



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 & Development Services Department records, no Commission member or his or her spouse has a direct or indirect ownership interest in real property located within 1,000 linear feet of real property contained with the application (measured in 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, November 2, 2022 at 1:00 P.M.** at Council Chambers, City Hall, located at 175 5th Street North, St. Petersburg, Florida.

CASE NO.: 22-54000054 PLAT SHEET: R-18

REQUEST: Approval of an after-the-fact variance to the front yard impervious surface ratio to allow artificial turf in the front yard to remain.

OWNER: Edgar & Karen Oliver
7326 34th Avenue North
St. Petersburg, FL 33710

ADDRESS: 7326 34th Avenue North

PARCEL ID NO.: 06-31-16-92862-099-0050

LEGAL DESCRIPTION: TYRONE BLK 99, LOT 5 SEE N07 MAP

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

Structure	Required	Requested	Variance	Magnitude
Front Yard ISR	45%	78.75%	33.75%	75%

BACKGROUND: The subject property consists of one platted lot (TYRONE BLK 99, LOT 5 SEE N07 MAP) and is located on southside of 34th Ave. N between 74th St N and 73rd St N within the

boundaries of the Jungle Terrace Civic Association. The property has a lot width of 45-feet and a lot depth of 130-feet with approximately 5,850 square feet of lot area. According to the survey there is a 10-foot-wide alley to the southside and westside of the property. This is an after-the-fact variance as the artificial turf was already installed and cited by codes. The artificial turf covers the entire front yard to the west of the driveway excluding a mulched landscape bed around the existing oak tree measuring approximately 13-feet by 15-feet. The turf extends to the street as well as the platted 10-foot alley that runs along the westside of the property.

REQUEST: The applicant is requesting approval of an after-the-fact variance to the front yard impervious surface ratio to allow artificial turf to remain in the front yard. City Code Section 16.40.060.2.1.2. - Additional requirements for new and existing one- and two-unit residential properties, "Required front yards and required side yards abutting streets shall be maintained as permeable landscaped vegetative green space with the exception of driveways, walks, patios and similar paved areas and non-organic mulch areas, which areas combined shall not exceed 25 percent of the required yard area for corner lots and 45 percent of the required yard area for inside lots"; "*Ground cover, private property.* Permeable portions of private property including required yards shall be maintained with an herbaceous layer of sod or ground cover plant material"; "*Ground cover, rights-of-way.* Permeable portions within the adjoining rights-of-way shall be maintained in accordance with an approved streetscape plan or, where an approved streetscape plan does not exist, with an herbaceous layer of sod or ground cover plant material".

The applicant is requesting to keep the artificial turf in the front yard which encroaches to both the street and the 10-foot-wide platted alley to the westside of the property. The turf extends from the back edge of the street curb to the house, approximately 31.49-feet (per survey) and approximately 8.13-feet into the alley. The proposed front yard impervious surface ratio is 78.75% where a maximum of 45% is allowed. Per the survey it appears that with the artificial turf does not comply with the maximum overall impervious surface ratio of 60%. The existing overall site impervious surface is approximately 65% (3,806 square feet). The overall site would need to reduce the impervious surface by approximately 296 square feet to be in compliance.

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 contains an existing one-story single-family residence. The request does not include any redevelopment of the site.

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 substandard in lot width but meets the minimum lot area requirements for properties zoned NS-1; Neighborhood Suburban, Single Family. The NS-1 zoning district requires a minimum lot width of 75 feet and a minimum lot area of 5,800 square feet. The subject property is 45 feet wide and 130 feet deep containing approximately 5,850 square feet.

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

The site is not located within a designated historic district.

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

The site does not contain historical significance.

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

The site contains a large laurel oak in the front yard.

- 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 promote any established historic or traditional development within the block face. No other properties on the block face have artificial turf in their front yards with the exception of the neighbor directly to the northwest of the subject property which has a small patch of artificial turf next to their driveway.

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

This criterion is not applicable.

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

The special conditions existing that require the variance are a direct result of the actions of the applicant. The applicant installed artificial turf in their front yard including the public right-of-way and alley without approval from the city.

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

A literal enforcement of the Code would not result in an unnecessary hardship to the applicant. Enforcement of the City Code would require the applicant to replace the artificial turf with an herbaceous layer of sod or ground cover plant material which previously existed. The applicant has the option to relocate the artificial turf to another area of their property if they are able to comply with the maximum overall site impervious surface ratio of 60%. Based on calculations taken from the survey, it appears that they exceed the overall site impervious surface.

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;*

Strict application of the Code would still allow the applicant to utilize artificial turf on their property, providing they comply with the maximum impervious surface requirements for the zoning district.

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

The applicant has the ability to make reasonable use of the land in conformance with Code requirements that does not require the installation of artificial turf.

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

The variance requested is not in harmony with the general purpose and intent of the City Code. The intent of having the maximum impervious surface requirement is to improve the appearance, environment, character and value of the City by requiring the installation of vegetation in a manner which conserves and percolates water. Implementation of these requirements reduces stormwater runoff, 'heat island' effects, and ultimately improves environmental and water quality while providing a more pedestrian friendly environment that enhances the overall aesthetic appearance of the City, thereby promoting the public health, safety and general welfare.

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

The granting of the requested variance may be injurious to neighboring properties or detrimental to the public welfare as the requirements for maximum impervious surfaces are in place to allow natural filtration of rainwater into the ground and if granted the rainwater runoff onto neighboring properties and into public rights-of-way may increase.

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

Staff finds that the reasons set forth in the application do not justify the granting of the variance as alternate options for herbaceous ground cover exists.

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.*

None were considered.

PUBLIC COMMENTS: The subject property is within the boundaries of the Jungle Terrace Civic Association. The applicant submitted a neighborhood worksheet with signatures from six nearby property owners, as well as an email in support from the Jungle Terrace Civic Association. As of the date of this report, staff has received one letter of support and no objections to the request.

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 recommend that the approval shall be subject to the following:

1. The maximum impervious surface on the site shall not exceed 60%, all plans submitted for permitting must show all improvements on site and the Impervious Surface Ratio calculations.
2. All artificial turf in the public rights-of-way must be removed and replaced with an herbaceous layer of sod or ground cover plant material.
3. This variance approval shall be valid through November 2, 2025. Substantial construction shall commence prior to this expiration date. A request for extension must be filed in writing prior to the expiration date.
4. Approval of this variance does not grant or imply other variances from the City Code or other applicable regulations.

ATTACHMENTS: A. Location Map, B. Survey & Site Plan, C. Photographs, D. Application Packet
E. Letter of Support

Report Prepared By:

/s/ Jordan Elmore

10/24/2022

Jordan Elmore, AICP, Planner I
Development Review Services Division
Planning & Development Services Department

Date

Report Approved By:

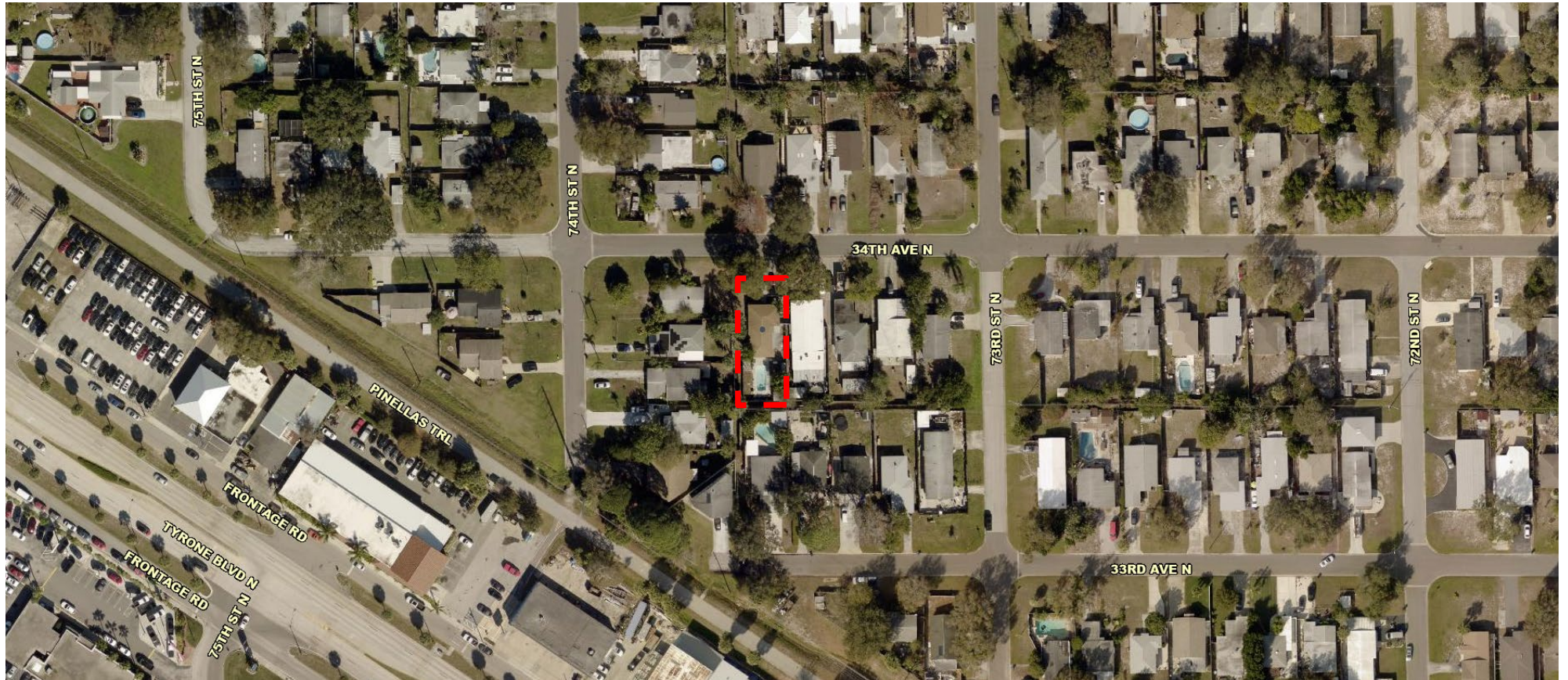
/s/ Corey Malyszka

10/20/2022

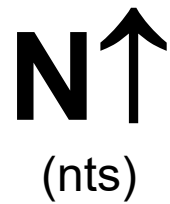
Corey Malyszka, AICP, Zoning Official
Development Review Services Division
Planning & Development Services Department

Date

Attachment A



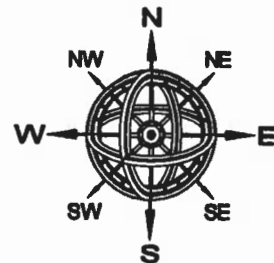
Project Location Map
City of St. Petersburg, Florida
Planning and Development Services Department
Case No.: 22-54000054
Address: 7326 34th Ave. N.



SECTION 7, TOWNSHIP 31 SOUTH, RANGE 16 EAST

CERTIFIED TO:
KAREN A. OLIVER

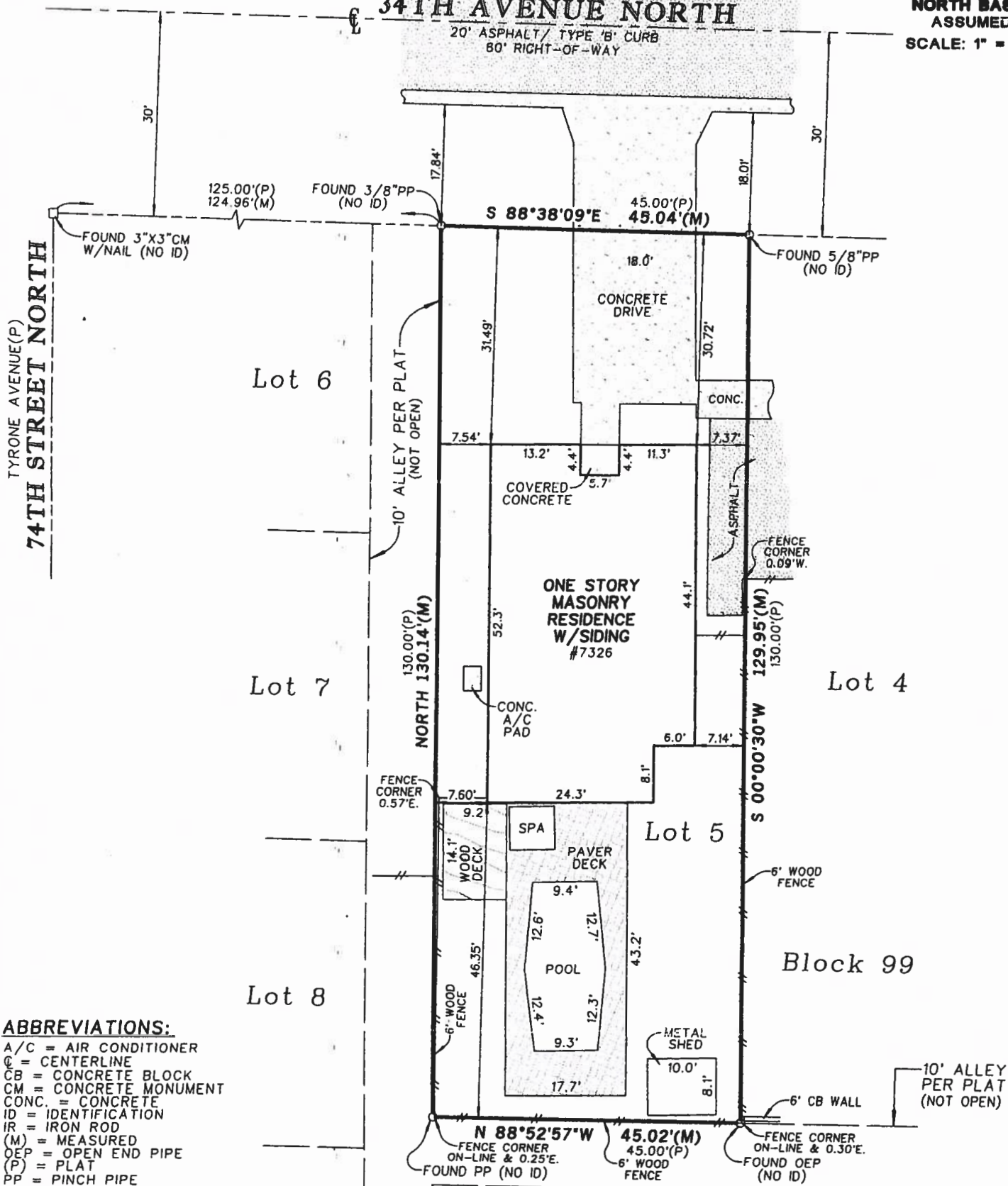
A BOUNDARY SURVEY OF
LOT 5, BLOCK 99, ACCORDING TO THE PLAT OF
PLAT OF TYRONE
AS RECORDED IN PLAT BOOK 5, PAGE 1
OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.
BOUNDARY SURVEY WITH IMPROVEMENTS - 11/15/2000
UPDATE SURVEY - 8/31/12



NORTH BASIS:
ASSUMED
SCALE: 1" = 20'

34TH AVENUE NORTH

20' ASPHALT/ TYPE 'B' CURB
60' RIGHT-OF-WAY



ABBREVIATIONS:

- A/C = AIR CONDITIONER
- CL = CENTERLINE
- CB = CONCRETE BLOCK
- CM = CONCRETE MONUMENT
- CONC. = CONCRETE
- ID = IDENTIFICATION
- IR = IRON ROD
- (M) = MEASURED
- OEP = OPEN END PIPE
- (P) = PLAT
- PP = PINCH PIPE

Flood Zone
FLOOD ZONE X
COMMUNITY PANEL #125148 12103C0211 G,
REVISED 9/03/03

Basis of Bearings:
WEST LINE OF LOT 5, BLOCK 99 AS BEING
NORTH, ASSUMED. (NO PLAT BEARINGS)

NOTE: This survey is made for the
exclusive use of the current owners
of the property and also those who
purchase, mortgage or guarantee the
title thereto within one (1) year from
date hereof.

1208-64.CRD 899 76
FIELD BOOK 429 PAGE(S) 70

This Survey was prepared without the benefit of a title search and is
subject to all easements, rights-of-way, and other matters of record.

NOTE: Survey not valid without the signature and the original
raised seal of a Florida Licensed Surveyor and Mapper.

I hereby certify that the survey represented hereon meets
the requirements of Chapter 5J-17.052, Florida
Administrative Code.

John C. Brendla
JOHN C. BRENDLA
Florida Surveyor's Registration No. 1269
Certificate of Authorization No. 760

Prepared by:
JOHN C. BRENDLA & ASSOCIATES, INC.
CONSULTING ENGINEERS AND LAND SURVEYORS
4015 82nd Avenue North
Pinellas Park, Florida 33781
phone (727) 576-7546 ~ fax (727) 577-9932

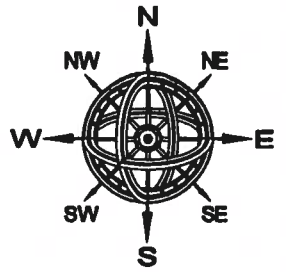
JOB# 1208-64
Drawn: DS

SECTION 7, TOWNSHIP 31 SOUTH, RANGE 18 EAST

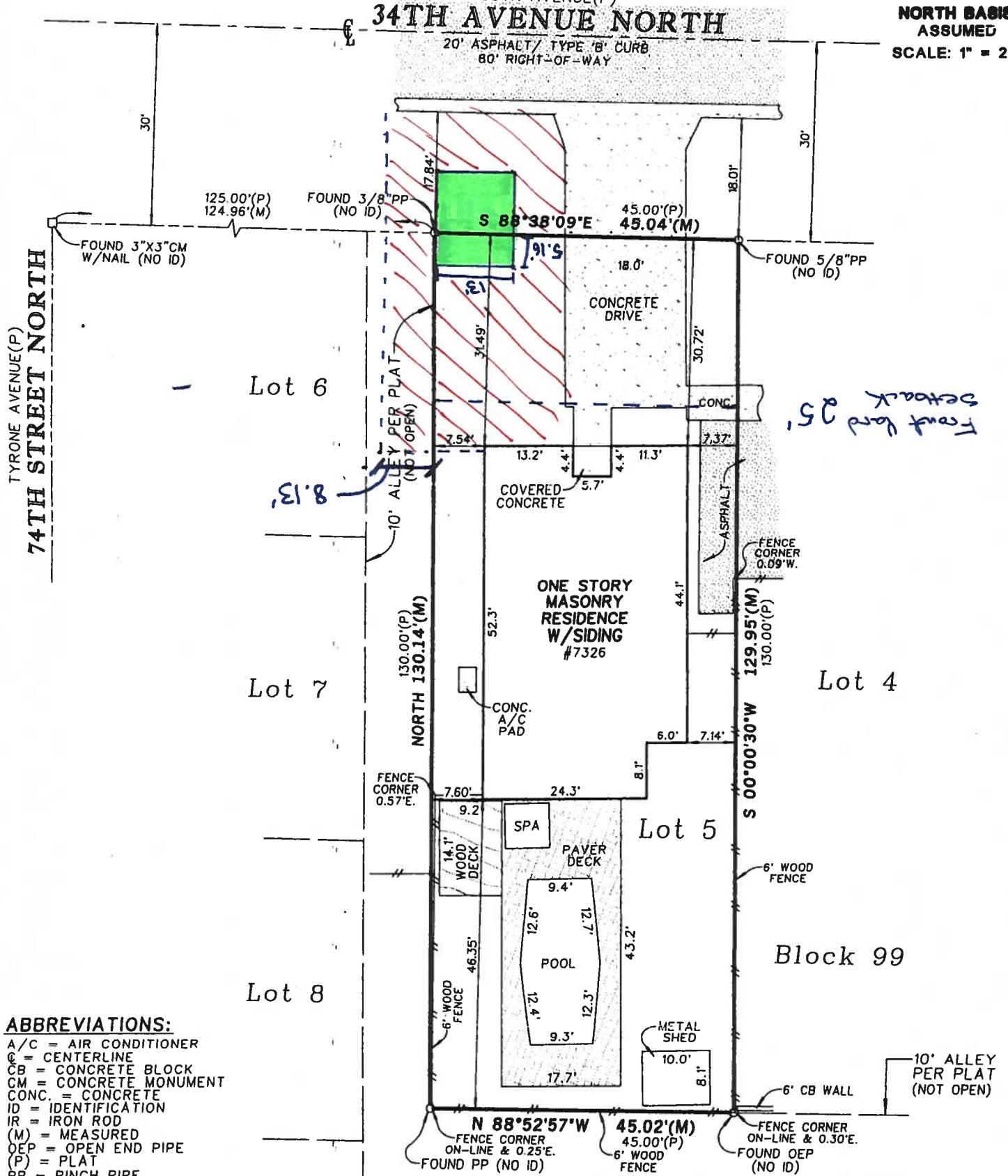
CERTIFIED TO:
KAREN A. OLIVER

A BOUNDARY SURVEY OF
LOT 5, BLOCK 99, ACCORDING TO THE PLAT OF
PLAT OF TYRONE

AS RECORDED IN PLAT BOOK 5, PAGE 1
OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.
BOUNDARY SURVEY WITH IMPROVEMENTS - 11/15/2000
UPDATE SURVEY - 8/31/12
35TH AVENUE(P)



NORTH BASIS:
ASSUMED
SCALE: 1" = 20'



ABBREVIATIONS:

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- CL = CENTERLINE
- CB = CONCRETE BLOCK
- CM = CONCRETE MONUMENT
- CONC. = CONCRETE
- ID = IDENTIFICATION
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COMMUNITY PANEL #125148 12103C0211 G,
REVISED 9/03/03

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Photographs of 7326 34th Avenue North—Subject Property



Photographs of 7326 34th Avenue North—Subject Property



Photographs of 7326 34th Avenue North—Subject Property



Photographs of 7326 34th Avenue North—Subject Property





RECEIVED JUN 21 2022 DEVELOPMENT REVIEW SERVICES

VARIANCE

Application No. 22-5400054

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 Owner): Edgar & Karen Oliver	
Street Address: 7326 34th Ave. N	
City, State, Zip: Saint Petersburg, Florida 33710	
Telephone No: 727-345-0269	Email Address: kaoliver48@yahoo.com
NAME of AGENT or REPRESENTATIVE:	
Street Address:	
City, State, Zip:	
Telephone No:	Email Address:
PROPERTY INFORMATION:	
Street Address or General Location: 7326 34th Ave. N	
Parcel ID#(s):	
DESCRIPTION OF REQUEST: requesting variance for artificial turf that has been installed	
PRE-APPLICATION DATE: 6/3/2022	PLANNER: SKB

FEE SCHEDULE

1 & 2 Unit, Residential - 1 st Variance	\$350.00	Each Additional Variance	\$100.00
3 or more Units & Non-Residential - 1 st Variance	\$350.00	After-the-Fact	<u>\$500.00</u>
		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*: Edgar M Oliver Date: 6-14-22

*Affidavit to Authorize Agent required, if signed by Agent.
Typed Name of Signatory: EDGAR M. OLIVER



Pre-Application Meeting Notes

Meeting Date: 06/03/2022 Zoning District: NS-1

Address/Location: 7326 34th Ave N

Request: After-the-fact Variance to allow artificial turf in front yard

Type of Application: Variance Staff Planner for Pre-App: SKB

Attendees: Karen and Edgar Oliver

Neighborhood and Business Associations within 300 feet:

Assoc.	Contact Name:	Email:	Phone:
JUNGLE TERRACE CIVIC ASSN	Dr. Ed Carlson	Acegang1@aol.com	727-744-9433

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

Notes: Installed artificial turf in front yard and was cited by Codes Compliance.

Codes Case 22-00010438



VARIANCE

NARRATIVE (PAGE 2)

All applications for a variance must provide justification for the requested variance(s) based on the criteria set forth by the City Code. It is recommended that the following responses be typed. Illegible handwritten responses will not be accepted. Responses may be provided as a separate letter, addressing each of the six criteria.

ALL OF THE FOLLOWING CRITERIA MUST BE ANSWERED.

APPLICANT NARRATIVE
<p>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?</p> <p>As above, the artificial turf has made it possible for the yard to look attractive and also made it possible for us as a family to enjoy spending time in the yard. We are no longer embarrassed or ashamed of our home and we have received numerous compliments r/t the yard.</p>
<p>5. What other alternatives have been considered that do not require a variance? Why are these alternatives unacceptable?</p> <p>Over the years, we have tried to grow grass with no success. We are aware in the area, the soil for successfully growing a decent yard is difficult to come by. It involves significant amounts of time, money and the use of water (which there have been water restrictions in this area for many years). The use of artificial turf eliminates all of the above. As I mentioned above, we have lived here for almost 45 years. With the aging process, we are no longer able to care for the yard the way we would like to.</p> <p>The last time Mr. Oliver cut the yard, he passed out from heat exhaustion when it was completed. He is now under the care of a cardiologist, has type 2 diabetes and high blood pressure. He has also been referred to an orthopedic physician due to difficulty in walking distances d/t leg and knee pain. Mrs. Oliver also has high blood pressure and an old back injury as the result of working as a nurse for more than 50 years and also caring for their disabled son.</p>
<p>6. In what ways will granting the requested variance enhance the character of the neighborhood?</p> <p>Since the turf was installed we have had multiple comments about how the appearance of our yard has increased the value of our home. As the turf is permeable, the rain water drains right through and no longer floods the yard or the surrounding area.</p>

VARIANCE

NEIGHBORHOOD WORKSHEET

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

NEIGHBORHOOD WORKSHEET	
Street Address: 7326 34 Ave N	Case No.: 22-00010438
Description of Request: After the fact variance to allow artificial turf in front yard	
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: 7318 34 th AVEN ST PETERSBURG FL 33710	Owner Name (print): RALPH U. GRANT
	Owner Signature: <i>Ralph U Grant</i>
2. Affected Property Address: 7313 34 th Ave N St. Petersburg FL	Owner Name (print): Emmerich R. Crubbs
	Owner Signature: <i>Emmerich R Crubbs</i>
3. Affected Property Address: 7307 34 th Ave N St. Petersburg FL	Owner Name (print): Dino Romero
	Owner Signature: <i>Dino Romero</i>
4. Affected Property Address: 7321 34 th Ave N. St. Petersburg, FL 33710	Owner Name (print): WESLEY FRAZIER
	Owner Signature: <i>Wesley Frazier</i>
5. Affected Property Address: 7310 34 th Ave N St Petersburg FL 33710	Owner Name (print): James Paeel
	Owner Signature: <i>James Paeel</i>
6. Affected Property Address: 7331 34 th AVE N St. Pete, FL 33710	Owner Name (print): Donna Riley
	Owner Signature: <i>Donna Riley</i>
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: 7326 34th Ave. N., St. Petersburg, FL 33710

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 meetings were held with all those affected by the installation of artificial turf at the above address. These meetings were held were held on 6/9/2022 & 6/10/2022

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

N/A

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

N/A

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

There were no concerns, issues or problems expressed by any of the neighbors affected by the installation of the turf. They have seen it is permeable and there is no risk of damage to their property.

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@stpetecon.org), by standard mail to Federation of Inner-City Community Organizations (FICO) (c/o Kimberly Frazier-Leggett at 3301 24th Ave. S., St. Pete 33712) and by email to all other Neighborhood Associations and/or Business Associations within 300 feet of the subject property as identified in the Pre-Application Meeting Notes. The applicant shall file evidence of such notice with the application.

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



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

**DEVELOPMENT REVIEW COMMISSION
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: Edgar M. & Karen A. Oliver

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

Property Address: 7326 34th Ave. N

Parcel ID No.: Tyrone BLK 99, IOT 5

Request: Requesting a variance for artificial turf that has already been installed

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): N/A

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

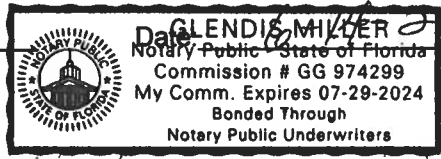
I(we), the undersigned authority, hereby certify that the foregoing is true and correct.

Signature (owner): *Edgar Oliver* Edgar Oliver
Printed Name

Sworn to and subscribed on this date

Identification or personally known: *Fla Drivers License*

Notary Signature: *Glendis Miller*
Commission Expiration (Stamp or date): *7-29-24*



Re: Artificial Turf

From: Dr. Ed Carlson (acegang1@aol.com)

To: kaoliver48@yahoo.com

Date: Tuesday, June 7, 2022 at 09:32 AM EDT

Hello Karen and Edgar,

Yes. Is fine with Jungle Terrace Civic Association.

I like artificial turf. It is permeable, does not spread weeds, city uses it for playgrounds now... see the one by the Soccer Center in Walter Fuller Park.

Best of ALL,

Dr. Ed

Jungle Terrace Civic Association, Inc.
West Neighborhoods United, Inc.

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

From: Karen Oliver <kaoliver48@yahoo.com>

To: Acegang1@aol.com <Acegang1@aol.com>

Sent: Mon, Jun 6, 2022 5:49 pm

Subject: Artificial Turf

Dr. Carlson,

We had decided (due to my health) to put in Artificial Turf in our front yard. We had gotten two prices from reputable companies who both told us they had done work in the City of St. Petersburg and assured us that there were no limitations or permits required.

A few months prior to deciding on the Turf. I had mowed our yard (weeds) and when I came in the house I passed out due to Heat Stroke. Doctors told me I should have gone to Hospital ER but did not.

We are in the process of applying for a variance to allow it in our yard. We were told to contact you 10 days prior to turning in our documents.

Thanks

Edgar and Karen Oliver

PS We have lived in this house since 1977. (44 years)

Notice of Intent to File

From: Karen Oliver (kaoliver48@yahoo.com)

To: variance@stpetecona.org

Date: Wednesday, June 15, 2022 at 04:29 PM EDT

Attn: Tom Lally

We are looking to File a After-the-Fact Variance to allow artificial turf in front yard. We have Attached Public Participation Report, Neighborhood Worksheet and EMail response from HOA President Jungle Terrace Civic Association. We hope this is all you need.

Edgar and Karen Oliver
7326 34TH Ave. N
St. Petersburg, Fl. 33710



CONA Email from HOA President.pdf
667.1kB



CONA Neighborhood Worksheet.pdf
1.4MB



CONA Public Participation Report.pdf
1.3MB

From: danielleharris52@gmail.com
To: [Jordan Elmore](#)
Subject: Concerning case #22-54000054
Date: Monday, October 24, 2022 12:49:04 PM

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Hello my name is Danielle frazier

I am writing this on behalf of my neighbors Karen and Ed who had artificial turf installed in their front yard.

I just wanted to express that it in no way it is a problem for me or my neighbors.

I think it adds value and cleanliness to the street, and me and my family do not find anything wrong with it.

Best,
Danielle frazier

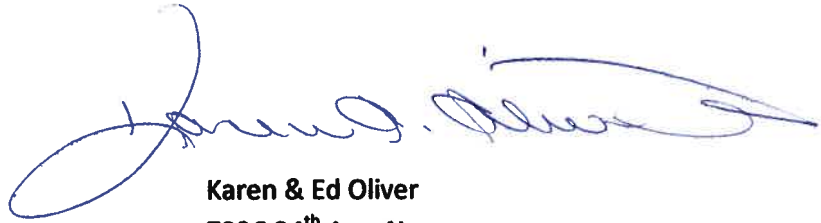
Sent from my iPhone

10/11/2022

Mayor Welch and St. Petersburg City Council,

In reference to the attached letter written in June 2022. We had hoped we would hear something from our elected officials, but have heard nothing.

We have been notified of a public hearing in regards to our issue on November 2nd and had hoped you could have taken some interest in the issue.

A handwritten signature in blue ink, appearing to read "Karen & Ed Oliver", written in a cursive style.

Karen & Ed Oliver
7326 34th Ave. N
St. Petersburg, Fl.

cc. ABC action news
Tampa Bay Times

6/25/2022

Mayor Welch and St. Petersburg City Council,

We have lived at 7326 34th Ave. N., St. Petersburg, Florida for almost 45 years. For the 45 years we have been here we have tried unsuccessfully to grow grass in our front yard. I say unsuccessfully because we have a combination of weeds, a few grass shoots, lots of sand and many, many fire ants. It has not only been an embarrassment but taking care of it has been difficult, and over the past year, impossible.

We reached out to landscaping companies for assistance to no avail. I received two phone calls – one saying he would come by the house and look at the front yard and then arrange a meeting. I never heard from him again. Another company stated they did not put in sod, but helped look after it when it was in. Those were the only two that responded to our requests.

At this time, a friend suggested we consider artificial turf. As we are both aging, we thought it a good idea to at least talk to someone. My husband is diabetic, has high blood pressure, is under the care of a cardiologist and has a referral to an orthopedic surgeon due to knee pain. The last time he cut the grass he came in the house and passed out from heat exhaustion. Had I been home, I would have called emergency services (911). I also have high blood pressure and experience back pain related to caring for a disabled son and working as a nurse for almost fifty years.

Looking into the installation of artificial turf was an option we decided to look into. The first question we asked the companies we interviewed was “Does the city require a permit?” The answer was “no”. After much thought we decided to have artificial turf placed in our front yard at the cost of more than \$14,000.00. The company we decided to use was almost finished laying the turf when a person from the city came to the house and told the project manager they were in violation of the city code. Not knowing what to do they were packing up to leave when we arrived. The person from the code division (Shelley) told my husband we could only have 45% of our yard with artificial turf. She had taken pictures and showed them to her immediate supervisor who determined we were out of compliance (without coming and looking or measuring herself). When we determined we were at 41%, my husband called Shelley and told her that we felt we were in compliance. She then said our driveway counted as part of the percentage. That now put us at 55%. It was then she told us we could file for a variance. Since we had already spent over \$14,000. we felt we had no choice but to apply for the variance she spoke of. We were given the email address and I proceeded to send an email, not once but three times with no response. We went to the code office and as polite and professional as the young man was who helped us looked it up and said – yes our case had been assigned to someone but that “we are short staffed and a lot of people are calling in sick”. I am sorry – as a nurse, if I told a patient I was short staffed I would lose my job – that is not an excuse. The young man did help us with the pre meeting and explained the paper work to us. He also verified that the driveway did count as part of the 45% and the companies we had spoken to should have known.

When we completed the paperwork, we took it back to the code office not realizing we were supposed to have made an appointment. Fortunately, we were able to be seen. Unfortunately, now we are told artificial turf is not allowed in the front yard at all. We were asked if we wanted to tear up the grass and place in the back yard where there no restrictions. We told him no, we wanted to file the

variance. After we returned home, my husband received a phone call from the code department informing him even if we get the variance, we would have to take out 18' due to the city right of way. We had been previously told 8' was the right of way. He called a second time a few days later asking if we still wanted to file the variance. We said "yes". He indicated at the time we would not win.

I have a number of questions:

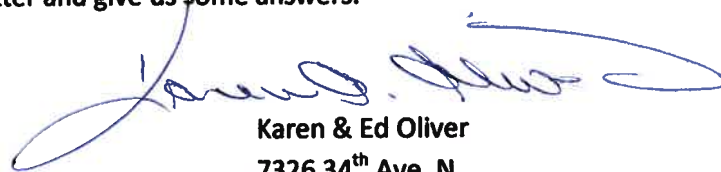
1) Does anyone in the code department know truly what the rules are? Elizabeth Abernethy, who apparently works for the city states "45% of your front yard needs to be permeable landscaped vegetative green space". I realize artificial turf is not vegetative, however, with artificial turf water drains through faster than vegetative green space. We were told when we take out the right of way, we can place sod. If the sod doesn't die in our front yard, the water will pool on the sod but it will immediately drain through the turf. Following a heavy rain last week, our neighbors' front yards were flooded, ours was not.

2) If there are so many restrictions, why is a permit not required? We are not the only residents of St. Petersburg who are interested in artificial turf but unless there is a requirement for a permit, they will go through the same pain we are going through right now.

3) St. Petersburg has always had an aging population. Does the city not care about the health of the elderly? I believe those who make the codes care more about vegetation than they care about those who live, work and pay taxes in the city.

If we have to take up the artificial turf, we will end up with many weeds, lots of sand and dirt, a few sprouts of grass and lots of fire ants, not to mention \$14,000.00 is a lot of money to be wasted.

My son grew up in this house and he died in this house. I would also like to die in this house. We may need to re-consider if our variance is denied. I understand some communities in mid Pinellas encourage artificial turf as it eliminates excessive water use (which there are water restrictions) and keeps the properties looking well kept. Prior to deciding on the artificial turf, we looked at yards on Madeira Beach and Treasure Island. A gentleman we spoke to has been installing artificial turf in St. Petersburg for three years without incident. We have many compliments r/t our front yard and hope you can respond to our letter and give us some answers.



Karen & Ed Oliver
7326 34th Ave. N
St. Petersburg, Fl.33710
727 - 612 - 3707