ACTION TAKEN - MINUTES

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

June 5, 2019
Wednesday
2:00 P.M.

Commission Members: Alternates:
Matt Walker, Chair – P 1. Freddy Cuevas – P
Richard Doyle, Vice Chair – A 2. John Barie – P
Joe Griner, III – P 3. Martha MacReynolds – A
Charles Flynn – P A = Absent
Calvin Samuel – P P = Present
Melissa Rutland – P
Darren Stowe – P

City Staff Present:
Elizabeth Abernethy, AICP, Director of Planning & Development Services
Jennifer Bryla, AICP, Zoning Official
Derek Kilborn, Manager of Urban Planning and Historic Preservation Division
Scot Bolyard, AICP, Deputy Zoning Official
Corey Malyszka, Urban Design & Development Coordinator
Adriana Puentes Shaw, AICP, Planner I
Jaime Jones, Planner I
Ann Vickstrom, AICP, Planner II
Shervon Chambliss, Planner I
Michael Dema, Assistant City Attorney
Christina Boussias, Assistant City Attorney
Iris Winn, Administrative Clerk
Katherine Connell, Administrative Secretary

A. OPENING REMARKS OF CHAIR
B. ROLL CALL
C. PLEDGE OF ALLEGIANCE
D. SWEARING IN OF WITNESSES
E. APPROVAL OF MINUTES OF May 1, 2019, as presented
   Minutes approved as presented by a unanimous vote of the Commission.
F. PUBLIC COMMENTS – No speakers were present
G. REQUEST FOR REHEARING – DEFERRED TO JULY 10, 2019
   1. Case No. 19-54000009 – 554 6th Avenue North
   2. Case No. 19-54000013 – 2600 ½ 13th Avenue North
H. LEGISLATIVE
   1. LDR AMENDMENT – Storefront Conservation Overlay
I. CONTINUANCE:
   1. Case No. 19-54000019 – 1019 48th Avenue North, Deferred by DRC on May 1, 2019
J. PUBLIC HEARING AGENDA
QUASI-JUDICIAL:
   1. Case No. 19-54000024 – 600 Alda Way Northeast
   2. Case No. 19-54000032 – 749 58th Avenue Northeast
   3. Case No. 19-54000035 – 2611 Park Street North
   4. Case No. 19-32000001 – 415 and 419 24th Avenue North, 420 25th Avenue North and
      2436 4th Street North
   5. Case No. 19-32000005 – 7141 4th Street North
   6. Case No. 19-32000007 – 2725 35th Avenue North and 2740 36th Avenue North
K. ADJOURNMENT
AGENDA ITEM #G-1  Request for Rehearing – Case No. 19-54000009  F-4
DEFERRED TO JULY 10, 2019

AGENDA ITEM #G-2  Request for Rehearing – Case No. 19-54000013  I-8
DEFERRED TO JULY 10, 2019

AGENDA ITEM #H.1  LDR AMENDMENT – STOREFRONT CONSERVATION OVERLAY

CITY FILE: LDR 2019-01
(Continued):
Text Amendment: Storefront Conservation Corridor Overlay relating to Existing Buildings and Businesses.

PRESENTATIONS:
Derek Kilborn made a presentation to the Commission. Elizabeth Abernethy spoke regarding the application.

PUBLIC HEARING:
No speakers were present.

MOTION:
Approval of consistency with the proposed text amendments to the City Code, Chapter 16, Land Development Regulations (LDRs), confirming consistency with the Comprehensive Plan and recommendation to City Council for approval.

VOTE:
Yes – Flynt, Griner, Rutland, Samuel, Walker, Stowe, Barie. No – None.

ACTION TAKEN ON
LDR-2019-01 (Continued):
Approval of consistency with the proposed text amendments to the City Code, Chapter 16, Land Development Regulations (LDRs), confirming consistency with the Comprehensive Plan and recommendation to City Council for approval; APPROVED 7-0.

AGENDA ITEM #I-1  CASE NO. 19-54000019  CONTINUANCE  G-26

REQUEST:
Approval of after-the-fact variances for a newly constructed single-family home to the required interior side yard setback for an HVAC system from 5-feet to 1.5-feet, to the required front yard setbacks for a front porch from 18-feet to 16-feet and for the residence’s front façade from 25-feet to 23.5-feet.

OWNER:
Dan and Lydia Healy
H5 Investments, LLC
404 West Lyncrest Trail
Sioux Falls, South Dakota 57108

ADDRESS:
1019 48th Avenue North

PARCEL ID NO.:
01-31-16-73584-000-0920

LEGAL DESCRIPTION:
On File

ZONING:
Neighborhood Traditional Single-Family-1 (NT-1)

PRESENTATIONS:
Shervon Chambliss made a presentation based on the Staff Report. Dan Healy spoke on his own behalf.
PUBLIC HEARING: No speakers were present.

MOTION: Approval of after-the-fact variances for a newly constructed single-family home to the required interior side yard setback for an HVAC system from 5-feet to 1.5-feet, to the required front yard setbacks for a front porch from 18-feet to 16-feet and for the residence’s front façade from 25-feet to 23.5-feet.

VOTE: Yes – Flynt, Rutland, Walker, Stowe, Barie, Cuevas.
No – Griner.

ACTION TAKEN ON 19-54000019: Approval of after-the-fact variances for a newly constructed single-family home to the required interior side yard setback for an HVAC system from 5-feet to 1.5-feet, to the required front yard setbacks for a front porch from 18-feet to 16-feet and for the residence’s front façade from 25-feet to 23.5-feet; APPROVED 6-1.

AGENDA ITEM #J-1 CASE NO. 19-54000024

REQUEST: Approval of an after-the-fact variance for a fence setback from 12-feet to 0-feet to the side yard when adjacent to a neighbor’s front yard.

OWNER: Nathan and Andrea Miller
600 Alda Way Northeast
Saint Petersburg, Florida 33704

ADDRESS: 600 Alda Way Northeast

PARCEL ID NO.: 09-31-17-24426-006-0050

LEGAL DESCRIPTION: On File

ZONING: Neighborhood Suburban Single-Family-1 (NS-1)

PRESENTATIONS: Ann Vickstrom made a presentation based on the Staff Report.
Nathan Miller spoke on his own behalf.
Andrea Miller spoke on her own behalf.

PUBLIC HEARING: No speakers were present.

MOTION: Approval of an after-the-fact variance for a fence setback from 12-feet to 0-feet to the side yard when adjacent to a neighbor’s front yard, subject to the conditions in the Staff Report.

VOTE: Yes – None.
No – Flynt, Griner, Rutland, Samuel, Walker, Stowe, Barie.

ACTION TAKEN ON 19-54000024: Motion to approve FAILED by a vote of 0-7, thereby denying the request.
### AGENDA ITEM #J-2  CASE NO. 19-54000032  D-32

**REQUEST:** Approval of a variance to the required interior side yard setback from 7.5-feet to 3-feet and rear yard setback from 10-feet to 5-feet to construct a detached garage.

**OWNER:** Melissa Orkwis  
749 58th Avenue Northeast  
Saint Petersburg, Florida 33703

**ADDRESS:** 749 58th Avenue Northeast

**PARCEL ID NO.:** 31-30-17-24822-038-0100

**LEGAL DESCRIPTION:** On File

**ZONING:** Neighborhood Suburban Single-Family-1 (NS-1)

**PRESENTATIONS:** Scot Bolyard made a presentation based on the Staff Report.  
Melissa Orkwis spoke on her own behalf.  
Michael Havelka spoke on his own behalf.

**PUBLIC HEARING:** No speakers were present.

**MOTION:** Approval of a variance with a modification to the required interior side yard setback from 7.5-feet to 5-feet and rear yard setback from 10-feet to 5-feet to construct a detached garage, subject to the conditions in the Staff Report.

**VOTE:** Yes – Flynt, Griner, Rutland, Samuel, Walker, Stowe, Barie.  
No – None.

**ACTION TAKEN ON 19-54000032:** Approval of a variance with a modification to the required interior side yard setback from 7.5-feet to 5-feet and rear yard setback from 10-feet to 5-feet to construct a detached garage, subject to the conditions in the Staff Report; **APPROVED 7-0.**

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### AGENDA ITEM #J-3  CASE NO. 19-54000035  S-16

**REQUEST:** Approval of a variance for a reduced front yard setback from 20-feet required to 16-feet proposed and a reduced side yard setback from 7-feet, 6-inches required to 1-foot, 6.25-inches proposed, to enclose an existing carport into a garage.

**OWNER:** Marilyn Maginley  
2611 Park Street North  
Saint Petersburg, Florida 33710

**AGENT:** Doug King  
King Contracting, Inc.  
943 Tyrone Boulevard  
Saint Petersburg, Florida 33710

**ADDRESS:** 2611 Park Street North

**PARCEL ID NO.:** 12-31-15-97704-000-0030

**LEGAL DESCRIPTION:** On File
ZONING: Neighborhood Suburban Single-Family-1 (NS-1)

PRESENTATIONS: Jaime Jones made a presentation based on the Staff Report. Marilyn Maginley spoke on her own behalf.

PUBLIC HEARING: No speakers were present.

MOTION: Approval of a variance for a reduced front yard setback from 20-feet required to 16-feet proposed and a reduced side yard setback from 7-feet, 6-inches required to 1-foot, 6.25-inches proposed, to enclose an existing carport into a garage, subject to the special conditions in the Staff Report.

VOTE: Yes – None.
No – Flynt, Griner, Rutland, Samuel, Walker, Stowe, Barie.

ACTION TAKEN ON 19-54000035: Motion to approve FAILED by a vote of 0-7, thereby denying the request.

AGENDA ITEM #J-4 CASE NO. 19-32000001 E-38
REQUEST: Approval of a Special Exception and related Site Plan to construct a surface parking lot on a residential-zoned property for the construction of a 15,275 square foot commercial building.

OWNER: Ramnarace and Marva Jagdeo
4000 12th Street Northeast
Saint Petersburg, Florida 33703

APPLICANT: Michaelann Murphy
Armstrong Redevelopment Properties, Inc.
c/o Ramnarace and Marva Jagdeo
1138 Nikki View Drive
Brandon, Florida 33511

AGENT: Mitch Lal
Bohler Engineering
3820 Northdale Boulevard, Suite 300B
Tampa, Florida 33624

ADDRESSES AND PARCEL ID NOS.: 2436 4th Street North; 07-31-17-13806-000-0010
415 24th Avenue North; 07-31-17-13824-000-0110
419 24th Avenue North; 07-31-17-13824-000-0100
420 25th Avenue North; 07-31-17-13806-000-0030

LEGAL DESCRIPTION: On File

ZONING: Corridor Commercial Traditional-1 (CCT-1)

PRESENTATIONS: Corey Malyszka made a presentation based on the Staff Report. Tom Whalen spoke regarding the application. Katie Cole spoke on behalf of the applicant.

PUBLIC HEARING: Keith Peloquin spoke in favor of the application.
**MOTION:** Approval of a Special Exception and related Site Plan to construct a surface parking lot on a residential-zoned property for the construction of a 15,275 square-foot commercial building. The existing sidewalk along 4th Street North is 5-feet wide and shall remain, as it has been specifically approved by the DRC.

**VOTE:** Yes – Flynt, Griner, Rutland, Walker, Stowe, Cuevas. No – None.

**ACTION TAKEN ON 19-32000001:** Approval of a Special Exception and related Site Plan to construct a surface parking lot on a residential-zoned property for the construction of a 15,275 square-foot commercial building, and 5-foot wide sidewalks along 4th Street, is specifically approved, subject to the amended special conditions in the Staff Report; APPROVED 6-0.

### AGENDA ITEM #J-5  CASE NO. 19-32000005 E-38

**REQUEST:** Approval of a Special Exception and related Site Plan to construct a car wash.

**OWNER:** Mainstream Partners VII, LLC P.O. Box 531 Saint Petersburg, Florida 33731

**AGENT:** Steve Anderson Anderson Clean Car Grp, LLC 575 2nd Avenue South Saint Petersburg, Florida 33701

**ADDRESS:** 7141 4th Street North

**PARCEL ID NO.:** 30-30-17-12582-001-0080

**LEGAL DESCRIPTION:** On File

**ZONING:** Corridor Commercial Suburban-1 (CCS-1)

**PRESENTATIONS:** Adriana Puentes Shaw made a presentation based on the Staff Report. Steve Anderson spoke on his own behalf.

**PUBLIC HEARING:** Eileen Bedinghaus spoke in opposition of the application.

**MOTION #1:** To add a condition to require an 8-foot masonry wall along the east property line and an 8-foot gate with the appropriate PVC slats, shall be installed along the entire length of the eastern property line.

**VOTE:** Yes – Flynt, Griner, Samuel, Walker, Stowe, Barie. No – Rutland.
MOTION #2: Approval of a Special Exception and related Site Plan to construct a car wash, subject to the amended special conditions in the Staff Report.

No – Stowe.

ACTION TAKEN ON 19-32000005: Approval of a Special Exception and related Site Plan to construct a car wash, subject to the amended special conditions in the Staff Report; APPROVED 6-1.

AGENDA ITEM #J-6 CASE NO. 19-32000007 I-20

REQUEST: Approval of a Special Exception and related Site Plan with variances to the required 35-foot setback and maximum impervious surface ratio from 55% to 57%, to allow a house of worship.

OWNER: Cambodian Buddhist Center, Inc
2725 35th Avenue North
Saint Petersburg, Florida 33713

AGENT: Moi Son
4460 37th Avenue North
Saint Petersburg, Florida 33713

ARCHITECT: Randy Swanson, AIA NCARB, P.A.
P.O. Box 354
Saint Petersburg, Florida 33731

ADDRESSES AND PARCEL ID NOS.: 2725 35th Avenue North; 11-31-16-17892-003-0230
2740 36th Avenue North; 11-31-16-17892-003-0010

LEGAL DESCRIPTION: On File

ZONING: Neighborhood Traditional Single-Family-1 (NT-1)

PRESENTATIONS: Scot Bolyard made a presentation based on the Staff Report.
Randy Swanson spoke on behalf of the agent.
Moi Son spoke in favor of the application.

PUBLIC HEARING: No speakers were present.

MOTION #1: To amend Special Condition #4 to read, “Parking within front yards and swales along public rights-of-way shall be prohibited at all times, unless a special event permit has been issued.”

No – None.
MOTION #2: Approval of a special exception and related site plan with variances to the required 35-foot setback to allow a house of worship.


MOTION #3: Approval of a variance request for maximum impervious surface ratio from 55% to 57%.


ACTION TAKEN ON 19-32000007: Approval of a Special Exception and related Site Plan with variances to the required 35-foot setback, to allow a house of worship, subject to the amended special conditions in the Staff Report; APPROVED 7-0.

AGENDA ITEM #K ADJOURNMENT at 6:54 p.m.