



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

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## **STAFF REPORT**

### **DEVELOPMENT REVIEW COMMISSION - VARIANCE REQUEST PUBLIC HEARING**

For **Public Hearing** and **Executive Action** on **July 6, 2022**, beginning at 1:00 P.M.,  
Council Chambers, City Hall, 175 Fifth Street North, St. Petersburg, Florida

According to Planning & Development Department records, **no Commission member** has a direct or indirect ownership interest in rear 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.

CASE NO.: 22-54000041 PLAT SHEET: K-10

REQUEST: Approval of an after-the-fact variance to the rear yard setback for a glass pool enclosure and to the side and rear yard setbacks to a shed.

AGENT: Ruth Londono  
RU Project Management Group, LLC  
1502 W Busch Blvd, Suite D  
Tampa, FL 33612

OWNER: Osmani Pompa  
3538 17<sup>th</sup> Avenue North  
Saint Petersburg, Florida 33713

ADDRESS: 3538 17<sup>th</sup> Avenue North

PARCEL ID NO.: 15-31-16-28224-013-0060

LEGAL DESCRIPTON: On File

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

**VARIANCE DATA:**

	Minimum Required	Proposed	Variance
Rear Setback – Glass Enclosure	10-feet	7.6-feet	2.4-feet (24%)
Rear Setback – Storage Shed	10-feet	4.3-feet	5.7-feet (57%)
Side Setback – Storage Shed	6-feet	2.3-feet	3.7-feet (61.67%)

**BACKGROUND:** The subject property is zoned NT-1 (Neighborhood Traditional Single-Family) and is located in the Disston Heights Neighborhood on the south side of 17<sup>th</sup> Avenue North between 35<sup>th</sup> and 37<sup>th</sup> Street North (see attachment A, Aerial Map). The subject property was originally platted in 1925, the existing single-family home was built in 1973, the existing in-ground swimming pool was built in 1982, and the current property owners purchased the property in 2017.

In December 2020, the property received a code citation for unpermitted work (Case # 20-00030510) including the installation of a glass enclosure around the existing pool and lanai, a 13-ft x 15-ft storage shed, and at-grade paver installation to the rear and side of the property. A portion of the at-grade pavers will be removed to allow the property to comply with the maximum impervious surface ratio allowance of 65% coverage on the property. The application states the storage shed was present prior to the current owner's purchase of the property. The property owner wishes to maintain the glass enclosure and storage shed in their current locations with these after-the-fact variance requests.

**REQUESTS:** The application requests relief from minimum setback requirements for a storage shed and a glass enclosure, both constructed and installed without an approved building permit. The City Code requires storage sheds that exceed 100 square feet in size or 10-feet in height to meet typical building setbacks. The storage shed installed on the property is roughly 13-feet x 15-feet, or 195 square feet, in size, thus would be required to meet the typical 6-foot side and 10-foot rear setback requirements. The Code allows for screen enclosures to encroach into the rear setback; however, this allowance does not extend to glass enclosures.

**CONSISTENCY REVIEW COMMENTS:** The Planning & Development Services Department staff reviewed this application in the context of the following criteria excerpted from the City Code and found that the requested variance is **inconsistent** with these standards. Per City Code Section 16.70.040.1.6 Variances, Generally, the DRC's decision shall be guided by the following factors:

1. *Special conditions exist which are peculiar to the land, building, or other structures for which the variance is sought and which do not apply generally to lands, buildings, or other structures in the same district. Special conditions to be considered shall include, but not be limited to, the following circumstances:*

- a. *Redevelopment. If the site involves the redevelopment or utilization of an existing developed or partially developed site.*

The site involves the utilization of a developed site. The property currently is developed with a residence, pool, deck, and detached accessory structure located in the rear of the property.

- 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 zoned NT-1 (Neighborhood Traditional Single Family) and is composed of one and one-half platted lots. The property currently conforms and exceeds the zoning district's required minimum lot area of 4,500 square feet and lot width of 45-feet.

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

This criterion does not apply. The subject property does not contain a designated preservation district.

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

This criterion does not apply. The subject property does not contain any historic resources.

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

The subject property does not contain any significant or extraordinary vegetation or other natural features.

- 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 request does not appear to promote the established development pattern of the block. The north side of the street is a different zoning district (NS-1) and the south side of the street including the subject property is developed with single-family residences and typical accessory structures with no variances granted to these properties.

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

This criterion does not apply. The subject application does not relate to public facilities.

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

The existing special conditions are the result of the property not applying for nor receiving approved building permits otherwise required for the accessory structures in question.

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

Literal enforcement of the provisions of this chapter do not result in unnecessary hardship. Similar accessory structures (smaller storage shed and screen pool enclosure) are allowable on the subject property per Code without modification to other existing legal structures.

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 Applicant may continue to use the property, land and structures, without the variances requested. The existing single-family residence, pool, and deck are legally constructed and comply with current Code requirements.

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

The variances requested are not the minimum variances to make possible the reasonable use of the land. The enclosure may have been permitted and constructed with screen material without the need for a variance. The storage shed may have been installed on the property in a different location without the need for a variance.

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

The request is not in harmony with the general purpose nor intent of the Code. The Code allows for screen enclosures to encroach into typical side and rear setbacks however glass enclosures are required to comply with the standard building setbacks. Small storage sheds (up to 100 square feet in size, 10-feet in height) are permissible with zero-setbacks when located in the rearmost 20-feet of the property. The Code allows these structures to be located with lesser setbacks since their impact on neighboring properties are generally diminutive compared to larger, more visually daunting structures.

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

The granting of these variances may be injurious to abutting properties. The Codes Compliance case was initiated by a citizen complaint. The permanence of the glass enclosure and pushes the buildable envelope outside that which has been established per district setbacks. The oversized shed, being located so close to the property lines, may be a visual blight to the neighboring owner to the east.

8. *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 variances. The reasoning for replacing the screen enclosure with glass is stated as a way to combat pollen allergies. This reason is not based on the land, building, or structures, but of the current occupant of the property. No explicit reasoning for the shed-related variances is provided in the application.

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 does not apply. No other uses, building, or structures are being considered as grounds for issuance of this variance.

**PUBLIC COMMENTS:** The subject property is within the boundaries of the Disston Heights Neighborhood and within the boundaries of the Disston Heights Civic Association. At the time of this writing, Staff has received no comment from the Civic Association nor from the general public regarding this application. The Applicant collected signatures of no-objection form nearby property owners included in the submitted application.

**STAFF RECOMMENDATION:** 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 **DENIAL** of the requested variance.

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

1. The plans and elevations submitted for permitting should substantially resemble the plans and elevations submitted with this application.
2. Approval of this variance does not grant or imply other variances from the City Code or other applicable regulations.

ATTACHMENTS: Location Map, Survey, Site Plan, Photographs, Variance Application

Report Prepared By:

Michael Larimore

6/28/2022

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

Date

Report Approved By:

Joe Moreda

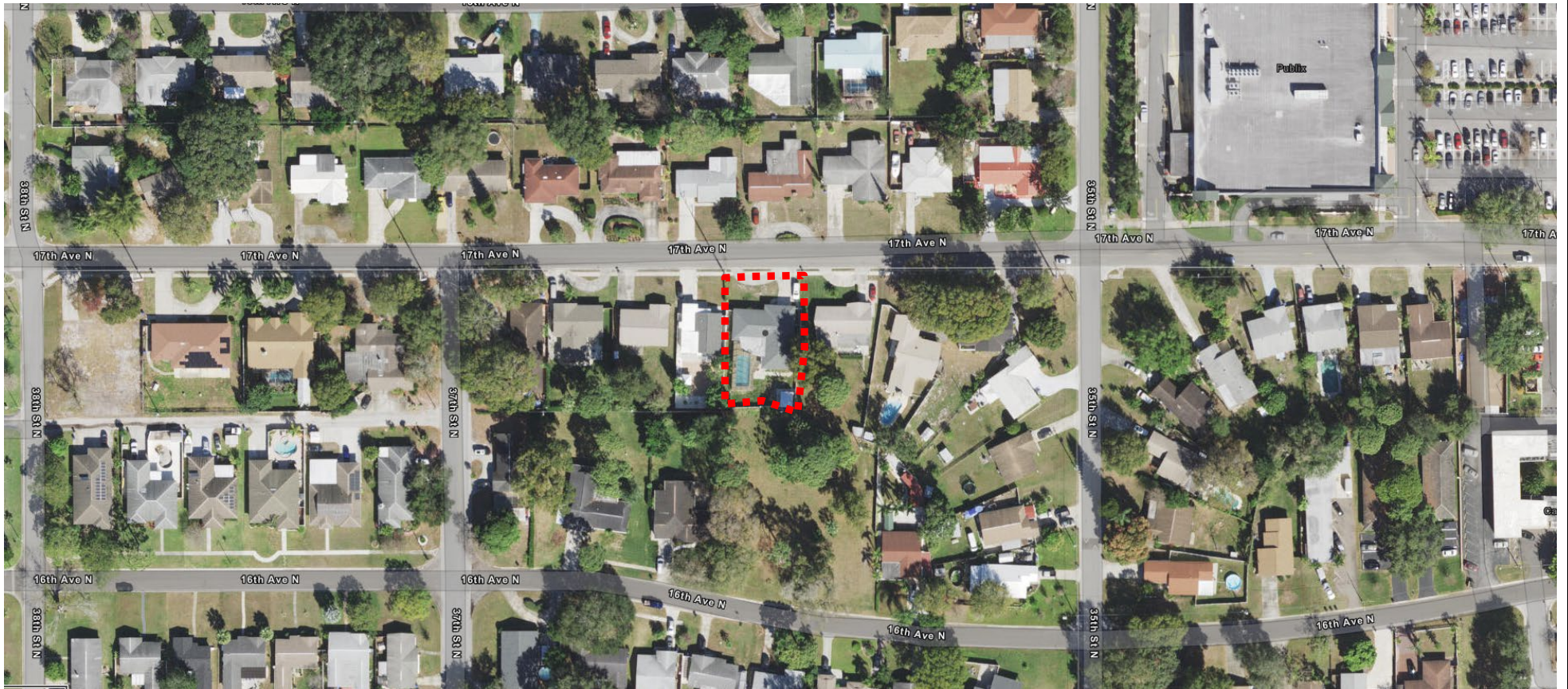
6/28/2022

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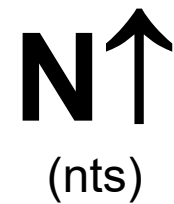
Joseph Moreda, AICP, Zoning Official (POD)  
Development Review Services Division  
Planning & Development Services Department

Date

JM/MWL:iw



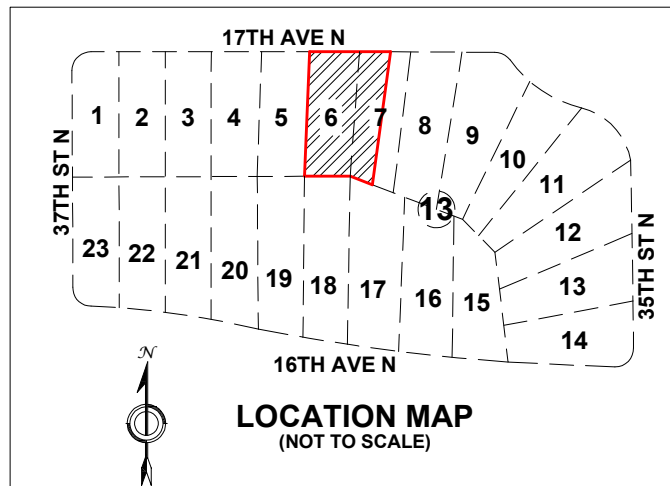
Project Location Map  
City of St. Petersburg, Florida  
Planning and Development Services  
Department  
Case No.: 22-54000041  
Address: 3538 17<sup>th</sup> Ave. N.





# BOUNDARY AND TOPOGRAPHIC SURVEY

SECTION 15, TOWNSHIP 31S, RANGE 16E. PINELLAS COUNTY



NATURAL GROUND SURFACES AND 1/100 FOOT FOR HARDSCAPE SURFACES, INCLUDING PAVEMENTS, CURBS AND OTHER MAN-MADE FEATURES AS MAY EXIST.

BENCH MARK: GPS-NAIL ELEVATION: 50.33 FEET (NAVD88)

LEGAL DESCRIPTION WAS FURNISHED BY THE CLIENT.

WELL-IDENTIFIED FEATURES AS DEPICTED ON THIS SURVEY AND MAP WERE MEASURED TO AN ESTIMATED HORIZONTAL POSITIONAL ACCURACY OF 1/10 FOOT UNLESS OTHERWISE SHOWN.

BEARINGS AS SHOWN HEREON ARE BASED UPON AN ASSUMED VALUE OF S89°46'06"E FOR THE SOUTH RIGHT-OF-WAY LINE OF 17TH AVE N AS DEPICTED ON THE MAP OF SURVEY.

LEGAL DESCRIPTION SUBJECT TO ANY DEDICATIONS, LIMITATIONS, RESTRICTIONS, RESERVATIONS OR RECORDED EASEMENTS.

THE SURVEYOR MAKES NO REPRESENTATION AS TO OWNERSHIP, POSSESSION OR OCCUPATION OF THE SUBJECT PROPERTY BY ANY ENTITY OR INDIVIDUAL.

SUBSURFACE IMPROVEMENTS AND/OR ENCROACHMENTS WITHIN, UPON, ACROSS, ABUTTING OR ADJACENT TO THE SUBJECT PROPERTY WERE NOT LOCATED AND ARE NOT SHOWN.

NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. ADDITIONS AND DELETIONS TO THIS MAP OF SURVEY BY OTHER THAN THE SIGNING PARTY ARE PROHIBITED WITHOUT THE WRITTEN CONSENT OF THE SIGNING PARTY.

THIS MAP OF SURVEY HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF THE ENTITIES NAMED HEREIN AND THE CERTIFICATION DOES NOT EXTEND TO ANY UNNAMED PARTY.

NO TREES FOUND 20' AWAY FROM PROPERTY UNLESS DEPICTED ON THIS MAP.

**CERTIFY TO:**

**RU PROJECT MANAGEMENT GROUP, LLC  
POMPA, OSMANI**

**SURVEYOR'S CERTIFICATION:**

I HEREBY CERTIFY: THAT THIS "TOPOGRAPHIC SURVEY" AND THE MAP OF SURVEY RESULTING THERE FROM WAS PERFORMED UNDER MY DIRECTION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND FURTHER, THAT SAID "TOPOGRAPHIC SURVEY" MEETS THE INTENT OF THE "MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING IN THE STATE OF FLORIDA", PURSUANT TO RULE 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE AND ITS IMPLEMENTING RULE, CHAPTER 472.027 OF THE FLORIDA STATUTES.

**PROPERTY ADDRESS:**  
3538 17TH AVE N,  
ST PETERSBURG, FL 33713  
( FOLIO NO. 15-31-16-28224-013-0060 )

**DESCRIPTION:**  
LOT 6 AND THE WEST 1/2 OF LOT 7, BLOCK 13, "SECOND SECTION OF FLORAL VILLA PARK", ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 13, PAGE(S) 53 AND 54, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

**FLOOD ZONE INFORMATION:**  
COMMUNITY: CITY OF ST. PETERSBURG - 125148  
MAP/PANEL NO. 12103C0216G  
SUFFIX: G  
FIRM DATE: 09/03/2003  
FLOOD ZONE: X

THERE MAY BE LEGAL RESTRICTIONS ON THE SUBJECT PROPERTY THAT ARE NOT SHOWN ON THE MAP OF SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF PINELLAS COUNTY, OR THE RECORDS OF ANY OTHER PUBLIC AND PRIVATE ENTITIES AS THEIR JURISDICTIONS MAY APPEAR.

THE MAP OF SURVEY IS INTENDED TO BE DISPLAYED AT THE STATED GRAPHIC SCALE IN ENGLISH UNITS OF MEASUREMENT. ATTENTION IS BROUGHT TO THE FACT THAT SAID DRAWING MAY BE ALTERED IN SCALE BY THE REPRODUCTION PROCESS

THIS SURVEY WAS CONDUCTED FOR THE PURPOSE OF A TOPOGRAPHIC SURVEY ONLY AND IS NOT INTENDED TO DELINEATE THE REGULATORY JURISDICTION OF ANY FEDERAL, STATE, REGIONAL OR LOCAL AGENCY BOARD, COMMISSION OR OTHER ENTITY.

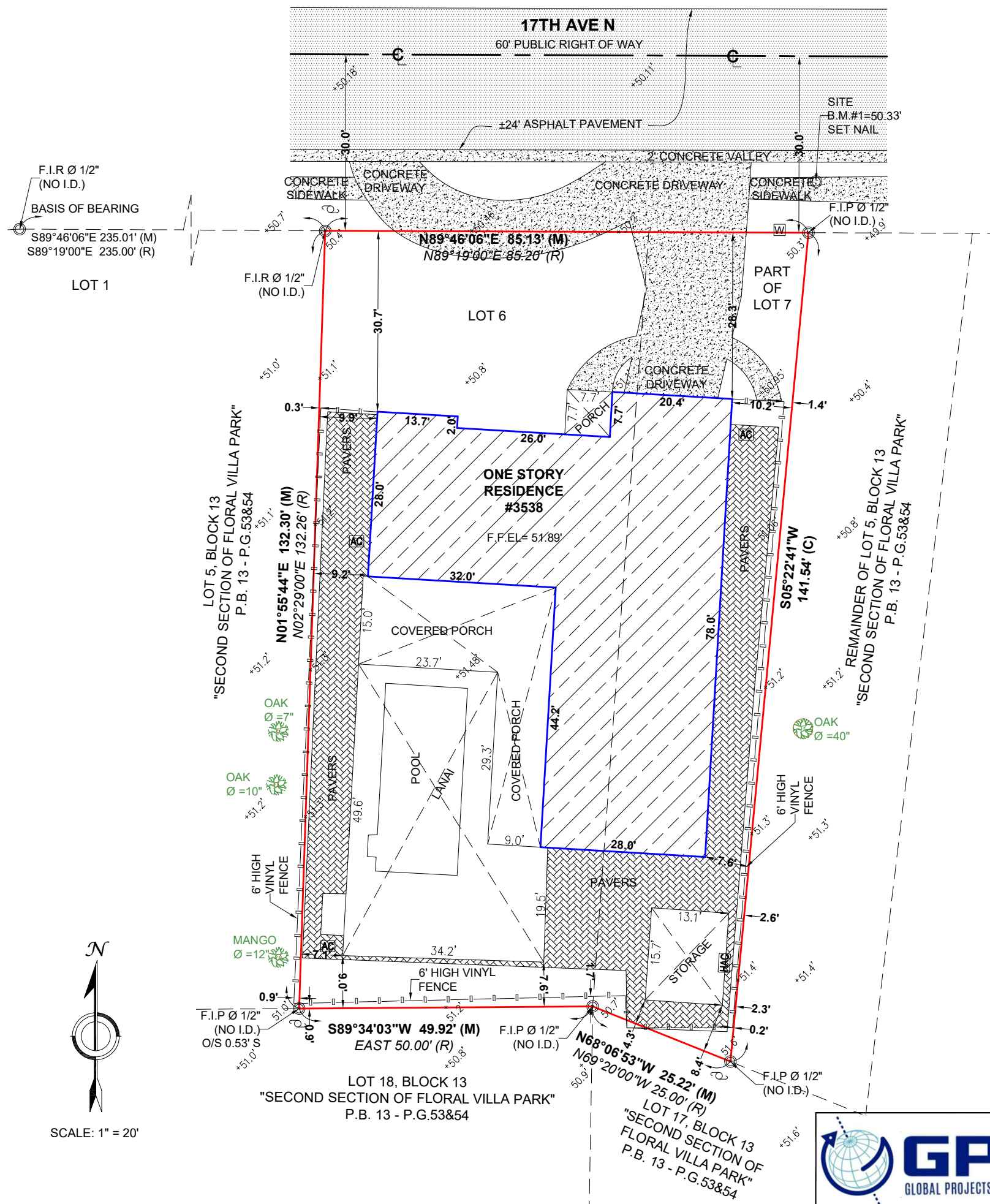
THE ELEVATIONS OF WELL-IDENTIFIED FEATURES AS DEPICTED ON THIS SURVEY AND MAP WERE MEASURED TO AN ESTIMATED VERTICAL POSITIONAL ACCURACY OF 1/10 FOOT FOR

## ABBREVIATIONS

- BC=BLOCK CORNER
- (C)=CALCULATED
- (M)=MEASURED
- (R)=RECORD
- (P)=PRORATED
- TYP.= TYPICAL
- P.B. = PLAT BOOK
- P.G. = PAGE
- F.I.R. = FOUND IRON ROD
- F.I.P. = FOUND IRON PIPE
- S.I.R. = SET IRON ROD
- I.D. = IDENTIFICATION
- F/C = FENCE CORNER
- B.M. = BENCHMARK

## LEGEND

- CENTER LINE
- PROPERTY CORNER
- PROPERTY LINE
- PALM & TRUNK TREE
- UTILITY POLE
- METER (WATER)
- A/C UNIT
- A/C ON BRACKETS UNIT



F.I.R. Ø 1/2" (NO I.D.)  
BASIS OF BEARING  
S89°46'06"E 235.01' (M)  
S89°19'00"E 235.00' (R)

LOT 1

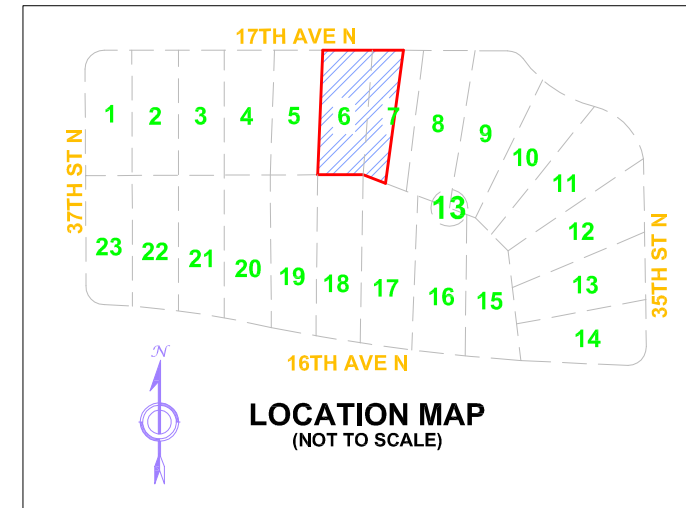
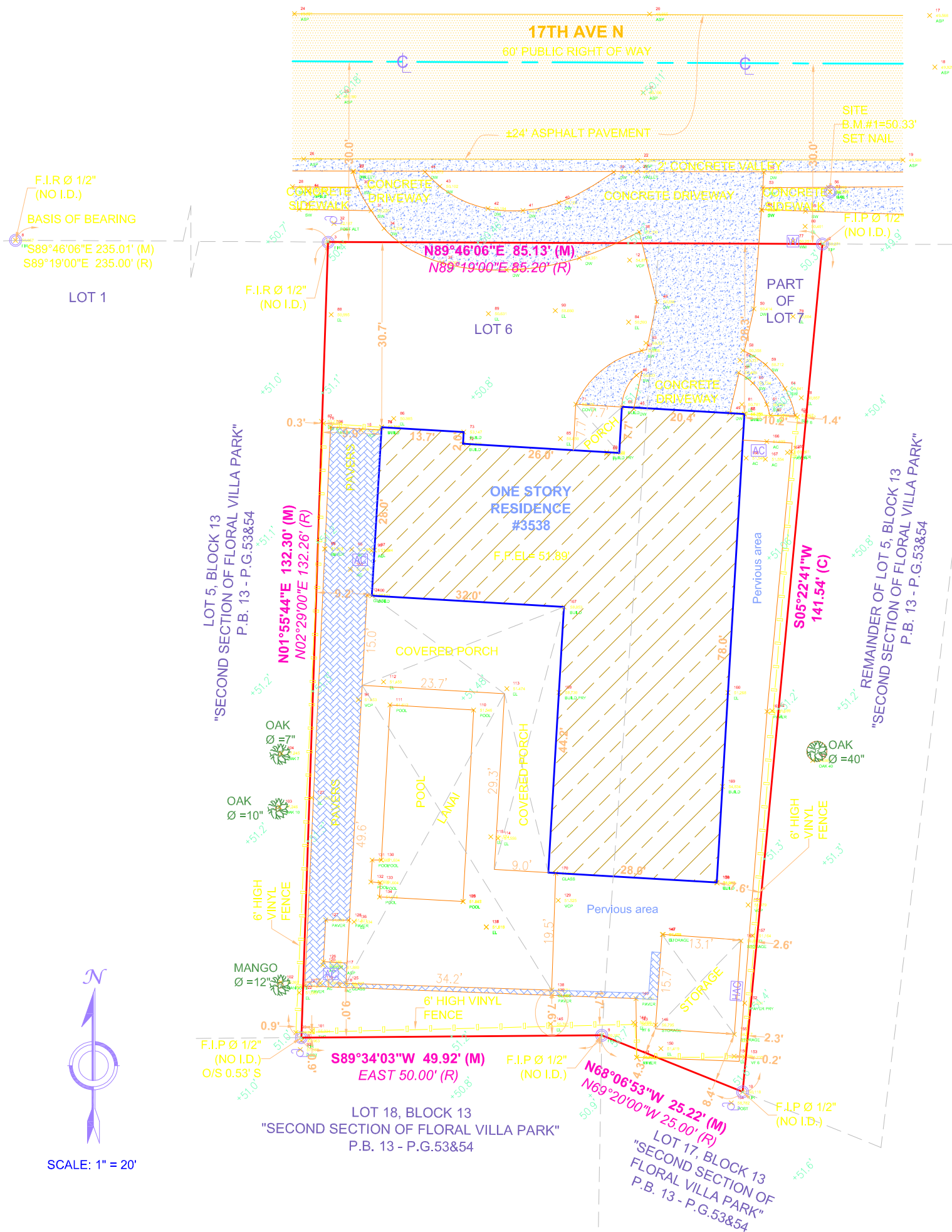


SCALE: 1" = 20'

<p><b>GPS</b> GLOBAL PROJECTS SURVEYING</p>	PROFESSIONAL SURVEYOR AND MAPPER PHONE: (813) 423-3483 FAX: (813) 398-0111 www.gpsflorida.net	ORIGINAL FIELD DATE: 04/21/2022 REVISIONS:	JOB NO. 22-4834  DRAWN VJZ	SHEET 1/1

# BOUNDARY AND TOPOGRAPHIC SURVEY

SECTION 15, TOWNSHIP 31S, RANGE 16E. PINELLAS COUNTY



## VARIANCE REQUEST

1. Reduce the required rear yard setback, from 10-foot to 7.6-foot (Variance of 2.4 feet) to the Pool enclosure with glass walls.
2. Reduce the required side yard setback, from 6-foot to 2.3-foot (Variance of 3.7 feet) to the existing storage.
3. Reduce the required rear yard setback, from 10-foot to 4.3-foot (Variance of 5.7 feet) to the existing storage.

## ABBREVIATIONS

- BC=BLOCK CORNER
- (C)=CALCULATED
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- S.I.R. = SET IRON ROD
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- F/C = FENCE CORNER
- B.M. = BENCHMARK

## PROPERTY ADDRESS:

**3538 17TH AVE N,  
ST PETERSBURG, FL 33713**  
( FOLIO NO. 15-31-16-28224-013-0060 )

## DESCRIPTION:

LOT 6 AND THE WEST 1/2 OF LOT 7, BLOCK 13, "SECOND SECTION OF FLORAL VILLA PARK", ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 13, PAGE(S) 53 AND 54, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

## FLOOD ZONE INFORMATION:

COMMUNITY: CITY OF ST. PETERSBURG - 125148  
MAP/PANEL NO. 12103C0216G  
SUFFIX: G  
FIRM DATE: 09/03/2003  
FLOOD ZONE: X

## CERTIFY TO:

**RU PROJECT MANAGEMENT GROUP, LLC  
POMPA, OSMANI**

## LEGEND

- ⊙ CENTER LINE
- ⊙ PROPERTY CORNER
- ⊔ PROPERTY LINE
- ✱ PALM & TRUNK TREE
- ⊙ UTILITY POLE
- ⊔ METER (WATER)
- ⊔ A/C UNIT
- ⊔ A/C ON BRACKETS UNIT

IMPERVIOUS AREAS AND LOT		
LOT AREA	Sq.Ft	%
LOT AREA	10,417.14	100
IMPERVIOUS AREAS		
- Concrete Drive Way	678.89 Sq.Ft	
- Pavers	702.33 Sq.Ft	
- Front Porch	58.78 Sq.Ft	
- Principal Building	2,990.29 Sq.Ft	
- Covered Porch	753.42 Sq.Ft	
- Pool	450.36 Sq.Ft	
- Pool's Lanai	919.05 Sq.Ft	
- Rear Storage	206.57 Sq.Ft	
Total Impervious Area(Existing)	6,759.69	
<b>TOTAL IMPERVIOUS AREAS</b>	<b>6,760</b>	<b>64.9%</b>
<b>TOTAL PERVIOUS AREAS</b>	<b>3,657.45</b>	<b>35.1%</b>

**Total area of Pool Enclosure and Covered porch 2,122.83 Sq.Ft**

- Existing Pavers	1,814.82 Sq.Ft	See Sheet SP-2
- Pavers area to remove	1,112.49 Sq.Ft	
- Total pavers to remain	702.33 Sq.Ft	

THIS SHEET IS NOT A CERTIFIED SURVEY. IT CAN NOT BE USED IN FUTURE PERMITS AS REFERENCE. THE INFORMATION HERE IS ONLY FOR THIS PERMIT. IF ADDITIONAL INFORMATION IS NEEDED PLEASE CALL BY: **Julio Rodriguez** (813) 453-3463 SURVEY JOB # 22-4654 DATED 06/05/2022 16:15:28

**Residence Variance - SITE PLAN**  
Owner: **Osmani Pompa**  
3538 17th Ave N, St Petersburg, FL  
PIN 15-31-16-28224-013-0060

**Project Management Group**  
Land Development & Building Permitting Services  
Architectural Plans Drafting  
P.O. BOX: 26777 • PHONE: (813) 919-7802  
TAMPA, FL 33623 • FAX: (813) 408-5800

PLAN REVISIONS	
REV. #	DATE

**TITLE SHEET**  
**SITE PLAN variance**

**DRAWN BY:**  
RU P.M. GROUP  
(813) 919-7802

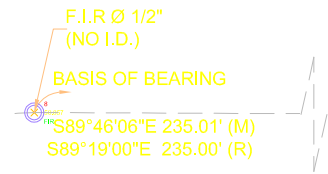
**JOB No.**  
RU(VZ)-2203  
DATE: May, 6, 22

**SHEET No.**  
**SP-1**  
of 2

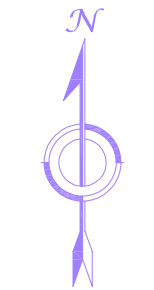
**PLOTTED ON:**  
May 6, 2022

SCALE: 1" = 20'

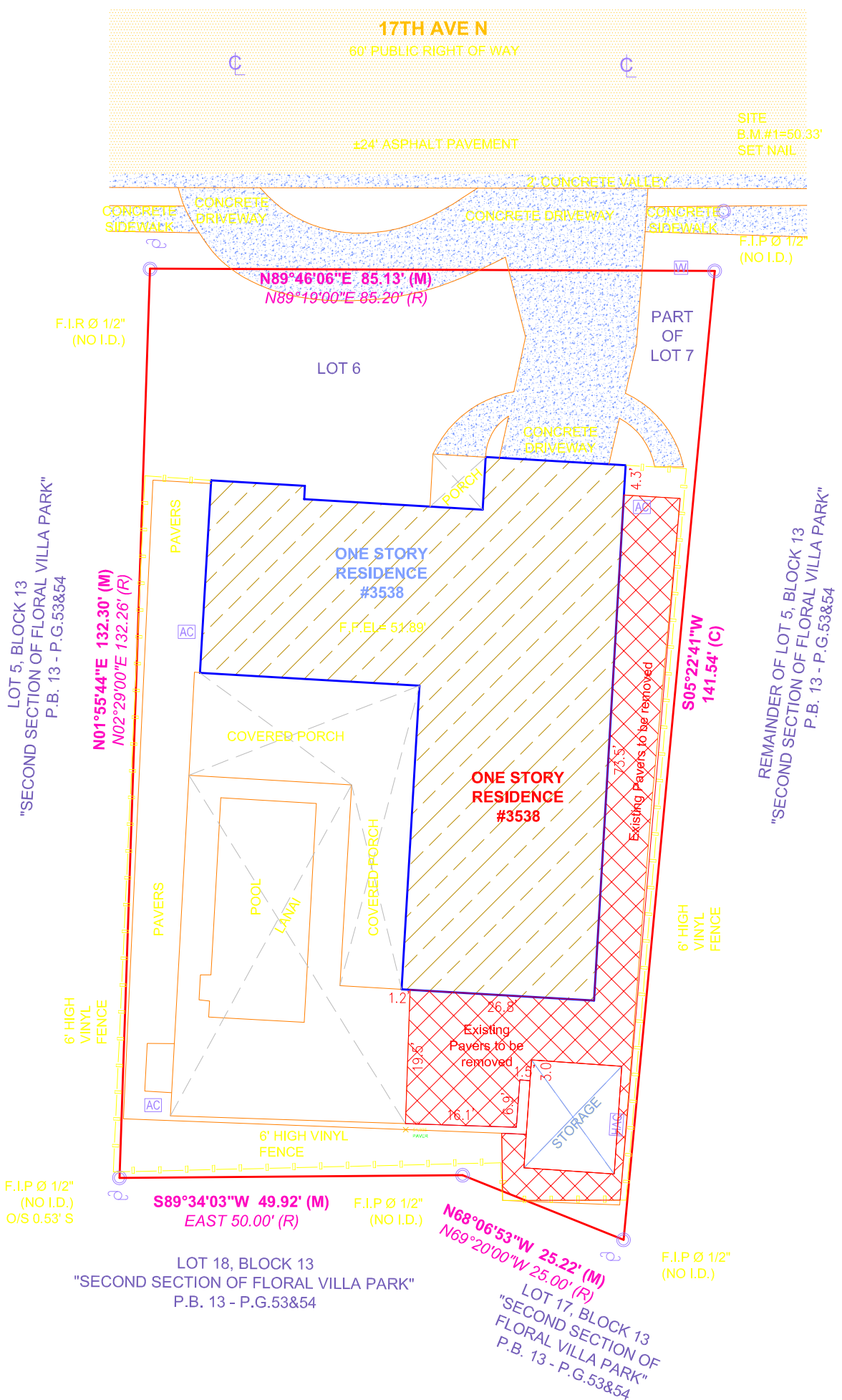




LOT 1



SCALE: 1" = 20'



IMPERVIOUS AREAS AND LOT		
	Sq.Ft	%
<b>LOT AREA</b>	<b>10,417.14</b>	<b>100</b>
<b>IMPERVIOUS AREAS</b>		
· Concrete Drive Way	678.89 Sq.Ft	
· Pavers	702.33 Sq.Ft	
· Front Porch	58.78 Sq.Ft	
· Principal Building	2,990.29 Sq.Ft	
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· Pool	450.36 Sq.Ft	
· Pool's Lanai	919.05 Sq.Ft	
· Rear Storage	206.57 Sq.Ft	
<b>Total Impervios Area(Existing)</b>	<b>6,759.69</b>	
<b>TOTAL IMPERVIOUS AREAS</b>	<b>6,760</b>	<b>64.9%</b>
<b>TOTAL PERVIOUS AREAS</b>	<b>3,657.45</b>	<b>35.1%</b>
<b>Total area of Pool Enclosure and Covered porch</b> <b>2,122.83 Sq.Ft</b>		

· Existing Pavers	1,814.82 Sq.Ft	See Sheet SP-2
· Pavers area to remove	1,112.49 Sq.Ft	
· Total pavers to remain	702.33 Sq.Ft	

THIS SHEET IS NOT A CERTIFIED SURVEY. IT CAN NOT BE USED IN FUTURE PERMITS AS REFERENCE. THE INFORMATION HERE IS ONLY FOR THIS PERMIT. THE INFORMATION WAS TAKEN FROM THE FILE SUBMITTED BY: **Julio Rodriguez** (813) 433-3483. IF ADDITIONAL INFORMATION IS NEEDED PLEASE CALL SURVEY JOB # 22-4854. DATED: 06/05/2022 10:15:28

**Residence Variance - SITE PLAN**  
 Owner: **Osmani Pompa**  
 3538 17th Ave N, St Petersburg, FL  
 PIN 15-31-16-28224-013-0060

**Project Management Group**  
 Land Development & Building Permitting Services  
 P.O. BOX: 26777 • PHONE: (813) 919-7802  
 TAMPA, FL 33623 • FAX: (813) 408-5800

**PLAN REVISIONS**

REV. #	DATE

**TITLE SHEET**  
**SITE PLAN variance**

**DRAWN BY:**  
 RU P.M. GROUP  
 (813) 919-7802

**JOB No.**  
 RU(VZ)-2203  
 DATE: May, 6, 22

**SHEET No.**  
**SP-2**  
 of 2

**PLOTTED ON:**  
 May 6, 2022

















# 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	
<b>NAME of APPLICANT (Property Owner):</b> Osmani Pompa	
Street Address: 3538 17th Ave N	
City, State, Zip: St Petersburg , FL 33713	
Telephone No: 813-220-5783	Email Address: pompa@marblegraniteoasis.com
<b>NAME of AGENT or REPRESENTATIVE:</b> RU Project Management Group, LLC * Ruth Londono	
Street Address: 1502 W Busch Blvd, Suite D	
City, State, Zip: Tampa, FL 33612	
Telephone No: 813-919-7802	Email Address: ruth@rupmg.com
<b>PROPERTY INFORMATION:</b>	
Street Address or General Location: 3538 17th Ave N	
Parcel ID#(s): 15-31-16-28224-013-0060	
<b>DESCRIPTION OF REQUEST:</b> Variance Setback Reduction	
<b>PRE-APPLICATION DATE:</b> 02/04/2022 <b>PLANNER:</b> Shervon A. Chambliss	

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\*) *Ruth Londono* Date: March 20, 2022  
 \*Affidavit to Authorize Agent required, if signed by Agent.  
 Typed Name of Signatory: Ruth P Londono



**VARIANCE APPLICATION  
To Lot Development Standards**

May 5, 2022

**Location:** 3538 17th Ave N. St Petersburg, FL 33713  
**Size of property:** 10,417 Sq. Ft +/- 0.24 Acre  
**Pin #:** 15-31-16-28224-013-0060  
**Zoning District** NT-1  
**Lot width** 85.13' (M) 85.20' (R) Per Survey  
**Building Height** 13'-5"

**APPLICANT NARRATIVE**

**DESCRIPTION OF PROJECT AND VARIANCE REQUEST:**

The irregular shaped lot (subject property) is located within the NT-1 zoning district and is identified by PIN 15-31-16-28224-013-0060 Platted subdivision of FLORAL VILLA PARK 2ND SEC BLK 13, LOT 6 & W 1/2 OF LOT 7. More generally, the site is located at 3538 17th Ave N

The site is located north of 13<sup>th</sup> Ave N., south of 22<sup>nd</sup> Ave N, east of 40<sup>th</sup> St N. and west of 34<sup>th</sup> St N –US-19

The dwelling was built on 1973 according to the Pinellas County Property Appraiser information. The current owner purchased this property on September 8, 2017 and occupied the property since he bought it. At that time the swimming pool and the screen enclosure were there.

The owner renovated the existing pool enclosure structure removing the screen and rebuilding it with glass walls. He did it as solution of his wife's pollen allergies symptoms due to exposes to tree, grass, and weed pollen. The owner started the renovation without a permit and received a NOV (Notice of Violation) on January 2021. The Code enforcement case No 20-00030510 date reported 12/29/2020

The current Survey depicts Lot 85.13' (M) 85.20' (R) feet in width

**Required Building Setbacks - NT-1 Zoning - The Primary Building Height Up to 18 ft is applicable**

Front yard (Building) 25 ft. or M  
Interior side yard 6 ft. or M (For lots greater than 60 ft. in width)  
Rear yard, no alley 10 ft. or M

The impervious surface ratio (ISR) that must to compliance with the NT-1 zoning district is 65% limit

A Variance is requested from

**16.20.010.6 – Building envelope. Maximum height and minimum setbacks**

- 1. Reduce the required rear yard setback, from 10-foot to 7.6-foot (Variance of 2.4 feet) to the Pool enclosure with glass walls.**

2. **Reduce the required side yard setback, from 6-foot to 2.3-foot** (Variance of 3.7 feet) to the existing storage.
3. **Reduce the required rear yard setback, from 10-foot to 4.3-foot** (Variance of 5.7 feet) to the existing storage.

Variance Request	Code Requirement	Result	Code Section
2.4 ft. reduction to the required rear yard for existing Pool enclosure and covered porch with glass walls and pool deck	10.0 ft.	7.6 Ft	<b>16.20.010.6</b>
3.7 ft. reduction to the required side yard for existing Storage	6.0 ft.	2.3 Ft	<b>16.20.010.6</b>
5.7 ft. reduction to the required rear yard for existing Storage	10.0 ft.	4.3 Ft	<b>16.20.010.6</b>

Approval of the request will allow:

1. The existing approximately 2,123 square-foot Pool enclosure and covered porch with glass walls as well the pool lanai inside the required rear yard area to remain as located.
2. Keep in the same location the existing storage.

Owner will apply for the after-the-fact building permit.

**VARIANCE CRITERIA RESPONSE**

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

The property is approximately 0.24 acre. The irregular shaped lot non rectangular and jet out at Southeast corner, is relatively rare and make this lot unique in Traditional Neighborhoods (NT). Lots in NT are narrow. NT-1 zoning district typical width range between 45 and 60 feet width, this lot exceeds the range. Per survey the lot is 85.13' (M) 85.20' (R) feet in width at North (facing the avenue)

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.**



It could be that other properties in the area have developed in the same way. But we do not have that information to provide addresses. The variance is to remain in place the pool enclosure with glass walls (often call as Glass Curtain Walls)

It is allowable per code in residential district to have storage. There are others properties that have storages.

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

The original platted create an irregular lot. The owner began renovation of the existing pool enclosure with glass walls without the required building permits. If the variance is approved the owner will be continue with the after the fact building permit process in order obtain the approvals.

The storage was there when owner got the property

**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?**

The variance rear setback reduction is the minimum necessary to allow the existing Pool enclosure with glass walls and storage continue on the same location and met the owner needs as well with the land development code requirements. Allowing the variance will result in substantial justice. The renovation of the existing structure requirements will not be jeopardized with the variance approval. Impacts associated with the request are minimal considering the character of the site the general area and it will enhance the character of the neighborhood.

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

The glass wall structure are typically weather sealed using silicone and silicone gaskets. Supported glazing was developed to integrate directly to steel structural framing. Removing just a single panel enforce to remove the complete structure.

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

Granting of the variance will be in harmony with the general purpose and intent of the land development code and won't be injurious to the neighborhood; in the other hand the pool enclosure with glass wall and the storage will enhanced the character of the neighborhood.

**Approval this variance will allow the existing structure to remain in place.**

7/25





# Pre-Application Meeting Notes

Meeting Date: 02/04/2022 Zoning District: NT-1

Address/Location: 3538 17th Avenue North

Request: Approval of an after-the-fact variance to the rear yard setback from 10-feet to 7.5-feet to allow a glass walled pool enclosure to remain.

Type of Application: Vatiance Staff Planner for Pre-App: SAC

Attendees: Ruth Londono

Neighborhood and Business Associations within 300 feet:

Assoc.	Contact Name:	Email:	Phone:
DISSTON HEIGHTS CIVIC ASSN	Pam Huff	pehuff@yahoo.com AND dhcastpete@gmail.com	813-727-0995

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

Notes: Code Enforcement Citation 20-00030510 was issued to the subject property for construction of a pool enclosure with glass walls. A boundary survey of the property post-pool and deck construction was reviewed and indicated that the leading edge of the deck where the presumed rear wall is located, sits approximately 7.5-feet from the rear property line where a 10-foot rear yard setback is required. Permit history records for the property show no permits for the issuance or in progress permits for the pool or enclosure. Staff indicated that the request or requests would likely not be supported if an application is filed. Staff noted that an as built survey would be required with submission along with an impervious surface ratio calculation to review compliance with the NT-1 zoning district's 65% ISR limit. 10 day notices of intent to file would be required prior to submission and appointment is needed for a physical submission. A digital copy of the application will also be required. Other application materials required as presented by variance over page.



# AFFIDAVIT TO AUTHORIZE AGENT

I am (we are) the owner(s) and record title holder(s) of the property noted herein

Property Owner's Name: Osmani Pompa

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

Property Address: 3538 17th Ave N. St Petersburg

Parcel ID No.: 15-31-16-28224-013-0060

Request: Setback Reduction

The undersigned has(have) appointed and does(do) appoint the following agent(s) to execute any application(s) or other documentation necessary to effectuate such application(s)

Agent's Name(s): RU Project Management Group, LLC

This affidavit has been executed to induce the City of St. Petersburg, Florida, to consider and act on the above described property

I(we), the undersigned authority, hereby certify that the foregoing is true and correct.

Signature (owner): [Signature] OSMANI POMPA  
Printed Name

Sworn to and subscribed on this date

Identification or personally known: OSMANI POMPA

Notary Signature: [Signature] Date: 2/4/22

Commission Expiration (Stamp or date): 12/2/22



IDALMIS S RODRIGUEZ  
Notary Public - State of Florida  
COMM. EXP. DECEMBER 2, 2022  
Commission # GG 281166





# 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:** 3538 17th Ave N, St Petersburg, FL 33713

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

Door to door visits on April 26, 2022

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

NONE

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

NONE

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

Explained the variance request and shown Survey, no issues, nor problems during the process

MAY



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U.S. POSTAGE P  
TAMPA, FL  
33618  
MAY 07 22  
AMOUNT

**\$1.65**  
R2304E106899

## 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](mailto:variance@stpetecona.org)), by standard mail to Federation of Inner-City Community Organizations (FICO) (c/o Kimberly Frazier-Leggett at 3301 24<sup>th</sup> 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: MAY 7<sup>th</sup>, 2022

Attach the evidence of the required notices to this sheet such as Sent emails.

10/25



**UNITED STATES  
POSTAL SERVICE**

**Certificate Of  
Mailing**

To pay fee, affix stamps or  
meter postage here.

This Certificate of Mailing provides evidence that mail has been presented to USPS® for mailing.  
This form may be used for domestic and international mail.

From: RU Project Management Group,  
1502 W Busch Blvd.  
Suite D  
Tampa, FL 33612

MAY - 7 2022

To: Kimberly Frazier - Leggett  
3301 24th Ave S.  
St Pete, FL 33712

Postmark Here

PS Form 3817, April 2007 PSN 7530-02-000-9065



CARROLLWOOD  
12651 N DALE MABRY HWY  
TAMPA, FL 33618-9998  
(800)275-8777

05/07/2022 01:04 PM

Product	Qty	Unit Price	Price
---------	-----	------------	-------

First-Class Mail® Large Envelope	1		\$1.96
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Saint Petersburg, FL 33712  
Weight: 0 lb 4.30 oz  
Estimated Delivery Date  
Mon 05/09/2022

CTOM - Individual - Domestic	1		\$1.65
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Grand Total: \$3.61

Debit Card Remitted \$3.61

Card Name: MasterCard  
Account #: XXXXXXXXXXXX  
Approval #: 747237  
Transaction #: 253  
Receipt #: 071102  
Debit Card Purchase: \$3.61  
AID: A0000000042203 Chip  
AL: DEBIT  
PIN: verified DEBIT





Ruth Londono <ruth@rupmg.com>

## Variance Application + Public Participation for 3538 17th Ave North

1 message

Ruth Londono <ruth@rupmg.com>

Mon, Apr 25, 2022 at 6:02 PM

To: [pehuff@yahoo.com](mailto:pehuff@yahoo.com)

Cc: "Shervon A. Chambliss" <[shervon.chambliss@stpete.org](mailto:shervon.chambliss@stpete.org)>

Ref  
3538 17th Ave North  
St Petersburg, FL 33713  
Variance application To DISSTON HEIGHTS CIVIC ASSN  
Contact Name Pam Huff

As requested by St Petersburg we have to contact the applicable Neighborhood Association's president  
We had an application meeting on Feb 4th, 2022 with Shervon A Chambliss copy in this email.

Our company is the agent representing Osmani Pompa the owner in order to request a variance to setback for the pool enclosure with glass walls.

The filling date of the application will be before May 8th, 2022  
Contacting you today meet the 10-days prior to filling the application.  
For additional information you can contact me at 813-919-7802. Ruth

Sincerely,

Ruth Londono  
RU Project Management Group, LLC  
email: [ruth@rupmg.com](mailto:ruth@rupmg.com)  
Working Hours Monday thru Friday from 9:00 A.M to 5:00 P.M

"Working Together WE do Successful Projects"

RU Project Management Group, LLC  
CI-21048-04



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12/25



Ruth Londono <ruth@rupmg.com>

## Variance Application + Public Participation for 3538 17th Ave North

Ruth Londono <ruth@rupmg.com>

Fri, May 6, 2022 at 10:07 PM

To: Pamela Huff <pehuff@yahoo.com>, variance@stpetecona.org

Cc: scot.bolyard@stpete.org, "Shervon A. Chambliss" <shervon.chambliss@stpete.org>, RUPMG -Ruth- <ruth@rupmg.com>

Ref

3538 17th Ave North

St Petersburg, FL 33713

Variance applicationTo

DISSTON HEIGHTS CIVIC ASSN Contact Names Pam Huff

Council of Neighborhood Associations (CONA) (c/o Tom Lally)

As requested by St Petersburg we have to contact the applicable Neighborhood Association's president and Council of Neighborhood Associations

We had an application meeting on Feb 4th, 2022 with Shervon A Chambliss' copy in this email.

Our company is the agent representing Osmani Pompa, the owner, in order to request a variance to setback for the pool enclosure with glass walls and existing storage located on the rear yard

Contacting you today to meet the 10-days prior to filling the application.

Please find attached the complete application, survey, site plan and some photographs

13/25





14/25





For additional information you can contact me at 813-919-7802. Ruth

Sincerely,

Ruth Londono  
 RU Project Management Group, LLC  
 email: [ruth@rupmg.com](mailto:ruth@rupmg.com)  
 Working Hours Monday thru Friday from 9:00 A.M to 5:00 P.M

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 CI-21048-04



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[Quoted text hidden]

**3 attachments**

 **3538 17th ave- Variance App-V3.pdf**  
 13119K

 **3538 17th Ave N - SP.pdf**

15/25







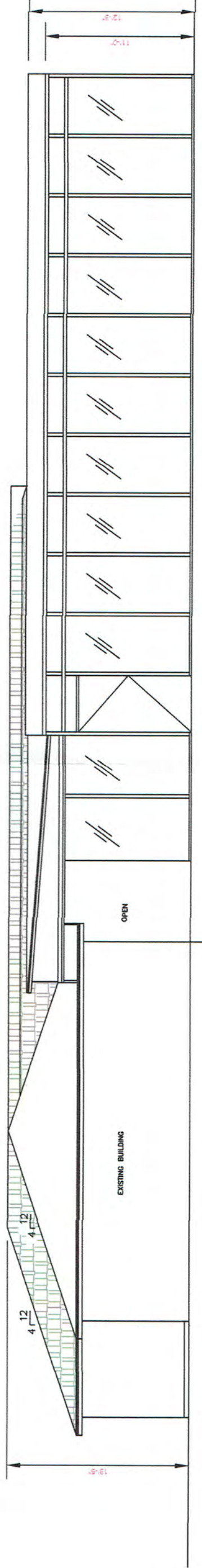
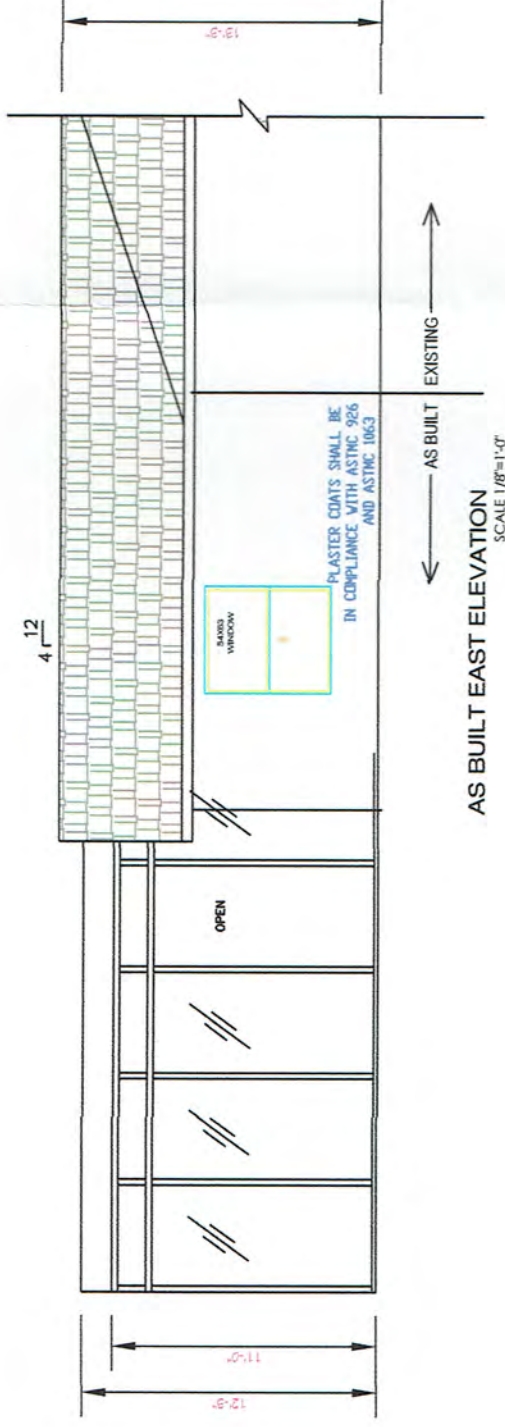
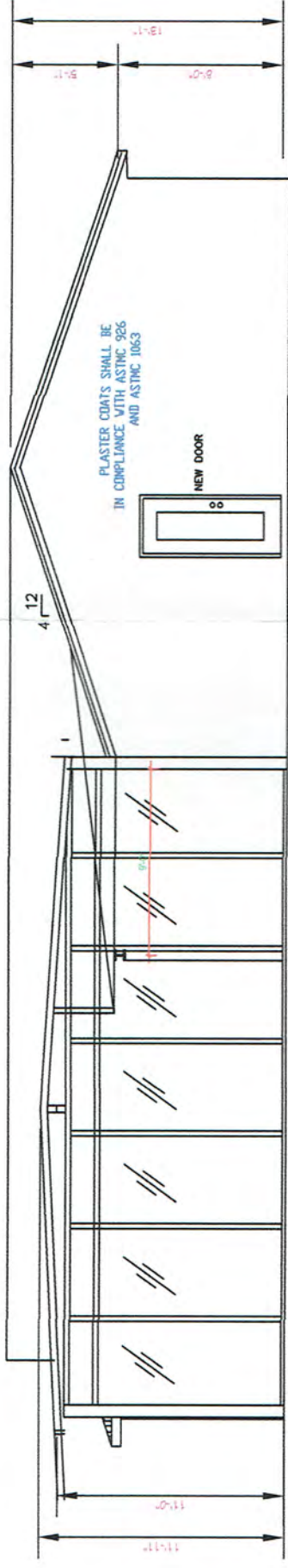
THESE CONSTRUCTION DOCUMENTS HAVE BEEN PROVIDED BY CAYONDESIGNS DRAFTING TO RU PROJECT MANAGEMENT GROUP, LLC FOR THE USE AS SUPPORTED VARIANCE APPLICATION DOCUMENTS ONLY

Owner: Osmani Pompa  
 3538 17th ave N.  
 ST. PETERSBURG, FL.

VARIANCE REQUEST  
 BY  
 RU PROJECT MANAGEMENT  
 GROUP, LLC  
 Phone 813-919-7802

SHEET TITLE  
 ELEVATIONS  
 CAYONDESIGN JOB No  
 177-21  
 DATE: 5.28.2021

SHEET No.  
**2**  
 OF 2



AS BUILT WEST ELEVATION  
 SCALE 1/8"=1'-0"

90-1/25





# Tax Parcel Viewer

## Create Property Map

Tax Parcel Id: 15-31-16-28224-013-0060

Select Layout:

Landscape

Set Map Title:

3538 17th Ave N

Download

Cancel



Neighborhood Worksheet

See signatures  
on sheets NW1  
and NW2





# 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: 3538 17th Ave North	Case No.:
Description of Request: Rear Setback reduction	
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: 3518 17 Ave. No. St. Pete, Fla 33713	
Owner Name (print): Joyce + Ed Cenedella	
Owner Signature: JOYCE + ED CENEDELLA	
2. Affected Property Address:	
Owner Name (print):	
Owner Signature:	
3. Affected Property Address: 2601 16TH AVE N ST. PETE FL 33713	
Owner Name (print): Babu PATEL	
Owner Signature: Babu Patel	
4. Affected Property Address: 1619 16TH AVE N ST. PETE FL 33713	
Owner Name (print): Babu PATEL	
Owner Signature: Babu Patel	
5. Affected Property Address: 3600 16th Ave N St Petersburg FL 33713	
Owner Name (print): Rebecca Marquez-Soto	
Owner Signature: Rebecca Marquez-Soto	
6. Affected Property Address: 3519 16AVE NORTH	
Owner Name (print): Jorge R. Cerdova	
Owner Signature: Jorge R. Cerdova	
7. Affected Property Address:	
Owner Name (print):	
Owner Signature:	
8. Affected Property Address:	
Owner Name (print):	
Owner Signature:	

CONTINUE  
SEE MORE SIGNATURES  
ON SHEET # NW 2

Sheet NW1 of 2





# 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: 3538 17th Ave N	Case No.:
Description of Request: Rear Setback reduction	
The undersigned adjacent property owners understand the nature of the applicant's request and do not object (attach additional sheets if necessary):	
9. Affected Property Address: 3600 17 Ave N St. Pete, 33713	
Owner Name (print): HOAI LAM	
Owner Signature: <i>[Signature]</i>	
10. Affected Property Address: Noel Cline 3610 - 17 ave n. St. Pete 33713	
Owner Name (print): NOEL CLINE	
Owner Signature: <i>[Signature]</i>	
11. Affected Property Address: 3746 - 16 Ave N. St. Pete 33713	
Owner Name (print): Juan C. Marquez Soto	
Owner Signature: <i>[Signature]</i>	
12. Affected Property Address:	
Owner Name (print):	
Owner Signature:	
13. Affected Property Address:	
Owner Name (print):	
Owner Signature:	
14. Affected Property Address:	
Owner Name (print):	
Owner Signature:	
15. Affected Property Address:	
Owner Name (print):	
Owner Signature:	
16. Affected Property Address:	
Owner Name (print):	
Owner Signature:	

Sheet # NW 2 of 2