



Staff Report

St. Petersburg Community Planning & Preservation Commission

Prepared by the Planning & Economic Development Department,
Urban Planning & Historic Preservation Division

Public Hearing and Executive Action on January 9, 2018

2:00 p.m. - City Council Chambers, City Hall

175 Fifth Street North, St. Petersburg, Florida.

According to Planning and Economic Development Department records, Lisa Wannemacher resides or has a place of business within 2,000 feet of the subject property; all other possible conflicts should be declared upon the announcement of the item.

Extension of Ad Valorem Property Tax Exemption Application 16-90400004 (Jones/Laughner House-Ford)



2015



2017 (Dec.)

BACKGROUND: In 1992, the voters of Florida approved a constitutional amendment allowing ad valorem tax exemptions for up to ten years on improvements to designated historic properties. The City of St. Petersburg adopted this amendment (Section 16.30.070.4) on July 21, 1994, making available a limited financial incentive to encourage appropriate rehabilitations of individual properties historically designated as important historical resources. The incentive was strengthened in January 1996, when Pinellas County also adopted the ad valorem tax exemption amendment. This program allows for a ten-year exemption of up to 100 percent of the assessed value of eligible,

historically appropriate improvements, both interior and exterior, to qualifying historic properties. A “qualifying property” in the City of St. Petersburg is defined as:

- a property listed individually or contributing in the St. Petersburg Register of Historic Places; OR
- a property listed individually or contributing in the National Register of Historic Places.

The AVT application (Part 1) was originally approved on March 31, 2015, 2015, expiring on March 31, 2017. A related Certificate of Appropriates (15-90200009) was also approved by the CPPC. A six-month extension was granted by Staff until September 31, 2017. A second and final six-month extension to expire March 31, 2018 is requested by the property owners to allow completion of the rehabilitation.

NOTE: City Code Section 16.30.070.4.F.1(d) requires any request for a second and final six-month extension to be approved by the CPPC.

If the property owners complete the rehabilitation prior to the second extension expiration date, it may allow them to qualify for a maximum tax exemption allowance permitted during the 2019 AVT cycle (subject to change). Failure of the property owners to notify the City by March 31, 2018 through the submittal of a timely completed Part 2 application that includes a table of expenses could result in a voided or partially-applied application basis, and forfeiture of applicable ad valorem tax exemption value.

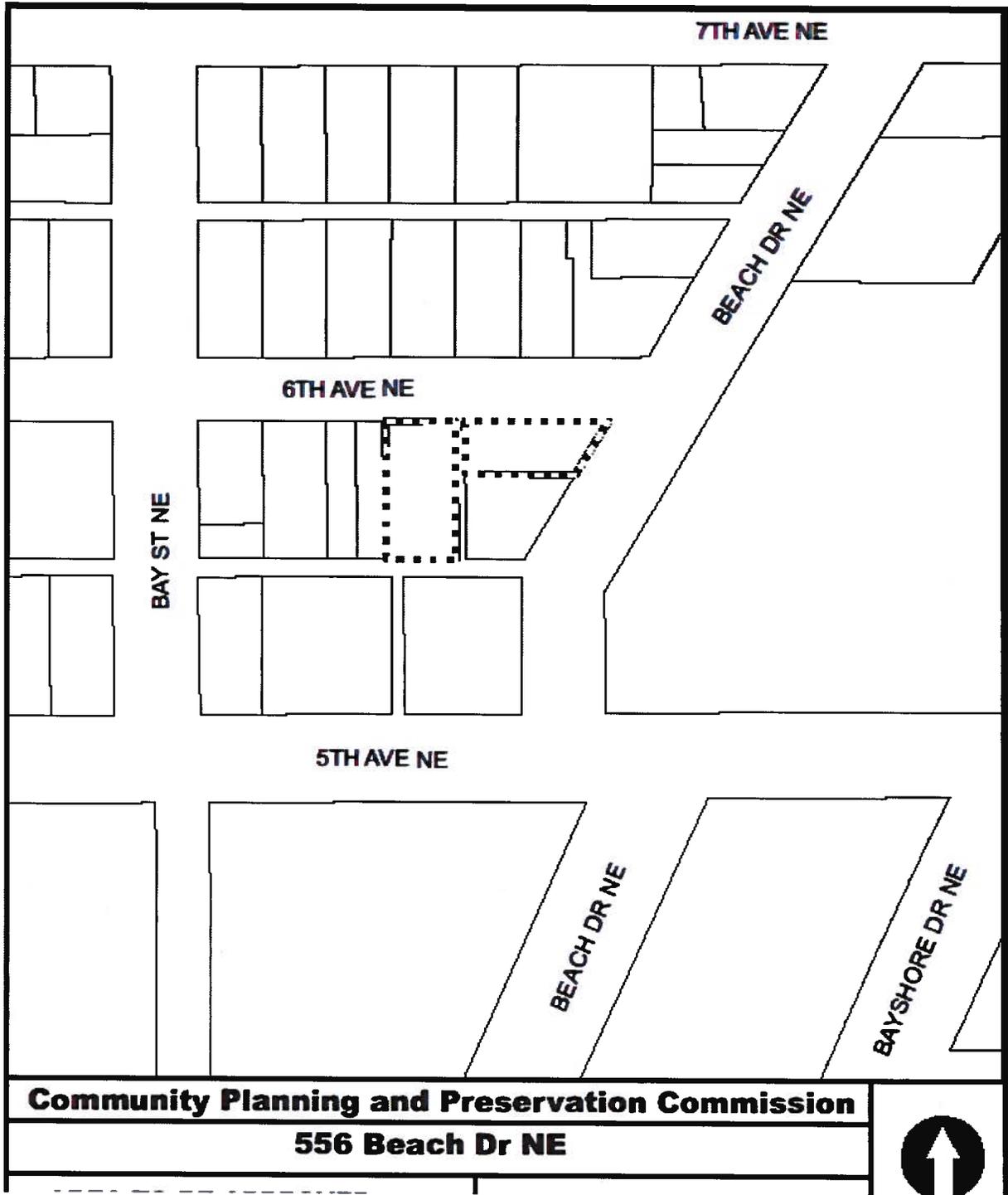
The Jones/Laughner House was constructed in 1909 for Dr. Louis and Sallie Jones Florence Ridgely. Aymer Vinoy Laughner, developer of the Vinoy Hotel, purchased the property in 1919. The early Craftsman architectural styling is rarer for St. Petersburg in its particular form, materials, and locational significance in association with the Vinoy Hotel.

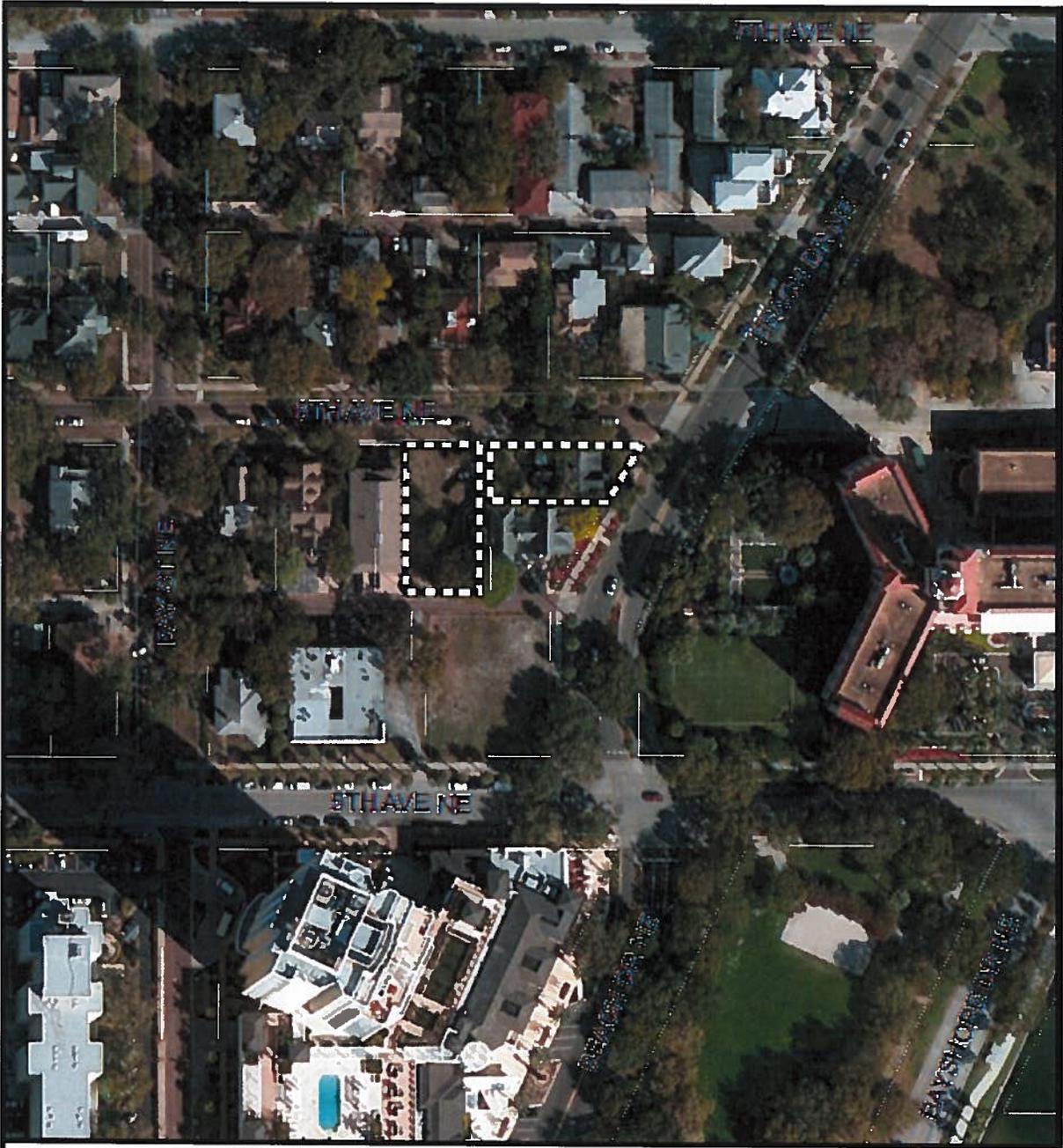
The current property owners are making extensive improvements to the interior and exterior, restoring and repairing original forms and cladding, various structural components and systems, various architectural elements, and restoring/repairing an appropriate fenestration package. Under a separate set of applications, the property owners have been approved for, and are in the process of replacing a garage/apartment with one that matches the identity and character of the main building.

When the rehabilitation work is completed, the property owners are expected to submit the *Part 2 – Request for Review of Completed Work* form, which includes documentation of the cost of the qualifying improvements, and allow a rehabilitation inspection by Staff. The application will then be placed into the applicable 2019 AVT cycle.

RECOMMENDATION: Staff recommends **APPROVAL** of the second and final six-month extension of AVT 16-90400004 to expire March 31, 2018.

APPENDIX A
Maps





Community Planning and Preservation Commission

556 Beach Dr NE



APPENDIX B
AVT Application



City of St. Petersburg
Historic Preservation Division
www.stpete.org

**Property Tax Exemption
Preconstruction Application
Part I**

Instructions: Read the attached instructions carefully before completing this application. Your application cannot be evaluated unless it is complete and all required supporting materials are provided. In the event of any discrepancy between the application for and other supplementary material submitted with it (such as architectural plans, drawings and specifications), the application form shall take precedence. Type or print clearly in black ink. If additional space is needed, attach additional sheets.

A. General Information (to be completed by all applicants)

1. Property Identification and Location

Property Identification Number (from tax records) 17-31-17-04842-010-0010 (Attach legal description)
Address of property: Street 556 Beach Dr NE
City St Petersburg County Pinellas Zip Code 33701

2. Qualifying Property Information:

The property is:

- individually listed on National Register a locally designated historic landmark
 in a National Register district in a locally designated district

3. Type of request:

- Exemption under 196.1997, F.S. (standard exemption)
 Exemption under 196.1998, F.S. (Exemption for properties occupied by non-profit organizations or governmental agencies and regularly open to the public.) See section C on page 2.

4. Owner Information:

Name of individual or organization owning the property Peter & Lani Ford
Mailing Address 1001 Bay St NE
City St Petersburg State FL Zip Code 33701
Daytime Telephone Number 727 410-2931

If the property is in multiple ownership, attach a list of all owners with their mailing addresses.

5. Owner Attestation: I hereby attest that the information I have provided is, to the best of my knowledge correct, and that I own the property described above or that I am the authority in charge of the property. Further, by submission of this application, I agree to allow access to the property by appropriate representatives of the City of St. Petersburg or Pinellas County for the purpose of verifying the information provided in the application. I also understand that, if the requested exemption is granted, I will be required to enter into a covenant with the City of St. Petersburg and Pinellas County in which I must agree to maintain the character of the property and the qualifying improvements for the term of the exemption.

Peter Ford Name [Signature] Signature 3/24/15 Date

Complete the following if signing for an organization of multiple owners:

Title Organization Name

B. Property Use (To be completed by all applicants)

1. Use(s) before improvement: Single family home
2. Proposed uses(s): Single family home

C. Special Exemption (complete only if applying for exemption under s. 196.1998, F.S., property occupied by non-profit organization or government agency and regularly open to the public)

1. Identify governmental agency or non-profit organization occupying the building or archaeological site.

2. How often does this organization or agency use the building or archaeological site? _____
3. For buildings, indicate the total usable area of the building in square feet. (for archaeological sites, indicate the total area of the upland component in acres) _____ square feet acres
4. How much area does the organization or agency use? _____ %
5. What percentage of the usable area does the organization or agency use? _____ %
6. Is the property open to the public? Yes No If so, when?

7. Are there regular hours? Yes No. If so, what are they?

8. Is the property open by appointment? Yes No
9. Is the property open ONLY by appointment? Yes No

D. Description of Improvements (to be completed by all applicants):

Describe in the blocks below, site work, new construction, alterations, etc. Attach photographs and maps.

<p>Feature 1: Approximate date of feature: Description and condition of feature:</p> <ul style="list-style-type: none"> • see attached plans • property treated for termites • interior doors repaired or replaced with original style doors • windows repaired or re-created like originals. • interior woodwork restored. <p>Photo no. _____ Drawing no. <u>1</u></p>	<p>Describe work and impact on existing feature:</p> <ul style="list-style-type: none"> • Kitchen cabinets replaced with period style. • hardwood floors refinished or replaced with reclaimed red pine. • bathrooms replaced with appropriate materials
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APPENDIX C
Photographs



Before: NE elevation



In-progress: NE elevation



Before: N gable area



In-progress: N gable area



Before: Soffit damage (typ.)



In-progress: Repaired soffit



Upper before: Front porch

Lower in-progress: Front porch



Before: Rear elevation



In-progress: Rear elevation



New construction: Garage/apartment under separate application

APPENDIX D
Plans/Drawings



ED ARCHITECTURE AND DESIGN, P.A.
 877 PATTERSON RD, SUITE 101
 FORT PETERSBURG, FL 34715
 TEL: 787.491.4011
 info@edad.com

DATE: 03/20/2018

TWO
 P.L.C.
 11/13/2017
 11/13/2017
 C.E.L., P.E.
 E.M.A., R.G.P.A.S.P.



THE HISTORIC FORD
 (JONES-LAUGHNER)

RESIDENCE
 666 BEACH DRIVE NE
 6T, PETERSBURG, FL
 33701

CONSTRUCTION
 DOCUMENTS
 CHECK SET

NOT FOR CONSTRUCTION
 20 MARCH 2018

MARK	DATE	DESCRIPTION

PROJECT NO: 18-21
 MODEL FILE:
 DRAWN BY: ECH
 CHECKED BY: ECH
 COPYRIGHT © EDAD

3-SHEET SET
 DECONSTRUCTION
 PLANS

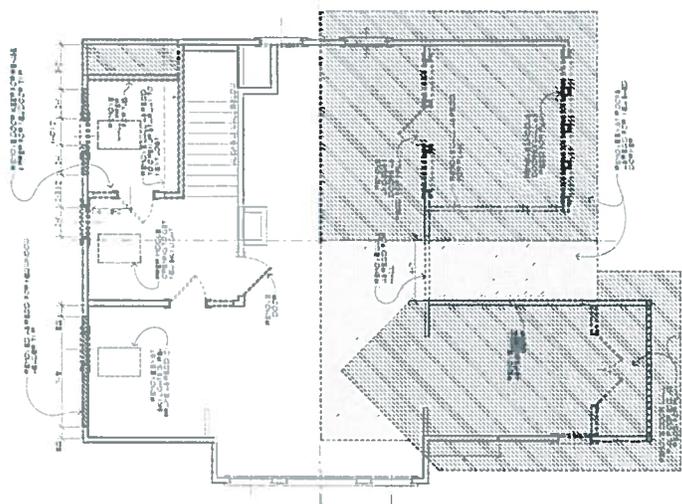
A-03
 SHEET 3 OF 11

DECONSTRUCTION NOTES:

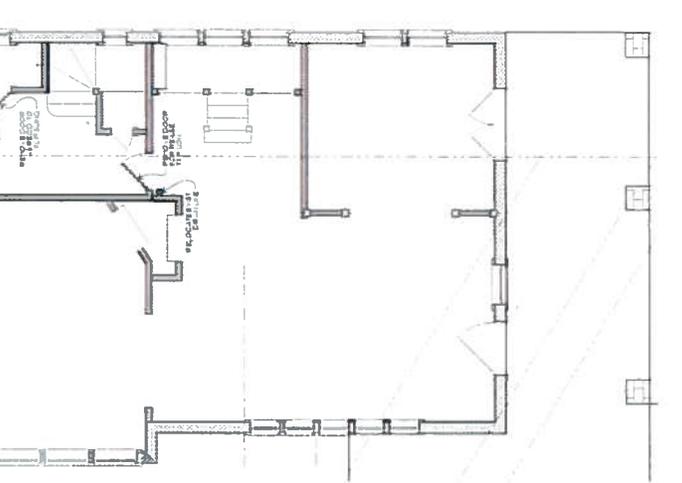
1. BEFORE ANY WORKS CAN BE CONSTRUCTED, ALL NECESSARY PERMITS AND APPROVALS MUST BE OBTAINED FROM THE LOCAL, STATE AND FEDERAL AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.
2. THE CONTRACTOR SHALL REMOVE ALL EXISTING WORK, INCLUDING BUT NOT LIMITED TO: ROOFING, EXTERIOR WALLS, INTERIOR WALLS, FLOORS, CEILING, MECHANICAL, ELECTRICAL, AND PLUMBING. ALL REMOVAL SHALL BE DONE IN ACCORDANCE WITH THE LOCAL, STATE AND FEDERAL REGULATIONS.
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GENERAL NOTES:

1. ALL WORK SHALL CONFORM TO THE CURRENT FLORIDA BUILDING CODE (FBC) AND ALL APPLICABLE LOCAL, STATE AND FEDERAL REGULATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.
2. THE CONTRACTOR SHALL REMOVE ALL EXISTING WORK, INCLUDING BUT NOT LIMITED TO: ROOFING, EXTERIOR WALLS, INTERIOR WALLS, FLOORS, CEILING, MECHANICAL, ELECTRICAL, AND PLUMBING. ALL REMOVAL SHALL BE DONE IN ACCORDANCE WITH THE LOCAL, STATE AND FEDERAL REGULATIONS.
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DECONSTRUCTION PLAN -
 2nd FLOOR
 SCALE: 1/8" = 1'-0"



DECONSTRUCTION PLAN -
 1st FLOOR
 SCALE: 1/8" = 1'-0"



BID ARCHITECTURE AND DESIGN, P.L.L.C.
 1500 BAY ST NW
 FT PETERSBURG, FL 33707
 TEL: 787-461-1100
 FAX: 787-461-0011
 INFO@EDADDESIGN.COM

CONTACTS:

NAME: _____
 TITLE: _____
 PHONE: _____
 CELL: _____
 EMAIL: _____



**THE HISTORIC FORD
 (JONES-LAUGHER)**

RESIDENCE

666 BEACH DRIVE NE
 ST. PETERSBURG, FL
 33701

**CONSTRUCTION
 DOCUMENTS
 CHECK SET**

NOT FOR CONSTRUCTION

20 MARCH 2016

TASK	DATE	DESCRIPTION

PROJECT:

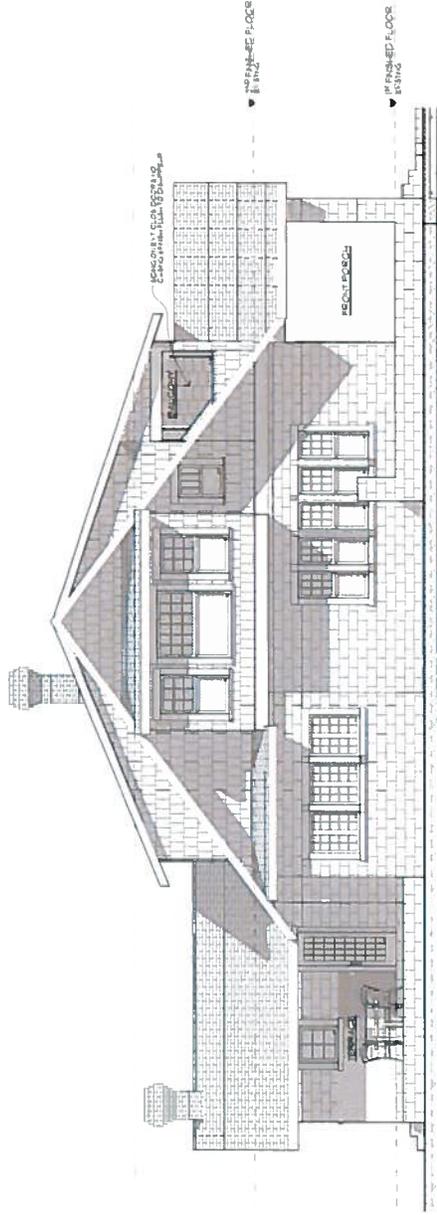
NO. _____
 PROJECT NO. _____
 SHEET NO. _____
 CHECK BY: _____
 CONTRACT: FORD ROAD

SHEET TITLE

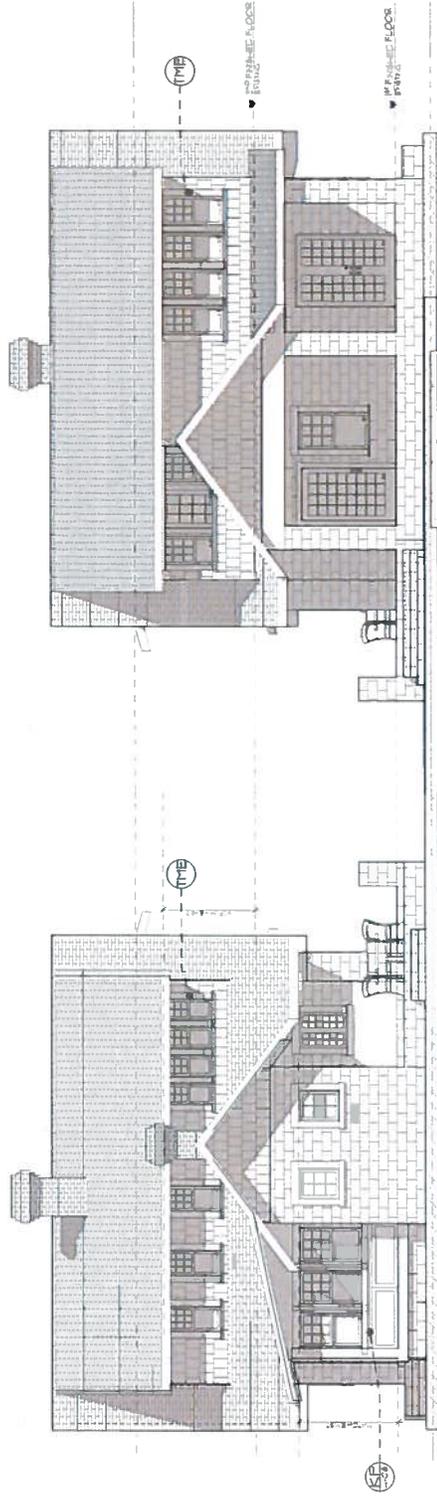
**FRONT, REAR, &
 SOUTH
 EXTERIOR
 ELEVATIONS**

A-01

SHEET 1 OF 11



S SOUTH SIDE EXTERIOR ELEVATION
 SCALE 1/4" = 1'-0"



E FRONT (EAST) EXTERIOR ELEVATION
 SCALE 1/4" = 1'-0"

W REAR (WEST) EXTERIOR ELEVATION
 SCALE 1/4" = 1'-0"



EAD ARCHITECTURE AND DESIGN, P.L.L.C.
 877 PARKWAY, SUITE 100
 WEST PALM BEACH, FL 33411
 TEL: 561-833-1111
 FAX: 561-833-1111
 INFO@EADDESIGN.COM

CONTRACT NO. 2018-001

PROJECT NO. 18-001
 DATE: 03/20/18
 DRAWN BY: J. LAUGHER
 CHECKED BY: J. LAUGHER
 APPROVED BY: J. LAUGHER



**THE HISTORIC FORD
 (JONES-LAUGHER)
 RESIDENCE**

956 BEACH DRIVE NE
 ST. PETERSBURG, FL
 33710

**CONSTRUCTION
 DOCUMENTS
 CHECK SET**

**NOT FOR CONSTRUCTION
 20 MARCH 2018**

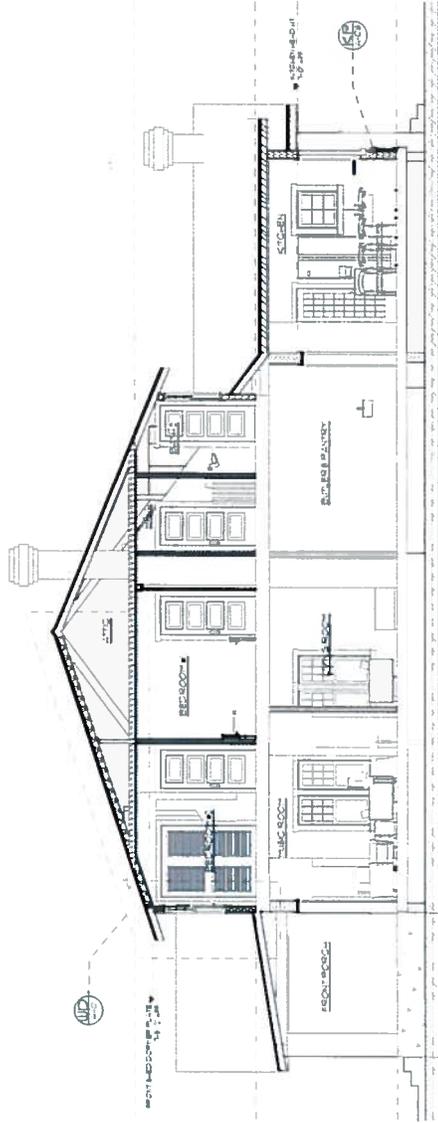
TAB. DATE DESCRIPTION

PROJECT NO. 18-001
 TITLE: ELEVATION & BUILDING SECTION
 DRAWN BY: J. LAUGHER
 CHECKED BY: J. LAUGHER
 APPROVED BY: J. LAUGHER

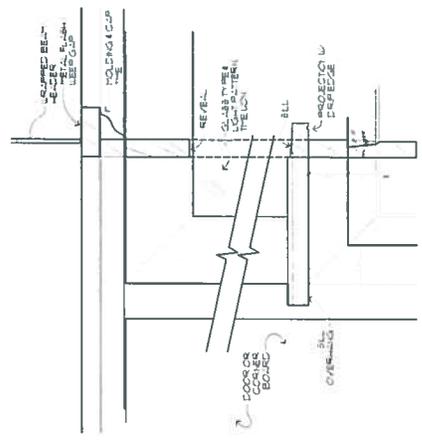
**NORTH EXT.
 ELEVATION &
 BUILDING
 SECTION I**

A-08

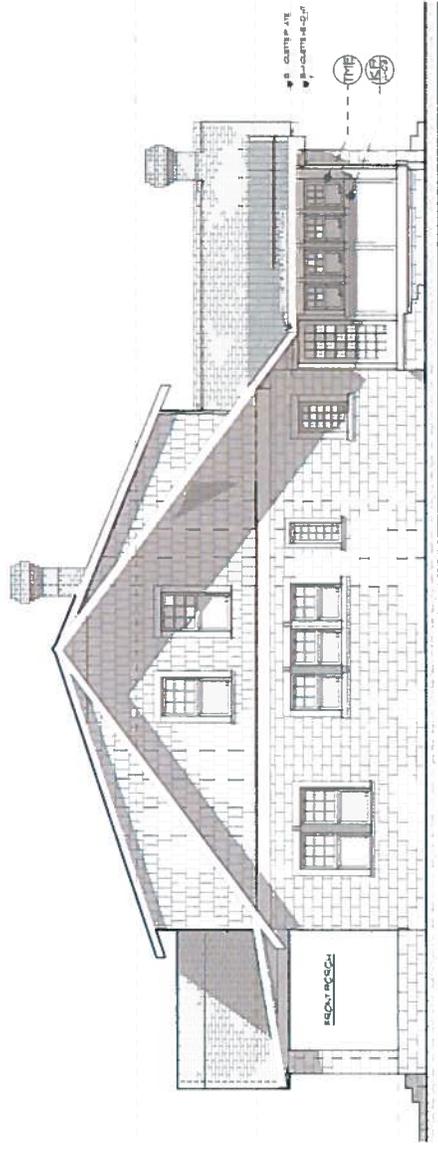
8-SHEET OF 11



(X) BUILDING SECTION
 SCALE 1/4" = 1'-0"



(K) KITCHEN PANEL DETAIL
 SCALE 3/8" = 1'-0"



(N) NORTH SIDE EXTERIOR ELEVATION
 SCALE 1/4" = 1'-0"



COMMUNITY PLANNING & PRESERVATION COMMISSION

Prepared by the Planning & Economic Development Department,
Urban Planning and Historic Preservation Division

For Public Hearing on Wednesday, January 9, 2018
at 2:00 p.m. in the City Council Chambers, City Hall,
175 Fifth Street North, St. Petersburg, Florida.

City File: TSPE 2018-01 – 201 9th AVENUE NORTH After-the-Fact Variance - Traditional Streetscape Preservation

This is a private-initiated variance request to City Code, Section 16.40.130.3, “Streetscape Preservation, Traditional” regulating the maintenance and replacement of hexblock sidewalks. During construction of a new single-family house on the subject property, the hexblock sidewalk was removed without permit(s) and replaced with stamped concrete in violation of the City Code’s preservation requirement. The applicant is seeking an after-the-fact variance to retain the new, concrete sidewalk.

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APPLICANT INFORMATION

SITE: 201 9th Avenue Northeast; 18-31-17-05274-011-0070
APPLICANT: Michael Setley, Trustee
Michael Setley 2016 Rev. Trust
122 Leisure Court
Wyomissing, Pennsylvania 19610

CONTACT: Dillon Alderman, President
Alderman Planning Company
P.O. Box 55755
St. Petersburg, Florida 33732Derek.Kilborn@stpete.org
(727) 893-7872

STAFF ANALYSIS

History of Hexblock Preservation

Along with building materials, building typologies, and architectural styles, the landscape and certain site features common to the City of St. Petersburg play a major role in forming the “sense of place” or feeling that makes “The Sunshine City” unique and special. Hexagon blocks, six-sided and sometimes multi-colored stones, have been used for public sidewalks in St. Petersburg since about 1914. These hexagon blocks, and the hexblock sidewalks created from them, have become so iconic to the City’s identity they are often portrayed in marketing materials and the visual arts. Recognizing the value of their contribution to the City’s cultural landscape, hexblock sidewalks are protected within, and adjacent to, historic districts, hexagon block preservation districts, and individual local landmarks.

Starting in 2003, the City Council passed Resolution 2003-715, which was designed to protect existing hexagon block sidewalks in certain districts, enumerated to include the Old Southeast sidewalk preservation district and the Roser Park, Uptown, Kenwood, and Old Northeast National Register Historic Districts. The effect of this resolution prevented hexblock sidewalks from being removed and reconstructed with concrete or other materials.

In 2004, the hexblock sidewalk preservation policy was amended by Resolution 2004-715, stating that in addition to the districts referenced by Resolution 2003-715, hexblock sidewalks shall be preserved within the Downtown National Register Historic District and any other officially designated Local Landmark and National Register Historic Districts.

In 2005, the hexblock sidewalk preservation policy was amended by Resolution 2005-382, clarifying that hexblock sidewalks shall be required to be preserved within any Local Landmark and National Register Historic Districts when they receive official designation *or have applied for* designation. Any qualifying application for designation must have been determined complete by the Historic Preservation Commission (now known as the Community Planning and Preservation Commission) and include hexblock sidewalks as a contributing element of the proposed or approved district.

Pursuant to these resolutions, hexblock sidewalks were to be preserved and neither the City nor the property owner shall have the discretion to install any other sidewalk material other than hexblocks where hexblock sidewalks currently exist

Finally, on May 21, 2015, the City Council adopted a text amendment codifying the aforementioned resolutions into Section 16.30.070 of the City Code. *See attached.* Section 16.40.130.3.E authorizes an adjoining property owner to request a variance to the hexblock preservation requirement and identifies the CPPC as the applicable commission for rendering such a decision.

Background

In August 2015, permit number 15-08001413 was approved for the construction of a new single family residence on the subject property. The construction drawings submitted with the permit application did not show any work proposed for the adjoining public rights-of-way and existing hexblock sidewalk. Other permits associated with this construction permit include: 1) demolition – 15-9000440; 2) swimming pool – 16-03000926; and 3) masonry wall – 16-90000908.

Starting on January 12, 2017, the City's Code Compliance Assistance Department ("CCAD") performed an initial inspection of the subject property for unpermitted work in the public rights-of-way, specifically replacement of the hexblock sidewalk along Bay Street Northeast. A violation notice was issued on January 19, 2017. In an attempt to rectify this violation, the City's Urban Planning and Historic Preservation Division ("UPHP") was first notified of this violation on January 31, 2017.

Analysis

At the time of UPHP's initial review, it was presumed that the applicant obtained all necessary permits for construction-related work in the public rights-of-way. Considering that this was a possible oversight by City staff, protocols were reviewed with Development Review Services staff to remind them of the hexblock sidewalk preservation requirements. To the contrary, further analysis revealed that the applicant never obtained the required right-of-way permit through the City's Engineering Department. Had the applicant obtained the required permit prior to replacement, the requirements for preservation would have been noted and the violation averted.

According to the City's Engineering Department, *all approved permits* for work in the public rights-of-way include the following conditions of approval. The following conditions are a further check in the review process to ensure preservation:

Hexagon sidewalk preservation requirements:

- Per City Council resolution, existing hexagon block sidewalks in the city right-of-way are to be preserved in Roser Park, Round Lake, Kenwood, Old Northeast, and Downtown National Register Historic Districts, and/or local historic districts, and the Old Southeast hexagon block preservation district.
- This policy extends to sidewalks abutting local landmarks.
- This policy extends to local and national districts which have received official designation, and to applications for districts which have been determined by the historic preservation commission to be complete.
- This policy extends to areas which have been surveyed by, or on behalf of the city and have been determined eligible for designation as a national register historic district and/or local historic district in which hexagon block sidewalk is a contributing historic element.
- Extreme care must be taken to protect existing hexagon block sidewalks from damage by construction or other activities. Hexagon block sidewalks should not be traversed by vehicles or equipment and should not be used as locations for material storage.
- Hexagon block sidewalks shall be temporarily removed and replaced when required to allow equipment or vehicular access to the site.
- It is the responsibility of the permit holder and the property owner to protect and keep safe from theft and/or damage all hexagon blocks, granite curbing and/or street or alley brick which may be temporarily removed and to provide for adequate traffic and pedestrian control while any portion of a public travel path is adversely affected. The permit holder and the property owner are jointly and severally liable for any loss of or damage to any such materials that may be temporarily removed.
- Damage to hexagon block sidewalks shall be repaired to meet current city engineering standards and specifications. The permit holder and the property owner are jointly and severally liable for the cost of repairing any such damage.
- Damage to public sidewalks, streets, curbs, or any public infrastructure within the right-of-way must be repaired before the city will conduct final inspections and/or issue certificates of occupancy.

- Damage to public sidewalk, streets, curbs, or any public infrastructure within the right-of-way is punishable per city municipal code section 1-7 by a fine not exceeding \$500.00, imprisonment for a term not exceeding 60 days, or by any combination thereof.

The applicant's narrative is careful to distinguish between the various obligations of the property owner, architect, contractor, and subcontractors. According to the applicant, both the hexblock and concrete sections of the existing sidewalk had become severely damaged during the construction process. Near the conclusion of the house construction, a subcontractor was directed to replace the damaged sidewalk. The subcontractor then constructed a new concrete sidewalk using a stamping device on loan from the City's Stormwater and Traffic Operations Department. The stamping device replicates the appearance of the City's historic hexblock sidewalk and is available on loan without regard to whether the borrower has obtained proper permits. Stamped, concrete sidewalks that replicate the historic hexblock sidewalks are routinely encouraged but only where they are replacing existing concrete sidewalks and not as a replacement for the hexblock pavers.

Variance Criteria

Any request for a variance is compared against the standards of review in City Code Section 16.70.040.1.6, also listed below. The applicant shall

- 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.**

In this instance, there are no special conditions which were peculiar to the public right-of-way or adjoining private property. Except for deferred maintenance associated with weed control, pictures from 2011 and 2014 (see attached) show the hexblock sidewalk in generally good condition. The hexblock sidewalk preservation requirements are applicable equally across several large sidewalk preservation and historic districts described by Section 16.30.070 of the City Code; the regulations are not unique to this property only.

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

The structural integrity of the hexblock sidewalk was shown to be in generally good condition as late as 2014. Failure to obtain a public right-of-way permit prior to the sidewalk replacement is the cause for this violation, as any permit request to replace the hexblock sidewalk would have been denied by City staff. Further, the applicant's narrative describing damage to the hexblock sidewalk during construction is the direct result of actions performed by the applicant's contractors and subcontractors. Finally if a permit was granted for maintenance and repair, the permit conditions would have obligated the applicant to prevent damage during the construction phase.

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

Prior to removal, a literal enforcement of this chapter would not have created an unnecessary hardship other than to remove and replace portions of the sidewalk to accommodate the movement of construction equipment and vehicles.

- 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 preservation provisions would not have prevented reasonable use of the applicant's property.

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

Since strict application of the preservation provision would not have prevented reasonable use of the property, there is no unreasonable condition to be mitigated to the minimum extent possible.

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

The City has an interest in protecting hexblock sidewalks throughout its historic neighborhoods. In this instance, the granting of a variance without mitigation would result in the removal of nearly 115 linear feet of hexblock sidewalk from within the North Shore National Register District. The applicant has proposed a remedy that would replace an equivalent linear distance of concrete sidewalk with the more historically appropriate, hexblock sidewalk. While the proposed remedy does not excuse the actions at the subject property, it does result in no net loss of hexblock sidewalk within the district.

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

The granting of a variance will result in the loss of historic materials at the subject property. The applicant has taken care to replicate the aesthetic features of a hexblock sidewalk and provided a smoother surface for use by neighboring pedestrians. These actions are not injurious to neighboring properties but they are detrimental in the sense that they diminish the historic authenticity of the National Register district.

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

The reasons set forth in the application do not appear to justify the granting of a variance; however, the applicant has proposed a remedy that results in no net loss of hexblock sidewalk within the district. This remedy should be considered when making a final decision.

- 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.**

Not applicable.

Comparable Example

During the processing of this code violation, 168 13th Avenue Northeast was cited for a nearly identical violation. Rather than pursue a variance / exception through the CPPC, the individuals, who are not associated with this request, opted to replace the newly installed concrete sidewalk with a sidewalk using hexblock pavers.

Applicant's Proposed Remedy

In order to rectify this code violation, the applicant is proposing an alternative solution. Since this violation resulted in the removal of approximately 115 linear feet of hexblock sidewalk, the applicant is proposing to replace a combined 120 linear feet of existing concrete sidewalk with hexblock sidewalk adjoining two active construction projects at 245 18th Avenue Northeast and 232 13th Avenue Northeast.



245 18th Avenue Northeast



232 13th Avenue Northeast

245 18th Avenue Northeast. The character of the surrounding block includes a combination of concrete and hexblock sidewalk. The property to the immediate east includes a hexblock sidewalk, using a distinct pattern of natural and pink-colored hexblock pavers. The property to the immediate west is concrete, which extends all the way through to the next intersection. The south face of the block is equally divided with a hexblock sidewalk along the west half and concrete sidewalk along the east half.

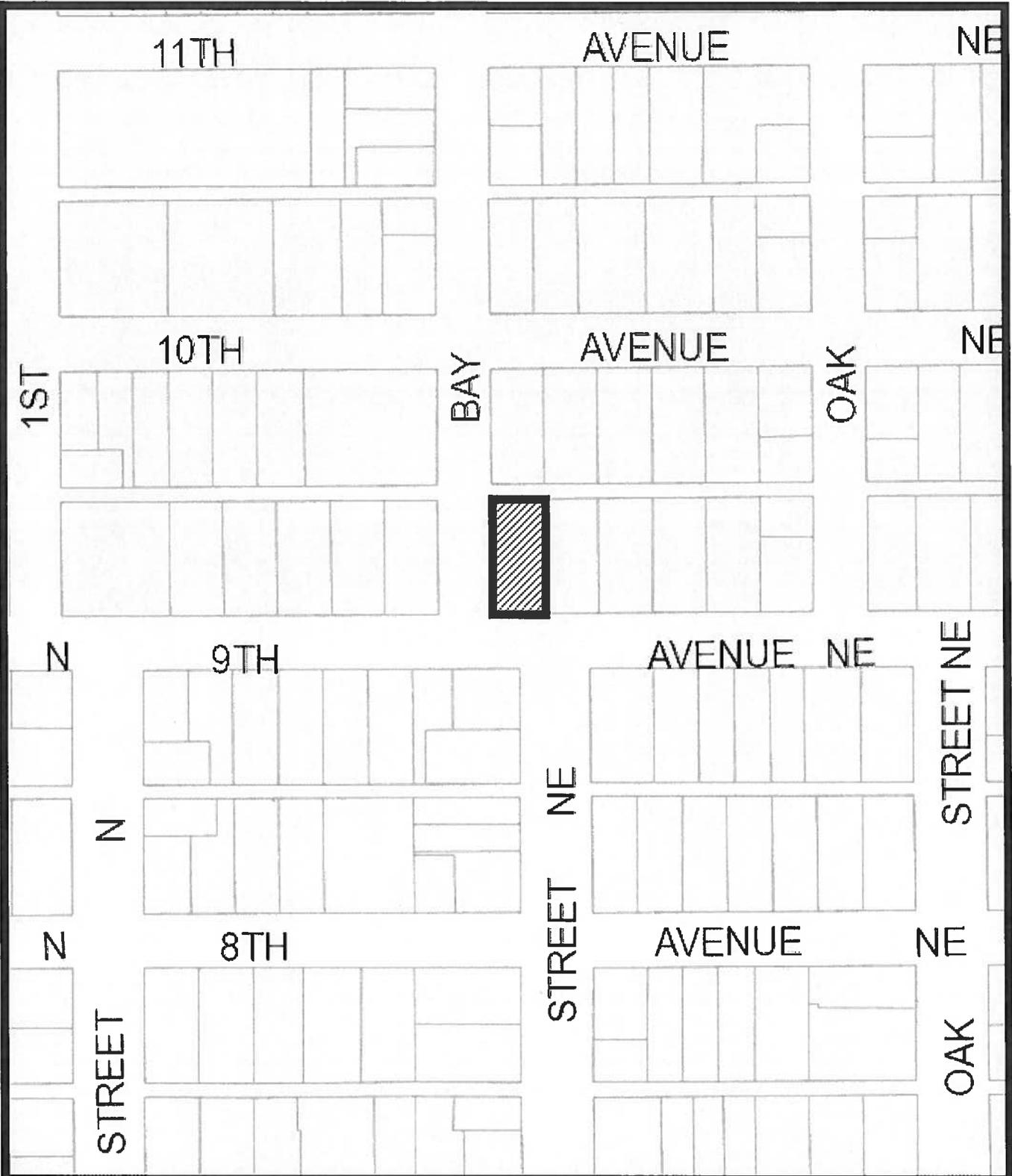
232 13th Avenue Northeast. The surrounding block is characterized by concrete sidewalks. There are a number of hexblock walkways connecting the sidewalk through the parkway to the curb of the street, but these are not protected. The proposal for a hexblock sidewalk at this location would be the only section of hexblock sidewalk on this block.

RECOMMENDATION

Due to City staff's technical analysis of the variance criteria, City staff is recommending **AGAINST** the variance request. The effect of denying this variance request will require the applicant to remove the existing concrete sidewalk and replace with hexblock pavers.

If the CPPC decides to approve the variance request, the following conditions of approval are recommended by City staff:

1. All work performed in the public right-of-way requires a public right-of-way permit, issued through the City's Engineering Department and reviewed in part by the City's Urban Planning and Historic Preservation Division
2. The applicant shall replace the concrete sidewalk in front of 245 18th Avenue Northeast with a hexblock sidewalk, constructed of individual, hexblock pavers. The hexblock pavers shall replicate the dimension, materials, color, and pattern of the existing hexblock sidewalk in front of 255 18th Avenue Northeast
3. The applicant shall replace the concrete sidewalk in front of 232 13th Avenue Northeast with a hexblock sidewalk, constructed of individual, hexblock pavers. Due to the incompatibility of hexblock pavers at this location with the adjoining concrete sidewalk, alternative addresses may be considered provided the linear distance is equal to or greater than the linear distance at 232 13th Avenue Northeast and provided that the location remains within the North Shore National Register District.



201 9TH AVENUE NORTHEAST

 = Subject Property



NORTH



**Photo Prior to Demolition; Taken in 2011
Looking north along 2nd Street Northeast**



Location of removed hexblock sidewalk

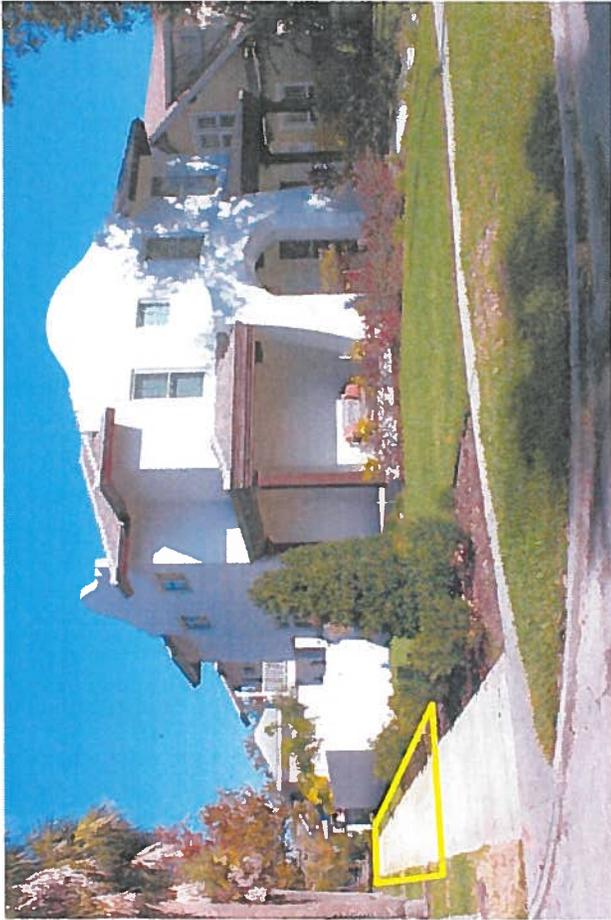


Top Photo Prior to Demolition; Taken in 2011



Top and Bottom Photo Prior to Demolition; Taken in 2014





AFTER-THE-FACT APPLICATION



VARIANCE

Application No. TSPE 2018-01

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): Michael Setley 2016 Rev. Trust, Michael Setley, Trustee	
Street Address: 122 Leisure Court	
City, State, Zip: Wyomissing, PA 19610	
Telephone No:	Email Address:
NAME of AGENT or REPRESENTATIVE: Dillon Alderman, President, Alderman Planning Company	
Street Address: P.O. Box 55755	
City, State, Zip: St Petersburg, Florida 33732	
Telephone No: 813-833-5161	Email Address: aldermanplanning@gmail.com
PROPERTY INFORMATION:	
Street Address or General Location: 201 9th Avenue Northeast, St Petersburg, Florida 33701	
Parcel ID#(s): 18-31-17-05274-011-0070	
DESCRIPTION OF REQUEST: Exemption from Hexagon Block Sidewalk Replacement	
PRE-APPLICATION DATE: 10/27/2017 PLANNER: Derek Kilborn	

FEES SCHEDULE			
1 & 2 Unit, Residential – 1 st Variance	\$300.00	Each Additional Variance	\$100.00
3 or more Units & Non-Residential – 1 st Variance	\$300.00	After-the-Fact	\$500.00
		Docks	\$400.00
		Flood Elevation	\$300.00
Cash, credit, checks made payable to "City of St. Petersburg"			

NOTIFICATION

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*: *Michael A. Setley* Date: 11/14/2017
 *Affidavit to Authorize Agent required, if signed by Agent.
 Typed Name of Signatory: MICHAEL A. SETLEY, Trustee UPDATED 09-30-16



CITY OF ST. PETERSBURG
PLANNING & ECONOMIC DEVELOPMENT 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: Micheal Setley 2016 Rev. Trust, Michael Setley, Trustee

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

Property Address: 201 9th Avenue Northeast, St Petersburg, Florida 33701

Parcel ID No.: 18-31-17-05274-011-0070

Request: Exemption from hexagon block sidewalk replacement

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): Dillon Alderman, President, Alderman Planning Company

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): Michael A Setley
Trustee

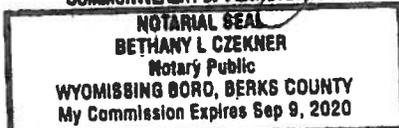
Michael A. Setley, Trustee
Printed Name

Sworn to and subscribed on this date

Identification or personally known: Michael A. Setley, personally known

Notary Signature: Bethany L Czekner
Commission Expiration (Stamp or date):

Date: 11/14/2017



ALDERMAN Planning Company

PO Box 55755, St. Petersburg, Florida 33732

Phone: 813-833-5161

Email: Aldermanplanning@gmail.com

Cover Letter

201 9th Avenue Northeast Setley Residence

Date: 11-14-2015
To: Community Planning and Preservation Commission
Regarding: Violation of the St Petersburg City Code, Chapter 16, Section 16.40.130 and failure to obtain a public right-of-way permit through the City's Engineering Department
Request: Exemption from Hexagon Block Sidewalk replacement
Project Address: 201 9th Avenue NE, St Petersburg, FL 33701
Permit Number: 15-08001413
Owner: Michael Setley 2016 Rev. Trust, Michael Setley, Trustee
Contractor: Aspen Venture Group, LLC
356 22nd Avenue Northeast
St Petersburg, Florida 33704

Dear Mr. Kilborn & Members of the Community Planning and Preservation Commission,

Since I designed the home located at 201 9th Avenue NE the owner and the contractor for this project have requested that I act as agent on their behalf to request an exemption from replacing the former hexagon block sidewalk with like materials. The contractor is responsible for the violations and would like to remedy the violations on behalf of the current owner.

Below is a brief explanation of events that led to the violations noted above, a description of the current homeowner's preference and how the current conditions warrant consideration of an exemption in this case:

First it must be stated that the contractor did not deliberately intend to violate any city code in the events that led to the violations. It was the contractor's intent to follow the approved site plan for the project and repair any damage caused to the sidewalk during the construction of the new home.

There was a sidewalk partially built of concrete and partially built of hexagon block along the easterly right of way of Bay Street Northeast at the beginning of the construction project. Some portions of the sidewalk were uneven and cracked. During construction, both the hexagon and concrete sections of the sidewalk were severely damaged. Near the conclusion of the house construction a subcontractor was directed to replace the damaged sidewalk. That subcontractor had constructed other sidewalks within the North Shore National Register District and proceeded to construct the replacement sidewalk in a similar way to those he had built before. He obtained stamping devices from City of St Petersburg Transportation Department and used them to create the hexagon pattern in the concrete sidewalk, believing that this was the correct method for replacing the sidewalk.

Unfortunately the contractor supervising the project was unaware that a public right-of-way permit was required to replace an existing sidewalk or else the need to replace the hexagon block sidewalk with similar materials would have been made known to him through the permitting process. Without that knowledge, he did what he thought would be the appropriate correction for the damage caused to the sidewalk. The end result is a continuous, well-built concrete sidewalk

that gives the appearance of historic hexagon block pavers where the sidewalk of mixed materials and uneven/broken hexagon pavers used to be.

Now that the concrete sidewalk has been built, the owner believes the concrete sidewalk to be an overall improvement to what had existed before and would like it to remain; primarily because the old sidewalk was uneven and deteriorated and he is concerned that as vegetation continues to mature and grow a hexagon block sidewalk will be distorted by root growth and become unsafe as portions of the old sidewalk had become.

It is the intention of the contractor to obtain the appropriate after-the fact public right-of-way permit directly following the Community Planning and Preservation Commission's determination regarding the request for Exemption, regardless of the outcome.

The concrete sidewalk is well constructed and creates the appearance that it is constructed of hexagon blocks, therefore preserving the historic appearance of the old sidewalk. The new sidewalk runs the entire length of the Bay Street NE right-of-way creating continuity that the original sidewalk of mixed materials lacked. Because of the continuity of structure, the concrete sidewalk will be less susceptible to environmental distortion and therefore be a safer walking surface than individual hexagon blocks.

Destroying the existing concrete hexagon pattern sidewalk to replace it with hexagon blocks will not make the sidewalk better when it achieves the historic look, continuity and structural integrity in its current condition. Please consider an exemption in this case.

Thank you,



Dillon Alderman



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.

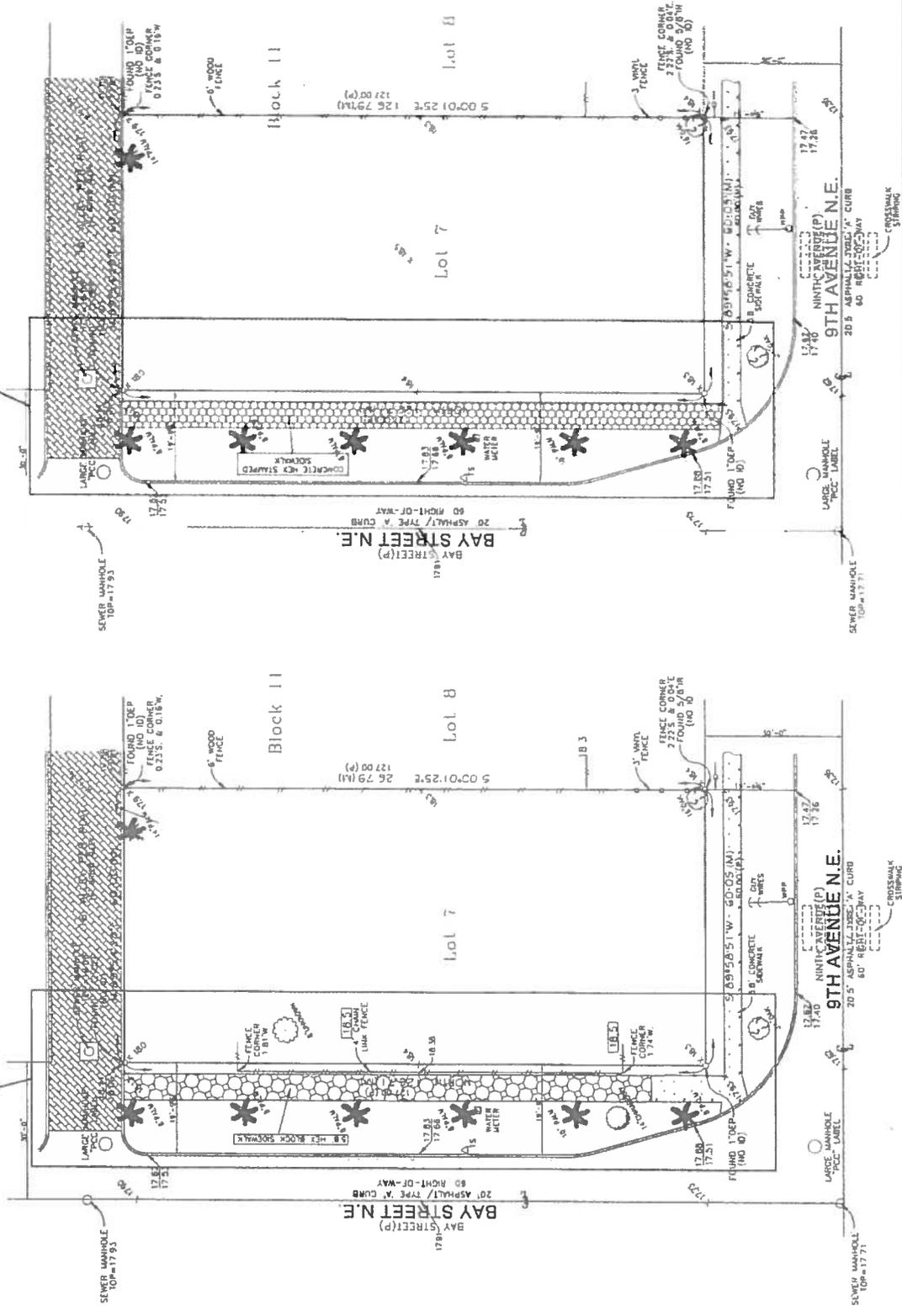
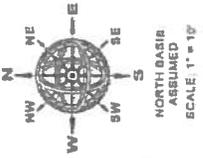
APPLICANT NARRATIVE	
4. How is the requested variance the minimum necessary to make reasonable use of the property? In what ways will granting the requested variance enhance the character of the neighborhood?	The requested variance is the minimum necessary because it preserves the existing condition
5. What other alternatives have been considered that do not require a variance? Why are these alternatives unacceptable?	The only alternative is to rebuild the sidewalk
6. In what ways will granting the requested variance enhance the character of the neighborhood?	Please see the cover letter regarding the merits of the existing concrete sidewalk

SECTION 18, TOWNSHIP 31 SOUTH, RANGE 17 EAST

A BOUNDARY SURVEY OF
 LOT 7, BLOCK 11, ACCORDING TO THE PLAT OF
 SNELL AND HAMLETT'S BAYVIEW ADDITION
 IS RECORDED IN PLAT BOOK 1001, COUNTY OF
 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA,
 OF WHICH PINELLAS COUNTY WAS FORMERLY A PART

Pre-construction
 condition

As-built
 condition

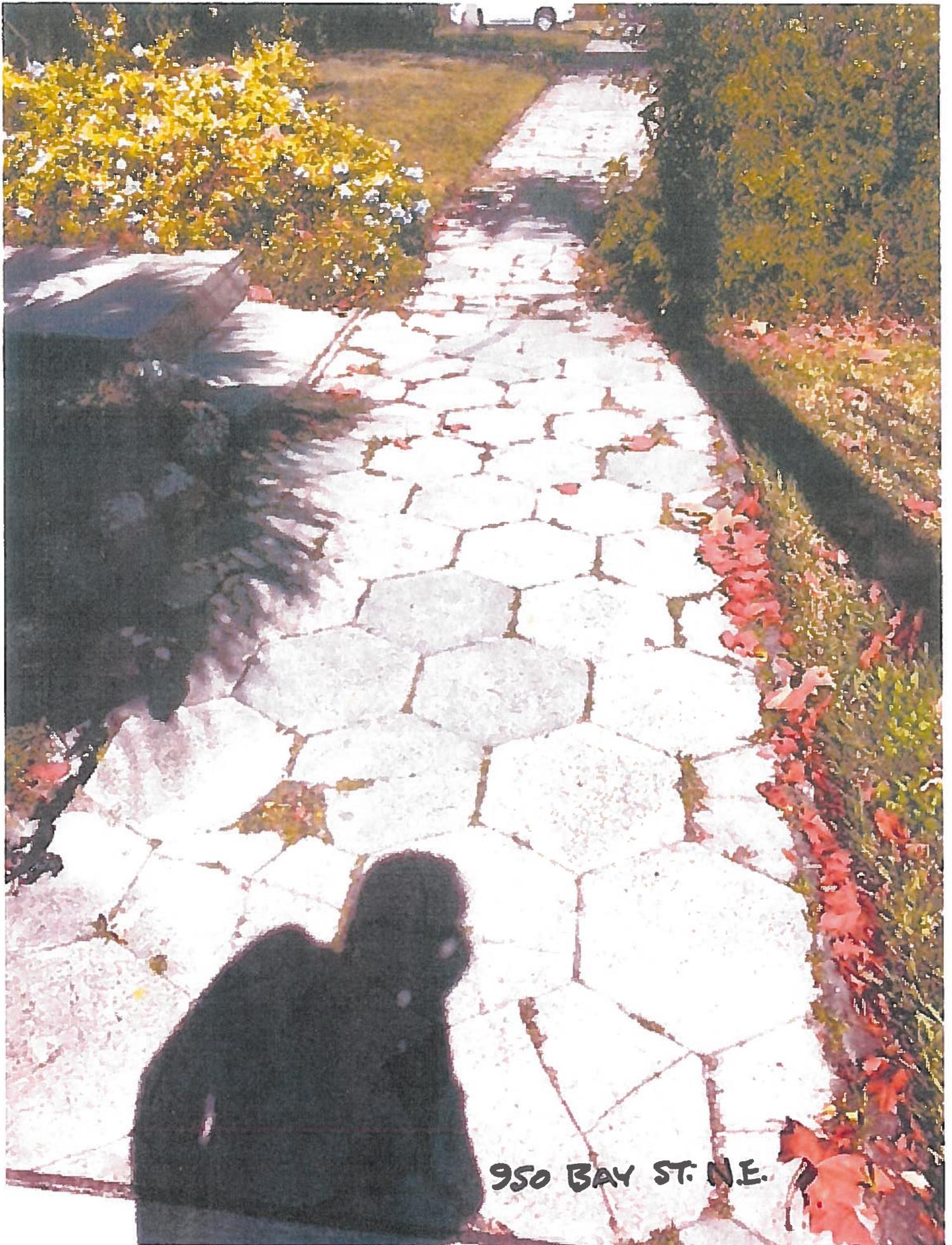


Sidewalk Plan
 ALDRMAN Planning
 Phone: 813.833.5183
 PO Box 55755 St. Petersburg, FL 33732

Project No. APC-1532 - Scale: 1"=10'
 Date Issued: 11-14-17

Miles Residence
 201 9th Avenue Northeast
 St Petersburg, Florida

Sheet
S.0.1



950 BAY ST. N.E.



202 10TH AVE N.E.



201 9TH AVE N.E.



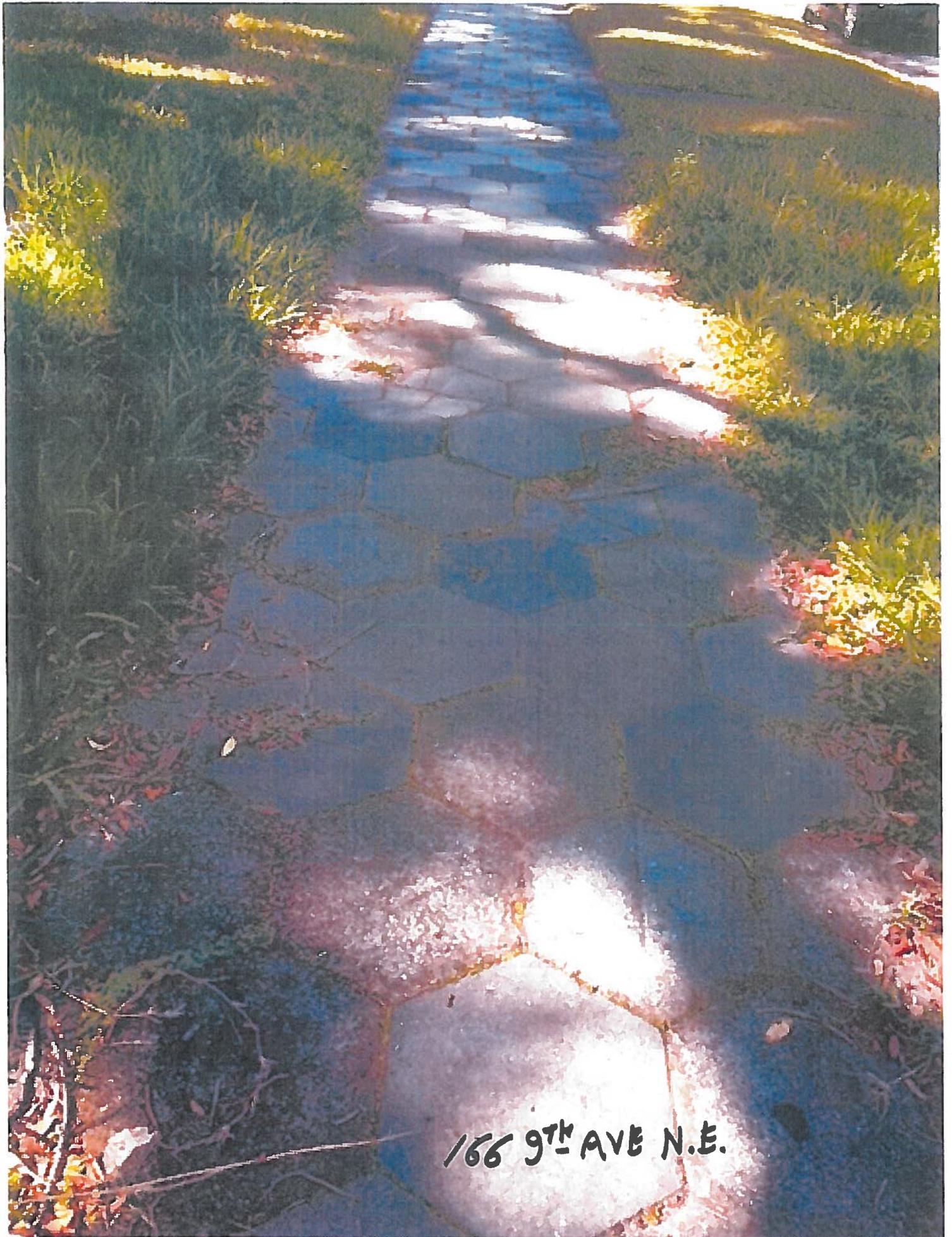
215 9TH AVE N.E.



215 9th AVE NE



SE, CORNER OF BAY ST. N.E.
& 9TH AVE N.E.



166 9TH AVE N.E.



166 9TH AVE N.E.



900 BAY ST. N.E.