



**CITY OF ST. PETERSBURG
PLANNING AND DEVELOPMENT SERVICES
DEPARTMENT
DEVELOPMENT REVIEW SERVICES DIVISION
DEVELOPMENT REVIEW COMMISSION
STAFF REPORT**

**DOCK VARIANCE
PUBLIC HEARING**

According to Planning & 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 the announcement of the item.

REPORT TO THE DEVELOPMENT REVIEW COMMISSION FROM DEVELOPMENT REVIEW SERVICES DIVISION, PLANNING & DEVELOPMENT SERVICES DEPARTMENT, for Public Hearing and Executive Action on **Wednesday, June 1, 2022, at 1:00 P.M.** at Council Chambers, City Hall, located at 175 5th Street North, St. Petersburg, Florida.

CASE NO.: 22-39000003 PLAT SHEET: S-7

REQUEST: Approval of a dock variance to increase the maximum allowable square footage from 304 square feet to 751.75 square feet to allow for a catwalk addition to an existing private residential dock

OWNER: Sherri Granger
7852 10th Avenue South
Saint Petersburg, Florida 33707

AGENT: Ryan M. Schmidt, Esq.
4055 Central Avenue
Saint Petersburg, Florida 33713

ADDRESS: 7852 10th Avenue South

PARCEL ID NO.: 25-31-15-84114-004-0310

LEGAL DESCRIPTION: On File

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

REQUEST: This application requests a variance to increase the maximum allowable square footage for a dock to allow for the construction of a new catwalk addition to an existing private residential dock.

The subject property has a rear waterfront property line dimension of 76 linear feet which would allow a dock up to 304 square feet in size by right. The City's Land Development Regulations allow for up to 200 square feet of a dock walkway to be exempt from the size allotment to allow for access to deeper water. The existing dock, permitted in 2020, utilizes 503.125 square feet of the total allowable size of 504 square feet, including the maximum allowable walkway exemption. The variance request would allow for a 3-foot wide, 80-foot long wraparound catwalk addition to the existing dock.

DISCUSSION: The subject property is located in the Yacht Club Estates Neighborhood, on a fully platted lot, platted in 1960 with a single-family home built in 1963. The current property owner purchased the property in 2000. The property is an interior waterfront lot with slightly diverging side property lines creating a rectangular water envelope. The stated purpose of the proposed catwalk is to allow additional accessibility to a boat when docked in the existing boatlift.

CONSISTENCY REVIEW COMMENTS: The Development Review Services Division staff reviewed this application in the context of the following standards of approval excerpted from the City Code and found that the requested variance is **INCONSISTENT** with these standards.

Standard #1: *Circumstances or conditions exist which are peculiar to the land, buildings, or other structures for which the variance is sought and do not apply generally to lands, buildings, or other structures in the same zoning district.*

No circumstances or conditions exist that are peculiar to the land or structure. The property is a standard interior waterfront lot with no extraordinary characteristics.

Standard #2: *Strict application of the provisions of the Code would provide the applicant with no means for reasonable use of the land, buildings, or other structures in the same district.*

Strict application of the provisions of the Code provides reasonable use of the land and existing structures on the property. The existing dock was constructed in 2020 complying with all Code regulations while maximizing the allowable square footage.

Standard #3: *The peculiar conditions and circumstances existing are not the result of the actions of the applicant.*

The relatively shallow water adjacent to the property is not the result of the Applicant.

Standard #4: *The reasons set forth in the application justify the granting of a variance.*

The reasons set forth in the application do not justify granting of a variance. The dock was permitted and constructed in 2020 using the maximum surface area permitted given the property's physical characteristics. The proposed catwalk could have been integrated into the design prior to construction.

Standard #5: *The variance proposed to be granted is the minimum variance that will make possible the reasonable use of the land, building, or other structure.*

The variance proposed is not the minimum variance that will make possible the reasonable use of the structure. The existing dock was constructed without the need for a variance and a catwalk allowing for access to the lift from both sides is possible with the need of a variance if the dock is redesigned.

Standard #6: *The granting of the variance will be in harmony with the general purpose and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.*

The granting of the variances will not be in harmony with the general purpose and intent of the Code and may be injurious to the neighborhood. Maximum dock size is regulated by Code to minimize negative impacts including visual blight and interference with navigation. Allowing docks to exceed the maximum allowable size given the upland property's physical characteristics could result in an increase to these negative impacts.

PUBLIC COMMENT: The subject property is within the boundaries of the Yacht Club Estates Civic Association. The Applicant provided two (2) signatures of no-objection to the request from the owners of property on either side of the subject property. No comments or inquiries have been received from the general public and the Yacht Club Estates Civic Association has not commented on the request.

STAFF RECOMMENDATION: Based on the stringent standards of approval contained within the City Code, the Development Review Services Division staff recommends **Denial** of the requested variance to maximum allowable dock surface area.

CONDITIONS OF COMMISSION ACTION: If the variance is approved consistent with the site plan submitted with this application, the Development Review Services Division staff recommends that the approval shall be subject to the following:

1. Plans shall be submitted to the Development Review Services Division by the Applicant for approval prior to the issuance of permits by the Pinellas County Water & Navigation Control Authority.
2. This variance approval shall be valid through June 1, 2025. Substantial construction shall commence prior to this expiration date. A request for extension must be filed in writing prior to the expiration date.

REPORT PREPARED BY:

Michael Larimore /s/

5/18/2022

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

Date

REPORT APPROVED BY:

Joseph Moreda, AICP Zoning Official
Development Review Services Division
Planning and Development Services Department

Date

Attachments: Location Map, Variance Application