



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

**DEVELOPMENT REVIEW COMMISSION  
STAFF REPORT**

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**VARIANCE  
PUBLIC HEARING**

According to Planning & Development Services Department records, **no Commission** member or his or her spouse has a direct or indirect ownership interest in real property located within 1,000 linear feet of real property contained with the application (measured in a straight line between the nearest points on the property lines). 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 5<sup>th</sup> Street North, St. Petersburg, Florida.**

CASE NO.: 23-54000031

PLAT SHEET: A-26

REQUEST: Approval of a variance to the minimum required lot width, lot area and the interior side yard setback to create two (2) buildable lots from three (3) platted lots in common ownership, and the after the fact conversion of an existing accessory living space to an independent single-family residence.

OWNER: Richard Jones  
1730 Michigan Avenue NE  
St. Petersburg, FL 33703

APPLICANT: Daniel Trip  
1065 Eden Isle Blvd. NE  
St. Petersburg, FL 33704

ADDRESS: 1730 Michigan Avenue NE

PARCEL ID NO.: 04-31-17-81450-009-0030

ZONING: Neighborhood Suburban - 1 (NS-1)

**REQUEST:** The applicant requests approval of a variance to the minimum required lot width, lot area and interior side yard setback to create two (2) buildable lots from three (3) platted lots in common ownership and an after the fact approval for the conversion of an accessory living space into a single-family residence.

	<b>Required</b>	<b>Requested</b>	<b>Variance</b>	<b>Magnitude</b>
Lot Area – Lot 5	5,800 sq. ft.	5,000 sq. ft.	800 sq. ft.	14%
Lot Width – Lot 5	75-feet	50-feet	25-feet	33%
Side Setback – Lot 5	7.5-feet	6-feet	1.5-feet	20%

**BACKGROUND:** The subject property consists of three fully platted lots of record (Lots 3, 4, & 5) located in the Shore Acres Center subdivision, the lots are currently combined under one Parcel ID Number and are within the Neighborhood Suburban – 1 (NS-1) Zoning District. All three lots at the subject property are 50-feet wide, 100-feet deep, and 5,000 square feet in area; individually each lot is deficient in width and area according to the NS-1 district regulations which can be identified as the predominant characteristic throughout the surrounding street blocks. To maintain consistent neighborhood patterns, a determination made by City Council effective (September 17, 2015) eliminated the ability to individually develop substandard lots of record without variance approval, with the exception for instances where substandard lot dimension is the predominant neighborhood pattern by 80% and no additional non-conformities exist on the property. A single-family residence was developed on Lots 3 and 4 of the subject property in 1950, followed by a detached garage with an upstairs accessory living space constructed on Lot 5 in 1998. The subject property was purchased by the applicant in 1992 and has remained homesteaded by the applicant since that time.

**DISCUSSION:** The applicant proposes to separate the subject property into two individually buildable lots by returning Lot 5 to its originally platted configuration. Under this proposal, both existing structures shall remain and the existing garage with accessory living space shall obtain permitting to be converted into a single-family residence and become the principal structure on Lot 5. In addition, the request addresses the structure on Lot 5 which was constructed 6-feet from the interior platted property line between Lots 4 and 5, resulting in a setback encroachment of 1.5-feet if the proposed request is granted. At the time building permits were originally obtained for the accessory structure on Lot 5, a non-conversion agreement was established as a condition of permit approval which confirmed the structure would not be occupied as a rental or dwelling unit; the property owner (applicant) states that the accessory living space is now being utilized as a dwelling unit, no information is available to confirm the duration in which the space has been used as an alternate residence. The applicant seeks variance approval to establish Lot 5 as an individually buildable lot following the completion of necessary permitting steps that will be required to legally convert the existing structure into a habitable single-family residence. The applicant has provided the original building plans and proposed site modifications that will be made to bring the remainder of the structure and property into compliance with the zoning standards of the NS-1 Zoning District.

### **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 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 proposed request requires several improvements to the subject property to obtain permitting for the garage conversion to a single-family residence. In addition to satisfying the requirements of the Florida Building Code, site improvements include:

- Removal of the existing circular driveway on Lot 5, to establish compliancy with the front yard impervious surface ratio.
- Removal of one or both overhead garage doors to reduce the percentage of garage doors that face the street along the front façade of the remaining structure on Lot 5.
- The addition of a permitted street connection and conforming driveway to the existing structure on Lots 3 and 4 to satisfy minimum parking requirements.
- Removal of all existing utility connections that are shared with Lot 5 by Lots 3 and 4 followed by the establishment of new, dedicated, utility connections.

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 consists of three nonconforming platted lots of record that have been merged into one conforming parcel. Due to this, establishing Lot 5 as an additional buildable lot from the subject property requires variance approval to the substandard lot dimensions.

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.*

Lot Dimensions:

- The abutting blocks within the platted subdivision were analyzed in terms of lot width and area and the predominant development pattern in the subject neighborhood was determined to be substandard in both lot width and lot area (Attachment D). Per Section 16.60.030.2 of the Land Development Regulations, when additional features of the property are non-conforming in addition to the substandard dimensional requirements administrative approval may not be granted. Since a setback variance to reduce the interior side setback from 7.5-feet to 6-feet is included in the request, administrative approval is not permitted.

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

Select special conditions related to the request are the result of the actions of the applicant. This includes the placement of the garage structure and the resulting setback encroachment as well as the request to convert the structure into a dwelling unit despite a previously administered non-conversion agreement. Additional factors such as the original configuration of the platted lots which result in individually substandard lot dimensions are not the result of actions made by the applicant.

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

A literal enforcement of the Land Development Regulations would restrict the applicant from utilizing the subject property in a manner that is consistent with the predominant pattern of the surrounding parcels without the requirement to remove all existing developments on Lot 5.

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 provisions in this chapter would only restrict the applicant from pursuing the current proposal. Alternative options that comply with this chapter and require no commission approval are available to the applicant if the previously administered non-conversion agreement is adhered to. Strict application of the Land Development Regulations provides two alternative solutions:

- Following the removal of the existing structure on Lot 5, an administrative

approval may be granted to return the substandard lot to its originally platted configuration based on more than 80% of the surrounding parcels being substandard in terms of lot dimension.

- Following the removal of all existing developments on all three lots, a Lot Line Adjustment may be applied for to create two individually buildable lots with conforming lot widths of 75-feet.

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 possible to make reasonable use of the subject property.

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

The request is considered inharmonious with the general purpose and intent of this chapter. The following purposes of the Land Development Regulations apply in this case:

- *The division of combined lots of record which creates a substandard lot or setback causes each lot of record formerly under common ownership to be a violation of this chapter. No development permits shall be issued for any of the affected lots of records until the violation is corrected. A variance to lot area and/or dimensional regulations must be obtained for each non-conforming lot of record formerly under common ownership.*
- *An accessory living space shall operate as an extension of and be dependent upon the principal use and shall not be a separately functioning dwelling unit. Separate cooking facilities, mailing addresses, and utility services are prohibited within an accessory living space.*
- *An accessory living space shall not be permitted before construction of the principal building has commenced or a lawful principal use is established.*
- *Accessory structures shall be subordinate or incidental to the lawful principal use or structure.*

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

The granting of the variance is not anticipated to be directly injurious to neighboring properties.

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

The reasons set forth in the application narrative do not justify granting of 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 existing non-conforming structures were considered as grounds for support of the requested variance.

**PUBLIC COMMENTS:** As of the date of this report, staff received one letter from neighboring property owners in opposition to the request, citing the existing concerns of flooding in the area being exasperated by additional housing. In addition, staff received a statement of no objection from the Shore Acres Civic Association with the condition that all resulting developments are compliant to zoning and building codes or special approvals granted. No comments were received from the neighborhood associations CONA or FICO and no signatures of support from surrounding property owners have been supplied by the applicant.

**STAFF RECOMMENDATION:** Based on a review of the application according to the stringent evaluation criteria contained within the City Code, the Planning & Development Services Department Staff recommends **Denial** of the application.

**CONDITIONS OF APPROVAL:** If the variance is approved consistent with the site plans submitted with this application, the Planning & Development Services Department Staff recommends that the approval be subject to the following:

1. An approved building permit recognizing the structure on Lot 5 as a single-family residence shall be obtained prior to the issuance of a new parcel ID number.
2. Special conditions of approval included in the Engineering and Capital Improvements memorandum dated May 4, 2023 shall be met prior to the issuance of a new parcel ID number.
3. The following site improvements must be completed prior to obtaining a permit to establish single family occupancy for the structure on Lot 5:
  - The existing driveway on Lot 5 shall be reduced in size to achieve compliancy with the required front yard impervious surface ratio.
  - The front façade of the structure on Lot 5 shall be modified to establish compliancy with the maximum percentage of garage doors facing the primary street permitted within residentially zoned districts.
  - An approved driveway permit must be issued for the addition of a conforming driveway that satisfies minimum parking requirements for the remaining structure on Lots 3 and 4.
  - All existing utility connections shared with Lot 5 by Lots 3 and 4 shall be removed and new utility connections dedicated to Lot 5 shall be established.
  - Existing improvements and surfaces that have been developed over

the property line between Lot 4 and Lot 5 shall be removed.

4. Site plans for any future development shall show the location of all protected and grand trees. Any application to remove trees shall comply with Section 16.40.060.53.4 at time of permitting, including submittal of any necessary reports. Separate tree removal permits shall be required for removal of any code protected trees.
5. The approved setback encroachment shall not apply to future developments on the property. All future developments on either of the subject lots shall meet the required setbacks.
6. Approval of this variance does not grant or imply variances from other sections of the City Code or other applicable regulations.
7. The applicant, successors, or assigns shall comply with the conditions included in the Engineering and Capital Improvements Department Memorandum dated May 4, 2023.
8. This variance approval shall be valid through June 7, 2026. Substantial construction shall commence prior to the 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.

**REPORT PREPARED BY:**

/s/ Braydon Evans

Braydon Evans, Planner I  
Development Review Services Division  
Planning & Development Services Department

05/24/2023

DATE

**REPORT APPROVED BY:**

/s/ Corey Malyszka

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

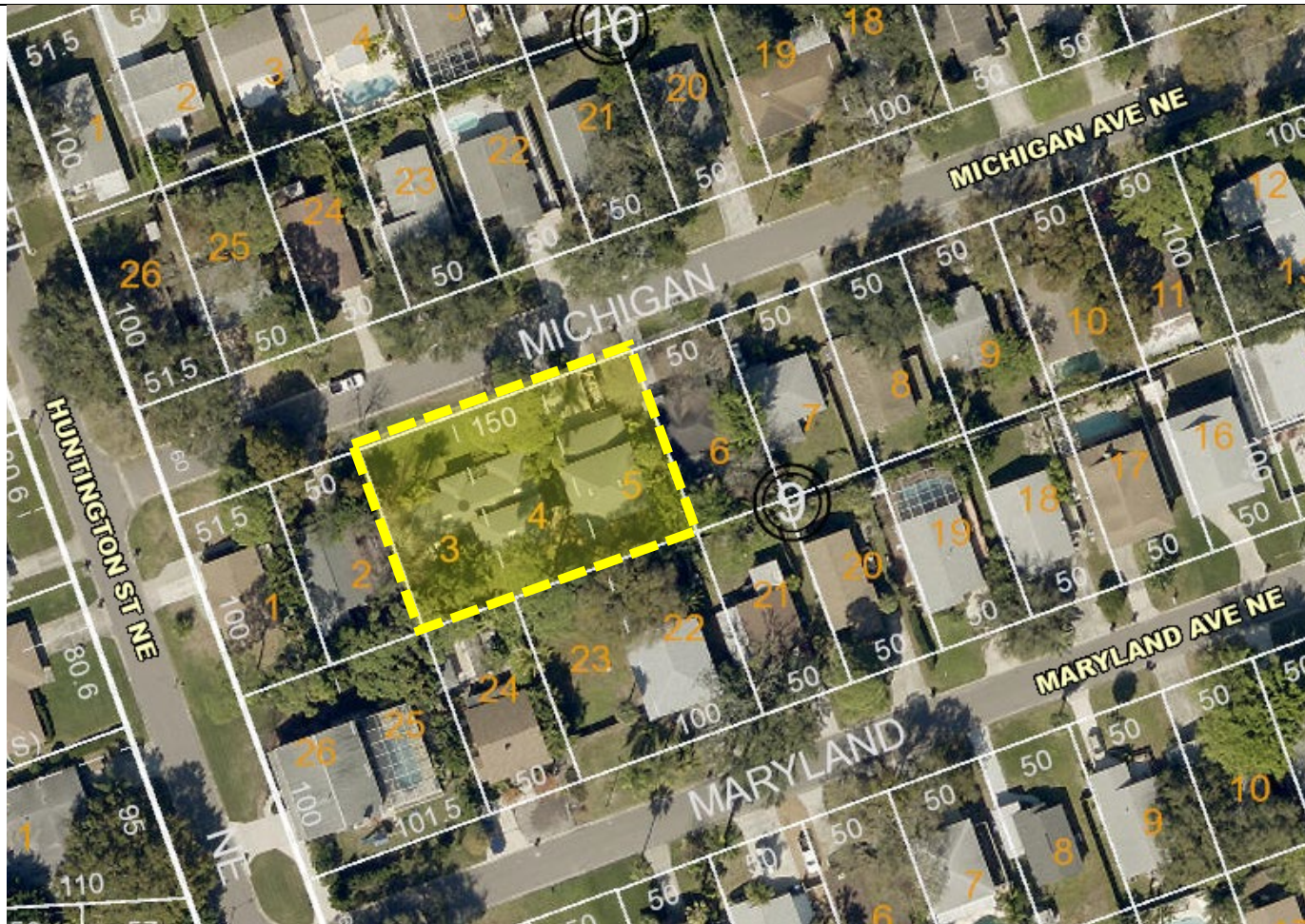
05/24/2023

DATE

Attachments:

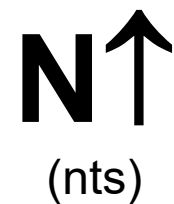
A – Location Map, B – Plat, C – Application, D – Study Area Location Map, E - Map Analysis, F – Photos, G – Property Survey, H – Engineering Review





**PROJECT LOCATION MAP**  
**Case No.: 23-5400031**  
Address: 1730 Michigan Avenue NE

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



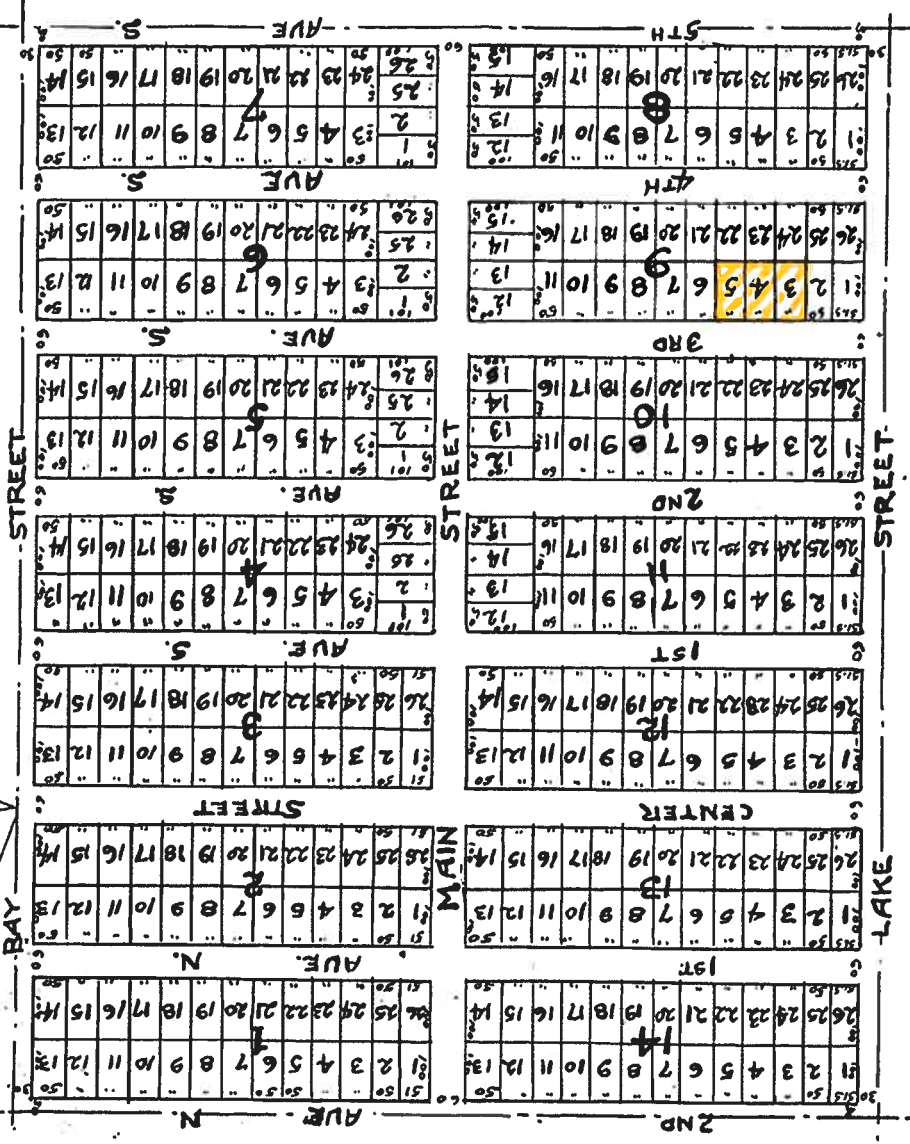


**SHOREACRES CENTER.**  
 FIRST PLAT OF  
**SHOREACRES**  
 SECURITIES HOLDING CO.-OWNERS  
 [A MINNESOTA CORP.]

Starting from a point 1290.37' west and 673.26' feet south of the NE corner of Sec. 4, T.31S, R.17E, and running S 19° 30' E a distance of 1300', thence N 19° 30' W, a distance of 1421.5', thence N 19° 30' E a distance of 1820', thence N 70° 30' E a distance of 1421.5', thence S 19° 30' E a distance of 520' to point of beginning said parcel of land lying entirely in the NE 1/4 of Sec. 4, T.31S, R.17E, Pinellas County, Florida.

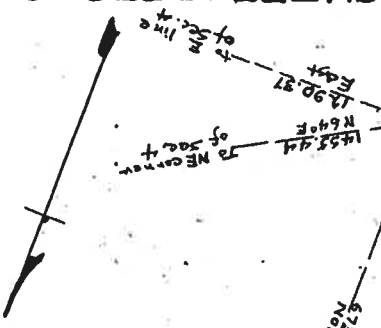
**RESERVATIONS**

No buildings shall be erected within 15' of the front line of any lot until 1935, except on Center St., and on N Main St. south of 1st Ave S. An easement is hereby reserved across the rear 5' of each lot for sewer, water, gas pipe and pole lines and other public utilities.



N. line of Sec. 4  
 East  
 672.66  
 North

1455.44  
 N.E. corner  
 of Sec. 4  
 R. 64° E  
 1290.37  
 East





# VARIANCE

Application No. 23-5400031

## List of Required Submittals

Only complete applications will be accepted:

### Included in this packet:

- Pre-Application Meeting Notes
- Application
- Affidavit to Authorize Agent
- General Information
- Narrative
- Neighborhood Worksheet
- Public Participation Report

Planning and  
Development Services  
Department

Development Review  
Services

City of St. Petersburg  
P.O. Box 2842  
St. Petersburg, FL  
33731-2842  
727.893.7471

UPDATED: 12-23-2022

- Completed variance application and narrative
- Pre-application Meeting Notes
- Affidavit to Authorize Agent, if Agent signs application
- Application fee payment  
(See fee schedule on Variance Application)
- Public Participation Report
- Proof that Notice of Intent to File was sent to Neighborhood and Business Associations
- 2 copies of Site Plan or Survey of the subject property:
  - To scale on 8.5" x 11" or 11" x 17" paper
  - North arrow
  - Setbacks of structures to the property lines
  - Dimensions and exact locations of all property lines, structures, parking spaces, trees, and landscaping
- 2 copies of Floor Plans:
  - To scale on 8.5" paper
  - Locations of all doorways, windows and walls (interior and exterior)
  - Dimensions and area of each room
- 2 copies of Elevation Drawings:
  - On 8.5" x 11", 8.5" x 14", or 11" x 17" paper
  - Depicts all sides of existing & proposed structure(s)
- Samples or a detailed brochure for new materials to be used
- PDF of all above items (may be emailed to Staff Planner)

The following items are optional, but strongly suggested:

- Neighborhood Worksheet
- Photographs of the subject property and structure(s)

**A Pre-Application Meeting is Required Prior to Submittal.**

To schedule, please call (727) 892-5498.

Completeness review by City Staff \_\_\_\_\_



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# VARIANCE

Application No. 23-5400031

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 1<sup>st</sup> floor of the Municipal Services Building, One Fourth Street North.

GENERAL INFORMATION	
NAME of APPLICANT (Property Owner): <u>RICHARD A. JONES</u>	
Street Address: <u>1730 MICHIGAN AV N.E.</u>	
City, State, Zip: <u>ST. PETERSBURG, FL 33703</u>	
Telephone No: <u>(727) 224-5071</u>	Email Address:
NAME of AGENT or REPRESENTATIVE: <u>DANIEL L. TRIPP</u>	
Street Address: <u>1065 EDEN ISLE BL. N.E. #3</u>	
City, State, Zip: <u>ST. PETERSBURG, FL, 33704</u>	
Telephone No: <u>(727) 452-2658</u>	Email Address: <u>dtripp2@tampabay.fl.com</u>
PROPERTY INFORMATION:	
Street Address or General Location: <u>1730 MICHIGAN AV N.E.</u>	
Parcel ID#(s): <u>04-31-17-81450-009-0030</u>	
DESCRIPTION OF REQUEST: <u>LOT LINE ADJUSTMENT W/ VARIANCES</u>	
PRE-APPLICATION DATE:	PLANNER:

## FEE SCHEDULE

1 & 2 Unit, Residential - 1 <sup>st</sup> Variance	\$350.00	Each Additional Variance	\$100.00
3 or more Units & Non-Residential - 1 <sup>st</sup> 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"

## 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\*: Daniel L. Tripp

Date: 2/23/23

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

Typed Name of Signatory: DANIEL L. TRIPP



# VARIANCE

## GENERAL INFORMATION

### Pre-application Meeting

All applicants are required to schedule a pre-application meeting **two weeks prior to submittal of an application**. Meetings may be held via telecom. If an application is submitted without a pre-application meeting, and the application is deemed to be incomplete or incorrect, the application may be delayed. Please contact Iris Winn to schedule: 727-892-5498.

### Public Participation Report

All applicants are required to contact the applicable Neighborhood Association President, **Business Association, CONA and FICO**, a minimum of 10-days prior to filing the application and complete the Public Participation Report prior to submittal of an application. Applications without the Public Participation Report will not be accepted. The contact information will be provided to the applicant by staff at the pre-application meeting. **Reports may be updated and resubmitted up to 10-days prior to the scheduled public hearing.**

### Commission Review

By applying to the Commission, the applicant grants permission for Staff and members of the Commission to visit the subject property to evaluate the request. Applicants with special requests related to timing of site visits should advise Staff in writing at the time of application submittal. Any Code violations found by the City Staff or the Commission members during review of the subject case will be referred to the Codes Compliance Assistance Department.

### Legal Notification

All applications made to the Commission are required by Florida Statute and City Code to provide public notification of requested variances, reinstatements of grandfathered uses, and redevelopment plans. The applicant will be required to post a sign on the subject property and send via the U.S. Postal Service by "Certificate of Mailing" notification letters to all property owners within **300-feet** of the subject property. The City will provide one (1) original notification letter, a list of properties, mailing labels, sign, and procedures to complete the posting of the sign and the notification of property owners. These legal notifications must be completed by the dates noted on the Commission schedule with verification of mailing **and sign posting** returned to Staff within seven (7) days of the meeting date.

### Public Hearing

Applications appropriate for public hearing will be heard by the Commission on the dates listed on the Commission schedule. The public hearings begin at 2:00 P.M. **and will be held temporarily at the Sunshine Center (Auditorium), located at 330 5<sup>th</sup> Street North**. All proceedings are quasi-judicial. Therefore, it is required that the property owner or authorized representative attend the hearing.

### Commission Approvals

If approved by the Commission, permits, inspections, business taxes, and certificates of occupancy are required, when applicable. All conditions of approval must be completed and approved by the date specified in the report. Failure to satisfy these requirements will invalidate the approval of the request. Approval of a request by the Commission or POD (person officially designated) does not grant or imply other variances from the City Code, FEMA regulations, or other applicable codes. Applicants are advised to contact the Construction Services and Permitting Division at (727) 893-7231 to determine if any other regulations may affect a given proposal.





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# 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 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: 1730 Michigan Av NE.	Case No.: 23-5400031
Detailed Description of Project and Request: Lot Line Adjustment w/ Variance Take the existing property that is in disrepair 150' wide and create 2 SFR. Updating both, one will be on a 50' lot. The other will be on a 100' lot	
1. What is unique about the size, shape, topography, or location of the subject property? How do these unique characteristics justify the requested variance?	
Even with Variance granted these two properties will be larger than 75% of neighboring properties. It allows me (Dan Tripp, agent) to fix up main house and with proceeds provided from this transaction it allows Rick Jones (owner) to fix up the Recreational/Gar Unit. The existing above garage and entire structure looks like the typical Shore Acres still home with enclosed garage below.	
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.	
Approx. 75% of neighboring properties (old + new) are in similar scenarios w/ 50' lots and 6' side setbacks.	
3. How is the requested variance not the result of actions of the applicant?	
It is a result of applicant's actions but his situation changed. He went from married to divorced and no longer could keep up main house so he moved in to Recreational Garage Apt. and house (main) continues to deteriorate.	



# VARIANCE

## NARRATIVE (PAGE 2)

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	
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?	<p>Instead of one ugly eye soar, I will create 2 appealing properties that will blend nicely with all existing home.</p>
5. What other alternatives have been considered that do not require a variance? Why are these alternatives unacceptable?	<p>If it continues "as-is" I don't see much being able to change, just potentially get worse.</p>
6. In what ways will granting the requested variance enhance the character of the neighborhood?	<p>All ways!! I have done 20-30 properties in Shore Acres and when we are done the neighbors love us and what it did to their properties.</p>



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# Pre-Application Meeting Notes

Meeting Date: 03/10/2023 Zoning District: NS-1

Address/Location: 1730 Michigan Ave NE

Request: Lot line adjustment with variances to lot width, lot area, and the side setback

Type of Application: LLA Staff Planner for Pre-App: BKE

Attendees: Dan Tripp

**Neighborhood and Business Associations within 300 feet:**

Assoc.	Contact Name:	Email:	Phone:
Shore Acres Civic Association	Kevin Batdorf	batdorfrealestate@gmail.com	727-560-7373

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

**Notes:** Applicant is requesting a lot line adjustment to separate Lot 5 from the Lots 3 and 4

of the subject property. A single family house on Lots 3 and 4, and a garage with finished space above on Lot 5 will both remain in place.

The garage on Lot 5 was permitted as such in 1998 and was illegally converted into a dwelling space

that has been used as a single family residence for 15+ years. Existing garage structure is located 6-feet from the platted lot

line and will result in a 1.5-foot setback encroachment. Lot 5 is 50-feet in width and 5,000sq ft in area, resulting in a

25-foot deficiency in width and 800 sq ft deficiency in lot area. Variances for lot area, lot width, and setbacks are required.

Applicant is aware that upon approval, and prior to obtaining an individual parcel ID number the illegal dwelling unit on Lot 5 must obtain all

necessary after-the-fact permits to establish the existing structure as a legal dwelling unit and otherwise complaint, including a reduction of ISR in the front yard.

CONA contact: Gary Grudzinskas; CONA email: president@stpeteconacona.com / FICO contact: Kimberly Frazier-Leggett; FICO email: kleggs11@outlook.com

Applications must be complete and filed in-person by appointment with the planner from the pre-application meeting.





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

DEVELOPMENT REVIEW COMMISSION  
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: Richard A. Jones

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

Property Address: 1730 Michigan Av NE, St. Pete, FL 33703

Parcel ID Number: 04-31-17-81450-009-0030

Request: \_\_\_\_\_

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): DANIEL L. TRIPP

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.

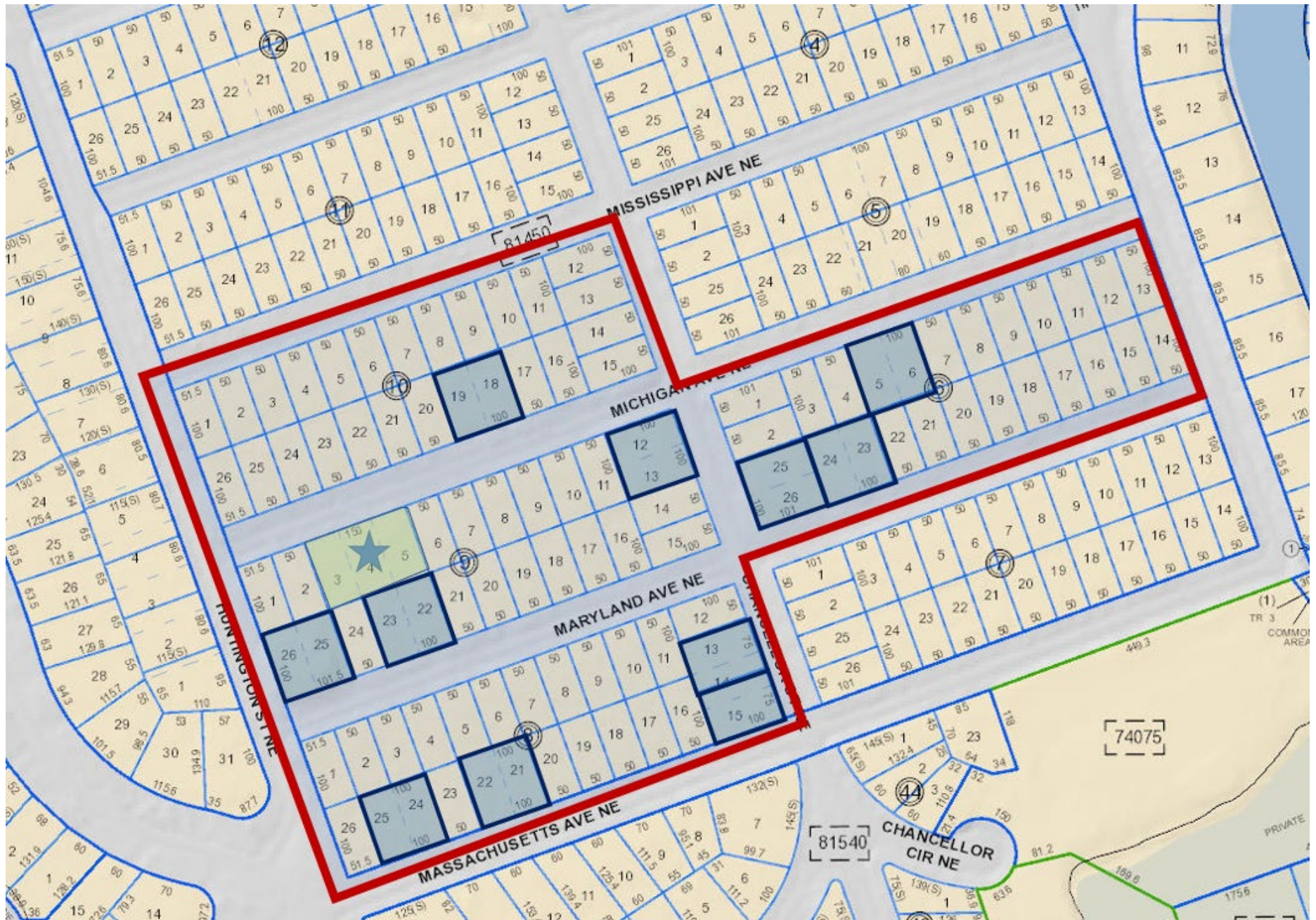
Signature (owner): [Signature] Richard A. Jones  
Printed Name

Sworn to and subscribed on this date Feb 23rd, 2023

Identification or personally known: personally known

Notary Signature: (Print): [Signature] Date: 2-23-23  
Commission Expiration (Stamp or date):





Site Address: 1730 Michigan Ave NE				
Zoning: NS-1	Width Required: 75-feet		Area Required: 5,800 sqft	
	Proposed Width: 45-feet		Proposed Area: 5,000 sqft	
Case #23-54000031				
<b>Lot Width Analysis</b>				
Block	Location	Conforming Width	Substandard Width	% Substandard
Subject Block		3	17	85.00%
Block 6	East	3	20	86.96%
Block 8	South	4	19	82.61%
Block 10	North	1	24	96.00%
Average		11	80	87.91%
<b>Lot Area Analysis</b>				
Block	Location	Conforming Area	Substandard Area	% Substandard
Subject Block		3	17	85.00%
Block 2	East	3	20	86.96%
Block 3	South	4	19	82.61%
Block 10	North	1	24	96.00%
Average		11	80	87.91%



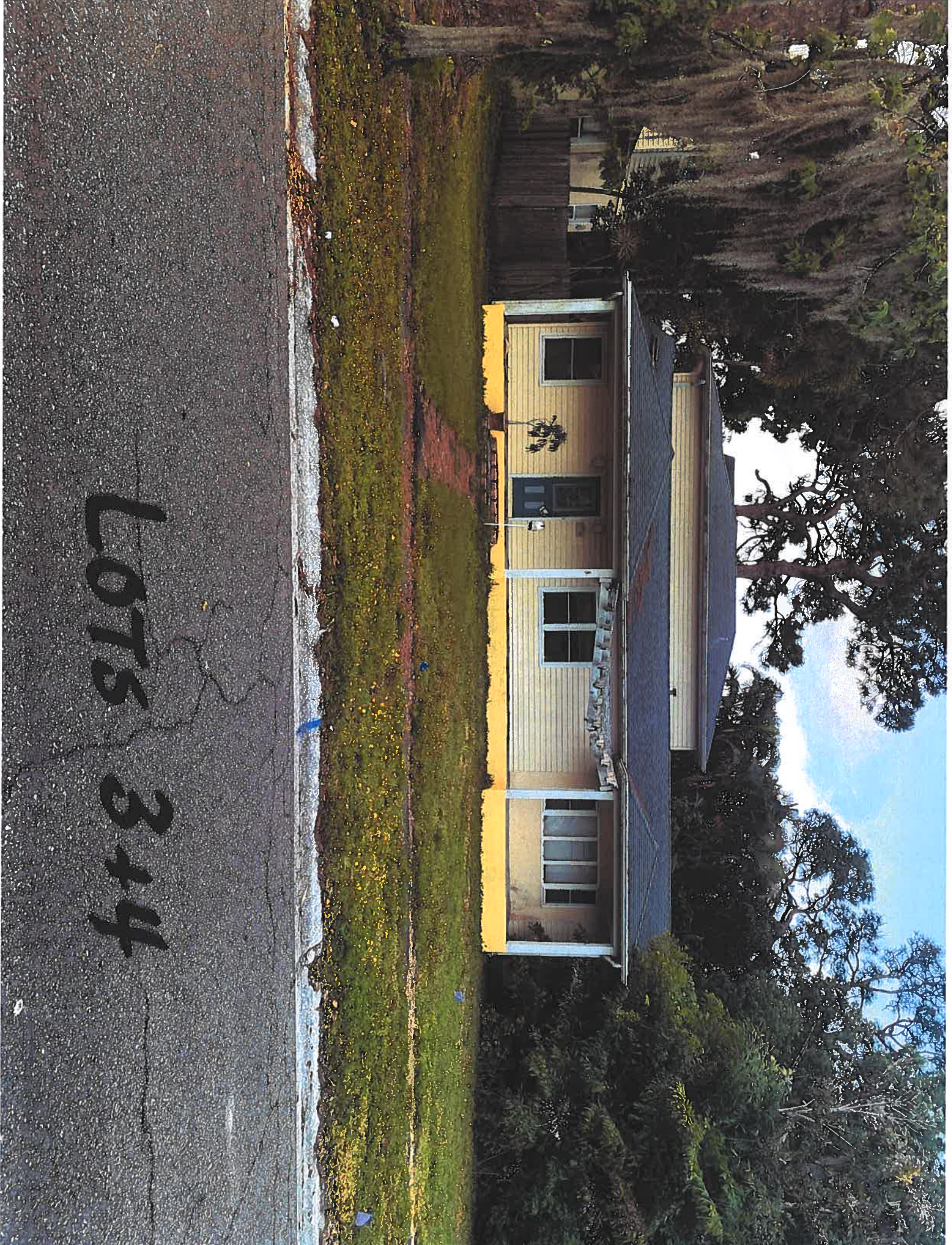








LOTS 3+4



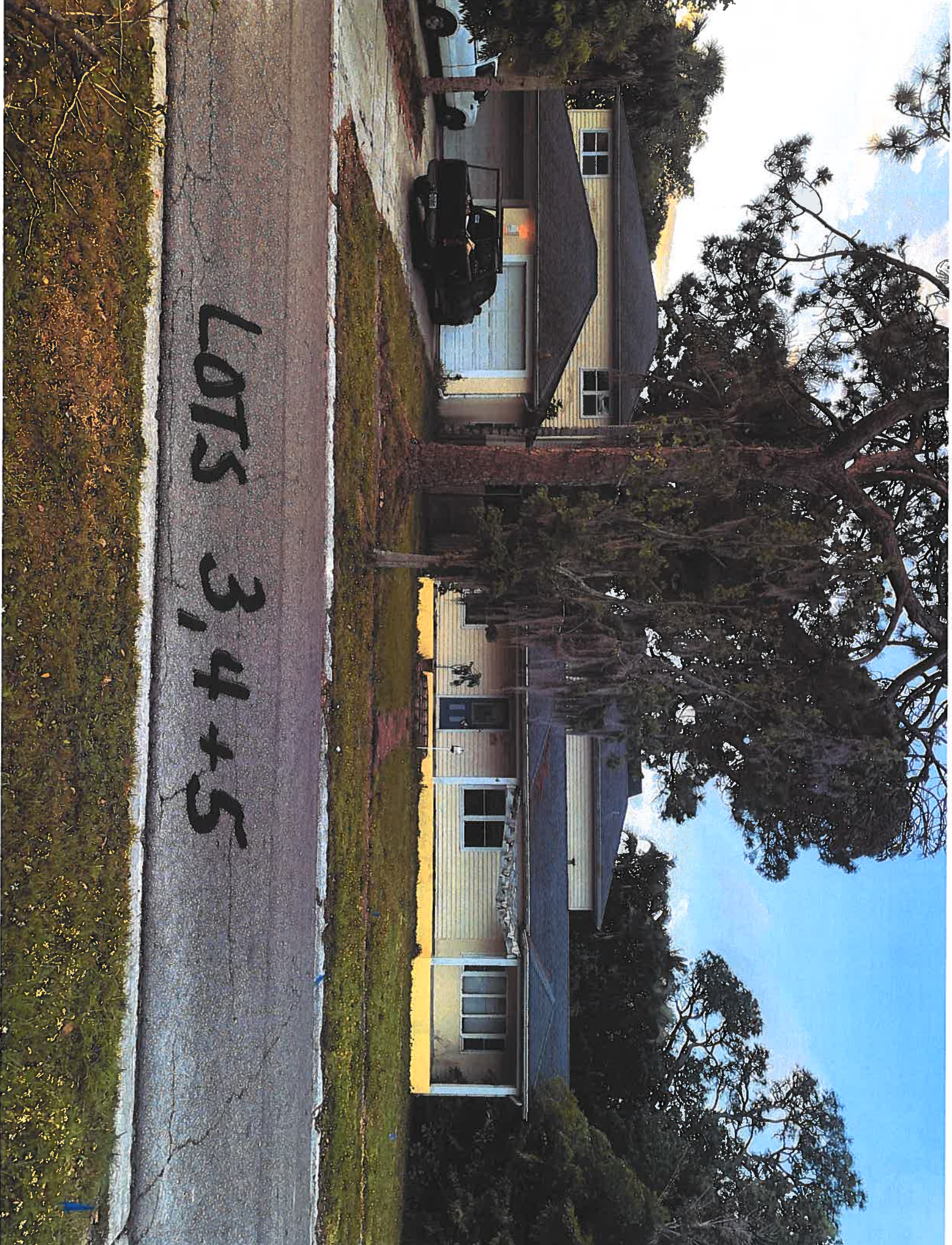


LOT 5





LOTS 3, 4 + 5



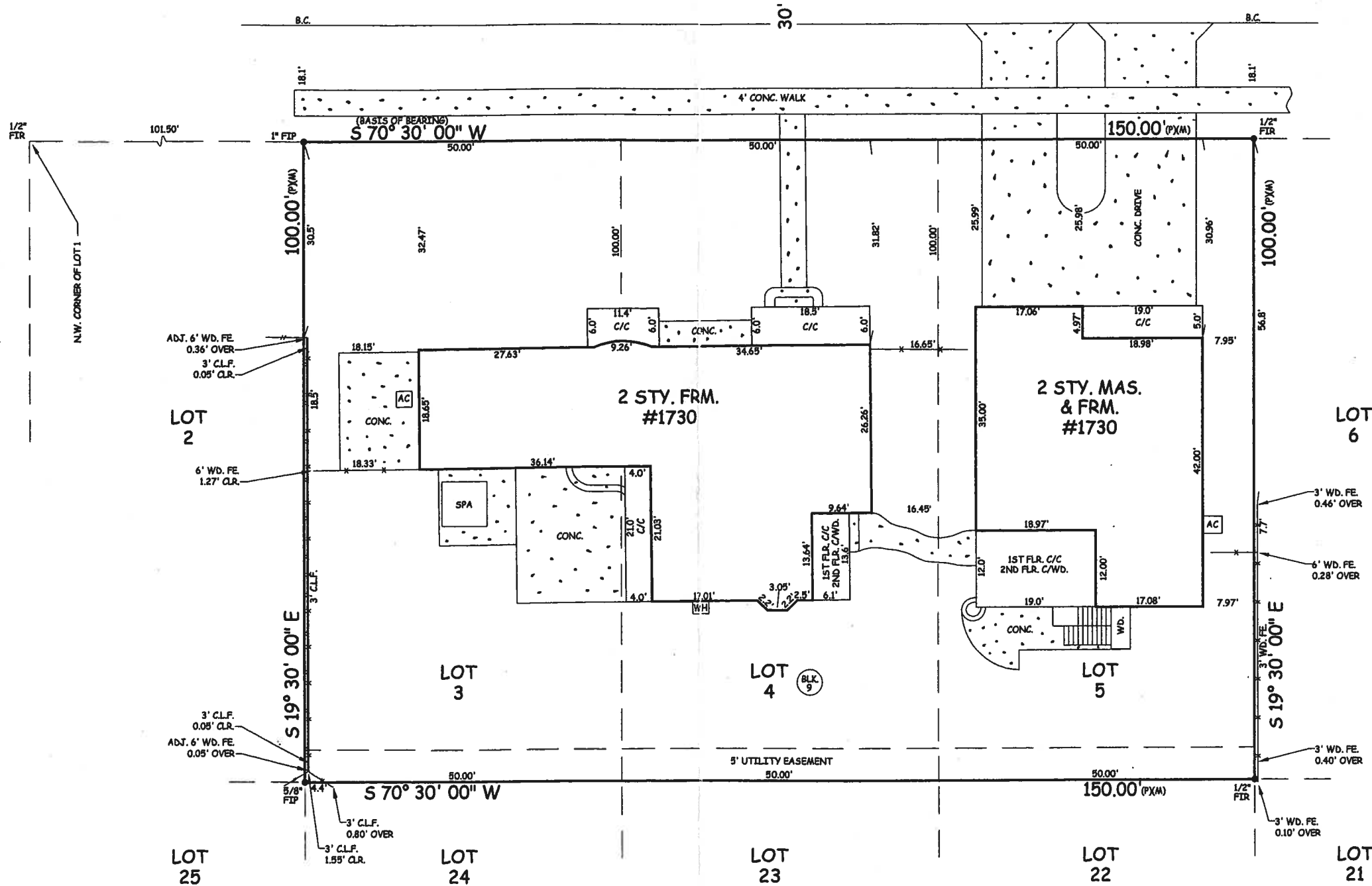




HUNTINGTON STREET N.E.  
(LAKE STREET - PLAT)

MICHIGAN AVENUE N.E.

(60' R/W 24.1' ASPH.)  
(3RD AVE. S. - PLAT)



CERTIFIED TO: Richard Jones

A BOUNDARY SURVEY OF: Lots 3, 4 and 5, Block 9, SHOREACRES CENTER, as recorded in Plat Book 5, Page 93 of the Public Records of Pinellas County, Florida.



JOB NO.: <b>220101</b>	<b>MURPHY'S LAND SURVEYING, INC.</b> PROFESSIONAL LAND SURVEYORS 5760 11TH AVENUE NORTH ST. PETERSBURG, FLORIDA 33710 WWW.MURPHYSLANDSURVEYING.COM	L.B. #7410	According to the maps prepared by the U.S. Department of Homeland Security, this property appears to be located in Flood zone: AE      Comm. Panel No.: 125148 0228 H      Map Date: 8/24/2021      Base Flood Elev.: 9.0'
DRAWN BY: MRB		PH. (727) 347-8740	
CHECKED BY: EDM		FAX (727) 344-4640	
DATE OF FIELD WORK: 2/09/2022			

<b>LEGEND:</b>	FD - FOUND F.I.P. - FOUND IRON PIPE F.C.M. - FOUND CONCRETE MONUMENT F.I.R. - FOUND IRON ROD S.I.R. - SET IRON ROD 1/2" LB #7410 P.R.C. - POINT OF REVERSE CURVATURE	FD - FOUND N.A.D. - NAIL AND DISK P.O.L. - POINT ON LINE P.C. - POINT OF CURVATURE P.T. - POINT OF TANGENCY P.I. - POINT OF INTERSECTION	R. - RADIUS A. - ARC C. - CHORD Δ - DELTA R/W - RIGHT OF WAY # - NUMBER	M/S - METAL SHED ALUM. - ALUMINUM W.H. - WATER HEATER P.S. - PATIO STONE C.P. - CARPORT PL. - PLANTER	WW - WING WALL C - CENTERLINE R/W - RIGHT OF WAY (P) - PLAT (C) - CALCULATION (D) - DEED	ESMT. - EASEMENT M.H. - MANHOLE CONC. - CONCRETE CLR. - CLEAR COL. - COLUMN WD. - WOOD	O.H. - OVERHANG GAR. - GARAGE C/WD. - COVERED WOOD C/P.S. - COVERED PATIO STONE C/C - COVERED CONCRETE A/C. - AIR CONDITIONER	P.C.C. - POINT OF COMPOUND CURVATURE FIN. FLR. - FINISHED FLOOR ELEVATION P.R.M. - PERMANENT REFERENCE MONUMENT N.A.V.D. - NORTH AMERICAN VERTICAL DATUM OF 1988	-X-X-X- - FENCE FE. - FENCE C.L.F. - CHAIN LINK FENCE -H- - ADJACENT FENCE ADJ. - ADJACENT	MAS. - MASONRY FRM. - FRAME G.I. - GRATE INLET C.B. - CATCH BASIN W.H. - WATER HEATER	B.C. - BACK OF CURB E.P. - EDGE OF PAVEMENT E.R. - EDGE OF ROAD E.O.W. - EDGE OF WATER T.O.B. - TOP OF BANK	(M) - MEASURED N. - NORTH S. - SOUTH E. - EAST W. - WEST	BLK. - BLOCK S/W. - SEAWALL ASPH. - ASPHALT UTIL. - UTILITY DR. - DRAINAGE	S.P. - SCREENED PORCH -P-P- OVERHEAD POWER LINES -T-T- OVERHEAD TELEPHONE LINES P.P. - POWER POLE L.P. - LIGHT POLE
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*Edward D. Murphy*  
EDWARD D. MURPHY REG. P.L.S. #5333

MEMORANDUM  
CITY OF ST. PETERSBURG  
ENGINEERING & CAPITAL IMPROVEMENTS DEPARTMENT (ECID)

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**TO:** Braydon Evans, Planner I

**FROM:** Kyle Hurin, Engineering Civil Permit Examiner

**DATE:** May 4, 2023

**SUBJECT:** Lot Line Adjustment

**ADDRESS & PIN:** 1730 Michigan Avenue NE  
04-31-17-81450-009-0030

**Zoning:** NS-1

**FILE:** 23-54000031 (FKA 23-11000009)                      **ATLAS:** A-26

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**REQUEST:** Approval of a Lot Line Adjustment with variances to the lot width, lot area, and interior side setback to create 2 buildable lots from 3 platted lots, with one single family residence to remain and the after the fact approval to convert an existing accessory structure to a single-family residence.

The Engineering and Capital Improvements Department (ECID) has no objection to the proposed lot line adjustment provided the following special conditions and standard comments are added as conditions of approval:

**SPECIAL CONDITIONS OF APPROVAL:**

1. **ECID requests that Zoning hold the final approval of the lot line adjustment and the issuance of any residential building permits for the two lots to assure that either the right of way permit for sanitary sewer utility connection has been issued or until the applicant provides evidence of scheduling and paying the City Water Resources Department (WRD) to perform the necessary sanitary sewer connection work (as described below).** Additionally, no Certificate of Occupancy shall be released (temporary or final) until the right of way permit work has been accepted by the City ECID construction inspector or until the work is verified as completed by the City Water Resources department.
2. The applicant is required to provide a connection to the public sanitary sewer collection system for each proposed lot. Lots may NOT share a service lateral. Individual connections to the public sanitary sewer main must be verified but city inspectors.

3. There is an existing vitreous clay sanitary sewer main located within the rear 5-foot wide utility easement that crosses lots 3, 4 and 5. This easement is substandard per ECID's easement sizing chart and requires additional easement to be dedicated. ECID requests that Zoning acquire an additional 5-feet of public utility easement to provide the required 20-foot centered on the sanitary sewer main.
  - A. **West Lot (Lots 3 and 4)** – City utility maps indicate that the western lot has an existing service lateral approximately 109-feet west of public manhole structure A026-M140 (manhole located within the rear utility easement at the shared property corner of 1742 and 1750 Michigan Avenue Northeast). Records indicate this service lateral does NOT have an existing public clean out and must have one installed.
    - a. The public clean out may be installed by the City Water Resources Department (*if WRD crews are available*) at the expense of the applicant. Contact the City's Water Resources department, Technical Services Division, at 727-892-5334 or [WRDUtilityreview@stpete.org](mailto:WRDUtilityreview@stpete.org) for further information or assistance in scheduling and paying for the public clean out installation for the proposed lot.
    - b. \*Provide a copy of the WRD invoice and payment receipt to zoning as evidence of compliance with this condition prior to City approval of the lot line adjustment.
    - c. Alternatively, the applicant may instead opt to have their licensed contractor obtain a right of way permit for public clean out and/or new lateral installation for the parcels. If this option is chosen ECID recommends that zoning hold approval of the lot line adjustment until the utility connection work has been completed and accepted by the City ECID construction inspector. See Right of Way Permit application and ECID inspection requirements (below).
  - B. **East Lot (Lot 5)** – City utility maps indicate that the western lot has an existing service lateral approximately 84-feet west of public manhole structure A026-M140 (manhole located within the rear utility easement at the shared property corner of 1742 and 1750 Michigan Avenue Northeast). Records indicate this service lateral does NOT have an existing public clean out and must have one installed.
4. Upon development or redevelopment, the applicant or current property owner is required to provide potable water service to each proposed lot if not existing. The City Water Resources department shall install necessary potable water services (up to and including the necessary meter and backflow prevention device) as required to service the proposed lots at the sole expense of the applicant/property owner. Contact the City's Water Resources department, Technical Services Division, at 727-892-5334 or [WRDUtilityreview@stpete.org](mailto:WRDUtilityreview@stpete.org) for further information or assistance.
5. All utility connection work shall comply with the following requirements, City ECID design standards, and City Technical Specifications:
  - **CONNECTION TO EXISTING SERVICE LATERALS:**  
Connections to existing service laterals shall require the installation of a public clean out

over the existing service lateral. If the condition of the lateral is determined to be unusable, a new lateral shall be installed per ECID standards at the applicant's expense. The public clean out shall be placed 30" inside the boundary of the adjacent right of way or easement and constructed per City ECID details:

- S30-4 (House Service Connections)
  - S30-7 (Clean Out for Traffic Areas) or S30-8 (Clean Out for Non-Traffic Areas). Includes concrete box (S30-9).
  - S30-50 (Dissimilar Pipe Coupling). No flexible connectors may be used.
- **NET NEW SERVICE LATERAL CONSTRUCTION:**  
Net new minimum 6" PVC service laterals shall be constructed per the following City ECID details:
    - S30-4 (House Service Connections)
    - S30-7 (Clean Out for Traffic Areas) or S30-8 (Clean Out for Non-Traffic Areas). Includes concrete box (S30-9).
    - S30-50 (dissimilar pipe coupling). No flexible connectors may be used.
- **RIGHT OF WAY PERMIT APPLICATION INFORMATION:**  
Contact [ROW\\_Permitting@stpete.org](mailto:ROW_Permitting@stpete.org) (there is an underscore between ROW & Permitting), or phone 727-893-7238 for right of way permit application information. Be sure to reference the ECID conditions of approval for this lot line adjustment case number when contact is made with ECID. The contractor will be required to provide a copy of current licensure, a Certificate of Insurance with the City listed as a certificate holder, a performance bond on the City Bond Form equal in value to the cost of the work in the public right of way. Upon completion of the right of way work and acceptance by the ECID Construction Inspector, the Engineer of Record (EOR) must provide signed and sealed record as built drawings and the contractor must provide a one (1) year notarized guarantee of materials and workmanship on company letterhead. No Certificate of Occupancy temporary or final can be released prior to City acceptance of the right of way work.
- **CITY ECID RIGHT OF WAY PERMIT CONSTRUCTION INSPECTION:**  
All utility connection work performed by a licensed contractor shall require the issuance of an ECID right of way utility connection permit. All new service laterals and all public clean out installations necessary for connection to the public sanitary sewer MUST be viewed by the ECID construction inspector prior to backfill. Otherwise the contractor will be required to excavate to expose the connection once inspection is scheduled. The City ECID right of way inspector must also be scheduled for a final inspection to verify adequate surface restoration within the alley.
6. Engineering Standard Details are available at the City's Website at the following link:  
[https://www.stpete.org/business/building\\_permitting/forms\\_applications.php](https://www.stpete.org/business/building_permitting/forms_applications.php)
- City infrastructure maps are available via email request to [ECID@stpete.org](mailto:ECID@stpete.org). All City infrastructure adjacent to and within the site must be shown on the development project's construction plans.

**STANDARD COMMENTS:**

\*Use of the public right of way for construction purposes shall include mill and overlay in full lane widths per City ECID standards and specifications.

Redevelopment within this site shall be coordinated as may be necessary to facilitate any City Capital Improvement projects in the vicinity of the site.

Public sidewalks are 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.

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.

KJH

ec: Sean McWhite – WRD  
Kayla Eger – Development Review Services