



**CITY OF ST. PETERSBURG
PLANNING & ECONOMIC DEVELOPMENT DEPT.
DEVELOPMENT REVIEW SERVICES DIVISION
DEVELOPMENT REVIEW COMMISSION
ACTION TAKEN AGENDA/MINUTES**

Council Chambers, City Hall
175 – 5th Street North
St. Petersburg, Florida 33701

October 1, 2014
Wednesday
2:00 P.M.

First Alternate: Joseph Griner III Second Alternate: Douglas Robison Third Alternate: Calvin Samuel

Commission Members:

David Punzak, Chair - **P**
Chuck Flynt, Vice-Chair - **A**
Ben Fisher - **A**
Chris Scherer - **P**
Lynn Cravey – **P**
Darren Stowe – **P**
Richard Doyle – **P**

Alternates:

1. Calvin Samuel – **P**
2. Joseph Griner - **P**
3. Douglas Robison - **A**

A = Absent
P = Present

City Staff Present:

Elizabeth Abernethy, Zoning Official
Kathryn Younkin, Deputy Zoning Official
Corey Malyska, Urban Design and Development Coordinator
Gary Crosby, Planner II
Brittany McMullen, Planner II
Cate Lee, Planner II
Michael Dema, Assistant City Attorney
Barbara Race, Administrative Clerk

- I. OPENING REMARKS OF CHAIR AND SWEARING IN OF WITNESSES**

- II. ROLL CALL**

- III. APPROVAL OF THE MINUTES OF SEPTEMBER 3, 2014**
Minutes approved by a unanimous vote of the Commission.

- IV. PUBLIC COMMENTS**

V. PUBLIC HEARING CASE AGENDA

AGENDA ITEM #1	LAND DEVELOPMENT REGULATIONS CODE AMENDMENTS
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CONTACT PERSON: DEREK KILBORN 727-893-7872

LDR-2014-01 Amendments to the Land Development Regulations (LDRs), Chapter 16, City Code of Ordinances. This City-initiated application proposing to amend sections of the St. Petersburg City Code pertaining to community gardens and to amend a section pertaining to fertilizer regulation to require citywide compliance with Pinellas County's fertilizer ordinance.

PRESENTATIONS: Cate Lee made a presentation based on the Staff Report.

PUBLIC HEARING: 2 residents spoke in support of the proposed amendments.

MOTION: Commissioner Cravey moved and Commissioner Samuel seconded a motion to recommend that City Council approve the request to amend the LDRs, Chapter 16, City Code of Ordinances, proposing to amend sections of the St. Petersburg City Code pertaining to community gardens and to amend a section pertaining to fertilizer regulation to require citywide compliance with Pinellas County's fertilizer ordinance.

VOTE: Yes – Samuel, Griner, Cravey, Stowe, Scherer, Punzak
No – None

ACTION TAKEN ON LDR-2014-01

- 1) Motion to recommend that City Council approve the request to amend the LDRs, Chapter 16, City Code of Ordinances, proposing to amend sections of the St. Petersburg City Code pertaining to community gardens and to amend a section pertaining to fertilizer regulation to require citywide compliance with Pinellas County's fertilizer ordinance; approved by a vote of 6-0.

AGENDA ITEM #2**CASE NO. 14-52000006****G-8**

REQUEST: Approval of a reinstatement of seven (7) dwelling units for a total of eight (8) dwelling units. The applicant is requesting variances to the minimum required parking and floor area.

APPLICANT: Jody Jim LLC
James Kenrick
1421 8th Street North
Saint Petersburg, Florida 33704

ADDRESS: 1014 12th Avenue North
PARCEL ID NO.: 13/31/16/02916/003/0010

LEGAL DESCRIPTION: On File
ZONING: NT-2

PRESENTATIONS: Brittany McMullen made a presentation based on the Staff Report.
James Kenrick, the applicant, agreed with staff recommendations.

PUBLIC HEARING: 1 resident spoke in support of the request.
1 resident spoke in opposition of the request.

1st MOTION: **Commissioner Cravey moved and Commissioner Scherer seconded a motion to revise special condition #1 to state “The applicant shall construct a 6-foot privacy fence at the rear and east side property line to shield neighboring properties from the parking area in the rear.”**

VOTE: **Yes – Samuel, Griner, Cravey, Stowe, Scherer, Doyle, Punzak**
No – None

2nd MOTION: **Commissioner Cravey moved and Commissioner Scherer seconded a motion to approve the requested reinstatement with variances; subject to the amended conditions in the staff report.**

VOTE: **Yes – Samuel, Griner, Cravey, Stowe, Scherer, Doyle, Punzak**
No – None

ACTION TAKEN ON 14-52000006 (G-8)

- 1) Motion to revise special condition #1 to state “The applicant shall construct a 6-foot privacy fence at the rear and east side property line to shield neighboring properties from the parking area in the rear”; approved by a vote of 7-0.
- 2) Motion to approve the requested reinstatement with variances; subject to the amended conditions in the staff report, approved by a vote of 7-0.

AGENDA ITEM #3**CASE NO. 14-52000007****J-3**

REQUEST: Approval of a reinstatement of three (3) dwelling units for a total of four (4) dwelling units.

APPLICANT: New Market Realty LLC
610 31st Street South
Saint Petersburg, Florida 33712

AGENT: Joseph Lovett
Keisha Latimore
2961 1st Avenue North, Suite D
Saint Petersburg, Florida 33713

ADDRESS: 610 31st Street South
PARCEL ID NO.: 23/31/16/14778/091/0040

LEGAL DESCRIPTION: On File
ZONING: NT-1

PRESENTATIONS: Kathryn Younkin made a presentation based on the Staff Report.
Joseph Lovett, the agent, agreed with staff recommendations.

MOTION: **Commissioner Stowe moved and Commissioner Scherer seconded a motion to approve the requested reinstatement; subject to the conditions in the staff report.**

VOTE: **Yes – Samuel, Griner, Cravey, Stowe, Scherer, Doyle, Punzak**
No – None

ACTION TAKEN ON 14-52000007 (J-3)

- 1) Motion to approve the requested reinstatement; subject to the conditions in the staff report; approved by a vote of 7-0.

AGENDA ITEM #4 CASE NO. 14-5400028 D-8

REQUEST: Approval of variances for 1) front and, 2) street side yard setbacks to expand the existing porches and construct new arbors.

APPLICANT: Park Shore Investments, LLC
Alan Varsha
4570 Van Nuys Boulevard, Suite 493
Sherman Oaks, California 91403-2913

AGENT: ahha! architecture, llc
Paul Ries
6822 22nd Avenue North
Saint Petersburg, Florida 33710

ADDRESS: 410 12th Avenue Northeast
PARCEL ID NO.: 17/31/17/03435/004/0050

LEGAL DESCRIPTION: On File
ZONING: NT-3

PRESENTATIONS: Kathryn Younkin made a presentation based on the Staff Report.
Paul Ries, the agent, agreed with staff recommendations.

MOTION: **Commissioner Stowe moved and Commissioner Scherer seconded a motion to approve the requested reinstatement; subject to the conditions in the staff report.**

VOTE: **Yes – Samuel, Griner, Cravey, Stowe, Scherer, Doyle**
No – None

ACTION TAKEN ON 14-5400028 (D-8)

- 1) Motion to approve the requested reinstatement; subject to the conditions in the staff report; approved by a vote of 6-0.

AGENDA ITEM #5 CASE NO. 14-5400029 D-8

REQUEST: Approval of a variance to the front, street side, interior and internal yard setbacks to construct a seven-unit multi-family development.

APPLICANT: J Square Beach Drive Investors LLC
721 1st Avenue North
Saint Petersburg, Florida 33701

AGENT: Tim Clemmons
2900 44th Avenue North
Saint Petersburg, Florida 33714

ADDRESS: 1101 Beach Drive Northeast
PARCEL ID NO.: 17/31/17/95958/000/0010; 17/31/17/95958/000/0020;
17/31/17/95958/000/0040

LEGAL DESCRIPTION: On File
ZONING: NSM-1

PRESENTATIONS: Corey Malyszka made a presentation based on the Staff Report.
Jay Miller, the applicant, agreed with staff recommendations.

PUBLIC HEARING: 1 resident spoke about concerns with the request.

MOTION: **Commissioner Stowe moved and Commissioner Scherer seconded a motion to approve the requested variances; subject to the conditions in the staff report.**

VOTE: **Yes – Griner, Cravey, Stowe, Scherer, Doyle**
No – None

ACTION TAKEN ON 14-5400029 (D-8)

- 1) Motion to approve the requested reinstatement; subject to the conditions in the staff report; approved by a vote of 5-0.

AGENDA ITEM #6**CASE NO. 14-33000008****D-8**

REQUEST: Approval of a vacation of a 10-foot wide alley abutting Lot 1, Lot 3 and Lot 4 of the Welsh and Bennets Subdivision in the block bound by 11th Avenue Northeast, Beach Drive Northeast, 12th Avenue Northeast and North Shore Drive Northeast.

APPLICANT: J Square Beach Drive Investors
721 1st Avenue North
Saint Petersburg, Florida 33701

AGENT: Tim Clemmons
2900 44th Avenue North
Saint Petersburg, Florida 33714

ADDRESS: 1101 Beach Drive Northeast
PARCEL ID NO.: 17/31/17/95958/000/0010; 17/31/17/95958/000/0020;
17/31/17/95958/000/0040

LEGAL DESCRIPTION: On File
ZONING: NSM-1

PRESENTATIONS: Corey Malyszka made a presentation based on the Staff Report.
Jay Miller, the applicant, agreed with staff recommendations.

MOTION: **Commissioner Stowe moved and Commissioner Doyle seconded a motion to approve the requested alley vacation; subject to the conditions in the staff report.**

VOTE: **Yes – Griner, Cravey, Stowe, Scherer, Doyle**
No – None

ACTION TAKEN ON 14-33000008 (D-8)

- 1) Motion to approve the requested alley vacation; subject to the conditions in the staff report; approved by a vote of 5-0.

AGENDA ITEM #7 CASE NO. 14-5400031 F-8

REQUEST: Approval of variances for 1) front and rear yard setbacks, 2) placement of garage, 3) size of porch, 4) impervious surface ratio and 5) parking to construct a new single-family residence.

APPLICANT: Benjamin Gelston
7th Street Ventures LLC
1048 7th Street North
Saint Petersburg, Florida 33701-1504

ADDRESS: 1019 7th Street North
PARCEL ID NO.: 18/31/17/90504/000/0091

LEGAL DESCRIPTION: On File
ZONING: NT-2

PRESENTATIONS: Gary Crosby made a presentation based on the Staff Report.
Benjamin Gelston, the applicant, disagreed with staff recommendations and requested approval of the variances.

PUBLIC HEARING: 2 residents spoke in support of the request.
1 resident spoke in opposition of the request.

1st MOTION: **Commissioner Cravey moved and Commissioner Doyle seconded a motion to add special condition #7 to state “Any trimming or removal of the the existing, front Live Oak tree shall require review/approval by Staff, pursuant to the proposed amendment of the City’s Tree Preservation Ordinance.”**

VOTE: **Yes – Samuel, Griner, Cravey, Stowe, Scherer, Doyle, Punzak**
No – None

2nd MOTION: **Commissioner Cravey moved and Commissioner Scherer seconded a motion to approve the requested variances; subject to the amended conditions in the staff report.**

VOTE: **Yes – Cravey, Scherer, Doyle, Punzak**
No – Stowe, Griner, Samuel

ACTION TAKEN ON 14-5400031 (F-8)

- 1) Motion to add special condition #7 to state “Any trimming or removal of the existing, front Live Oak tree shall require review/approval by Staff, pursuant to the proposed amendment of the City’s Tree Preservation Ordinance”; approved by a vote of 7-0.
- 2) Motion to approve the requested variances; subject to the amended conditions in the staff report, approved by a vote of 4-3.

AGENDA ITEM #8 CASE NO. 14-5400032 R-1

REQUEST: Approval of variances for 1) the design and placement standards for a new garage, and 2) the maximum width of a driveway to construct a new garage.

APPLICANT: Matthew M. Bane & Nancy S. Bane
7210 3rd Avenue South
Saint Petersburg, Florida 33707

AGENT: Donald Jellings
Architectonics Studio, Inc.
218 5th Avenue North
Saint Petersburg, Florida 33701

ADDRESS: 7210 3rd Avenue South
PARCEL ID NO.: 19/31/16/20484/053/0020

LEGAL DESCRIPTION: On File
ZONING: NT-3

PRESENTATIONS: Kathryn Younkin made a presentation based on the Staff Report.
Donald Jellings, the agent, disagreed with staff recommendations and requested approval of the variances.

MOTION: **Commissioner Cravey moved and Commissioner Scherer seconded a motion to approve the requested variances; subject to the conditions in the staff report.**

VOTE: **Yes – Samuel, Griner, Cravey, Scherer, Punzak**
No – Doyle, Stowe

ACTION TAKEN ON 14-5400032 (R-1)

- 1) Motion to approve the requested variances; subject to the conditions in the staff report; approved by a vote of 5-2.

AGENDA ITEM #9**CASE NO. 14-3200014****O-8**

REQUEST: Approval of a modification to a previously approved Special Exception and related site plan to expand an existing health club by 6,400 square feet. The applicant is requesting a variance to parking.

APPLICANT: Sherman Bywater
c/o Kimco Realty Corp. #128
P.O. Box 5020
New Hyde Park, New York 11042

AGENT: Stephen Dermangian
7861 Woodland Center Boulevard
Tampa, Florida 33614

ARCHITECT: Shannon Dillane
Jovanovic & Lyons, LLC
735 Arlington Avenue N, #301
Saint Petersburg, Florida 33701

ADDRESS: 6101 9th Avenue North
PARCEL ID NO.: 17/31/16/30151/000/0010

LEGAL DESCRIPTION: On File
ZONING: CCS-1

PRESENTATIONS: Corey Malyszka made a presentation based on the Staff Report.
Shannon Dillane, the architect, agreed with staff recommendations.

MOTION: **Commissioner Cravey moved and Commissioner Stowe seconded a motion to approve the special exception and related site plan with variance to parking; subject to the conditions in the staff report.**

VOTE: **Yes – Griner, Cravey, Stowe, Scherer, Doyle, Samuel, Punzak**
No – None

ACTION TAKEN ON 14-3200014 (O-8)

- 1) Motion to approve the special exception and related site plan with variance to parking; subject to the conditions in the staff report; approved by a vote of 7-0.

AGENDA ITEM #10**CASE NO. 14-32000015****G-31**

REQUEST: Approval of a Special Exception and related site plan to add a private school to an existing house of worship.

APPLICANT: Lakewood United Methodist Church
5995 Dr. Martin Luther King Jr. Street South
Saint Petersburg, Florida 33705-5541

AGENT: Sara Madle
3200 58th Avenue South
Saint Petersburg, Florida 33705

ADDRESS: 5995 Dr. Martin Luther King Jr. Street South
PARCEL ID NO.: 12/32/16/00000/140/0100

LEGAL DESCRIPTION: On File
ZONING: NS-1

PRESENTATIONS: Corey Malyszka made a presentation based on the Staff Report.
Sara Madle, the agent, agreed with staff recommendations.

MOTION: **Commissioner Stowe moved and Commissioner Doyle seconded a motion to approve the special exception and related site plan; subject to the conditions in the staff report.**

VOTE: **Yes – Griner, Cravey, Stowe, Scherer, Doyle, Samuel, Punzak**
No – None

ACTION TAKEN ON 14-32000015 (G-31)

- 1) Motion to approve the special exception and related site plan; subject to the conditions in the staff report; approved by a vote of 7-0.

AGENDA ITEM #11**CASE NO. 14-3100015****E-4**

REQUEST: Approval of a site plan to construct an 18-story, 29 unit multi-family development. The applicant is requesting floor area ratio bonuses and a variance to the Albert Whitted Airport Regulations.

APPLICANT: Patricia B Moss Revocable Trust
105 Dogwood Lane
Radford, Virginia 24141-3917

ARCHITECT: Tim Clemmons
Mesh Architecture
2900 44th Avenue North
Saint Petersburg, Florida 33714

ADDRESS: 176 4th Avenue Northeast
PARCEL ID NO.: 19/31/17/77238/000/0040

LEGAL DESCRIPTION: On File
ZONING: DC-3

PRESENTATIONS: Corey Malyszka made a presentation based on the Staff Report. Brian Taub, the developer, agreed with staff recommendations. David Bacon, the registered opponent, disagreed with staff recommendations and requested that the site plan be denied.

PUBLIC HEARING: 5 residents spoke in support of the request.
25 resident spoke in opposition of the request.

REBUTTAL: City Staff waived rebuttal.
David Bacon, the registered opponent, spoke in rebuttal.
Brian Taub, the developer, spoke in rebuttal.

1st MOTION: **Commissioner Cravey moved and Commissioner Scherer seconded a motion to add Special Condition #16 "Add an area to stack up to 3 additional cars on the southeast corner of the building which would be approximately 70 feet and would replace the green space shown on the plan; giving the applicant the ability to stack up to 6 cars instead of 3, with the understanding that the alley for that 70 feet would not be as wide as originally proposed."**

VOTE: Yes – Griner, Samuel, Doyle, Stowe, Scherer, Cravey, Punzak
No – None

2nd MOTION: Commissioner Doyle moved and Commissioner Cravey seconded a motion to approve the site plan with floor area ratio bonuses and a variance to the Albert Whitted Airport Regulations; subject to the amended conditions in the staff report.

VOTE: Yes – Griner, Samuel, Doyle, Stowe, Scherer, Cravey, Punzak
No – None

ACTION TAKEN ON 14-31000015 (E-4)

- 1) Motion to add Special Condition #16 “Add an area to stack up to 3 additional cars on the southeast corner of the building which would be approximately 70 feet and would replace the green space shown on the plan; giving the applicant the ability to stack up to 6 cars instead of 3, with the understanding that the alley for that 70 feet would not be as wide as originally proposed”; approved by a vote of 7-0.
- 2) Motion to approve the site plan with floor area ratio bonuses and a variance to the Albert Whitted Airport Regulations; subject to the amended conditions in the staff report, approved by a vote of 7-0.