

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

STAFF REPORT

DEVELOPMENT REVIEW COMMISSION - VARIANCE REQUEST PUBLIC HEARING

According to Planning and Development Services Department records, no Commission Member has a direct or indirect ownership interest in real property located within 2,000 linear feet of real property contained within the application (measured by a straight line between the nearest points on the property lines). All other possible conflicts should be declared upon 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, February 2, 2022 at 1:00 P.M.** at Council Chambers, City Hall, located at 175 - 5th Street North, St. Petersburg, Florida.

CASE NO.:	21-54000091	PLAT SHEET:	I-10
REQUEST:	Approval of a variance to lo to create one (1) additional l	()	ots in common ownership
OWNER:	Colin Russell 2630 17 th Avenue North Saint Petersburg, FL 33713		
ADDRESS:	2630 17 th Avenue North		
PARCEL ID NO .:	14-31-16-01782-007-0040		
LEGAL DESCRIPTION:	On File		
ZONING:	Neighborhood Traditional –	1 (NT-1)	

Table 1: Section 16.20.010.5 - Minimum Lot Size

Lot Lot Area	Required Lot Width	Requested	Variance	Magnitude
Lot 4 5,175 sq. ft.	45 feet	45 feet	0	n/a
Lot 5 4,600 sq. ft.	45 feet	40 feet	5 feet	11%

BACKGROUND: The request is for a variance to lot width for two (2) lots in common ownership to create one (1) additional buildable lot. The request, as determined by staff, does not require a lot line adjustment. The subject property under one Parcel ID contains two lots of record: Lot 4 and Lot 5 of Block 7 of the Avalon Subdivision measuring 85-feet wide by 115-feet deep totaling approximately 9,775 sq. ft. The property currently contains a single-family home constructed in 1947 straddling both lots. The applicant plans to demolish the existing home and is proposing two (2) new single-family residences.

The subject property is zoned Neighborhood Traditional – 1 (NT-1). The minimum lot width in NT-1 is 45-feet, and the minimum lot area is 4,500 square feet. The lots were originally platted in 1924 as recorded in Plat Book 6, Page 39. Lot 4 was 45-feet by 115-feet, and Lot 5 was 40-feet by 115-feet. According to the Pinellas County Property Appraiser's record, the two platted lots have been in common ownership since 1992. The current property owner (applicant) is proposing to create two buildable lots, one 45- by 115-foot lot (5,175 square feet) that is Lot 4, and one 40- by 115-foot building lot (approximately 4,600 square feet) that is Lot 5.

A variance is required for the requested 40-foot lot width to Lot 5 where a minimum of 45 feet is required. According to Section 16.60.030.2 (B): Nonconforming Lots in Common Ownership, the division of the combined lots will create one (1) substandard lot, violating Section 16.60.030: Nonconforming and Grandfathered Situations and Section 16.20.010.5: Maximum Development Potential in the NT-1 zoning district.

It is the applicant's intent to return the subject parcel to the two originally platted separate lots creating one substandard lot that is 11% less than minimum lot width. Herein, staff has analyzed if the substandard lot is consistent with the development pattern of the neighborhood. Additionally, any proposed structure will be required to meet the setbacks from the boundary lines of the reestablished lots of record, if approved by the Development Review Commission (DRC).

REQUEST: The applicant requests approval of a variance to lot width from 45-feet to 40-feet to create one (1) additional buildable lot to construct two (2) new single-family residences located within the NT-1 Zoning District.

VARIANCE REVIEW CRITERIA:

Consistency Review of Standards at Section 16.70.040.1.6 Variances, Generally

- 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.
 - This variance would permit the demolition of an existing single-family home on two platted lots to be redeveloped into two new single-family residences.
 - b. Substandard Lot(s). If the site involves the utilization of an existing legal nonconforming lot(s) which is smaller in width, length, or area from the minimum lot requirements of the district.
 - The subject property is a conforming parcel consisting of two lots of record measuring 85feet wide and 115-feet deep. Upon splitting the parcel, Lot 5 will become a nonconforming

lot smaller in width from the minimum lot width requirement of NT-1. The applicant proposes 40-feet where 45-feet is required, substandard by five feet, or 11%. The proposed lot area is 4,600 square feet exceeding the lot area requirement.

Staff analyzed the lots on the subject block not including the subject property and lots on the surrounding block faces within 500-feet of the property, that are zoned NT-1. Upon analyzing a total of 154 lots within the study area, there are 34 lots or 22% that are 40-feet wide with an existing single-family home residence. Overall, there are 37 lots or 24% that are substandard in lot width ranging from 40-feet to 42.5-feet (refer to Table 2 below).

- 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.
 - A site visit of the subject property determined there is one oak tree located on Lot 5 near the western property line. The proposed single-family residence will not impact the existing tree, significant vegetation, or natural features on site. Site plans for any future development must show the location of all protected and grand trees. Any application to remove the trees shall comply with Section 16.40.060.5.3: Tree removal and trimming permits for Grand, Protected and Signature trees of the LDRs, at the time of permitting, including submittal of any necessary reports. A separate tree removal permit is required. The redevelopment of new one-unit residential properties shall have a minimum of two shade trees, ten shrubs, accent plants or ornamental grasses per Section 16.40.060.2.1.1 of the LDRs.
- 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.
 - Of the 154 lots in total, 117 lots or 76% are conforming in lot width ranging from 45-feet to 135-feet wide, and 37 lots or 24% are substandard in lot width ranging from 40-feet to 42.5-feet (refer to Table 2 below).

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Table 2. Study Area v	# Of	# Of	% Of	
Block	Conforming	Substandard	Substandard	Notes
	Lot Widths	Lot Width	Width	
Subject Block 7	18	4	18%	South of 17 th Ave. N, north of 16 th Ave N, west of 26 th St. N, east of 28 th St. N
Block 1	7	3	30%	North of 18^{th} Ave. N and west of 26^{th} St. N
Block 2	8	3	27%	North of 18 th Ave. N and east of 26 th St. N
Block 6	14	6	30%	South of 18 th Ave. N, north of 17 th Ave. N, west of 26 th St. N
Block 5	20	3	13%	South of 18 th Ave. N, north of 17 th Ave. N, east of 26 th St. N, west of 25 th St. N
Block 8	14	8	36%	South of 17 th Ave. N, north of 16 th Ave N, east of 26 th St. N, west of 25 th St. N
Block 12	18	7	28%	South of 16 th Ave. N, north of 15 th Ave N, west of 26 th St N, east of 28 th St. N
Block 11	18	3	14%	South of 16 th Ave. N, north of 15 th Ave N, east of 26 th St. N, west of 25 th St. N
Total (154 lots)	117 (76%)	37 (24%)		

Table 2: Study Area Width Area Analysis

The subject property is within the North Kenwood Neighborhood Association and was platted in 1924 as part of the Avalon Subdivision. In addition to analyzing current patterns, staff analyzed the Avalon Subdivision of 1924. There was a total of 184 lots, 118 or 64% were conforming in lot width, and 66 or 36% were substandard in lot width. Overall, the development patterns current and past reveal that there is a greater number of conforming lots meeting the 45-foot width requirement.

It is important to note that out of the 154 total lots today, 105 lots or 68% are parcels with one platted lot; and 49 lots or 32% are platted parcels with more than one platted lot. Of the 105 parcels with one platted lot, 99% are developed with one single-family dwelling per platted lot (refer to Table 3 below).

Total	Residential/Single-Family	Vacant
Parcels with one platted lot	E Contraction of the second se	
105 (68%)	104 (99%)	1 (1%)
Parcels with more than one	platted lot	
49 (32%)	49 (100%)	0

Table 3: Platted Lots

With a predominant pattern of one house per platted lot, approval of this variance will grant the construction of two single-family residences on two platted lots consistent with the neighborhood character.

- 2. The special conditions existing are not the result of the actions of the applicant;
 - There are no special conditions related to the proposed lot width variance. The current 85foot width of the parcel was created by previous owners. Upon further research with the Pinellas County Property Appraisers office, the Lots have likely been combined since 1998. The applicant has owned the subject parcel since 2020.

- 3. Owing to the special conditions, a literal enforcement of this Chapter would result in unnecessary hardship;
 - Literal enforcement of this Chapter would not result in unnecessary hardship. A single-family dwelling is permitted to continue meeting the development requirements of Section 16.20.010: Neighborhood Traditional Single-Family (NT). Approval of the variance to lot width allows for construction of two single-family residences.
- 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 strict application of Sections 16.10.010: Establishment of Zoning Districts, Matrices and Map and 16.20.010: Neighborhood Traditional Single-Family District, would still provide the applicant with means for reasonable use of the property. It is currently zoned NT-1, and the requested use of a single-family dwelling is permitted. Furthermore, most of the surrounding properties were developed with one house on each lot of record. The requested variance would allow a more consistent use of the land.
- 5. The variance requested is the minimum variance that will make possible the reasonable use of the land, building, or other structure;
 - With the current width of 85-feet, it is impossible to split the parcel into two conforming lots. To that end, the variance will create one substandard width at 40-feet and one standard at 45-feet. The variance requested is the minimum variance that will make possible the reasonable use of the land to redevelop the site with two new single-family residences.
- 6. The granting of the variance will be in harmony with the general purpose and intent of this chapter;
 - Based on the analysis of the development pattern within the study area, staff finds that a
 granting of the requested variance will be in harmony with the general purpose and intent of
 the Land Development Regulations and Comprehensive Plan. 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. Furthermore, with the supply
 of homes for sale being a record low, providing opportunities for infill housing decreases the
 amount of underused lots.

The future land use classification for the subject property is Planned Redevelopment Residential (PR-R). The following objective and policies of the Comprehensive Plan promote redevelopment and infill within the City:

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.

LU2.5:

The Land Use Plan shall make the maximum use of available public facilities and minimize the need for new facilities by directing new development to infill and redevelopment locations where excess capacity is available.

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.

- 7. The granting of the variance will not be injurious to neighboring properties or otherwise detrimental to the public welfare;
 - Staff does not find that the granting of the requested variance will be injurious to the neighboring properties. The applicant intends to construct two diverse single-family residences while maintaining community character. Furthermore, the City intends to provide for desirable redevelopment and infill housing that will adhere to the minimum desired unit size and development standards such as lot area, height restrictions, floor area ratios, setbacks, and parking per the LDRs.
- 8. The reasons set forth in the application justify the granting of a variance;
 - Based on the analysis provided, the reasons outlined in the report 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.
 - This criterion is not applicable. Nonconforming uses and structures have not been considered in staff's analysis.

PUBLIC COMMENTS: The subject property is within the boundaries of the North Kenwood Neighborhood Association. As of the date of this report, Staff received inquiries, but no formal comments from the public and no comments from the Neighborhood Association, CONA, or FICO have been received.

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 **APPROVAL** of the requested variance.

CONDITIONS OF APPROVAL FOR LOT WIDTH VARIANCE: If the variance is approved consistent with the conceptual site plan submitted with this application, the Planning and Development Services Department Staff recommends that the approval shall be subject to the following:

- New home construction(s) shall comply with all requirements of the NT-1 zoning district. The design of the two homes shall be varied, such that a substantially similar home cannot be replicated on the lots. Variation shall include at least three of the following: architectural style, roof form, materials and/or details including but not limited to door, windows, and columns. Approval of this variance does not grant or imply variances from other sections of the City Code or other applicable regulations.
- 2. All existing structures and improvements, including driveways and aprons shall be demolished prior to the division of the property.
- 3. The applicant shall provide a Parcel ID number for each lot at time of time of submittal of the building plans for permitting.
- 4. Site plans for any future development must show the location of all protected and grand trees. Any application to remove the trees shall comply with Section 16.40.060.5.3: Tree removal and

trimming permits for Grand, Protected and Signature trees of the LDRs, at the time of permitting, including submittal of any necessary reports. A separate tree removal permit is required.

- 5. Any outstanding public liens and assessment owed to the City shall be satisfied.
- 6. This variance approval shall be valid through February 2, 2025. Substantial construction shall commence prior to this expiration date, or the parcels shall be separately conveyed. A request for extension must be filed in writing prior to the expiration date.

Report Prepared By:

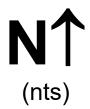
/s/ Katrina Lunan-Gordon	01/24/2022
Katrina Lunan-Gordon, Planner II	Date
Development Review Services Division	
Planning & Development Services Department	
Report Approved By:	
/s/ Dave Goodwin	01/24/2022
Dave S. Goodwin, Interim Zoning Official (POD)	Date
Development Review Services Division	
Planning & Development Services Department	

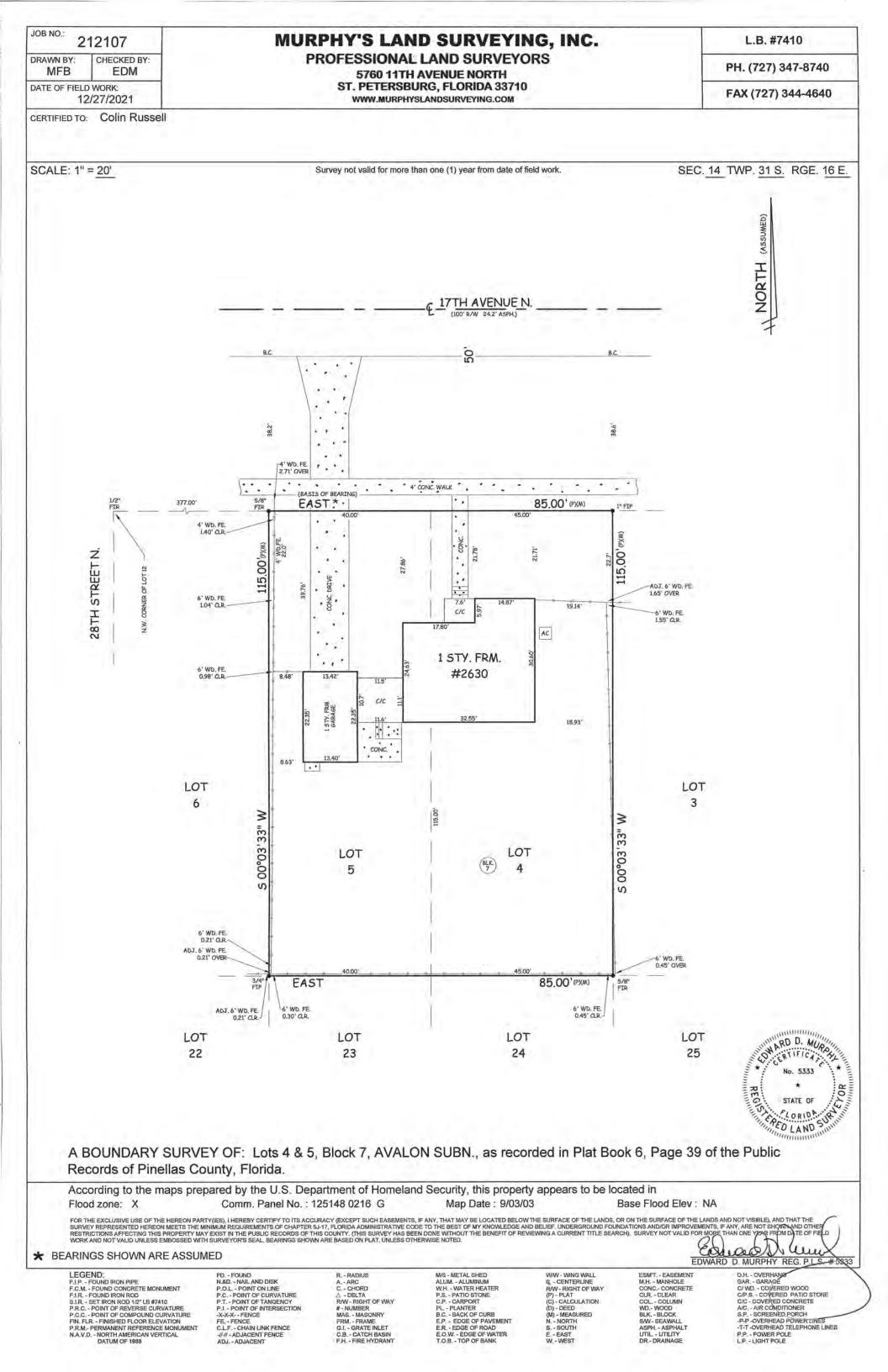
ATTACHMENTS: Location Map Survey Conceptual Site Plans Study Area Exhibit Plat Book 6, Page 39 - 1924 Application - Narrative



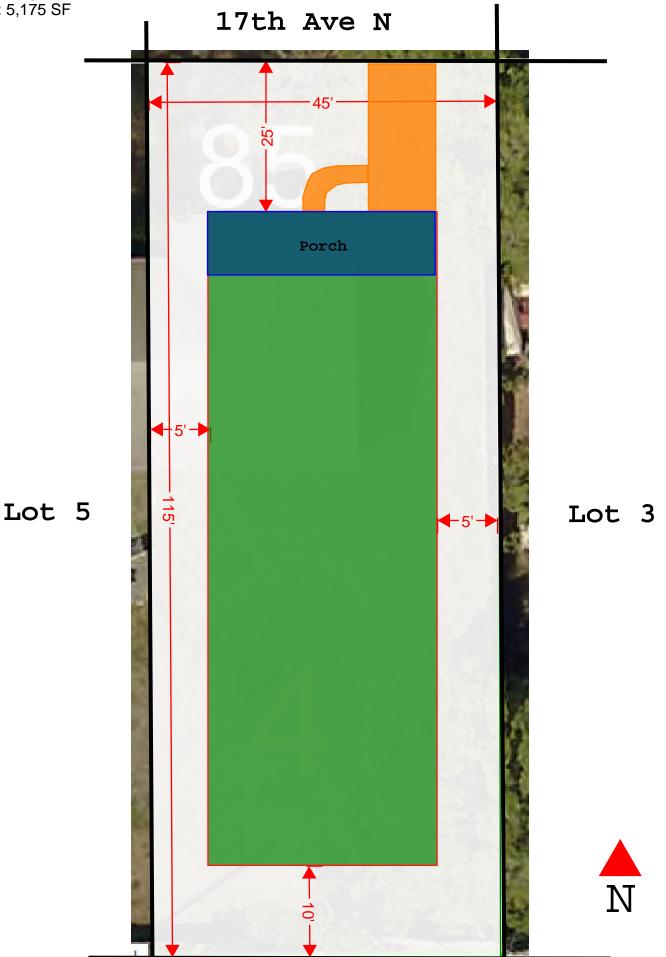


Project Location Map City of St. Petersburg, Florida Planning and Development Services Department Case No.: 21-54000091 Address: 2630 17th Ave. N.

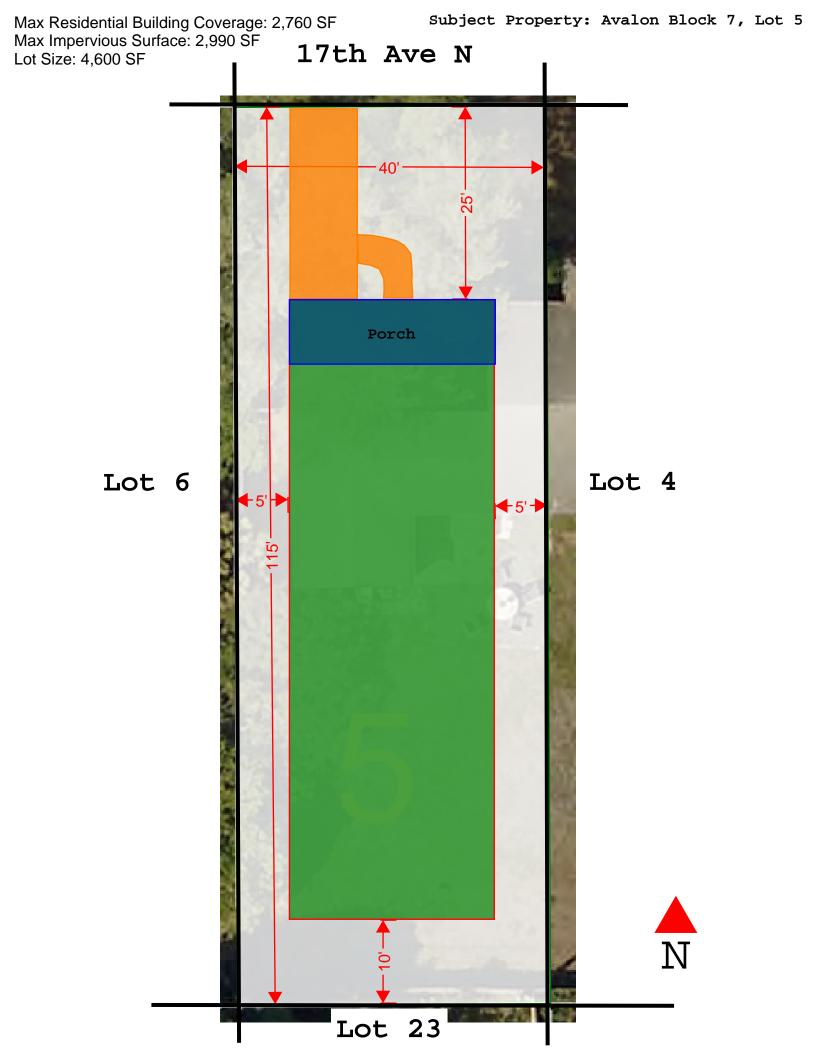


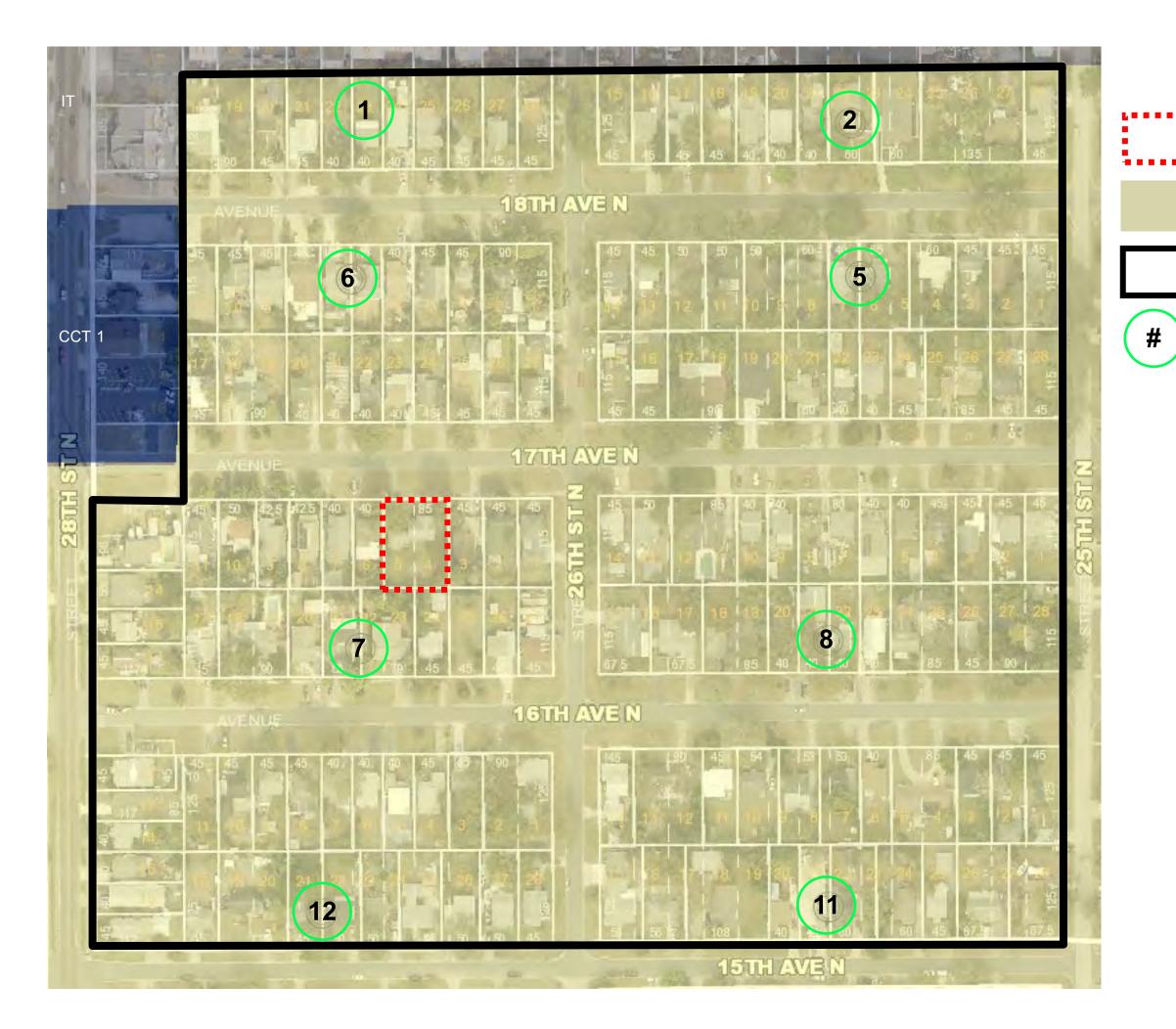


Max Residential Building Coverage: 3,105 SF Maximum Impervious Surface: 3,364 SF Lot Size: 5,175 SF



Lot 24





Study Area Exhibit

Subject Property

Neighborhood Traditional-1 (NT-1)

Study Area

Block Numbers

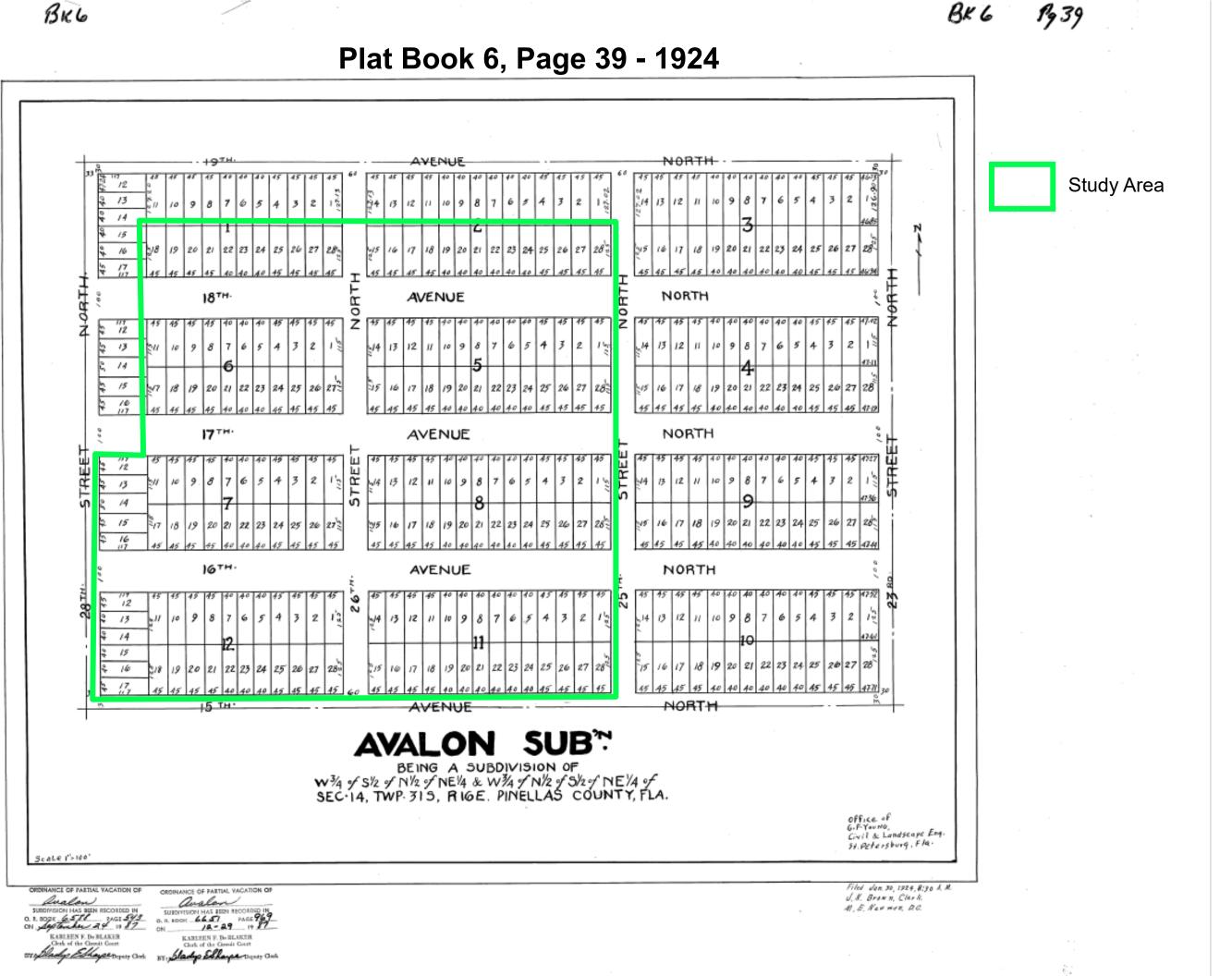
Total Lots = 154

Nonconforming Lots = 37 (24%)

Conforming Lots = 117 (76%)

Parcels with one platted lots = 105 (68%)

Parcels with more than one platted lots = 49 (32%) BKG



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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 1st floor of the Municipal Services Building, One Fourth Street North.

GENERAL INFORMATION		
NAME of APPLICANT (Property C	Owner):	
Street Address:		
City, State, Zip:		
Telephone No:	Email Address:	
NAME of AGENT or REPRESEN	NTATIVE:	
Street Address:		
City, State, Zip:		
Telephone No:	Email Address:	
PROPERTY INFORMATION:		
Street Address or General Locat	ion:	
Parcel ID#(s):		
DESCRIPTION OF REQUEST:		
PRE-APPLICATION DATE:	PLANNER:	
FEE SCHEDULE		

1 & 2 Unit, Residential - 1st Variance \$350.00 3 or more Units & Non-Residential - 1st Variance \$350.00

Each Additional Variance	\$100.00
After-the-Fact	\$500.00
Docks	\$400.00
Flood Elevation	\$300.00
ty of St. Petersburg"	

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*: *Affidavit to Authorize Agent required, if signed by Agent. Typed Name of Signatory:_____ Date:



Pre-Application Meeting Notes

_Zoning District:
_Staff Planner for Pre-App:

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:





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 by typed. Illegible handwritten responses will not be accepted. Responses may be provided as a separate letter, addressing each of the six criteria.

ALL OF THE FOLLOWING CRITERIA MUST BE ANSWERED.

APPLICANT NARRATIVE		
Street Address: Case No.: Detailed Description of Project and Request: Case No.:		
 What is unique about the size, shape, topography, or location of the subject property? How do these unique characteristics justify the requested variance? 		
 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. 		
3. How is the requested variance not the result of actions of the applicant?		





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 by typed. Illegible handwritten responses will not be accepted. Responses may be provided as a separate letter, addressing each of the six criteria.

ALL OF THE FOLLOWING CRITERIA MUST BE ANSWERED.

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?
5. What other alternatives have been considered that do not require a variance? Why are these
alternatives unacceptable?
6. In what ways will granting the requested variance enhance the character of the neighborhood?



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		
treet Address: 2630 17th Ave N	Case No.:	
escription of Request: Variance to lot width to create	Case No.;	
	the buildable lots (back to platted configuration)	
he updomigned edia and		
pject (attach additional sheets if necessar	understand the nature of the applicant's request and do not y):	
1 Affected Property Add	100-100-	
1. Affected Property Address: DG2. Owner Name (print);	16th Alenver 1 Atell,	
Owner Signature:	ne Stoller. RN.	
- Owner Signature.		
2. Affected Property Address:	TOD THE AVE 110	
Owner Name (print): SITAA		
Owner Signature:	- DULKKBEUM	
Owner Signature.		
3. Affected Property Address: 2 /		
Owner Name (print):	4417 AVE	
Owner Signature:	THAN I HINGT	
owner Signature.	- MACh .	
4. Affected Property Address:		
Owner Name (print):		
Owner Signature:		
ewici olgrature.		
5. Affected Property Address:		
Owner Name (print):		
Owner Signature:		
- gradero.		
6. Affected Property Address:		
Owner Name (print):		
Owner Signature:		
7. Affected Property Address:		
Owner Name (print):		
Owner Signature:		
8. Affected Property Address:		
Owner Name (print):		
Owner Signature:		



PUBLIC PARTICIPATION REPORT

Application No.__

In accordance with LDR Section 16.70.040.1.F., "It is the policy of the City to encourage applicants to meet with residents of the surrounding neighborhoods prior to filing an application for a decision requiring a streamline review or public hearing. Participation in the public participation process prior to required public hearings will be considered by the decision-making official when considering the need, or request, for a continuance of an application. It is not the intent of this section to require neighborhood meetings, (except when the application is for a local historic district) but to encourage meetings prior to the submission of applications for approval and documentation of efforts which have been made to address any potential concerns prior to the formal application process."

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

APPLICANT REPORT		
Street Address:		
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		
(b) Content, dates mailed, and number of mailings; including letters, meeting notices, newsletters, and other		
publications		
(c) Where residents, property owners, and interested parties receiving notices, newsletters, or other written materials		
are located		
2. Summary of concerns, issues, and problems expressed during the process		
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		
Tom Lally at variance@stpetecona.org), by standard mail to Federation of Inner-City Community Organizations		
(FICO) (c/o Kimberly Frazier-Leggett at 3301 24 th 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.

From:	Colin Russell
Sent:	Monday, October 25, 2021 8:03 PM
То:	'variance@stpetecona.org'
Subject:	2630 17th Ave N - Notice Of Variance
Attachments:	Completed Variance Application.pdf

Tom,

Pleasure to meet you electronically! I'm the owner of the property at 2630 17th Ave North, in North Kenwood. I have been working with Dylan and Shervon with the City of St. Pete on a variance application to split my lot back to the two (2) original plats. In accordance with city requirements, attached is the application. The neighborhood worksheet will be completed prior to submitting to the city. My contact info is below, feel free to reach out with any questions. Thanks!

Colin Russell

c. 321.439.2062

From:	Colin Russell
Sent:	Monday, October 25, 2021 8:10 PM
То:	'steven.herzfeld@gmail.com'
Subject:	RE: 2630 17th Ave N - Notice Of Variance
Attachments:	Completed Variance Application.pdf

Forgot to attach the application! It's on this e-mail. The neighborhood worksheet will be completed prior to submitting to the city.

Colin Russell

c. 321.439.2062

From: Colin Russell Sent: Monday, October 25, 2021 7:43 PM To: <u>steven.herzfeld@gmail.com</u> Subject: 2630 17th Ave N - Notice Of Variance

Steven,

Pleasure to meet you electronically! I'm the owner of the property at 2630 17th Ave North, in North Kenwood. I have been working with Dylan and Shervon with the City of St. Pete on a variance application to split my lot back to the two (2) original plats. In accordance with city requirements, I am reaching out to provide you with notice. My contact info is below, feel free to reach out with any questions. Thanks!

Colin Russell

c. 321.439.2062

