



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

STAFF REPORT

DEVELOPMENT REVIEW COMMISSION - VARIANCE REQUEST PUBLIC HEARING

According to Planning & Development Services Department records, no **Commission member** has a direct or indirect ownership interest in real property located within 1,000 linear feet of real property contained within the application. 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 on **Wednesday, June 7, 2023 at 1:00 P.M.** at Council Chambers, City Hall, located at 175 5th Street North, St. Petersburg, Florida. The City's Planning and Development Services Department requests that you visit the City website at www.stpete.org/meetings for up-to-date information.

CASE NO.: 23-540000021 PLAT SHEET: K-23

REQUEST: Approval of a variance to the allowable wall signage.

OWNER: Marina Club Storage LLC
7020 South Shore Drive
South Pasadena, Florida 33707

AGENT: Fast Signs
c/o Clark Craig
3901 W Kennedy Blvd
Tampa, Florida 33609

ADDRESS: 4311 34th Street South

PARCEL ID NO.: 03-32-16-55263-000-0020

LEGAL DESCRIPTION: On File

ZONING: Corridor Commercial Suburban (CCS-2)

Structure	Maximum Sign Area	Requested	Variance	Magnitude
Wall Sign	150 square feet	391.44 square feet	241.44 square feet	160.96%

BACKGROUND: The subject application requests a variance to increase the maximum allowable wall signage to allow wall signage on three of the four elevations of a commercial building currently under construction. Each of the three signs are 25-feet, 8-inches wide x 5-feet, 1-inch high (130.48 square feet) amounting to 391.44 square feet in total wall sign area. Since the individual parcel has one street frontage, the maximum allowable wall signage for this building is 150 square feet.

The subject property was re-platted in 2022 via City Plat Application # 21-20000014 creating the current parcel configuration.

DISCUSSION: The subject property is an interior parcel with one street frontage to the east along 34th Street South. The parcel is part of a larger unified site plan of Marina Club including an apartment complex, a bank, and restaurant/retail space, and a self-storage building (the subject building) approved via City Site Plan Application # 21-31000009 in August 2021.

The Sign Code allows for wall signage on an CCS-2 zoned property up to 1.75 square feet per linear foot of building frontage up to a maximum 150 square feet. Building facades with street frontage generate allowable signage. If a parcel is an interior parcel with one street frontage, which is the case in this instance, only the building façade facing the street generates allowable wall signage. Additionally, the unified site shares a freestanding sign situation directly adjacent to the subject property.

The subject application proposes signage on three of the four building façades – the north, south, and east. Commercial uses and the 34th Street corridor abut the parcel to the north, south, and east, respectively. The western façade, abutting the Marina Club multi-family use, will have no signage as proposed. Further to the west on neighboring parcels are multi-family residential uses and along the east side of 34th Street are strictly commercial uses with the I-275 corridor immediately east of those parcels. The 34th Street right-of-way is an FDOT State-maintained roadway.

CONSISTENCY REVIEW COMMENTS: The Planning & Development Service 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 site is undergoing a complete redevelopment via Site Plan # 21-3100009 mentioned previously.

- 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 property is zoned CCS-2 and is a conforming lot classified as a Medium Lot having between 1.0 – 2.0 acres of lot area and a minimum lot width of at least 200 feet.

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

This criterion is not applicable. The subject property does not contain a designated preservation district.

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

This criterion is not applicable. The subject property does not contain any historically significant resources.

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

This criterion is not applicable. The subject property does not contain any 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 project does not promote the establish development pattern of the street. While many signs on the 34th Street commercial corridor are similar in size to the sign proposed in this application, these signs are nonconforming due to their size and would be required to comply with contemporary Sign Code standards when the property is redeveloped or when those signs are replaced. The street the subject property is situated on is a State-owned and FDOT-maintained principal arterial street.

- 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. The subject property does not involve any public facilities or resources.

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

The variance request is self-imposed by the Applicant. Since the proposed façades are fully finished with architectural treatment matching other façades of the building, the 150 square feet of allowable wall signage may be spread across the three proposed façades without a variance to the Sign Code.

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

The literal enforcement of the Code regulations would not result in unnecessary hardship. The proposed wall signage can be reduced in number and/or size to meet established Code regulations.

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 denial of the requested variance would not deprive the reasonable use of the land. The request for additional wall signage area does not prevent or inhibit the use of the property as a self-storage facility.

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 not the minimum variance that will make possible the reasonable use of the land. The reasonable use of the property as a self-storage facility and the Code-prescribed sign allowance for the property is otherwise unaffected if the variance is not granted.

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

The granting of the requested variance will not be in harmony with the general purpose and intent of the Sign Code. One of the primary purposes of the Sign Code is to establish the minimum standards necessary to reduce the visual distraction and safety hazards created by sign proliferation along the public rights-of-way. The Sign Code regulations attempt to reduce the visual distraction and potential safety hazards posed by the oversaturation of signage facing thoroughfares. The subject property being situated on a major roadway makes these considerations even more apparent.

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

The granting of this variance could be detrimental to the public welfare. The oversaturation of street facing signage in the immediate viewshed of vehicular traffic could be a safety concern.

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

The reasons set forth in this application do not justify granting of a variance. The proposed signage can be reduced in either number and/or size to meet Code requirements.

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 existing signage along the 34th Street commercial corridor shall not be considered as grounds for issuance of the requested variance. These signs either conform to contemporary Sign Code regulations or are nonconforming. If non-conforming, the Sign Code is designed to eliminate these signs when sites are redeveloped, or when the sign's condition deteriorates and is replaced or removed.

PUBLIC COMMENTS: The subject property is located in the Skyway Marina District Business Association and located within 300-feet of the Broadwater Civic Association (located west of 37th St S). The city-wide Council of Neighborhood Associations (CONA) has submitted a formal letter of opposition to this application. No other public comment has been received by Staff.

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 **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 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 June 7, 2026. 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.

ATTACHMENTS: Location Map; Application including Applicant Narrative, Site Plan, Sign Plan Elevations; Site Photographs; CONA Letter of Comment

Report Prepared By:

/s/ Michael Larimore

5/24/2023

Michael Larimore, Planner II
Development Review Services Division
Planning & Development Services Department

Date

Report Approved By:

/s/ Corey Malyszka

5/24/2023

Corey Malyszka, AICP, Zoning Official (POD)
Development Review Services Division
Planning & Development Services Department

Date



PROJECT LOCATION MAP

Case No.: 23-5400021

Address: 4351 34th Street South

City of St. Petersburg, Florida
Planning & Development Services Department



(nts)



SIGN VARIANCE

Application No. _____

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 APPLICANT (Property Owner): MARINA CLUB APARTMENTS LLC	
Street Address: 7020 S SHORE DR	
City, State, Zip: South Pasadena, FL 33707-4605	
Telephone No: 727.384.6475	Email Address: jack@palmsfl.com
NAME of AGENT or REPRESENTATIVE: Clark Craig	
Street Address: 3901 W Kennedy Blvd	
City, State, Zip: Tampa, FL 33609	
Telephone No: 813-287-0110	Email Address: Clark.Craig@fastsigns.com
PROPERTY INFORMATION:	
Street Address or General Location: 4351 34TH ST S	
Parcel ID#(s): 03-32-16-55263-000-0010	
DESCRIPTION OF REQUEST: Exterior LED Channel letter signs on the North, East, and South Elevations totaling 3 signs	
PRE-APPLICATION DATE:	PLANNER:

FEE SCHEDULE

The fee for a sign variance application: \$500.00
 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 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: 3/1/23

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

Typed Name of Signatory: Clark Craig



Pre-Application Meeting Notes

Meeting Date: 02/28/2023 Zoning District: CCS-2

Address/Location: 4351 34th St S

Request: Sign variance to allow wall signs on non-frontage building elevations

Type of Application: Sign Variance Staff Planner for Pre-App: MWL

Attendees: Michelle Satterfield, Clark Craig, Jack Dougherty, Mike Larimore

Neighborhood and Business Associations within 300 feet:

Assoc.	Contact Name:	Email:	Phone:
Skyway Marina District Business Assoc.	Frank Marsalisi, Marsalisi Lawt; Misty Bottorff (Exec Dir)	director@skywaymarina.org	727-466-7173
Broadwater Civic Assoc.	Tom Ando	tando1@tampabay.rr.com	638-1421

(See Public Participation Report in applicable Application Package for CONA and FICO contacts.)

Notes: Subject property is a commercial property with one street frontage.

Property Owner wishes to have wall signage on three elevations. Proposed wall signage is roughly 130 sqft on each of the three proposed elevations (north, east, and south).

The three elevations face the 34th St corridor (east) or surrounding commercial development (north and south).

Staff support uncertain, further research required.



AFFIDAVIT TO AUTHORIZE AGENT

I am (we are) the owner(s) and record title holder(s) of the property noted herein

Property Owner's Name: Marina Club Apartments LLC

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

Property Address: 4351 34th St S

Parcel ID NO.: 03 - 32 - 16 - 55263 - 000 - 0010

Request: Installation of a LED channel letter sign on the North, East, and South elevations totaling (3) signs.

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): Clark Craig

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): [Signature] Date: 02/22/2023

Sworn to and subscribed on this date: 02/22/23

Identification or personally known: Personally Known

Notary Signature: [Signature] Date: 02/22/2023
Commission Expiration (Stamp or date): 12-5-2025



Nicholas E Smit
Comm.: HH 204213
Expires: Dec. 5, 2025
Notary Public - State of Florida



SIGN VARIANCE

Applicant Narrative (Page 1)

All applications for a sign 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:	Case No.:
Detailed Description of Project and Request:	
Installation of a 25'8" x 5'1" LED lit channel letters on a backer on exterior of the South Elevation, East Elevation, and North Elevation.	
1. What is unique about the size, shape, topography, or location of the subject property? How do these unique characteristics justify the requested variance?	
This is a multi-story building visible from surrounding roads. The Signage will make the building easily recognizable for those searching for it.	
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.	
Not that we are aware of.	
3. How is the requested variance not the result of actions of the applicant?	
This building is a new buildout under permit 21-10001256. They would like three signs installed with the buildout whereas the sign code only allows one.	
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 new construction is an attractive addition to the shopping center. The additional signage will make the building recognizable from all direction.	
All sides of the building face commercial areas and will not affect residential neighborhoods.	
5. What other alternatives have been considered that do not require a variance? Why are these alternatives unacceptable?	
There are no other alternatives.	



SIGN VARIANCE

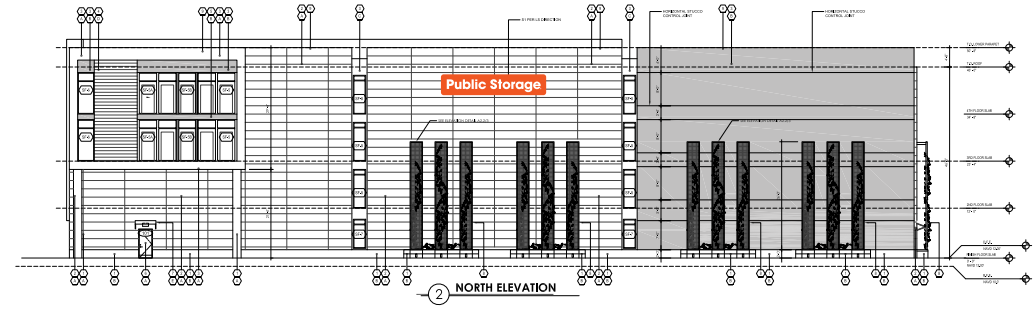
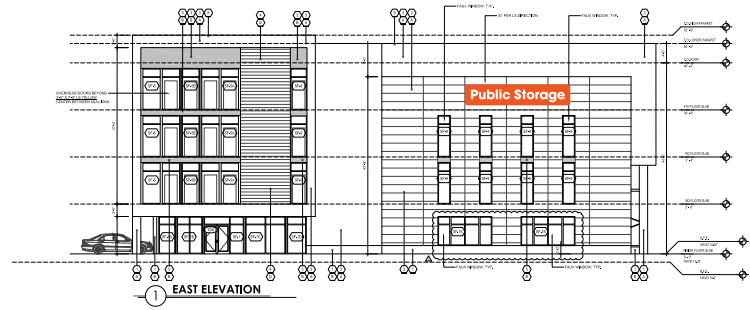
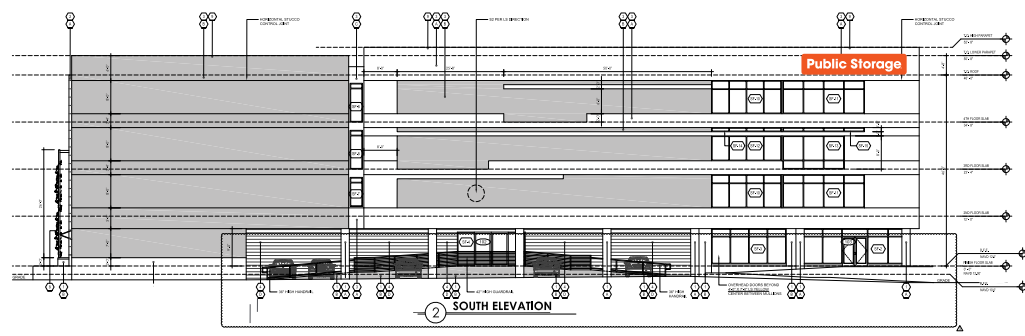
Applicant Narrative (Page 2)

APPLICANT NARRATIVE (Continued)	
6. In what ways will granting the requested variance enhance the character of the neighborhood?	
The new construction is an attractive addition to the neighborhood. The additional signage will make the building recognizable from all directions.	

SITE DATA		
MAXIMUM AREA, FREE-STANDING SIGNS:		
Square feet of <i>proposed</i> free-standing signs	0	Sq. Ft.
Square feet of <i>existing</i> free-standing signs		Sq. Ft.
Square feet of all <i>existing</i> and <i>proposed</i> free-standing signs		Sq. Ft.
Maximum square feet allowed by City Code		Sq. Ft.
Variance	na	Sq. Ft.
MAXIMUM AREA, WALL AND WINDOW SIGNS:		
Square feet of proposed wall and window signs	391.4	Sq. Ft.
Square feet of existing wall and window signs	0	Sq. Ft.
Square feet of all existing and proposed wall and window signs	391.4	Sq. Ft.
Maximum square feet allowed by City Code		Sq. Ft.
Variance		Sq. Ft.
MAXIMUM HEIGHT:		
Height of proposed sign (measured from) grade to bottom of sign	Signs are each 5'1" H x 25' 8"W	
Height of proposed sign (measured from) grade to highest point		
Maximum sign height allowed by City Code		
Variance		
NUMBER OF SIGNS:		
	Existing	Proposed
Total number of all <i>existing</i> and <i>proposed</i> free-standing signs	1	1
Total number of all <i>existing</i> and <i>proposed</i> wall and window signs	0	3
Maximum number of signs allowed by City Code	1	
Variance		
LIGHTING:		
Will the sign be illuminated?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If yes, will the sign be lit internally or externally?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Internally	<input type="checkbox"/> No
Will the sign have lights in motion or animation?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No



A ILLUMINATED CHANNEL LETTERS - BACKER PANEL



SPECIAL NOTES

FASCIA COLOR; SW #7005 "PURE WHITE"

CITY CODE & ALLOWANCES

1.75 SF PER LINEAR FT OF BLDG FRONTAGE, MAX 150 SF

Work Order #:

130009

Customer Name:

Public Storage

Address:

**4353 34th Street
St. Petersburg,
FL 33711**

Contact:

N/A

Contact Phone Number:

XXX-XXX-XXXX

Contact Email:

@email.com

Sales Person:

Clark Craig

Graphic Designer Initials:

JO

Approval Signature/Date:



3901 W. Kennedy Blvd
Tampa, FL 33609
813.287.0110 • 265@fastsigns.com

*This Drawing is the Property
of Fastsigns® Tampa, FL*

• Max Square Footage: 150 sqft • Actual Square Footage: 130.4 sqft • Suite Frontage: _____
• Sign Shall be UL Listed and shall comply with 2017 NEC art NEC 600.5 and NEC 600.6. • Includes Shut Off Switch (Shown on Drawing) • Sign is on dedicated 20amp 110 Volt Sign Circuit



Smith fence

ANTIQUES

MARINA CLUB
LUXURY APARTMENT HOMES
FIFTH THIRD BANK
Public Storage

SIDEWALK CLOSE

Stop
←





The Council of Neighborhood Associations of South Pinellas County, Inc.
P.O. Box 13693 St. Petersburg, Florida 33733

March 15, 2023

Development Review Commission
c/o Development Review Services
City of St. Petersburg
P.O. Box 2842
St. Petersburg, FL 33731-2842

In re: Request for sign code variance - 4351 34th St S

Dear Commissioners:

When our city worked with the neighborhoods and others in the community to update our sign code in 2007 it was with the purpose of improving the appearance of our streetscape by placing limits on the location, size, and number of signs that blight our districts and our views along the roadways.

A primary purpose of our sign code is to reduce visual clutter and blight while ensuring that business owners have the ability to communicate the presence of their business to motorists. In the CCS-2 zoning district the subject business can by right install one wall sign on any single building wall. Adding additional signs only contributes to clutter and detracts from the visual appeal of the area. This is in conflict with the reason for and the intent and prior application of our sign code.

There is no hardship here, nor any valid reason for the city to grant a variance request for additional wall signs at this location. Allowing this variance would set a dangerous precedent for others to ask for the same.

We ask that you deny this variance application when it comes before the Commission.

Sincerely,

Gary Grudzinkas
President, Council of Neighborhood Associations

cc: Corey Malyszka
Elizabeth Abernethy

The Council of Neighborhood Associations of South Pinellas County, Inc. is a 501(c)(3) nonprofit organization.
Donations are tax-deductible to the extent allowed by law. EIN 59-2921651

WEBSITE: www.stpeteconona.org FORUMS: www.conaforums.org EMAIL: president@stpeteconona.org