STAFF REPORT
DEVELOPMENT REVIEW COMMISSION
REDEVELOPMENT REQUEST
PUBLIC HEARING

For Public Hearing and Executive Action on February 7, 2018 beginning at 2:00 P.M., Council Chambers, City Hall, 175 Fifth Street North, St. Petersburg, Florida

According to Planning & Economic Development Department records, no Commission member resides or has a place of business within 2,000 feet of the subject property. All other possible conflicts should be declared upon the announcement of the item.

CASE NO.: 17-51000004
REQUEST: Approval of a Redevelopment plan with a FAR bonus and reduced setbacks to allow for construction of three (3) townhomes and one (1) single family home on three (3) lots.
* Variance request has been withdrawn.

APPLICANT: 29th Avenue Ventures LLC
356 22nd Avenue Northeast
Saint Petersburg, FL 33704-3529

AGENT: Dillon Alderman
PO Box 55755
Saint Petersburg, FL 33732

REGISTERED OPPONENT: Clifford T. Molaskey
511 29th Avenue North
St. Petersburg, FL 33704

ADDRESS: 451 29th Avenue North (Lot 16)
459 / 467 29th Avenue North (Lots 14 and 15)

PARCEL ID NO.: 07-31-17-30888-000-0140

LEGAL DESCRIPTION: ON FILE
ZONING: Neighborhood Traditional (NT-2)
<table>
<thead>
<tr>
<th>SITE AREA TOTAL:</th>
<th>17,774 square feet or .408 acres</th>
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<tbody>
<tr>
<td>GROSS FLOOR AREA:</td>
<td></td>
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<tr>
<td>Existing:</td>
<td>2,100 square feet .18 F.A.R.</td>
</tr>
<tr>
<td>Proposed:</td>
<td>11,209 square feet .63 F.A.R. *</td>
</tr>
<tr>
<td>Permitted:</td>
<td>11,553 square feet .65 F.A.R. **</td>
</tr>
<tr>
<td>* Not including the first 300 square feet of garage area or open porches</td>
<td></td>
</tr>
<tr>
<td>** The applicant is requesting bonuses to the base floor area ratio standard.</td>
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</tr>
<tr>
<td>DENSITY:</td>
<td></td>
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<tr>
<td>Existing:</td>
<td>4 Dwelling Units (14.8 units per acre)</td>
</tr>
<tr>
<td>Permitted:</td>
<td>6 Dwelling Units (11.1 units per acre) *</td>
</tr>
<tr>
<td>Proposed:</td>
<td>5 Dwelling Units (14.8 units per acre) **</td>
</tr>
<tr>
<td>* 3 Principal and 3 accessory dwelling units.</td>
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<tr>
<td>** Redevelopment of a portion of the grandfathered density is the subject of this application.</td>
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<tr>
<td>BUILDING COVERAGE:</td>
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<tr>
<td>Existing:</td>
<td>2,100 square feet 12% of Site MOL</td>
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<td>Permitted:</td>
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<td>Proposed:</td>
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<td>IMPERVIOUS SURFACE:</td>
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<td>Existing:</td>
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<td>Proposed:</td>
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<td>Permitted:</td>
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<td>OPEN GREEN SPACE:</td>
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<td>Existing:</td>
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<td>Proposed:</td>
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<td>PAVING COVERAGE:</td>
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<td>Existing:</td>
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<td>Existing:</td>
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<td>Proposed:</td>
<td>15 spaces, including 0 handicapped space</td>
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<td>Required:</td>
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<td>BUILDING HEIGHT:</td>
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<td>Existing:</td>
<td>15'-7&quot;</td>
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<td>Proposed Townhouse:</td>
<td>28'-5 1/4&quot; (assumption that finished floor is 1'-6&quot; from mean elevation of existing grade)</td>
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<td>Proposed SFR:</td>
<td>32'-0&quot;</td>
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<tr>
<td>Permitted:</td>
<td>36'-0&quot; to roof peak</td>
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APPLICATION REVIEW:

I. PROCEDURAL REQUIREMENTS: The applicant has met and complied with the procedural requirements of Section 16.70.040.1.15. of the Municipal Code for review to determine compliance with the criteria for redevelopment.

II. DISCUSSION AND RECOMMENDATIONS:

**Background:** The property consists of Lots 14, 15 and 16 of the Gilmore Heights Subdivision. The current regulations for the NT-2 zoning district allow one primary unit and one accessory unit per platted lot, if the lot area is at least 5,800 square feet. In this case, six units would be permitted by right on the three subject lots. The attached copy of the Property Card Interpretation confirms that property was legally developed with four units. The property was the subject of an October 18, 2002 reinstatement case, and on October 30, 2002 a Certificate of Occupancy was granted for four dwelling units (see Attachment "C"). The site currently contains four grandfathered units. The Code provides for redevelopment of grandfathered uses, subject to the Commission’s approval of a redevelopment plan.

According to Deed records for the subject property, these lots were once held in common with Lots A, B, C, D, E, and F, and Lots 1, 2, 3, 14, 15, 16, 18, 19, and 20 of Gilmore Subdivision. Lots A, B, C, D, E, and F, and Lots 1, 2, 3, 18, 19, and 20 were replatted in 1987 in the Cocconut Grove Replat and again in 2011 in the Fresh Market Subdivision.

This parcel containing three lots was included in a case heard before the DRC on November 2, 2016, approving a variance to minimum lot widths for four lots in common ownership. This case included the three lots that are the subject of this redevelopment, as well as Lot 17 (see Attachment "D"). Lot 17 is located to the east of the subject lots, contains a single family home, and is adjacent to commercial development (the parking lot of The Fresh Market).

The site contains two large oak trees, both along the western edge of Lot 14. The 24 inch Live Oak at the south side of the lot closest to the street is in good condition. The 34 inch Southern Red Oak located further north is in poor condition and could potentially qualify for removal with an arborist's report, as it is a Grand Tree. The townhome designed for Lot 14 and 15 has been stepped back and has a one-story height near the location of the Live Oak in order to protect the tree.

The applicant has provided information that shows that the combined development would meet the ISR and Building Coverage requirements for the site.

**The Request:** The applicant seeks approval of a site plan to redevelop the property with one single family home with an accessory living area and three townhomes. The proposed plan requires F.A.R. bonuses and approval of setbacks consistent with the block face. Section 16.20.010.10. allows setbacks consistent with established neighborhood patterns if they can meet the following criteria.

The POD may approve, without a variance, residential development that meets these setback and FAR characteristics. Approval shall be based on the following:

1. Front yard setbacks will be based on predominant building setbacks established in the block in which the development is proposed.
The applicant was originally requesting a variance for the building under construction on Lot 16, for the height of the windowed elements on the eastern and western sides of the structure. Building height in non-flood hazard areas is measured from mean elevation of existing grade. A dormer would be allowed to exceed the roof slope if it was less than 16 feet in width, in this case, these windowed elements exceed the 16 foot dormer exception. As of the writing of this report this variance request has been withdrawn and the roof elements over these dormers will not exceed the 24'-0" allowed to the beginning of the roofline.

**Current Proposal:** The proposed plan contemplates the development of one three unit townhome and one single family home on the three subject lots. A single family home has been permitted on Lot 16 and the three unit townhome is proposed for Lots 14 and 15. Subsequent to permitting the construction on Lot 16, staff realized that the windowed elements on the eastern and western façades of the building had over height roof elements and that the stair did not meet the required 10'-0" setback for a stair for Accessory Living Space. The applicant has agreed to redesign that stair to meet the required setback and has redesigned the roof elements over the dormers to remove the need for a height variance.

All buildings will be oriented to match the predominant development pattern, with the front of the structures facing 29th Avenue and access to parking from the rear alley.

**Redevelopment Criterion:** Pursuant to Code Subsection 16.70.040.1.15 an application for redevelopment must be reviewed for compliance with the criterion. An analysis follows, based on the City Code criterion to be considered by the Commission.

1. **Building Type, Setbacks and Scale.** *Project less than a City block structures shall be required to match the predominant building type, setbacks and scale in the block face across the street or abutting residential uses. For a project equal to or greater than a City block Structures on the perimeter of the project shall be required to match the predominant building type, setbacks and scale in the block face across the street or abutting residential uses. Structures on the interior of the project shall comply with the requirements of the zoning district.*

Building Type: The block face across the street consists of eight residential parcels on 10 platted lots of record. The original platted lots are either 45 feet, 46 feet or 47 feet in width. Six of these parcels contain single family uses, one has a multi-family use and one has a commercial use associated with the bank facing 4th Street North. The residential parcels contain single family homes. The multi-family building has seven residential units and the lot associated with the bank is used for parking.

On the subject block face, there are two residential structures on the lots closest to 5th Street North (Lots 11, 12 and 13). Lots 14, 15 and 16 are currently the site of the 4 unit apartment building that is the subject of this redevelopment case. Lot 16 (451 29th Avenue North) has been issued a permit for construction of a single family home and Lot 17 (445 29th Avenue North) is currently in permitting for construction of a single family home. The remainder of the block face is a commercial use, with a large grocery store and associated parking.

In this case, one of the structures will be a single family residence with an accessory living area, and the other a three unit townhome that has been designed to appear as one single family house. The proposed designs are consistent with the building types in the surrounding neighborhood, which has a mix of single and multi-family buildings.
Building Setbacks: The applicant has requested setbacks consistent with the block face as called out in Section 16.20.010.10. In this case for the townhouse and the single family house, the setbacks are greater than the zoning district requirements of 15 feet for a stoop, 18 feet for the porch and 25 feet for the primary structure. Staff has field verified the applicants request and established that the average front yard setbacks on this block face and the abutting residential block face do average 25'-10" for the primary structures.

Building Scale: One and two-story residential structures are present within the surrounding neighborhood. The predominant building type in the block face across the street is a single story single family home. While the majority of the structures on the subject block face are single story, there is one existing two-story residence, and one additional two-story residence is in the permitting/construction process. One and two-story structures residential structures are present within the surrounding neighborhood.

The proposed buildings are larger in scale than the structures in the immediate block. The proposed two-story structures shown on the redevelopment plan are not consistent with the height or scale on the subject block. In an effort to break up the scale and mass of the townhome building, portions of the building are projecting and receding, and variation in the roof forms on the front porches helps to further break up the mass of the building. For the single family structure there are a variety of roof forms and projecting and receding elements helping to break up the visual mass of the building. It should be noted with the exception of the over height windowed elements on the single family house, the heights requested would be allowed by right for new single family homes but in this case are being reviewed against the redevelopment criteria.

2. Site Development. Structures shall be required to match the predominate development pattern in the block face across the street. If alley access exists on the proposed site, garages and parking areas shall be designed for alley use.

The site development proposed is consistent with the subject block and the abutting block face. All structures have the pedestrian entrance from the 29th Avenue and vehicular access from the alley in the rear. The residences have been designed so that the garage doors will face the alley.

3. Building Mass. Building mass shall be regulated by building setbacks and floor area ratio (FAR). The maximum FAR shall be the existing FAR of the property prior to redevelopment or 0.50 FAR, whichever is greater or the FAR plus bonuses allowed in the zoning district. FAR shall include all enclosed space, including garage and storage space, except that open porches (not screened) and the first 300 sq. ft. of garage space shall be excluded from the existing FAR for each unit.

The applicant has provided greater setbacks than those required by the Land Development regulations for both structures.

The proposed development has an F.A.R. of 0.63, while the existing structure on the property has an F.A.R. of 0.12. The City Code provides options for F.A.R. bonuses. This application meets the criteria to allow for bonuses to the F.A.R. under the redevelopment section of the code and would allow a structure with an F.A.R. of 0.65. This is discussed in additional detail below in the section regarding F.A.R. bonuses.
4. Building Height. Residential structures for (1) a project less than a platted block, or
(2) on the perimeter of a project equal to or greater than a platted block shall comply
with the following building height and roof design requirements of the zoning district.

The proposed townhome on Lots 14 and 15 has a height of 23’ – 6” to the beginning of the
roofline and 28’-5 1/4” to the peak of the roof. The single family home on Lot 16 has an overall
height of approximately 24’-0” to the beginning of the roofline and 32’-0” to the peak of the roof.
The proposed structures are compliant with the applicable building height regulations for single-
family homes in the NT-2 district which require 24’-0” to beginning of the roofline and 36’-0” to
top of roof peak and for redevelopment projects. Roof slopes are appropriate to the
architectural styles. The project features a mix of roofs forms on both buildings in an effort to
break up the appearance of the mass and the height of the buildings.

7. Development Across Multiple Lots. Structures shall be separated by zoning district
setbacks, however, if not separated by zoning district setbacks, there shall be a break in
the building and roof planes at each original lot line which shall be equal to or greater
than the combined side yard setbacks that would be required for each lot. Both the
width and depth of the break shall be equal to or greater than the dimension of the
combined side yard setbacks.

The townhouse is separated from the single family structure at the lot line. While the townhouse
itself does not have a break at the lot line between Lots 14 and 15, the townhouse has been
intentionally designed to look like one single family structure rather than three distinct
townhouses and still has breaks in the scale and massing.

8. Single Corner Lots. Structures on single corner lots shall be oriented so that the front
entrance of the structure faces the legal front yard.

This criterion is not applicable to this case.

9. Traditional Grid Roadway Network. For projects equal to or greater than a city block,
extensions of the traditional grid roadway network which 1) abut the perimeter of the
project area and 2) would be logically extended through the project area shall be
required. Compliance with applicable subdivision and public improvement regulations
shall be required.

This criterion is not applicable to this case.

10. Non-Traditional Roadway Network. For projects equal to or greater than a city block,
roadway and pedestrian networks shall meet the following requirements: i. There should
be at least two (2) points of entry into the project, ii. Sidewalk connections shall be made
to surrounding streets, homes and businesses, iii. Streets shall be stubbed to property
lines to allow for roadway extensions into abutting properties which may be developed or
are anticipated to be redeveloped in the future.

This criterion is not applicable to this case.

11. Density and Intensity. Redevelopment projects shall not exceed the legally
grandfathered number of units or intensity of use (e.g., if the use is office it cannot
change to a more intensive grandfathered use such as retail). For mobile home park
redevelopment, the maximum number of dwelling units shall be equal to the number of legal mobile home unit spaces (lots) within the park prior to redevelopment, or 140 percent of the maximum density of the future land use designation assigned to the property, whichever is less. No variance from this requirement shall be approved.

This application meets the criteria to allow four dwelling units.

**FAR Bonuses:** The criteria for Floor Area Ratio bonuses are set forth under Subsection 16.70.040.1.15.

Floor area ratio bonus. FAR bonuses shall only be allowed for originally platted lots which have not been joined together. Structures on joined or combined lots (two or more originally platted lots) shall not be allowed FAR bonus and shall be developed following the development across multiple lots criteria indicated in the chart above.

In this case, the building containing grandfathered density was originally developed across all three lots, so they are treated as one lot for this purpose.

1. An FAR bonus of 0.10 shall be granted when structures are located in a traditional neighborhood context and designed in a traditional building style as defined by the City’s neighborhood design review manual or the Land Development Regulations. To qualify for this FAR bonus, the structure shall use the correct proportions, fenestration patterns, details, and materials. Structures that use finishes common to an identified style without proper design, detailing, and fenestration shall not qualify for this FAR bonus.

The townhouse structure on Lots 14 and 15 is designed in a traditional style as outlined in St. Petersburg’s Design Guidelines for Historic Properties, adopted as a reference in July of 2017. This townhouse structure is Mediterranean Revival and features a low pitch-roof, masonry/stucco walls, clay barrel tile roof, entries with decorative surrounds, arched top windows and has a minimal eave overhang.

The single family home on Lot 16 is designed in a Folk Vernacular style with a steeply pitched roof, front facing gable, exposed rafter ends and has 4-light windows and a simple porch form.

2. An FAR bonus of 0.05 shall be granted when structures are finished with decorative wall finishes typical of traditional development. This includes clapboard or single products of real wood, "Hardi-Plank" or the equivalent, rough textured or exposed aggregate stucco, tile, brick or stone. Vinyl or aluminum siding and smooth or knock-down stucco shall not qualify for this bonus.

Materials proposed for the townhouse include rough/heavy textured stucco and materials proposed for the single family structure include board and batten siding and shake siding. This qualifies for the F.A.R. bonus of 0.05.

The applicant has met the criteria to receive an F.A.R. bonus of .15, thereby allowing a .65 F.A.R. for the overall project.
**Neighborhood Comments:** Staff has received several emails and phone calls in response to the project notice. One email, from Cliff Molaskey of 511 29th Avenue North indicated a concern with the change from single family homes to townhomes and with tree preservation. Mr. Molaskey has since registered as an opponent to the case. A call was received from Elizabeth Russell of 510 29th Street North indicating her opposition to the project and concern that the project is too dense, she has since sent in a written objection. Additional information was requested by Greg Garber and by the president of the Neighborhood Association, Jennifer Wright and sent to them via email. Another phone call was received from the neighbor to the east of the subject property, Jeff Maddux, with questions about the setbacks, walls and tree protection. An email was received from Patrick Gibbons of 444 29th Avenue North with questions about the request.

**STAFF RECOMMENDATION:** The applicant has an approval to build four single family homes on Lots 14, 15, 16 and 17. This redevelopment approval would allow them to build one single family home and three townhouses on the redevelopment site, and still allow a new single family home on Lot 17. Staff feels that the massing and heights of the proposed townhouse would be more compatible with the neighborhood fabric, than the construction of four similar single family homes on the four lots. Based on a review of the redevelopment application according to the stringent evaluation criteria contained within the City Code, the Development Services Department Staff recommends **APPROVAL** of the requested redevelopment plan.

**CONDITIONS OF COMMISSION ACTION:** If the application is approved consistent with the site plan submitted with this application, the Planning and Economic Development Department Staff recommends that the approval shall be subject to the following conditions:

1. The plans submitted for permitting shall substantially resemble the plans attached to this report. Significant modifications to the plans shall require a new application and public hearing.

2. A separate parcel ID shall be obtained for the house located on Lot 16 prior to any permit approvals for construction on Lots 14 and 15 and prior to a Certificate of Occupancy (CO) for Lot 16.

3. A plat is required for the townhomes to be located on Lots 14 and 15. A preliminary plat approval is required prior to permit approval for construction on these lots.

4. As construction continues on Lot 16 and prior to construction on Lot 14 and 15, four paved parking spaces must be provided from the alley and kept clear for the use of the four rental units unless the building containing the four rental units is closed and the utilities turned off.

5. The house being constructed on Lot 16 is required to provide three parking spaces on Lot 16.

6. The stair to the Accessory Living Space on Lot 16 shall be redesigned to meet the required 10'-0" side yard setback.

7. The projecting windowed elements on the east and west facades of the building on Lot 16 shall be designed to ensure that the beginning of the roofline is less than or equal to 24'-0" from mean elevation of existing grade.
8. The Accessory Living Area on Lot 16 shall not be converted to Accessory Living Space.

9. A minimum side yard setback of 6.0-feet shall be provided for all structures.

10. The applicant shall preserve the 24" live oak tree located on Lot 14 and shall comply with the requirements of Section 16.40.060.5.4. Prior to approval of the building permit, the applicant shall engage a certified arborist to prepare and implement a tree preservation plan. The plan shall be submitted to staff for review and approval, and shall include details of methods to protect and preserve the vitality of the protected tree, such as but not limited to root pruning, canopy pruning, fertilization program, and detailed methods of construction to avoid major roots. Building plans shall show tree barricade details. Upon approval of the tree preservation plan, prior to initiation of construction, the applicant shall barricade the tree in accordance with the approved barricade detail, mark the footprint of the proposed structure(s) within 20-feet of the tree and schedule a field review with the City Urban Forester. The applicant shall continue to engage the certified arborist to monitor the grand tree during the duration of construction to ensure compliance with the approved plan.

11. The plans submitted for permitting shall depict all necessary information to demonstrate compliance with the tree preservation requirements set forth under Code Subsection 16.40.060.2.1.3. Existing trees to be preserved shall be protected from construction-related impacts by placement of suitable protective barriers, constructed to specifications issued by the POD, which shall remain in place until such time as the removal of the protective barrier is authorized by the POD. It is unlawful for any person to place solvents, material, construction machinery, or temporary or permanent soil deposits within six feet of the trunk or within two-thirds of the drip line, whichever is greater, of any tree identified on the landscape plan which is to remain on the site. No attachments or wires shall be attached to any protected tree.

12. The plans submitted for permitting shall include all necessary information to demonstrate compliance with the landscaping and irrigation requirements set forth under Section 16.40.060.2.1.3. and 16.40.060.2.1.4., as applicable, of the City Code.

13. Approval of this variance does not grant or imply other variances from the City Code or other applicable regulations.


15. The site plan submitted for permitting shall depict all proposed ancillary equipment, such as garbage cans, air conditioning and irrigation equipment. These items shall be provided within interior or rear yards and shall be screened with finished walls or fences and perimeter landscaping.

16. There shall be no further paving or impervious surface allowed on the townhouse lots, including pools and spas. A pool which meets setbacks and is within the current impervious area would be allowed.

17. This approval shall be valid through February 7, 2021. The applicant may request up to two two-year extensions from the POD prior to the expiration. The application shall be
revised to comply with any code amendments that were adopted after the original approval, unless a variance is granted. After the original approval and any approved extension have expired without substantial construction commencing, the approval shall be void, and a new application shall be required.

Report Prepared By:

[Signature]
Kathryn A. Younkin, AICP, LEED AP BD+C, Deputy Zoning Official
Development Review Services Division
Planning & Economic Development Dept.

Date: 1/31/18

Report Prepared For:

[Signature]
Elizabeth Abernethy, AICP, Zoning Official
Development Review Services Division
Planning & Economic Development Dept.

Date: 1-31-18

Attachments: Attachment A - Plat Map, Attachment B - Aerial., Attachment C - Gilmore Heights Subdivision, Attachment D - Reinstatement and PCI, Attachment E - Case , Attachment F - Application and Project Narrative, site and floor plans, elevations, renderings, Attachment G - Site Photos, Attachment H - Registered Opponent Form and Correspondence
Exhibit “C”

PCI and Reinstatement
BOARD OF ADJUSTMENT  
CITY OF ST. PETERSBURG, FLORIDA  
DEVELOPMENT SERVICES DEPARTMENT  
DEVELOPMENT REVIEW SERVICES DIVISION  

MEETING MINUTES OF October 18, 2002  
CASE NO. 2002-10-19  

Subject Property Address: 459 - 29th Avenue North  

Owner/Applicant Information:  
Edward L. Ceski  
474 - 30th Avenue North  
St. Petersburg, Florida 33704  
Don Mastry (Agent)  

Subject Property Information:  
Zoning: RS-75  
Lots 14 thru 16, Gilmore Heights Subdivision  
Plat Sheet: F-16  
Parcel ID No.: 07/31/17/30888/000/0140  

Request: To reinstate three (3) dwelling units for a total of four (4) dwelling units on site and approval of a redevelopment plan.  

Motion 1: UPHOLD the Department’s determination of abandonment.  
Moved by: Williamson  
Seconded by: Bacon  

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<th>WILLIAMSON</th>
<th>BACON</th>
<th>CROCKETT</th>
<th>LAWSON</th>
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Motion 2: TO REINSTATE three (3) dwelling unit(s) for a total of four (4) dwelling units on site and approval of a redevelopment plan as presented in site plan submitted for the Board's review and subject to the conditions as provided in the staff report.  
Moved by: Williamson  
Seconded by: Bacon  

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Note: All approvals are subject to staff recommendations, unless otherwise specified by the Board.
NOTICE OF SITE VISIT BY MEMBERS OF THE CITY COUNCIL
ENVIRONMENTAL DEVELOPMENT, PLANNING OR HISTORIC PRESERVATION
COMMISSIONS, CODE ENFORCEMENT BOARD OR BOARD OF ADJUSTMENT

DATE: October 16, 2002
APPLICATION: 2002 - 10 - 19
STREET ADDRESS: 459 - 29th Avenue North
DATE OF SITE VISIT: October 16, 2002
TIME OF SITE VISIT: 1103 (A.M./P.M.)

MEMBER NAME: MEMBER SIGNATURE (Only those that visit the above site.)

Valarie Nussbaum
Robert Sulte
Robert Williamson
David Bacon
Peter Crockett
George Lawson

This notice must be filed with staff when any Member of the City Council, Environmental Development, Planning or Historic Preservation Commissions, Code Enforcement Board or Board of Adjustment visits a site upon which an application is pending before the Council, Board or Commission. Any interested parties may, by checking the Council, Board or Commission's records, be notified and advised of a site visit which may influence the Member's consideration of or decision in the pending application. For the purpose of this Notice, a site visit shall only include those situations where there is an application pending before the Council, Board or Commission and a Member goes to the site with the specific purpose of better acquainting him/himself with the site so that they may be better prepared to address the concerns and issues which may come before them at the hearing concerning the application. A site visit shall only include those visits when a Member actually inspects the site for purposes related to a pending application and shall not include those situations when Commissioner merely passes by the site in the ordinary course of daily affairs. Failure to file this Notice shall not invalidate any action of the Council, Board or Commission.
BOARD OF ADJUSTMENT  
Case No. 2002-10-19

For Public Hearing and Executive Action on October 18, 2002 beginning at 9:00 A.M., Council Chambers, City Hall, 175 Fifth Street North, St. Petersburg, Florida.

All conflicts by members of the Board should be declared upon announcement of the item.

CASE TYPE: Abandoned Dwelling Units

Owner / Applicant Information
Edward L. Ceski, Owner  
474 - 30th Avenue North  
St. Petersburg, Florida 33704

Don Mastry, Applicant  
200 Central Avenue  
St. Petersburg, Florida 33701

Subject Property Information
450 - 29th Avenue North  
Lots 14 thru 16, Gilmore Heights Subdivision  
Plat Sheet: F-16

REQUESTED ACTION The Department determined that four (4) dwelling units were legally constructed on the site. However, three (3) dwelling units are abandoned due to failure to maintain occupational tax certificates.

CURRENT ZONING CATEGORY: RS-75 (Single Family Residential)

SITE DATA (Summary):
Lot size: 17,774 square feet, or 0.41 acres
Density: Four (4) units or 9.8 units per acre
Permitted Units: One (1) unit

REDEVELOPMENT PLAN VARIANCES: NO VARIANCES

SITE AND PROPERTY CONDITION and SURROUNDING USES:
According to the property card, the current building was constructed from two (2) four-unit buildings that were relocated from property fronting on 4th Street North. Originally part of the Cocoanut Grove Motel, the buildings each housed two efficiencies and two rooming units. Rooming
units and efficiencies could be combined to make one bedroom units depending on the occupancy desired by those renting the units. Ultimately, the doorways between the efficiencies and rooming units were permanently opened to create two (2) one-bedroom units in each building for a total of four (4) units. The current building houses four (4) one-bedroom units.

The property is located amongst other multifamily uses near the intersection of 4th Street North and 29th Avenue, and along the 30th Avenue corridor. The property also abuts the 4th Street commercial corridor on its eastern boundary. While the property is zoned for single-family use, this general area is characterized by multifamily uses and could be a possible candidate for a land use change and rezoning. Nonetheless, reinstatement of multifamily uses is appropriate and consistent with the character of this part of the City.

The author had opportunity to inspect the property and the interior of the units. The property is in excellent condition and its maintenance is nothing short of immaculate. The buildings are freshly painted and the interiors, including fixtures, appliances, and cabinets, are spotless. The interiors include original floor tiles, woodwork, plasterwork and doors. The grounds are beautifully landscaped and irrigated. The property is a model for property maintenance.

According to the property owner, his wife inadvertently allowed the license to lapse prior to her passing. He owns other properties in this block, including a 9-unit building, a single-family home, and his own home/office. All of these properties exhibit the same level of impeccable maintenance and pride of ownership.

At this time, only one of the four units is occupied. Tenancy for this property is generally limited to winter residents. No life safety or fire code issues were observed by the author.

---

**STAFF ANALYSIS:**

Four (4) dwelling units were legally constructed on the site. The present RS-75 zoning district allows one (1) dwelling unit; thus three (3) units are now considered abandoned for failure to maintain occupational tax certificates. Evaluation of the criteria for reinstatement specified by the City Code for the Board’s review indicates that reinstatement is appropriate, subject to conditions. An analysis follows, based on the City Code criteria to be considered by the Board.

1. The degree to which the property’s proposed use and density is consistent with the City’s Comprehensive Plan, the applicable adapted Neighborhood Plan goals and objectives, the character of the density, lot sizes and building types within the surrounding blocks.

At 9.8 units per acre, the property barely exceeds the 7.5 units per acre allowed by the Residential Urban land use classification of the City’s Comprehensive Plan. The density of the use is mitigated by the fact that the four (4) units are located on three (3) building lots. The property is located in the Crescent Heights neighborhood. The neighborhood does have a neighborhood plan. However, the plan is specifically silent on the issue of reinstatement, although it does support improvement to rental properties.
(2) **The degree to which the property is currently and/or was at the time of construction in compliance with the use and density/intensity regulations of the Chapter 29 or then applicable zoning codes.**

The property was actually legal for eight units at one time. The density was legally reduced to four units.

(3) **The degree to which the property is and has been in compliance with other City Codes.**

There are no outstanding codes cases on the property at this time. The applicant self-initiated the reinstatement application to address the lapse in the certificate of occupancy.

(4) **The degree to which the property currently has or can provide adequate provisions for parking for the proposed number of units in accordance with the City’s current codes and ordinances.**

There are eight (8) parking spaces on site, more than twice the number required by code.

(5) **The degree to which the property has an adverse impact on the neighborhood as a result of the use or number of residential units on the site in excess of that allowed under the current zoning designation, lack of needed on-site parking, substandard maintenance, or other similar factors related to the property.**

There are no identifiable adverse impacts that will result from reinstatement.

(6) **In reviewing the number of residential units appropriate for a structure or property, the Board shall consider the residential character of the neighborhood and surrounding blocks to determine if a reduction in the number of previously existing units or intensity should be required in order to make the density or use more compatible with the area.**

No reduction in the number of units is recommended.

(7) **The number of residential units reinstated shall be reasonably related to and accommodated by the size and design of the buildings so that floor plans are appropriate based on the required size for multiple family dwellings. A well-planned dwelling unit layout provides maximum privacy for various activities and, except for efficiency units, shall have at least one bathroom, one bedroom, a kitchen and a living room. Entrances from the exterior shall not be through bathrooms or bedrooms. Bathrooms shall not be the only entryway to any room.**

Room layouts are appropriate and reasonable. No modifications to floor plans are recommended.

(8) **Reinstatement of units or a use shall not exceed the previously existing legally grandfathered number of units or intensity of use.**

The reinstatement of units will not exceed the number legally grandfathered on the property.
RECOMMENDATION:
The Development Services Department staff recommends that the Board of Adjustment UPHOLD the finding that three (3) units have been abandoned due to failure to maintain occupational tax certificates.

The Development Services Department staff recommends APPROVAL of the requested reinstatement of three (3) dwelling units, for a total of four (4) units on the site, subject to the following.

1. The applicant shall contact the Codes Compliance Assistance Division within ten (10) calendar days to schedule inspections to obtain Certificates of Inspection for each of the units. Any deficiencies shall be corrected prior to the issuance of a Certificate of Occupancy.

2. The applicant shall be required to obtain the required Certificate of Occupancy and occupational license within 60 days or no later than December 18, 2002.

3. All units shall be open to inspections, conducted by the Construction Services & Permitting Division and the Fire Department. Health, safety, fire, housing, building and any other code violations shall be corrected, ensuring that the structures are in compliance with City Codes prior to issuance of the Certificate of Occupancy.

All conditions of the Board of Adjustment action shall be complete by December 18, 2002. Failure to comply with the Board's action by the applicant or any new property owner will result in the loss of reinstatement of the abandoned units. The Board's action is applicable to the property, regardless of ownership. When the property is sold, the new property owner must also meet the conditions of reinstatement or eliminate the abandoned dwelling units.
BOARD OF ADJUSTMENT

459 - 29th Avenue North

AREA TO BE APPROVED,
SHOWN IN

2002-10-19

HEARING DATE:
October 18, 2002

SCALE: 1" = 100'

5TH ST. NO.

30TH AVE. NO.

4TH ST. NO.

29TH AVE. NO.
BOARD OF ADJUSTMENT APPLICATION  
CITY OF ST. PETERSBURG, FLORIDA  
DEVELOPMENT SERVICES DEPARTMENT  
DEVELOPMENT REVIEW SERVICES DIVISION

REINSTATEMENT QUESTIONNAIRE

Property Address: 459 - 29TH AVE, N  
Case No.: 

Applications to the Board of Adjustment for reinstatement of abandoned uses are required to include responses to the following questions:

Is the building occupied? ☐ Yes ☐ No

For multi-family properties, how many units exist on the site? ___

For multi-family properties, of the total units, how many are occupied? ___

Have you applied for an occupational license? ☐ Yes ☐ No

Are you located in a "Certificate of Inspection" (CI) area? ☐ Yes ☐ No

Have you had any recent fire or building inspections? ☑ Yes ☐ No

When did you acquire the property? 1978

Do you own other rental property in the City of St. Petersburg? ☑ Yes ☐ No

If yes, please provide a list of the addresses in the spaces provide below:

445 - 29TH AVE, N

442 - 30TH AVE, N

471 - 30TH AVE, N
Property Address: 459 29TH AVE. N.  

Case No.:  

Applicants are strongly encouraged to obtain signatures in support of the proposal(s) from owners of property adjacent to or otherwise affected by a particular request.

The undersigned adjacent property owners understand the nature of the applicant’s request and do not object (attach additional sheet(s) if necessary):

1. Affected Property Address: 480 30TH AVE. N. ST. PETERSBURG, FL 33704  
   Owner Name (print) William N. Colombirisi  Owner Signature William N. Colombirisi

2. Affected Property Address: 495 28TH AVE. N. ST. PETERSBURG, FL 33704  
   Owner Name (print) Norma B. Morris  Owner Signature Norma B. Morris

3. Affected Property Address: 486 30TH AVE. N.  
   Owner Name (print) Charles W. Checco  Owner Signature Charles W. Checco

4. Affected Property Address: 460 30TH AVE. N.  
   Owner Name (print) John Hapke  Owner Signature John Hapke

5. Affected Property Address: 475 29TH AVE. N.  
   Owner Name (print) Dr. Jeff Maddux  Owner Signature Dr. Jeff Maddux

6. Affected Property Address:  
   Owner Name (print)  Owner Signature  

City of St. Petersburg, Municipal Services Center, One Fourth Street North, 33701
July 31, 2002

Edward Ceski
474 30th Avenue North
St. Petersburg, Florida 33704

RE: Property generally located at 459 29th Avenue North and legally described as Gilmore Heights, Lots 14-16

Dear Mr. Ceski:

A property card interpretation has been completed for the above referenced property. The results are as follows:

Legally Constructed Dwelling Units: Four (4)
Dwelling Units Currently Permitted: One (1)
Number of Abandoned Dwelling Units: Three (3)

This property is located in the RS-75 (Residential Single-Family) zoning district. Rental properties require a Certificate of Occupancy and an occupational license when two or more units are rented. Dwelling units which were legally constructed, but have not maintained the required Certificate of Occupancy and occupational license will be deemed abandoned by the City. Owners may apply to reinstate these abandoned dwelling units by application to the Board of Adjustment. Reinstatement of abandoned dwelling units is not guaranteed and is at the sole discretion of the Board of Adjustment.

If you believe this interpretation is in error and you have evidence to support a different interpretation, the owner may appeal this property card interpretation by application to the Board of Adjustment. Appeals must be filed within 30 days to the City Clerk’s office along with a $30 fee.

If you have any questions, please contact Ted Petersen, Planner I, at (727) 893-7881.
Sincerely,

[Signature]

John Hixenbaugh, AICP, Zoning Official
Development Review Services

JRH/tbp
See 2nd page
not all demo
moved +- structures
in question
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<td>#2869C - 2870C - 2871C - 2872C - 2873C - 2874C - 2875C - 2876C - 9/17/59 - Coconut Grove Motel Brinson Elec. - 1 range 1-1 ton air cond. (units 1, 2, 3, 4, 5, 6, 7 &amp; 8) #4030C - 11/13/59 - Coconut Grove Brinson Elec. - relocate air cond. circuit #4673D - 10/17/60 - Coconut Motel Day Elec. - up (repairs to wiring) OVER</td>
<td>#5584M - 7/7/65 - Robert R. Shaul McNulty Plbg. - 2-1&quot; water services (2900 - 4th St. No.) #5761M - 7/26/65 - Robt. R. Shaul McNulty Plbg. - 1-w. heater add to #5584M (2900 - 4th St. No.) #P9095C 12/6/78 Edward Ceski Brophy Plbg repl. 4-lav repl. 4-sinks repl. 8-W.C. x (459 - 29 Ave No.)</td>
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| INSTALLATION | GAS |

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<tr>
<th>SIGNS</th>
<th>SEWER</th>
<th>SEPTIC TANK</th>
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<td>#1694C - 11/3/54 - Coconut Grove Macbeth - 1-sewer #5584M - 7/1/65 - Robert R. Shaul McNulty Plbg. - 1-tap (2900 - 4th St. No.)</td>
<td>(OVER)</td>
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</table>
Exhibit "D"

Gilmore Heights Subdivision
29 Avenue N.

Gilmore Heights

A Subdivision of the NE 1/4 of the NE 1/4 of the SW 1/4 of Sec. 7
Twp. 31S, RGE 9 W, Pinellas County - State of Florida

I, R.G. Gilmore, hereby certify that I am the owner, for the purposes of the NE 1/4 of the SE 1/4 of the SW 1/4 of Sec. 7, Twp. 31S, RGE 9 W, Pinellas County, State of Florida, and hereby dedicate to the public all of the streets and alleys shown on this plat of Gilmore Heights lying within the boundaries of the same, that the dimensions, angles and lengths are correct and are within the said boundaries, that this subdivision is permanently marked upon the ground by concrete monuments, and that it is further stipulated that a right of way three feet wide is hereby reserved from each lot abutting on an alley or each side of such alley as an easement for the location of Public Utilities including poles and conduits for wires and pipes.

I, R.G. Gilmore, certify that I am the owner, for the purposes of the NE 1/4 of the SE 1/4 of the SW 1/4 of Sec. 7, Twp. 31S, RGE 9 W, Pinellas County, State of Florida, and hereby dedicate to the public all of the streets and alleys shown on this plat of Gilmore Heights lying within the boundaries of the same, that the dimensions, angles and lengths are correct and are within the said boundaries, that this subdivision is permanently marked upon the ground by concrete monuments, and that it is further stipulated that a right of way three feet wide is hereby reserved from each lot abutting on an alley or each side of such alley as an easement for the location of Public Utilities including poles and conduits for wires and pipes.

[Signature]

State of Florida, County of Pinellas

Notary Public

[Seal]

Approved and accepted for the City of St. Petersburg, Florida, this 27th day of October, 1924.

Director of Public Works
Exhibit “E”
Case # 16-54000076
November 4, 2016

29th Avenue Ventures, LLC
355 22nd Avenue Northeast
Saint Petersburg, Florida 33704

Re: Case No.: 16-54000076
Addresses & Parcel ID Nos.: 445 29th Avenue North; 07-31-17-30888-000-0170
459 29th Avenue North; 07-31-17-30888-000-0170
Request: Approval of a variance to the minimum lot width from 50-feet to 46-feet for four (4) non-conforming lots under common ownership to allow construction of four (4) single-family homes.

Dear Applicant:

The Development Review Commission at its meeting of November 2, 2016, APPROVED by a vote of 7-0 the above-referenced request subject to the amended conditions in the Staff Report. While a copy of the Staff Report and Vote Record are enclosed, the amended conditions are as follows:

AMENDED CONDITIONS OF APPROVAL:

1. The design of the four homes shall be varied, such that a substantially similar home cannot be replicated on the lots, and shall comply with all NT design standards. Variation shall include at least three of the following: architectural style; roof form, materials; details (doors, windows, columns). Regarding Elevations A-D provided by the applicant, at least two elevations shall be mirrored so that no two porches in a row are on the same side.

2. A minimum side yard setback of 6.0-feet shall be provided.

3. The applicant shall develop a design to preserve the 24” live oak tree located on Lot 14 and shall comply with the requirements of Section 16.40.060.5.4. Prior to approval of the building permit, the applicant shall engage a certified arborist to prepare a tree preservation plan for review and approval, which shall include details of methods to protect and preserve the vitality of the protected tree, such as but not limited to root pruning, canopy pruning, fertilization program, and detailed methods of construction to avoid major roots.

4. This variance approval shall be valid through November 2, 2019. Substantial construction shall commence by this expiration date, unless an extension has been approved by the POD. A request for an extension must be received in writing prior to the expiration date.

5. Approval of this variance does not grant or imply other variances from the City Code or other applicable regulations.
If there are any questions, please feel free to contact me at 727-892-5344.

Sincerely,

[Signature]

Elizabeth Abernethy, AICP
Zoning Official (POD)
Development Review Services Division

Enclosures

EA: pj

ec: James Landers; james@aspenvg.com
Development Review Commission (DRC)
Hearing Date **November 2, 2016**
**CASE NO.: 16-54000076**

<table>
<thead>
<tr>
<th>MOTION TO APPROVE:</th>
<th>2# a variance to the minimum lot width from 50-feet to 46-feet for four (4) non-conforming lots under common ownership to allow construction of four (4) single-family homes, subject to the amended conditions in the Staff Report</th>
</tr>
</thead>
<tbody>
<tr>
<td>AMENDMENTS:</td>
<td>1# Amend condition #3 in the staff report to read: The applicant shall develop a design to preserve the 24&quot; live oak tree located on Lot 14 and shall comply with the requirements of Section 16.40.050.5.4. Prior to approval of the building permit, the applicant shall engage a certified arborist to prepare a tree preservation plan for review and approval, which shall include details of methods to protect and preserve the vitality of the protected tree, such as but not limited to root pruning, canopy pruning, fertilization program, and detailed methods of construction to avoid major roots.</td>
</tr>
<tr>
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<td>NAMES</td>
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<tr>
<td><strong>DOYLE</strong></td>
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<tr>
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<tr>
<td>*<em>WALKER <em>1</em></em></td>
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<tr>
<td>*<em>RUTLAND <em>2</em></em></td>
<td>-</td>
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<tr>
<td>*<em>CASTELLANO <em>3</em></em></td>
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<td><strong>STOWE</strong></td>
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<tr>
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<td><strong>Chair</strong></td>
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**Attendance**

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<td>Flynt</td>
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<td>P</td>
<td>Walker *1</td>
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<td>P</td>
<td>Rutland *2</td>
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</table>

**Presentations**

| X | Elizabeth Abernethy, based on the Staff Report |
| X | James Landers, Applicant |

*Approved as amended by a unanimous vote of the Commission – 7-0.*
CITY OF ST. PETERSBURG, FLORIDA
PLANNING & ECONOMIC DEVELOPMENT DEPT.
DEVELOPMENT REVIEW SERVICES DIVISION

STAFF REPORT
DEVELOPMENT REVIEW COMMISSION - VARIANCE REQUEST
PUBLIC HEARING

For Public Hearing and Executive Action on November 2, 2016, beginning at 2:00 P.M.,
Council Chambers, City Hall, 175 Fifth Street North, St. Petersburg, Florida

According to Planning & Economic Development Department records, no Commission
member resides or has a place of business within 2,000 feet of the subject property. All other
possible conflicts should be declared upon the announcement of the item.

CASE NO.: 16-54000076
PLAT SHEET: F-16

REQUEST: Approval of a variance to the minimum lot width from 50-feet to
46-feet for four (4) non-conforming lots under common ownership
to allow construction of four (4) single-family homes.

OWNER: 29th Avenue Ventures, LLC
356 22nd Avenue Northeast
Saint Petersburg, Florida 33704
Email: james@aspanvg.com

ADDRESS AND
PARCEL ID NOS.: 445 29th Avenue North; 07-31-17-30888-000-0170
459 29th Avenue North; 07-31-17-30888-000-0170

LEGAL DESCRIPTION: On File

ZONING: Neighborhood Traditional-2 (NT-2)

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<th>Structure</th>
<th>Required</th>
<th>Requested</th>
<th>Variance</th>
<th>Magnitude</th>
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<tbody>
<tr>
<td>Lot Width</td>
<td>50</td>
<td>46</td>
<td>4</td>
<td>8%</td>
</tr>
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</table>

BACKGROUND: The application includes four platted lots of record under common ownership,
Lots 14-17 of Gilmore Heights Subdivision, located in the Crescent Heights Neighborhood, just
east of 4th Street N. behind Fresh Market grocery store. According to the Pinellas County
Property Appraiser records, lots 14-16 were developed with a one-story four unit apartment
building in July 1941. In 2002, a Property Card Interpretation confirmed that there are four
legal grandfathered units on the property. According to the City’s Property Card records, Lot 17
was developed with a single-family home in 1940. Exhibit 1 includes an aerial map exhibit, photographs and the property record card.

The subject property is zoned NT-2. The minimum lot width in NT-2 zoning is 50-feet, and minimum lot area is 5,800 square feet. The subject lots are 46-feet in width and 5,925 square feet in area, and therefore are non-conforming to width and are thereby considered to be substandard. The subject subdivision was recorded on October 10, 1924. Exhibit 2 includes a copy of the subdivision plat.

Restrictions were in place from 1973 through 2003 which limited development of non-conforming lots if the lots were in common ownership. The code was changed in 2003 to allow development on any platted lot of record. On September 17, 2015, City Council amended the non-conforming lot regulations, thereby eliminating the right to build on these substandard lots without first obtaining a variance.

During the review of the regulations by City Council starting in March of 2015, Council made the decision to change the code back to restrict such development on substandard lots, while also making clear its intent that a variance review to determine if such development would be consistent with the surrounding neighborhood pattern would be required. Council found that in some neighborhoods, development of substandard lots would not be consistent with the surrounding development pattern and allowing one home on one platted lot in an area that historically developed on more than one platted lot could be detrimental to the neighbors and the overall character of the neighborhood. The subject blocks and the majority of the neighborhood is not an example of this situation, see Exhibit 2, Neighborhood Lot Exhibit.

It should also be noted that the applicant has five grandfathered units and could have applied for a Redevelopment Plan to construct five units rather than four. Approval of the lot width variance will remove the grandfathered use and establish conforming uses on the subject parcels.

CONSISTENCY REVIEW COMMENTS: The Planning & Economic Development Department staff reviewed this application in the context of the following criteria excerpted from the City Code and found that the requested variance is consistent with these standards. Per City Code Section 16.70.040.1.6 Variances, Generally, the DRC's decision shall be guided by the following factors:

1. Special conditions exist which are peculiar to the land, building, or other structures for which the variance is sought and which do not apply generally to lands, buildings, or other structures in the same district. Special conditions to be considered shall include, but not be limited to, the following circumstances:

   a. Redevelopment. If the site involves the redevelopment or utilization of an existing developed or partially developed site.

The application does involve redevelopment of an existing developed site. The lots were developed with one single family residence and one four unit apartment building in the 1940's. The variance would allow redevelopment of the existing lots with four single-family homes.
b. Substandard Lot(s). If the site involves the utilization of an existing legal nonconforming lot(s) which is smaller in width, length or area from the minimum lot requirements of the district.

The subject lots are below the zoning district minimum for lot width: NT-2 zoning requires a minimum lot width of 50 feet and a minimum lot area of 5,800 feet. The subject parcels were platted as 46-foot wide by 128.8-feet deep lots. The lot area of 5,925-feet meets the minimum area standard.

c. Preservation district. If the site contains a designated preservation district.

This criterion is not applicable.

d. Historic Resources. If the site contains historical significance.

This criterion is not applicable.

e. Significant vegetation or natural features. If the site contains significant vegetation or other natural features.

Field review of the property determined that there are a number of protected trees. There are two laurel oaks on Lot 16, which are in declining condition based on a field inspection by the staff arborist. There is a 34" Southern Red Oak located on the west side of the existing apartment building on Lot 14, which is a Grand Tree, in declining condition. The applicant will need to provide a report by a certified arborist to document the condition prior to issuance of a tree removal permit. There is a 24" Live Oak also located on Lot 14, which is in good condition and staff recommends it be preserved. A special condition of approval has been included to address the trees.

f. Neighborhood Character. If the proposed project promotes the established historic or traditional development pattern of a block face, including setbacks, building height, and other dimensional requirements.

The surrounding neighborhood contains a mix of individual subdivisions which were generally platted in the 1920's, some with lots widths that typically ranged from 45 to 50-feet in width. The prevailing development pattern for single-family homes is one home on one platted lot.

<table>
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<tr>
<th>Block</th>
<th>Location</th>
<th>Conforming</th>
<th>Substandard</th>
<th>% Substandard</th>
<th># One Platted Lot</th>
<th># Multiple Lots</th>
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<td>Subject Block</td>
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<td>19</td>
<td>4</td>
<td>83%</td>
</tr>
<tr>
<td>Block 4</td>
<td>North</td>
<td>17</td>
<td>7</td>
<td>29.17%</td>
<td>19</td>
<td>1</td>
<td>95%</td>
</tr>
<tr>
<td>Overall Average</td>
<td></td>
<td>5</td>
<td>13</td>
<td>47.77%</td>
<td></td>
<td></td>
<td>73.99%</td>
</tr>
</tbody>
</table>
g. Public Facilities. If the proposed project involves the development of public parks, public facilities, schools, public utilities or hospitals.

This criterion is not applicable.

2. **The special conditions existing are not the result of the actions of the applicant;**

The lots were platted at 46-feet in width and are generally 128.8-feet in depth, in 1924. The majority of the lots in the neighborhood were platted in the 1920's, which established the current development pattern, which is predominately one house on one platted lot, as demonstrated under the response to criteria 1.f. above. This development pattern is not the result of any action of the applicant.

3. **Owing to the special conditions, a literal enforcement of this Chapter would result in unnecessary hardship;**

The applicant has the ability to continue the use of the property for a four unit apartment building and one single family home. Approval of the lot width variance will remove the grandfathered use and establish conforming uses on the subject parcels.

4. **Strict application of the provisions of this chapter would provide the applicant with no means for reasonable use of the land, buildings, or other structures;**

A majority of the other properties in the surrounding blocks have developed with one house on each lot of record and therefore the requested variance would allow a more consistent use of the land.

5. **The variance requested is the minimum variance that will make possible the reasonable use of the land, building, or other structure;**

The variance request is the minimum necessary to allow the development of four single-family homes on lots of similar size to the surrounding lots with single-family homes. The property currently has five grandfathered dwelling units. The reduction of 4-feet in width constitutes an 8% reduction, which is deemed to be minimal.

6. **The granting of the variance will be in harmony with the general purpose and intent of this chapter;**

The request is consistent with the goals of the Comprehensive Plan and the Land Development Regulations to promote revitalization and redevelopment. The Land Development Regulations for the Neighborhood Traditional districts state: "The purpose of the NT district regulations is to protect the traditional single-family character of these neighborhoods, while permitting rehabilitation, improvement and redevelopment in a manner that is consistent with the scale of the neighborhood." The Future Land use designation in this neighborhood is Planned Redevelopment – Residential (PR-R). The following objective and policies promote redevelopment and infill development in our City:
OBJECTIVE LU2:
The Future Land Use Element shall facilitate a compact urban development pattern that provides opportunities to more efficiently use and develop infrastructure, land and other resources and services by concentrating more intensive growth in activity centers and other appropriate areas.

LU2.5 The Land Use Plan shall make the maximum use of available public facilities and minimize the need for new facilities by directing new development to infill and redevelopment locations where excess capacity is available.

LU3.6 Land use planning decisions shall weigh heavily the established character of predominately developed areas where changes of use or intensity of development are contemplated.

7. The granting of the variance will not be injurious to neighboring properties or otherwise detrimental to the public welfare; and,

The granting of the variance will not be injurious to neighboring properties as they are developed in a similar pattern as proposed for the four subject lots. The abutting property to the east is commercial and the existing four unit building on the westerly most property will be replaced by a single-family home, which is more in character with the neighborhood.

8. The reasons set forth in the application justify the granting of a variance;

Staff finds that the reasons set forth in the variance application do justify the granting of the variance based on the analysis provided and the recommended special conditions of approval.

9. No nonconforming use of neighboring lands, buildings, or other structures, legal or illegal, in the same district, and no permitted use of lands, buildings, or other structures in adjacent districts shall be considered as grounds for issuance of a variance permitting similar uses.

Non-conforming uses and non-conforming buildings and structures have not been considered in staff’s analysis.

PUBLIC COMMENTS: Staff received one email requesting additional information and two calls as of the date of this report. The adjacent neighbor to the west had concerns regarding the type of construction and the potential for termites resulting from the removal of the oak trees. The adjacent neighbor to the east (Fresh Market) wanted additional information on planned buffering to avoid concerns by any future homeowners regarding the loading and trash noise from their commercial operation.

STAFF RECOMMENDATION: Based on a review of the application according to the stringent evaluation criteria contained within the City Code, the Planning and Economic Development Department Staff recommends APPROVAL of the requested variance.

CONDITIONS OF APPROVAL: If the variance is approved consistent with the site plan submitted with this application, the Planning and Economic Development Department Staff recommends that the approval shall be subject to the following:
1. The design of the four homes shall be varied, such that a substantially similar home cannot be replicated on the lots, and shall comply with all NT design standards. Variation shall include at least three of the following: architectural style; roof form, materials; details (doors, windows, columns). Regarding Elevations A-D provided by the applicant, at least two elevations shall be mirrored so that no two porches in a row are on the same side.

2. A minimum side yard setback of 6.0-feet shall be provided.

3. The applicant shall make every effort to preserve the 24" live oak tree located on Lot 12 and shall comply with the requirements of Section 16.40.060.5.4. Prior to approval of the building permit, the applicant shall engage a certified arborist to prepare a tree preservation plan for review and approval, which shall include details of methods to protect and preserve the vitality of the protected tree, such as but not limited to root pruning, canopy pruning, fertilization program, and detailed methods of construction to avoid major roots. In the event that the protected tree cannot be retained, the applicant shall plant 4-inch trees in lieu of 2-inch trees as mitigation.

4. This variance approval shall be valid through November 2, 2019. Substantial construction shall commence by this expiration date, unless an extension has been approved by the POD. A request for an extension must be received in writing prior to the expiration date.

5. Approval of this variance does not grant or imply other variances from the City Code or other applicable regulations.

Report Prepared By:

[Signature]

ELIZABETH ABERNETHY, AICP, Zoning Official (POD)
Development Review Services Division
Planning & Economic Development Department

List of Exhibits:
Exhibit 1: Aerial map exhibit, and property record card
Exhibit 2: Subdivision Plat and Neighborhood Lot Exhibit
Exhibit 4: Preliminary Layout and elevations exhibits
Exhibit 5: Applicant's Variance Narrative
Exhibit 1: Aerial map exhibit, photographs, and property record card
City of St. Petersburg, Florida
Development Review Services
Case No.: 16-54000076
Address: 445 & 459 29th Avenue North
Good morning Kathryn,

After speaking with John Dickson at USF, we are going to postpone/defer to the December DRC meeting so that we can include the attached right of way in the proposed vacation. I will get you the description and sketch before the end of next week as discussed. If there is anything else you require from us, please let me know.

Thank you and have a good week!

Cathy

Catherine Bosco, PSM
Project Surveyor
George F. Young, Inc.
299 Dr. Martin Luther King Jr. St. N.
St. Petersburg, FL 33701
Phone: (727) 822-4317 ext 206
Fax: (727) 822-2919
Cell: (727) 643-1833
www.georgefyoung.com

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<table>
<thead>
<tr>
<th>SUBDIVISION</th>
<th>GILMORE HEIGHTS</th>
<th>LOT</th>
<th>BLOCK</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location: 445 - 29th Avenue North</td>
<td>#44873 - 4/3/40 - $3500</td>
<td>#34629 - 4/27/40 - Frank Webber Freeman</td>
<td>#15740 - 4/4/40 - Frank Webber</td>
</tr>
<tr>
<td>Owner: Frank Webber - Res-att gar 5 rooms 30' x 26'</td>
<td>#82633 - RS-75 - 3/16/82 - $1095</td>
<td>#35801 - 8/16/40 - Frank Webber Freeman - 8 Fix. Cert. 8553</td>
<td>#15754 - 4/25/40 - gas w.h. OK 4/25</td>
</tr>
<tr>
<td>Owner: M. S. Stem - 270' of 48&quot; high chain link fence and 50' of 36&quot; high chain link fence; two gates (Type IV) Howard Dorr, Contractor.</td>
<td>R701109-11-5-86-995.00-RS75</td>
<td>Owner: Stein - take off roof in front part of house 2 year shingle Contr: Searles Roofing - (TYPE-V) (BLC/yiw)</td>
<td>#4883 - 9/16/48 - R. C. Cahow J. H. Savery - c-l-s-b-ewh</td>
</tr>
<tr>
<td>INSTALLATION</td>
<td>GAS</td>
<td>SEWER</td>
<td></td>
</tr>
<tr>
<td>----------------------------------</td>
<td>------------------------------------------</td>
<td>--------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>#10742 - 6/10/41 - W. C. Stem</td>
<td></td>
<td>#7492F - 12/18/58 - Webber</td>
<td></td>
</tr>
<tr>
<td>L. E. Price OK 6/10/41</td>
<td></td>
<td>Terrie Plbg. - $5.00 tap</td>
<td></td>
</tr>
<tr>
<td>#884 - 1/27/48 - Mr. Patterson</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mech.Eqt.Co. - 1-range 1-WH</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1-refrig.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>#G5055A - 1/11/78 - Wayne Stem</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Florida Gas - 1-WH - nat gas</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SIGNS</th>
<th>SEPTIC TANK</th>
</tr>
</thead>
<tbody>
<tr>
<td>#4816 - 5/17/40 - Frank Webber</td>
<td></td>
</tr>
<tr>
<td>Benjamin OK 5/17/40</td>
<td></td>
</tr>
<tr>
<td>#2890C - 1/11/55 - Stern</td>
<td></td>
</tr>
<tr>
<td>F.S.T.W. - 75' drain</td>
<td></td>
</tr>
</tbody>
</table>
Exhibit 2: Subdivision Plat and Neighborhood Lot Exhibit
Exhibit 4: Preliminary Layout and elevations exhibits
FLORIDA VERNACULAR INSPIRED
SOUTH ELEVATION SKETCH MODEL A 1/4"=1'0"
445 29th AVENUE NE ST. PETERSBURG FLORIDA
FLORIDA VERNACULAR INSPIRED
SOUTH ELEVATION SKETCH MODEL D 1/4"=1'0"
445 29th AVENUE NE ST. PETERSBURG FLORIDA

HARRELL & CO ARCHITECTS
2241 EAST TAMPA TRAIL SUITE 4
NAPLES FL USA 34112 AA 0002703
239 435 1250 F 239 732 7043
Exhibit 5: Applicant’s Variance Narrative
All applications for a variance must provide justification for the requested variance(s) based on the criteria set forth by the City Code. It is recommended that the following responses be typed. Illegible handwritten responses will not be accepted. Responses may be provided as a separate letter, addressing each of the six criteria.

**ALL OF THE FOLLOWING CRITERIA MUST BE ANSWERED.**

<table>
<thead>
<tr>
<th><strong>APPLICANT NARRATIVE</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Street Address:</strong> 445 &amp; 449 29th Ave N</td>
</tr>
<tr>
<td><strong>Detailed Description of Project and Request:</strong> We seek to replace 5 non-conforming apartments on 4 legal platted lots with 4 single family homes.</td>
</tr>
</tbody>
</table>

1. **What is unique about the size, shape, topography, or location of the subject property? How do these unique characteristics justify the requested variance?**
   The variance is only for the minimum lot width as the lots will conform with the lot area requirement. The lot widths match the surrounding parcels.

2. **Are there other properties in the immediate neighborhood that have already been developed or utilized in a similar way? If so, please provide addresses and a description of the specific signs or structures being referenced.**
   Yes, the lot width we are seeking match the adjacent properties. There are too many examples to reference as the majority of homes fit the originally platted lot width of 46 feet.

3. **How is the requested variance not the result of actions of the applicant?**
   We are seeking to reduce the density and return back to the original plat.
All applications for a variance must provide justification for the requested variance(s) based on the criteria set forth by the City Code. It is recommended that the following responses be typed. Illegible handwritten responses will not be accepted. Responses may be provided as a separate letter, addressing each of the six criteria.

**ALL OF THE FOLLOWING CRITERIA MUST BE ANSWERED.**

<table>
<thead>
<tr>
<th>APPLICANT NARRATIVE</th>
</tr>
</thead>
<tbody>
<tr>
<td>4. <strong>How is the requested variance the minimum necessary to make reasonable use of the property?</strong> In what ways will granting the requested variance enhance the character of the neighborhood? This variance will significantly improve the property by REDUCING the number of units and removing non-conforming apartments. We seek no other variances other than the minimum lot width.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>5. <strong>What other alternatives have been considered that do not require a variance?</strong> Why are these alternatives unacceptable?</th>
</tr>
</thead>
<tbody>
<tr>
<td>None.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>6. <strong>In what ways will granting the requested variance enhance the character of the neighborhood?</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>This will improve the neighborhood by building high-quality single-family homes on the legally platted lots. These homes will conform with the lot sizes of the adjacent homes and will require NO variances other than the minimum lot width.</td>
</tr>
</tbody>
</table>

The homes will have their own character and will replace dated multi-family apartments on the site.
Exhibit "F"
Application and Project Narrative, Site and Floor Plans, Elevations, Renderings
All applications are to be filled out completely and correctly. The application shall be submitted to the City of St. Petersburg's Development Review Services Division, located on the 1st floor of the Municipal Services Building, One 4th Street North.

**GENERAL INFORMATION**

**NAME of PROPERTY OWNER:** JAMES LANDERS, MANAGER, 25TH AVENUE VENTURES, LLC  
Street Address: 756 22ND AVENUE N.E.  
City, State, Zip: ST. PETERSBURG, FL 33704  
Telephone No: 727-409-7440 Email Address: jlanders0675@gmail.com

**NAME of AGENT or REPRESENTATIVE:** DILLON ALDERMAN, PRESIDENT, ALDERMAN PLANNING CO  
Street Address: P.O.BOX 55755  
City, State, Zip: ST. PETERSBURG, FL 33753  
Telephone No: 813-883-5161 Email Address: aldermanplanning@gmail.com

**PROPERTY INFORMATION:**  
Street Address or General Location: 459 29TH AVE. N., ST. PETERSBURG, FL  
Parcel ID#: 07-31-17-72888-000-0140

**DESCRIPTION OF REQUEST:** REDEVELOP EXISTING 4 UNIT APARTMENT BUILDING INTO 3 TOWNHOUSES ON LOTS 14 & 15 AND ONE SINGLE FAMILY RESIDENCE ON LOT 16.

**PRE-APPLICATION DATE:** 10-25-2017 PLANNER: ELIZABETH ABERNETHY

**FEE SCHEDULE**  
Redevelopment Plan Review $500.00  
Variance - First Variance $300.00; Each additional Variance $100.00  
Cash, credit, and checks made payable to the "City of St. Petersburg"

**AUTHORIZATION**

City Staff and the designated Commission may visit the subject property during review of the requested redevelopment. Any Code violations on the property that are noted during the inspections will be referred to the City’s Codes Compliance Assistance Department.

The applicant, by filing this application, agrees he or she will comply with all decision(s) regarding this application and conform to all conditions of approval. The applicant’s signature affirms that all information contained within this application has been completed, and that the applicant understands that processing this application may involve substantial time and expense. Filing an application does not guarantee approval, and denial or withdrawal of an application does not result in remittance of the application fee.

**NOTE:** IT IS INCUMBENT UPON THE APPLICANT TO SUBMIT CORRECT INFORMATION. ANY MISLEADING, DECEPTIVE, INCOMPLETE, OR INCORRECT INFORMATION MAY INVALIDATE YOUR APPROVAL.

Signature of Owner / Agent*:  
Date: ____________________

Printed Name: ____________________  
*Affidavit to Authorize Agent required, if signed by Agent.

City of St. Petersburg – One 4th Street North – PO Box 2842 – St. Petersburg, FL 33731-2842 – (727) 893-7471

Page 2 of 13
<table>
<thead>
<tr>
<th></th>
<th><strong>Data Table</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td><strong>Zoning Classification:</strong> NT-2</td>
</tr>
<tr>
<td>2.</td>
<td><strong>Existing Land Use Type(s):</strong> MULTI-FAMILY; FOUR UNITS</td>
</tr>
<tr>
<td>3.</td>
<td><strong>Proposed Land Use Type(s):</strong> FEE SIMPLE; SINGLE FAMILY ATTACHED; THREE TOWNHOUSES; SINGLE FAMILY RESIDENCE; ONE HOUSE</td>
</tr>
<tr>
<td>4.</td>
<td><strong>Area of Subject Property:</strong> 17,794 SQUARE FEET (0.41 ACRE)</td>
</tr>
<tr>
<td>5.</td>
<td><strong>Variance(s) Requested:</strong> HAVE HEIGHT OF SINGLE FAMILY RESIDENCE @ 25' ABOVE GRADE</td>
</tr>
<tr>
<td>6.</td>
<td><strong>Gross Floor Area (total square feet of building(s))</strong></td>
</tr>
<tr>
<td></td>
<td><strong>Existing:</strong> 2,100 Sq. ft.</td>
</tr>
<tr>
<td></td>
<td><strong>Proposed:</strong> 12,409 Sq. ft.</td>
</tr>
<tr>
<td></td>
<td><strong>Permitted:</strong> 12,757 Sq. ft.</td>
</tr>
<tr>
<td>7.</td>
<td><strong>Floor Area Ratio (total square feet of building(s) divided by the total square feet of entire site)</strong></td>
</tr>
<tr>
<td></td>
<td><strong>Existing:</strong> 0.12 FAR; 2,100 SF</td>
</tr>
<tr>
<td></td>
<td><strong>Proposed:</strong> 0.67 FAR; 12,409 + (300 SF x 4 UNITS) = 12,777 TOTAL SF</td>
</tr>
<tr>
<td></td>
<td><strong>Permitted:</strong> 0.65 FAR; 12,757 + (300 SF x 4 UNITS) = 12,777 TOTAL SF</td>
</tr>
<tr>
<td>8.</td>
<td><strong>Building Coverage (first floor square footage of building(s))</strong></td>
</tr>
<tr>
<td></td>
<td><strong>Existing:</strong> 2,100 Sq. ft.</td>
</tr>
<tr>
<td></td>
<td><strong>Proposed:</strong> 831.8 Sq. ft.</td>
</tr>
<tr>
<td></td>
<td><strong>Permitted:</strong> 800 Sq. ft.</td>
</tr>
<tr>
<td>9.</td>
<td><strong>Open Green Space (include all green space on site; do not include any paved areas)</strong></td>
</tr>
<tr>
<td></td>
<td><strong>Existing:</strong> 1,321 Sq. ft.</td>
</tr>
<tr>
<td></td>
<td><strong>Proposed:</strong> 625.3 Sq. ft.</td>
</tr>
<tr>
<td>10.</td>
<td><strong>Interior Green Space of Vehicle Use Area (include all green space within the parking lot and drive lanes)</strong></td>
</tr>
<tr>
<td></td>
<td><strong>Existing:</strong> 0 Sq. ft.</td>
</tr>
<tr>
<td></td>
<td><strong>Proposed:</strong> 424 Sq. ft.</td>
</tr>
<tr>
<td></td>
<td><strong>% of vehicular area</strong></td>
</tr>
</tbody>
</table>
## REDEVELOPMENT DATA SHEET

### DATA TABLE (continued page 2)

<table>
<thead>
<tr>
<th></th>
<th>Paving Coverage (including sidewalks within boundary of the subject property; do not include building footprint(s))</th>
<th></th>
<th>Impervious Surface Coverage (total square feet of all paving, building footprint and other hard surfaced areas)</th>
<th></th>
<th>Density (units per acre)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Existing: 2354 Sq. ft. 13% of site</td>
<td></td>
<td>Existing: 47754 Sq. ft. 27% of site</td>
<td></td>
<td>Existing: 9.9 UNITS/ACRE</td>
</tr>
<tr>
<td></td>
<td>Proposed: 349 sq. ft. 18% of site</td>
<td></td>
<td>Proposed: 11551 sq. ft. 65% of site</td>
<td></td>
<td>Proposed:</td>
</tr>
<tr>
<td></td>
<td>Permitted: 11551 sq. ft. 65% of site</td>
<td></td>
<td>Permitted: 9.8 UNITS/ACRE</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>No. of Employees</th>
<th>No. of Clients (C.R. / Home)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing:</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Proposed:</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Permitted:</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

### 14 a. Parking (Vehicle) Spaces

|   | Existing: 1 includes 0 disabled parking spaces |   | Proposed: 15 includes 0 disabled parking spaces |   | Required: 12 includes 0 disabled parking spaces |

### 14 b. Parking (Bicycle) Spaces

<table>
<thead>
<tr>
<th></th>
<th>Existing: N/A</th>
<th></th>
<th>Proposed:</th>
<th></th>
<th>Required:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Spaces</td>
<td>% of vehicular parking</td>
<td>Spaces</td>
<td>% of vehicular parking</td>
<td>Spaces</td>
<td>% of vehicular parking</td>
</tr>
</tbody>
</table>

### 15. Building Height

|   | Existing: 18.7 Feet 1 Stories |   | Proposed: 20.5 Feet 2 Stories |   | Permitted: 25.0 Feet N/A Stories |

### 16. Construction Value

What is the estimate of the total value of the project upon completion? $2,700,000

Note: See Drainage Ordinance for a definition of "alteration." If applicable, please be aware that this triggers Drainage Ordinance compliance. Please submit drainage calculations to the Engineering Department for review at your earliest convenience. The DRC must approve all Drainage Ordinance variances.
REDEVELOPMENT

NARRATIVE (PAGE 1)

All applications for redevelopment must provide justification for the requested redevelopment based on the criteria set forth by the City Code. It is recommended that the following responses by typed, illegible handwritten responses will not be accepted. A separate letter addressing each of the criteria may be provided as a supplement to this form.

ALL OF THE FOLLOWING CRITERIA MUST BE ANSWERED.

<table>
<thead>
<tr>
<th>APPLICANT NARRATIVE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Street Address: 459 25th Ave N., St. Petersburg, FL</td>
</tr>
<tr>
<td>Detailed Description of Project and Request:</td>
</tr>
</tbody>
</table>

1. **Building Type.** Describe how the proposed building type (e.g. single-family homes with garage apartments, duplexes, multi-family uses, etc.) will match the predominate building type in the block face across the street, for projects less than a city block. For projects equal to or greater than one city block, describe how the proposed building type for perimeter structures will match the predominate building type in the block face across the street.

   **The Townhouse** building will match the predominate building type (single family) because it will be constructed to look like a single family residence. The garages will be accessed from the alley which is typical for the other houses on the block. The location of the building on the site will match the predominate pattern because it is set at the average for the applicable block face. The house will match the predominate building type because it is a single family structure. It will also have the garage access on the alley and it sits on the lot within the zoning setbacks.

2. **Building Setbacks.** Describe how the proposed building setbacks (including both perimeter and interior setbacks) will match the predominate building setbacks in the block face across the street, for projects less than a city block. For projects equal to or greater than one city block, describe how the proposed building setbacks for perimeter structures will match the predominate building setbacks in the block face across the street.

   **Townhouses:** There are a variety of interior setbacks on the subject blocks. The proposed interior setbacks will be similar to several of the other properties. The proposed front setbacks (building & porch) are situated at the average distance of the existing front setbacks of the applicable block faces. The house sits within the typical setbacks for the zoning district.

3. **Building Type.** Describe how the proposed building scale (one-story or two-story principle structures) will match the predominate building scale in the block face across the street, for projects less than a city block. For projects equal to or greater than one city block, describe how the proposed building scale for perimeter structures will match the predominate building scale in the block face across the street.

   **Townhouses:** There are both one & two story homes on the projects block face. While it faces the street the townhouse building is configured with a two story central section and one story wings on each side. This configuration includes both the one and two story building types located on the subject block. The house also has one and two story components in its design.
All applications for redevelopment must provide justification for the requested redevelopment based on the criteria set forth by the City Code. It is recommended that the following responses by typed. Illegible handwritten responses will not be accepted.

**ALL OF THE FOLLOWING CRITERIA MUST BE ANSWERED.**

### APPLICANT NARRATIVE

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>4. Site Development and Orientation. Describe how the proposed site development and orientation (e.g. location of buildings, front entries, driveways, parking, and utility functions) will match the predominate development pattern in the block face across the street, for projects less than a city block. For projects equal to or greater than one city block, describe how the proposed development pattern for perimeter structures will match the predominate development pattern in the block face across the street. If alley access exists on the proposed site, garages and parking areas shall be designed for alley use.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>5. Floor area Ratio Bonuses. FAR bonuses shall only be allowed for originally platted lots which have not been joined together. Structures on joined or combined lots (two or more originally platted lots) shall not be allowed FAR bonuses. If bonuses are required, please complete the following questions:</td>
<td></td>
</tr>
<tr>
<td>a. FAR Bonus of 0.10 – An FAR bonus of 0.10 shall be granted when structures are located in a traditional neighborhood context and designed in a traditional building style as defined by the City’s Neighborhood Design Review Manual or the Land Development Regulations. Describe the principle architectural style of the proposed building and explain how it uses the correct proportions, fenestration patterns, details, and materials of the recognized style.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>b. FAR Bonus of 0.05 – Describe whether the proposed building is finished with decorative wall finishes typical of traditional development. This includes clapboard or single products of real wood “Hardi-Plank” or the equivalent, rough textured or exposed aggregate stucco, tile, brick, or stone. Vinyl or aluminum siding and smooth or knock down stucco shall not qualify for this bonus.</td>
<td></td>
</tr>
</tbody>
</table>
Zoning District
NT-2 and NT-3

CITY OF ST. PETERSBURG
PLANNING & ECONOMIC DEVELOPMENT DEPT.
DEVELOPMENT REVIEW SERVICES DIVISION

Neighborhood Traditional Analysis Calculator
Site Address: 459 29th Avenue North, St. Petersburg, Florida
Parcel ID or Lot #: 07-31-17-30888-000-0140
Zoning District: NT-2
Permit # if Known: Redevelopment Application #17-51000004
1st Submittal Date:
Revision Date:

Note: Lot Area and One of the two below lines must be filled in for results to show in grey fields below.

<table>
<thead>
<tr>
<th>Lot Area in Sq Ft</th>
<th>17,774</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front Yard Area in Sq Ft (area between the front building setback line &amp; the front property line)</td>
<td>3,527</td>
</tr>
</tbody>
</table>

OR

| Front and Street Side yard Area Combined in Sq Ft (Front = area between the front building setback line & the front property line, Side = area between the Street Side building setback line & the Street Side property line) |

Only fill in numerical values in this calculator in the white cells, grey cells have formulas embedded

16.20.010.5 Maximum Development Potential

Building Coverage
Includes all enclosed structures.

<table>
<thead>
<tr>
<th>Lot Total Square Feet</th>
<th>% of Building Coverage</th>
<th>Square Feet of Building Coverage Allowed</th>
<th>Actual Building Coverage in Square Feet</th>
<th>Actual Building Coverage in Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>If primary is not one story</td>
<td>17,774</td>
<td>55%</td>
<td>9,776</td>
<td>8,318</td>
</tr>
<tr>
<td>OR</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>If primary is one story</td>
<td>17,774</td>
<td>60%</td>
<td>10,664</td>
<td></td>
</tr>
</tbody>
</table>

Impervious Surface Ratio (Site Ratio)

Impervious surface means a surface that has been compacted or covered with a layer of material so that it is resistant to or prevents infiltration by stormwater. It includes, but is not limited to, roofed areas, pools, and surfaces such as compacted sand, limerock, or clay, as well as conventionally surfaced streets, sidewalks, parking lots, pavers, and other similar surfaces. For purposes of calculating the ISR, 50 percent of the surface area of decks shall be included as impervious surface.

Deck means a structure consisting of a floor that is raised above the finished grade of the lot, typically, the structure is elevated on piers and constructed of wood or simulated wood materials. The pier construction eliminates the need for changes to the existing grade.

<table>
<thead>
<tr>
<th>Lot Total Square Feet</th>
<th>% of Impervious Area Allowed</th>
<th>Actual Impervious Area in Square Feet</th>
<th>Actual Impervious Area In Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Entire Site</td>
<td>17,774</td>
<td>65%</td>
<td>11,551</td>
</tr>
<tr>
<td>Interior Lot - Front Yard</td>
<td>3,527</td>
<td>45%</td>
<td>1,587</td>
</tr>
<tr>
<td>OR</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Corner Lots Only - Front Yard and Street Side Yard Combined</td>
<td>0</td>
<td>25%</td>
<td>0</td>
</tr>
</tbody>
</table>
# Floor Area Ratio

Floor area ratio (FAR) is the measurement of intensity of building development of a site. A floor area ratio is the relationship between gross floor area on a site and the gross land area. The FAR is calculated by adding together the gross floor area of all buildings on the site and dividing the sum by the net land area. For example, a floor area ratio of 1.0 means one square foot of building may be constructed for every one square foot of lot area.

In the NT zoning districts the FAR includes any enclosed space above the required design flood elevation line, including enclosed garage space, but excludes that portion of the enclosed space that is below the required design flood elevation and up to 500 sf of the floor area of any detached accessory dwelling unit.

<table>
<thead>
<tr>
<th>Total Allowed FAR</th>
<th>Total Square Feet</th>
</tr>
</thead>
<tbody>
<tr>
<td>Base</td>
<td>0.40</td>
</tr>
<tr>
<td>FAR Potential with Bonuses Requested from Next Page - But cannot exceed max Immediately below this row</td>
<td>0.15</td>
</tr>
<tr>
<td>Max FAR Allowed is 0.50 base plus potential of 0.15</td>
<td>0.65</td>
</tr>
</tbody>
</table>

**Proposed Gross Floor Area New Plus Existing**

| Actual First Floor (Exclude Percentage of Space Below Design Flood Elevation) | 5,139 |
| Actual Second Floor | 5,041 |
| Attic if Accessible via Stair | |
| Actual Garage (2234 total - 1200 redevelopment allowance) | 1,034 |
| Actual Other Enclosed | |

| 500 Square Foot Exemption for Accessory Dwelling Unit (Enter as Negative 500) | |
| Total FAR Requested | 11,214 |
| Max FAR Allowed | 11,553 |
### FLOOR AREA RATIO

Residential Floor Area Ratio Bonus. An FAR bonus of up to 0.20 shall be granted when structures incorporate design elements set forth herein. The following options may be utilized in any combination, however, the maximum FAR bonus is 0.20.

<table>
<thead>
<tr>
<th>Bonus Points Requested</th>
<th>Max Allowed</th>
<th>Bonus Requested</th>
<th>Drawing Detail / Sheet</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. One story covered front porch with a separate roof structure with a minimum width of 60% of the front façade; 0.08 bonus. No bonus is allowed if there is a second story deck, porch or roof structure.</td>
<td>0.08</td>
<td>0.1</td>
<td>A 2.1-I</td>
</tr>
<tr>
<td>b. Additional second story front setbacks: .01 bonus for every 1 foot of additional front setback of the entire façade, and .005 bonus for every 1 foot of additional front setback of at least one third of the façade but which is less than the entire façade, no bonus is allowed unless the setback is at least six feet, maximum 0.10 bonus. No bonus is allowed if there is a second story deck, porch or roof structure.</td>
<td>0.10</td>
<td>0.05</td>
<td>A 2.1 &amp; a 2.2 b</td>
</tr>
<tr>
<td>c. Additional second story side setbacks: .01 bonus for every 1 foot of additional side setback of the entire façade, maximum 0.05 bonus per side</td>
<td>0.05/side</td>
<td></td>
<td></td>
</tr>
<tr>
<td>d. Total residential floor area of the second story does not exceed 75% of the first story (excludes garages): 0.05 bonus.</td>
<td>0.05</td>
<td></td>
<td></td>
</tr>
<tr>
<td>e. Reduction of the height of both the peak and roofline of a two story building from the maximum allowed height: 0.02 bonus per foot, maximum 0.06.</td>
<td>0.06</td>
<td></td>
<td></td>
</tr>
<tr>
<td>f. The entire peak of the primary roof structure of the front façade is parallel to the front property line: bonus 0.02, or if the entire peak of the primary roof structure of the front façade is parallel to the front property line and the roof has dormer(s) which are equal to at least 20% of the width of the front façade: 0.04 bonus.</td>
<td>0.04</td>
<td></td>
<td></td>
</tr>
<tr>
<td>g. Side façade articulation: side facades which feature offsets of at least two feet in depth that are at least twelve feet in length that divide the building design and are in the front two thirds of the side façade: 0.02 bonus per side, maximum 0.04.</td>
<td>0.04</td>
<td></td>
<td></td>
</tr>
<tr>
<td>h. Front façade articulation: front facades (excluding the porch) which feature offsets of at least six feet in depth for a minimum of one third of the front façade, 0.06 bonus for each additional foot; maximum 0.10.</td>
<td>0.10</td>
<td></td>
<td></td>
</tr>
<tr>
<td>i. All windows have true or simulated divided light muntins on interior and exterior surfaces: 0.03 bonus.</td>
<td>0.03</td>
<td></td>
<td></td>
</tr>
<tr>
<td>j. One story - principal structure: 0.15 bonus.</td>
<td>0.15</td>
<td></td>
<td></td>
</tr>
<tr>
<td>k. One story - all structures: 0.20 bonus.</td>
<td>0.20</td>
<td></td>
<td></td>
</tr>
<tr>
<td>l. Style, materials and detailing consistent with an Architectural Style in St. Petersburg’s Design Guidelines for Historic Properties: 0.10 bonus.</td>
<td>0.10</td>
<td></td>
<td></td>
</tr>
<tr>
<td>m. Planting of larger shade trees between the front façade and the curb - 8” min caliper measured 6” above grade, Spread 8” -10”, Height 4-ft to 16-ft, 100 gallon container growth: 0.01 bonus per tree, maximum 0.20 bonus.</td>
<td>0.02</td>
<td></td>
<td></td>
</tr>
<tr>
<td>n. LEED or Florida Green Building Coalition Certification: 0.05 bonus.</td>
<td>0.05</td>
<td></td>
<td></td>
</tr>
<tr>
<td>o. Solar Ready: .02 bonus.</td>
<td>0.02</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total of Bonuses Requested</strong></td>
<td><strong>0.15</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Repetitive Design

Design of homes on the same block face on either side of the street or within an adjacent block face on either side of the street shall be varied, such that a substantially similar design will not be replicated. There shall be a minimum separation of three parcels in every direction before a substantially similar design can be repeated. Variation shall include at least three of the following elements: architectural style, roof form (principal or porch), materials, architectural details (doors, windows, columns, porches).

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>I have another model within three parcels.</td>
</tr>
</tbody>
</table>
### 16.20.010.11 Building and Site Design

**Wall composition and transparency.**

Doors, windows and other appropriate fenestration, architectural details, and features shall be incorporated into all sides of a building. There shall be no blank facades, except that garages located at the rear one-third of the lot may have blank facades but not on the street side.

No portion of a facade shall contain a blank area greater than 16 feet in width.

**Facade is the face or elevation of a building:**

To determine the facade area:

- The area of the regulated exterior facade corresponds to the height measurement from the finished floor to the ceiling of the interior space multiplied by the exterior length.
- Less any intersecting wall(s) and exterior roof structure(s) within the above area.
- For multiple story building; the exterior facade area corresponding to any floor joist(s) is/are not included.
- Fenestration - windows, doors and other exterior openings in a building and includes trim, shutters and other architectural details and features.

Entry doors and garage doors count toward fenestration.

**Transparency - glass or other transparent or translucent materials that are installed on the exterior facade.**

- On front, street side, or rear elevations on corner lots the area of the opening in a porch which has no wall in the background counts towards transparency.
- On interior side elevations the area of the opening in a porch counts towards transparency.

<table>
<thead>
<tr>
<th>Height in Feet - Floor to Ceiling</th>
<th>Total Sq. Ft of Façade</th>
<th>Fenestration Required</th>
<th>Square Ft Actual Fenestration</th>
<th>Transparency Required</th>
<th>Square Ft Actual Transparency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front Elevation</td>
<td></td>
<td>30%</td>
<td></td>
<td>50.00%</td>
<td></td>
</tr>
<tr>
<td>Façade Length in Feet</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>First Floor</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Second Floor</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Interior Side Elevation (right)</td>
<td></td>
<td>20%</td>
<td></td>
<td>50.00%</td>
<td></td>
</tr>
<tr>
<td>Façade Length of front 2/3</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>First Floor</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Second Floor</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Interior Side Elevation (left)</td>
<td></td>
<td>20%</td>
<td></td>
<td>50.00%</td>
<td></td>
</tr>
<tr>
<td>Façade Length of front 2/3</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>First Floor</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Second Floor</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Street Side</td>
<td></td>
<td>30%</td>
<td></td>
<td>50.00%</td>
<td></td>
</tr>
<tr>
<td>Façade Length in Feet</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>0.00</td>
<td>0.00</td>
<td>First Floor</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>0.00</td>
<td>0.00</td>
<td>Second Floor</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Rear Elevation</td>
<td></td>
<td>10%</td>
<td></td>
<td>50.00%</td>
<td></td>
</tr>
<tr>
<td>Façade Length in Feet</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>First Floor</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Second Floor</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
</tbody>
</table>
Exhibit "G"

Site Photos
Exhibit “H”
Registered Opponent Form and Correspondence
PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT
DEVELOPMENT REVIEW SERVICES DIVISION

DEVELOPMENT REVIEW COMMISSION

REGISTERED OPPONENT FORM

Contact Information

Name                          Clifford T. Molasky
Street Address                511 29th Ave. N.
City ST ZIP Code              St. Petersburg, FL 33704
Telephone                    727-412-3044
Email Address                clifford_t_molasky@honeywell.com
Signature                     [Signature]
Date of Hearing              2/7/18

Date of Hearing              2/7/18

Case No.                      17-50000004

Case Address                  459 29th Ave. N.

Special Requirements

NONE

Information on Procedures for Hearing

1) Staff, applicant, and, registered opponent will have a total of ten (10) minutes each to present their case.

2) The cross-examination phase allows each participant five (5) minutes to ask questions of any individual or party that presented testimony in the presentation phase or public hearing. All questions shall be directed to the Chair who will direct the question to the appropriate person.

3) The rebuttal/closing statements phase allows each participant five (5) minutes to rebut prior arguments and make closing statements.

4) The Commission Chair will then close the proceedings and go into Executive Action and make a decision. The Commission members may ask questions at any time during the Quasi-Judicial process.

Return form to Clerk of DRC Commission, iris.winn@stpete.org, at least one week prior to the hearing.

City of St. Petersburg, Development Review Services, One 4th Street North, PO Box 2842, St. Petersburg, FL 33731
(727) 892-5498
www.stpete.org/dr
Dear Ms. Younkin,
I am writing in response to a Notice of Public Hearing regarding property at 459 29th Ave N. The request is apparently for a redevelopment plan to allow the combining of two single family lots (14 & 15) to allow construction of three townhomes.

Per the email thread below from 2016, this same applicant previously requested (case # 16-54000076) approval of a variance to minimum lot width that would allow four (4) non-conforming lots to construct four (4) single-family homes. I was already concerned with the request in 2016 but acquiesced at that time as Ms. Abernethy ensured me that the request allowed the four non-conforming lots to exactly match the plat of lots across the alley that face 30th Ave. N. Additionally, Ms. Abernethy informed me that the city preferred this allowance to better match the Crescent Heights neighborhood history of single-family homes and limit the total occupancy of the commonly owned lots to four (4) units.

Now the same applicant who was granted the 2016 variance and is presently constructing one home has come back to the well and desires yet another change - this time to allow three (3) units where two single-family homes had just been reluctantly agreed to. I now believe this subterfuge to have been the applicant’s strategy all along. I also do not believe the 2016 variance allowance was adhered to regarding the preservation of the 24” live oak that existed on the lot presently being built on (see DRC case# 16-54000076, Condition of Approval item #3 snippet below that required certified arborist involvement so I assume city has artifacts allowing tree removal as attached photos show trees are now gone).

Please provide your take on the aforementioned effort by the applicant LLC to ultimately define lot dimensions for this commonly owned parcel to support their desire to maximally develop five (5) units in spite of the neighborhood history of compliantly platted lots supporting single-family homes.

I look forward to hearing from you.

Sincerely,

Cliff Molaskey

Engineer Fellow
Honeywell International
Sensing, Guidance & Navigation Center of Excellence (COE) Hardware Design
13350 US Highway 19 N.
Clearwater, FL 33764-7290
Dank (727) 539-2560
Cell (727) 412-3044
clifford.t.molaskey@honeywell.com
From: Molaskey, Clifford T (SGNCOE)
Sent: Wednesday, November 2, 2016 11:40 AM
To: 'Elizabeth Abernethy' <Elizabeth.Abernethy@stpete.org>
Subject: RE: Public Hearing - property at 445 & 459 29th Ave N
Importance: High

Thank you Liz.
As a 28 year resident of Crescent Heights (I live at 511 29th Ave N) I have been very concerned that subdividing of lots based upon the 1920's plats is not in keeping with the neighborhood history of putting one home on two parcels in many location (ref: 521 28th Ave N and attached). This is per Council finding snippet below.

consistent with the surrounding neighborhood pattern would be required. In some neighborhoods, development of substandard lots would not be surrounding development pattern and allowing one home on one platted historically developed on more than one platted lot could be detrimental to the overall character of the neighborhood. The subject blocks and

That said, in this instance being similar to the plats on 30th Ave N seems appropriate as well as removal of the grandfathered use. I appreciate your comments / requirements for building below (esp. #1) BUT I want to ensure that the parking is via the alley - no driveway cuts to 29th Ave N as that would be a large deviation from present use.
1. The design of the four homes shall be varied, such that a sub-pattern cannot be replicated on the lots, and shall comply with all applicable regulations. Variation shall include at least three of the following: architect's materials, doors, windows, columns. Regarding Elevation, the applicant, at least two elevations shall be mirrored so that no two homes have the same elevation.

2. A minimum side yard setback of 6.0-feet shall be provided.

3. The applicant shall make every effort to preserve the 24” live oak trees and shall comply with the requirements of Section 16.40.060.5.4. Prior to issuance of a building permit, the applicant shall engage a certified arborist to develop a preservation plan for review and approval, which shall include a tree protection and preserve the vitality of the protected tree, such as by implementing a pruning, canopy pruning, fertilization program, and detailed methods to avoid major roots. In the event that the protected tree cannot be preserved, the applicant shall plant 4-inch trees in lieu of 2-inch trees as mitigation.

4. This variance approval shall be valid through November 2, 2023, and construction shall commence by this expiration date, unless an extension is approved by the POD. A request for an extension must be received by the expiration date.

5. Approval of this variance does not grant or imply other variances or other applicable regulations.

Report Prepared By:

[Signature]

ELIZABETH ABERNETHY, AICP, Zoning Official (POD)
Development Review Services Division

Thank you, Cliff

p.s. typo ... subject property is West of 4th St N.

BACKGROUND: The application includes four platted lots of record under common ownership, Lots 14-17 of Gilmore Heights Subdivision, located in the Crescent Heights Neighborhood, east of 4th Street N. behind Fresh Market grocery store. According to the Pinellas...
From: Elizabeth Abernethy [mailto:Elizabeth.Abernethy@stpete.org]
Sent: Wednesday, November 02, 2016 9:26 AM
To: Molaskey, Clifford T (SGNCOE)
Subject: RE: Public Hearing - property at 445 & 459 29th Ave N

This case will be heard today
See attached agenda and staff report.

Thanks,
--Liz

From: Molaskey, Clifford T (SGNCOE) [mailto:clifford.t.molaskey@honeywell.com]
Sent: Wednesday, November 02, 2016 9:14 AM
To: Elizabeth Abernethy
Subject: Public Hearing - property at 445 & 459 29th Ave N
Importance: High

I am a neighbor to the referenced property and am writing to find out if today’s (11/2) 2:00p hearing is still planned or if it has been postponed and if so what is the rescheduled date?

Thank you,

Cliff Molaskey

Thank you Engineer Fellow
Honeywell International
Sensing, Guidance & Navigation Center of Excellence (COE)
Hardware Design
13350 US Highway 19 N.
Clearwater, FL: 33764-7290
Desk (727) 539-3560
Cell (727) 412-3044
clifford.t.molaskey@honeywell.com

Your Sunshine City
Exhibit "I"
Other Neighborhood Correspondence
From: Kathryn Younkin
Sent: Monday, January 08, 2018 3:32 PM
To: 'GGarbers@verizon.net' <GGarbers@verizon.net>
Subject: 17-51000004 - 459 29th Ave N

Thank you for your phone call on the project. I am attaching the application and drawings, as well as the Neighborhood Traditional regulations. The subject property is zoned NT-2.

This application is reviewed under the criteria for redevelopment found here: 16.70.040 - PLANNING AND ZONING DECISIONS.

The staff report on this project and agenda for the February 7th meeting will be available here on February 1st: http://www.stpete.org/boards_and_committees/agendas.php

You should be receiving an amended notice next week for “Approval of a Redevelopment plan with a FAR bonus and reduced setbacks to allow for construction of three (3) townhomes and one (1) single family home on three (3) lots with a variance to the side yard setback for the single family home to allow a twenty three foot (23'-0") wide over height roof element for a windowed feature on the east façade.”

I will send you the application itself that is easier to read when I receive it. I will send the townhouse drawings in a moment by separate email as I don’t want this file to be too large to send.

Please let me know if you have any questions or thoughts on the proposal.

Kathryn A. Younkin, AICP, LEED AP BD+C
Deputy Zoning Official
City of St. Petersburg, Planning and Economic Development
1 Fourth Street North, St. Petersburg, FL 33701
727-892-5958 / Fax: 727-892-5557
Kathryn.Younkin@stpete.org

Please note all emails are subject to public records law.
From: Kathryn Younkin
Sent: Thursday, January 11, 2018 9:34 AM
To: ‘GGarbers@verizon.net’
Subject: FW: 17-51000004 - 459 29th Ave N
Attachments:
17-51000004 12.08.17 459 29th Ave N New Front View.png; 17-51000004 12.08.17 459 29th Ave N New Left View.png; 17-51000004 12.08.17 459 29th Ave N New Right View.png; 17-51000004 11.07.17 10 APC-1754 A.1.1 1st Floor Plan Townhouse.pdf; 17-51000004 11.07.17 11 APC-1754 A.1.2 2nd Floor Plan Townhouse.pdf; 17-51000004 11.07.17 13 APC-1754 A.2.2 Elevations Townhouse.pdf

From: Kathryn Younkin
Sent: Monday, January 08, 2018 3:57 PM
To: ‘GGarbers@verizon.net’ <GGarbers@verizon.net>
Subject: FW: 17-51000004 - 459 29th Ave N

Townhouse drawings.

From: Kathryn Younkin
Sent: Monday, January 08, 2018 3:32 PM
To: ‘GGarbers@verizon.net’ <GGarbers@verizon.net>
Subject: 17-51000004 - 459 29th Ave N

Thank you for your phone call on the project. I am attaching the application and drawings, as well as the Neighborhood Traditional regulations. The subject property is zoned NT-2.

This application is reviewed under the criteria for redevelopment found here: [16.70.040 - PLANNING AND ZONING DECISIONS](http://www.stpete.org/boards_and_committees/agendas.php).

The staff report on this project and agenda for the February 7th meeting will be available here on February 1st:

You should be receiving an amended notice next week for “Approval of a Redevelopment plan with a FAR bonus and reduced setbacks to allow for construction of three (3) townhomes and one (1) single family home on three (3) lots with a variance to the side yard setback for the single family home to allow a twenty three foot (23'-0") wide over height roof element for a windowed feature on the east façade.”

I will send you the application itself that is easier to read when I receive it. I will send the townhouse drawings in a moment by separate email as I don’t want this file to be too large to send.

Please let me know if you have any questions or thoughts on the proposal.

Kathryn A. Younkin, AICP, LEED AP BD+C
Deputy Zoning Official
City of St. Petersburg, Planning and Economic Development
1 Fourth Street North, St. Petersburg, FL 33701
727-892-5958 / Fax: 727-892-5557
Kathryn.Younkin@stpete.org
On the east elevation of the single family home there is a windowed element that has a roof that exceeds the height allowed at the beginning of the roofline. You can see this best on the two elevations attached, it is called out as a 23 foot dormer height. It is called out as a dormer, which would be allowed an increased roof height, but exceeds the width of 16 feet allowed for that dormer height encroachment. In reality this roof peak is lower than the primary roof peak. Our code measures roof height from mean average grade and not from the finished floor as shown on these plans, which is why it exceeds the 24 feet allowed.

The height encroachment which would be allowed for a dormer is found here under 16.20.010.9. - Dormers: 16.20.010 - NT: NEIGHBORHOOD TRADITIONAL SINGLE-FAMILY (NT-1, NT-2, NT-3 & NT-4).

The criteria for review of redevelopment can be found here 16.70.040.1.15. - Redevelopment of grandfathered uses: 16.70.040 - PLANNING AND ZONING DECISIONS.

Please let me know if you have any questions,

Kathryn

From: Jen Wright [mailto:jennifer.lyn.wright@gmail.com]
Sent: Friday, January 12, 2018 7:58 AM
To: Kathryn Younkin <Kathryn.Younkin@stpete.org>
Subject: Re: FW: (2 of 2) Incoming Case - 17-51000004 Redevelopment Plan/FAR bonus - 459 29th Avenue North

Perfect. Thank you so much for the clarification. Yes, only lot 16 is being developed at this time, so that makes sense.

It appears that the only variance request is to increase the height to 25 feet above grade. Could you please tell me what the City's standard is in this instance to help our Board of new volunteers better understand these technical drawings and how the developer is attempting to deviate from current regulations? I have attempted to review the revised, 2017 LDR updates, but I am finding this a tough challenge. The issue of redevelopment, especially multi-family units, is one of the top concerns of our residents, so I sincerely appreciate you assistance to ensure that we are able to make an informed judgement on this matter.

Thanks,

Jen Wright
CHNA President

-------- Forwarded message --------
From: Kathryn Younkin <Kathryn.Younkin@stpete.org>
Date: Thu, Jan 11, 2018 at 5:30 PM
Subject: FW: (2 of 2) Incoming Case - 17-51000004 Redevelopment Plan/FAR bonus - 459 29th Avenue North
To: Jen Wright <jennifer.lyn.wright@gmail.com>
HI Jennifer,

I am the case planner for this case. I am assuming from your email subject that you received the application and map for the revised application scheduled for February 7th DRC hearing? This is a redevelopment for all three lots (14, 15 and 16) associated with the four units of grandfathered density in the existing building at 459 29th Ave N.

The building under construction on Lot 16 is the single family home. I am enclosing the latest drawings for your information and will send via two emails as there are numerous drawings.

I am not sure if you are aware that last year (Case # 16-43000076, the owner was granted a variance to minimum lot width for four lots in common ownership from 50 feet required to 46 feet in order to build four single family homes (lots 14, 15, 16 and 17). This would have allowed four primary dwelling units and 4 accessory dwelling units. The house began construction based on that approval.

They have subsequently decided to go through the redevelopment process for these three lots.

Please let me know if you have any questions or concerns.

Kathryn A. Younkin, AICP, LEED AP BD+C
Deputy Zoning Official
City of St. Petersburg, Planning and Economic Development
1 Fourth Street North, St. Petersburg, FL 33701
727-892-5958 / Fax: 727-892-5557
Kathryn.Younkin@stpete.org
Please note all emails are subject to public records law.

From: Jen Wright [mailto:jennifer.lyn.wright@gmail.com]
Sent: Thursday, January 11, 2018 2:36 PM
To: Iris L. Winn <Iris.Winn@stpete.org>
Cc: Kathryn Younklin <Kathryn.Younklin@stpete.org>
Subject: Re: (1 of 2) Incoming Case - 17-51000004 Redevelopment Plan/FAR bonus - 459 29th Avenue North

Here is the requested info:

Jennifer Wright
737 26th Ave N.
St. Petersburg, FL 33704

Thank you for the information! It seemed unusual to us that construction would have started without formal approval of the variance requests. In general our neighbors have general concerns about loss of green space from increased lot sizes, loss of existing mature trees, and height variance requests. All three of these seem like a potential concern here, but I will have to confer with the Board before we decide if any formal objection will be raised. With construction so far in progress already, it seems almost like this notice and hearing are being provided too late.

On Thu, Jan 11, 2018 at 2:28 PM, Iris L. Winn <Iris.Winn@stpete.org> wrote:

Hi Jen,

Thank you for the update. Would you please provide an updated address that we may use (for you) to send correspondence? We need to revise the change to our internal records.

This case was deferred to the Public Hearing for February 7, 2018. I am copying Kathryn Younklin on this email so that she may provide more details.
Thank you,

Iris Winn

Administrative Clerk, Development Review Services
Planning & Economic Development Department
City of St. Petersburg
P.O. Box 2842, St. Petersburg, FL 33731
727-892-5498 / Fax: 727-892-5557

Iris.Winn@stpete.org

Please note all emails are subject to public records law.

From: Jen Wright [mailto:jennifer.lyn.wright@gmail.com]
Sent: Thursday, January 11, 2018 2:23 PM
To: Iris L. Winn <Iris.Winn@stpete.org>

Subject: Fwd: (1 of 2) Incoming Case - 17-51000004 Redevelopment Plan/FAR bonus - 459 29th Avenue North

Hello,

My name is Jennifer Wright and I am the new President of CHNA (replacing Thomas Paterek). Thank you for this information. Construction on a portion of this project has already begun. I believe specifically, the town homes portion is already under construction. Can you please advise if this is being resubmitted because something has changed or been revised?

Thanks for the information so that we can make a better informed decision.
Sincerely,

Jen Wright
President, CHNA

---------- Forwarded message ----------
From: Thomas Paterek <thomaspaterek@gmail.com>
Date: Tue, Jan 9, 2018 at 12:10 PM
Subject: Fwd: (1 of 2) Incoming Case - 17-51000004 Redevelopment Plan/FAR bonus - 459 29th Avenue North
To: Jen Wright <jennifer.lyn.wright@gmail.com>

---------- Forwarded message ----------
From: Iris L. Winn <Iris.Winn@stpete.org>
Date: Tue, Jan 9, 2018 at 12:08 PM
Subject: (1 of 2) Incoming Case - 17-51000004 Redevelopment Plan/FAR bonus - 459 29th Avenue North
To: “thomaspaterek@gmail.com” <thomaspaterek@gmail.com>
Cc: Kathryn Younkin <Kathryn.Younkin@stpete.org>

Good afternoon,

This email is to advise you that our office has received the attached application for a property in your neighborhood.

The applicant is seeking approval of a Redevelopment plan with a FAR bonus and reduced setbacks to allow for construction of three (3) townhomes and one (1) single family home on three (3) lots with a variance to the side yard setback for the single family home to allow a twenty three foot (23'-0") wide over height roof element for a windowed feature on the east façade.

This application is currently scheduled to be heard before the Development Review Commission on February 7, 2018, at 2PM. The formal hearing notice letter will be mailed by January 16th. If you should you have any questions, please contact Kathryn Younkin at 727-892-5958.

Thank you,
Iris Winn

Administrative Clerk, Development Review Services

Planning & Economic Development Department

City of St. Petersburg

P.O. Box 2842, St. Petersburg, FL 33731

727-892-5498 / Fax: 727-892-5557

Iris.Winn@stpete.org

Please note all emails are subject to public records law.

Your Sunshine City
Hi Patrick,

16.60.010.5. - Floor area ratio.
A. Floor area ratio (FAR) is the measurement of intensity of building development of a site. A floor area ratio is the relationship between gross floor area on a site and the gross land area. The FAR is calculated by adding together the gross floor area of all buildings on the site and dividing the sum by the net land area. For example, a floor area ratio of 1.0 means one square foot of building may be constructed for every one square foot of lot area. The following are not included in calculating the floor area:
1. Public atriums, indoor plazas and courtyards, and porches and covered patios.
2. Parking structures, except as may otherwise be provided within a zoning district. This includes all ramps, stairs, elevators and mechanical rooms which serve the parking garage as well as any bicycle racks and bicycle storage areas.
3. Other qualified exemptions for land use types, building design, site layout and orientation features provided within a zoning district.

They are located in the Neighborhood Traditional (NT-2) zoning district. The base FAR in NT-2 is .50. 16.20.010 - NT: NEIGHBORHOOD TRADITIONAL SINGLE-FAMILY (NT-1, NT-2, NT-3 & NT-4)

The bonuses they are requesting are allowed under the redevelopment section of our Land Development Regulations: 16.70.040 - PLANNING AND ZONING DECISIONS 16.70.040.1.15. - Redevelopment of grandfathered uses.

Floor area ratio bonus. FAR bonuses shall only be allowed for originally platted lots which have not been joined together. Structures on joined or combined lots (two or more originally platted lots) shall not be allowed FAR bonus and shall be developed following the development across multiple lots criteria indicated in the chart above.

a. An FAR bonus of 0.10 shall be granted when structures are located in a traditional neighborhood context and designed in a traditional building style as defined by the City's neighborhood design review manual or the Land Development Regulations. To qualify for this FAR bonus, the structure shall use the correct proportions, fenestration patterns, details, and materials. Structures that use finishes common to an identified style without proper design, detailing, and fenestration shall not qualify for this FAR bonus.

b. An FAR bonus of 0.05 shall be granted when structures are finished with decorative wall finishes typical of traditional development. This includes clapboard or single products of real wood, "Hardi-Plank" or the equivalent, rough textured or exposed aggregate stucco, tile, brick or stone. Vinyl or aluminum siding and smooth or knock-down stucco shall not qualify for this bonus.

They are requesting both of the above bonuses. I am attaching the application which requests these.

The over height roof element is just for the windowed 23 foot portion shown on the east elevation of the single family house, attached. Height is measured to the beginning of the roof line. The main roof height of the building meets the 24 foot height requirement to be at this setback. As height increases setbacks would increase. Height is measured from mean existing elevation, not from top of slab as shown on the drawing.

There have been no building plans submitted for Lot 17, the lot closest to the Fresh Market.
Thank you and please let me know if you have any questions and concerns.

Kathryn A. Younkin, AICP, LEED AP BD+C
Deputy Zoning Official
City of St. Petersburg, Planning and Economic Development
1 Fourth Street North, St. Petersburg, FL 33701
727-892-5958 / Fax: 727-892-5557
Kathryn.Younkin@stpete.org

Please note all emails are subject to public records law.

From: Patrick Gibbons [mailto:patrick@patrickrgibbons.com]
Sent: Wednesday, January 17, 2018 4:52 PM
To: Kathryn Younkin <Kathryn.Younkin@stpete.org>
Subject: 459 29th Ave

Good afternoon Kathryn. I hope all is well. I have a few questions I hope you can answer regarding new development across the street from my home.

What does FAR bonus mean?

What is an 23 foot wide over height roof element? Is that a second story that extends beyond the wall of the first?

Of the four lots one house is currently being constructed and the developer has sent me plans for the three townhomes. What of the other house nearest the Fresh Market (eastern most side of the lot)?

Thank you for your help!

Patrick R Gibbons
444 29th Ave N
January 30, 2018

Ms. Kathryn Younkin

Case Planner City of St. Petersburg
Planning & Economic Development Dept

RE: 459 29th Ave N proposed development

Dear Ms. Younkin:

Last Spring I purchased my retirement home, a beautiful vintage Florida bungalow at 510 29th Ave. N. I chose the home and neighborhood for its old time Florida charm and quiet ambiance. In December, I was shocked to see the proposed development for 459 29th Ave N just a couple of doors away from my new home. The plans call for replacing an old single family home with a multiplex accommodating 3 families as opposed to the current one; in all likelihood vastly increasing traffic and noise for that parcel.

Aside from the noise and congestion concerns; there are other equally troubling problems that relate to design and scale; it is overbearing and hideously oversized for the lot with a structure that extends to 6’ of the property line with a second floor that compromises the privacy of the neighbors. This is unacceptable.

However valid these concerns are, my objection runs much deeper for the simple reason that green lighting this monster sets a new precedence for the neighborhood. I am real estate professional with 30 years experience and I believe it will absolutely encourage other similar super sized developments on the block if allowed to proceed.

This progression will ultimately ruin the entire area ambiance. More multilevel town homes built up to property lines will dwarf the existing bungalows, affecting light levels and air flow and breeze and possibly damaging the many ancient oaks on the block. This neighborhood is a treasure and I would hate to see it ruined with what I believe to be inevitable further development should this 459 plan proceed as proposed.

I am confident that 29th Ave Ventures can be creative and present something that will enhance the neighborhood’s charm in a scale that complements the existing homes rather than dwarf them. In closing I am urging the city to reject this plan.

Sincerely,

Elizabeth Russell
For Public Hearing and Executive Action on February 7, 2018 beginning at 2:00 P.M., Council Chambers, City Hall, 175 Fifth Street North, St. Petersburg, Florida.

According to Planning & Economic Development Department records, no Commission member resides or has a place of business within 2,000 feet of the subject property. All other possible conflicts should be declared upon the announcement of the item.

CASE NO.: I7-54000082
PLAT SHEET: D-10
REQUEST: Approval of an After-the-Fact Variance to maximum wall height to allow a 6-foot wall to remain where the maximum height is 4-feet.

OWNER: Long Drive Properties LLC
200 2nd Avenue South, Unit 417
Saint Petersburg, Florida 33701-4313

ADDRESS: 1700 North Shore Drive Northeast

PARCEL ID NO: 17-31-17-83220-070-0110

LEGAL DESCRIPTION: On File

ZONING: Neighborhood Traditional – 3 (NT-3)

<table>
<thead>
<tr>
<th>Structure</th>
<th>Required</th>
<th>Requested</th>
<th>Variance</th>
<th>Magnitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximum Wall Height in the Street Side Yard</td>
<td>4 feet</td>
<td>6 feet</td>
<td>2 feet</td>
<td>50%</td>
</tr>
</tbody>
</table>

BACKGROUND:
The subject property is zoned Neighborhood Traditional – 3 (NT-3), and it is located within the Historic Old Northeast Neighborhood. The property is located on the corner of 17th Avenue Northeast and North Shore Drive Northeast. In 2015, the property was refaced from 17th Avenue Northeast to North Shore Drive Northeast under case 15-12000001, and in 2017 a Lot Line Adjustment was approved under case 17-11000002 with the intention of demolishing the existing home and creating two conforming buildable lots. As a result of the Lot Line
Adjustment, the subject property has 129.31 feet of frontage on North Shore Drive Northeast, 151.11 feet of frontage on 17th Avenue Northeast, and a total land area of 20,390 square feet. The minimum lot with in NT-3 zoning is 60 feet and the minimum lot area is 7,620 square feet.

Plans for a new single-family home on the subject property were submitted on February 26, 2016 and approved by zoning staff on March 11, 2016 with the following conditions of approval:

1. Tree removal and/or trimming of Grand trees is not included as part of this permit approval. Trees that have already been identified as not approved for removal shall remain.

2. The height of the masonry wall is limited to 4-feet within the street side yard. Any portion of the wall that is 6-feet in height must meet the minimum building setback requirement of 15 feet for a street side in NT-3.

3. Retaining walls at the front of the property are limited to a maximum of 4-feet in height.

The plans approved by zoning on March 11, 2016 show a 4-foot tall masonry wall in the street side yard (see Attachment A). A zoning inspection on November 15, 2017 revealed that a 6-foot tall masonry wall was constructed along 17th Avenue Northeast, 6 feet from the street side property line, without the benefit of a variance. On November 17, 2017, the applicant revised the drawings to reflect the existing wall height (see Attachment B).

The fence, wall, and hedge regulations found in code section 16.40.040.3.1 require that the height of fences in street side yards that abut a neighbor’s front yard be limited to 4 feet for a fence or wall of any style or 5 feet for a hedge. In order to construct a fence or wall that is 6 feet in height on the street side, it must meet the street side yard building setback, which is 15 feet in NT-3 zoning. The intent of this code section is to help preserve the open feel of the neighbor’s front yard and to mitigate the imposing height of a 6-foot tall fence or wall along the front yard of an abutting property. Additionally, the Neighborhood Traditional zoning district regulations encourage design that caters to the pedestrian experience. As a result, massing is pulled back from the public sidewalk with increased setbacks for taller structures.

**CONSISTENCY REVIEW COMMENTS:** The Planning & Economic Development Department staff reviewed this application in the context of the following criteria excerpted from the City Code and found that the requested variance is **inconsistent** with these standards. Per City Code Section 16.70.040.1.6 Variances, Generally, the DRC’s decision shall be guided by the following factors:

1. *Special conditions exist which are peculiar to the land, building, or other structures for which the variance is sought and which do not apply generally to lands, buildings, or other structures in the same district. Special conditions to be considered shall include, but not be limited to, the following circumstances:*

   a. Redevelopment. If the site involves the redevelopment or utilization of an existing developed or partially developed site.

   This criterion is not applicable.

   b. Substandard Lot(s). If the site involves the utilization of an existing legal nonconforming lot(s) which is smaller in width, length or area from the minimum lot requirements of the district.

   This criterion is not applicable.
c. **Preservation district. If the site contains a designated preservation district.**

This criterion is not applicable.

d. **Historic Resources. If the site contains historical significance.**

This criterion is not applicable.

e. **Significant vegetation or natural features. If the site contains significant vegetation or other natural features.**

This criterion is not applicable.

f. **Neighborhood Character. If the proposed project promotes the established historic or traditional development pattern of a block face, including setbacks, building height, and other dimensional requirements.**

The homes along North Shore Drive are estate-style homes ranging from 3,000 – 10,000 square feet in gross floor area, with grandiose architectural features. Many of these homes are accompanied by decorative fences, walls, and landscaping to border the properties. The development on the subject property is consistent with this style. As built, the 6-foot tall wall divides the subject property from the abutting property at 953 17th Avenue Northeast with no space between the properties for landscaping or other mitigation. This creates an abrupt edge from the back yard of the subject property to the neighbor’s front yard.

g. **Public Facilities. If the proposed project involves the development of public parks, public facilities, schools, public utilities or hospitals.**

This criterion is not applicable.

2. **The special conditions existing are not the result of the actions of the applicant;**

The subject application is a variance in connection with a new single-family home permit. The plans for the property show a 4-foot tall masonry wall to be installed where the existing 6-foot tall wall is located. The applicant constructed the 6-foot tall wall and gate without a variance where a 4-foot masonry wall was approved. This after-the-fact variance is requested as a result of the direct action of the applicant.

3. **Owing to the special conditions, a literal enforcement of this Chapter would result in unnecessary hardship;**

The fence, wall, and hedge regulations found in code section 16.40.040.3.1 allow for a fence or wall to be constructed at 6 feet tall if it meets the street side yard setback. The subject property is zoned NT-3 and requires a 15-foot setback in order to construct a 6-foot tall wall. The existing 6-foot tall wall in question was constructed 6 feet back from the property line. A literal enforcement of this Chapter would not result in unnecessary hardship, as a 4-foot tall wall is allowable on the property line, or the 6-foot tall wall is allowable at the 15-foot street side yard building setback. The subject property is 20,390
square feet in area and is not limited by existing conditions which would result in unnecessary hardship.

4. *Strict application of the provisions of this chapter would provide the applicant with no means for reasonable use of the land, buildings, or other structures;*

Code section 16.40.040.3.1 requires that all residential properties with street side yards abutting a neighbor’s front yard must meet the zoning district building setback requirement in order to construct a 6-foot tall fence or wall of any style. This regulation is enforced regardless of the size of the land or dimensions of the property.

5. *The variance requested is the minimum variance that will make possible the reasonable use of the land, building, or other structure;*

The subject application is an after-the-fact variance for an over-height wall for a new single-family home. Landscaping was installed along the wall to soften the appearance from the street. However, the intent of code section 16.40.040.3.1 is also to protect the front yard of the abutting neighbor. The front yard building setback requirement is 30 feet in NT-3. A 6-foot tall wall is allowable on the subject property at a 15-foot setback from the street side yard property line. Essentially, the code allows half of the neighbor’s front yard to be bordered by a 6-foot tall wall to provide a back yard privacy wall for the subject property. In this case, the wall is set back 6 feet from the street side property line, therefore 24 feet of the neighbor’s front yard is bordered by a 6-foot tall wall. The intent of the code-required setback is to provide a reasonable solution for allowing a fence or wall around the property owner’s back yard while lessening the impact on the adjoining neighbor, yet without placing undue hardship on the property owner.

6. *The granting of the variance will be in harmony with the general purpose and intent of this chapter;*

The granting of the after-the-fact variance is not in harmony with the purpose and intent of the Neighborhood Traditional zoning regulations. Building setback requirements are greater as structures become taller and more imposing. The NT design criteria are intended to create a positive experience for the pedestrian by maintaining human scale façades along the streets. The 15-foot street side setback requirement for the NT-3 zoning district reinforces this design criteria for prioritizing the pedestrian.

7. *The granting of the variance will not be injurious to neighboring properties or otherwise detrimental to the public welfare; and,*

The most affected property owner at 953 17th Avenue Northeast submitted a letter of support for the after-the-fact variance. A copy of that letter is provided as Attachment C. The existing wall does not meet the regulations which are put in place to protect the pedestrian experience and the front yard of the abutting property.

8. *The reasons set forth in the application justify the granting of a variance;*

The applicant’s narrative uses the large size of the property as a unique circumstance of the property. While the scale of the neighborhood is large and the wall fits in with the overall scale and massing of its surroundings, staff feels that the applicant’s narrative
does not meet the intent of the fence, wall and hedge regulations, nor the criteria set forth in code section 16.70.040.1.6. - Variances, generally.

9. No nonconforming use of neighboring lands, buildings, or other structures, legal or illegal, in the same district, and no permitted use of lands, buildings, or other structures in adjacent districts shall be considered as grounds for issuance of a variance permitting similar uses.

The property across the street to the south at 1620 North Shore Drive Northeast was granted a variance by the Board of Adjustments in 1987 to erect a 6-foot tall wall around an existing home, within the street side yard. In 1991, that property owner also requested a variance to the requirement for visibility at intersections, but this variance was not granted. As a result, the 6-foot tall wall is set at an angle at the rear of the property, as required by the code for sight triangles to be provided for the intersection of street with the driveway in the abutting property’s front yard. There are other 6-foot tall fences and walls in the surrounding area that the applicant cites as examples for consistency. The code does not allow staff to use nonconforming structures as precedence for a variance. These fences and walls would not be allowable under today’s code regulations without a variance and are unable to serve as precedence for the subject application.

PUBLIC COMMENTS: The subject property is within the boundaries of the Historic Old Northeast Neighborhood Association (HONNA). The applicant notified the neighborhood association of the variance request on the date of application, December 11, 2017, and a letter was submitted to the City by HONNA on January 11, 2018 to state their opposition to the variance. This letter and a response from the applicant are included as Attachment D, pages 1 and 2. The most affected neighbor at 935 17th Avenue Northeast submitted a letter of support for the variance on January 15, 2018, and that letter is included as Attachment C. On January 26, 2018 the applicant submitted the Neighborhood Worksheet with signatures from surrounding neighbors and a written statement from the owner of 1600 North Shore Drive NE (see Attachment E). Staff did not receive any additional phone calls or emails in response to the public notice.

STAFF RECOMMENDATION: Based on a review of the application according to the stringent evaluation criteria contained within the City Code, the Planning and Economic Development Department Staff recommends DENIAL of the requested variance.

CONDITIONS OF APPROVAL: If the Development Review Commission should choose to approve the variance, the Planning and Economic Development Department Staff recommends that the approval shall be subject to the following:

1. The 6-foot tall wall shall be reconstructed on the subject property to provide a sight triangle for visibility. This triangle shall be measured from the southwest corner of the subject property, with two sides measuring 15 feet in length along the property lines in each direction, and a diagonal line connecting those two points. No wall shall be greater than 4 feet in height within this sight triangle.

ATTACHMENTS: Parcel Map, Aerial Map, Applicant’s Narrative, Neighborhood Worksheet, Attachment A: Site Plan – approved March 11, 2016, Attachment B: Site Plan – existing conditions, Attachment C: Letter of support from property owner at 935 17th Avenue Northeast, Attachment D: (page 1) Letter not in support from HONNA and (page 2) response from applicant, and Attachment E: Letter of support from property owner at 1600 North Shore Drive Northeast.
Report Prepared By:

[Signature]
Alexandria Hancock, Planner II
Development Review Services Division
Planning & Economic Development Department

Date: 1/31/18

Report Approved By:

[Signature]
Elizabeth Abernethy, ACIP, Zoning Official (POD)
Development Review Services Division
Planning & Economic Development Department

Date: 1/31/18
VARIANCE

NARRATIVE (PAGE 1)

All applications for a variance must provide justification for the requested variance(s) based on the criteria set forth by the City Code. It is recommended that the following responses by typed. Illegible handwritten responses will not be accepted. Responses may be provided as a separate letter, addressing each of the six criteria.

ALL OF THE FOLLOWING CRITERIA MUST BE ANSWERED.

<table>
<thead>
<tr>
<th>APPLICANT NARRATIVE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Street Address: 1700 North Shore Drive NE, St Petersburg, Florida</td>
</tr>
<tr>
<td>Detailed Description of Project and Request: Variance to the height of a wall in a streetside yard from 4 feet to 6 feet high</td>
</tr>
</tbody>
</table>

1. **What is unique about the size, shape, topography, or location of the subject property? How do these unique characteristics justify the requested variance?**

   The subject property is unique to the neighborhood in that it is oversized, and is oriented on the block end facing Tampa Bay. It is situated among a group of other similarly configured properties which are located both to the north and south of the subject property. The site is also located in a flood zone which required the residence to be constructed considerably above the existing grade. All of this group of unique properties have 6 feet high masonry walls running along the right-of-way line of the side street within the side yard setbacks; granting this variance will be justified in that the 6' masonry wall on the subject property is consistent with the current (and historic) development pattern of the adjacent properties. There are also other mitigating factors to consider: Because the neighbor to the west is also in the flood zone, the subject wall is only about 1 foot above the floor elevation of that residence. The subject wall is obscured by vegetation from many view angles from the right-of-way, the wall is situated among preserved mature vegetation that created a visual obstruction prior to construction of the wall and the wall is over 6' from the sidewalk.

2. **Are there other properties in the immediate neighborhood that have already been developed or utilized in a similar way? If so, please provide addresses and a description of the specific signs or structures being referenced.**

   The property directly to the south (1600 N Shore Dr NE), the property located directly to the north (1724 N Shore Dr NE) and the next property to the north (1800 N Shore Dr NE) are all developed in a similar way, i.e. that each of these properties have a 6 feet masonry wall built parallel to the side street within the side yard set back.

3. **How is the requested variance not the result of actions of the applicant?**

   The requested variance was the result of the applicant, however it was an unintentional violation of the code resulting from mis-reading the setback diagram; however the wall has been constructed in a manner consistent with the existing development pattern.
All applications for a variance must provide justification for the requested variance(s) based on the criteria set forth by the City Code. It is recommended that the following responses by typed. Illegible handwritten responses will not be accepted. Responses may be provided as a separate letter, addressing each of the six criteria.

**ALL OF THE FOLLOWING CRITERIA MUST BE ANSWERED.**

<table>
<thead>
<tr>
<th><strong>APPLICANT NARRATIVE</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>4. How is the requested variance the minimum necessary to make reasonable use of the property? In what ways will granting the requested variance enhance the character of the neighborhood?</td>
</tr>
<tr>
<td>The wall was constructed to 8 feet to provide privacy to the back yard of the property - reducing the height to 4 feet will negate the purpose of the wall. Granting the variance will enhance the character of the neighborhood by continuing the established development pattern.</td>
</tr>
</tbody>
</table>

| 5. What other alternatives have been considered that do not require a variance? Why are these alternatives unacceptable? |
| The only alternative is to reduce the height of the wall which will negate the purpose of the wall for privacy screening |

| 6. In what ways will granting the requested variance enhance the character of the neighborhood? |
| Please see item 4 above |
Alex:

Attached you will find neighborhood worksheet with all of our neighbors that were notified in the mail-out listed and all the signatures we have been able to collect through today.

Here was our methodology:

We prepared a letter in advance (see attached) outlining the situation and providing our contact information. We went door-to-door to personally explain the situation in detail, and left the letter in every mailbox of the folks who weren’t home when we came by initially. As you can imagine, it took several attempts to reach some of our neighbors.

We were eventually able to personally meet with 20 of the 22 neighbors, and have 19 signatures to date. Of the 3 that we don’t have, the Thomas family is in Europe and won’t be back in time to express their opinion; the Lombardi family was neutral on our petition but did not want to get involved, and we are still attempting to reach Ms. Scott (she is a flight attendant and is gone frequently for days on end).

All of the 19 who signed were extremely supportive of our position, and 2 of them came to our home in response to our letter (Bill Pendergast and Leroy Zemke, see letter of support from Mr. Pendergast attached) to express their adamant approval of what we have constructed. Some of the neighbors’ observations:

- very complimentary of what we have built on the property, many saying how well it fit in the neighborhood and how it looks like it has been here forever
- a lot of disbelief that the wall isn’t allowed by code to be 6’ high in its location, and that what logically appears to be our backyard is classified as our “side” yard by code
- many pointed out that most of the estate-sized properties along N Shore and Beach Drives have similar walls of larger size (this points to their recognition of the existing development pattern in our immediate neighborhood)
- a lot of gratitude for our careful preservation of the existing mature vegetation on our 17th Ave NE frontage, including the wall area (our wall is 3’-8” short of our property line to avoid having to remove existing trees; several thought this was a good trade-off for the 6’ height)
- concern for our security (we get a lot of transient traffic to the North Shore park who park their cars on 17th Ave NE)

We are still attempting to contact Ms. Scott, and will forward her position to you when we know it.

Thanks so much for your consideration.

Michael Hambleton, LEED AP
Applicants are strongly encouraged to obtain signatures in support of the proposal(s) from owners of property adjacent to or otherwise affected by a particular request.

<table>
<thead>
<tr>
<th>NEIGHBORHOOD WORKSHEET</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Street Address:</strong></td>
</tr>
<tr>
<td><strong>Case No.:</strong></td>
</tr>
<tr>
<td><strong>Description of Request:</strong></td>
</tr>
</tbody>
</table>

The undersigned adjacent property owners understand the nature of the applicant’s request and do not object (attach additional sheets if necessary):

1. **Affected Property Address:** 920 18th Ave NE  
   **Owner Name (print):** Lee and Susan Allen  
   **Owner Signature:** [(Signature)

2. **Affected Property Address:** 835 11th Ave NE  
   **Owner Name (print):** Eric, Marc Murray and Tracy Baer  
   **Owner Signature:** [(Signature)

3. **Affected Property Address:** 1801 Beach Dr. NE  
   **Owner Name (print):** Christopher Ciaccio  
   **Owner Signature:** [(Signature)

4. **Affected Property Address:** 1724 N Shore Dr. NE  
   **Owner Name (print):** Along Dishy  
   **Owner Signature:** [(Signature)

5. **Affected Property Address:** 1625 Beach Dr. NE  
   **Owner Name (print):** Knight and Stephanie Dyer  
   **Owner Signature:** [(Signature)

6. **Affected Property Address:** 825 16th Ave NE  
   **Owner Name (print):** Mollie and Robert Feldman  
   **Owner Signature:** [(Signature)

7. **Affected Property Address:** 920 17th Ave NE  
   **Owner Name (print):** Philip and Melissa Harasz  
   **Owner Signature:** [(Signature)

8. **Affected Property Address:** 1500 Beach Dr. NE  
   **Owner Name (print):** Patricia and Howard Hermans  
   **Owner Signature:** [(Signature)
Applicants are strongly encouraged to obtain signatures in support of the proposal(s) from owners of property adjacent to or otherwise affected by a particular request.

<table>
<thead>
<tr>
<th>Street Address</th>
<th>Case No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1730 Beach Dr. NE</td>
<td></td>
</tr>
<tr>
<td>1700 Beach Dr. NE</td>
<td></td>
</tr>
<tr>
<td>916 18th Ave NE</td>
<td></td>
</tr>
<tr>
<td>1725 Beach Dr. NE</td>
<td></td>
</tr>
<tr>
<td>916 17th Ave NE</td>
<td></td>
</tr>
<tr>
<td>915 17th Ave NE</td>
<td></td>
</tr>
<tr>
<td>1800 N Shore Dr. NE</td>
<td></td>
</tr>
<tr>
<td>239 14th Ave NE</td>
<td></td>
</tr>
</tbody>
</table>

The undersigned adjacent property owners understand the nature of the applicant's request and do not object (attach additional sheets if necessary):

1. Affected Property Address: 1730 Beach Dr. NE
   Owner Name (print): Suzanne + Daniel Lombardi
   Owner Signature: [Signature]

2. Affected Property Address: 1700 Beach Dr. NE
   Owner Name (print): CA Constantino + George McGlenden
   Owner Signature: [Signature]

3. Affected Property Address: 916 18th Ave NE
   Owner Name (print): Candace + Patrick McGurn
   Owner Signature: [Signature]

4. Affected Property Address: 1725 Beach Dr. NE
   Owner Name (print): Curt + Michelle Miller
   Owner Signature: [Signature]

5. Affected Property Address: 916 17th Ave NE
   Owner Name (print): Michael + Brenda Mills
   Owner Signature: [Signature]

6. Affected Property Address: 915 17th Ave NE
   Owner Name (print): Glenn + Devonport Mosby
   Owner Signature: [Signature]

7. Affected Property Address: 1800 N Shore Dr. NE
   Owner Name (print): Michael + Amy Thomas - out of country
   Owner Signature: [Signature]

8. Affected Property Address: 239 14th Ave NE
   Owner Name (print): John + Rebecca Daines
   Owner Signature: [Signature]
Applicants are strongly encouraged to obtain signatures in support of the proposal(s) from owners of property adjacent to or otherwise affected by a particular request.

<table>
<thead>
<tr>
<th>Street Address</th>
<th>Case No.:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
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</table>

**NEIGHBORHOOD WORKSHEET**

<table>
<thead>
<tr>
<th>1. Affected Property Address</th>
<th>1846 Coffee Pot Blvd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Owner Name (print)</td>
<td>Michael &amp; Rita Oglesby</td>
</tr>
<tr>
<td>Owner Signature</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2. Affected Property Address</th>
<th>1620 Northshore Dr. NE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Owner Name (print)</td>
<td>Ramie Patel</td>
</tr>
<tr>
<td>Owner Signature</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>3. Affected Property Address</th>
<th>1600 Northshore Dr. NE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Owner Name (print)</td>
<td>William Pendergast</td>
</tr>
<tr>
<td>Owner Signature</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>4. Affected Property Address</th>
<th>936 17th Ave NE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Owner Name (print)</td>
<td>Jeffrey Pratt</td>
</tr>
<tr>
<td>Owner Signature</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>5. Affected Property Address</th>
<th>845 16th Ave NE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Owner Name (print)</td>
<td>Mary Scott</td>
</tr>
<tr>
<td>Owner Signature</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>6. Affected Property Address</th>
<th>901 17th Ave NE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Owner Name (print)</td>
<td>Leroy E. Zemke</td>
</tr>
<tr>
<td>Owner Signature</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>7. Affected Property Address</th>
<th>1846 Coffee Pot Blvd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Owner Name (print)</td>
<td>Michael O'Neal</td>
</tr>
<tr>
<td>Owner Signature</td>
<td></td>
</tr>
</tbody>
</table>
Hi Alexandria,

We are currently building a new house next door to the above-mentioned property, and will be the homeowners at 935 17th Avenue NE once it is complete in the spring of 2018. Our house is directly adjacent to the wall requiring the variance, so we are the most impacted neighbor on the block.

We are writing to state that we understand the nature of the variance request and fully support its approval. The wall was thoughtfully designed to work around the existing mature vegetation, is several feet from the property line along 17th, and only covers about 30% of the property’s frontage along 17th Ave NE. It also is similar but smaller in height and length than that of the property directly across the street. Most of the larger properties fronting North Shore and Beach Drive in our neighborhood have similar walls greater in stature along their respective avenue frontages, which makes the one in question appropriate.

It is our preference that the variance be granted.

Sincerely,

John Oakes
Natalie,

The Planning and Preservation Committee responded to this variance request earlier this month. Please see below for our comments. I have copied Mr. Hambleton on this email as well.

Thanks,
Robin

From: Robin Reed [mailto:rlreed@tampabay.rr.com]
Sent: Thursday, January 11, 2018 11:32 AM
To: Elizabeth Abernethy
Cc: 'Charleen McGrath'; kimbyflies@yahoo.com; Natalie@southernrootsrealty.com
Subject: Re: # 17-54000082

Re: # 17-54000082

Ms. Abernethy,

The Historic Old NE Neighborhood Association is opposed to the granting of this after-the-fact variance. The developer is not a newcomer to the construction process or the building code in St. Petersburg. He has completed, and currently has under construction several projects in the Old Northeast. He should have enough experience to know what is required and to make sure his contractors adhere to the regulations. He is ultimately responsible for the work that is done on his construction jobs.

This is the second after-the-fact variance that this developer has sought this month, which we feel indicates a certain disregard towards the regulations.

Other applicants, such as the owners of 1400 Beach Drive were dissuaded in 2015 from a similar wall height variance. At that time, we responded with the following:

"HONNA for some time has been concerned with over-height walls and fences, especially along the avenues. We are seeking consistency in the application of the LDRs and this is a case in point. Preserving an open streetscape along the avenues protects adjacent homeowners from having 6-foot walls encroaching alongside their front yards. Landscaping is often used in the Old Northeast for screening and can be used to create the privacy that the...family is seeking."

Our opinion has not changed. We continue to feel strongly that the code needs to be strictly enforced to protect all homeowners in the neighborhood.

Regards,
Robin Reed
Chair, HONNA Planning and Preservation Committee
Alexandria Hancock

From: mike@integratedproject.com
Sent: Thursday, January 25, 2018 11:43 AM
To: Alexandria Hancock
Cc: Dillon Alderman
Subject: 1700 North Shore Dr NE 17-54000082
Attachments: HONNA Email.pdf

Alexandria:

My name is Mike Hambleton, and my wife Janeen and I are the homeowners at 1700 North Shore Dr NE. We are in the process of educating our neighbors on the matter of our after-the-fact variance request, and plan to have our work complete in the next few days.

We would like to state for the record that on January 18th at approximately 1:15PM we attempted to contact HONNA though their website. They did not respond to us directly, however, within one hour we received a courtesy copy of an email from a Robin Reed directly to Liz Abernethy (please see attached) with HONNA’s disapproval. This letter was apparently written well prior to our outreach to them and without any attempt to respond to us regarding our request for contact with them.

They did not reach out to us despite our request, and therefore do not know any of the supporting facts of the petition. We consider this highly unprofessional, and as 12-year residents of the Old Northeast, are stunned that an organization that purports to represent our neighborhood would dismiss us offhand, without even the courtesy of a phone call, which we specifically requested.

Furthermore, Ms. Reed’s letter infers that HONNA has an ongoing issue with the developer Aspen Venture Group. We are not the developer to which Ms. Reed refers, and are not aware of the other situations she refers to. We are the homeowners who are seeking the variance for our primary residence. We would also like to state for the record that Aspen had nothing to do with the situation at hand, that we, as the homeowners, requested from our architect the zoning ordinance interpretation that turned out to be mistaken. We were shocked and embarrassed when the error was discovered at our final zoning inspection.

We firmly believe, based on the circumstances and the content of Ms. Reed’s letter, that HONNA has a pre-existing bias against Aspen Venture Group, and has drawn its own incorrect conclusion about their responsibility in this matter. This animosity has at least partially tainted their opinion, and in light of the lack of interest in the specifics of our petition, we feel that their opinion is seriously compromised, and that they should recuse themselves from this case.

We greatly appreciate you consideration in this matter.

Michael and Janeen Hambleton
1700 North Shore Dr NE
St. Petersburg, FL 33704
727.460.6962
To our new neighbors:

Hello, we are Michael and Janeen Hambleton, your new neighbors. We just finished building our new house at 1700 North Shore Dr NE, and we are now moved in and getting adjusted. We hope that the construction period wasn't too much of an inconvenience and that the finished product is an enhancement to the neighborhood.

We are having to seek a variance from the zoning department to allow our backyard wall to remain at 6' high for its full perimeter. The zoning department has informed us that the portion along 17th Avenue NE to 15' from the property line should only have been 4' high. You should have received a letter from the city by now notifying you of the hearing date and explaining the request for the variance.

We are trying to contact you to explain the situation in more detail, answer any questions, and also to ask for your support. We have a variance application that asks us to get signatures from the neighbors who received the notice from the City and are in agreement with us and the approval of the variance.

Please allow us the opportunity to come by for a short visit to introduce ourselves and to plead our case. If you will agree with us, or if it matters not to you, we need your signature. You can call Michael at 727-460-6962 mike@integratedproject.com or Janeen at 727-480-9729 neenie@icloud.com. Time is of the essence as we must turn in what we've got by Friday, January 26th.

Thanks so very much for your consideration.

Michael and Janeen

I support your petition for a 6' high wall. Across the street is also a 6' wall. I put this when I owned the home at 1620. It is much better for 6' than 4' as young children can get out a 4' wall & drown.

Best of luck.

Bill Pentz
1600 N. 5th Place
881-9143
For Public Hearing and Executive Action on February 7, 2018 beginning at 2:00 P.M., Council Chambers, City Hall, 175 Fifth Street North, St. Petersburg, Florida

According to Planning & Economic Development Department records, Commissioner Schumaker resides or has a place of business within 2,000 feet of the subject property. All other possible conflicts should be declared upon the announcement of the item.

CASE NO.: 17-5400081  PLAT SHEET: I-2

REQUEST: Approval of a variance to the required minimum lot width from 50-ft to 45-ft and the required minimum lot area from 5,800 SF to 5,715 SF for two (2) lots in common ownership to allow for the development of two (2) new single-family homes.

OWNER: LA Restorations, LLC
2950 4th Avenue North
Saint Petersburg, Florida 33713-7709

AGENT: Zachary J. Zehnder
162 28th Avenue North
Saint Petersburg, Florida 33704

ADDRESS: 2340 2nd Avenue North

PARCEL ID NO.: 23/31/16/78390/017/0050/

LEGAL DESCRIPTION: On File

ZONING: NT-2

<table>
<thead>
<tr>
<th></th>
<th>Required</th>
<th>Requested</th>
<th>Variance</th>
<th>Magnitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Area</td>
<td>5,800 sq ft</td>
<td>5,715 sq ft</td>
<td>85 sq ft</td>
<td>1.4%</td>
</tr>
<tr>
<td>Lot Width</td>
<td>50-ft</td>
<td>45-ft</td>
<td>5-ft</td>
<td>10%</td>
</tr>
</tbody>
</table>
BACKGROUND: The subject property consists of two platted lots of record (Lots 5 and 6 of the St. Petersburg Investment CO Subdivision, Block 17) and is located in the Historic Kenwood Neighborhood, and is additionally located within the Artist Enclave Overlay District. The existing single-family home on the site was relocated to the site in 1949, and according to Property Appraiser records was originally constructed in 1939 and consists of approximately 1,132 square feet of living area. As property card records state and the existing survey shows, the house was placed in the middle of the two lots when relocated. A detached single-car garage is located at the rear of the site.

The lots have a zoning designation of Neighborhood Traditional-2 (NT-2). The required minimum lot width in NT-2 is 50 feet and the minimum lot area is 5,800 square feet. The subject lots each measure 45 feet in width and 5,715 square feet in area, and therefore are considered to be substandard and non-conforming.

During the review of the regulations by City Council starting in March of 2015, Council made the decision to change the code to restrict development on substandard lots, requiring a variance review to determine if development would be consistent with the surrounding neighborhood pattern. Restrictions were in place from 1973 through 2003 which limited development of non-conforming lots if the lots were in common ownership. City code was changed in 2003 to allow development on any platted lot of record. Council found that in some neighborhoods, development of substandard lots would not be consistent with the surrounding development pattern and allowing two homes in an area that historically developed on more than one platted lot could be detrimental to the neighbors and the overall character of the neighborhood. On September 17, 2015, City Council amended the non-conforming lot regulations, thereby eliminating the right to build on these substandard lots without first obtaining a variance.

REQUEST: The applicant seeks a variance to minimum lot width and area requirements in order to build two new single-family homes. The proposed homes are two-story structures with 2,246 square feet of living space plus a detached, single-story two-car garage on each lot. The proposed structures meet Land Development Regulation requirements in regards to F.A.R. (.48 proposed, .60 permitted with design bonuses), building coverage (30% proposed, 55% permitted), and impervious surface coverage (37% proposed, 65% permitted). Proposed plans are provided as an attachment to this Staff Report.

CONSISTENCY REVIEW COMMENTS: The Planning & Economic Development Department staff reviewed this application in the context of the following criteria excerpted from the City Code and found that the requested variance is consistent with these standards. Per City Code Section 16.70.040.1.6 Variances, Generally, the DRC’s decision shall be guided by the following factors:

1. Special conditions exist which are peculiar to the land, building, or other structures for which the variance is sought and which do not apply generally to lands, buildings, or other structures in the same district. Special conditions to be considered shall include, but not be limited to, the following circumstances:

   a. Redevelopment. If the site involves the redevelopment or utilization of an existing developed or partially developed site.

      Approval of the variance would allow for the redevelopment of the subject property.

   b. Substandard Lot(s). If the site involves the utilization of an existing legal nonconforming lot(s) which is smaller in width, length or area from the minimum lot requirements of the district.
The individual platted lots are deficient in regards to minimum lot width and area required in the NT-2 zoning district and are therefore considered to be substandard.

c. Preservation district. If the site contains a designated preservation district.

The site is not located within a locally designated preservation district.

d. Historic Resources. If the site contains historical significance.

This criterion is not applicable.

e. Significant vegetation or natural features. If the site contains significant vegetation or other natural features.

The site contains one laurel oak tree at the front of the property which is in declining health. This tree would not be required to be preserved per City standards. There are a variety of other trees on site that would not be protected either due to size or species – many are invasive. If the variance is approved to allow construction of two new homes, two new shade trees will be required to be planted on each lot as part of the standard landscaping requirements.

f. Neighborhood Character. If the proposed project promotes the established historic or traditional development pattern of a block face, including setbacks, building height, and other dimensional requirements.

Staff analyzed the development pattern of the subject block and adjacent blocks (see attached study area exhibit and study area tables below). The portion of the Historic Kenwood Neighborhood in question is bordered by three different commercial zoning designations and existing commercial uses to the south (see attached map of study area). These commercial properties were not included in the analysis of percentage of conforming/non-conforming lots in the direct vicinity, however, the location of the subject property adjacent to this commercial corridor with increasing densities should be considered as part of the development pattern.

Table 1: Lot Area Analysis (Subject block and surrounding blocks)

<table>
<thead>
<tr>
<th>Block</th>
<th>Conforming to Area</th>
<th>Substandard to Area</th>
<th>% Substandard to Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subject Block* (Block 1)</td>
<td>5</td>
<td>1</td>
<td>16.67%</td>
</tr>
<tr>
<td>Block 2 (west)</td>
<td>2</td>
<td>7</td>
<td>77.78%</td>
</tr>
<tr>
<td>Block 3 (northwest)</td>
<td>8</td>
<td>8</td>
<td>50.00%</td>
</tr>
<tr>
<td>Block 4 (north)</td>
<td>8</td>
<td>8</td>
<td>50.00%</td>
</tr>
<tr>
<td>Block 5 (northeast)</td>
<td>6</td>
<td>10</td>
<td>62.50%</td>
</tr>
<tr>
<td>Block 6 (east)</td>
<td>4</td>
<td>4</td>
<td>50.00%</td>
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<tr>
<td>Total</td>
<td>33</td>
<td>38</td>
<td>54%</td>
</tr>
</tbody>
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Table 2: Lot Width Analysis (Subject block and surrounding blocks)

<table>
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<tr>
<th>Block</th>
<th>Conforming to Width</th>
<th>Substandard to Width</th>
<th>% Substandard to Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subject Block* (Block 1)</td>
<td>5</td>
<td>1</td>
<td>16.67%</td>
</tr>
<tr>
<td>Block 2 (west)</td>
<td>2</td>
<td>7</td>
<td>77.78%</td>
</tr>
<tr>
<td>Block 3 (northwest)</td>
<td>8</td>
<td>8</td>
<td>50.00%</td>
</tr>
<tr>
<td>Block 4 (north)</td>
<td>8</td>
<td>8</td>
<td>50.00%</td>
</tr>
<tr>
<td>Block 5 (northeast)</td>
<td>7</td>
<td>9</td>
<td>56.25%</td>
</tr>
<tr>
<td>Block 6 (east)</td>
<td>4</td>
<td>4</td>
<td>50.00%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>34</strong></td>
<td><strong>37</strong></td>
<td><strong>52%</strong></td>
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Table 3: Platted Lot Developed Pattern (Subject block and surrounding blocks)

<table>
<thead>
<tr>
<th>Block</th>
<th>One platted lot or less</th>
<th>More than one platted lot</th>
<th>% One per platted lot or less</th>
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</thead>
<tbody>
<tr>
<td>Subject Block* (Block 1)</td>
<td>4</td>
<td>2</td>
<td>66.67%</td>
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<tr>
<td>Block 2 (west)</td>
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<td>Block 3 (northwest)</td>
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<td>0</td>
<td>100.00%</td>
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<tr>
<td>Block 4 (north)</td>
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<tr>
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<td>2</td>
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<tr>
<td>Block 6 (east)</td>
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<td><strong>67</strong></td>
<td><strong>4</strong></td>
<td><strong>94%</strong></td>
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A majority of lots surrounding the subject property were developed with one single-family home on one platted lot of record (94%), which lots range from 45-ft to 50-ft wide. The subject property is one of three parcels in the direct vicinity that was developed with one single-family home on two lots. Approval of the variance would be in harmony with the established pattern of development, which consists of larger lots on either end of a block, and smaller lots located within the interior of the block. This development pattern is seen not only in the Historic Kenwood neighborhood, but also in many other traditional neighborhoods in St. Petersburg. Approval of the variance would also be consistent with prior approvals by the Development Review Commission of lots in this configuration (Cases 17-54000003 at 2334 2nd Ave S, 17-54000022 at 2826 4th Ave S, 17-54000045 at 524 36th Ave N).

g. Public Facilities. If the proposed project involves the development of public parks, public facilities, schools, public utilities or hospitals.
The proposed project does not involve the development of public facilities.

2. The special conditions existing are not the result of the actions of the applicant;

The development pattern is not the result of the actions of the applicant.

3. Owing to the special conditions, a literal enforcement of this Chapter would result in unnecessary hardship;

Without approval of the requested Variances, the owner has the ability to develop the property with one single-family home and one accessory dwelling unit in compliance with the Land Development Regulations. However, one larger site would allow for a larger new home, which would not be consistent with the surrounding development pattern. Approval of variances to lot width and area allows for the construction of two single-family homes without accessory dwelling units as the proposed lots would not meet the minimum lot area of 5,800 square feet with is required to construct an accessory dwelling unit. Two smaller homes with no accessory units are more in scale with the neighborhood than one larger home with a potential garage apartment, or other type of accessory dwelling unit in the rear. Both options result in two dwelling units on the property.

4. Strict application of the provisions of this chapter would provide the applicant with no means for reasonable use of the land, buildings, or other structures;

Strict application of the minimum lot width and area standards would deprive the property owner of rights that others of similar lot sizes in the same zoning district enjoy as a majority of properties in surrounding blocks have been developed with one house on each platted lot.

5. The variance requested is the minimum variance that will make possible the reasonable use of the land, building, or other structure;

The Variances requested are the minimum necessary to allow the development of two single-family homes on lots with a similar area as the surrounding lots with single-family homes.

6. The granting of the variance will be in harmony with the general purpose and intent of this chapter;

The request is consistent with the goals of the Comprehensive Plan and the Land Development Regulations to promote revitalization and infill development. The following objectives and policies promote redevelopment and infill development in the City:

OBJECTIVE LU2:
The Future Land Use Element shall facilitate a compact urban development pattern that provides opportunities to more efficiently use and develop infrastructure, land and other resources and services by concentrating more intensive growth in activity centers and other appropriate areas.

LU2.5 The Land Use Plan shall make the maximum use of available public facilities and minimize the need for new facilities by directing new development to infill and redevelopment locating where excess capacity is available.
LU2.5 The Land Use Plan shall make the maximum use of available public facilities and minimize the need for new facilities by directing new development to infill and redevelopment locating where excess capacity is available.

LU3.6 Land use planning decisions shall weigh heavily the established character of predominately developed areas where changes of use or intensity of development are contemplated.

Section 16.20.010 (Neighborhood Traditional Single-Family Districts) describes the purpose and intent of NT district regulations as protecting the traditional single-family character of these neighborhoods, while permitting rehabilitation, improvement and redevelopment in a manner that is consistent with the scale of the neighborhood. That section also identifies that lots in traditional neighborhoods are narrow compared to lots in suburban neighborhoods, with traditional lot widths typically ranging between 45 and 60 feet.

7. The granting of the variance will not be injurious to neighboring properties or otherwise detrimental to the public welfare; and,

The granting of the variance will not be injurious to neighboring properties as the proposed residences will be developed in a similar pattern as the existing neighborhood with one house on each of the two platted lots. Additionally, the new single-family residences will meet requirements for NT-2 zoned properties in regards to floor area ratio, impervious surface, building coverage, building setbacks and design standards.

8. The reasons set forth in the application justify the granting of a variance;

Staff finds that the reasons set forth in the application support the justification for granting the variance.

9. No nonconforming use of neighboring lands, buildings, or other structures, legal or illegal, in the same district, and no permitted use of lands, buildings, or other structures in adjacent districts shall be considered as grounds for issuance of a variance permitting similar uses.

No non-conforming uses or buildings have been utilized as part of Staff’s analysis.

PUBLIC COMMENTS: The subject property is within the boundaries of the Historic Kenwood Neighborhood Association. The association submitted a letter to Staff indicating that they are not in favor of the request (see attached letter). Staff also received one phone call with questions.

STAFF RECOMMENDATION: Based on a review of the application according to the stringent evaluation criteria contained within the City Code, the Planning and Economic Development Department Staff recommends APPROVAL of the requested variance.

CONDITIONS OF APPROVAL: If the variance is approved consistent with the site plan submitted with this application, the Planning and Economic Development Department Staff recommends that the approval shall be subject to the following:

1. The plans and elevations submitted for permitting should substantially resemble the plans and elevations submitted with this application, with the exception that windows on the structure
proposed on Lot 6 be revised to be vertically oriented in order to be consistent with the proposed design and to comply with Land Development Regulation design standards.
2. This variance approval shall be valid through February 7, 2021. Substantial construction shall commence prior to this expiration date. A request for extension must be filed in writing prior to the expiration date.
3. Approval of this variance does not grant or imply other variances from the City Code or other applicable regulations.

Report Prepared By:

[Signature]

Brittany McMullen, AICP
Development Review Services Division
Planning & Economic Development Department

1/31/18

Date

Report Approved By:

[Signature]

Elizabeth Abernethy, AICP, Zoning Official (POD)
Development Review Services Division
Planning & Economic Development Department

1-31-18

Date

ATTACHMENTS: aerial map, study area map, site plan, floor plan, elevation drawings, applicant's narrative, public participation report, signatures of support, letter of objection from the Historic Kenwood Neighborhood Association

EA:BAM
EXISTING LOT

SCALE: 1" = 20.0'  

EXISTING HOME AND GARAGE NOT SHOWN

EXISTING LOT
LOT DATA:
LOT SIZE: 5,715 SQ FT
TOTAL LIVING: 2,246 SQ FT
TOTAL UNDER ROOF: 2,980 SQ FT
IMPERVIOUS AREA: 2,090 SQ FT
IMPERVIOUS RATIO: 37%
LIVING AREA RATIO: 39%

LOT 5
SCALE: 1" = 20.0'

LOT 5

Arcdesign
1701 Drew Street
Clearwater, FL 33755
(727) 446-8022
e-mail: arcdesign7@gmail.com

Leesil Ansel
2340 2nd Ave N
St. Petersburg, FL

PROJECT NUMBER: 174101 SCALE: As noted
DRAWN BY: Randy Young DATE: 21 NOV 2017
SHEET NUMBER: 2
LOT 5
2ND FLOOR PLAN
SCALE: 1/8" - 1'-0"

2ND FLOOR 1,028 SQ. FT
EXISTING LOT

SCALE: 1" = 20.0'

EXISTING HOME AND GARAGE NOT SHOWN

Arcdesign
1701 Drew Street
Clearwater, FL 33755
(727) 446-8022
e-mail: arcdesign7@gmail.com

Leesil Ansel
2340 2nd Ave N
St. Petersburg, FL

PROJECT NUMBER: 174101
SCALE: As noted
DRAWN BY: Randy Young
DATE: 21NOV2017

SHEET NUMBER: 1
LOT DATA:

LOT SIZE: 5,715 SQ FT
TOTAL LIVING: 2,246 SQ FT
TOTAL UNDER ROOF: 2,980 SQ FT
IMPERVIOUS AREA: 2,090 SQ FT
IMPERVIOUS RATIO: 37%
LIVING AREA RATIO: 39%

LOT 6

SCALE: 1" = 20.0'

Arcdesign
1701 Drew Street
Clearwater, FL 33755
(727) 446-8022
e-mail: arcdesign7@gmail.com

Leesil Ansel
2340 2nd Ave N
St. Petersburg, FL

PROJECT NUMBER: 174101
SCALE: As noted
DRAWN BY: Randy Young
DATE: 21NOV2017
SHEET NUMBER: 2
Street Address: 2340 2nd Ave N, St. Petersburg, FL 33713

Detailed Description of Project and Request: The Subject site is currently comprised of a single family home with detached structure straddling two platted lots. The existing single family home is in very poor condition, and the Applicant seeks to demolish the existing structure(s) for the purpose of subdividing the parcel into two, separate building lots. Specifically, the Applicant is seeking Variance Approval in an NT-2 Zoning District to reduce the Minimum Lot Width from 50' to 45', and reduce the Minimum Lot Area from 5880 SF to 5715 SF.

1. What is unique about the size, shape, topography, or location of the subject property? How do these unique characteristics justify the requested variance?
   The subject property consists of two platted lots with a single family home and detached structure resting on it. The size is unique because there are very few “double lots” in the Kenwood Neighborhood. The original developers vision for the subject property was to be used for two (2) single family home sites as the legal description and plat of record show as ST PETERSBURG INVESTMENT CO SUB BLK 17, LOTS 5 AND 6.
   The rectangular shape with alley access and mostly level topography of the subject property are typical of the Kenwood Neighborhood.

   The location is unique because the abutting properties to the rear (South) are used for commercial purposes offering higher density development. This is unique as a limited number of Kenwood properties with the NT-2 Single Family Zoning have this rear abutment. Due to the proximity to the Central Ave corridor, increased density is predominant.

2. Are there other properties in the immediate neighborhood that have already been developed or utilized in a similar way? If so, please provide addresses and a description of the specific signs or structures being referenced.
   Yes, there are numerous examples of new homes that have recently been constructed on platted, 45' wide lots. A few addresses are 2736 Dartmouth Ave N, 2654 4th Ave N, 2240 3rd Ave N, 2220 Burlington Ave N and 2423 2nd Ave N. Nearly all of these new homes have been constructed as two story structures as well. Additionally, more than 50% of all homes in the Kenwood Neighborhood in general have been constructed on “substandard lots” according to the NT-2 zoning guidelines which are 45' in width and have 5715 SF of area.

3. How is the requested variance not the result of actions of the applicant?
   Per the historical property card records, one of the original owners (W. H. Parker) of the subject site had the house moved into the middle of the two platted lots in March 1949. This action resulted in the inability to construct a second single family home since the remaining side yard geometry is not large enough to accommodate. The original developers of the Kenwood Neighborhood platted the subject site as two (2) lots. ST PETERSBURG INVESTMENT CO SUB BLK 17, LOTS 5 AND 6.

4. How is the requested variance the minimum necessary to make reasonable use of the property? In what ways will granting the requested variance enhance the character of the neighborhood?
   The requested variance seeks to transform the subject property back to the original vision of the Kenwood Neighborhood developers. The subject property was originally platted for two single family homes to be built upon the land. Granting the requested variance offers improved symmetry on the block as the
majority of homes rest upon 45' wide lots. Additionally, the proposed homes offer open front porches (the existing structure does not) and housing stock for larger families in Kenwood (currently the supply is extremely low, and the inventory of new homes is practically non-existent) to enhance the social community and to encourage demographic diversity (most homes in Kenwood were constructed as smaller 2 bedroom, 1 bathroom retirement style homes).

5. What other alternatives have been considered that do not require a variance? Why are these alternatives unacceptable?
Moving the house back onto one of the platted lots was considered to salvage the existing home and free up the space on the additional platted lot. However, once the structure would be relocated, the building requirements would mandate all of the existing systems be brought up to current building codes making the alternative cost prohibitive. In addition, the existing structure possess hazardous materials such as asbestos and lead based paint (considered by the Environmental Protection Agency to be very harmful to public safety and health), and has excessive damage from wood destroying organisms such as termites. The alternative of tearing down the existing structure and building one larger home with a large detached garage with apartment above proved to be unacceptable as the Applicant felt this was inconsistent with the existing neighborhood pattern.

Additionally, the alternative of restoring the existing house was considered as well, but the presence of the aforementioned hazardous materials posed long term safety and health concerns for future occupants, the original single pane windows and lack of wall insulation would be a financial burden for future occupants in the form of elevated utilities expenses and the extensive renovation required to repair the wood destroying organism damage created a cost prohibitive situation. Finally, the existing home is functionally obsolete for the changing demographics and demand of larger families seeking to live in the Kenwood Neighborhood.

6. In what ways will granting the requested variance enhance the character of the neighborhood?
Granting the requested variance will enhance the character of the neighborhood as it transforms the subject property back to the original Kenwood developer's vision for the land as two separate single family homes. The Applicant has extensively researched the architectural styles within Kenwood and proposes to use the variance to construct two moderately sized two-story homes, paying very close attention to how the homes will fit within the immediate block. One home is proposed to be architecturally styled as a Craftsman Bungalow while the second home is proposed to be architecturally styled as a Colonial home. The Applicant personally lives in the Kenwood neighborhood and owns multiple properties with her partner. In addition, the Applicant has been involved in numerous renovation projects within Kenwood which were all aimed at enhancing the character of the neighborhood. The Applicant seeks to be a model for future new construction in the Kenwood neighborhood, and hopes that the proposed homes will contribute to the growing demographic diversity within the City of St. Petersburg.
1. Details of techniques the applicant used to involve the public

   a. Dates and locations of all meetings where citizens were invited to discuss the applicant’s proposal.

   The Authorized Agent communicated with the current Kenwood Neighborhood Association President, Brenda Gordon, on 11/27/17 and scheduled a meeting with the Kenwood Neighborhood Association Board of Directors at Creative Soul Coffee Shop, 2425 Central Ave, St. Petersburg, FL 33713, on 11/30/17. At the meeting, the Authorized Agent provided each attendee with a packet containing the Applicant’s Site Plan, Floor Plan and Exterior Elevations and a few previous projects completed in the Kenwood Neighborhood. Attendees to the 11/30/17 meeting were Brenda Gordon, Nicole Carlisle and Bob Jeffrey.

   The Kenwood Neighborhood Association elected new Board Members on 12/6/17. A second meeting was held with the new Kenwood Neighborhood Association President, Michelene Everett, as well as the attendees from the meeting on 11/30/17 - Brenda Gordon, Nicole Carlisle and Bob Jeffrey. The location of the meeting was at Michelene's home - 2250 6th Ave N, St. Petersburg, FL 33713.

   b. Content, dates mailed, and number of mailings, including letters, meeting notices, newsletters and other publications

   After the 11/30/17 meeting, the Authorized Agent had a Pre-Application meeting with Brittany McMullen from the City of St Petersburg. Following the Pre-Application Meeting, the Authorized Agent sent an email to the 11/30/17 meeting attendees addressing some questions that were presented, as well as sharing a hyperlink to additional photos that represent the Applicant’s proposed houses to be built. The Kenwood Neighborhood Association was notified by the Authorized Agent that a formal mailout would be coming after the Variance Application was formally submitted on 12/11/17.

   c. Where residents, property owners, and interested parties receiving notices, newsletters or other written materials are located

   The Applicant intends to provide notification to all property owners as required by the City of St. Petersburg once the Variance Application has been submitted.

2. Summary of concerns, issues and problems expressed during the process

   The Board Members were concerned that the proposed structures may not fit into the existing block facade, and wanted to discuss the proposed building heights, floor area ratios, square footage and ceiling heights. There was discussion about current builders constructing homes in the Neighborhood which the Board felt negatively about, and wanted us to know that they would not support the construction of similarly styled homes. The Authorized Agent and Applicant discussed how this was not the intention, and that it was of very high importance to the Applicant to construct homes that adhere to the Kenwood Neighborhood Association character, and enhance the overall aesthetic of the block facade. Additionally, the Board Members expressed a strong desire for the Applicant to closely adhere to specific Architectural styling (Craftsman or Colonial) when constructing the proposed homes.

3. Signature or affidavit of compliance - President or Vice President of any neighborhood associations.

   Considering the Kenwood Neighborhood Association just went through a re-election, the new President wanted some additional time to discuss the proposed project. The Authorized Agent and Applicant were informed by the President that the Board and she would discuss and that they would be in touch.
Applicants are strongly encouraged to obtain signatures in support of the proposal(s) from owners of property adjacent to or otherwise affected by a particular request.

<table>
<thead>
<tr>
<th>Street Address:</th>
<th>2340 2nd Ave N</th>
<th>Case No.:</th>
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</table>

**Description of Request:** Variance approval to subdivide two plotted lots into seven building lots. Reduce min. width of lots from 50' to 45', and min. lot area from 5800 SF to 5715 SF.

The undersigned adjacent property owners understand the nature of the applicant's request and do not object (attach additional sheets if necessary):

1. **Affected Property Address:** 2350 2nd Ave N  
   **Owner Name (print):** Janis Lee Grooms  
   **Owner Signature:**  

2. **Affected Property Address:** 2345 2nd Ave  
   **Owner Name (print):**  
   **Owner Signature:**  

3. **Affected Property Address:** 2327 2nd Ave  
   **Owner Name (print):**  
   **Owner Signature:**  

4. **Affected Property Address:** 2400 2nd Ave N  
   **Owner Name (print):**  
   **Owner Signature:**  

5. **Affected Property Address:** 2360 2nd Ave N  
   **Owner Name (print):** Josh Bohlander  
   **Owner Signature:**  

6. **Affected Property Address:**  
   **Owner Name (print):**  
   **Owner Signature:**  

7. **Affected Property Address:**  
   **Owner Name (print):**  
   **Owner Signature:**  

8. **Affected Property Address:**  
   **Owner Name (print):**  
   **Owner Signature:**  

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City of St. Petersburg – One 4th Street North – PO Box 2842 – St. Petersburg, FL 33731-2842 – (727) 893-7471  
www.stpete.org/ldr  
Page 8 of 9
December 21, 2017

Dear Ms. McMullen,

The Historic Kenwood Board of Directors met on December 19, 2017 to discuss the variance request submitted by Zach Zehnder on behalf of Leesil Ansel to divide the lot located at 2340 2nd Avenue North into two buildable lots. The property was originally platted in the early 20th century as two 45 foot wide lots.

The HKNA Board has no objection to restoring this single lot to the original developer’s plan for two lots.

However, we are saddened that a charming Tudor style home, listed as contributory to Historic Kenwood’s designation on the National Register of Historic Places, is slated for demolition, rather than relocation to one lot followed by renovation. There are hundreds of examples of homes found in poor condition being beautifully renovated and restored within our neighborhood. In fact, Historic Kenwood has received national recognition and awards for our physical revitalization efforts, most recently with a first place award at the 2016 NUSA national conference.

The Board does strongly object to the construction of two large, two story ‘spec’ homes side by side on these 45 foot wide lots. The original developers certainly did not envision homes of this size and mass within this historic neighborhood. If the variance is approved, the Board would happily support moving the existing home to one of the lots, and restoring it for resale, allowing the developer to build a new home on the other lot (hopefully of a scale more consistent with the neighborhood).

We take exception with the applicant’s statement that building larger home is necessary as current housing stock is “functionally obsolete.” The City has on record at multiple public meetings statements from Historic Kenwood residents and real estate agents that renovated historic homes are desirable, easy to sell (to all age groups), and support comfortable modern living. Soon, we will begin planning for our 20th Annual BungalowFest Home Tour, featuring beautifully renovated historic homes for design inspiration and proof that one can “live large” and comfortably in smaller spaces. Historic Kenwood has received national attention in American Bungalow, Cottage Living, and the Boston Globe for the charm and character of our neighborhood and restoration efforts.

The Board would be supportive of relocation/renovation and new construction that does not have the size and mass as currently planned by this developer. One or one and one/half story homes, reflective of the vast majority of homes in Historic Kenwood that were built on these narrow 45 foot wide lots, would be congruent with the vision of the original Historic Kenwood developers.

With regards,

The Historic Kenwood Neighborhood Association Board of Directors

Officers: President Micheline Everett, Vice President Nicole Carlisle, Secretary Mary Jo Baker, Treasurer Linda Kellett
Directors: Traci Boyle, Sara Ellen Burnett, Frank Clemente, Brenda Gordon, Jim Woodfield
CASE NO.: 17-54000085  PLAT SHEET: D-12
REQUEST: Approval of a Variance to the rear yard setback requirement from 7-feet to 3.5-feet in order to construct a third garage bay on an existing detached garage.

OWNER: Nelson C Steiner, Sr.
1825 Elm Street Northeast
Saint Petersburg, Florida 33704-4633

ADDRESS: 1825 Elm Street Northeast

PARCEL ID NO.: 17-31-17-83222-065-0050

LEGAL DESCRIPTION: On File

ZONING: Neighborhood Traditional-3 (NT-3)

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<th>Requested</th>
<th>Variance</th>
<th>Magnitude</th>
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<td>Detached Garage</td>
<td>7-ft</td>
<td>3.5-ft</td>
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BACKGROUND: The subject property consists of one platted lot (Lot 5 of the Snell's, C. Perry North Shore Addition Revised Replat, Block 65) and is located in the Historic Old Northeast Neighborhood. According to information submitted by the applicant, the lot is 70-ft wide and approximately 19,377 square feet in area. The property consists of one single-family home, originally built in 1940 according to Pinellas County Property Appraiser records, and a detached two-car garage with accessory living space above. The living space was not permitted as an accessory dwelling unit, or “garage apartment”, which is not a permitted use in the NT-3 zoning.
district. The existing detached garage structure was permitted in March of 2000 and received variance approval through Neighborhood Design Review process for reduced side and rear yard building setback requirements (#99-12-004).

A non-conforming circular driveway exists in the right-of-way adjacent to the eastern portion of the property. Regulations for the NT-3 zoning district require that driveways and garage doors face the alley, where one exists. In addition, parking is not permitted in the City’s right-of-way. City records do not indicate that there was an approved driveway permit or right-of-way easement for this circular driveway, and the City’s Engineering Department has confirmed that there is a 1" waterline between the curb and the property line. These existing conditions are not consistent with Department of Engineering standards for approval of a driveway in the right-of-way.

REQUEST: The applicant seeks a variance to the minimum rear yard setback requirement in order to construct a third garage bay on the existing detached garage. The minimum required setback is 7-ft, due to the platted alley width of 15-ft. Section 16.20.010.6 of the City’s Land Development Regulations establishes a minimum depth of 22-ft between the alley width and building setback in order for an automobile to physically make the turn into the garage. The proposed garage would be set back 3.5-ft, aligning with the existing garage, equaling 18.5-ft between the garage and alley width.

CONSISTENCY REVIEW COMMENTS: The Planning & Economic Development Department staff reviewed this application in the context of the following criteria excerpted from the City Code and found that the requested variance is inconsistent with these standards. Per City Code Section 16.70.040.1.6 Variances, Generally, the DRC's decision shall be guided by the following factors:

1. Special conditions exist which are peculiar to the land, building, or other structures for which the variance is sought and which do not apply generally to lands, buildings, or other structures in the same district. Special conditions to be considered shall include, but not be limited to, the following circumstances:

   a. Redevelopment. If the site involves the redevelopment or utilization of an existing developed or partially developed site.

      The request does not involve redevelopment of an existing site.

   b. Substandard Lot(s). If the site involves the utilization of an existing legal nonconforming lot(s) which is smaller in width, length or area from the minimum lot requirements of the district.

      According to information submitted by the applicant, the lot is 70-ft wide and approximately 19,377 square feet in area. The minimum lot width and area requirements for a property in the NT-3 zoning district are 60-ft and 7,620 square feet respectively; therefore, the lot is not considered to be substandard to zoning district requirements.

   c. Preservation district. If the site contains a designated preservation district.

      This criterion is not applicable.
d. Historic Resources. If the site contains historical significance.

This criterion is not applicable.

e. Significant vegetation or natural features. If the site contains significant vegetation or other natural features.

The request does not involve significant vegetation or other natural features.

f. Neighborhood Character. If the proposed project promotes the established historic or traditional development pattern of a block face, including setbacks, building height, and other dimensional requirements.

The proposed structure would generally not be inconsistent with existing structures along the alley.

g. Public Facilities. If the proposed project involves the development of public parks, public facilities, schools, public utilities or hospitals.

This criterion is not applicable.

2. The special conditions existing are not the result of the actions of the applicant;

Staff has not identified special conditions which would warrant approval of the variance.

3. Owing to the special conditions, a literal enforcement of this Chapter would result in unnecessary hardship;

Literal enforcement would not result in an unnecessary hardship. Additional parking may be provided on the site without construction of a third garage bay, or a third garage bay could be constructed to meet the minimum rear yard setback requirement.

4. Strict application of the provisions of this chapter would provide the applicant with no means for reasonable use of the land, buildings, or other structures;

Strict application does not provide the applicant with no means for reasonable use of the land as additional parking could be provided while meeting the minimum required setbacks. The lot is not substandard as to minimum lot area or width requirements, and there is an existing two-car garage that provides for enclosed parking. Other options could be exercised to provide additional parking on site.

5. The variance requested is the minimum variance that will make possible the reasonable use of the land, building, or other structure;

The variance request is not the minimum variance that would make possible the reasonable use of the land or buildings. Additional parking could be provided without approval of the variance.
6. The granting of the variance will be in harmony with the general purpose and intent of this chapter;

Granting the variance would not be consistent with the purpose and intent of the Code to provide an adequate drive aisle depth and turning radius. A special condition of approval has been included as part of this report to require a wider garage to allow for a more functional turning radius.

7. The granting of the variance will not be injurious to neighboring properties or otherwise detrimental to the public welfare; and,

The granting of the variance could be injurious to neighboring properties abutting the alley to the south. The City's Engineering Department has indicated that a minimum depth of 24-ft is preferred due to past issues with property owners backing into fences/walls on neighboring properties. The property directly to the south maintains an existing 3-ft wall which sits on the rear property line of that lot.

8. The reasons set forth in the application justify the granting of a variance;

Staff finds that the reasons set forth in the application do not justify the granting of a variance.

9. No nonconforming use of neighboring lands, buildings, or other structures, legal or illegal, in the same district, and no permitted use of lands, buildings, or other structures in adjacent districts shall be considered as grounds for issuance of a variance permitting similar uses.

This criterion is not applicable.

PUBLIC COMMENTS: The subject property is within the boundaries of the Historic Old Northeast Neighborhood Association. An e-mail was received from the association stating that they had no objection to the request but did request a modification to proposed windows. One letter was received from a neighboring property owner expressing objection to the request. (See attached correspondence).

STAFF RECOMMENDATION: Based on a review of the application according to the stringent evaluation criteria contained within the City Code, the Planning and Economic Development Department Staff recommends DENIAL of the requested variance.

CONDITIONS OF APPROVAL: If the variance is approved consistent with the site plan submitted with this application, the Planning and Economic Development Department Staff recommends that the approval shall be subject to the following:

1. The plans and elevations submitted for permitting shall substantially resemble the plans and elevations submitted with this application, with the exception that the proposed window on the left elevation be modified to a vertical orientation in order to be consistent with the existing building and Neighborhood Traditional design standards.

2. The existing non-conforming circular driveway located in City right-of-way shall be removed and the curb shall be restored prior to issuance of a certificate of completion for the new garage.
3. This variance approval shall be valid through February 7, 2021. Substantial construction shall commence prior to this expiration date. A request for extension must be filed in writing prior to the expiration date.
4. The garage shall be re-designed to provide a minimum garage door width of 10-ft wide.
5. Approval of this variance does not grant or imply other variances from the City Code or other applicable regulations.

Report Prepared By:

Brittany McMullen, AICP, Planner II
Development Review Services Division
Planning & Economic Development Department

Report Approved By:

Elizabeh Abermethy, AICP, Zoning Official (POD)
Development Review Services Division
Planning & Economic Development Department

ATTACHMENTS: aerial map, site plan, elevation drawings, applicant's narrative, Neighborhood Participation Report, e-mail from neighborhood association, letter of opposition from neighboring property owner, additional documents provided by Applicant on 1/30/2018

ERA:BAM
Project Location Map
City of St. Petersburg, Florida
Planning and Economic Development Department
Case No.: 17-54000085
Address: 1825 Elm Street Northeast

nts
All applications for a variance must provide justification for the requested variance(s) based on the criteria set forth by the City Code. It is recommended that the following responses be typed. Illegible handwritten responses will not be accepted. Responses may be provided as a separate letter, addressing each of the six criteria.

ALL OF THE FOLLOWING CRITERIA MUST BE ANSWERED.

**APPLICANT NARRATIVE**

**Street Address:** 1925 Elm St. NE  
**Case No.:**

**Detailed Description of Project and Request:**

1 Car ADDITION to existing 2 CAR GARAGE with a Rear Yard SETBACK of 3.5 FEET

1. What is unique about the size, shape, topography, or location of the subject property? How do these unique characteristics justify the requested variance?

   THE PROPERTY IS LOCATED IN THE OLD NORTHEAST WHERE THE BRICK ALLEYS AND GARAGE RELATIONSHIPS WERE ESTABLISHED IN A DIFFERENT ERA. THE GARAGE APARTMENT WAS BUILT 3'-5" FROM THE BRICK PAVER ALLEY.

2. Are there other properties in the immediate neighborhood that have already been developed or utilized in a similar way? If so, please provide addresses and a description of the specific signs or structures being referenced.

   YES. ENCROACHING GARAGES ARE COMMON IN THE NEIGHBORHOOD, ESPECIALLY DIRECTLY ACROSS ELM ST. AT 730 19TH AVE. NE WITH A SETBACK OF 3'-5"

3. How is the requested variance not the result of actions of the applicant?

   THE EXISTING HOUSE WAS BUILT WHERE IT IS.
4. How is the requested variance the minimum necessary to make reasonable use of the property? In what ways will granting the requested variance enhance the character of the neighborhood?

Any smaller addition would preclude parking a car in the garage.

The addition is designed to appear as if it was always there.

3 on-site spaces are required as a minimum for a house with a garage apartment.

5. What other alternatives have been considered that do not require a variance? Why are these alternatives unacceptable?

Continuing to park on the street adds to on-street congestion.

6. In what ways will granting the requested variance enhance the character of the neighborhood?

An attractive garage is better than another car parked on the street.
To whom it may concern. I have requested to get a permit to add a third bay to our garage. Brittany McMullen at St. Petersburg Development Review Services says that I will need a request for a variance. The application has been made and a hearing is scheduled for February. All this has just taken place so I do not have specific dates at this time.

My permit request is relatively simple. I want to add a third bay to our garage to get my automobile off the street. I presently have about 18'6" of width to my garage including my small driveway and the alley. I simply want to add to my garage with the face of the new portion exactly the same as the existing. We are in and out of our garage with an automobile daily. There is no problem of reasonable access in and out of our garage.

I do not know to what extent your/our organization gets involved with these request but I would appreciate your support. Furthermore, I plan on keeping you informed with our process/progress.

I am available most any time with the exception of the holidays, we may be out of town. Please do not hesitate to call at 813 927 3673. I am more accessible by phone.

Respectfully Nelson C. Steiner

Please update your address book with my NEW email address ncs1@steinermhc.com
December 18, 2018

Dear Peter,

I have requested a permit to add a third bay to our garage. Brittany McMullen at St. Petersburg Development Review Services says that I will need a request for a variance. The application has been made and a hearing is scheduled for February. All this has just taken place, so I do not have specific dates at this time.

My permit request is relatively simple. I want to add a third bay to our garage to get my automobile off the street. I presently have about 18'6" of width to my garage including my small driveway and the alley. I simply want to add to my garage with the face of the new portion exactly the same as the existing. We are in and out of our garage with an automobile daily. There is no problem of reasonable access in and out of our garage.

I do not know to what extent your/our organization gets involved with these requests but I would appreciate your support. Furthermore, I plan on keeping you informed of our process/progress.

I am available most anytime with the exception of the holidays, we may be out of town. Please do not hesitate to call at 813 927 3673. I am more accessible by phone.

Respectfully,

[Signature]

Nelson C. Steiner
Brittany McMullen

From: Elizabeth Abernethy  
Sent: Wednesday, January 10, 2018 1:07 PM  
To: Brittany McMullen  
Subject: FW: #17-54000085

Your case?

Thanks!
--Liz

From: Robin Reed [mailto:rlreed@tampabay.rr.com]  
Sent: Wednesday, January 10, 2018 11:36 AM  
To: Elizabeth Abernethy  
Cc: Charleen McGrath; kimbyflies@yahoo.com  
Subject: Re: #17-54000085

Re: #17-54000085

Ms. Abernethy,

In reviewing this application for a third garage bay, the Historic Old NE Neighborhood Association finds that we can support the variance. We would request, however, that the windows such as the one shown in the west elevation be changed to a vertical orientation to better conform to design criteria.

Regards,
Robin Reed
Chair, HONNA Planning and Preservation Committee
25 January 2018

806 18th Ave. NE
St. Petersburg, FL 33704

Brittany McMullen
Development Review Services
City of St. Petersburg
PO Box 2842
St. Petersburg, FL 33731

Re: case # 17-54000085

Ms. McMullen:

We are writing in opposition to the proposed variance request for a garage addition at 1825 Elm Street NE.

The applicant meets the existing requirement to have 3 off-street/on-site parking spaces for a house with a garage apartment. The existing garage provides two covered spaces and the paved parking area which fronts Elm Street NE, provides three non-covered spaces. While there may be the rare occasion when guests or service vehicles need to use street parking, we believe that the existing five spaces are more than adequate to the structure. We have not experienced congestion from street parking in the vicinity.

Encroaching garages are not common in adjoining blocks; there is one garage encroachment behind the 700 block of 19th Ave. NE and no encroachments behind the 700 or 800 blocks of 18th Ave. NE.

We are also concerned that an addition to the building square footage may exceed maximum FAR (floor area ratio) requirements and/or exceed the maximum requirements for impervious surface/building coverage for the NT-3 zone.

Sincerely,

Sharon Winters & Kendall Reid

Cc: Robin Reed, Board member, HONNA
To: Development Review Commission

From: Nelson C. Steiner; Applicant

RE: Variance Request; Case No 17-5400085

Request: Approval of a variance to the rear yard setback requirement from 7 feet to 3.5 feet in order to construct a third garage bay on an existing detached garage.

The existing laundry room prohibits garage from meeting setback. (See attached Architect’s drawings.)

The alley is a “Full-Service Alley” in that it does not prohibit any routine alley traffic. The alley’s wide enough to permit clear access to our existing garage. You are able to enter the garage with a rather large vehicle with a single approach to the garage. (See photos.)

The additional garage will keep a vehicle off the street.

Attached is a neighborhood worksheet with 3 neighbors who do not object to the variance.
Applicants are strongly encouraged to obtain signatures in support of the proposal(s) from owners of property adjacent to or otherwise affected by a particular request.

<table>
<thead>
<tr>
<th>NEIGHBORHOOD WORKSHEET</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Street Address:</strong></td>
</tr>
<tr>
<td><strong>Case No.:</strong></td>
</tr>
<tr>
<td><strong>Description of Request:</strong></td>
</tr>
<tr>
<td>PERMIT A 3RD BAY FOR AN AUTOMOBILE. THE 3RD BAY WILL BE ATTACHED TO THE EXISTING TWO BAY GARAGE.</td>
</tr>
</tbody>
</table>

The undersigned adjacent property owners understand the nature of the applicant’s request and do not object (attach additional sheets if necessary):

1. **Affected Property Address:** 745 18 1/2 AVE N.E.
   - Owner Name (print): Ward Boston
   - Owner Signature:

2. **Affected Property Address:** 825 18TH AVE N.E
   - Owner Name (print): JASON M. MELTON
   - Owner Signature:

3. **Affected Property Address:** 805 18TH AVE N.E
   - Owner Name (print):
   - Owner Signature:

4. **Affected Property Address:**
   - Owner Name (print):
   - Owner Signature:

5. **Affected Property Address:**
   - Owner Name (print):
   - Owner Signature:

6. **Affected Property Address:**
   - Owner Name (print):
   - Owner Signature:

7. **Affected Property Address:**
   - Owner Name (print):
   - Owner Signature:

8. **Affected Property Address:**
   - Owner Name (print):
   - Owner Signature:
STAFF REPORT
DEVELOPMENT REVIEW COMMISSION - VARIANCE REQUEST
PUBLIC HEARING

For Public Hearing and Executive Action on February 7, 2018 beginning at 2:00 P.M., Council Chambers, City Hall, 175 Fifth Street North, St. Petersburg, Florida

According to Planning & Economic Development Department records, no Commission member resides or has a place of business within 2,000 feet of the subject property. All other possible conflicts should be declared upon the announcement of the item.

CASE NO.: 17-540000086
PLAT SHEET: L-6

REQUEST: Approval of a Variance to the required minimum lot width from 50-feet to 45-feet and 46-feet and to the required minimum lot area from 5,800 square feet to 4,815 square feet and 4,922 square feet for two (2) lots in common ownership to allow for the development of two (2) new single-family homes.

OWNER: Susan Mohammed
4161 66th Avenue North
Pinellas Park, Florida 33781

AGENT: Robert Melsom
1100 16th Street North
Saint Petersburg, Florida 33705

ADDRESSES: 4301 5th Avenue North
4311 5th Avenue North

PARCEL ID NOS.: 15-31-16-45828-001-0260
15-31-16-45828-001-0250

LEGAL DESCRIPTION: Lots 25 and 26, Block A, Kenilworth Subdivision

ZONING: Neighborhood Traditional, Single-Family (NT-2)

<table>
<thead>
<tr>
<th>Development Standard</th>
<th>Required</th>
<th>Requested</th>
<th>Variance</th>
<th>Magnitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Area (Lot 25)</td>
<td>5,800 sq. ft.</td>
<td>4,815 sq. ft.</td>
<td>985 sq. ft.</td>
<td>17%</td>
</tr>
<tr>
<td>Lot Area (Lot 26)</td>
<td>5,800 sq. ft.</td>
<td>4,922 sq. ft.</td>
<td>878 sq. ft.</td>
<td>15%</td>
</tr>
<tr>
<td>Lot Width (Lot 25)</td>
<td>50 feet</td>
<td>45 feet</td>
<td>5 feet</td>
<td>10%</td>
</tr>
<tr>
<td>Lot Width (Lot 26)</td>
<td>50 feet</td>
<td>46 feet</td>
<td>4 feet</td>
<td>8%</td>
</tr>
</tbody>
</table>
BACKGROUND: The subject property consists of two platted lots of record (Lots 25 and 26, Block A, Kenilworth Subdivision) under common ownership, located in the Central Oak Park Neighborhood at 4301 5th Avenue North, see Exhibit 1 for Project Location Map. According to City property card records the property was originally developed with one single-family residence on Lots 25 and 26. In 2006 the single-family residence was permitted to be demolished. As per the Pinellas County Property Appraiser records the current property owner purchased the property in 2013.

The property has a zoning designation of Neighborhood Traditional, Single-Family (NT-2). The minimum lot width in NT-2 districts is 50-feet and the minimum lot area is 5,800 square feet. Subject Lots 25 and 26 have a platted lot width of 45-feet and 46-feet, respectively, and contain 4,815 square feet and 4,922 square feet of site area. Therefore, they are considered to be substandard in lot width and lot area. The subject subdivision was recorded in 1923, Exhibit 2 includes a copy of the subdivision plat.

Restrictions were in place from 1973 through 2003 which limited development of non-conforming lots if the lots were in common ownership. The code was changed in 2003 to allow development on any platted lot of record. On September 17, 2015, City Council amended the non-conforming lot regulations, thereby eliminating the right to build on these substandard lots without first obtaining a Variance.

During the review of the regulations by City Council starting in March of 2015, Council made the decision to change the code back to restrict such development on substandard lots, while also making clear its intent that a Variance review would be required to determine if such development would be consistent with the surrounding neighborhood pattern. Council found that in some neighborhoods, development of substandard lots would not be consistent with the surrounding development pattern and allowing one home on one platted lot in an area that has historically developed on more than one platted lot could be detrimental to the neighbors and the overall character of the neighborhood. The subject block and the majority of the surrounding neighborhood are not an example of this situation, see Exhibit 2, Neighborhood Lot Exhibit. Staff has determined that this request is consistent with the neighborhood development pattern and the Variance criteria.

REQUEST: The applicant seeks approval of a Variance to lot width and lot area to create two buildable lots from two platted lots of record in order to construct two new single-family homes. The applicant is proposing two options for future home owners to choose from for both of the proposed buildable lots, see the site plans, floor plans and elevations within Exhibit 3 for the Sanderling model and Exhibit 4 for the Dunlin model. Both proposals include two-story residences that meet the maximum development potential and setback requirements for NT-2 zoned properties. Staff has included a condition of approval requiring the two new homes to meet the NT design requirements, as the proposal for the corner lot may need to be slightly revised to meet fenestration and glazing requirements. Also, the design of the new homes shall be varied from each other as well as other homes in the vicinity, as required by code.

CONSISTENCY REVIEW COMMENTS: The Planning & Economic Development Department staff reviewed this application in the context of the following criteria excerpted from the City Code and found that the requested Variance is consistent with these standards. Per City Code Section 16.70.040.1.6 Variances, Generally, the DRC's decision shall be guided by the following factors:

1. Special conditions exist which are peculiar to the land, building, or other structures for which the variance is sought and which do not apply generally to lands, buildings, or other structures in the same district. Special conditions to be considered shall include, but not be
limited to, the following circumstances:

a. Redevelopment. If the site involves the redevelopment or utilization of an existing developed or partially developed site.

The Variance would allow development of the vacant property consisting of two existing platted lots of record with two single-family homes, with one home on each platted lot.

b. Substandard Lot(s). If the site involves the utilization of an existing legal nonconforming lot(s) which is smaller in width, length or area from the minimum lot requirements of the district.

The two individual platted lots are deficient in terms of minimum lot width and area required for properties zoned NT-2 and are therefore considered to be substandard.

c. Preservation district. If the site contains a designated preservation district.

The site is not located within a locally designated preservation district.

d. Historic Resources. If the site contains historical significance.

This criterion is not applicable.

e. Significant vegetation or natural features. If the site contains significant vegetation or other natural features.

There are no significant vegetative or natural features on the site. There is a Grand Live Oak located on the adjacent property that has limbs protruding onto the subject property. However, that tree is located at the front of the property and should not impact the proposed residences. If trimming of the tree should be required then a Tree Removal Application will need to be submitted and approved. Photographs of the subject property are provided within Exhibit 1.

f. Neighborhood Character. If the proposed project promotes the established historic or traditional development pattern of a block face, including setbacks, building height, and other dimensional requirements.

Staff analyzed the development pattern of the subject block and adjacent blocks, see Exhibit 2, Neighborhood Lot Exhibit and study area tables below. The portion of the Central Oak Park Neighborhood that was included in this study area includes a total of 8 blocks which were platted among 4 different subdivisions.

All of the interior lots in the Kenilworth Subdivision, which the subject property is located within, have a platted lot width of 45-feet. Those lots located on the ends of the block in the Kenilworth Subdivision range from 45-feet to 47.2-feet in width. The 3 other subdivisions included in the study contained platted lot widths ranging from 45-feet to 55-feet.

Staff’s development pattern analysis included review of lot width and lot area for conformance with the minimum requirements for NT-2 zoned properties, and whether the properties typically contain one house per platted lot. The results of the analysis, provided in the tables below, show that 54.29% of the properties are substandard in
terms of lot area. While only 32.86% of the properties analyzed are substandard in lot width, staff found that 53.9% of the properties consist of one house per platted lot. Based on the analysis, staff finds that the proposal is consistent with the prevailing development pattern that is reflective of the original subdivision platting.

Table 1: Lot Area Analysis

<table>
<thead>
<tr>
<th>Block</th>
<th>Location</th>
<th>Conforming to Area</th>
<th>Substandard to Area</th>
<th>% Substandard to Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Block 1</td>
<td>Subject block</td>
<td>5</td>
<td>17</td>
<td>77.27%</td>
</tr>
<tr>
<td>Block 2</td>
<td>West</td>
<td>9</td>
<td>8</td>
<td>47.06%</td>
</tr>
<tr>
<td>Block 3</td>
<td>Northwest</td>
<td>10</td>
<td>9</td>
<td>47.37%</td>
</tr>
<tr>
<td>Block 4</td>
<td>North</td>
<td>5</td>
<td>18</td>
<td>78.26%</td>
</tr>
<tr>
<td>Block 5</td>
<td>Northeast</td>
<td>12</td>
<td>4</td>
<td>25.00%</td>
</tr>
<tr>
<td>Block 6</td>
<td>East</td>
<td>7</td>
<td>9</td>
<td>56.25%</td>
</tr>
<tr>
<td>Block 7</td>
<td>Southeast</td>
<td>8</td>
<td>6</td>
<td>42.86%</td>
</tr>
<tr>
<td>Block 8</td>
<td>South</td>
<td>8</td>
<td>5</td>
<td>38.46%</td>
</tr>
<tr>
<td>Average</td>
<td></td>
<td></td>
<td></td>
<td>54.29%</td>
</tr>
</tbody>
</table>

Table 2: Lot Width Analysis

<table>
<thead>
<tr>
<th>Block</th>
<th>Location</th>
<th>Conforming to Width</th>
<th>Substandard to Width</th>
<th>% Substandard to Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>Block 1</td>
<td>Subject block</td>
<td>5</td>
<td>17</td>
<td>77.27%</td>
</tr>
<tr>
<td>Block 2</td>
<td>West</td>
<td>10</td>
<td>7</td>
<td>41.18%</td>
</tr>
<tr>
<td>Block 3</td>
<td>Northwest</td>
<td>19</td>
<td>0</td>
<td>0.00%</td>
</tr>
<tr>
<td>Block 4</td>
<td>North</td>
<td>12</td>
<td>11</td>
<td>47.83%</td>
</tr>
<tr>
<td>Block 5</td>
<td>Northeast</td>
<td>12</td>
<td>4</td>
<td>25.00%</td>
</tr>
<tr>
<td>Block 6</td>
<td>East</td>
<td>12</td>
<td>4</td>
<td>25.00%</td>
</tr>
<tr>
<td>Block 7</td>
<td>Southeast</td>
<td>12</td>
<td>2</td>
<td>14.29%</td>
</tr>
<tr>
<td>Block 8</td>
<td>South</td>
<td>12</td>
<td>1</td>
<td>7.69%</td>
</tr>
<tr>
<td>Average</td>
<td></td>
<td></td>
<td></td>
<td>32.86%</td>
</tr>
</tbody>
</table>

Table 3: Platted Lot Development Pattern

<table>
<thead>
<tr>
<th>Block</th>
<th>Location</th>
<th>1 House per Platted Lot</th>
<th>1 House on Multiple Lots</th>
<th>% 1 House per Platted Lot</th>
</tr>
</thead>
<tbody>
<tr>
<td>Block 1</td>
<td>Subject block</td>
<td>18</td>
<td>4</td>
<td>78.26%</td>
</tr>
<tr>
<td>Block 2</td>
<td>West</td>
<td>7</td>
<td>10</td>
<td>41.18%</td>
</tr>
<tr>
<td>Block 3</td>
<td>Northwest</td>
<td>0</td>
<td>19</td>
<td>0.00%</td>
</tr>
<tr>
<td>Block 4</td>
<td>North</td>
<td>11</td>
<td>12</td>
<td>47.83%</td>
</tr>
<tr>
<td>Block 5</td>
<td>Northeast</td>
<td>16</td>
<td>0</td>
<td>100.00%</td>
</tr>
<tr>
<td>Block 6</td>
<td>East</td>
<td>16</td>
<td>0</td>
<td>100.00%</td>
</tr>
<tr>
<td>Block 7</td>
<td>Southeast</td>
<td>4</td>
<td>10</td>
<td>28.57%</td>
</tr>
<tr>
<td>Block 8</td>
<td>South</td>
<td>4</td>
<td>9</td>
<td>30.77%</td>
</tr>
<tr>
<td>Average</td>
<td></td>
<td></td>
<td></td>
<td>53.90%</td>
</tr>
</tbody>
</table>
neighborhoods, while permitting rehabilitation, improvement and redevelopment in a manner that is consistent with the scale of the neighborhood."

The Future Land use designation in this neighborhood is Planned Redevelopment – Residential (PR-R). The following objective and policies promote redevelopment and infill development in our City:

OBJECTIVE LU2:
The Future Land Use Element shall facilitate a compact urban development pattern that provides opportunities to more efficiently use and develop infrastructure, land and other resources and services by concentrating more intensive growth in activity centers and other appropriate areas.

LU2.5 The Land Use Plan shall make the maximum use of available public facilities and minimize the need for new facilities by directing new development to infill and redevelopment locations where excess capacity is available.

7. The granting of the Variance will not be injurious to neighboring properties or otherwise detrimental to the public welfare; and,

The granting of the Variance will not be injurious to neighboring properties as the proposed residences will be developed in a similar pattern as the subject block with one house on each of the two platted lots. Additionally, the new single-family residences will meet the requirements for NT-2 zoned properties for floor area ratio, impervious surfaces, setbacks and design standards. Granting of the Variance will not be detrimental to the public welfare as there are available public facilities and vehicular access to the site will be required to be from the alley in the rear of the property and not from 5th Avenue North, a designated future major street and U.S. Highway.

8. The reasons set forth in the application justify the granting of a Variance;

Staff finds that the reasons set forth in the Variance application do justify the granting of the Variance based on the analysis provided and the recommended conditions of approval.

9. No nonconforming use of neighboring lands, buildings, or other structures, legal or illegal, in the same district, and no permitted use of lands, buildings, or other structures in adjacent districts shall be considered as grounds for issuance of a Variance permitting similar uses.

No nonconforming uses, buildings or structures have been utilized in Staff’s analysis.

PUBLIC COMMENTS: The subject property is within the boundaries of the Central Oak Park Neighborhood Association. No comments were received from the neighborhood association. Staff received two inquiries about the application which did not indicate either support or opposition to the request after the information was provided.

STAFF RECOMMENDATION: Based on a review of the application according to the stringent evaluation criteria contained within the City Code, the Planning and Economic Development Department Staff recommends APPROVAL of the requested Variance.
g. Public Facilities. If the proposed project involves the development of public parks, public facilities, schools, public utilities or hospitals.

The project does not involve public facilities.

2. The special conditions existing are not the result of the actions of the applicant;

The subject property is located on 5th Avenue North which is designated as the U.S. Route 19 Alternate and is a "Minor Arterial, State Road" on the City's Future Major Streets map. These lots were platted in 1923 as a part of the Kenilworth Subdivision. As shown in the analysis provided above within criterion 1.f., 77% of the lots within the subject block are substandard in lot area, 77% are substandard in lot width, and 78% are developed with one house per platted lot of record. The location of the site on a major street, subdivision platting and the existing development pattern of the subject block are not the result of any actions of the applicant.

3. Owing to the special conditions, a literal enforcement of this Chapter would result in unnecessary hardship;

Literal enforcement may result in an unnecessary hardship as the site is located along a major street and the existing development pattern of the subject block is consistent with the applicant's proposal. These conditions have hindered the redevelopment of the site which has remained vacant for over a decade.

4. Strict application of the provisions of this chapter would provide the applicant with no means for reasonable use of the land, buildings, or other structures;

Strict application would not provide for reasonable use of the land as a majority of the other properties on the block are substandard in terms of lot area and lot width and have been developed with one house on one platted lot of record; therefore, the requested Variance would allow a more consistent use of the land.

5. The Variance requested is the minimum Variance that will make possible the reasonable use of the land, building, or other structure;

The Variance requested is the minimum necessary to allow the development of two single-family homes on lots with a similar lot area and width as the existing single-family homes on the subject block. The Variance from 5,800 square feet of required lot area to 4,815 square feet of area for Lot 25 and 4,922 square feet of area for Lot 26 constitutes reductions of 17% and 15%, respectively. The Variance from the 50 foot required lot width to 45 feet in width for Lot 25 and 46 feet for Lot 26 constitutes reductions of 10% and 8%, respectively.

6. The granting of the Variance will be in harmony with the general purpose and intent of this chapter;

The request is consistent with the goals of the Comprehensive Plan and the Land Development Regulations to promote revitalization and redevelopment. The Land Development Regulations for the Neighborhood Traditional districts state: "The purpose of the NT district regulations is to protect the traditional single-family character of these
CONDITIONS OF APPROVAL: If the Variance is approved consistent with the site plans submitted with this application, the Planning and Economic Development Department Staff recommends that the approval shall be subject to the following:

1. The plans and elevations submitted for permitting should substantially resemble either set of plans and elevations submitted with this application and shall comply with maximum development potential, setback and design requirements of the Neighborhood Traditional-2 Zoning District at the time of permitting.

2. The design of the new homes shall be varied from each other as well as the other homes on the same block face on either side of the street or within an adjacent block face on either side of the street as per Code Section 16.20.010.11.

3. Applicant, successor or assigns shall remove the existing driveway apron located next to Lot 26 along 43rd Street North.

4. This Variance approval shall be valid through February 7, 2021. Substantial construction shall commence or the lots shall be separately conveyed prior to this expiration date, unless an extension has been approved by the POD. A request for extension must be filed in writing prior to the expiration date.

5. Approval of this Variance does not grant or imply other variances from the City Code or other applicable regulations.

Report Prepared By:

[Signature]
Scot Bolyard, AICP, Planner I
Development Review Services Division
Planning & Economic Development Department

Date: 1/31/18

Report Approved By:

[Signature]
Elizabeth Abernethy, AICP, Zoning Official (POD)
Development Review Services Division
Planning & Economic Development Department

Date: 1/31/18

List of Exhibits:
Exhibit 1: Project Location Map, survey, photographs, and property record card
Exhibit 2: Subdivision Plat and Neighborhood Lot Exhibit
Exhibit 3: Sanderling Model: Site Plans, Floor Plans and Elevations
Exhibit 4: Dunlin Model: Site Plans, Floor Plans and Elevations
Exhibit 5: Application and Variance Narrative
EXHIBIT 1

Project Location Map, Survey, Photographs, and Property Record Card
Project Location Map
City of St. Petersburg, Florida
Planning and Economic Development Department
Case No.: 17-54000086
Address: 4301 and 4311 5th Avenue North
PROPERTY SUPPLIED BY CITY WATER AND SEWER
4301 5th Avenue North
Lots 25 and 26, Block A, Kenilworth Subdivision
4321 and 4329 5th Avenue North
4251 and 4263 5\textsuperscript{th} Avenue North
4300 and 4316 5th Avenue North
<table>
<thead>
<tr>
<th>Location: 4301-5th Ave. No. 59248-8-17-46 $6000.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Four room &amp; bath res. with one car garage &amp; laundry 14 x 25. Owner Mr. &amp; Mrs. W.W. Ponte.</td>
</tr>
<tr>
<td>B of A - Granted woodworking shop in garage - 11/12/48</td>
</tr>
<tr>
<td>C &amp; D LETTER SENT 4-23-75</td>
</tr>
<tr>
<td>4301 5th Ave. No. - RESIDENCE</td>
</tr>
<tr>
<td>#36754 - R2 11/14/75 - $1500</td>
</tr>
<tr>
<td>Owner: Mrs. Latorri - replace exterior. Asphalt siding. Approx 1500 sf. Replace interior wood paneling, repair two damaged exterior walls. (Type VI) Wadsworth Lifetime Homes Contractor. (Double Fee)</td>
</tr>
<tr>
<td>#54122 - RS75 - 4/6/78 - $400</td>
</tr>
<tr>
<td>Owner Bill Alton - remove old roof and reroof with 2400# shingles over 30# felt, Class C roofing (Type VI) by owner</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Location: 322 - 10/23/46 - H. Gifford</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wallis - 8c 9sw 15p 60a-ser. 2-meters 1-range 1-w. heater</td>
</tr>
<tr>
<td>#9748 - 9/4/46 - H. Gifford Wallis - 2w - Saw Pole</td>
</tr>
<tr>
<td>E4795C - 6/2/71 - Latorre Electrical Contr - 100 amps 1-1/4 HP room a/c - increase service</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Location: #26401 - 9-5-46 - W.W. Ponte</th>
</tr>
</thead>
<tbody>
<tr>
<td>C.C.Irons - c-l-s-b-LEWH</td>
</tr>
<tr>
<td>#3572G - 5/11/59 - Walter Ponte S &amp; W P1bg. - 1-washer</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Location: 32910 - 5/5/59 - Walter Ponte</th>
</tr>
</thead>
<tbody>
<tr>
<td>S &amp; W P1bg. - $5.00 tap</td>
</tr>
</tbody>
</table>

| Location: #7706 - 2-27-47 - Ponte Morris |

| Location: 32700 - 5/5/59 - Walter Ponte |

| Location: 32910 - 5/5/59 - Walter Ponte |

| Location: #7706 - 2-27-47 - Ponte Morris |
EXHIBIT 2

Subdivision Plat and Neighborhood Lot Exhibit
EXHIBIT 3

Sanderling Model:
Site Plans, Floor Plans and Elevations
EXHIBIT 4

Dunlin Model:
Site Plans, Floor Plans and Elevations
EXHIBIT 5

Application and Variance Narrative
All applications are to be filled out completely and correctly. The application shall be submitted to the City of St. Petersburg’s Development Review Services Division, located on the 1st floor of the Municipal Services Building, One Fourth Street North.

**GENERAL INFORMATION**

**NAME of APPLICANT (Property Owner):** Susan Mohammed

- **Street Address:** 4181 98th Avenue North
- **City, State, Zip:** Pinellas Park, Florida 33781-5832

**Telephone No:**

**NAME of AGENT or REPRESENTATIVE:** Robert Melsom

- **Street Address:** 1100 16th Street North
- **City, State, Zip:** Saint Petersburg, FL 33705

**Telephone No:** 727-504-6789

**Email Address:** robert@melscmgroup.com

**PROPERTY INFORMATION:**

- **Street Address or General Location:** 4301 5th Avenue North, St. Petersburg, FL
- **Parcel ID(s):** 15-31-16-45828-001-0280

**DESCRIPTION OF REQUEST:** Variance from Lot Width and Area (NT-2) for Lcts of Record considered nonconforming lots in common ownership.

**PRE-APPLICATION DATE:** 11/20/2017

**PLANNER:** Kathryn Ycnkin

**FEE SCHEDULE:**

<table>
<thead>
<tr>
<th>Description</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 &amp; 2 Unit, Residential – 1st Variance</td>
<td>$300.00</td>
</tr>
<tr>
<td>3 or more Units &amp; Non-Residential – 1st Variance</td>
<td>$300.00</td>
</tr>
<tr>
<td>Each Additional Variance</td>
<td>$100.00</td>
</tr>
<tr>
<td>After-the-Fact</td>
<td>$500.00</td>
</tr>
<tr>
<td>Docks</td>
<td>$400.00</td>
</tr>
<tr>
<td>Flood Elevation</td>
<td>$300.00</td>
</tr>
</tbody>
</table>

Cash, credit, checks made payable to “City of St. Petersburg”

**AUTHORIZATION**

City Staff and the designated Commission may visit the subject property during review of the requested variance. Any Code violations on the property that are noted during the inspections will be referred to the City’s Codes Compliance Assistance Department.

The applicant, by filing this application, agrees he or she will comply with the decision(s) regarding this application and conform to all conditions of approval. The applicant’s signature affirms that all information contained within this application has been completed, and that the applicant understands that processing this application may involve substantial time and expense. Filing an application does not guarantee approval, and denial or withdrawal of an application does not result in remittance of the application fee.

**NOTE:** IT IS INCUMBENT UPON THE APPLICANT TO SUBMIT CORRECT INFORMATION. ANY MISLEADING, DECEPTIVE, INCOMPLETE, OR INCORRECT INFORMATION MAY INVALIDATE YOUR APPROVAL.

**Signature of Owner / Agent:**

**Date:**

**Typed Name of Signatory:** Robert O. Melsom

**Affidavit to Authorize Agent required, if signed by Agent.**

**UPDATED 09-30-16**
VARIANCE

NARRATIVE (PAGE 1)

All applications for a variance must provide justification for the requested variance(s) based on the criteria set forth by the City Code. It is recommended that the following responses by typed. Illegible handwritten responses will not be accepted. Responses may be provided as a separate letter, addressing each of the six criteria.

ALL OF THE FOLLOWING CRITERIA MUST BE ANSWERED.

<table>
<thead>
<tr>
<th>APPLICANT NARRATIVE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Street Address: 4391 5th Avenue North, St. Petersburg, FL</td>
</tr>
<tr>
<td>Detailed Description of Project and Request:</td>
</tr>
</tbody>
</table>

The variance being requested is for the construction of homes on nonconforming lots in common ownership. The variance being requested is from the minimum lot width and area requirements in the NT-2 Zoning District. Lot 20 has a lot width of 45' and Lot 29 has a lot width of 40'. The proposed lot width is 50'. The lot area for Lot 20 is 2,204 SF. The lot area for Lot 29 is 2,030 SF. The variance required is 3,600. Both Lots are Lots of Record and were Platted as part of the Kentworth Subdivision. As such they are legal lots of record.

1. What is unique about the size, shape, topography, or location of the subject property? How do these unique characteristics justify the requested variance?

The lot(s) is an existing lot of record and located in the Central Oak Park neighborhood. The lots face 5th Avenue North and are Major East to West arterial within the city of St. Petersburg.

The real majority of the housing stock in the eight (8) block area (which the property is located in) was constructed prior to 1954. As such the housing stock is aging and has expired or needs to extend its useful life-cycle and requiring replacement.

Likewise the average size of these homes is 1,379 SF. Also the real majority of the lots in the subject block is 45' in width and are non-conforming from both a width and area perspective based upon the current requirements for the NT-2 Zoning District.

The neighborhood is a mix of older homes and institutional uses. The block facing the subject lots is a church. My client intends to construct a 1,572 SF home on each lot providing entry level housing opportunities within this neighborhood of aging housing stock.

2. Are there other properties in the immediate neighborhood that have already been developed or utilized in a similar way? If so, please provide addresses and a description of the specific signs or structures being referenced.

The lots are plotted lots of record, but are now considered non-conforming based upon the City's Current Zoning Requirements. The real majority of the lots on the subject block (Block A) are non-conforming (approximately 83.81%) 45' wide lots from both a width and area perspective. The Average Home Size irrespective of lot size in the eight block area that surrounds the property is 1,379 SF. Again the majority of existing homes in this area were constructed prior to 1954. As noted above the homes that are being proposed are within the character of the existing neighborhood relative to proposed size. Again, as noted on the plat plans the homes that are being proposed provide entry level housing opportunities and meet all of the other NT-2 Zoning District Requirements, regarding FAR, setbacks, etc. Likewise the proposed elevations (e.g. the Architecture) are within the character of the existing housing in the neighborhood.

3. How is the requested variance not the result of actions of the applicant?

Yes. Since the City's amended the Zoning Code, the lots are now considered non-conforming lots of record under common ownership. 16.65.030.2. B

Page 8 of 8
All applications for a variance must provide justification for the requested variance(s) based on the criteria set forth by the City Code. It is recommended that the following responses be typed. Illegible handwritten responses will not be accepted. Responses may be provided as a separate letter, addressing each of the six criteria.

**ALL OF THE FOLLOWING CRITERIA MUST BE ANSWERED.**

4. **How is the requested variance the minimum necessary to make reasonable use of the property? In what ways will granting the requested variance enhance the character of the neighborhood?**

   As stated above, the homes that will be constructed will meet all of the other height, area and bulk requirements in the NT-2 Zoning District (except the width and area, since they are non-conforming lots of record).

   The proposed FAR will be .33 below the maximum allowed of .4. The Design of the proposed homes is consistent with the Character of existing neighborhood and will also as previously stated provide entry level housing opportunities with are needed for home buyers in St. Petersburg, FL.

5. **What other alternatives have been considered that do not require a variance? Why are these alternatives unacceptable?**

   The lots could be combined. This would allow the construction of a 3,894 SF Home which would be greatly out of character in this neighborhood.

6. **In what ways will granting the requested variance enhance the character of the neighborhood?**

   Granting the variance would allow the construction of two(2) homes that would be within the character and scale of existing homes in the neighborhood and provide entry level housing opportunities.
SPECIAL EXCEPTION
PUBLIC HEARING

According to Planning & Economic Development Department records, Commissioner Samuel reside or have a place of business within 2,000 feet of the subject property. All other possible conflicts should be declared upon the announcement of the item.

REPORT TO THE DEVELOPMENT REVIEW COMMISSION FROM DEVELOPMENT REVIEW SERVICES DIVISION, PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT, for Public Hearing and Executive Action on February 7, 2018 at 2:00 P.M. in Council Chambers, City Hall, 175 Fifth Street North, St. Petersburg, Florida.

CASE NO.: 17-32000034 PLAT SHEET: G-2
REQUEST: Approval of a Special Exception and related Site Plan to expand an existing microbrewery.
OWNER: Ronald Holehouse
2021 1/2 1st Avenue North
Saint Petersburg, Florida 33713-8801
AGENT: Steven Duffy
715 44th Avenue Northeast
Saint Petersburg, Florida 33703

ADDRESSES:
1120 1st Avenue North
1133 Baum Avenue North

PARCEL ID NOS.:
24-31-16-94842-000-0220
24-31-16-94842-000-0240

LEGAL DESCRIPTION: On File

ZONING: Downtown Center-1 (DC-1)

SITE AREA TOTAL: 24,328 square feet or 0.56 acres

GROSS FLOOR AREA:
Existing: 12,383 square feet 0.51 F.A.R.
Proposed: 14,079 square feet 0.58 F.A.R.
Permitted: 72,884 square feet 3.0 F.A.R.
BUILDING COVERAGE:

Existing: 12,383 square feet  51% of Site MOL
Proposed: 12,654 square feet  52% of Site MOL
Permitted: 23,111 square feet  95% of Site MOL

IMPERVIOUS SURFACE:

Existing: 19,488 square feet  80% of Site MOL
Proposed: 18,899 square feet  78% of Site MOL
Permitted: N/A

OPEN GREEN SPACE:

Existing: 4,840 square feet  20% of Site MOL
Proposed: 5,429 square feet  22% of Site MOL

PAVING COVERAGE:

Existing: 7,105 square feet  29% of Site MOL
Proposed: 6,245 square feet  26% of Site MOL

PARKING:

Existing: 0;
Proposed: 0;
Required: 0;

BUILDING HEIGHT:

Existing: 25.6 feet
Proposed: 25.6 feet
Permitted: 125 feet

APPLICATION REVIEW:

I. PROCEDURAL REQUIREMENTS: The applicant has met and complied with the procedural requirements of Section 16.10.020.1 of the Municipal Code for a Microbrewery which is a Special Exception use within the DC-1 Zoning District.

II. DISCUSSION AND RECOMMENDATIONS:

The Request:
The applicant seeks approval of a Special Exception and related site plan to expand an existing microbrewery. A microbrewery use is a Special Exception use in the Downtown Center-1 (DC-1) zoning district. The subject property is located on the south side of 1st Avenue North between 11th Street and 13th Street North.

History:
On February 1, 2012, the Development Review Commission approved a Special Exception and related site plan to convert an existing building into a microbrewery (DRC Case No. 11-32000011). The approval was the first microbrewery in the City and there have been six others approved within a mile of Greenbench; four of which are in operation (Cage, Pinellas Ale Works, St. Pete Brewery, Cycle) and one is in for building permitting (Overflow). The subject property consisted of three lots, with a 6,042 square foot building, that was formerly a motor vehicle repair shop. The applicant expanded the existing building to 7,767 square feet.
**Current Proposal:**
The applicant is seeking to expand the existing microbrewery by incorporating the property and an existing 5,100 square foot two-story building that is east of the subject property. The building was formerly a glass and window distributor and retail/sales office.

The applicant proposes to construct a 765 square foot addition on the south side of the existing 5,100 square foot building. The addition will be for a ground level patio and 2nd floor balcony, with bathrooms on both levels. The inside of the building will have a barrel storage area that will be 3,726 square feet. The 1st and 2nd story tasting room will be approximately 1,530 square feet (including outdoor patio and balcony).

The applicant proposes to install a 684 square foot cooler, 182 square foot grain silo and a 441 square foot elevated equipment platform on the west side of the subject property.

**Use Specific Regulations**
City Code has use specific regulations for a microbrewery as outlined in Section 16.50.045, these regulations are listed below:

The microbrewery shall produce no more than 15,000 barrels (465,000 US gallons / 17,602.16 hectoliters) of beer per year;

*The applicant has noted in the narrative that they will not produce more than 15,000 barrels a year.*

This use shall be permitted only in conjunction with a 'restaurant and bar, indoor,' 'restaurant and bar, indoor and outdoor' or 'restaurant and bar, accessory outdoor area,' tasting room or retail sales and service:

a. No more than 75 percent of the total gross floor space of the establishment shall be used for the brewery function including, but not limited to, the brewhouse, boiling and water treatment areas, bottling and kegging lines, malt milling and storage, fermentation tanks, conditioning tanks and serving tanks;

*The applicant proposes to have a 10,695 square foot brewery and a 4,717 tasting area, the brewery will occupy 69 percent of the total building area.*

b. The façade of any accessory use(s) shall be oriented toward the street, excluding alleys, and, if located in a shopping center, to the common space where the public can access the use;

*The existing building is oriented towards the street, the applicant proposed to install a new storefront system, an at grade patio and 2nd floor balcony along the south side of the building which will be oriented towards Baum Avenue North.*

c. Pedestrian connections shall be provided between the public sidewalks and the primary entrance(s) to any accessory use(s);

*The existing building is located abutting the existing sidewalks along 1st Avenue North and Baum Avenue North.*

All mechanical equipment visible from the street (excluding alleys), an adjacent residential use or residential zoning district shall be screened using architectural features consistent with the principal structure;
The proposed mechanical equipment will be shielded by existing walls.

Access and loading bays are discouraged from facing toward any street, excluding alleys;

The loading bay will remain along the western side of the existing building.

Access and loading bays facing any street, adjacent residential use or residential zoning district, shall have the doors closed at all times, except during the movement of raw materials, other supplies and finished products into and out of the building;

N/A

Service trucks for the purpose of loading and unloading materials and equipment shall be restricted to between the hours of 8:00 a.m. and 8:00 p.m. Monday through Saturday and between 11:00 a.m. and 7:00 p.m. on Sundays and national holidays;

The applicant has stated in the narrative that they will comply with the hours of operation for loading and unloading.

No outdoor storage shall be allowed, including the use of portable storage units, cargo containers and tractor trailers, except as follows: spent or used grain, which is a natural byproduct of the brewing process, may be stored outdoors for a period of time not to exceed 24 hours. The temporary storage area of spent or used grain shall be:

a. Designated on the approved site plan;
b. Permitted within the interior side or rear yard or within the minimum building setbacks;
c. Prohibited within any yard abutting a residential use or residential zoning district;
d. Fully enclosed within a suitable container, secured and screened behind a solid, opaque fence or wall measuring a minimum five (5) feet in height.

The applicant has not discussed if there will be any outdoor temporary storage. The only area for outdoor storage would be on the western side of the existing building. This area is within an interior side, complies with the required setbacks and is not abutting a residential use. The area is also shielded by existing walls. The applicant will need to comply with the above criteria. A special condition of approval has been added to the report to address this issue.

Staff finds that the applicant has complied with the use specific regulations for a microbrewery, as outlined in Section16.50.045.

Special Exception
The proposed use, as mentioned above, is a Special Exception use in the DC-1 zoning district. The DRC is required to review the project for any possible adverse impacts such as noise, light, traffic circulation, traffic congestion and compatibility. The existing microbrewery has been successfully operating for almost six years, and there have been no adverse impacts reported to the City, and no codes compliances cases since the microbrewery established. The expansion has been developed with a commercial use with adequate vehicular and pedestrian access. There is also adequate room for both onsite loading and unloading. The City's Transportation Planner has reviewed the proposal and determined that the existing road network is adequate to support the proposed use. The properties that surround the subject property are also developed with commercial uses. Staff finds that the proposed use complies with the Special Exception criteria as outlined in Section 16.70.040.1.5.
Public Comments:
No comments or concerns were expressed at the time this report was prepared.

III. RECOMMENDATION:
A. Staff recommends APPROVAL of a Special Exception and related site plan, subject to Special Conditions of Approval.

B. SPECIAL CONDITIONS OF APPROVAL:
1. The project shall be subject to final review and approval by the Community Redevelopment Agency.
2. The applicant shall comply with the use specific criteria for a microbrewery, as outlined in Section16.50.045.
3. Any outdoor lighting shall comply with Section 16.40.070.
4. Applicant shall comply with the conditions of Engineering Department memo dated December 21, 2017, including repair/reconstruction of sidewalks where driveways are to be removed.
5. Foundation landscaping shall be installed around the perimeter of the outdoor patio.

(All or Part of the following standard conditions of approval may apply to the subject application. Application of the conditions is subject to the scope of the subject project and at the discretion of the Zoning Official. Applicants who have questions regarding the application of these conditions are advised to contact the Zoning Official.)

ALL SITE PLAN MODIFICATIONS REQUIRED BY THE DRC SHALL BE REFLECTED ON A FINAL SITE PLAN TO BE SUBMITTED TO THE PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT BY THE APPLICANT FOR APPROVAL PRIOR TO THE ISSUANCE OF PERMITS.

Building Code Requirements:
1. The applicant shall contact the City's Construction Services and Permitting Division and Fire Department to identify all applicable Building Code and Health/Safety Code issues associated with this proposed project.
2. All requirements associated with the Americans with Disabilities Act (ADA) shall be satisfied.

Zoning/Planning Requirements:
1. The applicant shall submit a notice of construction to Albert Whitted Field if the crane height exceeds 190 feet. The applicant shall also provide a Notice of Construction to the Federal Aviation Administration (FAA), if required by Federal and City codes.
2. All site visibility triangle requirements shall be met (Chapter 16, Article 16.40, Section 16.40.160).
3. No building or other obstruction (including eaves) shall be erected and no trees or shrubbery shall be planted on any easement other than fences, trees, shrubbery, and hedges of a type approved by the City.
4. The location and size of the trash container(s) shall be designated, screened, and approved by the Manager of Commercial Collections, City Sanitation. A solid wood fence or masonry wall shall be installed around the perimeter of the dumpster pad.
Engineering Requirements:

1. The site shall be in compliance with all applicable drainage regulations (including regional and state permits) and the conditions as may be noted herein. The applicant shall submit drainage calculations and grading plans (including street crown elevations), which conform with the quantity and the water quality requirements of the Municipal Code (Chapter 16, Article 16.40, Section 16.40.030), to the City's Engineering Department for approval. Please note that the entire site upon which redevelopment occurs shall meet the water quality controls and treatment required for development sites. Stormwater runoff release and retention shall be calculated using the rational formula and a 10-year, one-hour design storm.

2. As per Engineering Department requirements and prior to their approval of any permits, the applicant shall submit a copy of a Southwest Florida Water Management District (or Pinellas County Ordinance 90-17) Management of Surface Water Permit or Letter of Exemption to the Engineering Department and a copy of all permits from other regulatory agencies including but not limited to FDOT and Pinellas County required for this project.

3. A work permit issued by the Engineering Department shall be obtained prior to commencement of construction within dedicated rights-of-way or easements.

4. The applicant shall submit a completed Storm Water Management Utility Data Form to the City's Engineering Department for review and approval prior to the approval of any permits.

5. Curb-cut ramps for the physically handicapped shall be provided in sidewalks at all corners where sidewalks meet a street or driveway.

Landscaping Requirements:

1. The applicant shall submit a revised landscape plan, which complies with the plan approved by the DRC and includes any modifications as required by the DRC. The DRC grants the Planning & Economic Development Department discretion to modify the approved landscape plan where necessary due to unforeseen circumstances (e.g. stormwater requirements, utility conflicts, conflicts with existing trees, etc.), provided the intent of the applicable ordinance(s) is/are maintained. Landscaping plans shall be in accordance with Chapter 16, Article 16.40, Section 16.40.060 of the City Code entitled “Landscaping and Irrigation.”

2. Any plans for tree removal and permitting shall be submitted to the Development Services Division for approval.

3. All existing and newly planted trees and shrubs shall be mulched with three (3) inches of organic matter within a two (2) foot radius around the trunk of the tree.

4. The applicant shall install an automatic underground irrigation system in all landscaped areas. Drip irrigation may be permitted as specified within Chapter 16, Article 16.40, Section 16.40.060.2.2.

5. Concrete curbing, wheelstops, or other types of physical barriers shall be provided around/within all vehicular use areas to protect landscaped areas.

6. Any healthy existing oak trees over two (2) inches in diameter shall be preserved or relocated if feasible.

7. Any trees to be preserved shall be protected during construction in accordance with Chapter 16, Article 16.40.060.5 and Section 16.40.060.2.1.3 of City Code.
IV. CONSIDERATIONS BY THE DEVELOPMENT REVIEW COMMISSION FOR REVIEW (Pursuant to Chapter 16, Section 16.70.040.1.4 (D)):

A. The use is consistent with the Comprehensive Plan.

B. The property for which a Site Plan Review is requested shall have valid land use and zoning for the proposed use prior to site plan approval;

C. Ingress and egress to the property and proposed structures with particular emphasis on automotive and pedestrian safety, separation of automotive and bicycle traffic and control, provision of services and servicing of utilities and refuse collection, and access in case of fire, catastrophe and emergency. Access management standards on State and County roads shall be based on the latest access management standards of FDOT or Pinellas County, respectively;

D. Location and relationship of off-street parking, bicycle parking, and off-street loading facilities to driveways and internal traffic patterns within the proposed development with particular reference to automotive, bicycle, and pedestrian safety, traffic flow and control, access in case of fire or catastrophe, and screening and landscaping;

E. Traffic impact report describing how this project will impact the adjacent streets and intersections. A detailed traffic report may be required to determine the project impact on the level of service of adjacent streets and intersections. Transportation system management techniques may be required where necessary to offset the traffic impacts;

F. Drainage of the property with particular reference to the effect of provisions for drainage on adjacent and nearby properties and the use of on-site retention systems. The Commission may grant approval of a drainage plan as required by city ordinance, County ordinance, or SWFWMD;

G. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety and compatibility and harmony with adjacent properties;

H. Orientation and location of buildings, recreational facilities and open space in relation to the physical characteristics of the site, the character of the neighborhood and the appearance and harmony of the building with adjacent development and surrounding landscape;

I. Compatibility of the use with the existing natural environment of the site, historic and archaeological sites, and with properties in the neighborhood as outlined in the City's Comprehensive Plan;

J. Substantial detrimental effects of the use, including evaluating the impacts of a concentration of similar or the same uses and structures, on property values in the neighborhood;

K. Substantial detrimental effects of the use, including evaluating the impacts of a concentration of similar or the same uses and structures, on living or working conditions in the neighborhood;

L. Sufficiency of setbacks, screens, buffers and general amenities to preserve internal and external harmony and compatibility with uses inside and outside the proposed development and to control adverse effects of noise, lights, dust, fumes and other nuisances;

M. Land area is sufficient, appropriate and adequate for the use and reasonably anticipated operations and expansion thereof;
N. Landscaping and preservation of natural manmade features of the site including trees, wetlands, and other vegetation;

O. Sensitivity of the development to on-site and adjacent (within two-hundred (200) feet) historic or archaeological resources related to scale, mass, building materials, and other impacts;
   1. The site is not within an Archaeological Sensitivity Area (Chapter 16, Article 16.30, Section 16.30.070).
   2. The property is not within a flood hazard area (Chapter 16, Article 16.40, Section 16.40.050).

P. Availability of hurricane evacuation facilities for developments located in the hurricane vulnerability zones;

Q. Meets adopted levels of service and the requirements for a Certificate of Concurrency by complying with the adopted levels of service for:
   a. Water.
   b. Sewer (Under normal operating conditions).
   c. Sanitation.
   d. Parks and recreation.
   e. Drainage.

The existing land use of the subject property is: Commercial

The existing land uses of the surrounding properties are:

   North:  Commercial
   South:  Commercial
   East:   Commercial
   West:   Commercial

REPORT PREPARED BY:

[Signature]

ELIZABETH ABERNETHY, AICP, Zoning Official (POD)
Planning and Economic Development
Development Review Services Division

DATE: 1-30-18

Attachments: Location map, Site Plan, Elevations, Photos, Project Narrative, Neighborhood Worksheet, Public Participation Report, Engineering Memo
Project Narrative

Request:

We are seeking approval of a Special Exception and related site plan to convert an existing building to a microbrewery. A microbrewery use is a Special Exception use in the Downtown Center-1 (DC-1) zoning district. The property, 1120 1st Ave N, is located on the south side of 1st Ave North and North side of Baum Ave N, between 11th Street and 13th Street North. We are also looking to expand our current business, Green Bench Brewery located at 1133 Baum Ave N.

Current Proposal:

The subject properties consist of four lots. The western most lot is currently a paved lot, adjacent to that is our current microbrewery and tasting room, the next lot is our beer garden and outdoor patio, and the eastern most lot is currently developed with a 4,616 square foot building, that was formerly a glass and window distributer and retail/sales offices.

At the 1120 1st Ave N property, we propose to construct a 765 square foot addition on the south side exterior of the building comprised of an outdoor patio with a second floor patio above. It will include both men and women’s bathrooms downstairs and upstairs with a staircase. This brings the total to 6,146.

The inside of the building will have a barrel storage area of 3,726 square feet. The 1st floor and 2nd story tasting room and staircase for onsite consumption will be approximately 1,530 square feet.

On the western most, asphalt paved lot; we propose to construct a 684 square foot drive in cooler on the southwest side. We also propose to construct a 182 square foot grain silo and a 441 square foot elevated equipment platform along the eastern side of the building. The existing walls that shield the paved lot will remain to shield the new additions.

Parking:

Existing building was a glass and window distributer as well as retail space. They had 1,150 square feet dedicated to retail sales which required 2.3 spaces. The remainder of the 3,516 square feet required 3.5 spaces. Bringing the existing building to 5.8 rounded to 6 spaces. Our new proposed project has 1030 (minus 600sf) square feet of retail requiring 2 spaces and the
warehouse of 3,726 requires 3.7 spaces. Bringing the new parking requirement to 5.7 spaces rounded to 6. The use is the same so no parking is required.

Use Specific Regulations:

Per Section 16.50.045, we do not plan on exceeding the 15,000 barrel per year, and are shooting for 12,000 barrels per year at maximum capacity.

Our current brewery and production space is 5,662 square feet and the new use will be 6,969. The new building at 1120 1st Ave N production space is 3,726 square feet.

New totals are 10,695 square feet Production Space and 4,717 square feet tasting area putting the percentage at over 30%.

Both buildings are oriented towards the street and a new storefront system will be added to the south side of the building at 1120 1st Ave N, with existing sidewalks along both sides of the buildings. All mechanical equipment will be located inside the paved lot and shielded by existing walls and gates. The loading bay will remain along the western side of our existing brewery in the paved lot. Loading bays do not face and streets, adjacent residential use or residential zoning district and will remain closed at all times, except during the movement of raw materials.

Our production hours of operation will remain the same between the hours of 8:00 a.m. and 8:00 p.m. Monday through Saturday and between 11:00 a.m. and 7:00 p.m. on Sundays and national holidays. Hours of operation for the tasting rooms will remain the same between the hours of 12:00 noon and 10:00 p.m. Tuesday through Thursday and on Sunday. Friday and Saturday hours will between 12:00 noon and 12:00 midnight. Closed on all Mondays.

Thank you,

Steve Duffy
Green Bench Brewing Co.
Applicants are strongly encouraged to obtain signatures in support of the proposal(s) from owners of property adjacent to or otherwise affected by a particular request.

<table>
<thead>
<tr>
<th>NEIGHBORHOOD WORKSHEET</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Street Address:</strong> 1120 1ST AVE N.</td>
</tr>
<tr>
<td><strong>Description of Request:</strong></td>
</tr>
<tr>
<td>The undersigned adjacent property owners understand the nature of the applicant’s request and do not object (attach additional sheets if necessary):</td>
</tr>
</tbody>
</table>

1. **Affected Property Address:** 1100 1ST AVE ST PETERSBURG FL 33705
   - **Owner Name (print):** RED MESA MERCADO
   - **Owner Signature:**

2. **Affected Property Address:** 1210 1ST AVE NO 18, 32121 ST PETERSBURG FL 33701
   - **Owner Name (print):** BIG JOHN'S
   - **Owner Signature:**

3. **Affected Property Address:**
   - **Owner Name (print):**
   - **Owner Signature:**

4. **Affected Property Address:**
   - **Owner Name (print):**
   - **Owner Signature:**

5. **Affected Property Address:**
   - **Owner Name (print):**
   - **Owner Signature:**

6. **Affected Property Address:**
   - **Owner Name (print):**
   - **Owner Signature:**

7. **Affected Property Address:**
   - **Owner Name (print):**
   - **Owner Signature:**

8. **Affected Property Address:**
   - **Owner Name (print):**
   - **Owner Signature:**
PUBLIC PARTICIPATION REPORT

In accordance with LDR Section 16.70.040.1.F. "It is the policy of the City to encourage applicants to meet with residents of the surrounding neighborhoods prior to filing an application for a permit requiring review and public hearing. The applicant, at his option, may elect to include neighborhood mediation as a preparatory step in the development process. Participation in the public participation process prior to required public hearings will be considered by the decision-making official when considering the need, or request, for a continuance of an application. It is not the intent of this section to require neighborhood meetings, but to encourage meetings prior to the submission of applications for approval and documentation of efforts which have been made to address any potential concerns prior to the formal application process."

**APPLICANT REPORT**

<table>
<thead>
<tr>
<th>Street Address:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Details of techniques the applicant used to involve the public</td>
</tr>
<tr>
<td>(a) Dates and locations of all meetings where citizens were invited to discuss the applicant's proposal</td>
</tr>
<tr>
<td><strong>ATTENDED EDGE BUSINESS DISTRICT MEETING ON 12/12/17 WITH THE BOARD.</strong></td>
</tr>
<tr>
<td><strong>MEET WAS HELD AT EDGE BUSINESS DISTRICT OFFICE, 11 OR. M.L.K JR. STREETS.</strong></td>
</tr>
<tr>
<td>(b) Content, dates mailed, and number of mailings, including letters, meeting notices, newsletters, and other publications</td>
</tr>
<tr>
<td><strong>RECEIVED PROPOSED EXPANSION PLANS AND RENDERINGS. CONTENT WAS GIVEN TO EDGE DISTRICT AND THEY INFORMED ALL BUSINESSES WITHIN DISTRICT.</strong></td>
</tr>
<tr>
<td>(c) Where residents, property owners, and interested parties receiving notices, newsletters, or other written materials are located</td>
</tr>
<tr>
<td><strong>ALL WRITTEN MATERIALS WERE PROVIDED AND ARE AVAILABLE AT GREEN BENCH BREWERY.</strong></td>
</tr>
</tbody>
</table>

2. Summary of concerns, issues, and problems expressed during the process

**NO CONCERNS NOTED.**

3. Signature or affidavit of compliance - President or vice-president of any neighborhood associations

<table>
<thead>
<tr>
<th>Check one:</th>
<th>Proposal supported</th>
<th>Do not support the Proposal</th>
<th>Unable to comment on the Proposal at this time</th>
<th>Other comment(s):</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>EDGE BUSINESS DISTRICT</strong></td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
</tr>
</tbody>
</table>

If the president or vice-president of the neighborhood association are unavailable or refuse to sign such certification, a statement as to the efforts to contact them and (in the event of unavailability or unwillingness to sign) why they were unable or unwilling to sign the certification:
CITY OF ST. PETERSBURG
MEMORANDUM
ENGINEERING DEPARTMENT

TO: Iris Winn, Administrative Clerk, Development Review Services

FROM: Nancy Davis, Engineering Plan Review Supervisor

DATE: December 21, 2017

SUBJECT: Special Exception

FILE: 17-32000034

LOCATION: 1120 1st Avenue North
1133 Baum Avenue North

AND PIN: 24/31/16/94842/000/0220
24/31/16/94842/000/0240

ATLAS: G-2

PROJECT: Special Exception

REQUEST: Approval of a Special Exception and related Site Plan to expand an existing microbrewery.

The Engineering Department has no objection to the proposed special exception and related site plan with the following special conditions and standard comments which must be addressed as plans are developed for the issuance of construction permits:

SPECIAL CONDITIONS:
1. The applicant should note that a site modification of 3000 sf will trigger compliance with the Drainage and Surface Water Management Regulations as found in City Code Section 16.40.030. This site modification threshold is a cumulative total and once reached, all future site modifications must provide water quality treatment and water quantity attenuation for stormwater.

The scope of this project may trigger compliance with the Drainage and Surface Water Management Regulations as found in City Code Section 16.40.030. With permitting submittals, the applicant’s State of Florida licensed professional engineer will be required submit signed and sealed drainage calculations which conform to the water quantity and the water quality requirements of City Code Section 16.40.030. Please note the volume of runoff to be treated shall include all off-site and on-site areas draining to and co-mingling with the runoff from that portion of the site which is redeveloped. Stormwater systems which discharge directly or indirectly into impaired waters must provide net improvement for the pollutants that contribute to the water body’s impairment. Stormwater runoff release and retention shall be calculated using the Rational formula and a 10 year 1 hour design storm.

2. Development plans shall include a copy of a Southwest Florida Water Management District Management of Surface Water Permit or Letter of Exemption or evidence of Engineer’s Self Certification to FDEP.

3. Per land development code 16.40.140.4.6 (9), habitable floor elevations for commercial projects must be set per building code requirements to at least one foot above the FEMA elevation. Habitable floor elevations for projects subject to compliance with the Florida Building Code, Residential, shall be set per building code requirements to at least two feet above the FEMA elevation. The construction site upon the lot shall be a minimum of one foot above the average grade crown of the road, which crown elevation shall be as set by the engineering director. Adequate swales shall be provided on the lot in any case where filling obstructs the natural ground flow. In no case shall the elevation of the portion of the site where the building is located be less than an elevation of 103 feet according to City datum.
4. Public sidewalks may be required by City of St. Petersburg Municipal Code Section 16.40.140.4.2 unless specifically limited by the DRC approval conditions. Existing sidewalks and new sidewalks will require curb cut ramps for physically handicapped and truncated dome tactile surfaces (of contrasting color to the adjacent sidewalk, colonial red color preferred) at all corners or intersections with roadways that are not at sidewalk grade and at each side of proposed and existing driveways per current City and ADA requirements. Concrete sidewalks must be continuous through all driveway approaches. All existing public sidewalks must be restored or reconstructed as necessary to be brought up to good and safe ADA compliant condition prior to Certificate of Occupancy.

5. A work permit issued by the Engineering Department must be obtained prior to the commencement of construction within dedicated right-of-way or public easement. All work within right of way or public utility easement shall be in compliance with current City Engineering Standards and Specifications and shall be installed at the applicant’s expense in accordance with the standards, specifications, and policies adopted by the City.

STANDARD CONDITIONS OF APPROVAL: Water service is available to the site. The applicant’s Engineer shall coordinate potable water and/or fire service requirements through the City’s Water Resources department. Recent fire flow test data shall be utilized by the site Engineer of Record for design of fire protection system(s) for this development. Any necessary system upgrades or extensions shall be performed at the expense of the developer.

Water and fire services and/or necessary backflow prevention devices shall be installed below ground in vaults per City Ordinance 1009-g (unless determined to be a high hazard application by the City’s Water Resources department or a variance is granted by the City Water Resources department). Note that the City’s Water Resources Department will require an exclusive easement for any meter or backflow device placed within private property boundaries. City forces shall install all public water service meters, backflow prevention devices, and/or fire services at the expense of the developer. Contact the City’s Water Resources department, Kelly Donnelly, at 727-892-5614 or kelly.donnelly@stpete.org. All portions of a private fire suppression system shall remain within the private property boundaries and shall not be located within the public right of way (i.e. post indicator valves, fire department connections, etc.).

Wastewater reclamation plant and pipe system capacity will be verified prior to development permit issuance. Any necessary sanitary sewer pipe system upgrades or extensions (resulting from proposed new service or significant increase in projected flow) as required to provide connection to a public main of adequate capacity and condition, shall be performed by and at the sole expense of the applicant. Proposed design flows (ADF) must be provided by the Engineer of Record on the City’s Wastewater Tracking Form (available upon request from the City Engineering department, phone 727-893-7238). If an increase in flow of over 1000 gpd is proposed, the ADF information will be forwarded to the City Water Resources department for a system analysis of public main sizes 10 inches and larger proposed to be used for connection. The project engineer of record must provide and include with the project plan submittal 1) a completed Wastewater Tracking form, and 2) a capacity analysis of public mains less than 10 inches in size which are proposed to be used for connection. If the condition or capacity of the existing public main is found insufficient, the main must be upgraded to the nearest downstream manhole of adequate capacity and condition, by and at the sole expense of the developer. The extent or need for system improvements cannot be determined until proposed design flows and sanitary sewer connection plan are provided to the City’s Water Resources department for system analysis of main sizes 10” and larger. Connection charges are applicable and any necessary system upgrades or extensions shall meet current City Engineering Standards and Specifications and shall be performed by and at the sole expense of the developer.

Plan and profile showing all paving, drainage, sanitary sewers, and water mains (seawalls if applicable) to be provided to the Engineering Department for review and coordination by the applicant’s engineer for all construction proposed or contemplated within dedicated right of way or easement.

All required improvements shall be installed at the applicant’s expense in accordance with the standards, specifications, and policies adopted by the City. A work permit issued by the City Engineering Department must be obtained prior to the commencement of construction within dedicated right-of-way or public easement.

Development plans shall include a grading plan to be submitted to the Engineering Department including street crown elevations. Lots shall be graded in such a manner that all surface drainage shall be in compliance with the City’s stormwater management requirements. A grading plan showing the building site and proposed surface drainage shall be submitted to the engineering director.
It is the developer’s responsibility to file a CGP Notice of Intent (NOI) (DEP form 62-21.300(4)(b)) to the NPDES Stormwater Notices Center to obtain permit coverage if applicable.

Submit a completed Stormwater Management Utility Data Form to the City Engineering Department.

The applicant will be required to submit to the Engineering Department copies of all permits from other regulatory agencies including but not limited to FDOT, FDEP, SWFWMD and Pinellas County, as required for this project. Plans specifications are subject to approval by the Florida state board of Health.
Transportation and Parking Management has no comments on the case.

Thanks,

Kyle Simpson
Planner I, Transportation and Parking Management
City of St. Petersburg
One Fourth Street North, St. Petersburg, FL 33701
(727) 893-7151
Kyle.Simpson@stpete.org
Your Sunshine City

Good afternoon,

Please review the attached application, map and site plan for case #17-32000034.

We request your comments by January 8, 2018. Please send all comments directly to me.

Thank you,

Iris Winn
Administrative Clerk, Development Review Services
Planning & Economic Development Department
City of St. Petersburg
P.O. Box 2842, St. Petersburg, Fl 33731
727-892-5498 / Fax: 727-892-5557
Iris.Winn@stpete.org