



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

ACTION TAKEN – MINUTES

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

**June 2, 2021
Wednesday
1:01 P.M.**

Commission Members:

Freddy Cuevas, Chair – P
Tim Clemmons, Vice Chair – P
Joe Griner, III – P
Melissa Rutland – A
Matt Walker – P
Darren Stowe – P
Michael Kiernan – P

Alternates:

1. Todd Reed – P
2. Charles Flynt – P
3. Kiona Singletons – A
**A = Absent
P = Present**

City Staff Present:

Elizabeth Abernethy, AICP, Director of Planning and Development Services Department
Jennifer Bryla, AICP, Zoning Official
Scot Bolyard, AICP, Deputy Zoning Official
Noah Taylor, CFM, Planner III
Corey Malyszka, AICP, Urban Design and Development Coordinator
Cheryl Bergailo, AICP, Planner II
Michael Larimore, Planner II
Shervon Chambliss, Planner I
Candace Scott, Planner I
Michael Dema, Assistant City Attorney
Christina Boussias, Assistant City Attorney
Iris Winn, Administrative Clerk

A. OPENING REMARKS OF CHAIR

B. PLEDGE OF ALLEGIANCE

C. SWEARING IN OF WITNESSES

D. ROLL CALL

E. APPROVAL OF MINUTES OF May 5, 2021

F. WITHDRAWAL

1. Case No. 21-33000005 – 3901 4th Street North – Withdrawn at the Request of the Applicant.

G. DEFERRALS

1. Case No. 21-33000006 – 7200 4th Street North – Deferred to July 7, 2021

2. Case No. 21-54000031 – 2100 Park Street North – Appeal – Deferred to July 7, 2021

H. PUBLIC HEARING AGENDA

LEGISLATIVE

1. LDR-2021-01 – Floodplain Management Ordinance Amendment

QUASI-JUDICIAL

2. Case No. 21-32000006 – 2100 3rd Avenue South

3. Case No. 19-54000048 – 3734 28th Avenue South

QUASI-JUDICIAL, Continued

4. Case No. 21-54000028 – 1135 Serpentine Drive South
5. Case No. 21-54000029 – 1230 79th Street South
6. Case No. 21-54000035 – 499 23rd Avenue North
7. Case No. 21-54000036 – 1421 49th Avenue North
8. Case No. 21-54000040 – 6540 Dartmouth Avenue North
9. Case No. 21-54000041 – 3401 34th Street South

I. ADJOURNMENT at 6:09 P.M.**AGENDA ITEM F-1 CASE NO. 21-33000005 E-22**

CASE WITHDRAWN AT THE REQUEST OF THE APPLICANT.

CONTACT PERSON: Scot Bolyard; 727-892-5395

AGENDA ITEM G-1 CASE NO. 21-33000006 F-38

CASE DEFERRED TO JULY 7, 2021

CONTACT PERSON: Cheryl Bergailo; 727-892-5958

AGENDA ITEM G-2 CASE NO. 21-54000031 APPEAL T-12

CASE DEFERRED TO JULY 7, 2021

CONTACT PERSON: Jennifer Bryla; 727-892-5344

AGENDA ITEM H-1 LDR – FLOODPLAIN MANAGEMENT ORDINANCE AMENDMENT

CITY FILE: LDR 2021-01: LDR –Floodplain Management Ordinance Amendment

PRESENTATIONS: Elizabeth Abernethy made a presentation based on the Staff Report.
Noah Taylor spoke regarding the proposal.

PUBLIC HEARING: No speakers were present.

MOTION: Approval of consistency with the Comprehensive Plan and recommend to the City Council approval of the proposed text amendments to the City Code, Chapter 16, Land Development Regulations (LDRs) pertaining to Floodplain Management and Drainage and Surface Water Management.

VOTE: Yes – Griner, Walker, Stowe, Kiernan, Clemmons, Cuevas, Reed.
No – None.

CONFLICTS: None.

ACTION TAKEN ON LDR-2021-01:

Approval of consistency with the Comprehensive Plan and recommend to the City Council approval of the proposed text amendments to the City Code, Chapter 16, Land Development Regulations (LDRs) pertaining to Floodplain Management and Drainage and Surface Water Management, **APPROVED 7-0.**

AGENDA ITEM H-2**CASE NO. 21-32000006****F-38**

REQUEST: Approval of a Special Exception and related Site Plan for an outdoor performing arts venue, consisting of an outdoor drive-in theater in the IT Zoning District.

OWNER: Tricera Nitneil Venture Property Owner, LLC
80 Southwest 8th Street, Suite 2100
Miami, Florida 33130

AGENT: Joseph Furst
13949 Riverside Drive
Sherman Oaks, California 91423

ADDRESS: 2100 3rd Avenue South

PARCEL ID NO.: 24-31-16-00000-320-0200

LEGAL DESCRIPTION: On File

ZONING: Industrial Traditional (IT)

CONTACT PERSON: Corey Malyszka; 727-892-5453

PRESENTATIONS: Corey Malyszka made a presentation based on the Staff Report.

PUBLIC HEARING: Cathy Harrelson spoke in favor of the application.

MOTION #1: To substitute Special Condition #10 to the following, “The Special Exception is approved for a maximum length of 18 months from the date of all permitted approvals.”

VOTE: Yes – Walker, Stowe, Kiernan, Clemmons, Cuevas, Reed.
No – Griner.

MOTION #2: Approval of a Special Exception and related Site Plan for an outdoor performing arts venue, consisting of an outdoor drive-in theater in the IT Zoning District, subject to the amended special conditions in the Staff Report.

VOTE: Yes – Walker, Stowe, Kiernan, Clemmons, Cuevas, Reed.
No – Griner.

CONFLICTS: None.

**ACTION TAKEN ON
21-32000006:** Approval of a Special Exception and related Site Plan for an outdoor performing arts venue, consisting of an outdoor drive-in theater in the IT Zoning District, subject to the amended special conditions in the Staff Report, **APPROVED 6-1.**

AGENDA ITEM H-3**CASE NO. 19-54000048****K-15**

REQUEST: Approval of an amendment to remove the condition of approval requiring preservation of the Grand Live Oak on Lot 9 from the previously approved variance to the NS-1 zoning district required minimum lot width from 75-feet required to 50-feet and lot area from 5,800 square-feet required to 5,300 square-feet for two (2) non-conforming lots in common ownership.

OWNER: Andy Buy Houses, LLC
c/o Terrance Williams and Ashley Black
1340 13th Avenue South, Unit B
Saint Petersburg, Florida 33705

ADDRESS: 3728 28th Avenue South

PARCEL ID NO.: 34-31-16-05526-008-0090

LEGAL DESCRIPTION: On File

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

CONTACT PERSON: Scot Bolyard; 727-892-5395

PRESENTATIONS: Scot Bolyard made a presentation based on the Staff Report. Terrance Williams spoke on his own behalf.

PUBLIC HEARING: Cathy Harrelson spoke against the application.

MOTION: Approval of an amendment to remove the condition of approval requiring preservation of the Grand Live Oak on Lot 9 from the previously approved variance to the NS-1 zoning district required minimum lot width from 75-feet required to 50-feet and lot area from 5,800 square-feet required to 5,300 square-feet for two (2) non-conforming lots in common ownership.

VOTE: Yes – Griner, Walker, Stowe, Kiernan, Clemmons, Cuevas, Reed.
No – None.

CONFLICTS: None.

ACTION TAKEN ON 19-54000048: Approval of an amendment to remove the condition of approval requiring preservation of the Grand Live Oak on Lot 9 from the previously approved variance to the NS-1 zoning district required minimum lot width from 75-feet required to 50-feet and lot area from 5,800 square-feet required to 5,300 square-feet for two (2) non-conforming lots in common ownership, subject to the special conditions in the Staff Report, **APPROVED 7-0**.

AGENDA ITEM H-4**CASE NO. 21-54000028****G-37**

REQUEST: Approval of a variance to the NS-2 required interior side yard building setback from 7.5-feet to 1.5-feet to convert the existing garage to Accessory Living Space.

OWNER: John H. Gaskill, Jr.
1135 Serpentine Drive South
Saint Petersburg, Florida 33705

ADDRESS: 1135 Serpentine Drive South

PARCEL ID NO.: 13-32-16-71244-006-0350

LEGAL DESCRIPTION: On File

ZONING: Neighborhood Suburban Single-Family (NS-2)

CONTACT PERSON: Scot Bolyard; 727-892-5395

PRESENTATIONS: Scot Bolyard made a presentation based on the Staff Report. John H. Gaskill, Jr., spoke on his own behalf.

PUBLIC HEARING: No speakers were present.

MOTION: Approval of a variance to the NS-2 required interior side yard building setback from 7.5-feet to 1.5-feet to convert the existing garage to Accessory Living Space, subject to the special conditions in the Staff Report.

VOTE: Yes – Griner, Walker, Stowe, Kiernan, Clemmons, Cuevas, Reed.
No – None.

CONFLICTS: None.

**ACTION TAKEN ON
21-54000028:** Approval of a variance to the NS-2 required interior side yard building setback from 7.5-feet to 1.5-feet to convert the existing garage to Accessory Living Space, subject to the special conditions in the Staff Report, **APPROVED 7-0.**

AGENDA ITEM H-5**CASE NO. 21-54000029****S-7**

REQUEST: Approval of a variance to reduce the minimum required front yard setback from 30-feet to 22-feet to allow for a residential addition in the NS-2 Zoning District.

OWNER: Ryan and Kathryn Bresler
1230 79th Street South
Saint Petersburg, Florida 33707

AGENT: Andrew Goodhall – SDF Contracting
1320 19th Street North
Saint Petersburg, Florida 33713

ADDRESS: 1230 79th Street South

PARCEL ID NO.: 25-31-15-84150-006-0100

LEGAL DESCRIPTION: On File

ZONING: Neighborhood Suburban Single-Family (NS-2)

CONTACT PERSON: Michael Larimore; 727-892-5226

PRESENTATIONS: Michael Larimore made a presentation based on the Staff Report.
Jessica Icerman spoke on behalf of the Owner.
Andrew Goodhall spoke on behalf of the Owner.
Ryan Bresler spoke on his own behalf.
Kathryn Bresler spoke on her own behalf.

PUBLIC HEARING: No speakers were present.

MOTION: Motion to defer this case to the July 7, 2021 DRC Meeting.

VOTE: Yes – Griner, Walker, Stowe, Kiernan, Clemmons, Cuevas, Reed.
No – None.

CONFLICTS: None.

**ACTION TAKEN ON
21-54000029:** Motion to defer this case to the July 7, 2021 DRC Meeting, **passed** by a vote of 7-0.

REQUEST: Approval of a side yard setback to 2-feet where 12-feet is required to construct an inground pool in the NT-2 Zoning District.

OWNER: Robert and Dorianne Arrington
499 23rd Avenue North
Saint Petersburg, Florida 33704

ADDRESS: 499 23rd Avenue North

PARCEL ID NO.: 07-31-17-18936-006-0010

LEGAL DESCRIPTION: On File

ZONING: Neighborhood Traditional Single-Family (NT-2)

CONTACT PERSON: Shervon Chambliss; 727-893-4238

PRESENTATIONS: Shevon Chambliss made a presentation based on the Staff Report. Robert Arrington spoke on his own behalf.

PUBLIC HEARING: No speakers were present.

MOTION #1: To add Special Condition #5 to read “The minimum setback shall be 3-feet from the property line.”

VOTE: Yes – Walker.
No – Griner, Stowe, Kiernan, Clemmons, Cuevas, Reed.

MOTION #2: Approval of a side yard setback to 2-feet where 12-feet is required to construct an inground pool in the NT-2 Zoning District, subject to the Special Conditions in the Staff Report.

VOTE: Yes – Cuevas.
No – Griner, Walker, Stowe, Kiernan, Clemmons, Reed.

CONFLICTS: None.

ACTION TAKEN ON 21-54000035: Motion to approve **failed** by a vote of 1-6, thereby **denying** the request.

REQUEST: Approval of a variance to lot width from 45-feet to 41.3-feet to create a single-family building lot in the NT-1 Zoning District.

OWNER: Jeffrey T. Marteski
1421 49th Avenue North
Saint Petersburg, Florida 33703

ADDRESS: 1421 49th Avenue North

PARCEL ID NO.: 01-31-16-33858-004-0180

LEGAL DESCRIPTION: On File

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

CONTACT PERSON: Cheryl Bergailo; 727-892-5958

PRESENTATIONS: Cheryl Bergailo made a presentation based on the Staff Report. Jeffrey Marteski spoke on his own behalf.

PUBLIC HEARING: No speakers were present.

MOTION #1: To amend Special Condition #1 to read “The lots shall be replatted and the private parking easement dedicated before any zoning or building permit other than a demolition permit is issued, subject to review and approval as to content and form, by the City’s Legal Department.”

VOTE: Yes – Walker, Stowe, Kiernan, Clemmons, Cuevas, Reed.
No – Griner.

MOTION #2: Approval of a variance to lot width from 45-feet to 41.3-feet to create a single-family building lot in the NT-1 Zoning District, subject to the amended special conditions in the Staff Report.”

VOTE: Yes – Griner, Kiernan, Clemmons, Cuevas, Reed.
No – Walker, Stowe.

CONFLICTS: None.

**ACTION TAKEN ON
21-54000036:** Approval of a variance to lot width from 45-feet to 41.3-feet to create a single-family building lot in the NT-1 Zoning District, subject to the amended special conditions in the Staff Report, **APPROVED 5-2.**

REQUEST: Approval of a variance to construct a driveway in the front yard in the NT-2 Zoning District.

OWNER: Paulina M. Jordan
6540 Dartmouth Avenue North
Saint Petersburg, Florida 33710

AGENT: James B. Soble – Englander Fischer, LLP
721 1st Avenue North
Saint Petersburg, Florida 33701

ADDRESS: 6540 Dartmouth Avenue North

PARCEL ID NO.: 20-31-16-48204-008-0020

LEGAL DESCRIPTION: On File

ZONING: Neighborhood Traditional Single-Family (NT-2)

CONTACT PERSON: Candace Scott; 727-892-5192

PRESENTATIONS: Candace Scott made a presentation based on the Staff Report.
James B. Soble spoke on behalf of the Owner.
Paulina M. Jordan spoke on her own behalf.
Andy Davis spoke on behalf of the Owner.

PUBLIC HEARING: No speakers were present.

MOTION: Approval of a variance to construct a driveway in the front yard in the NT-2 Zoning District, subject to the special conditions in the Staff Report.

VOTE: Yes – Griner, Walker, Stowe, Kiernan, Clemmons, Cuevas, Reed.
No – None.

CONFLICTS: None.

**ACTION TAKEN ON
21-54000040:** Approval of a variance to construct a driveway in the front yard in the NT-2 Zoning District, subject to the special conditions in the Staff Report, subject to the special conditions in the Staff Report, **APPROVED 7-0.**

REQUEST: Approval of a variance to allow for a second monument sign on property in the RC-1 Zoning District.

OWNER: BWW 18.001 Skyway, LLC
142 West Platt Street
Tampa, Florida 33606

AGENT: Addie Mentry – Creative Sign Designs
12801 Commodity Place
Tampa, Florida 33626

ADDRESS: 3401 34th Street South

PARCEL ID NO.: 34-31-16-94544-001-0020

LEGAL DESCRIPTION: On File

ZONING: Retail Center (RC-1)

CONTACT PERSON: Michael Larimore; 727-892-5226

PRESENTATIONS: Michael Larimore made a presentation based on the Staff Report.
Addie Mentry spoke on behalf of the Owner.

PUBLIC HEARING: No speakers were present.

MOTION: Approval of a variance to allow for a second monument sign on property in the RC-1 Zoning District, subject to the special conditions in the Staff Report.

VOTE: Yes – None.
No – Griner, Walker, Stowe, Kiernan, Clemmons, Cuevas, Reed.

CONFLICTS: None.

ACTION TAKEN ON
21-54000041: Motion to approve **failed** by a vote of 0-7, thereby **denying** the request.