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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 2,000 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, March 2, 2022 at 1:00 P.M.** at Council Chambers, City Hall, located at 175 5th Street North, St. Petersburg, Florida.

CASE NO.: 21-12000006

PLAT SHEET: L-13

REQUEST: Approval of a Lot Refacing from 24th Avenue S to 45th Street S and a Lot Line Adjustment with a variance to the lot area standard that no lot having less area than the smallest of the lots included in the application be created, to allow construction of one new single-family home and the existing home to remain.

OWNER: National Assets & Company, LLC
3959 Van Dyke Rd. #193
Lutz, FL 33558

AGENT: George Russell
3959 Van Dyke Rd. #193
Lutz, FL 33558

ADDRESS: 2331 45th Street S

PARCEL ID NO.: 34-31-16-84420-007-0170

ZONING: Neighborhood Traditional – 1 (NT-1)

BACKGROUND: The subject property consists of Lots 17 and 18 in Block G of the South Shadow Lawn subdivision of 1925. The lots are currently combined under one Parcel ID Number and contain one single-family dwelling in the Neighborhood Traditional -1 (NT-1) Zoning District which is oriented toward 45th Street South (see Attachment A – Location Map, Attachment B – Neighborhood Map, Attachment C – Plat, and Attachment D - Photos). Both lots are 50 feet wide and 100 feet long, with an area of 5,000 square feet and are oriented toward 24th Avenue South. They both comply with required lot width and area of the NT-1 Zoning District.

The applicant proposes a Refacing of the lots from 24th Avenue South to 45th Street South, and a Lot Line Adjustment to create a northern lot 51.5 feet wide by 100 feet deep (5,150 square feet) and a southern lot 48.5 feet wide by 100 feet deep (4,850 square feet). Both lots would comply with minimum width, depth and area requirements of the NT-1 Zoning District. The existing house would be retained and would comply with required building setbacks and lot coverage standards.

Although both lots comply with the minimum requirements for the NT-1 Zoning District, the lot refacing rules at Section 16.40.140.2.3.3 require that “No lot having less area than the smallest of the lots included in the application shall be created.” The proposed southern lot will contain 4,850 square feet, which is less than the 5,000 square feet of the two individual original lots, therefore a variance is required (see Attachment E – Lot Sketches and Attachment F – Application.) An objection to the Refacing application was received from the owner of 4500 23rd Avenue South (see Attachment G).

REVIEW:

16.40.140.2.3 – Standards for Review. In reviewing an application for a Lot Refacing the POD and the Development Review Commission shall consider the following criteria:

1. The application shall, at a minimum, contain two platted lots.
 - Lots 17 and 18 are included in the application.
2. In the NT and NS zoning districts, no refacing from a local street to a collector or arterial, or through street, as shown on the major street map, shall be approved.
 - Both 24th Avenue South and 45th Street South are considered local streets.
3. Easements for public utilities, storm drainage, and corner right-of-way easements shall be provided as required. The applicant shall pay any costs of utility adjustments, extensions, relocations, and connections.
 - No easements are required. Engineering conditions contained in the Engineering Review Memo dated January 10, 2022 are recommended conditions of approval (see Attachment H).
4. Any unpaid outstanding liens and assessments owed to the City shall be satisfied as a condition of lot refacing.
 - This is included as a condition of approval at the end of this report.
5. Consistency with the established neighborhood pattern shall be maintained, including lot dimensions, utility and parking functions, alley access and sanitation services.
 - The refaced lots would be inconsistent with the established neighborhood pattern. The lots to the north and south within the South Shadow Lawn subdivision were all platted with a north-south, not an east-west orientation. We note that the lots on the west side of this particular block were refaced, however that refacing included all lots at the end of the block including Lots 8, 9, 10 and 11, produced only three buildable lots, and based on the age of the houses, occurred in the mid-1950s.
 - As the neighbor states in their objection letter, the lot refacing would change the nature of the yards abutting the neighboring properties. Currently, Lots 17 and 18 face 24th Avenue South because their

shortest frontages face this street. A 25-foot building setback is required along the front-facing property line. The side of Lot 18 faces 45th Street South. Because this side property line runs along a street, it is known as a “street side” property line, and the building set back from the street side property line is 12 feet. The rear setback for the lots runs along the northern property lines. The rear building setback is 10 feet from the property line which abuts adjacent Lots 1 and 2.

- When the lots are refaced toward 45th Street South, the 45th Street South property line becomes the front property line, requiring the 25-foot building setback. The 24th Avenue South property line becomes the street side requiring a 12-foot setback, and the northern property line becomes a side property line requiring a 5-foot setback where previously a 10-foot setback was required.
- Along the western property line, the existing condition where one side yard abuts Lot 16 would become two rear yards facing this property line, which requires a greater setback (10 feet versus 5 feet), however generally sees more of the activity that occurs in a rear yard.
- In the objection letter, the neighbor offers a concern regarding the addition of driveways onto 45th Street South, however this is less concerning to Staff because the driveway for #2331 on 45th Street South is existing and would remain, and a new home on the southern lot would be required to have a rear garage off 24th Avenue South, not 45th Street South.

Additional Lot Line Adjustment Review Criteria: 16.40.140.2.4.C – Standards for Review. In reviewing an application for a Lot Line Adjustment, the POD, Development Review Commission, or City Council, shall consider the following criteria:

1. All lots must be owned by the same entity or have the written consent of the property owner.
 - All lots will be owned by the current owner until sold.
2. Lot line adjustments and lot splits shall not create more than two additional buildable lots.
 - The Lot Line Adjustment creates two buildable lots.
3. For lot line adjustments, all lots shall meet the minimum lot size of the zoning district, unless one or more of the original lots do not meet the minimum lot size, then no lot having less area than the smallest of the lots included in the application shall be created.
 - The lots meet the required minimum lot size requirement.

The application was routed to City Departments and private utilities for review and comment. Engineering provided a review memo, (see Attachment – H), compliance with is a recommended condition of approval. Duke Energy objected, requiring further coordination with the applicant regarding service to the lots. Receipt of a Letter of No Objection from Duke Energy is also a recommended condition of any approval granted for this site.

Additional Variance Review Criteria:

Physical Hardship Related to the Subject Property:

There is no shape or physical hardship related to the property other than the presence of the existing house. The applicant does not want to demolish the house or the carport and wants to yield two buildable lots from the parcel. The only way to do so is to reface the lots and adjust the interior lot line to provide the required 5-foot interior side yard building setback to the carport to remain.

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.
 - The applicant is proposing to retain the existing house and carport which drives the need for the refacing and the adjustment of the interior lot line, which requires the variance. The applicant was informed that a variance to the carport would not be supported.
 - 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.
 - Lots 17 and 18 are not substandard, this criterion does not apply.
 - c. Preservation district. If the site contains a designated preservation district.
 - The property is not located in a preservation district.
 - d. Historic Resources. If the site contains historical significance.
 - The property is not historically significant.
 - e. Significant vegetation or natural features. If the site contains significant vegetation or other natural features.
 - This is not a factor in this application.
 - 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 proposed application does not promote the established development pattern of the block face, see the foregoing analysis, above.
2. The special conditions existing are not the result of the actions of the applicant;
 - The special conditions related to the case are the result of the actions of the applicant.
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 and accessory dwelling are allowed on the parcel.
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 applicable provisions of this Chapter would still provide the applicant with means for reasonable use of the property. It is currently zoned and developed for single-family residential use.
5. The variance requested is the minimum variance that will make possible the reasonable use of the land, building, or other structure;
 - This criterion does not apply because Criterion 4 does not apply.
6. The granting of the variance will be in harmony with the general purpose and intent of this chapter;

- The granting of the variance would not be in harmony with the general purpose and intent of this Chapter which at Section 16.10.010.4.J. Setbacks, is to “ensure that an effective separation is provided between properties, structures and uses to foster compatibility, identity, privacy, light, air and ventilation.” In this case, the orientation of the properties would be inconsistent with the neighborhood layout.
7. The granting of the variance will not be injurious to neighboring properties or otherwise detrimental to the public welfare;
- The neighbor at #4500 23rd Avenue South has objected to the application. Their concerns regarding the side yard abutting their property and the inconsistency with the rest of the neighborhood are valid.
8. The reasons set forth in the application justify the granting of a variance;
- Reasons justifying granting of the variance have not been 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 is not applicable. No nearby nonconforming use situations are being considered.

PUBLIC COMMENTS: As of the date of this report, Staff received one objection from the owner of 4500 23rd Avenue South as previously discussed (see Attachment G). No comments were received from CONA or FICO.

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 **DENIAL** of the application.

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 northern side yard building setback for the northern lot shall be increased from 5 feet to 10 feet to provide the same setback that is currently in effect. The streetside setback for the southern lot along 24th Avenue South shall be increased from 12 feet to 25 feet to match the front yard setback requirement of the 24th Avenue South block face.
2. The applicant, successors, or assigns shall comply with the conditions included in the Engineering Department Memorandum dated January 10, 2022.
3. Prior to the issuance of a Building Permit for the new southern parcel, a potable water connection shall be provided to the water line in 45th Street South, or an easement shall be provided through the southern lot to allow connection to a water line in 24th Avenue South.
4. The applicant shall obtain a Letter of No Objection from Duke Energy.
5. Proper permits shall be obtained including a Tree Removal Permit, if required. Approval of this variance does not grant or imply variances from other sections of the City Code or other applicable regulations.
6. Any public liens and assessments shall be satisfied.
7. This variance approval shall be valid through March 2, 2025. A new Parcel ID shall be obtained from the County Property Appraiser’s Office prior to this expiration date unless an extension has been approved by the POD. A request for extension must be filed in writing prior to the expiration date.

Report Prepared By:

| | |
|--|----------------|
| <u>/s/Cheryl Bergailo</u> | <u>2/22/22</u> |
| Cheryl Bergailo, AICP, LEED Green Assoc., Planner II | Date |
| Development Review Services Division | |
| Planning & Development Services Department | |

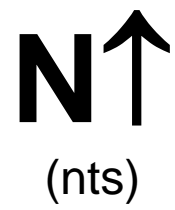
Report Approved By:

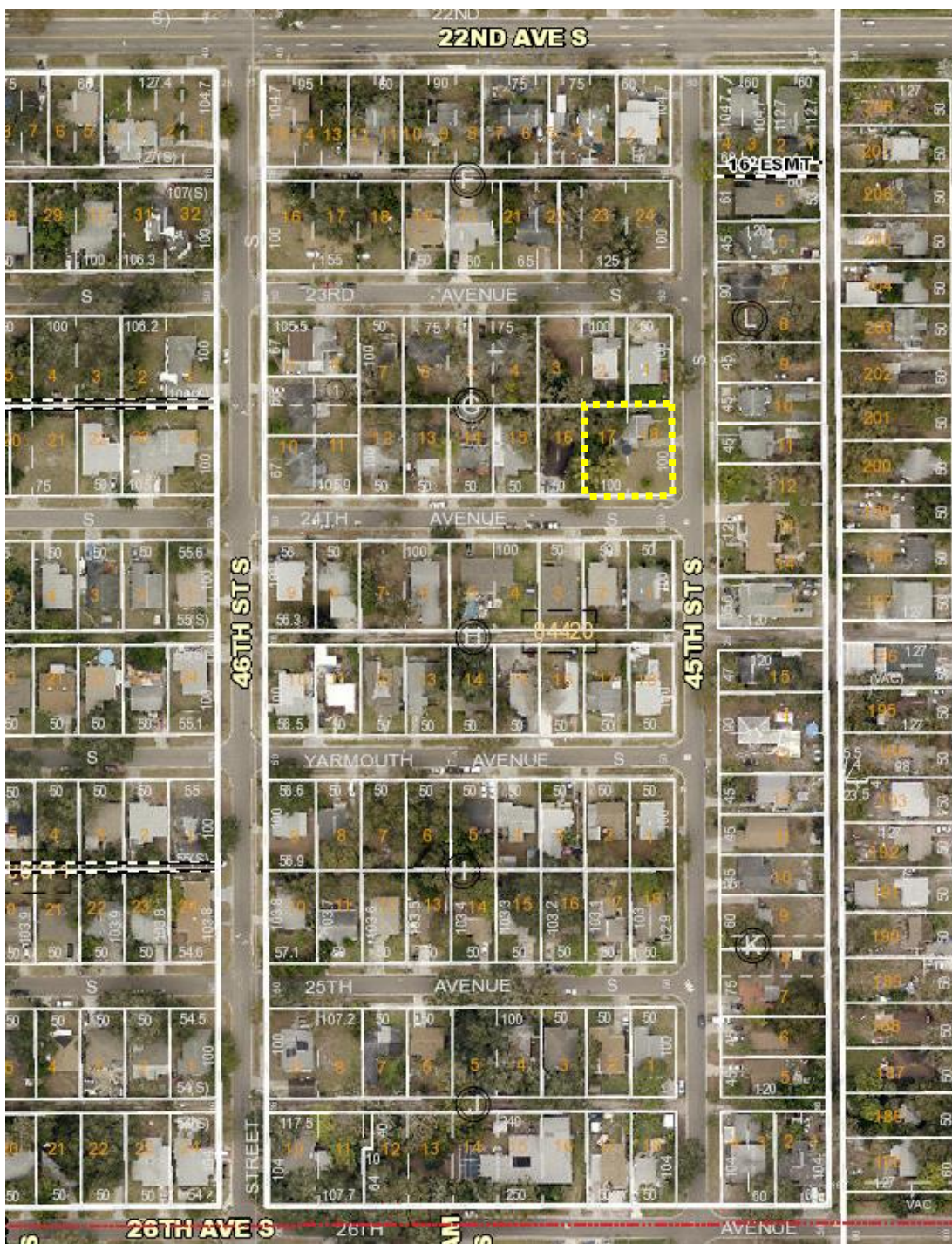
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| <u>/s/Dave Goodwin</u> | <u>2/23/22</u> |
| David Goodwin, Interim Zoning Official (POD) | Date |
| Development Review Services Division | |
| Planning & Development Services Department | |

ATTACHMENTS: A) Location Map, B) Neighborhood Map, C) Plat, D) Photos, E) Lot Sketches, F) Application, G) Objection letter, H) Engineering Review Memo dated January 10, 2022



ATTACHMENT – A
Project Location Map
City of St. Petersburg, Florida
Planning and Development Services Department
Case No.: 21-12000006
Address: 2331 45th Street S.





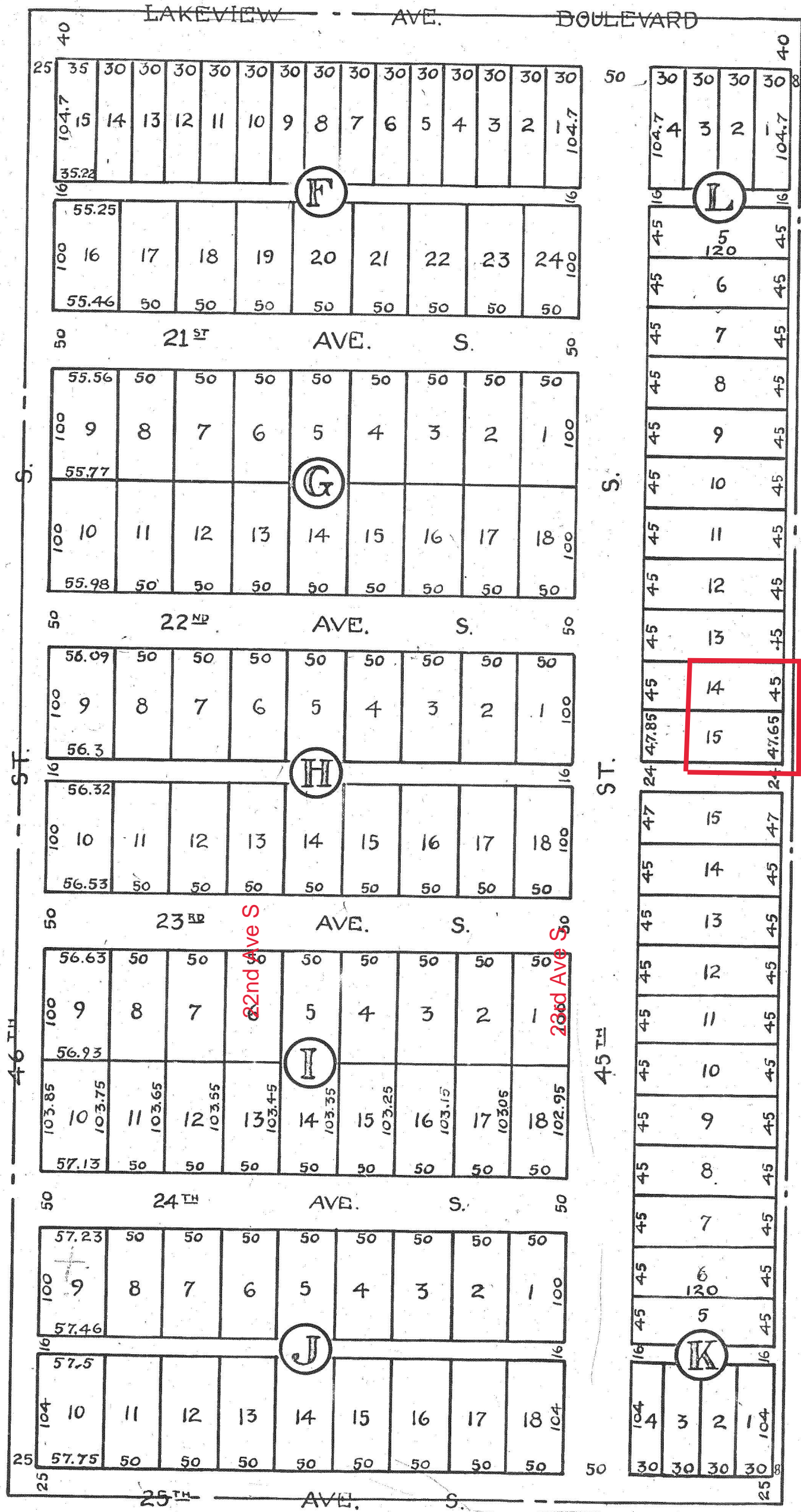
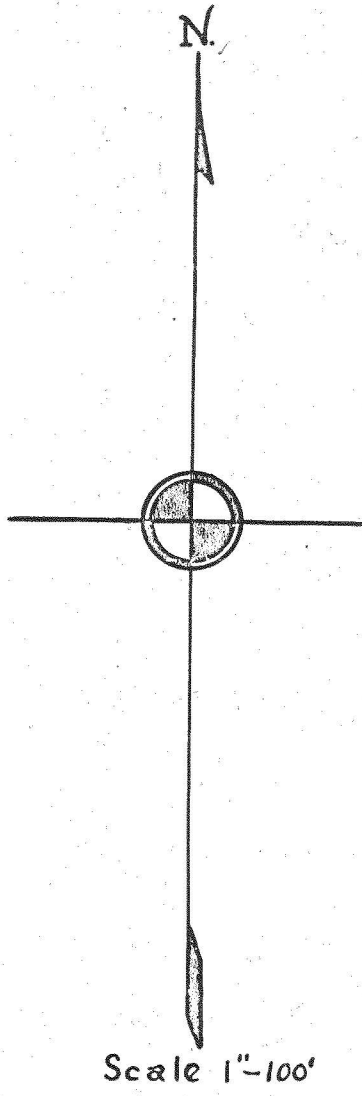
ATTACHMENT - B
 Neighborhood Map
 City of St. Petersburg, Florida
 Planning and Development Services Department
 Case No.: 21-12000006
 Address: 2331 45th Street S.

N ↑
 (nts)

SOUTH SHADOW LAWN

Being a Subdivision of
 W $\frac{1}{2}$ OF NW $\frac{1}{4}$ OF NW $\frac{1}{4}$ OF SEC. 34, TWP. 31 S. R16 E.
 PINELLAS COUNTY, FLA.

ATTACHMENT - C



Corrected date 1985
 Filed March 7, 1984 - 1:35 PM.
 K.B. O'QUINN, C.I.K.
 C. NELSON, D.C.

Office of
 G.F. YOUNG
 CIVIL & LANDSCAPE ENGRS
 ST. PETERSBURG,
 FLORIDA.

RESOLUTION OF PARTIAL VACATION OF
 South Shadow Lawn
 SUBDIVISION HAS BEEN RECORDED IN
 OUR BOOK 1365 PAGE 17
 ON 9-13 2009
 KARLEEN F. DEBLAKER
 Clerk of the Circuit Court
 By: *[Signature]* Deputy Clerk



View of house to remain from 45th Street S.



View toward property from alley from 24th Avenue S

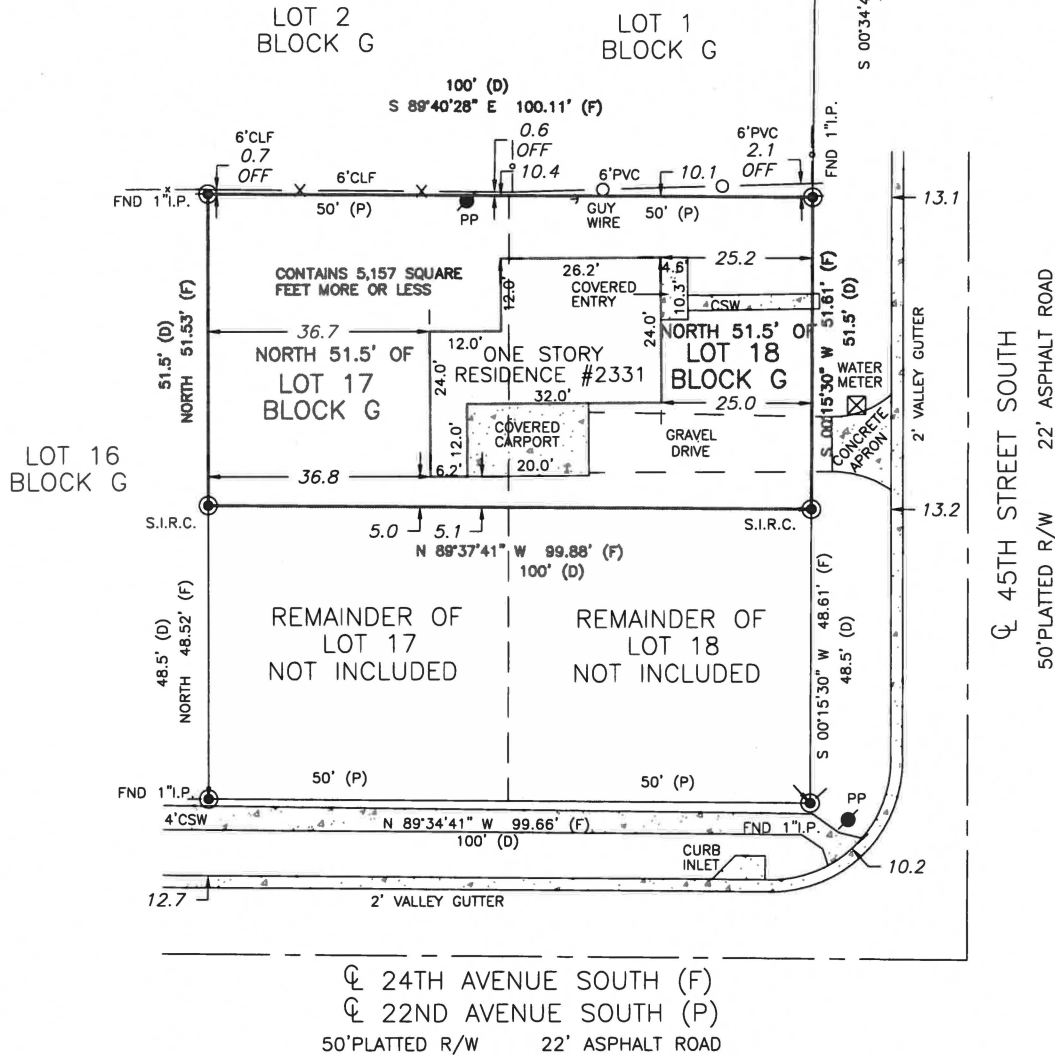
Images from Google maps.

SECTION 34, TOWNSHIP 31 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA.

BOUNDARY SURVEY

LEGAL DESCRIPTION:

THE NORTH 51.5 FEET OF LOTS 17 AND 18, BLOCK G, SOUTH SHADOW LAWN, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 9, PAGE 125, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.



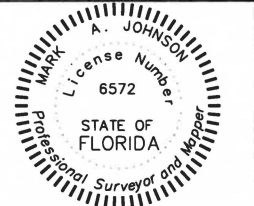
NOTES:

- BEARINGS ARE BASED UPON THE WESTERLY LINE LOT 17, N 00°00'00" W, ASSUMED BEARING
- PROPERTY APPEARS TO BE IN FLOOD ZONE "X" PANEL #12103C-0277 SUFFIX "H" ACCORDING TO NATIONAL FLOOD INSURANCE RATE MAP, REVISED 8-24-2021
- ELEVATIONS ARE BASED ON NAVD '88 DATUM
- LEGAL DESCRIPTION FURNISHED BY TITLE COMPANY
- ALL MEASUREMENTS ARE IN U.S. FEET
- THIS SURVEY WAS CONDUCTED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE, THEREFORE, THERE MAY BE OTHER EASEMENTS, RIGHT-OF-WAY, SETBACK LINES, AGREEMENTS, RESERVATIONS, OR OTHER SIMILAR MATTERS OF PUBLIC RECORD, NOT DEPICTED ON THIS SURVEY
- FENCE LOCATION DOES NOT DETERMINE OWNERSHIP, OFF MEANS THE FENCE IS OFF OF THE PROPERTY, IN MEANS FENCE IS INSIDE THE PROPERTY.

Certificate of Authorization "LB #6945"

| | | |
|---|---|--|
| <p>LEGEND: A/C = AIR CONDITIONER (C) = CALCULATED CLF = CHAIN LINK FENCE C.M. = CONCRETE MONUMENT CONC = CONCRETE CSW = CONCRETE SIDEWALK (D) = DEED MEASUREMENT (F) = FIELD MEASURED NO. I.D. = NO IDENTIFICATION PRM = PERMANENT REFERENCE MONUMENT PSM = PROFESSIONAL SURVEYOR AND MAPPER RLS/PLS = REGISTERED/PROFESSIONAL LAND SURVEYOR</p> | <p>PVC = PLASTIC VINYL FENCE PCP = PERMANENT CONTROL POINT I.P. = IRON PIPE I.R. = IRON ROD LB = LICENSED BUSINESS O.U. = OVER HEAD UTILITY P.K. = PARKER KYRLON (P) = PLAT PP = POWER POLE R/W = RIGHT-OF-WAY ASPH = ASPHALT (R) = RADIAL FHD = FIRE HYDRANT FND = FOUND (N/R) = NON-RADIAL (TYP) = TYPICAL W/F = WOOD FENCE S.P.K.D. = SET P.K. NAIL & DISK LB#6945 S.I.R.C. = SET 5/8" I.R.</p> | <p>CERTIFIED TO: NATIONAL ASSETS & COMPANY LLC</p> |
|---|---|--|

Mark A Johnson
 Digitally signed by Mark A Johnson
 Date: 2021.11.16 10:44:33 -05'00'



CERTIFICATION
 I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE FLORIDA STANDARDS OF PRACTICE AS SET FORTH BY THE BOARD OF PROFESSIONAL LAND SURVEYORS. THE SEAL AND UNIQUE SIGNATURE APPEARING ON THIS DOCUMENT IS AUTHORIZED BY MARK A. JOHNSON PSM 6572 AND IS COMPLIANT WITH F.S.61G17-7.0025(3) (a) (b) (c) (d)

| | | | | |
|----------------|------|-------|------------|------------|
| FIELD WORK BY: | JOSH | DATE: | 11-13-2021 | F.B. / PG. |
| DRAFTED BY: | B.P. | DATE: | 11-15-2021 | JOB # |
| | | | | 21-1753A |

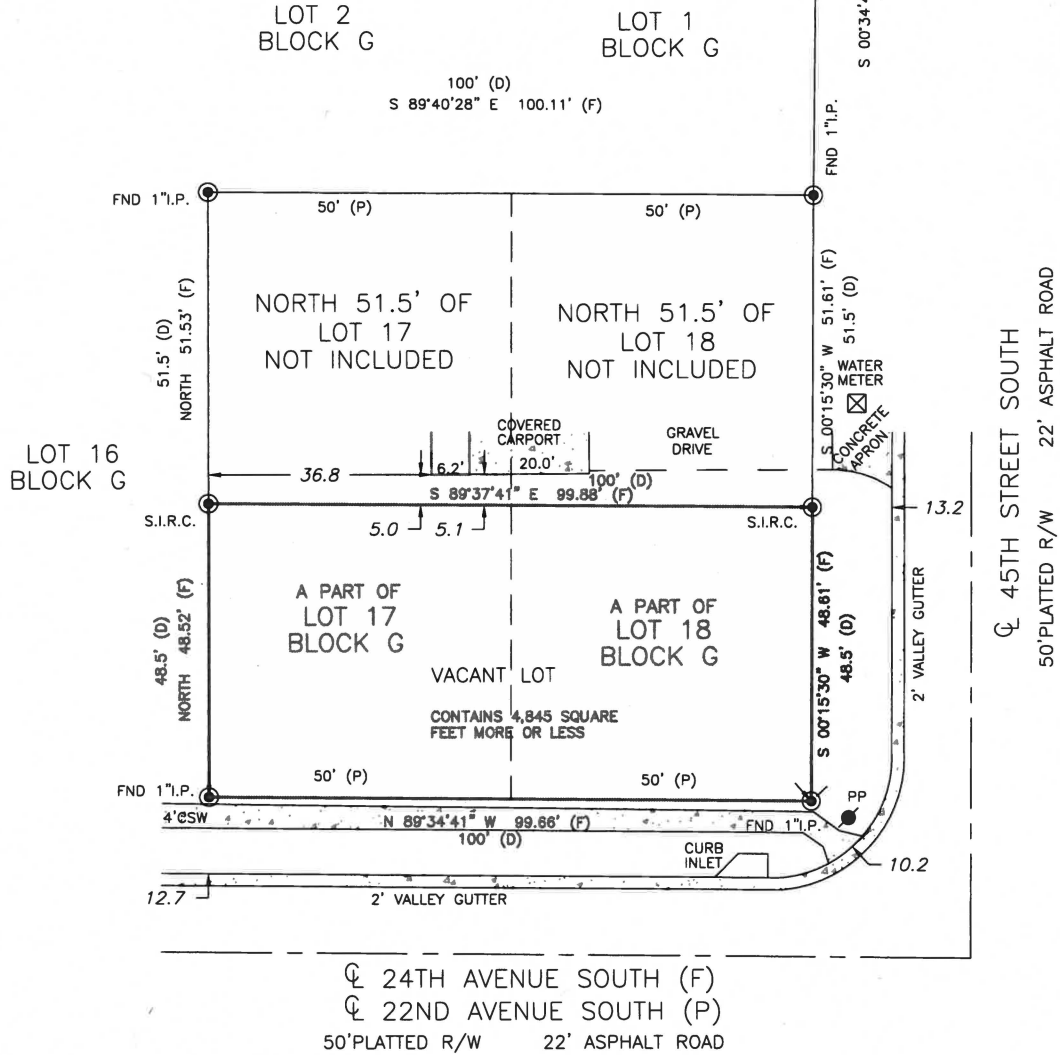
DON WILLIAMSON & ASSOCIATES, INC.
 PROFESSIONAL SURVEYORS & MAPPERS LB # 6945
 5020 GUNN HIGHWAY SUITE 220 A
 TAMPA, FL 33624
 (813) 265-4795
 FAX (813) 264-6062
 WILLIAMSONSURVEYING@VERIZON.NET

SECTION 34, TOWNSHIP 31 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA.

BOUNDARY SURVEY

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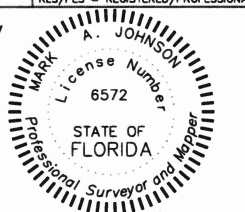
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- 3) ELEVATIONS ARE BASED ON NAVD '88 DATUM
- 4) LEGAL DESCRIPTION FURNISHED BY TITLE COMPANY
- 5) ALL MEASUREMENTS ARE IN U.S. FEET
- 6) THIS SURVEY WAS CONDUCTED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE, THEREFORE, THERE MAY BE OTHER EASEMENTS, RIGHT-OF-WAY, SETBACK LINES, AGREEMENTS, RESERVATIONS, OR OTHER SIMILAR MATTERS OF PUBLIC RECORD, NOT DEPICTED ON THIS SURVEY
- 7) FENCE LOCATION DOES NOT DETERMINE OWNERSHIP, OFF MEANS THE FENCE IS OFF OF THE PROPERTY, IN MEANS FENCE IS INSIDE THE PROPERTY.

Certificate of Authorization "LB #6945"

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|--|---|--|--|

Mark A Johnson
Digitally signed by Mark A Johnson
Date: 2021.11.16 10:45:41 -05'00'



CERTIFICATION
I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE FLORIDA STANDARDS OF PRACTICE AS SET FORTH BY THE BOARD OF PROFESSIONAL LAND SURVEYORS. THE SEAL AND UNIQUE SIGNATURE APPEARING ON THIS DOCUMENT IS AUTHORIZED BY MARK A. JOHNSON PSM 6572 AND IS COMPLIANT WITH F.S.61G17-7.0025(3) (a) (b) (c) (d)

| | | | | |
|----------------|------|-------|------------|------------|
| FIELD WORK BY: | JOSH | DATE: | 11-13-2021 | F.B. / PG. |
| DRAFTED BY: | B.P. | DATE: | 11-15-2021 | JOB # |
| | | | | 21-17538 |

DON WILLIAMSON & ASSOCIATES, INC.
PROFESSIONAL SURVEYORS & MAPPERS LB # 6945
5020 GUNN HIGHWAY SUITE 220 A
TAMPA, FL 33624
(813) 265-4795
FAX (813) 264-6062
WILLIAMSONSURVEYING@VERIZON.NET



SUBDIVISION DECISION Application

Application No. 21-12000006

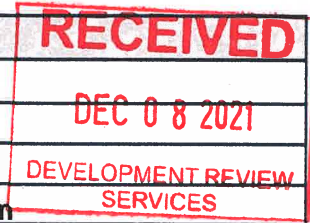
All applications are to be filled out completely and correctly. The application shall be submitted to the City of St. Petersburg's Development Review Services Division, located on the 1st floor of the Municipal Services Building, One 4th Street North.

Application Type:
Per: 16.40.140 &
16.70.050

- Lot Line Adjustment
- Lot Split
- Lot Refacing
- Street Name Change
- Street Closing

- Vacating – Street Right-of-Way
- Vacating – Alley Right-of-Way
- Vacating – Walkway Right-of-Way
- Vacating – Easement
- Vacating – Air Rights

| GENERAL INFORMATION | |
|---|--|
| NAME of APPLICANT (Property Owner): | National Assets & Company LLC |
| Street Address: | 3959 Van Dyke RD # 193 |
| City, State, Zip: | Lutz FL 33558 |
| Telephone No: | 203-218-1732 |
| Email Address: | Georger0603@yahoo.com |
| NAME of AGENT or REPRESENTATIVE: | George Russell |
| Street Address: | 3959 Van Dyke RD # 193 |
| City, State, Zip: | Lutz FL 33558 |
| Telephone No: | 203-218-1732 |
| Email Address: | Georger0603@yahoo.com |
| PROPERTY INFORMATION: | |
| Street Address or General Location: | 2331 45th St S, St Petersburg FL 33771 |
| Parcel ID#(s): | 34-31-16-84420-007-0170 |
| DESCRIPTION OF REQUEST: Keep current structure on 2331 45th St S and build new structure next door on 45th St S. | |
| PRE-APPLICATION DATE: | 11/15/2021 |
| PLANNER: | |



FEE SCHEDULE

| | | | |
|---|------------|---------------------------|------------|
| Lot Line & Lot Split Adjustment Administrative Review | \$200.00 | Vacating Streets & Alleys | \$1,000.00 |
| Lot Line & Lot Split Adjustment Commission Review | \$300.00 ✓ | Vacating Walkway | \$400.00 |
| Lot Refacing Administrative Review | \$300.00 | Vacating Easements | \$500.00 |
| Lot Refacing Commission Review | \$500.00 ✓ | Vacating Air Rights | \$1,000.00 |
| Variance with any of the above | \$350.00 ✓ | Street Name Change | \$1,000.00 |
| | | Street Closing | \$1,000.00 |

Cash, credit, and checks made payable to the "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.

Date: Nov 19th 2021

Typed name of Signatory: Ryan Cantrell





st.petersburg
www.stpete.org

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 | |
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| Street Address or General Location: 2331 45th St S. St Petersburg FL 33771 | |
| Parcel ID#(s): 34-31-16-84420-007-0170 | |
| DESCRIPTION OF REQUEST: Approval of a 48.5-foot wide lot where 50 feet is required by the lot refacing regulations. | |
| PRE-APPLICATION DATE: | PLANNER: |

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 | \$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.

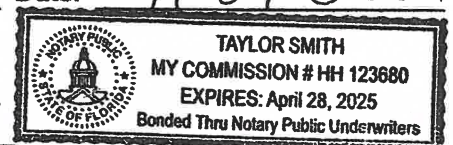
NOTE: IT IS INCUMBENT UPON THE APPLICANT TO SUBMIT CORRECT INFORMATION. ANY MISLEADING, DECEPTIVE, INCOMPLETE, OR INCORRECT INFORMATION MAY INVALIDATE YOUR APPROVAL.

Signature of Owner / Agent*: _____

*Affidavit to Authorize Agent required, if signed by Agent.

Typed Name of Signatory: _____

Date: 11-24-2021



T. Smith



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: | Case No.: |
| Description of Request: | |
| | |
| 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: | |
| Owner Name (print): | |
| Owner Signature: | |
| | |
| 2. Affected Property Address: | |
| Owner Name (print): | |
| Owner Signature: | |
| | |
| 3. Affected Property Address: | |
| Owner Name (print): | |
| Owner Signature: | |
| | |
| 4. Affected Property Address: | |
| Owner Name (print): | |
| Owner Signature: | |
| | |
| 5. Affected Property Address: | |
| Owner Name (print): | |
| Owner Signature: | |
| | |
| 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) Tom Lally at variance@stpetecona.org, by standard mail to Federation of Inner-City Community Organizations (FICO) 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: 11/24/21
- Attach the evidence of the required notices to this sheet such as Sent emails.

November 24, 2021

City of St. Petersburg
Zoning Department
Attention: Jennifer Bryla
Development Review Services
P.O. Box 2842
St. Petersburg, FL 33731-2842

RE: Objection to Application for Lot Line Refacing Parcel# 34-31-16-84420-007-0170

Dear Ms Bryla:

The purpose of this letter is to request the City of St. Petersburg **deny** the Application for Lot Line Refacing Parcel# 34-31-16-84420-007-0170. The goal of the developer's application is reface the lot, which currently faces 24th Ave South towards 45th Street S. and divide it.

We own the "Abutting Property" located at 4500 23rd Ave S., St. Petersburg, FL 33711.
Parcel# 34-31-16-84420-007-0010

If granted the Application would have the following detrimental impacts:

1. The proposed refacing, towards 45th Street South, would place the side property line, and possibly a driveway, along the length of our backyard, greatly reducing our privacy and ability to enjoy our real property.
2. The proposed refacing poses a danger to public safety. Currently there are almost no driveways that enter 45th Street S. from the western side between 22nd Street S. and 26th Street S. Pedestrians, cyclists and motorists will not be anticipating cars entering from the direction. Due to the proximity to 22nd Street S., cars are typically travelling at high speed. Indeed, because there are already many driveways and street parking along the eastern side of 45th Street S, cars and cyclists often veer into the western lane, putting them directly in the path of the proposed driveways.
3. The proposed refacing is not consistent with the rest of the neighborhood, in which abutting properties on a single block are located so that the abutment is at the property line where backyards meet.

For these reasons, I respectfully request you deny this application.

With best regards,

Dona J. Stewart
John Smith

ATTACHMENT - G

ATTACHMENT - H
MEMORANDUM
CITY OF ST. PETERSBURG
ENGINEERING AND CAPITAL IMPROVEMENTS DEPARTMENT

TO: Cheryl Bergailo, Planner II
Jennifer Bryla, Planning & Development Services Department, Zoning Official

FROM: Nancy Davis, Engineering Plan Review Supervisor

DATE: January 10, 2022

FILE: 21-12000006

LOCATION 2331 45th St S
PIN: 34-31-16-84420-007-0170
ATLAS: L-13
PROJECT: Lot refacing

REQUEST: Approval to reface Lots 17 and 18 from 24th Ave S to 45th St S, and adjust the lot line between the two lots in the NT-1 Zoning District.

The Engineering and Capital Improvements Department (ECID) has no objection to the proposed lot refacing and lot line adjustment provided that the following special conditions and standard comments are added as conditions of approval:

SPECIAL CONDITIONS OF APPROVAL:

1. An Engineering and Capital Improvements Department (ECID) Utility Connection Permit must be obtained prior to connection to the public sanitary sewer for the proposed lots. **ECID requests that Zoning hold the issuance of future residential building permits for the two lots to assure that either the right of way permit for sanitary sewer utility connection has been issued or until the applicant provides evidence of scheduling and paying the City Water Resources Department (WRD) to perform the necessary sanitary sewer connection work (as described below).** Additionally, no Certificate of Occupancy shall be released (temporary or final) until the right of way permit work has been accepted by the City ECID construction inspector or until the work is verified as completed by the City Water Resources department.
2. Upon development or redevelopment, the applicant or future property owner is required to provide a connection to the public sanitary sewer collection system for each proposed lot, per current City ECID standards. Lots may NOT share a service lateral. City utility maps indicate that an existing service lateral is available for connection for each proposed lot. The applicant must field verify and locate the existing sanitary sewer service lateral or if the existing service laterals is found not existing or not per current City ECID standards, must construct a net new service lateral or provide upgrades to the existing service lateral for each proposed lot as may be applicable. City maps indicate the following existing service laterals:
 - A. **North lot** – City Utility maps show an existing sanitary sewer service lateral extending from the 8” VCP sanitary sewer main located within the right-of-way of 45th Street South adjacent to the

lot proposed. The service lateral for possible connection is located 91' north of public manhole L-13-230 (located within the 45th Street South right-of-way at the intersection with 24th Avenue South).

- B. **South lot** – City Utility maps show an existing sanitary sewer service lateral extending from the 8" VCP sanitary sewer main located within the right-of-way of 24th Avenue South adjacent to the lot proposed. The service lateral for possible connection is located 85' west of public manhole L-13-230 (located within the 45th Street South right-of-way at the intersection with 24th Avenue South).

3. All required utility connection improvements shall be installed by a licensed contractor working under a **City ECID Right of Way Utility Connection permit** or may be installed by the City Water Resources Department (*if WRD crews are available*) at the expense of the applicant (or current property owner). All utility connection work shall comply with the following requirements, City ECID design standards, and City Technical Specifications:

- **CONNECTION TO EXISTING SERVICE LATERALS:**
Connections to existing service laterals shall require the installation of a public clean out over the existing service lateral if no public clean out is existing. The public clean out shall be placed 30" inside the boundary of the adjacent public right-of-way and constructed per City ECID detail S30-4, S30-7 and S30-50 (dissimilar pipe coupling). No flexible connectors may be used. Per S30-07, traffic rated public clean outs require a concrete collar.
- **NET NEW SERVICE LATERAL CONSTRUCTION:**
If existing service laterals are not found or not usable, a net new service lateral shall be constructed per City ECID detail S30-04 with a public clean out placed over the service lateral 30" inside the southern boundary of the adjacent public right-of-way per City ECID detail S30-4, S30-7 and S30-50 (dissimilar pipe coupling). No flexible connectors may be used. Per S30-07, traffic rated public clean outs require a concrete collar.
- **PUBLIC PAVED ROAD RESTORATION:**
Restoration of paved public road shall be per City ECID detail S20-11. Mill and overlay of the full width of the roadway travel lane(s) as required for any excavation which disturbs the pavement surface.
- **CITY ECID RIGHT OF WAY PERMIT AND ECID CONSTRUCTION INSPECTION:**
All utility connection work shall be performed by a licensed contractor and shall require the issuance of an ECID right of way utility connection permit. All new service laterals and all public clean out installations necessary for connection to the public sanitary sewer **MUST** be viewed by the ECID construction inspector prior to backfill. Otherwise the contractor will be required to excavate to expose the connection once inspection is scheduled. The City ECID right of way inspector must also be scheduled for a final inspection to verify adequate surface restoration within the alley. Note that this is separate from on-site plumbing inspections performed by the City's Construction Services and Permitting (CSP) division.
- **RIGHT OF WAY PERMIT APPLICATION INFORMATION:**
Contact ROW_Permitting@stpete.org (there is an underscore between ROW & Permitting), or

phone 727-893-7238 for right of way permit application information. Be sure to reference the ECID conditions of this lot line adjustment case number when contact is made with ECID.

4. Upon development or redevelopment, the applicant or current property owner is required to provide potable water service to each proposed lot if not existing. The City Water Resources department shall install necessary potable water services (up to and including the necessary meter and backflow prevention device) as required to service the proposed lots at the sole expense of the applicant/property owner. Email WRD-UtilityReviewRequest@stpete.org for further information.

5. City Utility maps are available upon request by emailing ECID@stpete.org. *Note that all City Engineering Standard Details are available on the City FTP site using the instructions below:

Using **File Explorer** path to:
<ftp://ftp2.stpete.org>

User Name = stpengrd
Password = 4Engreads

Path to the **Engineering** folder, then to the **_DeptTemplates_Standards** folder, and finally to the **City Standard Details Updated**.

NED/MJR/m1k

cc: Sean McWhite – WRD
Kayla Eger – Development Review Services