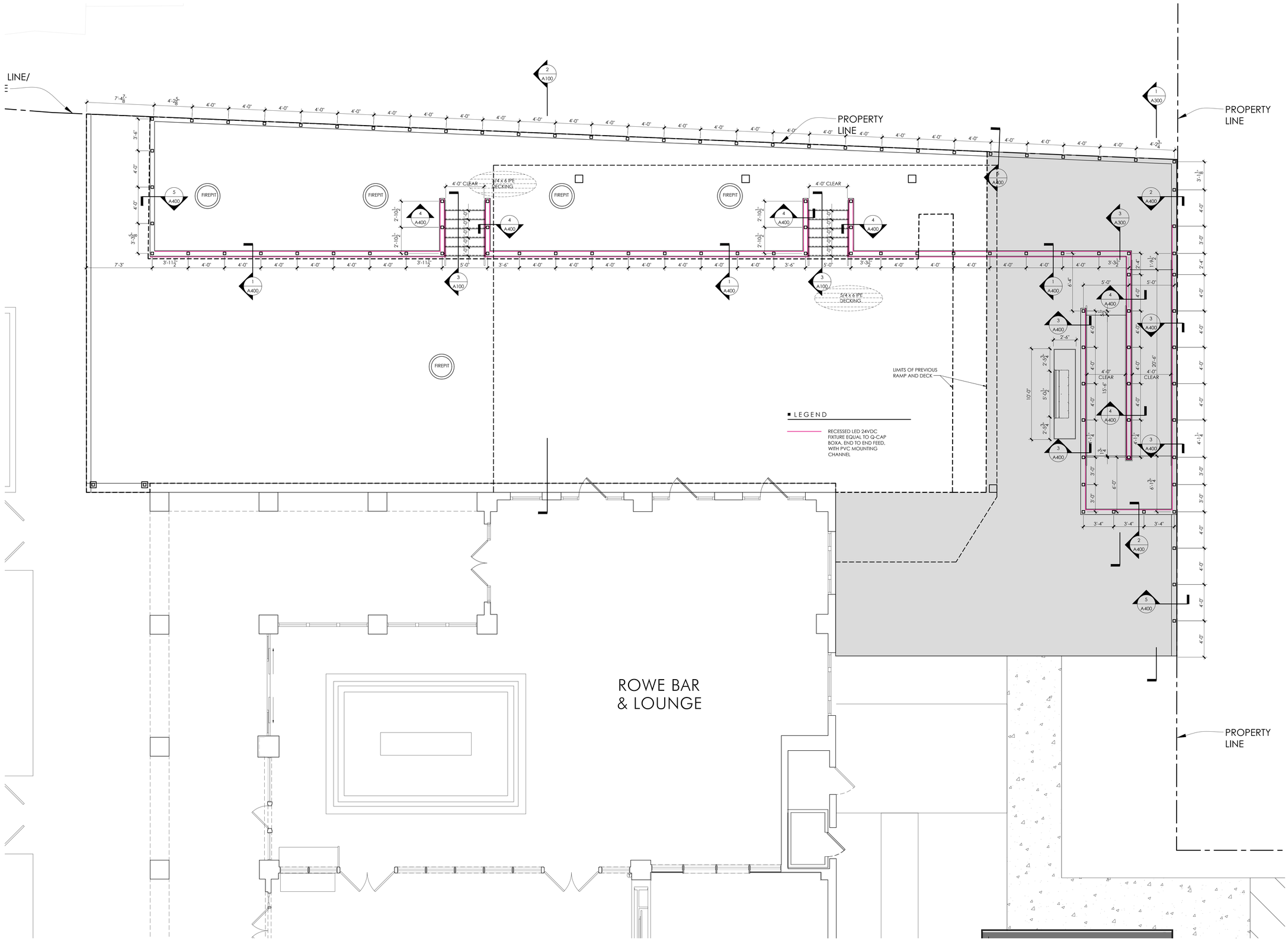

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DECK RAILING POST LOCATIONS PLAN

SHEET TITLE

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SHEET

2234.12
PROJECT NUMBER

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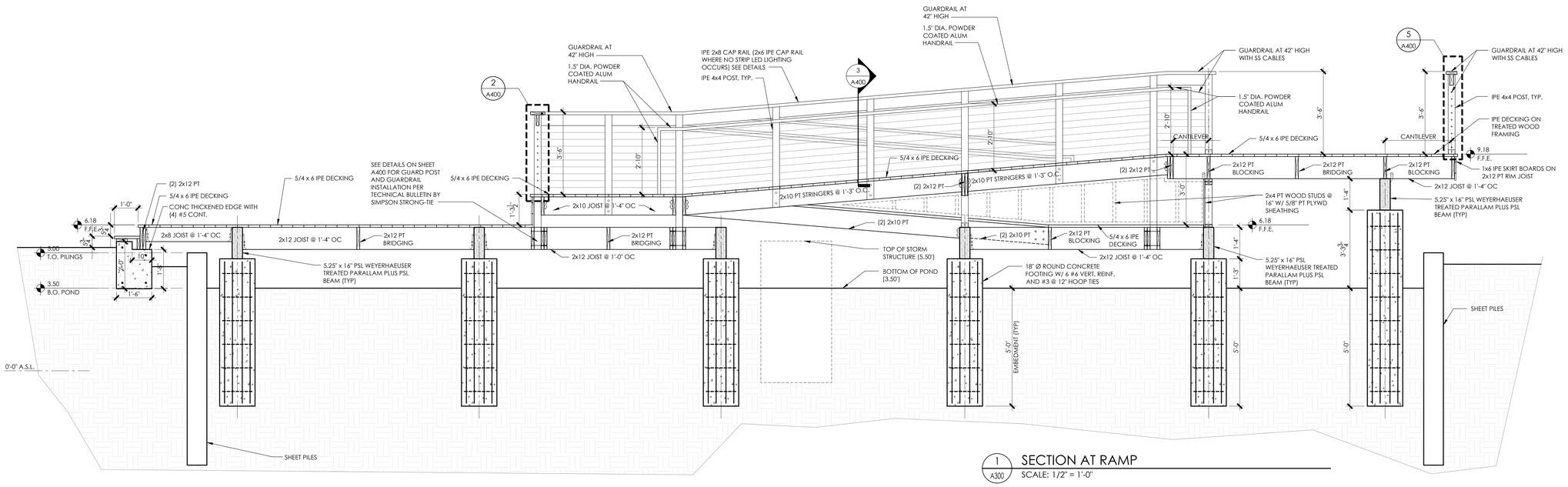
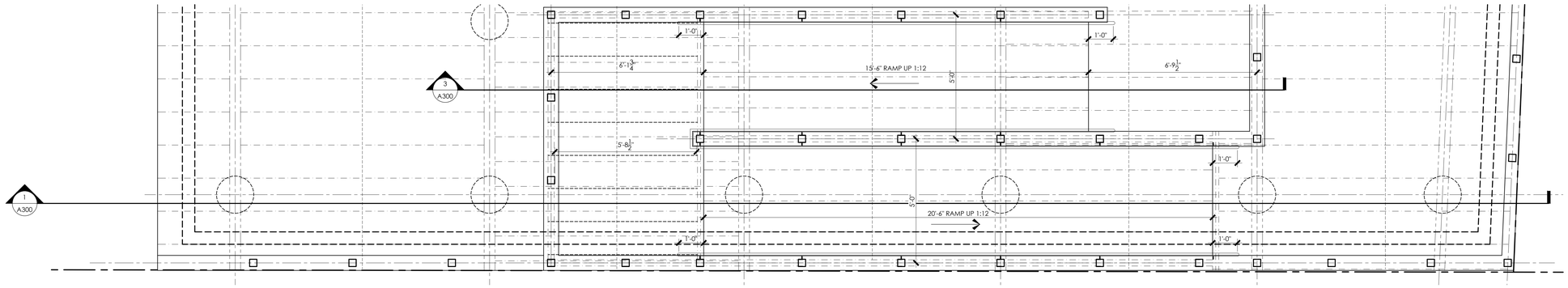
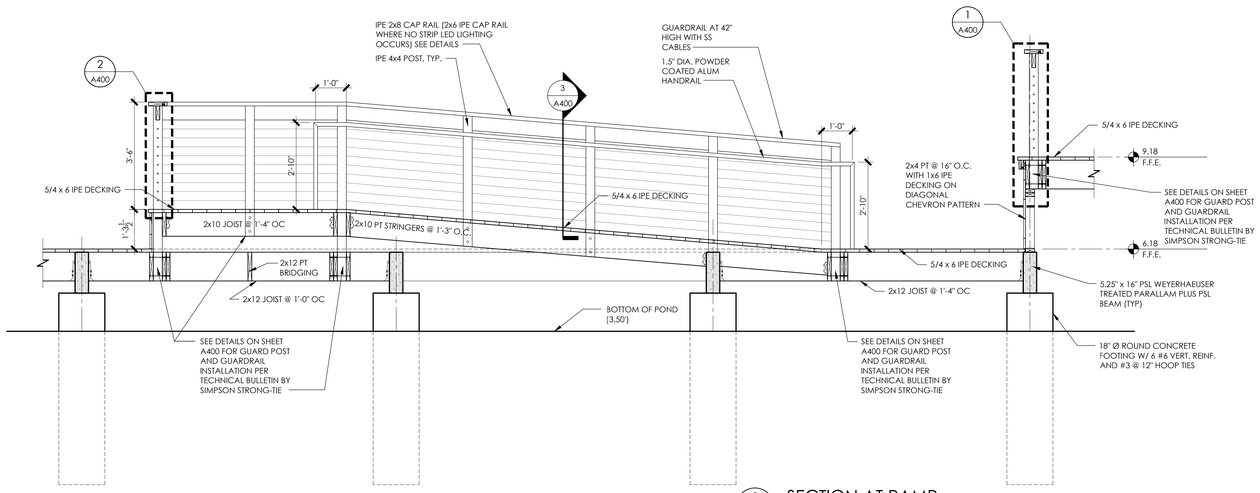


1 A300 **SECTION AT RAMP**
SCALE: 1/2" = 1'-0"



2 A300 **FLOOR PLAN AT RAMP**
SCALE: 1/2" = 1'-0"



3 A300 **SECTION AT RAMP**
SCALE: 1/2" = 1'-0"

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FLOOR PLAN AT RAMP AND RAMP SECTIONS

SHEET TITLE

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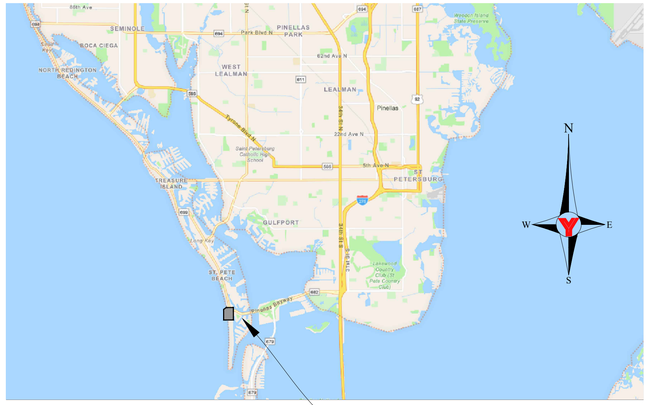
3042

ALTA/NSPS BOUNDARY SURVEY

DON CESAR HOTEL

SECTION 7, TOWNSHIP 32 SOUTH, RANGE 16 EAST
PINELLAS COUNTY FLORIDA
JUNE 2025



SITE LOCATION

AN ALTA/NSPS BOUNDARY SURVEY OF:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF PINELLAS, STATE OF FLORIDA, AND DESCRIBED AS FOLLOWS:

PARCEL 1:

LOT 1 AND LOT 2 OF DON CESAR PLACE HOTEL REPLAT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 120 AT PAGE 69 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

PARCEL 2:

TOGETHER WITH THE RIGHT TO CONSTRUCT, OPERATE, MAINTAIN AND REPLACE A VEHICULAR-PEDESTRIAN OVERPASS FACILITY ON THAT PORTION OF STATE ROAD 600 AT THE FOLLOWING LOCATION: BETWEEN MARITANA DRIVE AND 35TH AVENUE, MILE POSTS 1.740 & 1.877 AS SET FORTH IN MEMORANDUM OF AGREEMENT BY AND BETWEEN THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, A COMPONENT AGENCY OF THE STATE OF FLORIDA, AND BEACH RESORTS INTERNATIONAL, INC. DATED JUNE 28, 1973 AND RECORDED IN O.R. BOOK 4109, PAGE 21, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA

ALTA/NSPS TABLE A ITEM NOTES

1. Monuments were found or set at all major corners of the boundary of the surveyed property.
2. Address of the surveyed property: 3400 & 3860 GULF BOULEVARD, ST. PETE BEACH, FL 33706
3. The flood zone classification of the subject property is Zone AE (EL 9&10&11) and Zone VE (12&13), as per the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Number 12103C0278H, Community Number 125149, Panel 0278, Suffix H, Map revised AUGUST 24, 2021. (SHOWN HEREON)
4. Subject property contains 165,151 square feet or 3.79 acres, more or less.
5. Vertical relief with the souce of information (e.g., ground survey, aerial map), contour interval, datum, iwth originating benchmark, when appropriate. SPOT ELEVATIONS SHOWN ON SURVEY, BENCHMARK PROVIDED IN SURVEYORS NOTES.
6. (a) If the curent zoning classification, setback requirements, the height and floor space area restrictions, and parking requirements specific to the surveyed property are set forth in a zoning report or letter provided to the surveyor by the client or the client's designated representative, list the above items on the plat or map and identify the date and source of the report of letter. (NO LETTER WAS PROVIDED)

7.. (a) Exterior dimensions of all buildings at ground level (SHOWN HEREON).
(b) (1) exterior footprint of all buildings at ground level. (SHOWN HEREON)
(c) Measured height of all buildings above grade at a location specified by the client. If no location is specified, the point of measurement shall be identified. (SHOWN HEREON)

8. Substantial features observed in the process of conducting the fieldwork (in addition to the improvements and features required pursuant to Section 5 above) (e.g., parking lots, billboards, signs, swimming pools, landscaped areas, substantial areas of refuse). (SHOWN HEREON)
9. Number of parking spaces: MOST PARKING AREAS WITHIN SURVEY AREA ARE UNDER CONSTRUCTION
   9 total parking spaces:
   0 regular parking spaces
   9 space marked disabled parking (SHOWN HEREON).
10. As designated by the client, a determination of the relationship and location of certain division or party walls with respect to adjoining properties. (NO PARTY WALLS ON SUBJECT PROPERTY)
11. (a) plans and/or reports provided by client (with reference as to the sources of information) (NO PLANS WERE PROVIDED)
13. Names of adjoining landowners according to current tax records. (SHOWN HEREON)
14. As specified by the client, distance to the nearest intersecting street:
    Approximately 80' south of most northeast corner of Pinellas Byway.
16. Evidence of recent earth moving work, building construction, or building additions observed in the process of conducting the fieldwork. (SITE UNDER CONSTRUCTION AS SHOWN HEREON)
18. Pursuant to Sections 5 and 6 (and applicable selected Table A items, excluding Table A item 1), include as part of the survey any plottable offsite (i.e., appurtenant) easements disclosed in documents provided to or obtained by the surveyor. (SHOWN HEREON)

TITLE COMMITMENT NOTES:

SCHEDULE B EXCEPTIONS:

Commitment No.: 3020-806071

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date but prior to the date the proposed insured acquires for value of record the estate or interest or mortgage thereon covered by this Policy.. NOT A SURVEY MATTER
2. Any rights, interests, or claims of parties in possession of the land not shown by the public records. NOT A SURVEY MATTER
3. Any encroachment, encumbrance, violation, variation or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the land.. SHOWN ON SURVEY
4. Any lien, for services, labor, or materials in connection with improvements, repairs or renovations provided before, on, or after Date of Policy, not shown by the public records. NOT A SURVEY MATTER
5. Any dispute as to the boundaries caused by a change in the location of any water body within or adjacent to the land prior to Date of Policy, and and adverse claim to all or part of the land that is, at Date of Policy, or was previously under water. NOT A SURVEY MATTER
6. Taxes or special assessments no shown as liens in the public records or in the records of the local tax collecting authority, at Date of Policy.. NOT A SURVEY MATTER
7. Any minerals or mineral rights leased, granted or retained by current or prior owners. NOT A SURVEY MATTER
8. Taxes and assessments for the year 2017 and subsequent years, which are not yet due and payable. NOT A SURVEY MATTER
9. Dedications, easements, streets, parks, public places and right-of-way vacations as shown on the Plat of Don Ce-Sar Place Hotel Replat, recorded in Plat Book 120, Page 69 of the Public Records of Pinellas County, Florida. (As to Parcel 1) AS SHOWN ON SURVEY
10. Easement granted to Florida Power & Light Company recorded in Book 86, Page 581. (as to Parcel 1) MAY AFFECT EASTERLY PORTION OF SURVEY. ABOVE GROUND UTILITIES SHOWN ON SURVEY.
11. Easement granted to City of St. Petersburg Beach, Florida, recorded in Book 3748, Page 117. (As to Parcel 1) AS SHOWN ON SURVEY
12. Easement granted to Beach Resorts international, Inc., a Florida corporation, according to Pedestrian Easement, recorded in Book 3748, Page 119. (As to Parcel 1) AS SHOWN ON SURVEY
13. Terms and conditions of the Memorandum of Agreement between State of Florida Department of Transportation, a component agency of the State of Florida and Beach Resorts International, Inc. recorded in Book 4109, Page 21. (As to Parcel 2) APPROXIMATE BOUNDARY OF AGREEMENT VEHICULAR-PEDESTRIAN OVERPASS SHOWN ON SURVEY
14. Terms and conditions of the Cable Television Service Agreement, between Teleprompter Southeast, Inc. and Don Cesar Resort Hotel, Ltd., a Florida limited partnership, doing business as Don Cesar Beach Resort Hotel recorded in Book 5082, Page 1647. As to All Parcels) (To be deleted upon receipt and review of proof of termination.) NOT A SURVEY MATTER
15. Easement granted to The City of St. Petersburg Beach, a Florida municipal corporation, recorded in Book 6971, Page 1466. (as to Parcel 1) AS SHOWN ON SURVEY
16. Deed of conveyance of Pipelines, Appurtenances to Pinellas County, recorded in Book 16387, Page 2467. NOT A SURVEY MATTER
17. Riparian rights are not guaranteed or insured. Title to no portion of the herein described land lying below ordinary high water mark is hereby insured. (As to All Parcels) NOT A SURVEY MATTER
18. The Company does not insure title to any land lying between the mean high water line on the date of recordation of the Erosion Control Line Plat and the Erosion Control Line as shown therein, which may have vested in the insured or its predecessors in title pursuant to Chapter 161, Florida Statuses. (As to All Parcels) NOT A SURVEY MATTER
19. The right, title or interest, if any, of the public to use a public beach or recreation area or any part of the land described in Schedule A hereof, lying between the water abutting said land and the most inland of any of the following: (a) the natural line of vegetation; (b) the most extreme high water mark; (c) the bulkhead line; or (d) any other line which has been or which hereafter may be legally established as relating to such public use. (As to All Parcels) NOT A SURVEY MATTER
20. Due to all or part of the land described herein being artificially filed in land in what was formerly navigable waters, this policy is subject to the right of the United States Government, arising by reason of the United States Government's control over navigable waters in the interest of navigation and commerce. (As to All Parcels) NOT A SURVEY MATTER
21. Rights of transient hotel guest, as transient hotel guests only. NOT A SURVEY MATTER
22. Rights of tenants in possession, as tenants only, under unrecorded leases, with no rights of first refusal, options, or other rights to purchase.NOT A SURVEY MATTER
23. Any facts, rights, interests or claims that may exist by reason of the following matters disclosed by an ALTA/NSPS Land Title Survey prepared by Deuel & Associates, dated November 22, 2016, last revised January 27, 2017, Job No. 2006-199-5 (the "Survey"):

    a) Variations between the loactdions of fences and record lines of title (all Parcels).
    b) Overhead utility lines, storm sewer manholes, sanitary manholes, sanitary sewer cleanouts, gas meters, water meters located on the Land (all Parcels)_SHOWN ON SURVEY

SURVEYOR'S NOTES

1. THIS IS AN ALTA/NSPS LAND TITLE SURVEY. THE SURVEY DATE IS MAY 16, 2025 (LAST DATE OF FIELDWORK). THE SUBJECT PROPERTY FOR THIS SURVEY IS PARCEL 1 OF THE LEGAL DESCRIPTION.
2. THERE MAY BE ADDITIONAL EASEMENTS, RESERVATIONS, RESTRICTIONS AND/OR OTHER MATTERS OF RECORD AFFECTING THIS PROPERTY THAT ARE NOT SHOWN HEREON THAT MAY (OR MAY NOT) BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY. THE UNDERSIGNED HAS NOT PERFORMED AN INDEPENDENT SEARCH FOR ADDITIONAL RECORDS.
3. THIS MAP IS INTENDED TO BE DISPLAYED AT A SCALE OF 1" = 30' OR SMALLER.
4. THE PRINTED DIMENSIONS SHOWN ON THIS SURVEY SUPERSEDE ANY SCALED DIMENSIONS; THERE MAY BE ITEMS DRAWN OUT OF SCALE TO GRAPHICALLY SHOW THEIR LOCATION.
5. "CERTIFICATION" IS UNDERSTOOD TO BE AN EXPRESSION OF PROFESSIONAL OPINION BY THE SURVEYOR AND MAPPER BASED ON THE SURVEYOR AND MAPPER'S KNOWLEDGE AND INFORMATION, AND THAT IT IS NOT A GUARANTEE OR WARRANTY, EXPRESSED OR IMPLIED.
6. THIS SURVEY HAS BEEN EXCLUSIVELY PREPARED FOR THE NAMED ENTITIES SHOWN HEREON AND IS NOT TRANSFERABLE. NO OTHER PERSON OR ENTITY IS ENTITLED TO RELY UPON AND/OR RE-USE THIS SURVEY FOR ANY PURPOSE WITHOUT THE EXPRESSED, WRITTEN CONSENT OF GEORGE F. YOUNG, INC. AND THE UNDERSIGNED PROFESSIONAL SURVEYOR AND MAPPER.
7. UNAUTHORIZED COPIES AND/OR REPRODUCTIONS VIA ANY MEDIUM OF THIS SURVEY OR ANY PORTIONS THEREOF ARE EXPRESSLY PROHIBITED WITHOUT THE WRITTEN CONSENT OF GEORGE F. YOUNG, INC. AND THE UNDERSIGNED PROFESSIONAL SURVEYOR AND MAPPER.
8. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES ARE PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
9. THIS SURVEY IS VALID AS TO THE LAST DATE OF FIELD SURVEY AND NOT THE SIGNATURE DATE.
10. THIS SURVEY MAP AND REPORT (IF APPLICABLE) OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER (IF A HARD COPY), OR THE ADOBE PDF CONTAINING THE ELECTRONIC SIGNATURE HAS NOT BEEN VALIDATED TO BE THE ORIGINAL SIGNED AND SEALED VERSION (IF AN ELECTRONIC FILE). IF AN ELECTRONIC FILE, PRINTED COPIES OF THE SURVEY MAP ARE NOT CONSIDERED TO BE A VALID SIGNED AND SEALED COPY.
11. THE COORDINATE SYSTEM UTILIZED HEREON IS RELATIVE TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE, NORTH AMERICAN DATUM OF 1983, 2011 ADJUSTMENT (NAD83/2011), AS ESTABLISHED USING THE PUBLIC FLORIDA DEPARTMENT OF TRANSPORTATION'S (FDOT) FLORIDA PERMANENT REFERENCE NETWORK (FPRN) OF FIXED BASE STATIONS. ALL DISTANCES SHOWN HEREON ARE IN US SURVEY FEET, GROUND DISTANCES.
12. BEARINGS SHOWN HEREON ARE BASED ON GRID NORTH AS ESTABLISHED BY THE NATIONAL OCEAN SERVICE (NOS) THROUGH ITS PROGRAM OFFICE NATIONAL GEODETIC SURVEY (NGS) AND THE EAST RIGHT OF WAY LINE OF MISSOURI AVENUE.
13. ELEVATIONS SHOWN ON THIS SURVEY ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88). BENCHMARK USED: PINELLAS COUNTY BENCHMARK NOAA, HAVING A PUBLISHED, ADJUSTED ELEVATION OF 6.82 FEET (NAVD 88). INFORMATION OBTAINED FROM THE NGS DATA SHEET, PID AG0740.
14. THIS SURVEY PREPARED WITH THE BENEFIT OF FIRST AMERICAN TITLE INSURANCE COMPANY, ISSUING OFFICE FILE NUMBER: 3020-806071, COMMITMENT EFFECTIVE DATE OF FEBRUARY 20, 2017 AT 9:12AM.
15. AS PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) NUMBER 12103C0278H, COMMUNITY NUMBER 125149, PANEL 0278, SUFFIX H, EFFECTIVE DATE OF AUGUST 24, 2021, THE ABOVE-DESCRIBED PROPERTY APPEARS TO BE IN MULTIPLE ZONES AS NOTED ON DRAWING.
16. NO INFORMATION ON ADJOINING PROPERTY OWNERS OR ADJOINING PROPERTY RECORDING INFORMATION WAS PROVIDED TO THE SURVEYOR. INFORMATION SHOWN HEREON WAS ACQUIRED FROM THE PINELLAS COUNTY'S PROPERTY APPRAISERS WEBSITE.
17. THIS SURVEY SHOWS VISIBLE, ABOVE GROUND FEATURES. NO UNDERGROUND FEATURES, INCLUDING BUT NOT LIMITED TO FOUNDATIONS, STRUCTURES, INSTALLATIONS, OR IMPROVEMENTS HAVE BEEN LOCATED, EXCEPT AS SHOWN HEREON.
18. UNDERGROUND UTILITIES SHOWN ARE BASED ON ABOVE-GROUND EVIDENCE AND SURFACE MARKING FOUND DURING THIS SURVEY. THERE MAY BE OTHER UNDERGROUND INSTALLATIONS WITHIN OR NEAR THE SUBJECT PROPERTY WHICH WERE NOT LOCATED AND ARE NOT SHOWN. UTILITIES SHOWN HEREON ARE NOT TO BE USED FOR CONSTRUCTION AND DO NOT NECESSARILY INDICATE AVAILABILITY.
19. FORTY-EIGHT (48) HOURS BEFORE DIGGING, BORING, PILE-DRIVING, PLANTING, ETC. NOTIFY SUNSHINE 811 BY CALLING 811 SO THAT UNDERGROUND UTILITIES MAY BE FIELD SPOTTED.
20. GEORGE F. YOUNG, INC. AND THE UNDERSIGNED MAKE NO REPRESENTATIONS OR GUARANTEES PERTAINING TO EASEMENTS, RIGHTS-OF-WAY, SET BACK LINES, RESERVATIONS AND/OR AGREEMENTS.
21. MANY AREAS OF THIS SITE WERE UNDER CONSTRUCTION DURING THE FIELD WORK AND THIS SURVEY MAY NOT REFLECT CURRENT CONDITIONS.

LEGEND

- CLEANOUT
- SPEAKER ENCLOSURE
- FIRE HYDRANT
- FIRE DEPARTMENT CONNECTION
- METER, WATER
- BACKFLOW PREVENTER
- STAND PIPE
- VALVE BOX RECLAIMED WATER
- HANDICAP MARKING
- OAK TREE
- PALM TREE
- LIGHT POLE
- GUYS ANCHOR
- SIGNAL CONTROL BOX
- SERVICE BOX FIBER OPTIC
- WITNESS - FIBER OPTIC
- SIGN SINGLE SUPPORT
- WIRE PULLBOX
- MISCELLANEOUS POST
- CURB INLET
- ELECTRICAL SERVICE BOX
- ELECTRICAL OUTLET
- FLOOD LIGHT
- GRATE INLET
- MANHOLE, DRAINAGE
- MANHOLE, SANITARY
- MANHOLE, UNKNOWN
- LIGHT POLE, CONCRETE
- BOLLARD
- SIGNAL MAST ARM
- PEDESTRIAN SINGLE UNIT
- SHOWER AND FOOT WASH
- TRANSFORMER
- VALVE COVER WATER
- VALVE RECLAIMED WATER
- BENCH

— — —x— — —x— — FENCE

— — — — — — — — LIMITS OF EASMENT

ASPHALT — CONCRETE — BUILDING

- MONUMENT - CONCRETE
- IRON ROD AND CAP FOUND
- IRON ROD AND CAP SET
- RIVET AND DISC SET
- NAIL AND DISC SET
- IRON PIPE FOUND

ABBREVIATIONS

B/C	BACK OF CURB
E/P	EDGE OF ASPHALT PAVEMENT
MHW	MEAN HIGH WATER LINE
A/C	AIR CONDITIONER
LB	LICENSED BUSINESS
LS	LICENSED SURVEYOR
(M)	MEASURED
N/F	NOW OR FORMERLY
OHL	OVERHEAD UTILITY LINE(S)
ORB	OFFICIAL RECORDS BOOK
OR	OFFICIAL RECORDS
PB	PLAT BOOK
PG	PAGE
PIN	PROPERTY IDENTIFICATION NUMBER
(P)	PLAT
PLS	PROFESSIONAL LAND SURVEYOR
PSM	PROFESSIONAL SURVEYOR AND MAPPER

CERTIFIED TO:

First American Title Insurance Company
and
designONE studio

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 5, 6(a), 7(a), 7(b)(1), 7(c), 8, 9, 10, 11(a), 13, 14, 16, 18, and 19 of Table A thereof. The fieldwork was completed on 4/29/2025.

Date of plat or map: MAY 22, 2025.

TREVOR J HATCH — License Number 7443 — STATE OF FLORIDA — Professional Surveyor and Mapper

REVISED	NO.	BY	DATE	DESCRIPTION
	1			
	2			
	3			
	4			
	5			

REVISED	NO.	BY	DATE	DESCRIPTION
	6			
	7			
	8			
	9			
	10			

	INITIALS	DATE
CREW CHIEF	LP	4/29/25
DRAWN	CMI	5/1/25
CHECKED	TH	5/1/25
FIELD BOOK		
FIELD DATE		

PREPARED FOR:
designONE studio
358 ROSWELL ST., SUITE 1250
MARIETTA, GA 30060
404 277 0228

Since 1919

George F. Young, Inc.
299 DR. MARTIN LUTHER KING JR. STREET, N. ST. PETERSBURG, FLORIDA 33701
PHONE (727) 822-4317 WWW.GEORGEFYOUNG.COM
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TREVOR HATCH PSM LS 7443

DATE

DON CESAR HOTEL
ALTA/NSPS BOUNDARY SURVEY
SECTION 7, TOWNSHIP 32S., RANGE 16E.

JOB NO. 25000800SS
SHEET NO. 1 OF 2

©PYRED: 6/22/2025 1:31 PM LOGIN: watch, Trevor PLOT: 1:1 FILE: L:\projects\active\25000\25000800SS - Don Cesar ALTA\DWG\25000800SS.dwg

Parcel Line Table		
Line #	Direction	Length
L1(P)	S17° 29' 38"W	12.53
L1(M)	S18° 16' 09"W	12.53
L2(P)	N78° 53' 00"E	16.05
L2(M)	N79° 39' 31"E	16.05
L3(P)	N11° 07' 00"W	20.00
L3(M)	N10° 20' 29"W	20.00
L4(P)	N78° 53' 00"E	20.00
L4(M)	N79° 39' 31"E	20.00

GULF OF AMERICA

ALONG MHW

N06°36'24"W 383.05'(M)

N06°47'24"W(P) 259.25'(P&M)

N06°00'53"W(M) 259.25'(P&M)

N08°45'27"W(P) 123.92'(P&M)

N07°58'56"W(M) 123.92'(P&M)

N/F
PIN: 07-32-16-21852-030-0000
OWNER: DON CE SAR PROP OWNERS CORP
GULF BLVD
ORB 21931 PG 270

N/F
PIN: 07-32-16-21857-000-0010
OWNER: H H R ST PETE BEACH LLC
3400 GULF BLVD
ORB 19524 PG 1963

N/F
PIN: 07-32-16-21852-002-0020
OWNER: 3505 EL CENTRO LLC
3505 EL CENTRO ST
ORB 19258 PG 267

N/F
PIN: 07-32-16-21852-005-0030
OWNER: ST PETE BEACH RENTALS LLC
3504 GULF BLVD
ORB 21119 PG 1547

EL CENTRO NORTH

GULF BLVD.
PUBLIC R/W (ASPHALT)

PINELLAS BYWAY (682)
PUBLIC R/W (ASPHALT)

S79°39'31"W 183.40'(M)
S79°39'31"W 284.00'(M)
S79°39'31"W(M) 100.60'(P&M)
S78°53'00"W(P)
S79°39'31"W(M) S78°53'00"W(P) 240.00'(P&M)
S11°07'00"E 472.33'(P)
S10°20'29"E 472.24'(M)

N79°39'31"E 259.00'(M)
N79°37'54"E 183.11'(M)
N78°53'00"E(P)
N79°43'25"E(M) 75.89'(P&M)
N79°39'31"E(M) 110.00'(P&M)
N78°53'00"E(P)
N79°39'31"E(M) 100.00'(P&M)
N78°53'00"E(P)
S11°07'00"E(P) 65.00'(P&M)
N10°20'29"W(M) 115.00'(P&M)
N11°07'00"W(P) 135.00'(P&M)
S10°20'29"E(M) 65.00'(P&M)
N11°07'00"W(P) 115.00'(P&M)
S11°07'00"E(P) 104.00'(P&M)
S10°20'29"E(P)

2 STORY BUILDING
2 STORY BUILDING ×10.6 ×TOP OF BUILDING
1 STORY BUILDING ×9.2 ×TOP OF BUILDING
1 STORY BUILDING
128.0 ×TOP OF BUILDING
128.1 ×TOP OF BUILDING

8' PEDESTRIAN EASEMENT O.R. 3748 PG 119
30' RIGHT-OF-WAY EASEMENT O.R. 3748 PG 117
VACATED RIGHT-OF-WAY PER PB 120 PG 69
STREET EASEMENT O.R. 6971 PG 1466
AREA UNDER CONSTRUCTION
ZONE VE (EL11) ZONE VE (EL12)
ZONE VE (EL12) ZONE VE (EL13)
ZONE AE (EL10) ZONE AE (EL11)

POOL
POOL PUMPS
PAVERS
LANDSCAPE AREA
LANDSCAPE MULCH
PLANTERS
PLANTER
PARTITION WALL
GATE
TOWER STATION
OVERHANG
A/C PLATFORM
A/C & UTILITY PLATFORM
VEHICLE RAMP TO SECOND FLOOR ENTRANCE
ELETRIC VAULTS
SIDEWALK
CONCRETE
GRAVEL
WALL
STEPS
RAMP
PILING/COLUMN
SIGNAL BOXES
E/P
B/C
d/3
5/8

L1 L2 L3 L4

SCALE: 1" = 30'

George F. Young, Inc.
299 DR. MARTIN LUTHER KING, JR. STREET N. ST. PETERSBURG, FLORIDA 33701
PHONE (727) 822-4317 WWW.GEORGEFYOUNG.COM
CIVIL, TRANSPORTATION, SURVEYING, STRUCTURAL ENGINEERING
ECOLOGY, GIS, PLANNING, SURVEYING
ST. PETERSBURG • LAKEWOOD RANCH • TAMPA • GAINESVILLE • LAKE WALES • PUNTA GORDA
Since 1919

NO.	BY	DATE	DESCRIPTION
1			
2			
3			
4			
5			
6			
7			

REVISED

PREPARED FOR:
designONE studio
358 ROSWELL ST., SUITE 1250
MARIETTA, GA 30060
404 277 0228

	INITIALS	DATE
DRW CHEF	LP	4/29/25
DRAWN	CMI	5/22/25
CHECKED	TH	5/22/25
FIELD BOOK		
FIELD DATE		

TREVOR HATCH PSM LS7443
DATE

DON CESAR HOTEL
ALTA/NSPS BOUNDARY SURVEY
SECTION 7, TOWNSHIP 32 S., RANGE 16 E.

JOB NO.
25000800SS

SHEET NO.
2 OF 2

PLOTTED: 6/25/2025 1:03 PM By: Trevor Hatch
FILE: C:\Jobs\Active\25000800SS - Don Cesar ALTA\DWG\25000800SS_BP.dwg
LOCAL Hatch, Trevor

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

Agenda Report

Agenda Title Name: **Case No. 24003 Amendment - 3700 Gulf Blvd.**

Action Request: Motion to [accept design amendments/accept design amendments with additional conditions/deny/continue to [specify date certain]] variance case 24003 for 3700 Gulf Blvd.

Strategic Objective:

Date: July 29, 2026

Prepared By: Brandon Berry, Senior Planner

Through: Laura Canary, Community Development Director

Summary of Issue: The subject case was originally approved by the Board of Adjustment in February 2024 with two conditions:

> 1) The design features, color, height and setbacks shall be as generally shown in the attachments. Height may be varied within the District's permitted height. Any other alterations from submitted plans shall be noted. Should the alterations be deemed significant by the City Manager or their designee, this approval shall be considered void and required to return to the Board of Adjustment for reconsideration.
>
> 2) The ground floor of each unit shall contain a two-car garage door of at least 16 feet in width to generally match the aesthetic look of the structure proposed in submitted plans.

Staff considers the original design to be Mediterranean in style. The applicant prepared a modified design that was presented and accepted by the Board of Adjustment in October 2024 that shifted toward a more Caribbean-influenced Mediterranean style. Both designs were proposed at four stories, although an amendment to condition 1) at the adoption hearing allowed the applicant to build within the authorized

footprint at the maximum allowable height permitted for the zoning district, which is 50 feet. The revised design, which contains what appear to be Venetian-inspired elements interspersed with modern ground floor and second living floor features and an overarching Mediterranean style, is five stories. The structure complies with the overall height limit applicable to the district. The garage doors are no longer contiguous but are spaced for two doors per unit.

Of the eight criteria, staff finds only criteria 8 to be relevant to the subject modifications:

> 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 Mediterranean style is common throughout the area and Don CeSar neighborhood, including the Don CeSar Hotel itself. While Staff notes variations in features across the different floors of the building, with the ground and second living floors appearing more modern due to their rectangular windows. Staff does not find the design changes to be of a nature that they cause injury to the neighborhood. While the garage doors are no longer 16 contiguous feet in width, widening the doors given the other architectural changes made may make it appear less consistent from a Mediterranean design standpoint, which typically have visually-weightier ground floors with features becoming lighter on upper stories. Although the first living floor's primarily-glass archways are substantially lighter than features on other floors, widening the garage doors would create even greater visual weight on the upper stories.

Staff welcomes input from the Board of Adjustment relative to any of the eight variance criteria. If the Board finds that architectural modifications change the basis on which the variance was originally issued, they may recommend additional conditions, or modify their approval. If not, the changes may be accepted. As the associated building permit is nearing issuance, staff

does not expect other significant modifications to the design prior to permit issuance.

Funding: N/A

Attachments:

1. 24003 - Development Order Amendment Draft
2. February 2024 Site Plan
3. February 2024 Elevations
4. February 2024 Rendering
5. October 2024 Elevations
6. October 2024 Rendering
7. July 2026 Site Plan, Renderings, and Elevations
8. 3700 Elevation Narrative Letter

ST PETE BEACH BOARD OF ADJUSTMENT
VARIANCE (UNDUE HARDSHIP)
CASE NO. 24003

A public hearing was held before the St Pete Beach Board of Adjustment ("BOA") on the 29th day of July, 2026 for review of the unnecessary and undue hardship criteria in the context of an amendment to Development Order 24003, initially issued February 29, 2024. The applicant has significantly modified the design of the structure which makes the request subject to re-review, pursuant to Condition 1) of the Development Order. The initial authorization approved a front yard (37th Avenue) setback of 43 feet where 50 feet is required, and a northern rear yard setback of 16.8 feet where 20 feet is required, for a new multi-family development at 3700 Gulf Blvd ("subject property"). The request is made by Daniel S Ochstein of 3700 GULF BLVD LLC.

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. Daniel S Ochstein is the registered agent of 3700 GULF BLVD LLC, the owner of 3400 Gulf Blvd and 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 RFM Resort Facilities Medium Future Land Use and Zoning Districts according to the Future Land Use and zoning maps. The applicant is maintaining the setbacks authorized under the 2024 initial authorization, but has changed the design, which triggers an additional review by the Board of Adjustment and a reconsideration of findings pursuant to Condition 1) of the Development Order. No additional variances are requested.

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 [approved/approved with conditions/denied] 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 this criteria is not relevant to the modifications proposed under the subject amendment.

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 not relevant to the modifications proposed under the subject amendment.

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 is not relevant to the modifications proposed under the subject amendment.

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 not relevant to the modifications proposed under the subject amendment.

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 not relevant to the modifications proposed under the subject amendment.

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 BOA finds this criteria is not relevant to the modifications proposed under the subject amendment.

7. *The requested variance is the minimum variance that makes possible the reasonable use of the land, building, or structure*— The BOA finds this criteria is not relevant to the modifications proposed under the subject amendment.

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*—gative operational impacts. [Subject to BOA discussion]

e. [Space for ex-parte communication]

IT IS HEREBY ORDERED:

f. [Space for outcome following applicant testimony for condition #8]

g. [If approved] The variance is amended and reapproved with the following [two] conditions:

1. The design features, color, height and setbacks shall be as generally shown in the attachments. Height may be varied within the District's permitted height. Any other alterations from submitted plans shall be noted. Should the alterations be deemed significant by the City Manager or their designee, this approval shall be considered void and required to return to the Board of Adjustment for reconsideration.

2. The ground floor of each unit shall contain a two-car garage door of at least 16 feet in width to generally match the aesthetic look of the structure proposed in submitted plans.

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] and seconded by [member] and upon being put to a vote, the result was as follows:

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

DULY PASSED AND ADOPTED THE 29TH DAY OF JULY, 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:

_____
_____, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

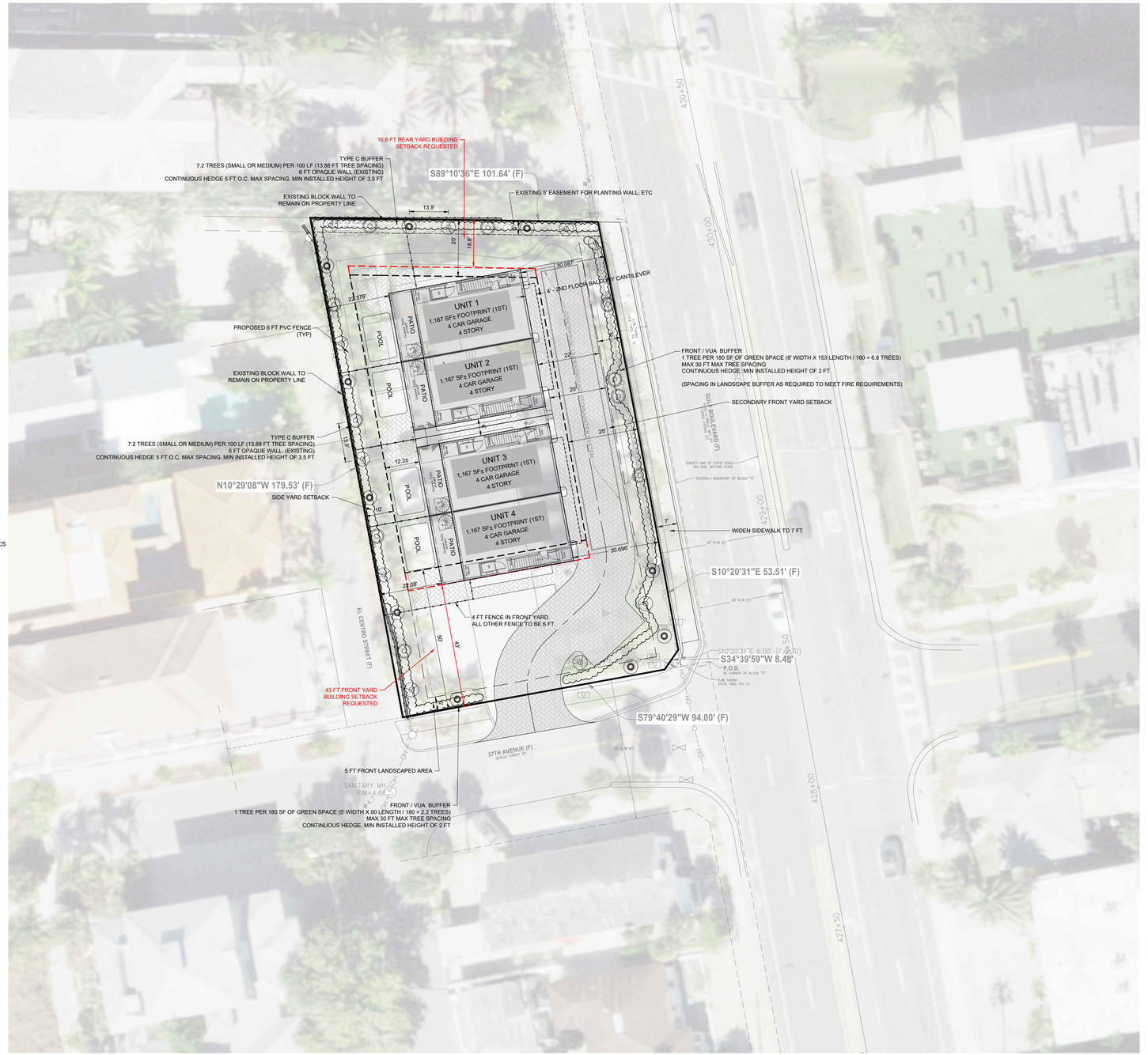
_____
Vose Law Firm, City Attorney

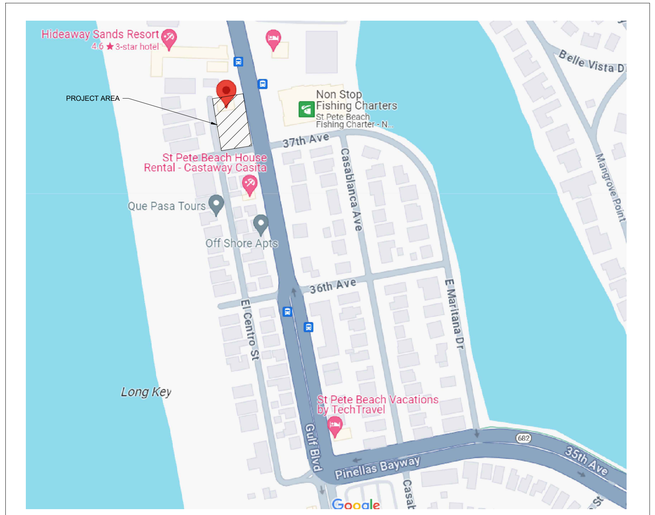
This Development Order was filed in the Office of the City Clerk on this ____ day of _____, 2026. Any person aggrieved by this Order may appeal to the Circuit Court on or before thirty (30) days from the date of the Order as authorized in Section 3.14(b) of the St. Pete Beach Land Development Code.

VARIANCE SITE PLAN

PARCEL ID: 07-32-16-21852-028-0001 ADDRESS: 3700 GULF BLVD, ST PETE BEACH

PROPOSED USE: TRANSIENT ACCOMMODATION
DESCRIPTION OF BUSINESS: SHORT TERM VACATION RENTAL
FEE SIMPLE PLAT WITH GOVERNING HOA DOCS





LOCATION MAP

NOT TO SCALE

LEGAL DESCRIPTION:

PER SURVEY:

THE PART OF BLOCK "C" OF DON CE-SAR PLACE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 13, PAGE(S) 15-20, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: STARTING AT THE INTERESECTION OF THE NORTHERLY BOUNDARY OF 37TH STREET (FORMERLY KNOW AS SEVILLE STREET) AND THE WESTERLY BOUNDARY OF GULF BOULEVARD (FORMERLY KNOWN AS PASS-A-GRILLE WAY AND FLORIDA AVE.), SAID POINT BEING OTHERWISE DESCRIBED AS THE SOUTHEASTERLY CORNER OF SAID BLOCK "C", AS A POINT OF BEGINNING; RUN THENCE WESTERLY ALONG THE SOUTH BOUNDARY OF SAID BLOCK "C", A DISTANCE OF 110 FEET TO A POINT; THENCE RUN NORTHERLY PARALLEL TO THE EAST BOUNDARY LINE OF SAID BLOCK "C" TO A POINT ON THE NORTH BOUNDARY LINE OF SAID BLOCK "C" A DISTANCE OF 178 FEET MORE OR LESS; THENCE EASTERLY ALONG THE NORTHERLY BOUNDARY OF SAID BLOCK "C" TO THE INTERSECTION OF THE NORTHERLY BOUNDARY OF SAID BLOCK "C" AND THE WESTERLY BOUNDARY OF GULF BOULEVARD (FORMERLY KNOW AS PASS-A-GRILLE WAY AND FLORIDA AVE.), SAID POINT BEING OTHERWISE DESCRIBED AS THE NORTHEASTERLY CORNER OF SAID BLOCK "C", A DISTANCE OF 122.26 FEET MORE OR LESS; THEN SOUTHERLY ALONG THE EASTERLY BOUNDARY OF SAID BLOCK "C", TO THE POINT OF BEGINNING;

LESS THAT PORTION LYING WITHIN 40 FEET OF THE SURVEY LINE OF STATE ROAD NO. 699, SECTION 15100, AS SAID SURVEY LINE IS FURTHER DESCRIBED IN DEED TO THE STATE OF FLORIDA, FILED APRIL 11, 1962, AND RECORDED IN OFFICIAL RECORDS BOOK 1402, PAGE 12, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA;

ALSO LESS THAT PORTION LYING WITHIN THE FOLLOWING METES AND BOUNDS DESCRIPTION: BEGIN ON THE EASTERLY EXTENSION OF THE NORTHERLY BOUNDARY OF LOT 9, BLOCK 4, SAID SUBDIVISION, AT A POINT 140.02 FEET EASTERLY OF THE WESTERNMOST CORNER OF SAID LOT 9; RUN THENCE NORTH 10°20'31" WEST, 50.00 FEET; THENCE SOUTH 79°40'29" WEST 40 FEET TO A POINT OF BEGINNING; CONTINUE THENCE SOUTH 79°40'29" WEST, 6 FEET; THENCE NORTH 34°39'59" EAST, 8.49 FEET; THENCE SOUTH 10°20'31" EAST, 6 FEET TO THE POINT OF BEGINNING.

.

Site Data Table

PROJECT LOCATION	ST.PETE BEACH, FLORIDA
PARCEL ID & ADDRESS	3700 GULF BLVD, ST PETE BEACH 07-32-16-21852-028-0001
PROPERTY AREA	0.39 AC (16,956 SF±)
FLU	RFM: RESORT FACILITIES MEDIUM
ZONING	RFM
CURRENT USE	VACANT - RESTAURANT, CAFETERIA
PROPOSED USE	TRANSIENT ACCOMMODATION
DESCRIPTION OF BUSINESS	SHORT TERM VACATION RENTAL FEE SIMPLE PLAT WITH GOVERNING HOA DOCS
MAX DENSITY	30 UNITS PER ACRE
	30 * 0.39 = 11.7 UNITS
PROPOSED DENSITY	4 UNITS
MAX ISR	0.70
MAX BUILDING HEIGHT	50 FEET
MIN GREEN SPACE	30% = 5,086 SF
	6,300 SF± GREEN PROPOSED
BUILDING SETBACKS	FRONT = 50 FT
	SECONDARY FRONT YARD = 25 FT
	SIDE YARD: TEN PERCENT OF THE LOT WIDTH; MINIMUM TEN FEET = 0.10 * 90 FT = 9 FT
	SIDE YARD = 10 FT
	REAR YARD = 20 FT
PARKING REQUIRED	SINGLE FAMILY ATTACHED
	2 SPACES/UNIT
PARKING PROPOSED	2 GARAGE SPACES PER UNIT
	+ 1 GUEST SPACE
FEMA FLOODPLAIN	COASTAL AE - ELEVATION 9
	MAP 12103C0278H - EFF. 8/24/2021
UTILITIES	
WATER	PINELLAS COUNTY
SEWER	CITY OF ST PETE BEACH
EXISTING SITE AREA	
TOTAL PROPETY AREA	0.39 AC (16,956 SF±)
EX BUILDING	1,431 SF±
EX ASPHALT & SIDEWALK	8,803 SF±
EX IMPERVIOUS TOTAL	10,234 SF± (60%)
EX OPEN SPACE (PERVIOUS)	6,722 SF± (40%)
PROP SITE AREA	
PROP BUILDING	4,668 SF±
PROP ASPHALT & SIDEWALK & POOL	2,028 SF±
PROP IMPERVIOUS TOTAL	6,696 SF± (39%)
PERMEABLE DRIVEWAYS	3,679 SF±
PROPOSED PERVIOUS	10,260 SF± (61%)
IMPERVIOUS DIFFERENCE	10,234 SF± - 6,696 SF± = - 3,538 SF
	= 3,538 SF REDUCTION

ENGINEER:
BAYSITE ENGINEERING LLC
2054 CENTRAL AVENUE
ST. PETERSBURG, FL 33712
813.679.9918
ELY@BAYSITEENG.COM

DEVELOPER / OWNER:
CLOVER INVESTMENT PROPERTIES
4427 W KENNEDY BOULEVARD - SUITE 250
TAMPA, FL 33609
CONTACT: CASEY SANDERS
813-382-8766

ARCHITECT:
ALDERMAN PLANNING COMPANY
617 MARSHALL STREET
LEXINGTON, VA 24450
ALDERMANPLANNING@GMAIL.COM
(813) 833-5161

SURVEYOR:
LAUSTER LAND SURVEY LLC
3735 2ND AVENUE NORTH
SAINT PETERSBURG, FL 33713
PHONE: 727-685-6045
BRLAUSTER@LLSURVEY.ORG

GEOTECH:
ANDREYEV ENGINEERING, INC
3740 54TH AVENUE NORTH
ST. PETERSBURG, FL 33714
(727) 527-5735

C:\Work\BAYSITE\Projects\Active\026-01 Gulf & 37th VBRO\Drawings\Concepual\Current Plans\026101 Special Use.dwg
2/20/2024 11:44:38 AM PLOTTED BY: ely

BAYSITE ENGINEERING LLC
2054 CENTRAL AVENUE
ST. PETERSBURG, FL 33712
PHONE: 813.679.9918
EMAIL: ELY@BAYSITEENG.COM
ENGINEERING COA No. 36684

0 10 20 40
1" = 20 ft

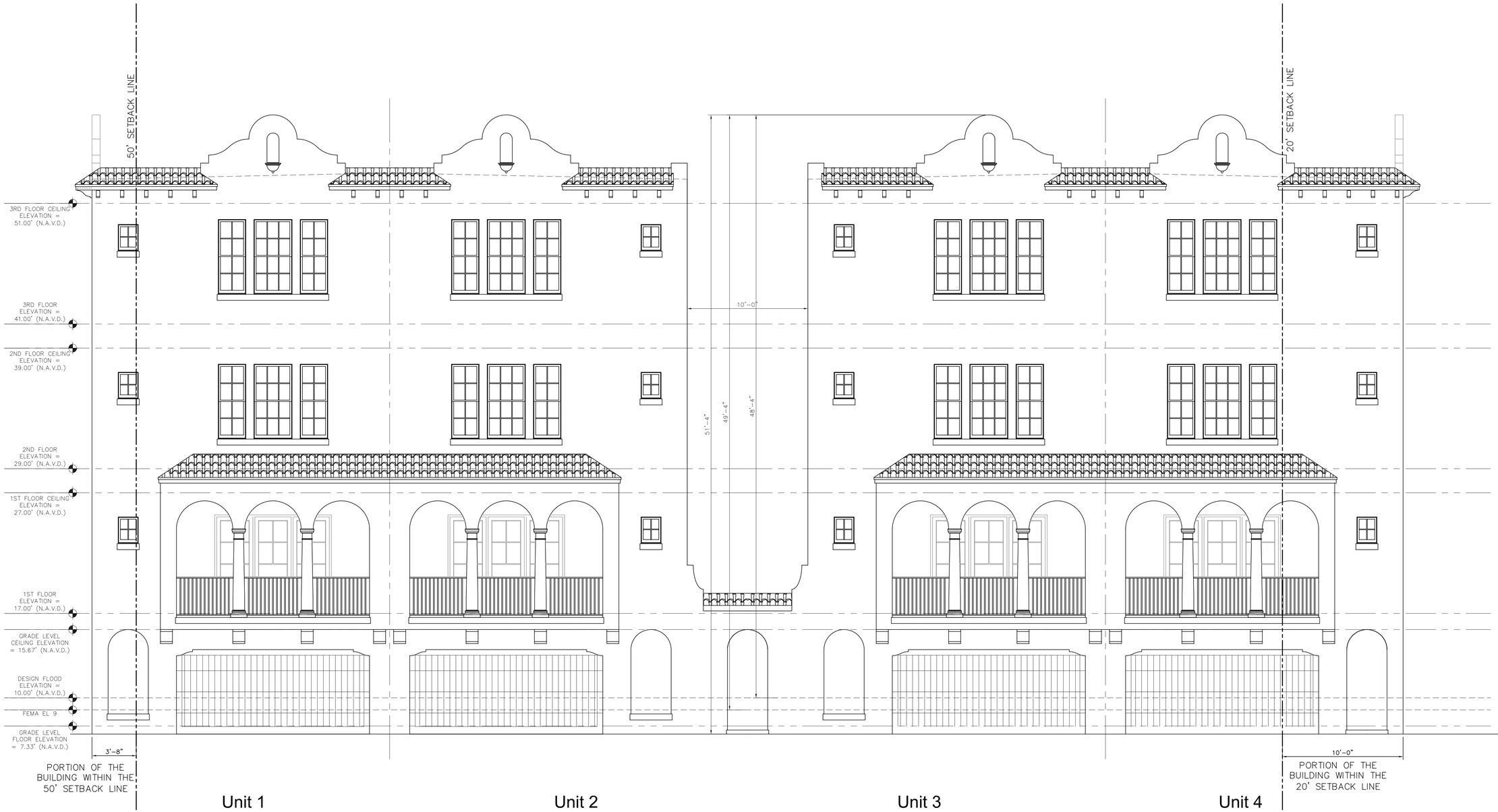
REVISION DATE:

PROJECT: COMPANY # 009-01-01
GULF & 37TH VBROs
ADDRESS: 3700 GULF BLVD, ST PETE BEACH
PARCEL ID: 07-32-16-21852-028-0001

CLIENT:
CLOVER INVESTMENT PROPERTIES
4427 W KENNEDY BOULEVARD - SUITE 250
TAMPA, FL 33609
CONTACT: CASEY SANDERS
813-382-8766

DRAWING:
VARIANCE PLAN

SHEET:
C-1.0



Front (Easterly - Gulf Boulevard) Elevation

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

0' 1' 2' 4' 8' 16'

Gulf Boulevard Villas

3700 Gulf Boulevard
St. Pete Beach, Florida

Date Issued: 12-28-23

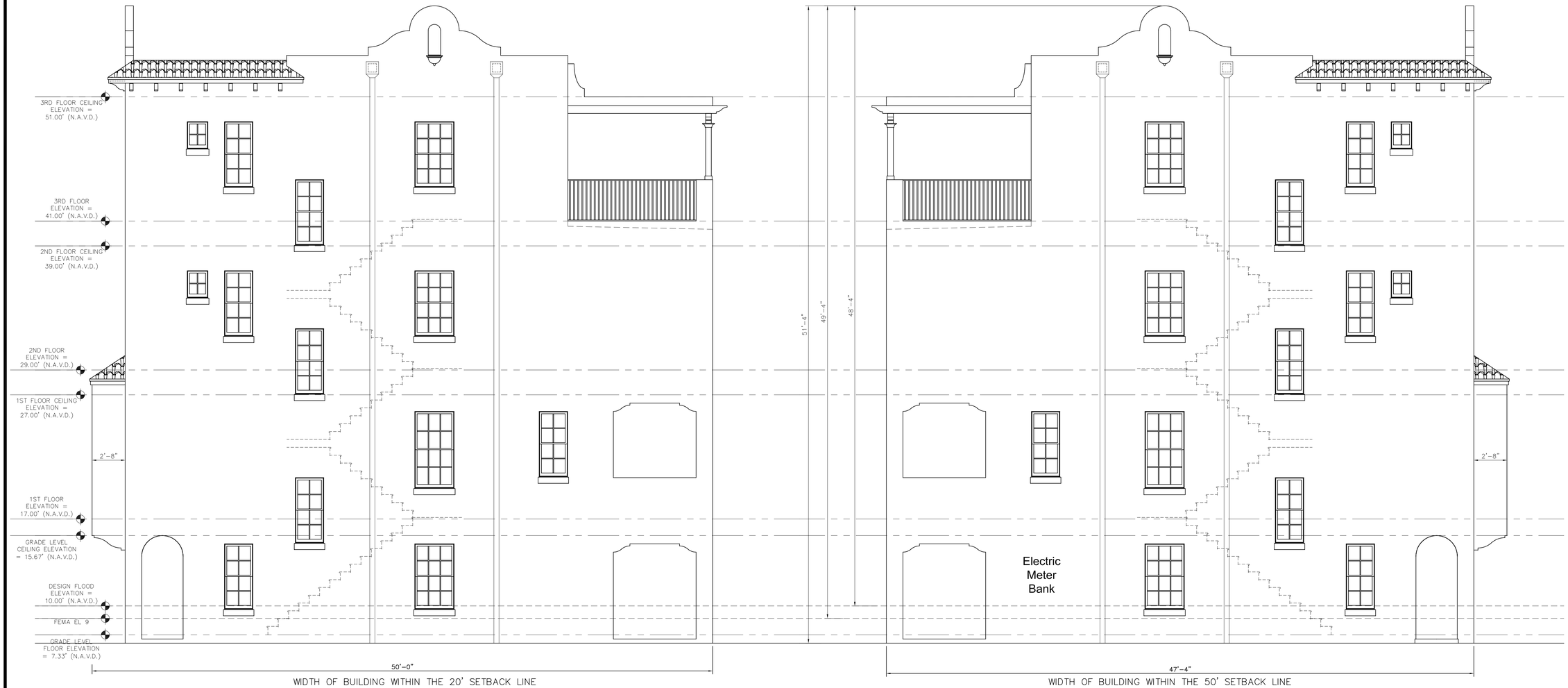
No.:	Date:	Revision:

Front Elevation

ALDERMAN Planning COMPANY
Phone: 813.833.5161
617 Marshall Street, Lexington, VA 24450

Sheet

A.2.1



Unit 4

Right Side (Northerly) Elevation

Unit 1

Left Side (Southerly - 37th Avenue) Elevation

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

0 1' 2' 4' 8' 16'

Gulf Boulevard Villas

3700 Gulf Boulevard
St. Pete Beach, Florida

Date Issued: 12-28-23

No.:	Date:	Revision:

Side Elevations

ALDERMAN Planning
Phone: 813.833.5161
617 Marshall Street, Lexington, VA 24450

Sheet

A.2.2

Rear (Westerly) Elevation

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

0' 1' 2' 4' 8' 16'

Gulf Boulevard Villas

3700 Gulf Boulevard
St. Pete Beach, Florida

Date Issued: 12-28-23

No.:	Date:	Revision:

Rear Elevation

ALDERMAN Planning
Phone: 813.833.5161
617 Marshall Street, Lexington, VA 24450

Sheet

A.2.3

Front (Easterly - Gulf Boulevard) Elevation

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

0 1' 2' 4' 8' 16'

Gulf Boulevard Villas
3700 Gulf Boulevard
St. Pete Beach, Florida

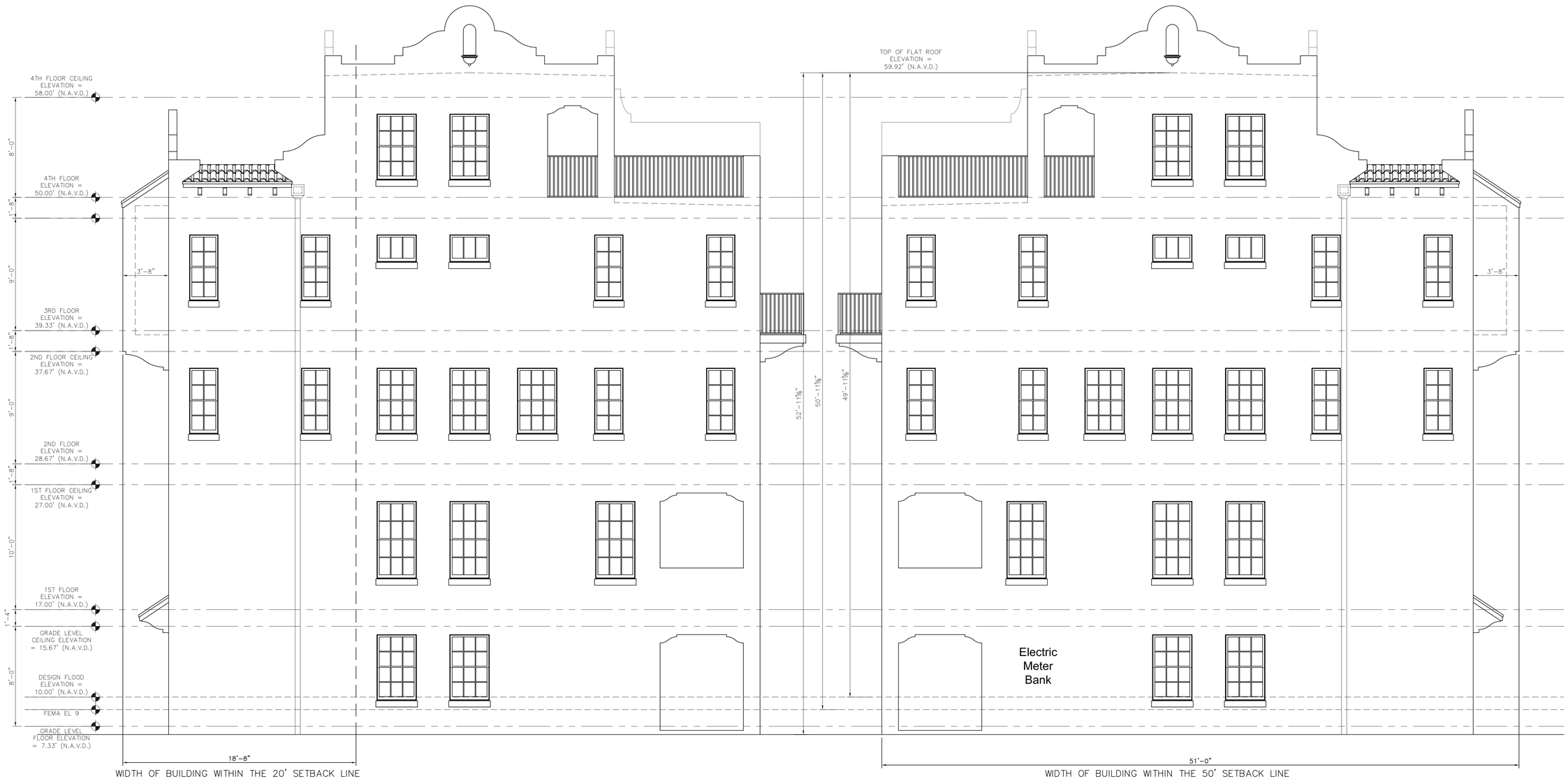
Date Issued: 12-28-23

No.:	Revision:	Date:

Front Elevation

ALDERMAN Planning COMPANY
Phone: 813.833.5161
617 Marshall Street, Lexington, VA 24450

Sheet
A.2.1



Unit 4

Right Side (Northerly) Elevation

Unit 1

Left Side (Southerly - 37th Avenue) Elevation

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

0 1' 2' 4' 8' 16'

Gulf Boulevard Villas

3700 Gulf Boulevard
St. Pete Beach, Florida

Date Issued: 12-28-23

No.:	Date:	Revision:

Side Elevations

ALDERMAN Planning
Phone: 813.833.5161
617 Marshall Street, Lexington, VA 24450

Sheet

A.2.2

Rear (Westerly) Elevation

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

0 1' 2' 4' 8' 16'

Gulf Boulevard Villas

3700 Gulf Boulevard
St. Pete Beach, Florida

Date Issued: 12-28-23

No.:	Revision:	Date:

Rear Elevation

ALDERMAN Planning
Phone: 813.833.5161
617 Marshall Street, Lexington, VA 24450

Sheet

A.2.3

5/12/2026 4:20:40 PM

ARCHITECTURAL SITE PLAN

1" = 10'-0"

0' 8' 16'

KEYED NOTES - SITE PLAN

#	DESCRIPTION
1	PROPERTY LINE
2	SETBACK LINE
3	EXISTING SIDEWALK
4	DRIVEWAY PAVERS
5	SIDEWALK
6	EXISTING CMU WALL AT PROPERTY LINE
7	POOL
8	STRUCTURAL TURF
9	LINE OF FLOOR ABOVE

SITE LEGEND

- PROPERTY LINE
- SETBACK LINE
- 2 HR FIRE RATING
- BUILDING ENTRANCE
- XX.XX' SPOT ELEVATION. NAVD 88.

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1	REVISION	05.28.26

ARCHITECTURAL SITE PLAN

A01.00

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2 BUILDING PERSPECTIVE - SOUTHWEST

1 BUILDING PERSPECTIVE - SOUTHEAST

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BUILDING PERSPECTIVES

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1 ELEVATION - EAST
1/4" = 1'-0"

KEYED NOTES - EXTERIOR ELEVATIONS

#	DESCRIPTION
1	EXTERIOR BALCONY RAILING, TYP
2	WOOD CORBEL, TYP
3	FLOOD VENT, TYP
4	CONTINUOUS DRAINAGE OPENING TO GUTTER AND DOWNSPOUT
5	PRIMARY SCUPPER TO CONDUCTOR HEAD AND DOWNSPOUT
6	ELECTRICAL METER
7	GAS METER
8	TANKLESS WATER HEATER
9	PARAPET MOUNTED CONDENSING UNIT, REF MECH DRAWINGS
10	EXHAUST VENT, TYP
11	COPPER DOWNSPOUT, TYP
12	GARAGE DOOR, TYP

KEYED NOTES - EXTERIOR ELEVATIONS

#	DESCRIPTION
13	COMPOSITE DECORATIVE BAND, 4"
14	COMPOSITE DECORATIVE BAND, 9"
15	COMPOSITE DECORATIVE BAND, 10"
16	OVERFLOW SCUPPER
17	CLAY BARREL TILE ROOF, TYP
18	1/2" x 1/2" STUCCO FINISH REVEAL
19	GUTTER, TYP
20	EXISTING CMU WALL AT PROPERTY LINE
21	DEMISING WALL, NOT VISIBLE. SEE SECTIONS AND ASSEMBLY TYPES
22	ELEVATOR BULKHEAD
23	BACKUP GENERATOR; SIDE WALL MOUNTED TO PARAPET WALL, REF ELECTRICAL DRAWINGS
24	ADDRESS NUMBERS. MIN 6" IN HEIGHT PER NFPA 1: 10.11; FL STATUTE 633.222

EXTERIOR FINISH LEGEND

#	DESCRIPTION
CO1	CONCRETE
CS1	COMPOSITE SIDING
DF1	DECORATIVE FINISHING - VENETIAN PLASTER
PL1	PLASTIC LAMINATE
PL2	PLASTIC LAMINATE
PT1	PAINT
PT2	PAINT
PV1	UNIT PAVERS
SF1	STUCCO FINISH

1

0' 4' 8'

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BUILDING ELEVATIONS

A02.01

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1 ELEVATION - SOUTH END UNIT - (NORTH END UNIT SIM)

1/4" = 1'-0"

KEYED NOTES - EXTERIOR ELEVATIONS

#	DESCRIPTION
1	EXTERIOR BALCONY RAILING, TYP
2	WOOD CORBEL, TYP
3	FLOOD VENT, TYP
4	CONTINUOUS DRAINAGE OPENING TO GUTTER AND DOWNSPOUT
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7	GAS METER
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12	GARAGE DOOR, TYP

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EXTERIOR FINISH LEGEND

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CO1	CONCRETE
CS1	COMPOSITE SIDING
DF1	DECORATIVE FINISHING - VENETIAN PLASTER
PL1	PLASTIC LAMINATE
PL2	PLASTIC LAMINATE
PT1	PAINT
PT2	PAINT
PV1	UNIT PAVERS
SF1	STUCCO FINISH

0' 4' 8'

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BUILDING ELEVATIONS

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1 ELEVATION - WEST

1/4" = 1'-0"

KEYED NOTES - EXTERIOR ELEVATIONS

#	DESCRIPTION
1	EXTERIOR BALCONY RAILING, TYP
2	WOOD CORBEL, TYP
3	FLOOD VENT, TYP
4	CONTINUOUS DRAINAGE OPENING TO GUTTER AND DOWNSPOUT
5	PRIMARY SCUPPER TO CONDUCTOR HEAD AND DOWNSPOUT
6	ELECTRICAL METER
7	GAS METER
8	TANKLESS WATER HEATER
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KEYED NOTES - EXTERIOR ELEVATIONS

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BUILDING ELEVATIONS

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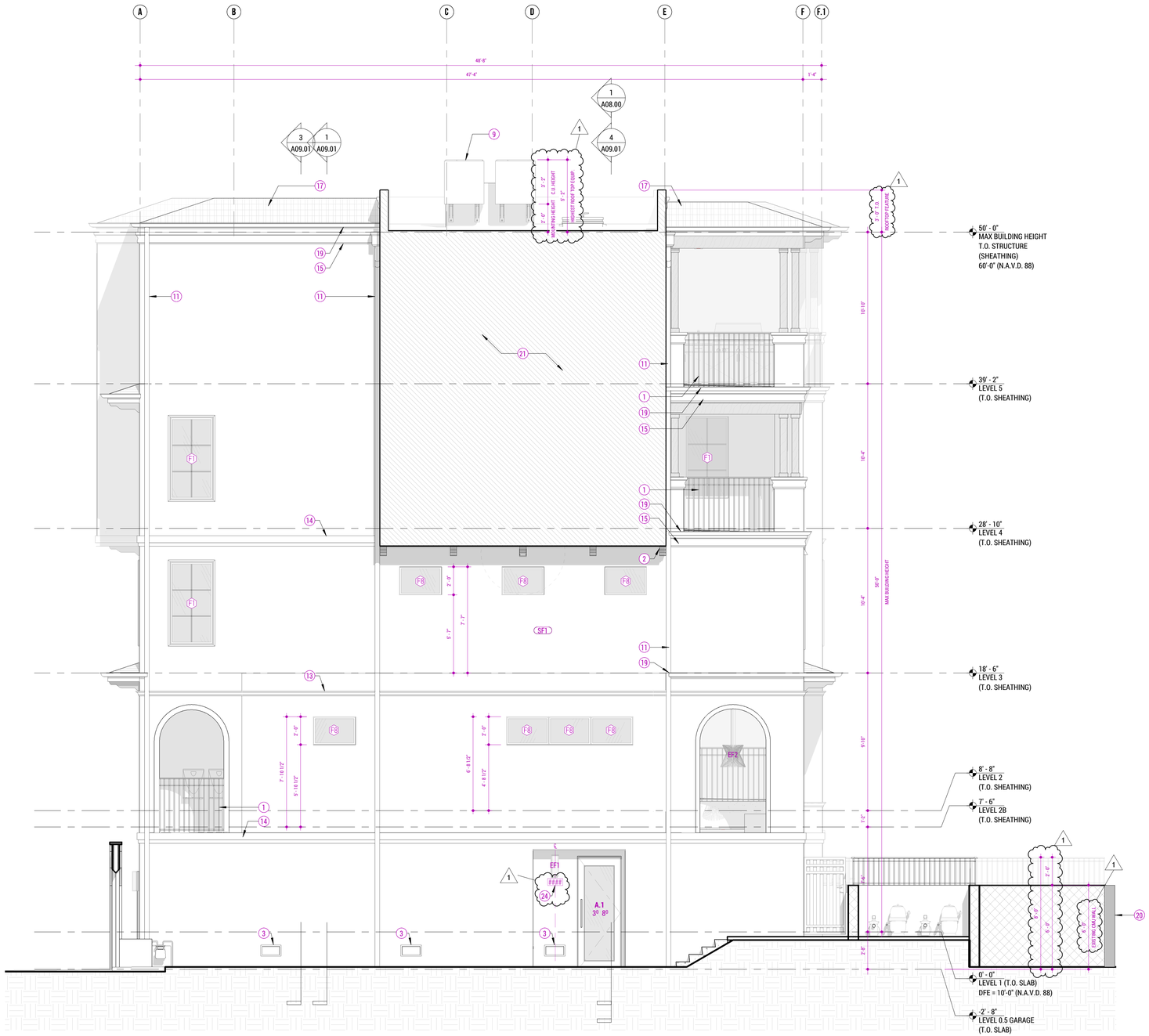

1 ELEVATION - NORTH MIDDLE UNIT - (SOUTH MIDDLE UNIT SIM)

1/4" = 1'-0"

KEYED NOTES - EXTERIOR ELEVATIONS

#	DESCRIPTION
1	EXTERIOR BALCONY RAILING, TYP
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0' 4' 8'

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BUILDING ELEVATIONS

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Architectural Elevation Revision Narrative

July 2, 2026

- **Permit #:** 2600892
- **Project:** 3700 Gulf Blvd., St. Pete Beach, FL
- **Jurisdiction:** City of St. Pete Beach – Parcel No. 07-32-16-21852-028-001
- **Subject:** Zoning Plan Review – Architectural Elevation Revisions

The revisions to the building elevations are architectural enhancements only and do not modify the approved site plan, building footprint, building height, setbacks, density, or number of dwelling units. The project remains a four-unit residential development as previously approved by the Board of Adjustment. These refinements were made to enhance the architectural character, improve functionality, and create a more refined and timeless coastal residential design.

Garage Doors

One of the primary architectural refinements is the transition from one larger garage door per unit to two individual garage doors for each residence. Each unit continues to provide a two-car garage with the same overall 16-foot garage opening; however, the opening has been divided into two 8-foot garage doors. This modification was made to satisfy structural requirements while also improving the architectural scale and proportions of the building. The smaller garage doors create a more traditional residential appearance, reduce the visual prominence of the garage level, and contribute to a more balanced and attractive streetscape along Gulf Boulevard.

Balconies

The primary balconies were relocated to the second floor to strengthen the connection between the living spaces and the streetscape while improving the overall composition of the building façade. This refinement creates a cleaner, more balanced architectural appearance and further enhances the residential character of the project.

Cantilevers and Building Entries

A cantilever was introduced between the two buildings to provide architectural definition and emphasize the primary unit entrances. In addition to creating a more welcoming pedestrian experience, this feature provides weather protection at the entries, adds depth and visual interest to the façade, and enhances the overall architectural articulation without increasing the building footprint or overall mass.

Overall Design Intent

The architectural refinements were made to enhance the building's overall appearance, functionality, and residential character. Collectively, these revisions create a more cohesive, well-proportioned, and timeless architectural design while maintaining the original design intent of the project.