According to Planning & Development Services 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.

REPORT TO THE DEVELOPMENT REVIEW COMMISSION FROM DEVELOPMENT REVIEW SERVICES DIVISION, PLANNING & DEVELOPMENT SERVICES DEPARTMENT, for Public Hearing and Executive Action scheduled on Wednesday, September 9, 2020 at 2:00 P.M., by means of communications media technology pursuant to Executive Order 20-192 issued by the Governor on August 5, 2020, and Executive Order 2020-30 issued by the Mayor on July 8, 2020. Authorization for a virtual meeting has been extended through October 1st by Governor's executive order. The City's Planning and Development Services Department requests that you visit the City website at www.stpete.org/meetings and/or contact the case planner for up-to-date information pertaining to this case.

CASE NO.: 20-54000031  PLAT SHEET: E-15
REQUEST: Approval of a variance to the required front yard setback from 25-feet required to 10.17-feet proposed to construct a detached garage in the NT-2 zoning district.
OWNER: Andreea Rose Ranney-Pace
2780 Bayside Drive South
Saint Petersburg, Florida 33705
AGENT: David R. Phillips
19321 US Highway 19 North, Suite 301
Clearwater, Florida 33764
ADDRESS: 2780 Bayside Drive South
PARCEL ID NO.: 31-31-17-08784-000-0090
LEGAL DESCRIPTION: On File
ZONING: Neighborhood Traditional Single-Family (NT-2)
<table>
<thead>
<tr>
<th>Structure</th>
<th>Front Setback Required</th>
<th>Front Setback Requested</th>
<th>Variance</th>
<th>Magnitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accessory Living Area and Attached Garage</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Garage</td>
<td>25-feet</td>
<td>10.17-feet</td>
<td>14.83-feet</td>
<td>59%</td>
</tr>
</tbody>
</table>

**BACKGROUND:** The subject property is within the Big Bayou Neighborhood Association. The property is zoned NT-2 (Neighborhood Traditional Single-family – 2), which allows single-family residential uses. The subject lot is described as Lot 9 and the Southwest 20-feet of Lot 8 of the Big Bayou Court subdivision. This lot fronts to Oakdale Street South, which is a 1-foot-wide named alley. The property lies just north of the intersection of Bayside Drive South and Bayshore Drive South. The property abuts Tampa Bay on the Southeast side. This property measures 172-feet in width, 76.5-feet in depth, and 13,158 square feet in lot area. According to the property card, the subject property was first developed in 1961 with a single-family residence, open porch and garage. The original porch was legally enclosed in 1973. The current front setback of the existing home is 10.17-feet from the South property line.

**CONSISTENCY REVIEW COMMENTS:** The Planning & Development Services 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 property currently contains a single-family home that was built in 1961. This structure is to remain, and a new garage structure is proposed that will match the front setback of the home.

   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 lot is 76.5-feet deep, 172-feet wide and 13,158 square feet in lot area. The lot is not substandard in width or area. The subject property is also not substandard in lot depth. Land Development Regulations section 16.40.140.4.6 requires that all lots have a minimum depth of 75-feet.

   The subject property fronts to a named alley that is 10-feet wide. Within the NT-2 zoning district, the typical setback to a 10-foot wide alley is 10-feet. Furthermore, the existing structure on the lot has an existing 10.17-foot front setback to the property line along Oakdale Street South.
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 applicant states that the design and layout for the proposed garage will facilitate the conservation of a large mature reclinata palm tree. Reclinata Palms are not protected trees in the City of St. Petersburg.

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 finds that the proposed encroachment will have little adverse impact on the neighboring properties and will not be detrimental to the character of the neighborhood. As of the date of this report, Staff has not received any inquiries regarding this application.

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. This application does not apply to public facilities.

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

The requested variance is not the result of actions by the applicant. The applicant wishes to save mature vegetation, align the proposed garage with the existing single-family home, maximize rear yard space, and utilize an existing paved driveway in the middle of the property.

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

A literal enforcement of this Chapter would not result in an unnecessary hardship. The property is 76.5-feet deep. The required front yard setback is 25-feet and the required rear yard setback is 10-feet. This allows for a buildable area that is 41-feet deep. The requested building is 25.3-feet deep, which would fit inside the buildable area of the lot.

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;

The setback along alleys within the NT-2 zoning district is generally 10-foot.
5. The variance requested is the minimum variance that will make possible the reasonable use of the land, building, or other structure;

The requested variance maximizes the rear yard space available to the property owner without having a detrimental effect on the average setbacks for structures along Oakdale Street South or to the neighborhood character.

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

The granting of this variance will be in harmony with the intent of the Code. The aligning of the proposed building with the principal structure on this long and shallow lot creates an aesthetic courtyard with the existing pavement. This allows development to emphasize and preserve the existing development pattern along the block face. Utilizing the existing pavement is an efficient use of land and materials.

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

Staff has not received any comments from neighboring property owners. Staff does not expect any detrimental effect from the granting of this variance request.

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

The reasons set forth in the application justify the granting of this variance. The requested setbacks are consistent with the character of the blockface as it fronts to a named alley.

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 or unpermitted uses of neighboring lands was considered in the analysis of this request.

PUBLIC COMMENTS: The subject property is within the boundaries of the Big Bayou Neighborhood Association. The applicant notified the neighborhood association of their intent to file for this variance and Staff sent the application to the Neighborhood association and received no comment. Staff has received no public comment concerning this application.

STAFF RECOMMENDATION: Based on a review of the application according to the stringent evaluation criteria contained within the City Code, the Planning and Development Services 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 Development Services 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.
2. This variance approval shall be valid through September 9th, 2023. 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.
4. Maximum impervious surface on the site must not exceed 65%, all plans submitted for permitting on this site must show the extent of all improvements on site and the Impervious Surface Ratio.
5. The Reclinate Palm on site shall be preserved and properly barricaded per section 16.40.060.2.1.3.d.8(c).

ATTACHMENTS: Aerial, site plan, floor plan, elevation drawings, property card, application and narrative

Report Prepared By:

[Signature]
Jaime T. Jones, AICP Planner II
Development Review Services Division
Planning & Development Services Department

Report Approved By:

[Signature]
Jennifer Byla, ACIP, Zoning Official (POD)
Development Review Services Division
Planning & Development Services Department

JCB/JTJJ:tw
| Location: 2780 Bayou Drive South #62127A-D | 7/26/60 | $500 |
| Owner Alice B. Davis - Erect h' high chain link fence around Lot 9. Reeves Fence Co., Contractor Box #70521A-D | 7/10/61 | $15,000 27/2 |
| Owner Joe W. Davis - Four room residence with 2½ baths, porch and garage (55' x 57') (Type V) Rutenberg Construction, Contractor | 1-S 3-C 2-L 1-B 1-SH 1-IT 1-WH | 15647-R2 | 1/11/73 | $1600 |
| Owner J. Davis - Enclose existing screen room with windows (190 sq. ft.) (Type IV) John Castle Corp., Contractor, R. Hanson, Architect. | |
| Electrical | | | | |
| #2684E | 8/21/61 | Rutenberg Const. G. E. Lee | 17c 2b 20sw 24p 3ws 200 Amp. 3 #3/1 RH 1-meter 1-split range 1-w. heater 1-dishwasher 1-dryer 2-ceiling heaters 1-3 ton air cond. control. Ceil heat: 1-1.2 KW, 1-1 Kw, 1-3.8 Kw 1-1.6 Kw | |
| Westcoast Elec. | 2-recp. | |
| Plumbing E-15 | | | | |
| #8554J | 7/18/61 | Rutenberg Const. Garrett Plbg. 2-closets 2-lavator. 1-bath 1-shower 1-sink 1-tray 1-ewh 1-washer 1-water service | |
| #87727J | 7/25/61 | Rutenberg Const. Garrett Plbg. - 1-closet | |
| #477K | 9/26/61 | Rutenberg Constr. Garrett Plbg. - 1-dishwasher | |
| Installation | | | | |
| #79318 | 7/20/61 | Rutenberg Const. Dean Roofing & Sheet Metal Co. - Duct System - 3-HP Fedder's A/C in garage | |
| Signs | | | | |
| | | | | |
| Sewer | | | | |
| #8554J | 7/18/61 | Rutenberg Const. Garrett Plbg. $10.00 tap | |
| Septic Tank | | | | |
VARIANCE

Application No. 20-54000031

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): Andreea Rose Ranney-Pace
Street Address: 2780 Bayside Drive S
City, State, Zip: St. Petersburg, FL 33705
Telephone No.: Email Address: anranneypace@gmail.com

NAME of AGENT or REPRESENTATIVE: David R. Phillips
Street Address: 19321 US Highway 19 North, Suite 301
City, State, Zip: Clearwater, FL 33764
Telephone No: 727-300-1399 Email Address: david@phfirm.com

PROPERTY INFORMATION:
Street Address or General Location: 2780 Bayside Drive S, St. Petersburg, FL 33705
Parcel ID(s): 31-31-17-08784-000-0090

DESCRIPTION OF REQUEST: Variance to side and front setbacks

PRE-APPLICATION DATE: 05/26/2020 PLANNER: Jennifer Bryla

FEE SCHEDULE

1 & 2 Unit, Residential - 1st Variance $350.00 Each Additional Variance $100.00
3 or more Units & Non-Residential - 1st Variance $350.00 After-the-Fact $500.00
Docks $400.00 Flood Elevation $300.00

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

AUTHORIZED

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*: Andreea Rose Ranney-Pace Date: 5/29/20
*Affidavit to Authorize Agent required, if signed by Agent.
Typed Name of Signatory: Andreea Rose Ranney-Pace
I am (we are) the owner(s) and record title holder(s) of the property noted herein

Property Owner's Name: Andreea Rose Ranney-Pace

This property constitutes the property for which the following request is made

Property Address: 2780 Bayside Drive S, St. Petersburg, FL 33705
Parcel ID No.: 31-31-17-08784-000-0090
Request: Variance to side and front setbacks

The undersigned has (have) appointed and does (do) appoint the following agent(s) to execute any application(s) or other documentation necessary to effectuate such application(s)

Agent's Name(s): David R. Phillips, Esq.

This affidavit has been executed to induce the City of St. Petersburg, Florida, to consider and act on the above described property.

I (we), the undersigned authority, hereby certify that the foregoing is true and correct.

Signature (owner): Andreea Rose Ranney-Pace

Identification or personally known:

Notary Signature: [Signature]
Commission Expiration (Stamp or date): June 8, 2020
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><strong>Street Address:</strong> 2780 Bayside Drive S, St. Petersburg, FL</td>
</tr>
<tr>
<td><strong>Detailed Description of Project and Request:</strong></td>
</tr>
<tr>
<td>Variance to side and front setbacks</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?

See enclosed Narrative.

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.

See enclosed Narrative.

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

See enclosed 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.

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</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>See enclosed Narrative.</td>
</tr>
</tbody>
</table>

| 5. What other alternatives have been considered that do not require a variance? Why are those alternatives unacceptable? |
| See enclosed Narrative. |

| 6. In what ways will granting the requested variance enhance the character of the neighborhood? |
| See enclosed Narrative. |
APPLICATION NARRATIVE

Variance Application
Property Address: 2780 Bayside Drive S
Parcel ID No.: 31-31-17-08784-000-0090

The Applicant seeks variances to the front yard building setback and the interior side yard building setback to permit the construction of a detached garage (the "Proposed Garage") as an accessory structure to an existing single-family home on the property located at 2780 Bayside Drive S (the "Property"). The Property is a narrow waterfront corner lot situated at the southeast corner of Oakdale Street S and Bayshore Drive S. The Property contains an existing two-story residence with approximately 2,550 sf of total living area. The attached garage in the existing residence is unsuitable for the Applicant’s storage needs, and the Applicant desires to construct the Proposed Garage to provide 844 square feet of storage space and a garden room. Enclosed are copies of the proposed architectural plans depicting the Proposed Garage to be constructed on the northwest corner of the Property (the "Plans"). A site plan of the Property is included on the first page of the Plans. The Applicant intends to demolish an existing shed that is currently situated immediately to the east of the Proposed Garage.

The Applicant has worked diligently with her architect to consider all alternative layouts for the Proposed Garage but due to the limitations of the property with its front yard oriented along Oakdale Street S, the requested variances are necessary for the Proposed Garage to match the existing building footprint and aesthetics of the existing single-family home situated on the Property. The requested variances will also allow vehicular ingress and egress without necessitating additional impervious surfaces within the Property. The Applicant has specifically designed the garage to conserve a mature reclinata palm that is situated between the existing residence and the Proposed Garage. As a direct result of the unique shape and dimensions of the lot and its orientation along Oakdale Street S and the location of the existing reclinata palm on the Property, the Applicant is unable to proceed with a functional design for the Proposed Garage without the granting of the variances requested. The Applicant believes that the proposed design will not negatively impact the character of the neighborhood but rather the improvements to the Property will greatly enhance the streetscape. Additionally, the variances requested are the minimum necessary in order to allow the Applicant reasonable use of the Property. Failure to grant the requested variances would result in an exceptional hardship as the Property would essentially be rendered undevelopable.
VARIANCE

NEIGHBORHOOD WORKSHEET

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.

| Street Address: 2780 Bayside Drive S, St. Petersburg, FL | Case No.: |
| Description of Request: | |
| Variance to side and front setbacks | |

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: 2700 Driftwood Road S, St. Petersburg, FL
   Owner Name (print): Timothy D. Penney
   Owner Signature: [Signature]

2. Affected Property Address: 2700 Driftwood Road S, St. Petersburg, FL
   Owner Name (print): Janna P. Penney
   Owner Signature: [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

Application No.________________

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 decision requiring a streamline review or public hearing. 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, (except when the application is for a local historic district) 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."

NOTE: This Report may be updated and resubmitted up to 10 days prior to the scheduled Public Hearing.

APPLICANT REPORT

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
   No meetings were conducted prior to the date of submittal.

   (b) Content, dates mailed, and number of mailings; including letters, meeting notices, newsletters, and other
       publications
   Copies of the Variance Application and the Pre-Application Meeting Notes were sent to following on May 29, 2020:
       1. Council of Neighborhood Associations (CONA)
       2. Federation of Inner-City Community Organizations (FICO)
       3. Big Bayou Neighborhood Association

   (c) Where residents, property owners, and interested parties receiving notices, newsletters, or other written
       materials are located
   N/A

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

NOTICE OF INTENT TO FILE

A minimum of ten (10) days prior to filing an application for a decision requiring Streamline or Public Hearing approval, the applicant shall send a copy of the application by email to the Council of Neighborhood Associations (CONA) (c/o Judy Landon at variance@stpetecona.org), by standard mail to Federation of Inner-City Community Organizations (FICO) (c/o Kimberly Frazier-Leggett at 3301 24th Ave. S., St. Pete 33712) and by email to all other Neighborhood Associations and/or Business Associations within 300 feet of the subject property as identified in the Pre-Application Meeting Notes. The applicant shall file evidence of such notice with the application.

☐ Date Notice of Intent to File sent to Associations within 300 feet, CONA and FICO: May 29, 2020
☐ Attach the evidence of the required notices to this sheet such as Sent emails.
May 29, 2020

VIA REGULAR U.S. MAIL

Kimberly Frazier-Leggett
Federation of Inner-City Community Organizations
3301 24th Avenue South
St. Petersburg, FL 33712

Re: Applicant: Andreea Rose Ranney-Pace
Property Address: 2780 Bayside Drive South, St. Petersburg, FL
Our File No.: 10157-0003

Dear Ms. Frazier-Leggett:

This firm represents the above-referenced Applicant. In accordance with the City of St. Petersburg’s guidelines regarding public participation, we hereby provide this letter as the Applicant’s notice of intent to file an application for a variance(s) related to the above-referenced property. Enclosed please find (i) a fully executed copy of the Variance Application and (ii) the Pre-Application Meeting Notes from the meeting conducted on May 26, 2020.

Please do not hesitate to contact me directly should you have any questions or concerns.

Sincerely,

PHILLIPS, HAYDEN & LABBEE, LLP

[Signature]

David R. Phillips, Esq.

DRP/clk
Enclosures
Dear Ms. Landon,

This firm represents the owner of the above-referenced property. In accordance with the City of St. Petersburg’s guidelines regarding public participation, we hereby provide this letter as the owner’s notice of intent to file an application for a variance(s) related to the above-referenced property. Attached please find (i) a fully executed copy of the Variance Application and (ii) the Pre-Application Meeting Notes from the meeting conducted on May 26, 2020.

Please do not hesitate to contact me directly should you have any questions or concerns.

David

PHILLIPS, HAYDEN & LABBEE, LLP

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Dear Alex Petro,

This firm represents the owner of the above-referenced property. In accordance with the City of St. Petersburg’s guidelines regarding public participation, we hereby provide this letter as the owner’s notice of intent to file an application for a variance(s) related to the above-referenced property. Attached please find (i) a fully executed copy of the Variance Application and (ii) the Pre-Application Meeting Notes from the meeting conducted on May 26, 2020.

Please do not hesitate to contact me directly should you have any questions or concerns.

David

PHILLIPS, HAYDEN & LABBEE, LLP

DAVID R. PHILLIPS | PARTNER
david@phlfirm.com
19321 US HIGHWAY 19 N | SUITE 301
CLEARWATER, FL 33764
T 727.300.1399  F 727.300.1389
PHLFIRM.COM | VIEW BIO

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