



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

ACTION TAKEN AGENDA - MINUTES

**Council Chambers, City Hall
175 – 5th Street North
St. Petersburg, Florida 33701**

**August 3, 2016
Wednesday
2:00 P.M.**

Commission Members:

Chris Scherer, Chair – P
Joseph Griner, III, Vice Chair - A
Richard Doyle - P
Ben Fisher – P – left early
Charles Flynt - P
Bob Schumaker - P
Darren Stowe - P

Alternates:

1. Melissa Rutland – P
2. Calvin Samuel – P – left early
3. Patricia Castellano – A

A = Absent

P = Present

City Staff Present:

Elizabeth Abernethy, Zoning Official
Corey Malyszka, Urban Design & Development Coordinator
Kathryn Younkin, Deputy Zoning Official
Gary Crosby, Planner II
Shane Largent, City Arborist
Brittany McMullen, Planner II
Alexandria Hancock, Planner I
Michael Dema, Assistant City Attorney
Thomas Whalen, Planner III, Transportation and Parking Management
Derek Kilborn, Manager, Urban Planning and Historic Preservation Division
Pamela Jones, Administrative Clerk

- A. OPENING REMARKS OF CHAIR AND SWEARIING IN OF WITNESSES**
- B. ROLL CALL**
- C. APPROVAL OF MINUTES OF July 6, 2016 - *Minutes approved as amended by a unanimous vote of the Commission.***
- D. PUBLIC COMMENTS**
- E. PUBLIC HEARING AGENDA**

- 1. **Case No. 16-33000005 – 3901 3rd Street North - Deferred to September 7, 2016**
- 2. **Case No. 16-33000009 – 0 Country Club Way**
- 3. **Case No. 16-33000010 – 6000 Central Avenue and 6021 1st Avenue South – Deferred to September 7, 2016**
- 4. **Case No. 16-54000036 – 4829 16th Street North**
- 5. **Case No. 16-54000043 – 319 12th Avenue Northeast – Deferred from July 6, 2016**
- 6. **Case No. 16-54000046 – 3896 42nd Avenue South**
- 7. **Case No. 16-53000001 – 1846 Coffee Pot Boulevard Northeast – Deferred from July 6, 2016**

8. Case No. 13-52000016 – 3617 12th Street North
9. Case No. 16-52000009 – 525 Monterey Boulevard Northeast
10. Case No. 16-31000006 – 2526, 2536, 2546 13th Avenue North – Deferred from July 6, 2016
11. Case No. 16-31000008 – 6745 38th Avenue North
12. Case No. 16-32000010 – 1511, 1525, 1537 4th Street South
13. Case No. 16-32000011 – St. Petersburg Police Headquarters

F. PUBLIC LDR WORKSHOP – LDR 2016-04 – Text Amendment

AGENDA ITEM #E-1

CASE NO. 16-33000005

E-20

THIS CASE IS DEFERRED TO SEPTEMBER 7, 2016

AGENDA ITEM #E-2

CASE NO. 16-33000009

H-19 & 21, I-21, 19 & 17

REQUEST: Approval of a vacation of a portion of the unimproved rights-of-way of Country Club Way South and Miranda Way South adjacent to Boyd Hill Nature Park and St. Petersburg Country Club.

OWNER: St. Petersburg Country Club
2000 Country Club Way South
Saint Petersburg, Florida 33712-4109

AGENT: R. Donald Mastry, Esq.
200 Central Avenue #1600
Saint Petersburg, Florida 33712-33701

ADDRESS: 0 Country Club Way South

PARCEL ID NO.: A portion of 35-31-16-49356-000-0010

LEGAL DESCRIPTION: On File

ZONING: Neighborhood Suburban Estate (NSE)

PRESENTATIONS: Kathryn Younkin made a presentation based on the Staff Report. R. Donald Mastry, Esq., spoke on behalf of the Applicant.

PUBLIC HEARING: No speakers were present.

MOTION: Approval of a vacation of a portion of the unimproved rights-of-way of Country Club Way South and Miranda Way South adjacent to Boyd Hill Nature Park and St. Petersburg Country Club, subject to the conditions in the Staff Report.

VOTE: Yes – Doyle, Fisher, Flynt, Schumaker, Stowe, Rutland, Scherer.
No – None.

**ACTION TAKEN ON
16-33000009:** Approval of a vacation of a portion of the unimproved rights-of-way of Country Club Way South and Miranda Way South adjacent

to Boyd Hill Nature Park and St. Petersburg Country Club, subject to the conditions in the Staff Report; **APPROVED 7-0.**

AGENDA ITEM #E-3 CASE NO. 16-3300010 O-2

THIS CASE IS DEFERRED TO SEPTEMBER 7, 2016

AGENDA ITEM #E-4 CASE NO. 16-5400036 G-26

- REQUEST:** Approval of a variance to lot area from 5,800 sq. ft. required to 5,500 sq. ft. for two (2) lots in common ownership to allow development of two (2) single-family homes.
- OWNER:** HCI 4805 LLC
2552 1st Avenue North
Saint Petersburg, Florida 33713
- AGENT:** Dillon Alderman
Alderman Planning
PO Box 55755
Saint Petersburg, Florida 33732
- ADDRESS:** 4829 16th Street North
- PARCEL ID NO.:** 01-31-16-33858-003-0020
- LEGAL DESCRIPTION:** On File
- ZONING:** Neighborhood Traditional-1 (NT-1)
- PRESENTATIONS:** Kathryn Younkin made a presentation based on the Staff Report. Dillon Alderman spoke on behalf of the Applicant.
- PUBLIC HEARING:** No speakers were present.
- MOTION #1:** Add to condition No. 1: “and shall be of similar scale, elevations, and mass as depicted on the plans provided.”
- VOTE:** Yes – Doyle, Fisher, Flynt, Schumaker, Stowe, Rutland, Scherer.
No – None.
- MOTION #2:** Condition #5 shall read as follows: At least one of the two mature Live Oak trees shall remain, unless the trees are found to be in decline. If a permit is received for removal of any of the three large existing trees, replant shall consist of 4-inch minimum dbh shade trees.
- VOTE:** Yes – Doyle, Fisher, Flynt, Schumaker, Stowe, Rutland, Scherer.
No – None.
- MOTION #3:** Approval of a variance to lot area from 5,800 sq. ft. required to 5,500 sq. ft. for two (2) lots in common ownership to allow

development of two (2) single-family homes, subject to the conditions in the Staff Report as amended.

VOTE: Yes – Doyle, Fisher, Flynt, Schumaker, Stowe, Rutland, Scherer.
No – None.

**ACTION TAKEN ON
16-5400036:**

Approval of a variance to lot area from 5,800 sq. ft. required to 5,500 sq. ft. for two (2) lots in common ownership to allow development of two (2) single-family homes, subject to the conditions in the Staff Report as amended; **APPROVED 7-0.**

AGENDA ITEM #E-5

CASE NO. 16-5400043

E-8

REQUEST: Approval of variances to the required front and side yard setbacks to allow for the construction of a single-family residence.

OWNER: 319 12th Avenue NE, LLC
2201 Coachman Road #201
Clearwater, FL 33765

ADDRESS: 319 12th Avenue Northeast

PARCEL ID NO.: 18-31-17-05274-001-0081

LEGAL DESCRIPTION: On File

ZONING: Neighborhood Traditional-3 (NT-3)

PRESENTATIONS: Gary Crosby made a presentation based on the Staff Report. Forrest Eleazer, spoke on behalf of the applicant.

PUBLIC HEARING: Robin Reed spoke on behalf of HONNA in opposition to the application.

MOTION #1: Approval of front yard setbacks of 17-feet, 9-inches for the steps, 21-feet for the open porch, and 27-feet for the enclosed structure.

VOTE: Yes – Doyle, Fisher, Flynt, Schumaker, Stowe, Rutland, Scherer.
No – None. **APPROVED 7-0.**

MOTION #2: Amend Condition #2 by adding the following sentence: The tree preservation plan shall address the outdoor living area by allowing no hard surface in order to protect the grand live oak.

VOTE: Yes – Doyle, Fisher, Flynt, Schumaker, Stowe, Rutland, Scherer.
No – None. **APPROVED 7-0.**

MOTION #3: Approval of the left side yard 6-feet, 1-inch setback variance request for the construction of a single-family residence.

VOTE: Yes – Doyle, Fisher, Flynt, Schumaker, Stowe, Rutland, Scherer.
No – None. **APPROVED 7-0.**

MOTION #4: Approval of the right side yard to 6-feet, 2-inches setback variance request for the construction of a single-family residence.

VOTE: Yes – Doyle, Schumaker, Rutland, Scherer.
No – Fisher, Flynt, Stowe. **APPROVED 4-3.**

ACTION TAKEN ON 16-54000043: Approval of variances to the required front and side yard setbacks to allow for the construction of a single-family residence, subject to the conditions in the Staff Report as amended. **APPROVED.**

AGENDA ITEM #E-6 CASE NO. 16-54000046 K-21

REQUEST: Approval of a variance to the front setback requirement to construct an addition to an existing garage on a single-family home.

OWNER: Gerry and Lynne Marie Moore
3896 42nd Avenue South
Saint Petersburg, Florida 33711-4241

ADDRESS: 3896 42nd Avenue South

PARCEL ID NO.: 03-21-16-11682-006-0130

LEGAL DESCRIPTION: On File

ZONING: Neighborhood Suburban-1 (NS-1)

PRESENTATIONS: Alexandria Hancock made a presentation based on the Staff Report.
Rich and Lynne Marie Moore spoke on behalf of the application.

PUBLIC HEARING: No speakers were present.

MOTION: Approval of a variance to the front setback requirement to construct an addition to an existing garage on a single-family home, subject to the conditions in the Staff Report.

VOTE: Yes – None.
No – Doyle, Fisher, Flynt, Schumaker, Stowe, Rutland, Scherer.

ACTION TAKEN ON 16-54000046: Approval of a variance to the front setback requirement to construct an addition to an existing garage on a single-family home, subject to the conditions in the Staff Report; **DENIED 7-0.**

AGENDA ITEM #E-7 CASE NO. 16-53000001 D-12

REQUEST: Appeal of a decision to deny a permit to remove a grand tree.

OWNER: Michael & Rita Oglesby
1846 Coffee Pot Boulevard Northeast
Saint Petersburg, Florida 33704-4664

ADDRESS: 1846 Coffee Pot Boulevard Northeast

PARCEL ID NO.: 17-31-17-83222-064-0001

LEGAL DESCRIPTION: On File

ZONING: Neighborhood Traditional-3 (NT-3)

PRESENTATIONS: Shane Largent made a presentation based on the Staff Report. Michael Oglesby spoke on behalf of the application.

PUBLIC HEARING: Robin Reed spoke on behalf of HONNA in opposition of the application

MOTION: Approval of an appeal of a decision to deny a permit to remove a grand tree, subject to the conditions in the Staff Report.

VOTE: Yes – None.
No – Doyle, Fisher, Flynt, Schumaker, Stowe, Rutland, Scherer.

ACTION TAKEN ON 16-53000001: Approval of an appeal of a decision to deny a permit to remove a grand tree, subject to the conditions in the Staff Report; **DENIED 7-0.**

AGENDA ITEM #E-8 CASE NO. 13-52000016 G-20

REQUEST: Approval of a reinstatement of eight (8) dwelling units for a total of nine (9) units with variances to the requirements for a vehicle loading space, paving of parking areas, and the landscaping requirements for parking areas.

OWNER: Sara Johnson
1005 36th Avenue North
Saint Petersburg, Florida 33704

AGENT: Laura Bamond, Esq.
3510 1st Avenue North #125
Saint Petersburg, Florida 33713

AGENT: Mark Stephenson, Architect
WS Architecture, PLLC
146 2nd Street North #301
Saint Petersburg, Florida 33713

REGISTERED OPPONENT: Bogdan Asztalos
1209 37th Avenue North
Saint Petersburg, Florida 33704

ADDRESS: 3617 12th Street North

PARCEL ID NO.: 12-31-16-09486-000-0320

LEGAL DESCRIPTION: On File

ZONING: Neighborhood Traditional-2 (NT-2)

PRESENTATIONS: Kathryn Younkin made a presentation based on the Staff Report. Laura Bamond, Esq., spoke on behalf of the applicant. Bogdan and Tonya Watts Asztalos spoke as Registered Opponents.

PUBLIC HEARING: Linda Raymond spoke in favor of the application. Clyde Lance spoke in favor of the application. Jack Spinrad, President of Magnolia Heights, spoke in favor of the application.

MOTION: Approval of a reinstatement of eight (8) dwelling units for a total of nine (9) units with variances to the requirements for a vehicle loading space, paving of parking areas, and the landscaping requirements for parking areas, subject to the conditions in the Staff Report.

VOTE: Yes – Doyle, Fisher, Flynt, Schumaker, Stowe, Rutland, Scherer. No – None.

ACTION TAKEN ON 13-52000016: Approval of a reinstatement of eight (8) dwelling units for a total of nine (9) units with variances to the requirements for a vehicle loading space, paving of parking areas, and the landscaping requirements for parking areas, subject to the conditions in the Staff Report; **APPROVED 7-0.**

AGENDA ITEM #E-9 CASE NO. 16-5200009 D-14

REQUEST: Approval of a reinstatement of four (4) grandfathered dwelling units for a total of five (5) dwelling units.

OWNER: Winnipeg Five, LLC
5150 126th Avenue North
Clearwater, Florida 33760-4615

AGENT: Judy Anderson
Re/Max Action First
145 Bay Point Drive Northeast
Saint Petersburg, Florida 33704

ADDRESS: 525 Monterey Boulevard Northeast

PARCEL ID NO.: 08-31-17-72666-000-0080

LEGAL DESCRIPTION: On File

ZONING: Neighborhood Suburban-1 (NS-1)

PRESENTATIONS: Brittany McMullen made a presentation based on the Staff Report. Judy Anderson spoke on behalf of the applicant.

PUBLIC HEARING: No speakers were present.

MOTION: Approval of a reinstatement of four (4) grandfathered dwelling units for a total of five (5) dwelling units, subject to the conditions in the Staff Report.

VOTE: Yes – Doyle, Fisher, Flynt, Schumaker, Stowe, Rutland, Scherer.
No – None.

**ACTION TAKEN ON
16-52000009:**

Approval of a reinstatement of four (4) grandfathered dwelling units for a total of five (5) dwelling units, subject to the conditions in the Staff Report; **APPROVED 7-0.**

AGENDA ITEM #E-10

CASE NO. 16-31000006

I-8

REQUEST: Approval of a site plan to construct 69 townhomes. The applicant is requesting a variance to impervious surface ratio.

OWNER: 2536 13th Avenue North Holding
1004 Farnam Street #400
Omaha, Nebraska 68102-1885

America First Real Estate Group
1004 Farnam Street #400
Omaha, Nebraska 68102

AGENT: Ryan Studzinski
Icon Residential
6911 Pistol Range Road
Tampa, Florida 33635

REGISTERED OPPONENT: Laura Oldanie
2542 15th Avenue North
Saint Petersburg, Florida 33713

ADDRESS and
PARCEL ID NOS.: 2526 13th Avenue North; 14-31-16-00000-420-0200
2536 13th Avenue North; 14-31-16-00000-420-0100
2546 13th Avenue North; 14-31-16-00000-420-0300

LEGAL DESCRIPTION: On File

ZONING: Neighborhood Suburban Mult-Family-1 (NSM-1)

PRESENTATIONS: Corey Malyszka made a presentation based on the Staff Report. Bryan Kiraly spoke on behalf of the Applicant. Laura Oldanie spoke as the Registered Opponent.

PUBLIC HEARING: No speakers were present.

MOTION #1: Amend Special Condition No. 8 by adding: "with the exception of the requirements for a sidewalk along 11th Avenue North."

VOTE: Yes – Doyle, Fisher, Flynt, Schumaker, Stowe, Rutland, Scherer. No – None.

MOTION #2: Approval of a site plan to construct 69 townhomes with a variance to impervious surface ratio, subject to the conditions in the Staff Report as amended.

VOTE: Yes – Doyle, Fisher, Flynt, Schumaker, Stowe, Rutland, Scherer. No – None.

ACTION TAKEN ON 16-31000006: Approval of a site plan to construct 69 townhomes with a variance to impervious surface ratio, subject to the conditions in the Staff Report as amended; **APPROVED 7-0.**

AGENDA ITEM #E11 CASE NO. 16-31000008 Q-22

REQUEST: Approval of a site plan to construct a 39,819 sq. ft. Charter School at an existing Church with a variance to the number of required parking spaces.

OWNER: First Free Methodist Church of St. Petersburg, Inc.
6745 38th Avenue North
Saint Petersburg, Florida 33710-1536

AGENT: Peter Christopoulos
2045 Palmetto Street
Clearwater, Florida 33765

REGISTERED OPPONENT: Scott K. Wagman
1128 42nd Avenue Northeast
Saint Petersburg, Florida 33703

ADDRESS: 6745 38th Avenue North

PARCEL ID NO.: 06-31-16-27843-001-0010

LEGAL DESCRIPTION: On File

ZONING: Neighborhood Suburban-1 (NS-1)

PRESENTATIONS: Elizabeth Abernethy made a presentation based on the Staff Report.
Mathew Gunderson spoke on behalf of the applicant.
Scott K. Wagman spoke as a Registered Opponent.

PUBLIC HEARING: Jessica Stinson spoke against the application.
Enrique De La Piedra spoke against the application.
Dr. Rachael Bridges spoke in favor of the application.
Pastor Jason Roberts spoke in favor of the application.
Dr. Ed Carlson spoke on behalf of Jungle Terrace Civic Association in favor of the application.
Michelle West spoke in favor of the application.
Stephanie Weiser spoke in favor of the application.
Peggy Brown spoke against the application.

MOTION: Deferral of the decision up to 60 days to allow time for the applicant to present a traffic study.

VOTE: Yes – Doyle, Fisher, Flynt, Schumaker, Stowe, Rutland, Scherer.
No – None.

ACTION TAKEN ON 16-31000008: Deferral of the decision up to 60 days to allow time for the applicant to present a traffic study; **APPROVED 7-0.**

AGENDA ITEM #E-12 CASE NO. 16-32000010 F-9

REQUEST: Approval of a special exception and related site plan to construct a 2,050 sq. ft. restaurant with drive-thru. The applicant is requesting a variance to parking location.

OWNER: South Salt Creek, LLC
3245 5th Avenue North
Saint Petersburg, Florida 33713-7611

AGENT: Sean Cashen
Gulf Coast Consulting, inc.
13825 Icot Boulevard #605
Clearwater, Florida 33760

ADDRESSES and PARCEL ID NOS.: 1511 4th Street South; 30-31-17-46404-001-0020
1525 4th Street South; 30-31-17-46404-001-0030
1537 4th Street South; 30-31-17-46404-001-0050

LEGAL DESCRIPTION: On File

ZONING: Corridor Commercial Traditional-1 (CCT-1)

PRESENTATIONS: Corey Malyszka made a presentation based on the Staff Report.
Sean Cashen spoke on behalf of the applicant.

PUBLIC HEARING: No speakers were present.

MOTION: Approval of a special exception and related site plan to construct a 2,050 sq. ft. restaurant with drive-thru. The applicant is requesting a variance to parking location, subject to the conditions in the Staff Report.

VOTE: Yes – Doyle, Flynt, Schumaker, Stowe, Rutland, Scherer.
No – None.

ACTION TAKEN ON 16-3200010: Approval of a special exception and related site plan to construct a 2,050 sq. ft. restaurant with drive-thru. The applicant is requesting a variance to parking location, subject to the conditions in the Staff Report; **APPROVED 6-0.**

AGENDA ITEM #E-13 CASE NO. 16-3200011 G-2

REQUEST: Approval of a special exception and related site plan to construct a 172,900 sq. ft. police station. The applicant is requesting variances for 1) surface parking visible from right-of-way, 2) 50% transparency for ground level building facades along primary streets, 3) interior parking lot landscaping, and 4) fence height.

OWNER: City of St. Petersburg
COSP Engineering Capital Improvement Program
PO Box 2842
Saint Petersburg, Florida 33731-2842

AGENT: George F. Young, Inc.
Jonathan Gotwald, P.E.
299 Dr. Martin Luther King, Jr., Street North
Saint Petersburg, Florida 33701

ADDRESSES AND PARCEL ID NOS.: 1301 Arlington Avenue North; 24-13-16-43668-000-0430
1328 2nd Avenue North; 24-31-16-43668-000-0250
None; 24-31-16-43668-000-0290
None; 24-31-16-43668-000-0450
1325 Arlington Avenue North; 24-31-16-43668-000-0460
159 14th Street North; 24-31-16-43668-000-0470
129 14th Street North; 24-31-16-43668-000-0471
143 14th Street North; 24-31-16-43668-000-0472
1301 1st Avenue North; 24-31-16-73179-001-0010

LEGAL DESCRIPTION: On File

ZONING: Downtown Center-1 (DC-1)

PRESENTATIONS: Corey Malyszka made a presentation based on the Staff Report. Jonathan Gotwald spoke on behalf of the Applicant.

PUBLIC HEARING: No speakers were present.

MOTION #1: Delete special condition No. 2 from the Staff Report.

VOTE: Yes – Doyle, Flynt, Schumaker, Stowe, Rutland, Scherer.
No – None.

MOTION #2: Approval of a special exception and related site plan to construct a 172,900 sq. ft. police station. The applicant is requesting variances for 1) surface parking visible from right-of-way, 2) 50% transparency for ground level building facades along primary streets, 3) interior parking lot landscaping, and 4) fence height, subject to the conditions in the Staff Report as amended.

VOTE: Yes – Doyle, Flynt, Schumaker, Stowe, Rutland, Scherer.
No – None.

**ACTION TAKEN ON
16-32000011:**

Approval of a special exception and related site plan to construct a 172,900 sq. ft. police station. The applicant is requesting variances for 1) surface parking visible from right-of-way, 2) 50% transparency for ground level building facades along primary streets, 3) interior parking lot landscaping, and 4) fence height, subject to the conditions in the Staff Report as amended;
APPROVED 6-0.

**AGENDA ITEM #F LAND DEVELOPMENT REGULATIONS CODE AMENDMENTS
CONTACT PERSON: DEREK KILBORN 893-7872**

LDR-2016-04 Miscellaneous Text Amendments Workshop.

PRESENTATIONS: Derek Kilborn made a presentation to the Commission.