



CITY OF ST. PETERSBURG, FLORIDA  
PLANNING AND DEVELOPMENT SERVICES DEPARTMENT  
URBAN PLANNING AND HISTORIC PRESERVATION DIVISION

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## STAFF REPORT

### Community Planning and Preservation Commission Certificate of Appropriateness and Variance Request

Report to the Community Planning and Preservation Commission from the Urban Planning and Historic Preservation Division, Planning and Development Services Department, for Public Hearing and Executive Action **Tuesday, December 8, 2020, beginning at 2:00 p.m.**, in Council Chambers of City Hall, 175 Fifth St. N., St. Petersburg, Florida. Everyone is encouraged to view the meetings on TV or online at [www.stpete.org/meetings](http://www.stpete.org/meetings).

#### UPDATE: COVID-19

Procedures will be implemented to comply with the CDC guidelines during the Public Hearing, including mandatory face coverings and social distancing, with limitations on the number of attendees within Council Chambers. The City's Planning and Development Services Department requests that you visit the City website at [www.stpete.org/meetings](http://www.stpete.org/meetings) and contact the case planner for up-to-date information pertaining to this case.

According to Planning and Development Services Department records, no member of the Community Planning and Preservation Commission 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.

**AGENDA ITEM:** CITY FILE NO.: COA 20-90200098/Variance 20-54000060

**REQUEST:**

**COA 20-90200098:**

Review of a Certificate of Appropriateness for the construction of a residential addition at 125 23<sup>rd</sup> Ave N.E., a noncontributing resource to a local historic district

**Variance 20-54000060:**

Approval of a 10.5-ft variance to the required front yard setback from 30-ft to 19.5-ft and a 3-ft variance to the required side yard from 7.5-ft to 4.5-ft to construct an attached garage in the NT-3 zoning district at 125 23<sup>rd</sup> Ave NE.

**OWNERS:**

Calvin B. Samuel and Vivian Vasiliki Laliotis

**PARCEL ID NO.:**

07-31-17-32562-004-0100

**PROPERTY ADDRESS:**

125 23<sup>rd</sup> Ave NE

**LEGAL DESCRIPTION:**

GRANADA TERRACE ADD BLK 4, (GRANADA TERRACE HISTORIC DISTRICT) W 60FT OF LOT 10

**ZONING:**

NT-3



**Figure 1: Subject property, facing northeast (staff photo)**

## Overview

The application considerations herein propose both the historic integrity of a new single-family structure in a local historic landmark district through a Certificate of Appropriateness (COA) review and a request for a Variance to the Land Development Regulations in the City Code for a reduced street side yard setback. Section 16.70.015 and 16.80.010 of the City Code requires the CPPC to act on historic and archaeological matters, including acting as the Land Development Regulation Commission (LDRC) for the purposes of and as required by the Community Planning Act to review and evaluate proposed modifications to the Land Development Regulations related to historic and archaeological preservation, to review and evaluate proposed historic designations, certificates of appropriateness and any other action to be performed pursuant to the Historic and Archaeological Preservation Overlay Section.

This report addresses first a review of the COA and then a review of the Variance applications.

## Historic Significance and Existing Conditions

The masonry vernacular residence at 125 23<sup>rd</sup> Ave. NE ("the subject property") is a noncontributing resource within the Granada Terrace Local Historic District. A permit was issued by the City of St. Petersburg for the construction of a residence on its parcel, which was considered to be undersized at that time, in 1956. However, it appears that these initial plans were not carried out, as the construction of a residence with rear-yard encroachment was permitted three years later in 1959.

### Previous Alterations and Approvals

The subject property was designated as a noncontributing property to the Granada Terrace Local Historic District on March 17, 1988. Noncontributing properties are required to obtain Certificates of Appropriateness (COA) for exterior alterations and repairs. Since designation, the following COAs for the subject property have been considered by the City of St. Petersburg's Historic Preservation Office:

- 1990, COA 90-06: Approved to add gate to existing fence.
- 2002, COA 02-13: Approved to construct new fence.



- 2004, COA 04-22(A): Approved addition to rear of subject property.
- 2014, COA 14-90200057: Approved second-story addition.

Additionally, permission for the construction of a rear addition was granted by the City in 1982-1983, prior to the subject district's designation. The subject property's original, integral garage was enclosed in 2006.



**Figure 2: Subject property, facing north. Photograph from application with notes by staff**

## Project Description and Review of COA 20-90200098

### Project Description

The COA application (Appendix A) proposes the construction of an attached garage to the east elevation of the subject property.

The project will entail construction of a front-gabled, 26-foot by 14-foot one-car garage with space for additional storage.

According to the COA Matrix, additions to contributing or noncontributing buildings within local historic districts require approval by the Community Planning and Preservation Commission. As discussed below, proposed alterations of noncontributing structures within local historic districts, such as the subject property, should be reviewed for potential impact to the integrity of the district's historic integrity. Some relevant character-defining features of the Granada Terrace Local Historic District noted by the St. Petersburg Guidelines for Historic Properties include:

- A visually homogenous character emphasized by common setbacks and side yards;
- Contributing buildings with asymmetrical, often highly articulated, vertical massing; and
- Generally low density with large, open front lawns creating a park-like setting.

## General Criteria for Granting Certificates of Appropriateness and Staff Findings

1. *The effect of the proposed work on the landmark or the property upon which such work is to be done.*

**Consistent**

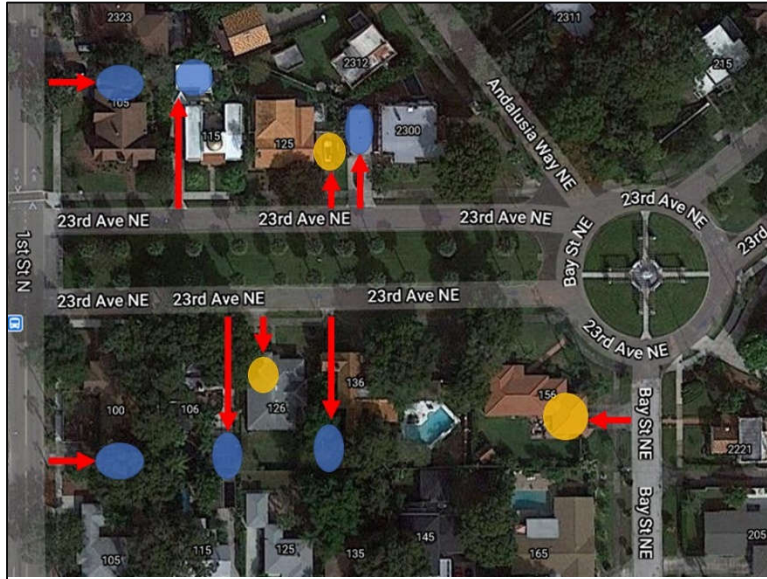
Because of the lack of alley access, driveways and garages on the subject block face 23<sup>rd</sup> Ave. NE. This stretch of road features a prominent grassy boulevard which is a character-defining feature to Granada Terrace. Contributing properties' garages throughout the district tend to be detached from, and located behind, the primary residence. Some properties feature semi-detached garages which are conjoined to their primary residences by hyphens or breezeways but are still visually distinct from the building forms of the primary resources on their parcels.

Because of its location on the pie-shaped corner parcel at the intersection of 23<sup>rd</sup> Ave. NE and Andalusia Way NE, the contributing property directly east of the subject property (2300 Andalusia Way NE) has a south side elevation that aligns with the façade of the subject property. Its detached rear garage, which is accessed via 23<sup>rd</sup> Ave. NE, is therefore directly adjacent to the location of the proposed garage addition.

Driveway and garage access to properties on the subject block is illustrated in Figure 4. The proposed garage addition will not introduce a new curb cut or street-facing driveway into the district.



**Figure 3: Applicant photograph of subject property (left), location of proposed garage addition, and adjacent detached garage facing 23<sup>rd</sup> Ave. NE**



**Figure 4: Parking patterns at subject block. Driveway orientation is shown with red arrows, detached and semi-detached garages indicated in blue, and attached, integral garages, including the proposed new construction, indicated in yellow. 2019 aerial via Google Maps.**

2. *The relationship between such work and other structures on the landmark site or other property in the historic district.*

**Generally consistent**

The proposed garage addition will essentially extend the façade of the subject property with the existing front setback.

Side setbacks within the vicinity are varied, in part due to the presence of irregularly shaped parcels, and tend to be relatively small in comparison to the visual openness created by large expanses of front yard space.

However, and as noted above, garages in the subject district are historically detached and set behind the primary residences to which they relate. This creates a visual hierarchy between the residence and ancillary buildings, even in instances where front-facing driveways are present because of a lack of rear alleys.

3. *The extent to which the historic, architectural, or archaeological significance, architectural style, design, arrangement, texture and materials of the local landmark or the property will be affected.*

**Generally consistent**

The subject property is a noncontributing property that does not demonstrate the highly articulated, vertically oriented Mediterranean Revival style which defines the contributing properties within the local historic district. The proposed addition will follow the existing front setback of the subject property, meaning it will generally align with the setbacks of the contributing properties to its east and west.

The proposed front-gabled roof of the garage addition will be slightly higher than the property's original roofline, which is not recommended. However, the applicant has decreased this height significantly from the original proposal in

response to staff feedback. Further, the overall height of the subject property has already been increased by the approval of the rear two-story addition in 2014.

- 4. *Whether the denial of a Certificate of Appropriateness would deprive the property owner of reasonable beneficial use of his or her property.*

**Not applicable** The subject property's original garage was enclosed.

- 5. *Whether the plans may be reasonably carried out by the applicant.*

**Consistent** There is no indication that the applicant cannot carry out the proposal.

- 6. *A COA for a noncontributing structure in a historic district shall be reviewed to determine whether the proposed work would negatively impact a contributing structure or the historic integrity of the district. Approval of a COA shall include any conditions necessary to mitigate or eliminate negative impacts.*

**Generally consistent** The mid-century, noncontributing resources in Granada Terrace present a much lower and more streamlined composition than do the contributing Mediterranean Revival buildings. The stylistic differences are mitigated by consistency of setback and, often, materials.

Consistent with the Planning and Zoning recommendations and public comment, staff recommends that a garage addition at the subject property should be set back from the existing façade. This would accomplish the goals of adding articulation to the massing, as well as adhering to the hierarchy in which garages are visually subordinate to primary residences.

Staff has suggested that creating a small degree of articulation between the existing residence and proposed garage addition would create a more harmonious appearance than the extension of a straight façade line. Due to space constraints created by the irregular shape of the parcel and existing fenestration, the applicant has stated that a recessed garage is not possible in this location.

The construction of an attached garage in the subject district does not follow the historic pattern of detached garages, but attached integral garages are common among the subject property's noncontributing contemporaries.

#### Additional Guidelines for New Construction

In approving or denying applications for a COA for new construction (which includes additions to an existing structure), the Commission and the POD shall also use the following additional guidelines.

- 1. *The height and scale of the proposed new construction shall be visually compatible with contributing resources in the district.*

**Generally consistent** After considering staff feedback, the applicant lowered the proposed front gable's pitch to be lower than the adjacent detached garage at 13 feet, 8 inches. Ideally the pitch of the roof's addition should match that of the original



roof. Contributing properties in the subject district range from one to two stories

Staff does have concerns about the visual horizontality that will be created by the addition's creation of an unbroken façade line.

2. *The relationship of the width of the new construction to the height of the front elevation shall be visually compatible with contributing resources in the district.*

**Inconsistent** As noted above, the broad horizontal massing of the subject property is already fairly out of context for the subject district, and the proposal would serve to increase this impact by creating a façade with a total width of approximately 56 feet.

3. *The relationship of the width of the windows to the height of the windows in the new construction shall be visually compatible with contributing resources in the district.*

**Generally consistent** The proposed picture window at rear will not be visible from right of way. The plans show a fixed window approximately 10 feet wide at the rear of the addition, but information was not provided regarding its height or vertical placement. The proposed single-car panel garage door is similar to that found on other non-contributing resources and as an alteration on contributing resources.

4. *The relationship of solids and voids (which is the pattern or rhythm created by wall recesses, projections, and openings) in the front facade of a building shall be visually compatible with contributing resources in the district.*

**Inconsistent** The proposed flatness of the façade will enhance an existing incompatibility within the subject district.

5. *The relationship of the new construction to open space between it and adjoining buildings shall be visually compatible with contributing resources in the district.*

**Consistent** Side setbacks at block are fairly small.

6. *The relationship of the entrance and porch projections, and balconies to sidewalks of the new construction shall be visually compatible with contributing resources in the district.*

**Not applicable**

7. *The relationship of the materials and texture of the facade of the new construction shall be visually compatible with the predominant materials used in contributing resources in the district.*

**Consistent** The garage addition will feature a stucco exterior and tile roof, which is consistent with both the existing noncontributing residence and contributing resources in the subject district.

8. *The roof shape of the new construction shall be visually compatible with contributing resources in the district.*

**Inconsistent** The proposed roofline

9. *Appurtenances of the new construction such as walls, gates and fences, vegetation and landscape features, shall, if necessary, form cohesive walls of enclosures along a street, to ensure visual compatibility of the new construction with contributing resources in the district.*

**Consistent** A new gate is proposed in the side setback. Information on its material or design is not included but it should be wood or metal to comply with St. Petersburg's Design Guidelines for Historic Properties.

10. *The mass of the new construction in relation to open spaces, the windows, door openings, porches and balconies shall be visually compatible with contributing resources in the district.*

**Generally consistent** One-car attached integral garages are found at noncontributing residences within the subject district. However, in order to reference the contributing properties in the district the addition should ideally be set back from the existing façade.

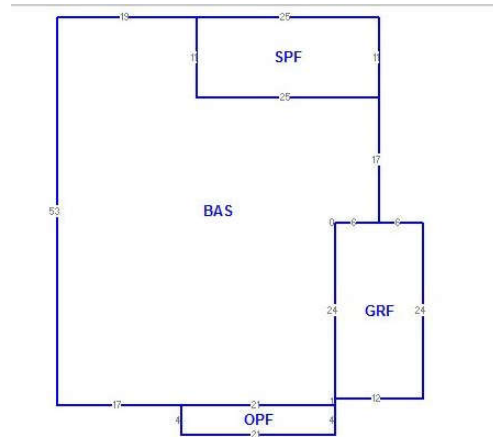
11. *The new construction shall be visually compatible with contributing resources in the district in its orientation, flow, and directional character, whether this is the vertical, horizontal, or static character.*

**Inconsistent** Proposed increases an existing inconsistency by extending the subject property's façade to create an even wider flush, horizontal plane. Staff suggests that a setback between the existing façade and proposed garage addition will mitigate the expansion's visual impact.

Although COAs for are reviewed primarily for compatibility with contributing resources, whether the work is intended for a contributing or noncontributing property, some examples of noncontributing resources with similar compositions and construction dates as the subject property are included below. Staff suggests that even a small setback between the façade and garage addition would serve as an improvement to the proposal's compatibility within the district.



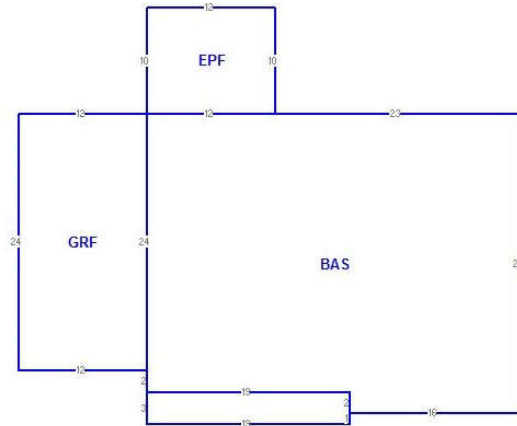
**Figure 5: Noncontributing property at 2401 Andalusia Way NE**



**Figure 6: Footprint of 2401 Andalusia Way Northeast, showing 5-foot recess between open porch and garage (1 foot between main façade and garage)**



**Figure 7: Noncontributing property at 2411 Andalusia Way NE**



**Figure 8: Footprint of 2411 Andalusia Way NE showing 5-foot recess between open porch and garage (2 feet between façade line and garage)**

12. *New construction shall not destroy historic materials that characterize the local landmark or contributing property to a local landmark district. The new construction shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the local landmark and its environment, or the local landmark district.*

**Consistent** The proposed addition features generally compatible massing with the residence but will be differentiated by a distinct roof gable.

13. *New construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the local landmark and its environment would be unimpaired.*

**Generally** While the addition to the garage footprint will not be easily reversible, garage  
**Consistent** portion of the residence could be altered or removed in the future while preserving the main form of the primary residence’s façade.

Summary of Findings, Certificate of Appropriateness Review

Staff evaluation yields a finding of the following criteria being met by the proposed project:

- o General Criteria for Granting Certificates of Appropriateness: 5 of 5 relevant criteria satisfied or generally satisfied.
- o Additional Guidelines for New Construction: The proposal demonstrates consistency or general consistency with 8 or 12 relevant criteria and incompatibility with relation to 4 criteria.

Variance to Land Development Regulations (File 20-54000060)

The subject property is located within a neighborhood area zoned Neighborhood Traditional-3 (NT-3). The purpose of the NT district regulations is to protect the traditional single-family character of these neighborhoods, while permitting rehabilitation, improvement and redevelopment in a manner that is consistent with the scale of the neighborhood. The standards for the NT districts are intended to reflect and reinforce their unique character.

The NT-3 district generally includes neighborhoods developed by the end of the 1920s. The character and context along the street should reinforce the pattern of a traditional single-family neighborhood. These areas typically exhibit a higher degree of architectural legacy and characteristics. Site layout and architectural detailing is emphasized to preserve and reinforce the existing development pattern.

Alleyways are the primary means of providing areas for utilities and access to off-street parking to the rear of the properties. Driveways and garages in front yards are not typical in most traditional neighborhoods. However, in this case, the subject property does not have access to an alley.

Variance Data

Structure	Required Setback	Requested Setback	Variance	Magnitude
Front Yard Setback For a Garage	30 ft.	19.5 ft.	10.5 ft.	35%
Side Yard Setback For a Garage	7.5 ft.	4.5 ft.	3 ft.	40%



## Request

The property owners are proposing to construct a 14-ft x 26-ft single-car garage that encroaches within the front and side yard setbacks. The Neighborhood Traditional (NT-3) Land Development Regulations require a 30-foot front yard setback and a 7.5-foot side yard setback for interior lots.

The existing house has a front yard setback of 19.5-feet and the addition of the garage is proposed to follow the same front façade line with the same front yard setback, requiring a variance of 10.5-ft. The existing house is currently setback 18.5-ft from the east side property line. The proposed garage addition has a width of 14-ft, leaving a side yard setback of 4.5-ft on the east side, requiring a 3-ft variance.

The parcel was originally platted as Lot 10 in Block 4C of the C. Perry Snell's Granada Terrace Addition in 1924. The property is an interior lot with frontage along 23<sup>rd</sup> Ave NE. Prior to 1954 a portion of the original lot was sold to the neighboring parcel to the east leaving the subject property with a 60-foot width and an area of 5,100 s.f. The development history is provided below:

- In November 1959 the Board of Adjustment (BOA) granted approved to build a single-family home on than undersized lot with a rear yard encroachment (the property was zoned RS-100 and the rear yard setback was 20 feet).
- In December 1959, a 4-room, 2-bath, house with an attached garage was approved for construction.
- In October of 1989, an addition was approved by the BOA to the rear with a 7-foot variance to the then required 20-foot rear setback.
- In 2006, The garage was converted to a bedroom.
- In 2008, the existing driveway was constructed.
- In January 2013, the current owner purchased 6.75 feet along the eastern property line from the neighboring property to the east. This land purchase increased the land area of the parcel to 5,600 s.f.
- In December 2014, the Development Review Commission (DRC) granted a side yard variance of 1.5-feet for a second story addition.
- In 2015, a 650 s.f. two-story addition was approved and constructed.

Today, the subject property has 66.75-ft of frontage along 23<sup>rd</sup> Ave NE. The lot depth varies from 70-ft on the east side to 100-ft along the west property line with a sharp diagonal rear yard lot line limiting development on the property. The total land area for the property is 5,600 s.f. The existing house is two-story with 2,572 s.f. of living space. The current floor area ratio (FAR) for the property is 0.46. The addition of the garage will add 364 s.f. to the total living area for a FAR of 0.52. Based on the plans provided by the applicant, the impervious surface ratio (ISR) is approximately 0.58. The NT-3 zoning district allows a 0.40 FAR and up to 0.60 FAR with design bonuses. Based on the requirements of Section 16.02.010.5, the current construction falls within the following standards for design bonuses allowing up to a 0.54 FAR:

- Additional second story side setbacks: (0.05 bonus on west side)
- Total residential floor area of the second story does not exceed 75 percent of the first story (0.05 bonus).

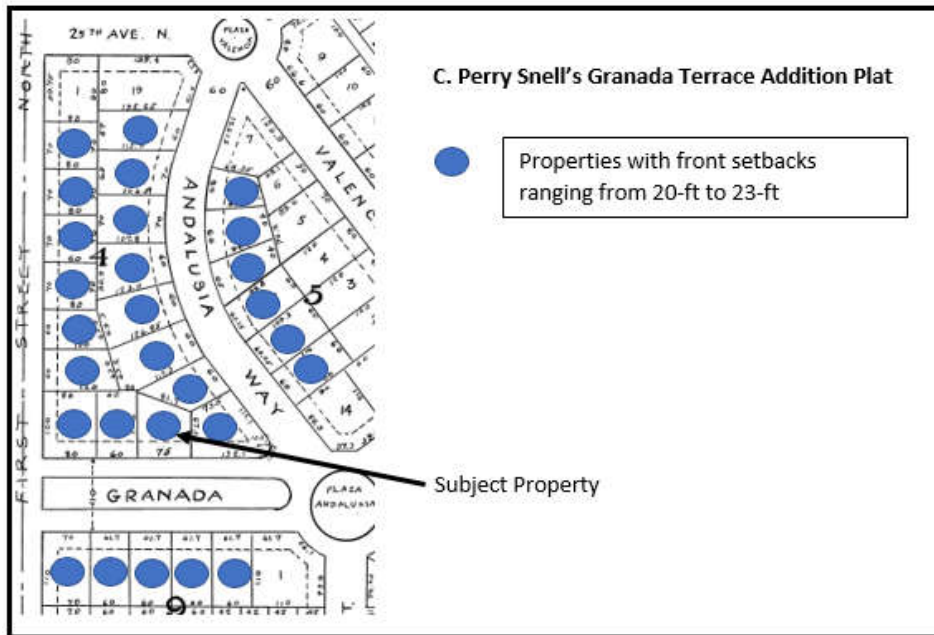
- Reduction of the height of both the peak and roofline of a two-story building from the maximum allowed height. (0.04 bonus)

As shown on the Plat Map, this block is one of the few where there is no alley for access or parking. Therefore, the driveway is accessed from 23<sup>rd</sup> Ave NE and is located in the front yard on the east side of the property. No changes are proposed to the dimensions of the driveway, though it will be repaved with pavers. In addition, no changes are proposed to the impervious surface ratio (ISR) as all areas for proposed construction are currently paved. The front yard ISR is currently 0.47 (maximum allowed is 0.45).

As indicated above, the existing house and front setbacks were approved by the Board of Adjustment in 1959. Section 16.20.010.10. of the City Code address setbacks and FAR within established neighborhood patterns. This Section recognizes that the existing characteristics of minimum yard setbacks in existing neighborhoods may differ from the zoning district requirements. In these cases, approvals are allowed when front setbacks are based on predominant building setbacks established in the block in which the development is proposed. The predominant building setbacks established in the block are provided in the table below. This Section of the Code also defines predominant as equal to or greater than 50 percent. As identified in the table below, 100% of the properties on the block have setbacks ranging from 19.5-ft to 21-ft:

<b><u>ADDRESS</u></b>	<b><u>FRONT SETBACK</u></b>
105 23 <sup>rd</sup> Ave. NE	20 ft
115 23 <sup>rd</sup> Ave. NE	21 ft (19 ft porch setback)
125 23 <sup>rd</sup> Ave. NE	19.5 ft (Subject property)
100 23 <sup>rd</sup> Ave. NE	20 ft
106 23 <sup>rd</sup> Ave. NE	21 ft
126 23 <sup>rd</sup> Ave. NE	20 ft
136 23 <sup>rd</sup> Ave. NE	20.5 ft

All lots on this block of 23<sup>rd</sup> Avenue NE and along Andalusia Way NE have front setbacks ranging between 20-ft and 23-ft as shown below.



However, the Code Section 16.20.010.11 *Building and Site Design* requires that garage doors facing the primary street be at least 10 feet behind the front façade line of the principal structure. With the established front yard setback of 19.5 feet, this would require a garage setback of an additional 10 feet.

The side yard variances for new construction are not typical unless the lot size warrants it, the variance request is for an addition to a developed lot that has circumstances of an undersized and oddly shaped lot.

### Consistency Review Comments

The Urban Planning & Historic Preservation Division staff reviewed this application in the context of the following variance 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 review and 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 meets this criterion as it includes a currently developed single family lot with a 2,572 s.f. two-story house. The applicant is requesting to construct a single car garage aligning with the front of the existing house. Because there is no alley or rear access, the applicant has proposed the addition to the side of the house which is the only area on the lot with available for additional development.

- 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 lot is an existing legal nonconforming lot which has a lot area of 5,600 s.f., significantly smaller than the required lot area of 7,620 s.f. for NT-3 district lots. Therefore, this lot meets the substandard lot size criterion.

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

The Preservation designation shall apply to all environmentally sensitive areas within the City that qualify under the criteria specified in the land development regulations. This criterion is not applicable.

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

The subject property includes an existing single-family structure and is considered a non-contributing parcel located within the Granada Terrace Historic District. Granada Terrace is a contributing resource to the North Shore Historic District listed on the National Register of Historic Places. While this proposed house is a non-contributing structure, the new construction must meet building form and architectural design standards of other historic homes throughout the district.

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

There are three small trees in the front yard and right-of-way that will not be affected by the construction.

- 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 existing house, while a noncontributing historic structure, promotes the established traditional development pattern of the neighborhood.

As discussed in the previous section of this report, the Code recognizes that the existing characteristics of minimum yard setbacks in existing neighborhoods may differ from the zoning



district requirements. In these cases, approvals are allowed when front setbacks are based on predominant building setbacks established in the block in which the development is proposed. On the subject block 100% of the homes have front yard setbacks ranging from 19.5-ft to 21 -ft.

There have been few variances in the vicinity; however, two nearby properties without an alley have received variances for garage additions. Both properties are located on Andalusia Way NE and were approved for the following variances:

Address	Side Yard Variance		Rear Yard Variance	
	From	To	From	To
2320 Andalusia Way NE	10 ft	4.0 ft	10 ft	7.5 ft
2420 Andalusia Way NE	10 ft	4.5 ft	10 ft	5.0 ft

- o The setbacks were based on RS-100 zoning district requirements.

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

This criterion is not applicable.

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

The existing house was constructed with a garage which the applicant converted to additional living space in 2006. This applicant’s action resulted in the need for a new garage. However, other special conditions exist for the parcel that are significant and not the result of the applicant including the substandard lot size and awkward lot shape.

Another special condition that should be considered is that the lot does not have an alley. Alleys are typical for Neighborhood Traditional zoning districts allowing for vehicles to be parked to the rear of the property and behind the front façade of the house.

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

A literal enforcement would not result in an unnecessary hardship, in that the applicant’s driveway can currently accommodate four vehicles, with two of these spaces located behind the front façade of the house. In addition, the proposed garage could be constructed with a narrower width and accommodate a parking space beside it allowing two vehicles to be parked behind the front façade. However, because the applicant is requesting additional space for the storage of other recreational items such as kayaks and bicycles, the garage is wider than one car and will eliminate the existing second parking space behind the front façade. The Code Section 16.20.010.11 district requires that vehicles park behind the front façade of the house in Neighborhood Traditional districts. This driveway was permitted in 2008 and is considered grandfathered. The current design will require that any additional parking outside of the garage to be within the front yard, in the existing driveway.

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 owner would still have reasonable use of the land. The area proposed for the garage is currently used for parking.

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

The applicant has reasonable use of the land with the existing parking spaces. The variance request addresses the need for enclosed vehicular parking and storage of other recreational items such as kayaks, paddleboards and bicycles. These items could otherwise be stored outside, in a shed or offsite. The applicant has provided a layout of the garage showing the location of the recreational items in the variance application. Typical widths for a single-car garage range from 10 to 14 feet. Alternatively, to lessen the impact and provide for articulation of the front façade, the recreational items could be stacked, shelved or hung from the ceiling in providing some additional setback in the front yard.

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

The request is consistent with the goals of the Comprehensive Plan and the Land Development Regulations to promote revitalization and redevelopment and to encourage perpetuation of historic districts. The Land Development Regulations for the Neighborhood Traditional districts state: “The purpose of the NT district regulations is to protect the traditional single-family character of these neighborhoods, while permitting rehabilitation, improvement and redevelopment in a manner that is consistent with the scale of the neighborhood.” The Future Land Use designation in this neighborhood is Planned Redevelopment – Residential (PR-R). The following objective and policies promote redevelopment and infill development in our City:

#### **LAND USE**

##### **Conceptual Land Use Pattern:**

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

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

In addition, the Historic Preservation Element of the City’s Comprehensive Plan encourages the perpetuation of landmarks, sites and historic districts through the objectives and policies. The variance is consistent to the following policy:

#### **HISTORIC PRESERVATION ELEMENT**

##### **Survey and Data Management of Historical and Archeological Resources**

**HP1.3** *St. Petersburg's Design Guidelines for Historic Properties will be used in the City's Certificate of Appropriateness (COA) process for individual landmarks and to provide information to property owners, architects and contractors. The City will update the design guidelines as needed.*

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

The granting of the variance will not be injurious to neighboring properties. As part of the associated COA, the applicant has been requested to integrate building form and architectural design standards into the garage addition. There are several homes within two blocks with a similar development pattern that include an attached front-loading garage these homes were approved and constructed in the 1950s. Photos of these homes are included as part of the Variance application and the addresses are provided below:

126 23<sup>rd</sup> Ave NE  
2401 Andalusia Way NE  
2411 Andalusia Way NE  
2339 Andalusia Way NE

The subject house was also originally constructed with a garage which was later converted to living space. Because these houses were approved and do not follow the current zoning requirements for garages, they are considered as legally nonconforming. Based on *Section 16.60.030.1* the term "nonconforming" means that a use, structure, lot or site was lawful when the use commenced, the structure was constructed, or the lot or site was established but became unlawful by the adoption or amendment of this chapter. A structure lot or site becomes nonconforming if the size, building setbacks, parking, or other characteristic does not comply with a requirement of the City Code. The regulations permit nonconformities to continue until they are removed. These regulations do not encourage the survival of nonconformities and do not allow nonconformities to be enlarged upon, expanded, or extended. Existing nonconformities shall not be used to justify the addition of new uses or structures prohibited in the district. New construction requires the development to conform to the current, adopted development standards.

The garage addition is proposed where the existing driveway is located. Instead of two cars in the driveway, only one will remain in the driveway while the other will be parked in the garage. The garage addition will have little effect on the neighboring property to the east as it will be located adjacent to the neighbor's garage which is to the rear of the neighboring property as it is a corner lot. The existing driveway is not changing in size.

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

There are several competing factors in this variance request. The most compelling hardship for this property is the awkward shape of the back yard, the undersize lot area and the lack of an alley. The property currently meets the FAR and impervious surface ratio standards, though the front yard is slightly above the required front yard 0.45 ISR requirement with 0.47. This 0.47 front yard ISR ratio is based on the NT-3 requirement of a 30-foot front yard. No additional impervious surfaces are proposed for this addition.

The City Code, Section 16.20.010.10. addresses setbacks and FAR within established neighborhood patterns. This Section of the Code recognizes that the existing characteristics of minimum yard setbacks in existing neighborhoods may differ from the zoning district requirements. In these cases, approvals are allowed when front setbacks are based on predominant building setbacks established in the block in which the development is proposed. It has been established that the front setback follows the established setbacks on the block and was approved by the BOA in 1959. However, the current Code requires that a garage setback 10 feet behind the established front façade. In this case, due to the inadequate lot depth Staff agrees that some concessions can be made to the front yard setback. Staff's concerns about the proposed front yard setback are as follows:

- the front façade will not have any articulation
- this design also loses one parking space that was behind the front façade.
- It sets a precedent for other homes with front loading garages to completely eliminate the setback requirement.

It is important to note that a hardship was the result of the applicant's action to convert the garage to living space in 2006, leaving the applicant without a garage.

When weighing these competing factors, Staff recommends that the depth of the garage be reduced and for the applicant to provide a 5-foot setback from the front façade for a total front yard setback of 24.5 feet and allowing for a variance of 5-feet. Staff finds that the reasons set forth in the variance application justify the granting of the side yard variance request of 3-feet due to the location of the neighbor's garage adjacent to the property. The Staff has recommended special conditions of approval.

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

The applicant provided pictures of four similar houses with similar garages as consideration for approval. However, in the response to Criteria 7 above, Staff indicated that these houses were considered legally nonconforming and cannot be used as justification for the garage addition.

## Public Comments

The applicant submitted the Neighborhood Worksheet with three signatures from neighbors. In addition, one email was received from a neighbor on the block in support of the variance. The Historic Old Northeast Neighborhood Association (HONNA) sent an email that indicates their support of the side yard setback and recommends the garage be set back a minimum of 2 feet behind the principal structure for a total front yard setback of 21.5 feet (a variance of 8.5 feet). HONNA has also recommended that the front gable on the proposed garage should have a similar pitch to that of the gable above the front entrance and the upper hip roof. These comments are provided at the end of the report.



## Staff Recommendations and Conditions of Approval

### Certificate of Appropriateness Recommendation (20-90200098)

Based on a determination of general consistency with Chapter 16, City Code of Ordinances, staff recommends that the Community Planning and Preservation Commission **APPROVE WITH CONDITIONS** the Certificate of Appropriateness request for the addition to the property at 125 23<sup>rd</sup> Ave. NE subject to the following conditions:

1. The garage addition shall be set back between 2 and 5 feet from the primary façade line of the residence;
2. The roof form of the addition shall feature a pitch compatible with the roof forms at the primary residence. The revised roof form is to be approved administratively with Commission review upon request of staff or the applicant;
3. The proposed gate shall be constructed of wood or metal material;
4. Details of the proposed windows and door at the rear and side of the garage addition shall be reviewed and approved administratively. The windows shall be recessed in the wall plane approximately 2- to 3 inches and feature a sill to provide consistency with windows at the primary residence;
5. All other necessary permits shall be obtained. Any additional work shall be presented to staff for determination of the necessity of additional COA approval.
6. This approval will be valid for 24 months beginning on the date of revocation of the local Emergency Declaration.

### Variance Recommendation (20-54000060)

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 WITH CONDITIONS** of a 5.5-foot variance to the required front yard setback from 30-feet to 24.5-feet and a 3-foot variance to the required side yard from 7.5-feet to 4.5-feet to construct an attached garage in the NT-3 zoning district at 125 23<sup>rd</sup> Ave NE.

#### **CONDITIONS OF APPROVAL:**

1. The driveway shall not extend west of the garage addition.
2. Approval of these variances does not grant or imply other variances from the City Code or other applicable regulations including requirements for wall composition and transparency.
3. The applicant must combine the two parcels by submitting a Parcel Combination form to the Pinellas County Property Appraiser office prior to the approval of construction plans by Development Services.
4. The roof form of the addition shall feature a pitch compatible with the roof forms at the primary residence.

# Appendix A:

COA Application No. 20-90200098 and Submittals





# CERTIFICATE OF APPROPRIATENESS

## APPLICATION

All applications are to be filled out completely and correctly. The application shall be submitted to the City of St. Petersburg's Planning and Development Services Department, located on the 8th floor of the Municipal Services Building, One Fourth Street North, St. Petersburg, Florida. Laura Duvekot, Historic Preservationist II, (727) 892-5451 or Laura.Duvekot@stpete.org

### GENERAL INFORMATION

125 23<sup>rd</sup> Ave, NE

Property Address

07-31-17-32562-004-0100  
Parcel Identification No. plus 0101

GRANADA TERRACE

Historic District / Landmark Name

Corresponding Permit Nos.

CALVIN B. SAMUEL

(727) 224-2722

Owner's Name

Property Owner's Daytime Phone No.

125 23<sup>rd</sup> AVE, NE

csamuel@csjmarhitects.com

Owner's Address, City, State, Zip Code

Owner's Email

Authorized Representative (Name & Title), if applicable

Representative's Daytime Phone No.

Representative's Address, City, State, Zip Code

Representative's Email

APPLICATION TYPE (Check applicable)	
<input checked="" type="checkbox"/>	Addition
<input type="checkbox"/>	New Construction
<input type="checkbox"/>	Demolition
<input type="checkbox"/>	Relocation
<input type="checkbox"/>	Other:
<input type="checkbox"/>	Window Replacement
<input type="checkbox"/>	Door Replacement
<input type="checkbox"/>	Roof Replacement
<input type="checkbox"/>	Mechanical (e.g. solar)

TYPE OF WORK (Check applicable)	
<input type="checkbox"/>	Repair Only
<input type="checkbox"/>	In-Kind Replacement
<input type="checkbox"/>	New Installation
<input type="checkbox"/>	Other:

### AUTHORIZATION

By signing this application, the applicant affirms that all information contained within this application packet has been read and that the information on this application represents an accurate description of the proposed work. The applicant certifies that the project described in this application, as detailed by the plans and specifications enclosed, will be constructed in exact accordance with aforesaid plans and specifications. Further, the applicant agrees to conform to all conditions of approval. It is understood that approval of this application by the Community Planning and Preservation Commission in no way constitutes approval of a building permit or other required City permit approvals. Filing an application does not guarantee approval.

- NOTES: 1) It is incumbent upon the applicant to submit correct information. Any misleading, deceptive, incomplete or incorrect information may invalidate your approval.  
2) To accept an agent's signature, a notarized letter of authorization from the property owner must accompany the application.

Signature of Owner:

*Calvin B. Samuel*

Date: 10.11.20

Signature of Representative:

Date:





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# CERTIFICATE OF APPROPRIATENESS

APPLICATION

LOCATION: 125 23<sup>rd</sup> AVE, NE

COA #

All applications are to be filled out completely and correctly. The application shall be submitted to the City of St. Petersburg's Planning and Development Services Department by emailing directly to Historic Preservationists Laura Duvekot ([Laura.Duvekot@stpete.org](mailto:Laura.Duvekot@stpete.org)) or Kelly Perkins ([Kelly.Perkins@stpete.org](mailto:Kelly.Perkins@stpete.org)).

## PROPOSED SCOPE OF WORK

Please provide a detailed description of the proposed work, organized according to the COA Matrix. Include information such as materials, location, square footage, etc. as applicable. Attach supplementary material as needed.

Building or Site Feature	Photo No.	Proposed Work
NON-CONTRIBUTING HOME LOCATED IN GRANADA TERRACE	EXIST. HOME PHOTOS 1 & 2	NEW GARAGE ADDITION 14'-0" W x 26'-0" DEEP (OUT TO OUT). THIS IS A SINGLE CAR GARAGE TO BE PLACED WHERE THE EXISTING DRIVEWAY IS LOCATED and TO BE ATTACHED TO THE EAST END OF OUR EXISTING HOME. SINCE WE DO
		NOT HAVE THE ABILITY TO RECESS THE GARAGE DO TO SHORT 70' PROPERTY DEPTH ON EAST SIDE, WE HAVE TURNED THE ROOF SLOPES 90° TO FORM A GABLE END OVER THE GARAGE. THIS WILL ALSO.
		ENSURE THAT THE NEW CLAY BARREL TILE WILL NOT BE ON THE SAME PLANE AS THE EXISTING CLAY BARREL TILE ON OUR EXISTING HOME. WE WILL MATCH THE EXIST. BARREL TILE AS CLOSELY AS POSSIBLE.





# Pre-Application Meeting Notes

Meeting Date: 9.29.20 Zoning District: NT-3

Address/Location: 125 23<sup>rd</sup> AVE, NE

Request: GARAGE ADDITION

Type of Application: CPPC Staff Planner for Pre-App: \_\_\_\_\_

Attendees: LAURA DUVEKOT, ANN VICKSTROM and CALVIN SAMUEL

Neighborhood and Business Associations within 300 feet:

Assoc.	Contact Name:	Email:	Phone:

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

Notes: WE DISCUSSED THE PROCESS and APPLICATIONS REQUIRED for SUBMITTAL. TWO VARIANCES WOULD BE REQUIRED, one for EXISTING FRONTYARD and ONE for THE SIDNEYARD. WE ALSO DISCUSSED THE UNUSUAL SHAPE OF OUR PROPERTY AND LACK OF DEPTH ON THE EAST SIDE WHERE THE GARAGE WOULD HAVE TO BE LOCATED.





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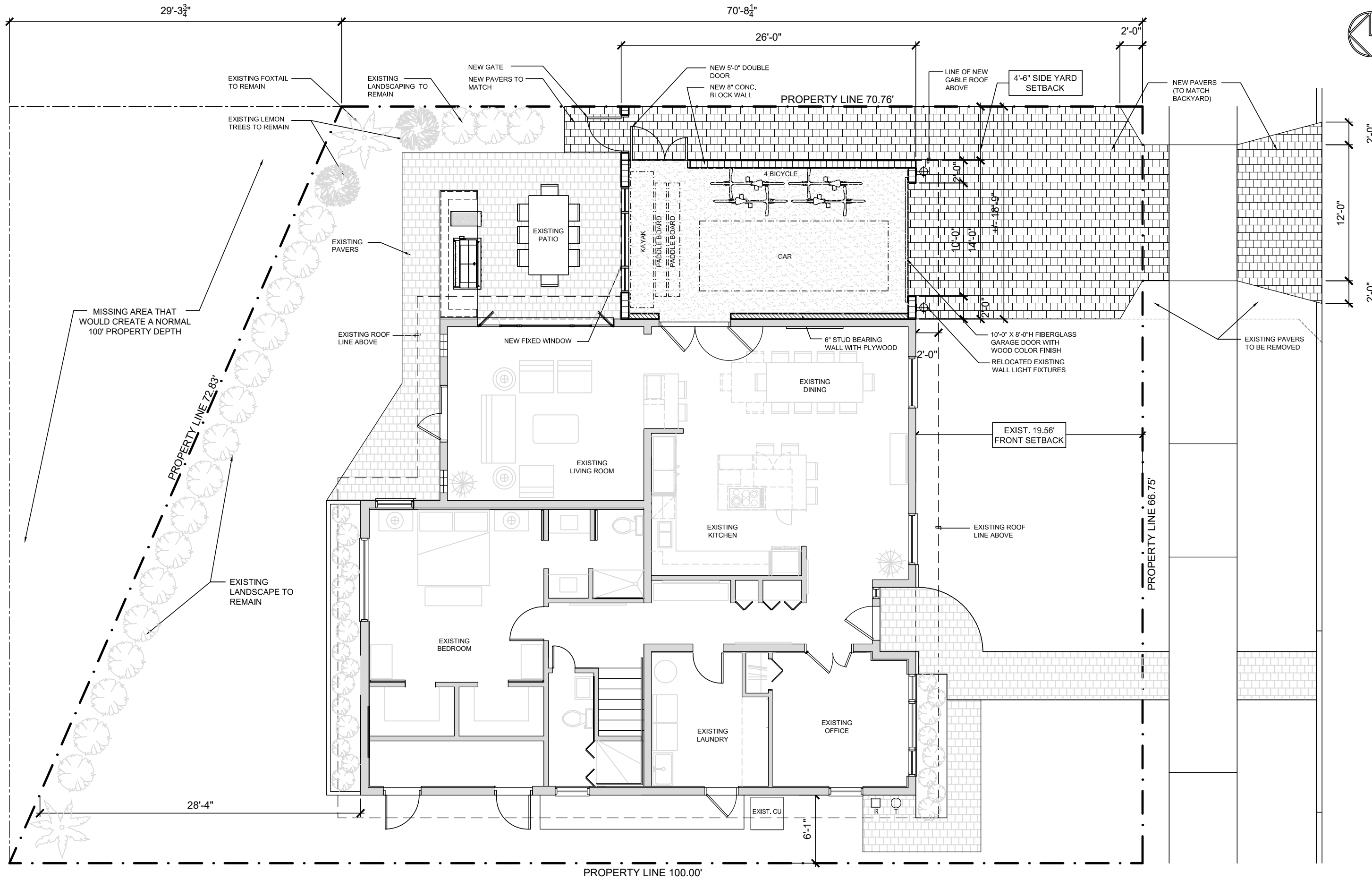
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# SAMUEL RESIDENCE - GARAGE ADDITION

125 23rd Avenue N.E. St. Petersburg, Fl.

FLOOR PLAN 1/8" = 1'-0"

29'-3<sup>3</sup>/<sub>4</sub>"

70'-8<sup>1</sup>/<sub>4</sub>"

26'-0"

2'-0"

2'-0"

12'-0"

2'-0"

28'-4"

6'-1"

PROPERTY LINE 100.00'

PROPERTY LINE 70.76'

PROPERTY LINE 66.75'

PROPERTY LINE 72.83'

EXIST. 19.56' FRONT SETBACK

4'-6" SIDE YARD SETBACK

EXISTING FOXTAIL TO REMAIN

EXISTING LANDSCAPING TO REMAIN

NEW GATE  
NEW PAVERS TO MATCH

NEW 5'-0" DOUBLE DOOR  
NEW 8" CONC. BLOCK WALL

LINE OF NEW GABLE ROOF ABOVE

NEW PAVERS (TO MATCH BACKYARD)

EXISTING LEMON TREES TO REMAIN

EXISTING PAVERS

EXISTING PATIO

KAYAK  
PADDLE BOARD  
PADDLE BOARD

CAR

4 BICYCLE

MISSING AREA THAT WOULD CREATE A NORMAL 100' PROPERTY DEPTH

EXISTING ROOF LINE ABOVE

NEW FIXED WINDOW

6" STUD BEARING WALL WITH PLYWOOD

10'-0" X 8'-0" H FIBERGLASS GARAGE DOOR WITH WOOD COLOR FINISH  
RELOCATED EXISTING WALL LIGHT FIXTURES

EXISTING PAVERS TO BE REMOVED

EXISTING LIVING ROOM

EXISTING DINING

EXISTING KITCHEN

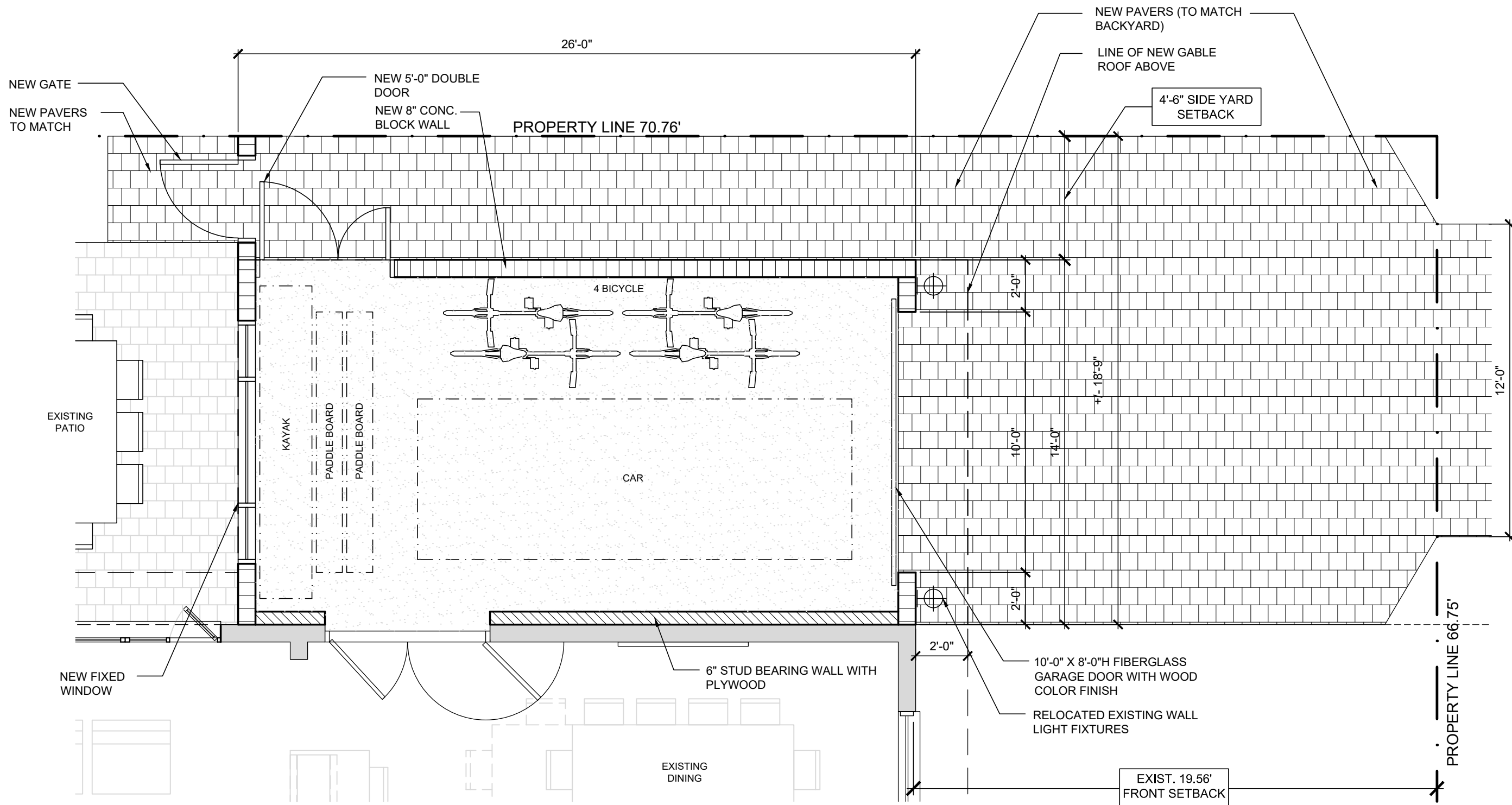
EXISTING BEDROOM

EXISTING LAUNDRY

EXISTING OFFICE

EXIST. CU

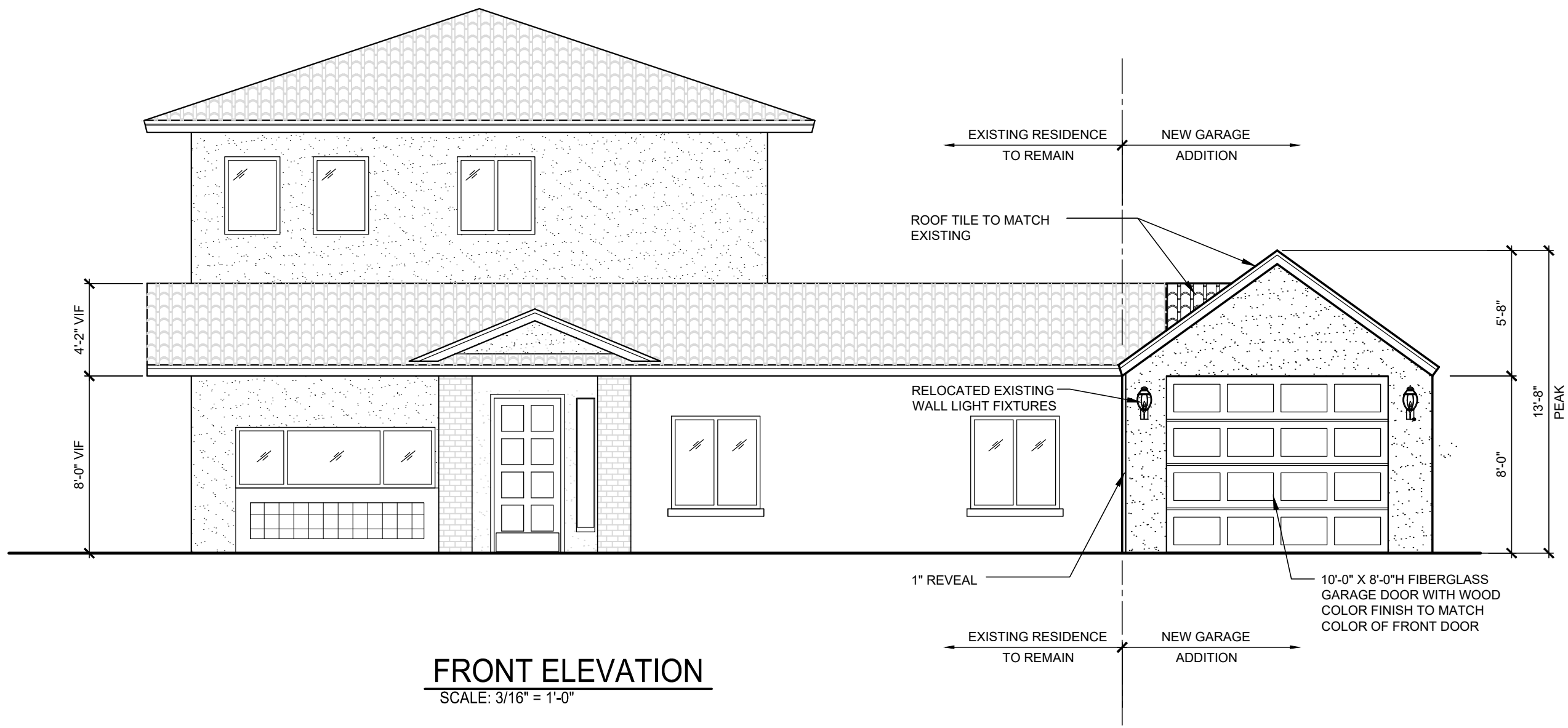
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# SAMUEL RESIDENCE - GARAGE ADDITION

125 23rd Avenue N.E. St. Petersburg, Fl.

ENLARGED GARAGE PLAN 1/4" = 1'-0"



**FRONT ELEVATION**  
 SCALE: 3/16" = 1'-0"

**SAMUEL RESIDENCE - GARAGE ADDITION**

125 23rd Avenue N.E. St. Petersburg, Fl.

## Appendix B:

Variance Application No. 20-54000060 and Submittals

(See Appendix A for Additional Site Plans and Photographs)





# 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: 125 23<sup>RD</sup> AVE, NE

Case No.:

Detailed Description of Project and Request: GARAGE ADDITION 14'-0" W x 26'-0" D ATTACHED TO EAST SIDE OF EXIST HOME AT EXIST. DRIVEWAY LOCATION. REQUEST: FRONT YARD VARIANCE OF 10'-6" TO LINE UP WITH EXIST HOUSE. SIDE YARD VARIANCE OF 3'-0" TO ALLOW FOR 4'-6" SIDEYARD SETBACK.

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

WE HAVE A SEVERE PROPERTY DEPTH HARDSHIP ALONG THE REAR PROPERTY LINE. THE PROPERTY DEPTH ON THE WEST SIDE IS 100', WHILE THE PROPERTY DEPTH ON THE EAST SIDE REDUCES DOWN TO 70.76'. THIS MEANS THAT WE ARE MISSING ALMOST 30' IN DEPTH ON THE EAST SIDE, WHICH IS THE ONLY LOCATION WHERE OUR GARAGE CAN BE ADDED.

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

YES, THE FOLLOWING FOUR (4) PROPERTIES, EVEN THOUGH THEY DO NOT HAVE SEVERE BACKYARD RESTRICTION AS WE DO.

1. 126 23<sup>RD</sup> AVE, NE (Please reference corresponding photo)
2. 2411 ANDALUSIA WAY, NE (Please reference corresponding photo).
3. 2401 ANDALUSIA WAY, NE (Please reference corresponding photo).
4. 2339 ANDALUSIA WAY, NE (Please reference corresponding photo).

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

OUR PROPERTY WHEN ORIGINALLY PLATTED, NOT ONLY HAS A SHORTAGE OF APPROX. 30' IN DEPTH ON THE EAST SIDE BUT ALSO HAS NO ALLEY ACCESS





# 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?

WE ARE ASKING FOR A MINIMUM ONE CAR GARAGE, WHICH WILL ENHANCE THE NEIGHBORHOOD BY ADDING A GARAGE WITH SPANISH CLAY BARREL TILE ROOF AND THUS REDUCE THE VISIBLE AUTOMOBILES BY ONE, FROM THE STREET.

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

CAN NOT BE DONE ANY OTHER WAY.

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

PLEASE SEE #4 ABOVE.

1. GABLE END SPANISH CLAY TILE ROOF TO FIT IN WITH NEIGHBORHOOD AND MATCH OUR EXIST HOME.
2. REMOVES ONE AUTOMOBILE FROM OUR OPEN DRIVEWAY and RELOCATES IT INTO OUR ENCLOSED GARAGE.





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

## GENERAL INFORMATION

**NAME of APPLICANT (Property Owner):** CALVIN B. SAMUEL

Street Address: 125 23<sup>rd</sup> AVE, NE

City, State, Zip: ST. PETERSBURG, FL 33704

Telephone No: (727) 224-2722 Email Address: csamuel@csjmarshitects.com

**NAME of AGENT or REPRESENTATIVE:**

Street Address:

City, State, Zip:

Telephone No: Email Address:

**PROPERTY INFORMATION:**

Street Address or General Location: 125 23<sup>rd</sup> AVE, NE ST. PETE, FL 33704

Parcel ID#(s): 07-31-17-32562-004-0100 and 0101

**DESCRIPTION OF REQUEST:** FRONT YARD VARIANCE and SIDE YARD VARIANCE (East Side)

**PRE-APPLICATION DATE:** 9.29.20 **PLANNER:** ANN VICKSTROM

## 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

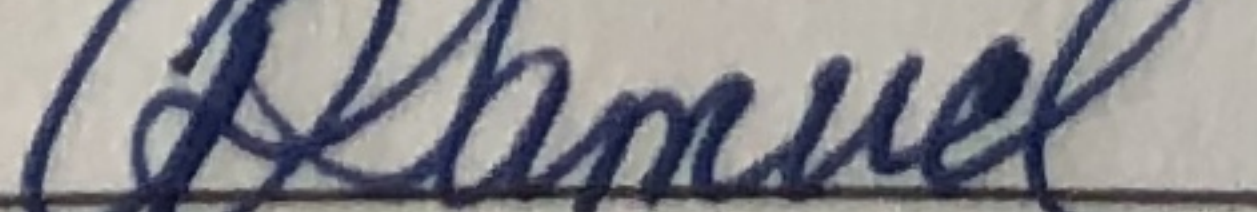
Cash, credit, checks made payable to "City of St. Petersburg"

## 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\*:  Date: 10.11.20

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

Typed Name of Signatory: CALVIN B. SAMUEL





# Pre-Application Meeting Notes

Meeting Date: 9.29.20 Zoning District: NT-3

Address/Location: 125 23<sup>rd</sup> AVE, NE

Request: GARAGE ADDITION

Type of Application: CPPC Staff Planner for Pre-App: \_\_\_\_\_

Attendees: LAURA DUVEKOT, ANN VICKSTROM and CALVIN SAMUEL

Neighborhood and Business Associations within 300 feet:

Assoc.	Contact Name:	Email:	Phone:

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

Notes: WE DISCUSSED THE PROCESS and APPLICATIONS REQUIRED for SUBMITTAL. TWO VARIANCES WOULD BE REQUIRED, ONE for EXISTING FRONTYARD and ONE for THE SIDNEYARD. WE ALSO DISCUSSED THE UNUSUAL SHAPE OF OUR PROPERTY AND LACK OF DEPTH ON THE EAST SIDE WHERE THE GARAGE WOULD HAVE TO BE LOCATED.





126









2401

16T 9TA

2401





2411

2411





# 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

Street Address: 125 23rd AVE, NE

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

THERE WILL BE NO MEETINGS DUE TO COVID-19 PANDEMIC. APPLICANT IS IN THE PROCESS OF CONTACTING NEIGHBORS VIA PHONE and TEXT.

(b) Content, dates mailed, and number of mailings; including letters, ~~meeting notices~~, ~~newsletters~~, and other publications

NO MEETINGS DUE TO COVID-19 PANDEMIC, NEWLETTERS & PUBLICATIONS DO NOT PERTAIN TO THIS APPLICATION. LETTERS WILL BE MAILED TO NEIGHBORS.

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

LOCATED WITHIN GRANADA TERRACE NEIGHBORHOOD.

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

WE WILL UPDATE THIS FORM WITH SUMMARY, IF CONCERNS, ISSUES, OR PROBLEMS ARE EXPRESSED. WE HAVE SPOKEN TO OUR DIRECT NEIGHBOR (EAST) JASON GHORMLEY AND HE HAS NO OBJECTIONS TO THE VARIANCES REQ'D TO BUILD OUR GARAGE ADDITION, NOR TO THE GARAGE ITSELF.

## 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@stpetecon.org](mailto:variance@stpetecon.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: \_\_\_\_\_
- Attach the evidence of the required notices to this sheet such as Sent emails. \_\_\_\_\_





# PUBLIC PARTICIPATION REPORT

Application No. \_\_\_\_\_

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## NOTICE OF INTENT TO FILE

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





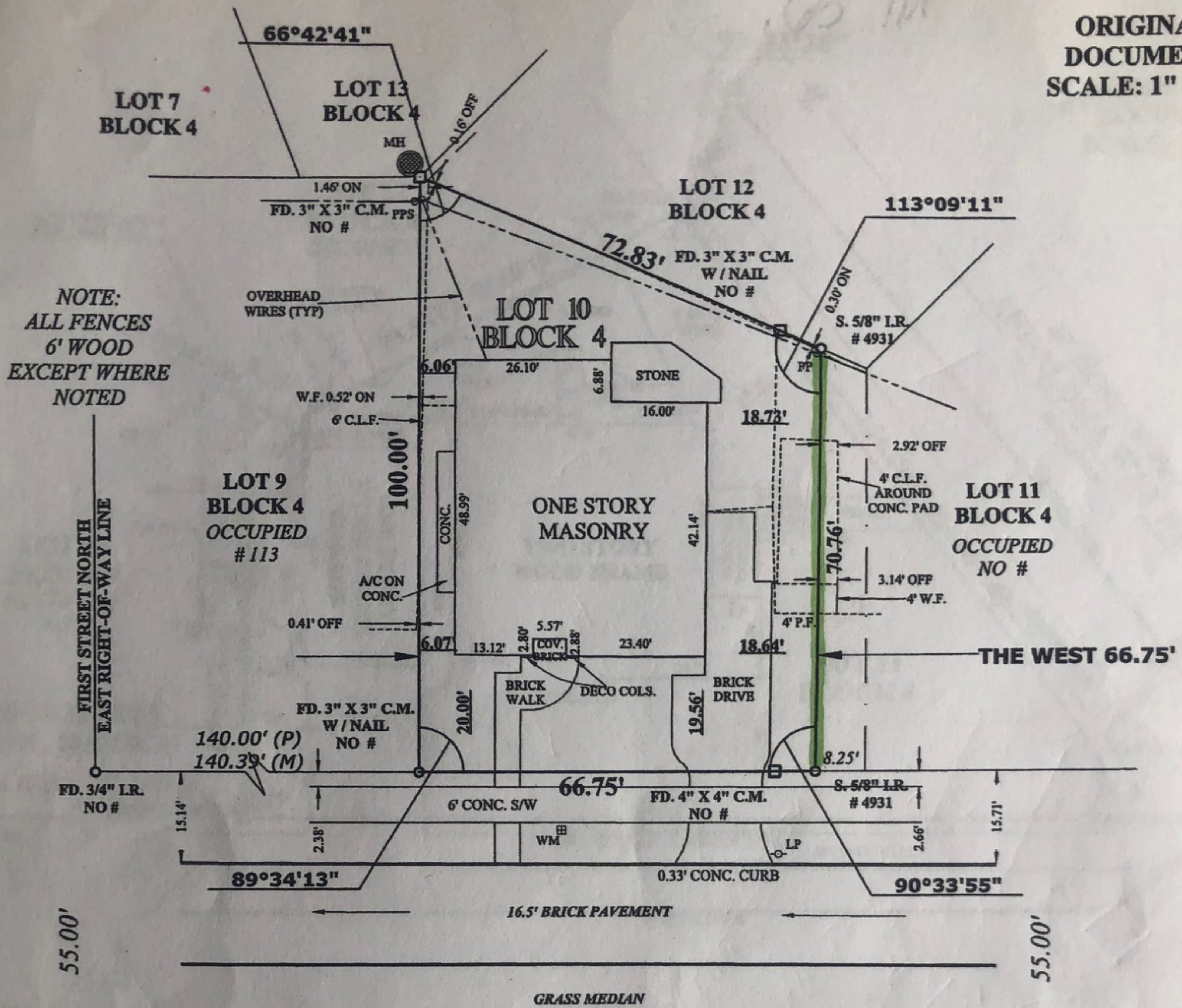
Applicants are strongly encouraged to obtain signatures in support of the proposal(s) from owners of property adjacent to or otherwise affected by a particular request.

NEIGHBORHOOD WORKSHEET	
CALVIN & VIVIAN SAMUEL - GARAGE ADDITION (Attached to East Side)	Case No.:
Street Address: 125 23 <sup>RD</sup> AVE, N.E.	
Description of Request: TWO VARIANCE REQUESTS:	
FRONT YARD (To line up with exist. house): VARIANCE of 10.5' for 19.5' SETBACK	
SIDE YARD (East): VARIANCE of 3.0' for 4.5' SETBACK	
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: 2300 ANDALUSIA WAY, N.E.	
Owner Name (print): Jason G. Gohmert	
Owner Signature: <i>[Signature]</i>	
2. Affected Property Address: 2912 ANDALUSIA WAY, N.E.	
Owner Name (print): Nick Hiller	
Owner Signature: <i>[Signature]</i>	
3. Affected Property Address: 106 23 <sup>RD</sup> AVE, N.E.	
Owner Name (print): CHRIS MARSHALL	
Owner Signature: <i>[Signature]</i>	
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:	





ORIGINAL DOCUMENT  
SCALE: 1" = 30'



NOTE:  
ALL FENCES  
6' WOOD  
EXCEPT WHERE  
NOTED

23RD AVENUE NE  
110' RIGHT-OF-WAY

- 1) NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS NOTED
- 2) NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHT OF WAY, AND/OR OWNERSHIP WERE FURNISHED TO THIS SURVEYOR EXCEPT AS NOTED AND/OR SHOWN.
- 3) THIS SURVEY IS PREPARED FOR THE EXCLUSIVE USE AND BENEFIT OF THE PARTIES SHOWN HEREON. LIABILITY TO THIRD PARTIES MAY NOT BE TRANSFERRED OR ASSIGNED.
- 4) THIS SURVEY IS VALID IN ACCORDANCE WITH F.S. 627.7842, FOR A PERIOD OF 90 DAYS FROM DATE OF CERTIFICATION.

TYPE OF SURVEY: LAND OR BOUNDARY USE: UPDATE/ADD PARCEL JOB NO. 2012-0237

CERTIFY TO: CALVIN B. SAMUEL / VASILIKI L. SAMUEL / GTE FEDERAL CREDIT UNION / MEMBERS TITLE AGENCY, LLC / OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

SIGNATURE: *Lauren R. Penny*  
 LAUREN R. PENNY P.S.M. # 4931  
 DATE: 7/5/2012  
 DRAWN BY: LP/JMF



L.R. PENNY AND ASSOCIATES, INC.  
 10730 102ND AVENUE NORTH  
 SEMINOLE, FLORIDA 33778  
 PHONE: (727) 398-4360  
 FAX: (727) 319-6051  
 FLORIDA P.S.M. # 4931





# 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.

### NEIGHBORHOOD WORKSHEET

Street Address: CALVIN & VIVIAN SAMUEL - GARAGE ADDITION (Attached to East Side)  
Case No.:

Description of Request: TWO VARIANCE REQUESTS:  
FRONT YARD (16' line up with exist. house): VARIANCE of 10.5' for 19.5' SETBACK  
SIDE YARD (East): VARIANCE of 3.0' for 4.5' SETBACK

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: 2300 ANDALUSIA WAY, N.E.  
Owner Name (print):  
Owner Signature: *[Signature]*

2. Affected Property Address: 2912 ANDALUSIA WAY, N.E.  
Owner Name (print): Nick Hill  
Owner Signature: *[Signature]*

3. Affected Property Address: 106 23rd AVE, N.E.  
Owner Name (print): Chris McShane  
Owner Signature: *[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:



# Appendix C:

## Public Comment



## Laura Duvekot

---

**From:** annette baesel <ajbaesel@aol.com>  
**Sent:** Monday, November 30, 2020 9:04 AM  
**To:** Ann O. Vickstrom; Laura Duvekot  
**Subject:** Re: 125 23rd Ave. NE ADditional questions

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Ann and Laura,

Thank you both for your speedy reply regarding my questions.

I have reviewed the site and elevation plans.

I have no issues with the proposed garage addition as it will be even with the line of the existing home. I fully support my neighbor's request.

Thank you  
Annette Baesel  
2300 Brevard Rd NE

-----Original Message-----

From: Ann O. Vickstrom <Ann.Vickstrom@stpete.org>  
To: 'annette baesel' <ajbaesel@aol.com>; Laura Duvekot <Laura.Duvekot@stpete.org>  
Sent: Mon, Nov 30, 2020 8:34 am  
Subject: RE: 125 23rd Ave. NE ADditional questions

Annette,

Thank you for your email. I have attached a copy of the site plan for your review. The garage will not jut out in front of the existing front façade. The front of the garage will be even with the existing front setback, which is typical for the houses on 23<sup>rd</sup> Avenue NE.

Please let me know if you have additional comments.

Thank you,

Ann Vickstrom, AICP, RLA  
Planner II  
City of St. Petersburg, Urban Planning and Historic Preservation Division  
1 Fourth Street North, St. Petersburg, FL 33701  
(727)892-5807  
RLA #0001122  
[Ann.Vickstrom@stpete.org](mailto:Ann.Vickstrom@stpete.org)

Please note all emails are subject to public records law.



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**From:** annette baesel <ajbaesel@aol.com>  
**Sent:** Saturday, November 28, 2020 12:07 PM  
**To:** Laura Duvekot <Laura.Duvekot@stpete.org>; Ann O. Vickstrom <Ann.Vickstrom@stpete.org>  
**Subject:** Re: 125 23rd Ave. NE ADditional questions

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Laura and Ann,

See below for the email I sent yesterday after receiving the Notice of Public Hearing. I've walked by the house (they weren't home, so I couldn't ask them my question).

Does the garage addition jut out past the front facade of the existing home? If the setback is measured from the sidewalk, it looks like the existing home is within the 30 foot setback (which given its age, wouldn't be surprising).

If the proposed garage doesn't jut out further than the existing home I have no further questions or concerns...it would be fine with us. Also, given that the structure on the adjacent property is an existing garage I have no issue with the side yard variance.

If I'm not reading the project right and the proposed garage addition extends significantly further towards the sidewalk than the existing house, then I might have an issue with that. But I'd need to see a site plan of some sort to figure it out.

Getting this notice late in the day on Friday makes it more difficult to figure out if I have any issues. I hope that you can call or email me on Monday with clarification given that the deadline for commenting for inclusion into the staff report is Tuesday.

Let me also point out that if in the unlikely chance I would consider myself an opponent to the project, I received the notice after the deadline for filing as an opponent. I can see it was mailed on the 23rd of November, which in any other normal year should have been sufficient time. But with Covid post office issues and Thanksgiving, it was not.

Hopefully, I'll have no concerns and it won't be an issue.

My phone number is 484 343 2711 if calling me is easier than emailing.  
Annette BAesel  
2300 Brevard Rd NE

-----Original Message-----

From: annette baesel <ajbaesel@aol.com>  
To: [laura.duvekot@stpete.org](mailto:laura.duvekot@stpete.org) <laura.duvekot@stpete.org>; [ann.vickstrom@stpete.org](mailto:ann.vickstrom@stpete.org) <ann.vickstrom@stpete.org>  
Sent: Fri, Nov 27, 2020 9:00 pm  
Subject: 125 23rd Ave. NE



Dear Laura and Ann,

I received today the notice of public hearing for the proposed attached garage at 125 23rd. Ave NE.

Is it possible to receive a basic site plan of the proposed addition.

I understand the variance request, but have no idea as to the size of the addition, Is a one car or two car garage? What is the length of the addition across the front of the property that will extend to a 19.5 setback?, or what side yard the variance is requested for.

I'll walk by the house this weekend to see if I can figure it out...but a little more information would be helpful.

Also, what is staff's position on the request and have modifications been requested?

Thank you.

Annette Baesel  
2300 Brevard Rd NE

[Your Sunshine City](#)



## Laura Duvekot

---

**From:** rreed@tampabay.rr.com  
**Sent:** Wednesday, December 2, 2020 11:50 AM  
**To:** Ann O. Vickstrom; Laura Duvekot  
**Cc:** Charleen McGrath; kimbyflies@yahoo.com; April Cabral; Doug Gillespie; John Peter Barie; Rlreed@tampabay.rr.com  
**Subject:** Re: 125 23rd Ave NE

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Ms. Vickstrom and Ms. Duvekot,

The Historic Old NE Neighborhood Association supports the side setback variance requested for the property located at 125 23<sup>rd</sup> Avenue NE due to the awkward shape of the lot.

We cannot, however, support the magnitude of the front yard setback. Although it is a non-conforming property in the Granada Terrace Local Historic District, we believe that the garage should be set back a minimum of 2' behind the principal structure. Therefore, we would ask that consideration be given to a front yard setback of 21.5'.

In addition we believe that for consistency, the front gable on the proposed garage should have a similar pitch to that of the gable above the front entrance and the upper hip roof.

Both of these proposals would maintain the prominence of the principal structure and allow the design of the new garage to fit better into the context of a local historic district.

Regards,  
Robin Reed  
Chair, HONNA Planning and Preservation Committee



# Appendix D:

## Maps of Subject Property





Granada Terrace Local  
Historic District

24TH AVE N

ANDALUSIA WAY NE

23RD AVE NE

1ST ST N

BAY ST NE

22ND AVE NE

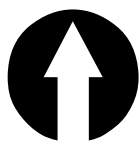
**Community Planning and Preservation Commission**

**125 23 Avenue NE**

**AREA TO BE APPROVED,  
SHOWN IN**



**CASE NUMBER  
20-90200098,  
20-54000060**



**N**

SCALE:  
1" = 100'



24TH AVE N

Granada Terrace Local  
Historic District

ANDALUSIA WAY NE

23RD AVE NE

1ST ST N

BAY ST NE

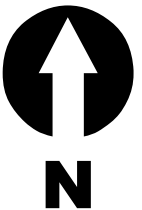
22ND AVE NE

**Community Planning and Preservation Commission**

**125 23 Avenue NE**

**AREA TO BE APPROVED,  
SHOWN IN** 

**CASE NUMBER  
20-90200098,  
20-54000060**

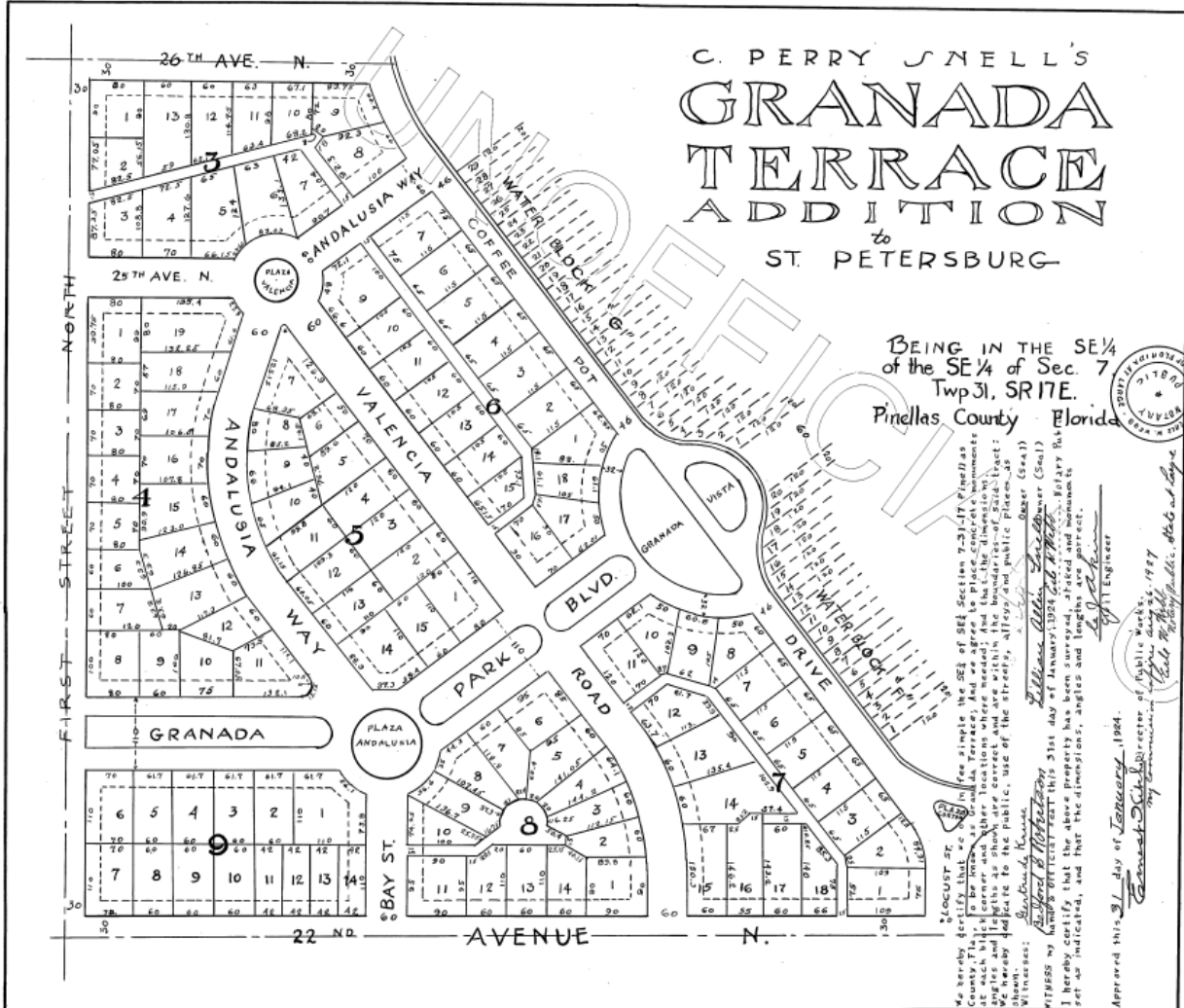


SCALE:  
1" = 100'



# C. PERRY SNELL'S GRANADA TERRACE ADDITION to ST. PETERSBURG

BEING IN THE SE 1/4  
of the SE 1/4 of Sec. 7  
Twp 31, SR 17E.  
Pinellas County Florida



LOCUST ST  
We hereby certify that we in fee simple the SE 1/4 of Sec. 7, Twp. 31, SR 17E, Pinellas County, Fla., to be known as Granada Terrace; And we agree to place concrete monuments at each block corner and other locations where needed; And that the dimensions shown on this plat are true and correct; And that the same are in accordance with the original survey; And we hereby dedicate to the public, use of the streets, alleys and public places, as shown.

Witness: Sanford A. Krasner (Seal) Owner (S&A)  
Sanford A. Krasner Surveyor (Seal)  
 I hereby certify that the above property has been surveyed, platted and monuments set as indicated, and that the dimensions, angles and lengths are correct.

Approved this 31 day of January, 1924.  
Garrett Dick Director of Public Works  
John W. Smith City Commissioner  
John W. Smith Clerk of Public Works



Filed Feb. 1, 1924, 1:50 P.M.  
 U.S. Brown, Clerk  
 M. E. Newman, D.C.